



**Planning Commission
County of Louisa
Thursday, April 10, 2025
Louisa County Public Meeting Room
7:00 PM**

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

I. APPROVAL OF AGENDA

II. APPROVAL OF PLANNING COMMISSION MINUTES

1. Planning Commission - Regular Meeting - February 13, 2025

III. CONSENT AGENDA

IV. PUBLIC ADDRESS

V. UNFINISHED BUSINESS

VI. PUBLIC HEARINGS

1. ORD 2025-02; Proposed Amendments to Chapter 86. Land Development Regulations; Article II. Zoning Ordinance and Maps

VII. NEW BUSINESS

VIII. DISCUSSION

1. ORD2025-01 Draft Amendments, Chapter 86 Land Development Regulations (Phase III)

IX. REPORTS

ANNOUNCEMENTS AND ADJOURNMENT

**BY ORDER OF:
JOHN DISOSWAY, CHAIRMAN
PLANNING COMMISSION
LOUISA COUNTY, VIRGINIA**



**Planning Commission
County of Louisa
Thursday, February 13,
2025
Louisa County Public Meeting Room
7:00 PM**

CALL TO ORDER

Chairman Disosway called the February 13, 2025, regular meeting of the Louisa County Planning Commission to order at 7:00 p.m.

ROLL CALL

Attendee Name	Title	Status	Arrived
Tommy J. Barlow	Mountain Road District Supervisor	Present	7:00 PM
Gordon Brooks	Commissioner	Present	7:00 PM
Ellis Quarles	Commissioner	Present	7:00 PM
George Goodwin	Commissioner	Remote	7:00 PM
John Disosway	Chairman	Present	7:00 PM
Matthew Kersey, Jr.	Commissioner	Present	7:00 PM
James Dickerson	Vice Chairman	Present	7:00 PM
Troy Painting	Commissioner	Present	7:00 PM
John J Purcell	Town of Louisa Representative	Present	7:00 PM

Others Present: Linda Buckler, Director of Community Development; Patricia Smith, County Attorney; Tom Egeland, Deputy Director of Community Development; and Renee Mawyer, Associate Planner.

INVOCATION

Mr. Dickerson led the invocation.

PLEDGE OF ALLEGIANCE

Mr. Quarles led the Pledge of Allegiance.

APPROVAL OF AGENDA

On the motion of Mr. Quarles, seconded by Mr. Kersey, which carried a vote of 7-0, the Planning Commission voted to approve the agenda of the February 13, 2025, without changes.

APPROVAL OF PLANNING COMMISSION MINUTES

Planning Commission - Regular Meeting – January 9, 2025 7:00 PM

On the motion of Mr. Kersey, seconded by Mr. Quarles, which carried a vote of 7-0, the Planning Commission voted to approve the minutes of the January 9, 2025, meeting without changes.

CONSENT AGENDA

None.

PUBLIC ADDRESS

Chairman Disosway opened the public address period.

With no one wishing to speak, Chairman Disosway closed the public address period.

UNFINISHED BUSINESS

CUP2024-06 JWC Enterprises, LLC (On Demand Concrete), Applicant; Ronald F. Reynolds Trustee, Ronald F. Reynolds Revocable Trust, Owner; Holly Reynolds, Agent – Conditional Use Permit Request

Renee Mawyer, Associate Planner, presented the conditional use permit request to allow the operation of a *construction yard* in the General Commercial (C-2) zoning district. The public comment period was opened and closed during the November 14, 2024, Planning Commission meeting.

On the motion of Mr. Kersey, seconded by Mr. Brooks, which carried a vote of 7-0, the Planning Commission voted to forward a recommendation of approval to the Louisa County Board of Supervisors on conditional use permit request CUP2024-06, to allow the operation of a *construction yard* in the General Commercial (C-2) zoning district with the following six (6) conditions:

1. Approvals. The applicant shall secure all necessary permits and approvals from the Louisa County Community Development Department, the Virginia Department of Transportation (VDOT), Virginia Department of Health (VDH) and other state agencies as necessary.
2. Lighting. All design and use of exterior lighting shall comply with the International Dark-Sky Association and shall be labeled as such on the site plan sketch.
3. Land Disturbance. The applicant or owner will submit the appropriate Site plan application for approval by Louisa County. Should land disturbance meet or exceed 10,000 square feet of area, an erosion and sediment control plan must be prepared and submitted to the County for review and approval, prior to any land disturbing activities commencing on-site.
4. Buffers. A 150' 8-foot-tall wooden privacy fence must be installed and be properly managed

and maintained as long as the property is used for a construction yard, to create a visual screening buffer for adjacent property owners at the intersection of Poindexter Road (RT 613) & Louisa Road (RT22). A vegetative buffer of 4-5 trees must be planted along with intersection of Jefferson Highway (RT 33) and Louisa Road (RT 22). The owner is responsible for installing the buffer or fence outside of any utility easements and VDOT required sight easements. Must be installed within three (3) months of approval of the Conditional Use Permit.

5. Inspection. The Board of Supervisors or their designated representative shall have the right to inspect the site at any reasonable time without prior notice.

6. Violation. Violation of any conditions contained herein shall be grounds for revocation of the Conditional Use Permit.

PUBLIC HEARINGS

Capital Improvements Plan (CIP)

Wanda Colvin provided the updated budget for the Louisa County Capital Improvements Plan (CIP) to the Planning Commission for review.

Chairman Disosway opened the public comment period.

With no one wishing to speak, Chairman Disosway closed the public comment period and brought it back to the Planning Commission for discussion.

On the motion of Mr. Brooks, seconded by Mr. Quarles, which carried a vote of 5-2, with Mr. Dickerson and Mr. Kersey voting against, the Planning Commission voted to forward a recommendation of approval to the Louisa County Board of Supervisors on the Capital Improvements Plan (CIP) department budget as presented.

CUP2024-09 & REZ2024-08 Amos Equipment Repair LLC, Applicant, Land Lovers Enterprises LLC, Owner; Anne Miller, Balzar and Associates, Agent – Conditional Use Permit and Proffer Amendment Request

Kayla Polychrones, Associate Planner, presented the conditional use permit request to allow for the operation of *equipment sales and rental* in the General Commercial (C-2) zoning district. The applicant also requested to amend proffers regarding hours of operation, activity levels, and access from REZI989-06.

Chairman Disosway opened the public comment period.

Anne Miller, with Balzar and Associates, represented the applicant and provided more information to the Planning Commission regarding the proposed project.

With no one else wishing to speak, Chairman Disosway closed the public comment period and brought it back to the Planning Commission for discussion.

Discussion took place between the Planning Commission and staff regarding the hours of operation, and access to the property.

On the motion of Mr. Painting, seconded by Mr. Quarles, which carried a vote of 7-0, the Planning Commission voted to forward a recommendation of approval to the Louisa County Board of Supervisors on the proffer amendment request REZ2024-08 to amend proffers #7, 8, 9, 10, and 11 from REZ1989-06 and conditional use permit request CUP2024-09, to allow for the operation of *equipment sales and rental* in the General Commercial (C-2) zoning district with the following eight (8) conditions:

1. Lighting. All design and use of exterior lighting shall comply with the International Dark-Sky Association and shall be labeled as such on the site plan sketch.
2. Permits. The applicant shall secure all necessary permits and approvals from the Louisa County Community Development Department, the Virginia Department of Transportation (VDOT), and the Virginia Department of Health (VDH).
3. Land Disturbance. Should land disturbance, which includes the addition of gravel, asphalt, or the grading of land, meet or exceed 10,000 square feet of area, an erosion and sediment control plan must be prepared and submitted to the County for review and approval, prior to any land disturbing activities commencing on-site.
4. Storage. No outside storage of merchandise shall be permitted within 50' of right of way.
5. Buffer. Meet vegetative buffer requirements as defined by Louisa County Land Development Regulations.
6. Ground Cover. All areas not occupied by buildings, structures, driveways and parking shall be covered with one or more of the following: lawn grass, natural shrubbery, plants, trees, or a vegetation combination as agreed upon by the Zoning Administrator and owner.
7. Inspections. The Board of Supervisors or their designated representative shall have the right to inspect the site at any reasonable time without prior notice.
8. Permit Revocation. Violation of any conditions contained herein shall be grounds for revocation of the Conditional Use Permit.

NEW BUSINESS

None.

DISCUSSION

Planning Commission By-Laws

Discussion took place within the Planning Commissioners and staff regarding the proposed changes to the By-Laws.

The Planning Commission voted 7-0, to approve the By-Laws with the proposed changes.

REPORTS

Linda Buckler, Director of Community Development, reported Community Development has moved back to the County office building, and provided updates to applications and upcoming ordinance amendments.

ANNOUNCEMENTS AND ADJOURNMENT

On the motion of Mr. Brooks, seconded by Mr. Kersey, which carried a vote of 7-0, the Planning Commission voted to adjourn the February 13, 2025, meeting at 8:04 PM.

BY ORDER OF:

JOHN DISOSWAY, CHAIRMAN
PLANNING COMMISSION
LOUISA COUNTY, VIRGINIA



COUNTY OF LOUISA

COMMUNITY DEVELOPMENT

(540) 967-3430

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www.louisacounty.gov

TO: Members, Louisa County Planning Commission
FROM: Chris Coon, Deputy County Administrator
DATE: April 3, 2025
SUBJECT: Retail Sales of Controlled Substances

Background

In response to changes in state legislation and the increasing presence of retail establishments selling legally authorized controlled substances, Louisa County has taken steps to provide appropriate land-use controls. As local ordinances previously lacked definitions or standards governing these businesses, the Planning Commission reviewed draft zoning amendments to address this regulatory gap.

Objective

To support public health and safety, economic opportunity, and land-use compatibility through regulatory tools that align with state law and promote responsible retail practices.

Proposed Definition

Retail Sales of Controlled Substances: The sale of legally authorized controlled substances directly to consumers, including but not limited to prescription medications, hemp products intended for consumption, substances containing any percentage of controlled substances, and other regulated substances. This category includes pharmacies, dispensaries, and other authorized retail establishments, but excludes alcohol, tobacco, and passive agricultural activity.

Draft Zoning Ordinance Amendment

The Planning Commission reviewed several regulatory approaches and expressed support for a strategy that would require a Conditional Use Permit (CUP) for the Retail Sales of Controlled Substances in the following zoning districts:

- C-1 (Commercial)
- C-2 (Commercial)
- RD (Residential Development)
- PUD (Planned Unit Development)
- C-1 GAOD (Growth Area Overlay District)
- C-2 GAOD (Growth Area Overlay District)

This approach allows the County to evaluate each proposed establishment on a case-by-case basis through the CUP process, ensuring appropriate community compatibility and compliance with applicable standards.

Key benefits of this strategy include:

- Transparency and public engagement through required hearings
- Case-by-case review of potential impacts related to location, scale, and operations
- The ability to impose conditions related to hours of operation, security measures, signage, and proximity to sensitive uses (e.g., schools or childcare centers)
- Alignment with state and federal licensing requirements and public health objectives
- Flexibility to respond to evolving community standards while providing a consistent regulatory pathway

Though this method introduces an additional review step for applicants, it supports the County's land-use goals and provides a structured, adaptable framework for managing this emerging retail sector.

Staff Recommendation

Staff recommends that the Planning Commission consider the proposed ordinance amendment as presented and offer any additional feedback or suggested refinements during the public hearing process, prior to making a formal recommendation.

DRAFT AMENDMENT

CHAPTER 86 - LAND DEVELOPMENT REGULATIONS (Retail Sales of Controlled Substances)

The purpose of the proposed amendment is to provide zoning and regulatory tools that balance public health and safety, economic opportunity, and community well-being while ensuring compliance with state and federal laws. It is essential to evaluate zoning and regulatory tools to responsibly manage the establishment of retail locations selling these products. Currently, local ordinances do not explicitly define or regulate these businesses, creating a need for clarity to ensure appropriate land-use planning and community compatibility. The draft amendment includes a proposed definition and zoning strategies for regulating the retail sale of controlled substances, including nicotine vapor products, hemp products intended for smoking, and other legally authorized substances. **THESE PROPOSED AMENDMENTS RELATE TO THE RETAIL SALES OF CONTROLLED SUBSTANCES APPLY THROUGHOUT ALL OF LOUISA COUNTY**; and are proposed pursuant to Va. Code §§ 15.2-2285 and 15.2-2286.

ARTICLE I. – GENERAL PROVISIONS

86-13 Definitions.

Retail Sales of Controlled Substances: The sale of legally authorized controlled substances directly to consumers, including but not limited to prescription medications, hemp products intended for consumption, a substance containing any percentage of controlled substances, and other regulated substances. This category includes pharmacies, dispensaries, and other authorized retail establishments but excludes alcohol, tobacco, and agricultural activity passive.

ARTICLE II. ZONING ORDINANCE AND MAPS

86-109 Matrix table.

Proposed Amendments to <u>Section 86-109 Use Matrix</u> to coordinate code sections based on the zoning district classification and whether the use is proposed as a permitted use, generally; or a permitted use with the issuance of a conditional use permit.																		
Defined Use	A-1 GAOD	A-2 GAOD	A-2 GAOD	R-1 GAOD	R-2 GAOD	R-2 GAOD	C-1 GAOD	C-2 GAOD	IND GAOD	I-1 GAOD	I-1 GAOD	I-2 GAOD	I-2 GAOD	RD	PUD			
COMMERCIAL																		
<i>Retail sales of controlled substances.</i>	X	X	X	X	X	X	X	C	C	C	X	X	X	X	X	C	C	
The proposed amendments affect only those uses listed above to be amended; and makes no changes to any other listed uses in Section 86-109																		
B = Allowable by-right																		
B(R) = Allowable by-right (with restrictions)																		
C = Conditional use permit																		
X = Not allowable																		

86-206 Permitted uses with a conditional use permit (C-1)

COMMERCIAL

Retail sales of controlled substances

86-224 Permitted uses with a conditional use permit (C-2)

COMMERCIAL

Retail sales of controlled substances

86-296 Permitted uses with a conditional use permit (RD)

COMMERCIAL

Retail sales of controlled substances

86-312 Permitted uses with a conditional use permit (PUD)

COMMERCIAL

Retail sales of controlled substances

86-412 Permitted uses with a conditional use permit (C-1 GAOD)

COMMERCIAL

Retail sales of controlled substances

86-431 Permitted uses with a conditional use permit (C-2 GAOD)

COMMERCIAL

Retail sales of controlled substances

TEXT LEGEND

Bolded Text = To Be Added

Regular Text = To Remain

~~Strikethrough~~ = To Be Removed



COUNTY OF LOUISA

MEMORANDUM

TO: Members, Louisa County Planning Commission

FROM: Staff, Community Development Department

DATE: April 3, 2025

RE: Proposed Amendments to Chapter 86. Land Development Regulations
(Phase III)

Purpose:

The following amendments to the Land Development Regulations are proposed to improve the efficiency of the Zoning and Subdivision Ordinances and to better serve the community by removing conflicts and outdated provisions.

1. Definitions Amendment

Amendments are proposed amend, delete or add definitions as follows:

- Delete *Buffering and screening yard*
- Amend *Division, parcel*
- Amend *Emergency shelter*
- Add *Off-grid construction (residential)*
- Amend *Private lane*
- Amend *Religious assembly*
- Amend *Residue or residual parcel or lot*
- Amend *Subdivision*
- Amend *Vegetative Buffer*

2. Update Short Term Rental of a Dwelling

Update short term rental of a dwelling to add the Resort Development zoning district and correct the effective date of the original ordinance.

3. Yard Regulations in the A-2 Zoning District

Remove the increased setback for “other permitted structures greater than 50 feet in height.”

4. Amend Provisions for Subdivisions in the A-2 Zoning District

Remove provisions for density bonus of three (3) additional lots for affordable housing purposes. The current regulations do not include any specific criteria or mechanisms on current and future enforcement. There is no longer an Affordable Housing Committee to provide recommendations and input on implementation and management. There has only been one subdivision development that received all three-density bonus lots in 2012.

5. Subdivision Plat Requirements and Standards

Included language to require submittal of a performance agreement for new subdivisions that would require completion of improvements within a set time. Language has also been added that clarifies the County has no obligation to install or maintain any improvements (roads) that are part of a subdivision development, based on the language in the State Code of Virginia; permits a maximum of two (2) private lanes be used in a subdivision development; and, requires that security/guarantee posted with the County is renewed and reviewed every twenty-four (24) months to ensure sufficient funds remain in place for project completion.

6. Plat Approvals

Language has been added that requires the private road disclosure language be included on all subdivisions plats; that will indicate the roads are private until such time as they have been accepted into the State secondary road system. Plats will also be required to include a note that an entrance permit must be obtained from VDOT for access to each lot on the subdivision plat.

7. Lake Anna Shoreline Use and Design Standards

Language has been added that clarifies that dry hydrants and restroom facilities will only be required in common areas if required by the Department of Fire/EMS and Virginia Department of Health, respectively. If these facilities are required, the location will be coordinated with Dominion Energy.

8. Telecommunications Regulations

Clarifies that generators may be located on site; but only operated during power outages or testing.

9. Sign Regulations

Language has been added to strengthen the current language as it pertains to electric message (or illuminated) signs. Two options have been provided for consideration.

10. Interim Road Maintenance Agreement and Performance Agreement

The current Interim Road Maintenance Agreement and a draft Subdivision Performance Agreement have been included for review and discussion purposes.

Conclusion:

The amendments proposed at this time, reflect the County's commitment to ensuring that the Zoning Code remains responsive to current needs, reduces unnecessary regulation, and aligns with State and Federal laws. The proposed changes will enhance clarity, efficiency, and fairness in the administration of the Zoning Code while supporting the County's long-term planning goals.

AMENDMENTS – (Phase III)

Chapter 86 - LAND DEVELOPMENT REGULATIONS

The purpose of these amendments is to resolve any discrepancies that currently exist; update sections based on amendments to the State Code of Virginia; amend sections to provide clarification, and consistent application of regulations. **THESE REGULATIONS APPLY THROUGHOUT ALL OF LOUISA COUNTY**; and are proposed pursuant to Va. Code §§ 15.2-2285 and 15.2-2286.

ARTICLE I. GENERAL PROVISIONS

DIVISION 2. DEFINITIONS

Sec. 86-13. Definitions

Buffering or screening yard. A yard or designated area with certain screening, like opaque fencing or landscaping materials, required between abutting zoning districts of differing use intensities or between adjoining land uses for decreasing the adverse impact of differing uses and districts.

Division, parcel. To divide a parent parcel into no more than two additional parts for the purpose of transfer of ownership or building development. Lots shall be divided from parent tracts, or the residue parcel that remains after a prior one-lot division, so long as such residue parcel has five or more acres and a minimum of 4300 feet of existing state road frontage. For clarity, it is the specific intent of this provision to allow a maximum of three total lots, including the residual parcel, to be created from any parent parcel by division, if any. Divisions are not subject to the provisions set forth in the subdivision ordinance except for subsection [86-567](#) (11), private lanes. However, similar to the requirements of [section 86-587](#), a lot created by division shall be required to include provisions for the dedication of right-of-way when the property is adjacent to a state road that is less than 50 feet in width; provided that, this requirement does not apply to a residual portion of the parent tract that is five or more acres and or has a minimum of 4300 feet of existing state road frontage.

Emergency shelter. A facility providing temporary housing for one or more individuals who are temporarily or permanently homeless. A facility providing temporary housing and supportive services to individuals or families who are temporarily or permanently homeless. Emergency shelters must comply with all applicable state, and federal health, safety, accessibility, and operational standards. A *religious assembly* may operate an *emergency shelter* for the duration of a State or Locally declared State of Emergency, without benefit of a conditional use permit. **Correspondence has been received and is attached, with additional language requested to be included.**

Off-grid construction (residential) - the practice of building a home without connecting to public utilities. Off-grid homes are self-sufficient and generate their own power and water, with no physical connection or relationship with any sort of utility service, and all the power it uses comes from an energy source that it generates and stores on its own. Off-grid

construction shall be considered as conventionally constructed dwellings, in compliance with all requirements of the USBC.

Private lane. An access way for residential use ~~in divisions of serving~~ less than three lots only ~~or for agricultural use~~ which is within a 50-foot deeded right-of-way or easement and built to the design standards in [section 86-567\(11\)](#). Private lanes are restricted as to the hours of access by the public or by those who may use it and are maintained by the property owners association or by the lot or parcel owners who are afforded access to their lots or parcels by such private lanes.

Religious assembly. A use located in a permanent building ~~and~~ providing regular organized religious worship and related incidental activities. Primary or secondary schools are not included in this definition as a related incidental activity. Day ~~care~~ and ~~day~~ care centers, as defined, are permissible as an accessory use to a religious assembly when ~~operated~~ directly by a religious organization. **A religious assembly may operate an emergency shelter, as defined in this section, for the duration of a State or Locally declared State of Emergency, without benefit of a conditional use permit. Correspondence has been received and is attached, with additional language requested to be included.**

Residue or residual parcel or lot. The remaining portion ~~of~~ a parent parcel or tract after division or subdivision takes place. Residue parcels ~~are~~ five or more acres ~~and~~ ~~or~~ have a minimum of **4300** feet of existing state road frontage. For determining if the splitting of land is either a division or subdivision, a residue parcel ~~shall not be counted as a lot in agricultural or~~ residential districts ~~when the residue parcel is at least five acres or has at least 4300 feet of existing state road frontage, and has a VDOT approved access.~~ Residue parcels in commercial and industrial districts ~~shall not be counted as a lot for determining if the splitting of land is either a division or subdivision, regardless of the lot size, existing state road frontage, or existing access.~~

Subdivision. Splitting any tract, parcel or lot of land into two or more parts, other than a division of a parent parcel or a family subdivision, for the purpose of transfer of ownership or building development. ~~Subdivided lots shall generally be less than five acres and front on less than 400 feet of existing state road frontage, but subdivided lots shall front on a road that meet VDOT specifications.~~ Consistent with this definition, any new road constructed to serve more than two lots shall be constructed to VDOT standards for subdivision roads. The residue tract after subdividing is not counted ~~as~~ a lot for the purposes of this definition. Subdivided parcels may not be further subdivided or divided unless the remaining division rights are noted on a recorded plat or in conformance with existing ordinances.

Vegetative buffer. A vegetative buffer for screening purposes shall include a mix of trees and shrubs with varying heights and densities to provide maximum screening throughout the year, considering factors like evergreen vs. deciduous foliage. Wooden privacy fences and berms may be used to supplement existing and proposed plantings at the discretion of the zoning administrator; who may choose to forward the proposal to the planning commission for a recommendation. **The terms buffering or screening yard, or any variation of these terms,**

as used throughout the ordinance in conjunction with *vegetative buffers* shall include a yard or designated area with certain screening, like opaque fencing or landscaping materials, required between abutting zoning districts of differing use intensities or between adjoining land uses for decreasing the adverse impact of differing uses and districts.

DRAFT

DIVISION 4. ADDITIONAL REQUIREMENTS

Sec. 86-114. - Short-term rental of a dwelling.

For only this section GAOD means all properties zoned residential limited (R-1); **and** residential general (R-2); **and resort development (RD)** located within the boundaries of a designated growth area as shown on the 2040 Comprehensive Plan. The following are requirements for use in R-1 GAOD; **and** R-2 GAOD; **and the RD zoning districts:**

- (1) Owners of dwellings used for short-term rental shall provide contact information for the owner and/or any authorized property manager to Louisa County and the dwelling's subdivision governing body, if one exists.
- (2) The owner shall provide the current Louisa County Code chapters relative to noise (51) and solid waste (62) as well as the definitions for special occasion facilities and gatherings as part of short-term rental contracts.
- (3) Owner must notify tenants that events, rentals, special occasion facilities and related uses are prohibited, except with valid conditional use permit according to Louisa County Code.
- (4) Owner must comply with all Virginia Department of Health regulations.
- (5) The dwelling must comply with all applicable state building code and safety regulations.
- (6) Owners unable to meet all of the above requirements shall be prohibited from operating a short-term rental of a dwelling without obtaining a conditional use permit from Louisa County Board of Supervisors.
- (7) A violation under this section shall be enforced as provided in [section 86-11](#) and [section 86-11.1](#).
- (8) The effective date of this Code shall be January 1, ~~2024~~2025.

DIVISION 6. ZONING DISTRICTS AND LAND USES

Sec. 86-159. - Yard regulations.

In the agricultural (A-2) district, the yard regulations shall be:

(3) Accessory structures shall be no closer than ten feet to any side or rear property line. ~~Any other permitted structure that exceeds 50 feet in height shall be no closer than 25 feet from any side or rear property line.~~

Sec. 86-198. - Frontage; minimum lot width.

In the residential general district (R-2), the minimum lot width at the building setback line shall be 125 feet; for two-family dwellings it shall be 175 feet.

The minimum road frontage shall be as provided in Section 86-118 of this chapter.

DRAFT

ARTICLE II.ZONING ORDINANCE AND MAPS

DIVISION 6. ZONING DISTRICTS AND LAND USES

Sec. 86-161. - Subdivisions.

To preserve and maintain agricultural and forestry activities; protect ground and surface water supplies; and conserve natural, historic and scenic resources, subdivisions in the agricultural (A-2) district shall comply with the regulations herein.

Restrictions on road extension. No road may be extended to a second parent parcel with the primary purpose of providing access for a subdivision; with the exception that a road may be extended when the total number of proposed lots for all parent parcels does not exceed seven. ~~plus any density bonuses that may apply as provided for herein.~~

(2) *Lot density.* Lot density shall be limited, ~~except where specifically stated otherwise herein,~~ to a maximum of seven lots per parent parcel.

a. ~~Density bonuses.~~ The zoning administrator may allow up to three additional lots for a subdivision, for a total of up to ten lots, in the following circumstances:

1. ~~Affordable housing.~~ A density bonus of three additional lots for a subdivision when at least three lots are dedicated for affordable housing.

ARTICLE III. SUBDIVISION

DIVISION 3. PLAT REQUIREMENTS AND STANDARDS

Sec. 86-567. - Streets and alleys.

All streets in the proposed subdivision shall be designed and constructed in accordance with the following minimum requirements by the subdivider at no cost to the locality. All street names shall be approved by the agent or agent's representative. The developer shall be responsible for all costs associated with the manufacturing and installation of signs for said streets, roads or lanes (public or private).

(4) *Construction requirements.* All construction of streets, private roads or streets must comply with the requirements and specifications of the state department of transportation for subdivision streets, which may be found on file at the office of the resident engineer of the county department of highways. This includes all new internal subdivision streets for agricultural; residential; commercial; industrial; resort developments; or planned unit developments.

a. All review for road plans and profiles; and inspections during road construction shall be conducted by ~~a third party review firm chosen by the county, or on the county's contracted list of engineering firms~~**an engineer licensed in the State of Virginia**.

d. All costs associated with the ~~third party~~ plan review; inspections; and road certification will be the responsibility of the developer.

e. Upon the completion of construction, as-built plans will be required from the developer's engineer as part of the final certification ~~by the third party engineer~~.

g. Prior to approval of any subdivision plats where a new internal subdivision street is proposed for acceptance into the state road system, **a performance agreement and** interim road maintenance agreement shall be provided for approval by the county attorney and must be recorded with the final subdivision plat. The **performance agreement and** interim road maintenance agreement must identify the responsible party for construction and continuing maintenance of the road improvements; and include the language found in subsections **86-567**(10)g. and h. The **performance agreement and** interim road maintenance agreement shall remain in effect until the roads have been accepted by the Virginia Department of Transportation/Commonwealth Transportation Board.

h. Prior to approval of any subdivision plats where a new internal subdivision street is proposed to remain private after approval of a private road waiver by the planning commission, **a performance agreement and** road maintenance agreement shall be provided for approval by the county attorney and must be recorded with the final subdivision plat. The **performance agreement and** road maintenance agreement must identify the responsible party for construction and continuing maintenance of the road improvements; and include the language found in subsections **86-567**(10)g. and h.

i. Dedication of rights-of-way for streets, alleys or other public use as shown on an approved and recorded subdivision plat; and the County's obligation to install or maintain any such facility, shall be as provided for in State Code Section 15.2-2265.

Nothing in this section shall obligate the locality to install or maintain such facilities unless otherwise agreed to by the locality.

(11) *Private lanes.* Lots accessed by roads in subdivisions of less than three lots can be accessed by private lanes which do not meet VDOT subdivision street standards and are approved by the agent. Lots in subdivisions of less than three lots must have the minimum frontage requirements on a deeded access way or easement which is owned by the property owners association or developer or by the lot or parcel owners who are afforded access to their lots or parcels by such private lanes of such subdivision. **There shall be permitted a maximum of two (2) separate private lanes in a subdivision.** All plats describing lots served by private lanes shall include language found in [section 86-587](#) (10) g.1-3. Subdivision roads serving less than three lots shall be approved by the zoning administrator and shall meet the following minimum standards:

(Road Minimum Standards chart intentionally excluded.)

Sec. 86-576. - Security.

Before any subdivision plat will be finally approved by the agent, the subdivider shall, in lieu of construction, furnish security to be approved by the governing body and county attorney, in an amount calculated by the agent to secure the required improvements in a workmanlike manner, and in accordance with specifications and construction schedules established or approved by the appropriate engineer, which security shall be payable to and held by the governing body. Such security may be posted in the form of a surety bond, letter of credit or cash escrow.

Letters of credit will only be accepted from financial institutions approved to do business in the commonwealth.

In order to ensure that sufficient security is maintained throughout project construction and completion; the security/guarantee shall renew every twenty-four (24) months for the duration of the project. The guarantee shall increase or decrease by an amount equal to the most recent quarterly Construction Cost Index published by Engineering News-Record. (from Greene County Ordinance) This ensures that the estimated costs escalate as the Construction Cost Index escalates so that the security amount reflects the most current cost to perform the improvements.**

In the case of default, the county shall follow the last policy adopted by the Board of Supervisors for liquidation of any security/guarantee held by the County. In no event, however, shall the county be bound to supplement the performance guarantee funds with other county funds in order to complete the improvements.

For Information Purposes Only

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https://www.enr.com/?_gl=1*yw9txh*_ga*NTQ0NzAwNzI2LjE3NDEyNzI2NDQ.*_ga_CH7QLSK31E*MTc0MTI3MjY0NC4xLjEuMTc0MTI3MjY2Ny4zNy4wLjA.

DIVISION 5. PLAT APPROVAL

Sec. 86-614. - Final plats.

(15) All plats, contracts of sale and deeds for a lot in a subdivision with a new internal subdivision street shall contain language which clearly discloses to a potential purchaser the following minimum information:

1. Until such time as the new internal street(s) shown on this plat has been accepted into the State secondary road system, the lots are served by a privately maintained road and will not be maintained by the state or county. Any costs necessary to bring the road to a condition qualifying it for acceptance as part of the secondary system of state highways shall be sustained from resources other than those administered by the state department of transportation and the county or any other public agency.
2. School bus service is not provided by the county along private roads, lanes or streets;
3. United States postal service is not provided along private roads, lanes or streets;
4. The expense and responsibility for maintaining the roads within the development will be paid for and borne by the lot owners and/or developer, as the case may be; and
5. It shall be the responsibility of the developer for the initial construction and subsequent maintenance, if any, of the roads, the responsibility of the buyer, and the ownership of the roads. If the roads are to be maintained by a property owners association or other legal entity, the disclosure must clearly so inform the buyer.

(16) All plats must contain a note stating, “An entrance permit must be obtained from the Virginia Department of Transportation for access to each lot shown on this subdivision plat.”



ARTICLE IV. – SUPPLEMENTARY REGULATIONS

DIVISION 4. - LAKE ANNA SHORELINE USE AND DESIGN STANDARDS

Sec. 86-655. - Statement of intent; policy guidance.

(Only the third paragraph included for amendment purposes)

The standards set forth in this division are mandatory unless a waiver is granted. Applications that meet all of the ordinance standards will be reviewed administratively by staff. Applications should include site plans that meet the criteria included in the "Lake Anna Shoreline Site Plan Requirements Checklist," to include an approval statement by Dominion Energy for proposed development on Dominion Energy's shoreland or shoreline. Where criteria is not clearly illustrated on a site plan, a survey shall be required to demonstrate compliance with the ordinance, or in order to process special exception requests. If a waiver is requested, then the application will be reviewed by staff (per section 86-22- 119 of this chapter). If a waiver is denied, applicants may resubmit a revised waiver at any time or appeal staff's decision to the board of supervisors.

Sec. 86-656. - Use and design standards

(b) Safe Navigation

(7) *Common areas.*

- a. Common area ramps shall be constructed of reinforced concrete with a minimum thickness of six inches and shall be a minimum distance of 75 feet from designated swimming areas.
- b. **If determined to be necessary or required by the Department of Fire/EMS during site plan review, common areas are may be required to have a dry hydrant in a location to be determined on the site plan in coordination with Community Development; Department of Fire/EMS; and Dominion Energy.**
- c. Common area boat ramps shall be placed or positioned to minimize wave interference from boats passing nearby through high concentration navigation choke points as determined by the county during site plan review (i.e., cove entrances, narrow channels, sharp bends, bridges, etc.).

(c) Neighbor policies

(4) *Common areas.*

- a. **If determined to be necessary or required by the Virginia Department of Health, restroom facilities are may be required in areas with structures for persons or watercraft for common areas with 25 or more lots. and shall be placed in a location to be determined on the site plan in coordination with Community Development; the Virginia Department of Health; and Dominion Energy.** Restrooms are not allowed within the Dominion Energy easement without their approval.

- b. All structures in a common area shall maintain a 100-foot side setback from residential and agricultural zoning districts (not part of the subdivision), and a 50-foot side setback from resort development, commercial, and industrial zoning districts.
- c. 25-foot vegetative buffer between the common area and adjoining property owners (not part of the subdivision) shall be required. Buffers shall consist of evergreen vegetation but may also include deciduous species. County staff may grant a special exception to this requirement on a case-by-case basis.

DRAFT

DIVISION 5. TELECOMMUNICATIONS REGULATIONS

Sec. 86-671. - Mitigation and replacements.

(c) Applicants for modifications to existing antenna colocations or new antenna colocations must provide a Structural Analysis (SA) which demonstrates that the existing tower has the structural integrity to support the proposed antenna loads as well as the existing/remaining antenna loads and appurtenances, as outlined in the current version of “ANSI/TIA-222 Structural Standard for Antenna Supporting Structures and Antennas”. The Structural Analysis shall comply with the following criteria:

- 1. The SA Report shall be sealed and signed by a Professional Engineer (PE), licensed in the Commonwealth of Virginia.**
- 2. Any “Assumptions” or “Standard Conditions” asserted by the PE relative to the maintenance or physical condition of the tower or structure shall be resolved, validated, or confirmed in writing. ANSI/TIA-222 recommends inspections of self-support towers once every five (5) years. Applicants shall provide a copy of the TIA-222 Inspection Report to resolve or validate assumptions pertaining to the maintenance or physical condition of a tower or antenna support structure.**
- 3. Any Assumptions or Standards Conditions asserted by the PE relative to the accuracy of the information or data provided to the PE which is utilized in completing the SA shall be resolved, validated, or confirmed to be correct.**

Sec. 86-674. - Development standards for freestanding antenna support structures greater than one hundred feet in height.

(i) Sounds. No unusual sound emissions such as alarms, bells, buzzers, or the like are permitted. Generators shall not be ~~stored or~~ operated at WCFs except during power outages **or during testing.**

ARTICLE V. SIGNS (Alternative Option attached)

Sec. 86-683. - General provisions.

(a) *Prohibited signs.* The following types of signs are prohibited in all zoning districts:

(1) Flashing signs; which include any illuminated sign on which the artificial light or lights are not constant in intensity and color at all times shall be prohibited. This prohibition shall not apply to signs giving public service information such as time, date, temperature, weather or similar information; or message board, when such sign does not constitute a public safety or traffic hazard. (i.e. - electric message sign for schools, churches, etc.) **Refer to (c) below for Illumination requirements and restrictions.**

(5) ~~Any sign or illumination that causes any direct glare into or upon any building other than the building to which the sign may be related.~~

(6) ~~(5) Any sign that violates any provision of any law of the state relative to outdoor advertising.~~

(7) ~~(6) Political signs posted on county property.~~

(8) ~~(7) Signs that violate state or federal laws, whether or not identified in this ordinance as being permitted.~~

(c) *Location; Illumination.* No sign shall be located or illuminated in such a manner as to cause a traffic hazard. Where a permit is required, the permit shall not be issued until the location and illumination, if any, of the sign are approved by the zoning administrator. ~~All lighting must comply with dark sky lighting standards.~~

(1) **Signs may be illuminated, either internally or externally, as permitted by this ordinance, provided that the illumination is fully shielded and directed at the sign and not in a manner as to cause a traffic hazard.**

(2) **All lighting must comply with dark sky lighting standards.**

(3) **No light from any illuminated sign shall cause direct glare onto any adjoining piece of property, right-of-way, or building other than the building to which the sign applies to.**

(4) **Electronic message signs may not flash, scroll, move, or change at timed intervals of less than twenty (20) seconds.**

(5) **All electronic message signs must be equipped with an automatic dimmer that controls the intensity of the light source. The intensity of light allowed for all illuminated signs shall be eighty five percent (85%) by day and fifty percent (50%) at night.**

Sec. 86-689. - Waivers.

Notwithstanding the other regulations of this chapter, a waiver may be approved by staff (per section 86-119 of this chapter) to the regulations of this article that are specific to the number of allowed signs, the maximum sign area, and the sign height. In no circumstances shall a waiver increase the number, size, or height of a sign(s) by more than 100 percent of the ordinance standard. A waiver may only be granted if it can be demonstrated that the proposed standards, with conditions, better ensure that the intent of this ordinance, as specified in section 86-682 ~~86-246~~, will be met. Requests for a waiver to this article shall accompany a master plan of the entire development showing all proposed business signs.

DRAFT

Linda Buckler

From: Erin Jones <erin.rose0710@gmail.com>
Sent: Wednesday, April 2, 2025 8:20 PM
To: James Dickerson
Cc: Planning Commission
Subject: Proposed amendment to the definition of religious assemblies

Some people who received this message don't often get email from erin.rose0710@gmail.com. [Learn why this is important](#)

CAUTION: External email

Hello Mr. Dickerson,

I work with the Louisa Homeless Coalition and am wondering if in the meeting scheduled for April 10th you are willing to support an amendment to the definition for religious assemblies that includes an exemption for nights that pose the risk of hypothermia. The proposed language for such an amendment would be:

A religious assembly may operate an emergency shelter, as defined in this section, for the duration of a State or Locally declared State of Emergency, or when the National Weather System indicates that overnight forecasted temperatures will be below 40 degrees Fahrenheit, without benefit of a conditional use permit.

Alternatively, [Cold.DC.Gov](#) defines hypothermia season as November through March. And therefore, we believe it would have the same effect to amend the proposed changes to read:

A religious assembly may operate an emergency shelter, as defined in this section, for the duration of a State or Locally declared State of Emergency, or to provide hypothermia shelter from November through March, without benefit of a conditional use permit.

These updates would also need to be applied to the corresponding section under the proposed definition for "Emergency Shelter."

Thank you for your consideration!

Erin Jones
4190 Columbia Rd.
Gordonsville, VA 22942

Linda Buckler

From: David McWilliams <davidmcwilliams@vaumc.org>
Sent: Wednesday, April 2, 2025 3:01 PM
To: James Dickerson
Cc: Planning Commission
Subject: Re: Planning Commission - Overnight Shelter

Some people who received this message don't often get email from davidmcwilliams@vaumc.org. [Learn why this is important](#)

CAUTION: External email

Hello Mr. Dickerson,

I wanted to take a moment to follow up regarding our conversation at the end of the last planning commission meeting regarding the definition for religious assemblies.

I'm wondering if you are willing to propose an amendment to the definition that includes an exemption for nights that pose the risk of hypothermia. My proposed language for such an amendment would be:

A religious assembly may operate an emergency shelter, as defined in this section, for the duration of a State or Locally declared State of Emergency, or when the National Weather System indicates that overnight forecasted temperatures will be below 40 degrees Fahrenheit, without benefit of a conditional use permit.

Alternatively, [Cold.DC.Gov](#) defines hypothermia season as November through March. And therefore, I believe it would have the same effect to amend the proposed changes to read:

A religious assembly may operate an emergency shelter, as defined in this section, for the duration of a State or Locally declared State of Emergency, or to provide hypothermia shelter from November through March, without benefit of a conditional use permit.

I would greatly appreciate a reply prior to the next scheduled planning commission meeting on Thursday, April 10th.

Thank you for your consideration!

Peace,

David McWilliams

Zion United Methodist Church

1674 Zion Rd. Troy, VA 22942

On Fri, Mar 7, 2025 at 9:33 AM David McWilliams <davidmcwilliams@vaumc.org> wrote:
Hello James,

My name is David McWilliams. I am the pastor of Zion UMC as well as a resident of the Green Springs District. I am reaching out regarding county codes regarding overnight shelter and potentially amending the code to allow religious assemblies to have an accessory use exception (with reasonable

conditions).

At this point, we are seeking to offer an overnight, hypothermia shelter during the winter months. This is something that we have been working to provide through a collection of churches, however the current zoning codes create an overwhelming obstacle to offering this ministry to our unhoused neighbors. Not only has our team identified several Louisa County families sleeping in their cars but we have personally spent funds to temporarily house people at the Loyalty Inn. Additionally, Charlottesville is currently turning away people from their shelter collaboration (PACEM) due to the overwhelming demand, some of which is caused by Louisa residents seeking shelter in Charlottesville during the winter.

I would love the opportunity to speak with you briefly, before the next planning commission meeting next Thursday, about the possibility of amending the code in a reasonable, community beneficial manner.

Thank you for all of your behind the scenes leadership in supporting our county and district.

Peace,
David McWilliams
Pastor, Zion UMC
1674 Zion Rd. Troy, VA

Linda Buckler

From: sue Frankel-Streit <suefrankelstreit@gmail.com>
Sent: Wednesday, April 2, 2025 3:45 PM
To: C. Ellis Quarles; Planning Commission
Subject: Amendment

Some people who received this message don't often get email from suefrankelstreit@gmail.com. [Learn why this is important](#)

CAUTION: External email

Hello,

As a resident of your district I am writing to ask that at your next planning commission meeting you amend the definition for religious assembly to include an exemption for emergency shelter for nights that pose the risk of hypothermia. My proposed language for such an amendment would be:

A religious assembly may operate an emergency shelter, as defined in this section, for the duration of a State or Locally declared State of Emergency, or when the National Weather System indicates that overnight forecasted temperatures will be below 40 degrees Fahrenheit, without benefit of a conditional use permit.

Alternatively, [Cold.DC.Gov](#) defines hypothermia season as November through March. And therefore, I believe it would have the same effect to amend the proposed changes to read:

A religious assembly may operate an emergency shelter, as defined in this section, for the duration of a State or Locally declared State of Emergency, or to provide hypothermia shelter from November through March, without benefit of a conditional use permit.

These updates would also need to be applied to the corresponding section under the proposed definition for "Emergency Shelter."

Thanks,

Sue Frankel Streit

ARTICLE V. SIGNS

Sec. 86-683. - General provisions.

(a) *Prohibited signs.* The following types of signs are prohibited in all zoning districts:

(1) Flashing signs; which include any illuminated sign on which the artificial light or lights are not constant in intensity and color at all times shall be prohibited. This prohibition shall not apply to signs giving public service information such as time, date, temperature, weather or similar information; or message board, when such sign does not constitute a public safety or traffic hazard. (i.e. - electric message sign for schools, churches, etc.) **Refer to (c) below for Illumination requirements and restrictions.**

(5) ~~Any sign or illumination that causes any direct glare into or upon any building other than the building to which the sign may be related.~~

(6)(5) Any sign that violates any provision of any law of the state relative to outdoor advertising.

(7)(6) Political signs posted on county property.

(8)(7) Signs that violate state or federal laws, whether or not identified in this ordinance as being permitted.

(c) *Location; Illumination.* No sign shall be located or illuminated in such a manner as to cause a traffic hazard. Where a permit is required, the permit shall not be issued until the location and illumination, if any, of the sign are approved by the zoning administrator. **All lighting must comply with dark sky lighting standards.**

(1) **Signs may be illuminated, either internally or externally, as permitted by this ordinance, provided that the illumination is fully shielded and directed at the sign and not in a manner as to cause a traffic hazard.**

(2) **All lighting must comply with dark sky lighting standards.**

(3) **No light from any illuminated sign shall cause direct glare onto any adjoining piece of property, right-of-way, or building other than the building to which the sign applies to.**

(4) **Electronic message signs may not flash, scroll, move, or change at timed intervals of less than twenty (20) seconds.**

(5) ~~All electronic message signs must be equipped with an ambient light sensor; and an automatic dimmer that controls the intensity of the light source. The intensity of light allowed for all illuminated signs shall be eighty five percent (85%) by day and fifty percent (50%) at night.~~

(5) Electronic Message Signs Criteria:

The night-time illumination of an electronic message sign shall conform with the criteria set forth in this section.

A. Electronic Message Sign Illumination Measurement Criteria: The illuminance of an electronic message sign shall be measured with an illuminance meter set to measure footcandles accurate to at least two decimals. Illuminance shall be measured with the electronic message sign off, and again with the electronic message sign displaying a white image for a full color-capable electronic message sign, or a solid message for a single-color electronic message sign. All measurements shall be taken as close as practical to a perpendicular plane of the sign at the distance determined by the total square footage of the electronic message sign as set forth in the accompanying Sign Area Versus Measurement Distance table (below).

B. Electronic Message Sign Illumination Limits: The difference between the off and solid-message measurements using the electronic message sign Measurement Criteria (A) shall not exceed 0.3 footcandles at night over ambient lighting conditions. This is calculated by subtracting the ambient foot candle measurement from the brightest lighted foot candle measurement.

C. Dimming Capabilities: All permitted electronic message signs shall be equipped with a sensor or other device that automatically determines the ambient illumination and programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 footcandle measurements.

D. Prior to the final sign inspection, a report must be provided to the Community Development Department that provides the foot candle measurement, in compliance with the requirements described in A and B above.

SIGN AREA VERSUS MEASUREMENT DISTANCE**	
Area of Sign (square feet)	Measurement (feet)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87

80	89
85	92
90	95
95	97
100	100
110	105
120	110
130	114
140	118
150	122
160	126
170	130
180	134
190	138
200	141
220	148
240	155
260	161
280	167
300	173

* For signs with an area in square feet other than those specifically listed in the table (i.e., 12 sq ft, 400 sq ft, etc), the measurement distance may be calculated with the following formula: Measurement Distance = $\sqrt{\text{Area of Sign Sq. Ft.} \times 100}$

**Source - 2016 International Sign Association Research – Night-time Brightness Level Recommendations for On-Premises Electronic Message Centers (Signs)

Sec. 86-689. - Waivers.

Notwithstanding the other regulations of this chapter, a waiver may be approved by staff (per [section 86-119](#) of this chapter) to the regulations of this article that are specific to the number of allowed signs, the maximum sign area, and the sign height. In no circumstances shall a waiver increase the number, size, or height of a sign(s) by more than 100 percent of the ordinance standard. A waiver may only be granted if it can be demonstrated that the proposed standards, with conditions, better ensure that the intent of this ordinance, as specified in [section 86-682](#) ~~86-246~~, will be met. Requests for a waiver to this article shall accompany a master plan of the entire development showing all proposed business signs.

Section 86-13 Definitions

Ambient lighting or illumination - the general illumination or light that is naturally present in an environment, providing overall brightness and visibility, as opposed to specific, focused light sources.

Foot candle – a measurement of light intensity.

SUBDIVISION AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 20____, by and between corporation/partnership/llc, or husband and wife, or individually, and all successors in interest, party(ies) of the first part, hereinafter referred to as "OWNER", and the COUNTY OF LOUISA, VIRGINIA, a political subdivision of the Commonwealth of Virginia, party of the second part, hereinafter referred to as "COUNTY".

WHEREAS, the party(ies) of the first part is (are) the owner of a certain tract of land located in the County of Louisa, Virginia; and

WHEREAS, the said parcel of land is being subdivided by the Owner into the subdivision known and designated as:

and the Owner has caused a plat of said subdivision dated _____, and as last revised, to be prepared by _____, Certified Land Surveyors, or Civil Engineers, which said plat the Owner desires to admit to record in the Clerk's Office of the Circuit Court for the County of Louisa, Virginia; and

WHEREAS, the Owner agrees to construct and locate all physical improvements in said subdivision, as required by the Subdivision Ordinance of the County of Louisa, Virginia, or shown on the development plans approved by the Agent of the Subdivision Ordinance, hereinafter to as "AGENT"; and

WHEREAS, the Owner has posted sufficient bond, letter of credit or certified check, pursuant to existing ordinances, approved as to form by the County Attorney, and with surety satisfactory to the County in the amount of _____ and 00/100 Dollars (\$_____) guaranteeing the installation of the aforementioned improvements within twenty-four (24) months from the date of this agreement; and

WHEREAS, the County of Louisa has agreed that it will permit the recordation of the plat of said subdivision upon the execution of this agreement.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH: That for and in consideration of the premises and the approval of said subdivision and the covenants and agreements herein contained, the parties hereto agree as follows:

1. The Owner does covenant and agree that it will, without cost to the County, within twenty-four (24) months from the date of this agreement, construct to the approval of the County all physical improvements as required by the Subdivision Ordinance of the County, or shown on the development plans approved by the Agent. If, in the sole judgment of the County, circumstances beyond the control of the Owner prevent the Owner from completing the improvements in the time set forth herein, then the County may at its sole discretion grant an extension of time for completion of said improvements and in such instance the County shall require an amended bond, letter of credit, or certified check, approved as to form by the County Attorney, and with surety satisfactory to the County in an amount to guarantee the installation of the aforementioned improvements.

2. It is mutually understood and agreed that in the event the Owner fails to properly complete the physical improvements provided hereinabove, the County may complete, or cause to have completed, the same and render a bill therefore to the Owner who shall be liable to the County for all proper costs so incurred by the County or the County may draw the amount necessary from the surety to complete or cause to have completed the same.

3. It is mutually understood and agreed that this agreement does not relieve the Owner of any responsibilities or requirements placed upon them by the various ordinances of the County applicable to such subdivision and development of the property, and the subdivision and development of the property will be done in strict accordance with such ordinances.

4. It is mutually understood and agreed that if the Owner shall faithfully execute each and all requirements of the said Subdivision Ordinance and the provisions of this agreement, and shall indemnify, protect and save harmless the County of Louisa from all loss, damage, expense or cost by reason of any claim, suit or action instituted against the County of Louisa or its agents or employees thereof, on account of, or in consequence of any breach on the part of the Owner, then the aforementioned bond, letter of credit, or certified check, shall be released by the County to the Owner.

DRAFT

5. The Owner does hereby agree to indemnify, protect and save harmless the County from and against all losses and physical damages to property, and bodily injury or death to any person or persons, which may arise out of or be caused by the construction, maintenance, presence or use of the streets, utilities and public easements required by, and shown on, the development plans and the subdivision plat until such time as the said streets shall be accepted as part of the Virginia Department of Transportation's system and utilities and public easements shall be accepted as a part of the County's system. To insure such indemnification, the county may require and the owner shall provide upon request a Certificate of Public Liability Insurance in an amount approved by the County Attorney as sufficient, including a governmental endorsement thereto, naming the County as an insured, issued by an insurance company licensed to do business in the Commonwealth of Virginia.

6. It is mutually understood and agreed, that the approval on final plat or plats of this subdivision, or section thereof, shall not be deemed to be an acceptance by the County of any street, alley, public space, sewer or other physical improvements shown on the plat or plats for maintenance, repair or operations thereof, and that the Owner shall be fully responsible therefore and assume all of the risks and liabilities therefore. Nor shall approval on final plat or plats of this subdivision be deemed to guarantee public water or sewer service or available capacity.

(Type) Name of Corporation/Partnership/LLC

By:

Signature of the Authorized Person to Sign for the Corporation/Partnership/LLC

Title of the Authorized Person to Sign for the Corporation/Partnership/LLC

STATE OF _____

CITY/COUNTY OF _____, to-wit:

The foregoing document was acknowledged this the _____ day of _____, 201____, by

corporation/partnership/llc (if applicable.) (title) _____ of the

Notary Public

My Commission Expires: _____
Registration number: _____

(sign individual owner)

(sign individual owner)

STATE OF _____

CITY/COUNTY OF _____, to-wit:

The foregoing document was acknowledged this the _____ day of _____, 201____, by

(Individual owner(s))

Notary Public

My Commission Expires: _____
Registration number: _____

DRAFT

COUNTY OF LOUISA, VIRGINIA

By: _____

(Print Name)

County Administrator

STATE OF VIRGINIA

COUNTY OF LOUISA, to-wit:

The foregoing document was acknowledged this the _____ day of _____, 20____, by _____, who is the County Administrator of Louisa County.

Notary Public

My Commission Expires: _____
Registration number: _____

APPROVED AS TO FORM:

COUNTY ATTORNEY

INTERIM ROAD MAINTENANCE AGREEMENT FOR _____
SUBDIVISION WITH INTERNAL STREETS DESIGNATED FOR ACCEPTANCE INTO
THE STATE SECONDARY ROAD SYSTEM

THIS INTERIM ROAD MAINTENANCE AGREEMENT dated this _____ day of

_____, 20_____, is by and between _____ (Land Owner) and Louisa County, Virginia, a political subdivision of the Commonwealth exercising its powers by and through its Board of Supervisors ("the County").

WHEREAS, the Land Owner is the owner of _____ subdivision, _____ Magisterial District, Louisa County, Virginia ("the Lots"); and

WHEREAS, the access to the aforementioned lots is over, along, and across _____ (name of roads) _____ "Roads" as shown on the plat of survey for _____ subdivision; which is attached hereto and made a part hereof; and

WHEREAS, the Land Owner desires to provide for the construction, care, maintenance, upkeep and repair of the Road(s) and for the benefit of future lot owners *until such time* as the Roads and the internal subdivision streets ("the subdivision streets") shown on a plat survey titled Subdivision Plat of _____ prepared by _____ and dated _____ are accepted by the Commonwealth of Virginia into the state secondary road system ("the Date of Acceptance").

Now therefore the Land Owner and the County agree that:

1. The Lots are served by the Roads, privately maintained roads which will not be maintained by the state or County.
2. The Land Owner understands that school bus service is not provided by the Louisa County School Division along private roads, lanes, or streets.
3. The Land Owner understands that United States Postal Service is not provided along private roads, lanes, or streets.
4. The expense and responsibility for maintaining the Road and the subdivision streets will be paid for and borne by the Land Owner or his assigns under this Agreement. The Land Owner may assign its obligations under this Agreement with written permission from the County, which will not be unreasonably withheld.
5. It is the responsibility of the Land Owner to undertake construction and subsequent maintenance, if any, of the roads. On purchase of any of the Lots by any person prior to the Date of Acceptance, the Land Owner must provide the buyer with a copy of this Agreement.
6. In addition, the Land Owner will maintain roads and provide for snow removal. Snow plowing shall be required when there has been an average accumulation of four inches or

more and shall continue until roads are cleared to a maximum average depth of four inches. Snow plowing shall commence no later than six hours after the snow has ceased falling or two hours after dawn, whichever time is the later.

7. The County or its representative may inspect the Road and the subdivision streets at any time for compliance with the terms of this Agreement.
8. In event of any failure by the Land Owner in the performance of any term of this Agreement, the County, after providing 30 days' notice and opportunity to cure, may perform necessary maintenance or repairs. All costs expended by the County will constitute a lien on the Lots. However, nothing herein should be construed to obligate the County to maintain the Road and the subdivision streets.
9. This Agreement is a covenant that runs with the land, and inures to the benefit of and will be binding on the Land Owner and the County, their heirs and assigns, and all subsequent owners of the Lots, until the Date of Acceptance.
10. On execution, the Land Owner will record this Agreement among the land records of Louisa County, Virginia, at its own expense.
11. This Agreement will terminate only by written agreement signed by the Land Owner and the County.
12. Invalidation of any provision of this Agreement by judgment or decree of Court will not affect any of the other provisions of this Agreement, but the remainder will continue in full force and effect.

IN WITNESS WHEREOF, the Land Owner has caused this Agreement to be signed in its names by a duly authorized person.

SIGNATURES ON THE FOLLOWING PAGES

Name of Corporation/Partnership/LLC

BY: _____

Signature of the Authorized Person to Sign
For the Corporation/Partnership/LLC

Its: _____

Title of the Authorized Person to Sign
For the Corporation/Partnership/LLC

STATE OF _____

CITY/COUNTY OF _____: to wit:

The foregoing agreement was acknowledged this _____ day of
_____, 20____, by _____ (owner(s))
who is the _____ of the corporation/partnership/LLC (if
applicable) _____ (title).

Notary Public

My Commission Expires:
Registration No.:

(sign) Individual Owner

(sign) Individual Owner

STATE OF _____

CITY/COUNTY OF _____ : to wit:

The foregoing agreement was acknowledged this the _____ day of
_____, 20_____, by _____ (individual
owner(s)).

Notary Public

My Commission Expires:
Registration No.:

COUNTY OF _____, VIRGINIA

By: _____

STATE OF _____

CITY/COUNTY OF _____: to wit:

The foregoing agreement was acknowledged this the _____ day of
_____, 20____, by _____.

Notary Public

My Commission Expires:

Registration No.:

APPROVAL AS TO FORM:

COUNTY ATTORNEY