

14. IMPLEMENTATION

INTRODUCTION

The Culpeper County Comprehensive Plan focuses on maintaining the County's rural character, and protecting the environment and existing agricultural lands, while encouraging controlled growth within and around village centers and the Town; and encouraging growth through the promotion of industry. This Comprehensive Plan is to be used as a policy guide by the County and the community from which to base decisions in support of achieving the goals identified within the Plan. The Future Land Use Plan is general in nature and intended to provide the framework within which to structure future growth and development in the County. For the Comprehensive Plan to be effective, the goals and objectives found throughout the Plan as well as the Future Land Use Plan, must be implemented through a variety of tools that include both County and State regulations, policies, and procedures. Land use decision-making must be based upon surrounding land uses, environmental and economic impacts and many other aspects in addition to considering this Comprehensive Plan.

The primary responsibility for implementing the Culpeper County Comprehensive Plan rests with the Board of Supervisors. The Board uses the Code of the County of Culpeper, Virginia, including the Zoning Ordinance and the Subdivision Ordinance; the consideration of proffers from rezoning applicants; the development of area-specific improvement plans such as the Lake Pelham Watershed Study; special studies such as the Water and Sewer Master Plan and the Capital Improvement Plan; and the County's budget to accomplish this ongoing task. In addition, the Board of Supervisors relies on various boards, commissions and review agencies to act as key components in the implementation process. These agencies include the Planning Commission, the Board of Zoning Appeals, the School Board, the Culpeper County Health Department, the Agricultural and Forestal Districts Advisory Committee, the Culpeper Fire and Rescue Association, the Culpeper Regional Airport Advisory Committee, the Culpeper Soil and Water Conservation District, the Virginia Department of Transportation, the Rappahannock-Rapidan Regional Commission (PD-9) and the Town of Culpeper. These boards, commissions, and review agencies obtain direction from various sections of this Plan, as well as similar documents directly related to their responsibilities.

LAND DEVELOPMENT REGULATIONS

Land development regulations, which include the Zoning Ordinance and the Official Zoning Map, the Subdivision Ordinance and other portions of the Culpeper County Code, are the most frequently used tool to facilitate implementation of the Comprehensive Plan. These ordinances regulate land use, density, placement, subdivision and construction which take place in the County of Culpeper, excluding the area within the Town of Culpeper corporate limits.

A Subdivision Ordinance has been in effect since August 1960 in Culpeper County. It has gone through a number of major and minor revisions in order to implement changes to the Comprehensive Plan and the Zoning Ordinance which have occurred over time. The Subdivision Ordinance provides a means to assist in the implementation of the Comprehensive Plan via regulation of lots and related streets, public areas and the recordation of plats.

The Zoning Ordinance for Culpeper County was adopted in December 1967. The Zoning Ordinance is used to control land uses by allowing certain buildings and activities, while phasing out nonconforming uses, and by controlling new development. Revisions and reviews are periodically undertaken to ensure that the Culpeper County Zoning Ordinance is adequate to achieve the goals and objectives of the Comprehensive Plan.

The implementation of the recommendations contained in this Plan will require periodic changes to the County's land development regulations. These regulations include, but are not limited to the following:

- The Subdivision Ordinance (Appendix B, Culpeper County Code)
- The Zoning Ordinance (Appendix A, Culpeper County Code)
- Chapter 8, Culpeper County Code, Erosion & Sedimentation Control
- Chapter 10A, Culpeper County Code, Nuisances
- Chapter 11A, Culpeper County Code, Stormwater Management
- Chapter 14, Culpeper County Code, Sanitary Regulations

The Zoning Ordinance provides for various zoning districts, each of which is uniquely regulated. In addition to the various districts, there are a number of “overlay zones” or additional layers of regulation imposed in addition to the underlying zoning. These overlay districts include:

- Airport Safety Zone
- Watershed Management District
- Floodplain Overlay District
- Agricultural and Forestal Districts
- Entrance Corridor District

PROFFERS AND REZONING ACTIONS

A key feature of this Comprehensive Plan is the designation of land uses in the Future Land Use Plan. In interpreting the Plan for future development requests, the land use designations shall be considered as a general guideline. Land-use decision-making shall not be solely based on the County's Future Land Use Plan.

The Code of Virginia provides that a property owner may proffer reasonable incentives for the use or development of property in addition to the regulations contained in the Zoning Ordinance. Proffers can also include monetary contributions for public infrastructure and/or physical improvements to planned or existing public facilities which are impacted by the proposed development. Proffers should be welcomed with each rezoning proposal. Proffers should be utilized to assist the County in better implementing the Comprehensive Plan. Special conditions for public facilities may also be imposed upon special use permit applications. Proffers and conditions associated with these applications should be considered to:

- Protect water quality through proper stormwater management control of urban runoff.
- Develop all property in an environmentally sensitive manner.
- Promote Best Management Practices (BMPs) and continue the existing flood hazard and watershed protection program.
- Provide a variety of housing types, including housing for low and moderate income citizens and the economically disadvantaged.
- Provide transportation improvements in conformance with the Comprehensive Plan and Capital Improvements Program.
- Provide alternative pedestrian systems such as sidewalks, bikeways and trail systems.
- Provide water and sewage facilities in conformance with long-range Plans of the County.
- Provide adequate community facilities that foster improved public safety and access to government such as police and fire and rescue facilities, education and municipal facilities.
- Provide opportunities for greenways and passive and neighborhood recreational facilities.
- Preserve significant historic structures and/or areas in conformance with the Comprehensive Plan (Chapter 9).
- Provide assistance for adequate educational facilities for the County's citizens.

SPECIFIC STUDIES AND PLANS

The Comprehensive Plan is relatively general in nature and often does not provide the level of detail necessary to bring about action. Often, a greater level of detail is necessary in order to further carry out the recommendations contained within this Plan. The following are hereby incorporated into the Comprehensive Plan by reference:

- *Parks and Recreation Master Plan.*
- *Comprehensive Plan for Fire and Rescue Services in Culpeper County, Virginia.*
- *Culpeper Regional Airport, Culpeper, Virginia: Airport Master Plan Study (2010 Update).*
- *Lake Pelham Watershed Management Plan.*
- *Water and Sewer Master Plan.*
- *Emergency Operations Plan.*
- *Culpeper Town and County Water Supply Plan (currently under development).*
- *Culpeper Solid Waste Management Plan.*

- Capital Improvements Plan (as amended annually).
- Historic-Site Survey and Archaeological Reconnaissance .
- Town of Culpeper Comprehensive Plan

ECONOMIC INCENTIVES

A key factor to the success of any County is its economic base. Some specific designations or programs that will assist Culpeper in its marketing efforts as well as infrastructure improvements are:

- Foreign Trade Zone (FTZ)
- Partnership for Economic Development and Job Training
- HUB Zone Program
- Technology Zones

The following is a brief description of these designations and/or programs:

Foreign Trade Zone

A foreign-trade zone (FTZ), as designated by the U.S. Department of Commerce, is a site within the United States, in or near a U.S. Customs port of entry, where foreign and domestic merchandise is generally considered to be in international commerce. Foreign or domestic merchandise may enter this enclave without a formal Customs entry or the payment of Customs duties or government excise taxes. Merchandise entering a zone may be: stored, tested, sampled, relabeled, repackaged, displayed, repaired, manipulated, mixed, cleaned, assembled, manufactured, salvaged, destroyed or processed. This allows U.S. firms to have an equal basis for competition with foreign firms with respect to the ability to choose the most cost-competitive components for production from around the world. Culpeper County is one of only five FTZ grantees in Virginia. Several areas have been designated as a Foreign Trade Zone, including the Culpeper County Industrial Airpark.

The Foreign Trade Zone designation will assist Culpeper County by helping to retain industries already located within the County and by providing greater opportunities for those industries to expand their markets. The FTZ designation will also provide an incentive for new industries to locate in Culpeper County, thereby, increasing job opportunities and the local tax base.

Partnership for Economic Development and Job Training

Chapter 12, Article XIII of the Culpeper County Code, sets forth economic development incentives in the form of tax rebates. Existing and new businesses which invest at least \$500,000 in new capital improvements are eligible for reimbursement of taxes. The amount of reimbursement is variable depending upon level of investment. Reimbursement for training expenses is also available.

HUB Zones

The HUB Zone Program is a federal program which provides advantages to businesses which locate within a designated area and which have a certain percentage of employees also living within it. HUB Zones are designated based upon specific criteria which suggest that an area could benefit from increased business and employment. HUB Zones in Culpeper County are currently very limited based upon existing criteria. The program could be beneficial to the right businesses in the right locations, and as such it should be promoted wherever appropriate.

Technology Zones

Technology zones are described and mapped in Chapter 3 of this Plan. The continuation and potential expansion of these zones is encouraged.

COMMUNITY SUPPORT AND REGIONAL COOPERATION

Another key ingredient necessary to implement the Comprehensive Plan is the active involvement of the public. Elected officials and County Boards, Commissions, and Committees need and want this public input in order to make informed decisions which will benefit and reflect the wishes of the citizens of Culpeper.

Many programs operate largely by volunteerism, both in terms of staff and operational funds. The following is a brief list of the areas in which public support is strongly encouraged:

- Participation at public hearings
- Fire and Rescue Services, volunteers and funding
- Education: parents participating as aides through the PTA and other education activities
- Civic organizations: community projects
- Recreation organizations: cooperative programs.

The County must also seek cooperation with other public and private organizations in order to implement portions of the Plan. The most critical area of cooperation is between the Town of Culpeper and the County. The Plan specifically recommends joint cooperation with the Town of Culpeper in the following areas:

- Lake Pelham and Mountain Run Lake Watershed Management Plan
- Water and Sewer Master Plan
- Recreational Planning
- Transportation
- Schools
- Fire and Rescue
- Jail facilities/police protection/sheriff
- Health Facilities and services

In addition, the County must continue to actively participate in regional organizations aimed at improving the quality of life. The Plan specifically advocates working with the Rappahannock – Rapidan Regional Commission (PD-9), and the County supports a regional approach in the following areas:

- Transportation, including airport and rail
- Rivers as a resource
- Economic Development and tourism
- Public Safety

FUTURE IMPLEMENTATION TOOLS

This chapter has identified some tools which have been and will continue to be utilized in implementing the Culpeper County Comprehensive Plan. The following are some of the potential ordinances and programs which would be appropriate to pursue in furtherance of realizing the goals and objectives of the Plan.

Potential Land Development Regulations

Historic Resources Overlay Zones

In accordance with Chapter 9, Historic Resources, it is suggested that adoption of historic overlay districts be pursued which would insure protection of certain historic resources and which would insure that development is compatible with historic areas such that historic integrity is not compromised.

Sign Ordinance

Article 10 of the Zoning Ordinance, Signs, is outdated and should be replaced in its entirety to reflect modern standards and modern technology.

Age Restricted Zoning Districts

Based upon the demographic data presented in Chapter 2, it appears that Culpeper County's population is aging. It may be appropriate to develop a residential zoning district which is specifically intended to provide for retirement age citizens.

Zoning and Subdivision Ordinance Revisions

Consideration should be given to revising several zoning districts as well as the Subdivision Ordinance. The Agricultural and Rural Area zoning districts could benefit from revisions which would promote clustering and result in preservation of open space and agriculturally viable properties. Elimination of time-based restrictions should also be considered. Any changes of this nature would require Subdivision Ordinance revisions to take place simultaneously.

All commercial and industrial districts should be reviewed to insure adequate flexibility. Several zoning districts may be redundant and could be eliminated.

Transfer of Development Rights (TDRs)

Culpeper County has recently been enabled to implement TDRs. This program could be beneficial in allowing agricultural properties to remain as such on a permanent basis, while still allowing the property owner to benefit from the sale of development rights. Pursuit of this program would most likely require revisions to the Agricultural and Rural Area zoning districts first. This is because TDRs are dependent upon the ability to clearly assign a maximum number of building rights to each parcel, and the current time-based system does not lend itself to this system.

Transportation Impact Fees

Culpeper County has recently been enabled to impose transportation impact fees. As part of House Bill 3202, which also created the requirement for Urban Development Areas (UDAs), transportation impact fees can be imposed on all new development for various transportation projects, which must be clearly identified. The County has established a Transportation Impact Fee Advisory Committee to study this issue. Continued study of transportation impact fees is supported.

Potential Conservation Programs

Agricultural and Forestal Districts

The Agricultural and Forestal District program outlined in Chapter 5 provides for voluntary restrictions on development in order to protect farm and forest land. This program should not only be maintained, it should be strengthened through the introduction of greater incentives to enroll.

Conservation Easements

Conservation easements are being utilized increasingly by private property owners in order to protect land and realize tax benefits. The County should encourage, and facilitate to the extent possible, the establishment of such easements.

Purchase of Development Rights (PDRs)

In September of 2007 the Culpeper County Board of Supervisors established a countywide agricultural reserve program by which the County is able to acquire the development rights on eligible parcels of farmland. Funding should be made available for this program in order to purchase development rights and prevent further division of prime agricultural lands.

Other Potential Actions

Adoption of a Facilities Standards Manual

Consideration should be given to developing and adopting a Facilities Standards Manual which would codify minimum standards for infrastructure. Items such as sidewalks, curb and gutter, storm and sanitary sewer, water lines, BMP facilities, and parking would be addressed.

Continued Efforts at the State Legislative Level

Culpeper County, individually and through the Virginia Association of Counties (VACO) should continue to lobby the Virginia State Legislature to enable additional tools to manage the impacts of growth.

Funding Mechanisms

A substantial issue in the implementation of programs and projects is of course funding. The following is a brief listing of a number of funding mechanisms which can be utilized by County government.

Public/Private Partnerships

A government service or private business venture which is funded and operated through a partnership of government and one or more private sector companies. A public/private partnership involves a contract between a public sector authority and a private party, in which the private party provides a public service or project and assumes substantial financial, technical and operational risk in the project.

Capital Leases

A financing arrangement that is treated for accounting purposes as a purchase of property where the value of the asset acquired and the obligation incurred are generally recorded at the present value of the minimum lease payments. This method is currently utilized for County school buses.

Enterprise Fund

Funds used to account for operations that are financed and operated in a manner similar to private business enterprises where the intent of the governing body is to provide services and costs be financed through user charges. The Culpeper Regional Airport operated as an enterprise fund.

General Obligation Bond

Debt secured solely by the pledge of a governments' full faith and credit as well as debt secured by the fee revenue generated by the system for which the bonds are issued and, if necessary, by general obligation tax revenues.

Revenue Bond

A bond issued to fund enterprise activities that will generate a revenue stream.

Special Revenue Fund

Funds used to account for the proceeds of specific revenue sources that are legally restricted for expenditures for specific purposes. One example of this is the E 9-1-1 fund.

State Literary Fund Loans

Loans issued by the State Literary Fund usually where a locality must match the loan amount with an equal monetary commitment.

VPSA Bonds

Bonds issued by the Virginia Public School Authority for financing new schools.

Road Funding Sources

See Chapter 8, Transportation, for a description of various sources of funding for road projects.

Grant Funding

Public and Private entities offer grant funding for various projects which may or may not require match funds from the County. The County regularly monitors grant funding available using subscription to a program called eCivis.

