



Phasing and Clustering of Rural Areas Subdivisions

PHASING OF SUBDIVISIONS

What is phasing?

Subdividing a parcel of land a small number of lots at a time, rather than creating all possible lots at once.

What is the purpose of phasing?

To slow the conversion of rural land to residential uses, while meeting the needs of landowners for occasional small-scale subdivisions.



Does phasing change how many lots can be created?

No. Landowners could create same number of lots with phasing as they could without phasing.

Does phasing change how quickly new lots are created?

Yes. Phasing would slow the creation of new lots. It might not affect the overall rate of new-house construction, as there are over 10,000 existing lots in the Rural Areas that would allow residential development without subdividing.

Does phasing improve resource protection?

No. Once all the lots were built, the subdivision would not include any protected land.

HOW IT WOULD WORK

The Planning Commission has recommended the following framework for a phasing ordinance:

- ◆ **Rate of Subdivision**
Instead of allowing unrestricted, immediate build-out of parcels, only two new lots in ten years would be allowed.
- ◆ **Phasing Period**
The 10-year phasing period for any particular property would begin when the first subdivision (after adoption of the ordinance) is approved.
- ◆ **Exceptions**
Family subdivisions, subdivisions for properties under conservation easements, and lot-line adjustments that do not create new parcels would be exempted from phasing requirements. However, the family-ownership requirement for properties applying for family divisions would be extended from two years after the division (the current requirement) to five years before and five years after the division.

CLUSTERING OF SUBDIVISIONS

What is clustering?

A way to subdivide land that groups all but one of the houses together on smaller lots, and puts the most important resources into a large parcel that is protected by a conservation easement. The protected parcel may have a residential dwelling and will be privately owned.

What is the purpose of clustering?

To reduce the amount of land consumed by residential construction, and to increase resource protection.

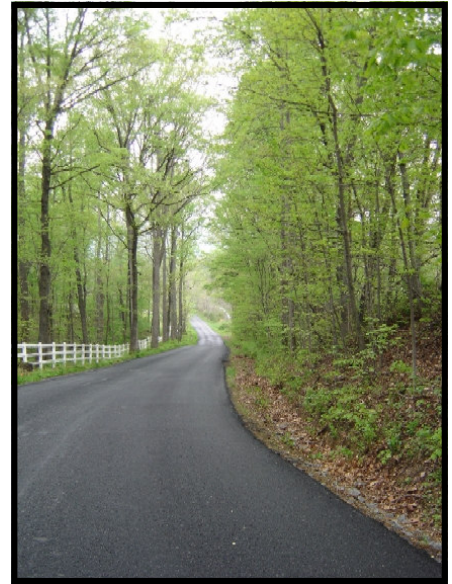
Does clustering change how many lots can be created?

No. The same number of lots that could be created without clustering could be created with clustering. Clustering would not slow growth.

Does clustering change how quickly new lots are created? No.

Does clustering improve resource protection?

Yes. Unlike most current subdivisions, clustering would include a preservation tract designed to protect the most important resources on the land being subdivided.



HOW IT WOULD WORK

The Planning Commission has recommended the following framework for a Rural Areas clustering ordinance:

STANDARD FORM OF SUBDIVISION

Clustering would be the required form of subdivision in the Rural Areas.

- ◆ **Exceptions**

Family subdivisions; properties too small to create preservation tracts that would effectively protect important resources; subdivisions of properties subject to conservation easements; lot line adjustments that do not create a new lot.

SUBDIVISION PROCESS

Identification of Resources

The first step in designing a clustered subdivision would be to define the resources to be protected. The goal would be to protect and prevent loss or fragmentation of resources identified as important in the Comprehensive Plan.

- ◆ Pre-application conferences would be required to identify areas to be preserved.

Preservation-parcel Selection

In order to best protect the resources on the land, the preservation parcel would be selected before the development lots were designed.

- ♦ A resource-conservation plan showing a preservation parcel that protects these areas would need to be approved before the preliminary subdivision plat could be submitted.
- ♦ The preservation parcel selection process would encourage the placement of preservation parcels next to existing conservation easements, to increase the connectivity of conservation lands.
- ♦ A maximum of one preservation parcel would be permitted per cluster, unless it can be established that one additional preservation parcel would better protect important resources identified by the Comprehensive Plan.
- ♦ One primary residential dwelling unit would be allowed on the preservation parcel. One secondary residential unit, requiring the use of a development right and compliance with all zoning regulations, could also be permitted on the preservation parcel to house a farm manager.

Subdivision Design Review

- ♦ As currently required, applicants would need to submit a plan showing how many lots they could achieve in a non-clustered subdivision. They would not be permitted to create more lots than this in their clustered subdivision.
- ♦ All of the small lots would be required to have access from roads located within the subdivision.
- ♦ Some areas to be preserved, such as critical slopes, could be located within residential lots, if left undisturbed and if that arrangement led to a layout that better protected resources on the preservation tract.
- ♦ To maximize the preservation of resources, the small residential lots could be no more than 2 acres in size.
- ♦ However, if it could be established that the maximum 2-acre residential lot could not accommodate a well and/or septic field, and that redesign of the subdivision would not alleviate the problem, Community Development staff could approve a size of up to 3 acres for some lots.
- ♦ “Pods” (small clusters of in more than one area of the property) might be permitted, if it can be established that these pods would have a greater benefit to the resources to be protected than a single larger cluster.



PHASING AND CLUSTERING COMBINED

Phasing and clustering address different aspects of rural subdivision; phasing affects the speed of development, and clustering addresses how the design impacts important resources.

In order to affect both the speed and the impacts of subdivisions, the Planning Commission has recommended that the County require both phasing and clustering.

HOW IT WOULD WORK

Combining phasing and clustering creates the need for some special measures that would allow both ordinances to work together:

- ♦ The preservation parcel would be recorded with the first phase. This would make it easier to place the preservation parcel next to existing preservation parcel and conservation easements, and to ensure the permanent protection of resources. Thus, the preservation parcel would be exempt from the phasing requirements.
- ♦ Combining phasing and clustering would require some changes to the road requirements for subdivisions.
- ♦ Multiple parent parcels could each use their two lots per phasing period in a single cluster. So, if a clustered subdivision was created out of three parent parcels, it could create six small lots during every ten years. This would encourage landowners to create one large preservation tract, rather than three smaller, disconnected ones.
- ♦ Development rights not used in a particular phase would stay with the parent parcel until used in future phases.

FOR MORE INFORMATION

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<http://www.albemarle.org>.