



# **COUNTY OF ALBEMARLE**

## **ZONING INFORMATION PACKET**

**(For building permits for a structure on a  
property with a site plan)**

**Community Development Department  
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**[www.albemarle.org](http://www.albemarle.org)**

Albemarle County’s Community Development Department has created this information packet and checklist to set clear expectations about the requirements to approve preliminary and final zoning inspections. This will allow us to consistently provide quality service to our customers.

## **I. Overview of Preliminary Zoning (PZ) Inspection**

This inspection is done after the grading and before the footing inspection is done. Note that your building permit will not be issued until the PZ is approved. You should call Central Operations at 296-5832 by 4 pm the day before the desired inspection.

### **Checklist**

- Property irons/flags/stakes in, if required by the zoning inspector (primarily for sites where it might be difficult to measure distances)
- Easements within 3 feet of structure marked

### **\*\*\*EXPEDITED PZ INSPECTION PROCESS OPTION\*\*\***

A signed and certified surveyor’s worksheet of the site with building location and notes regarding distances to property lines, setbacks, and easements is acceptable for the preliminary zoning review in lieu of the comprehensive field inspection.

## **II. Overview of Final Zoning (FZ) Inspection**

It may take us up to 2 weeks to gather all the information necessary to do your final zoning inspection. Therefore, **you must call Central Operations at 296-5832 and set up a final zoning (FZ) inspection at least two (2) weeks prior to the date of desired date of Certificate of Occupancy (CO) issuance.** Inspections should be called in by 4 pm the day before the desired inspection. You should also notify your assigned zoning inspector of your desired date for a CO. A “punch list” will be created of any items requiring bonding. **If you fail to call two weeks in advance, your inspection and CO may be delayed.**

### **A. Overview of Paperwork Requirements**

Paperwork requirements prior to a final zoning inspection/issuance of a CO include:

- Posting of all necessary bonds, including site performance and/or landscape maintenance bonds (see Section III)
- Submittal and approval of all necessary letters of revision and/or site plan amendments so that the actual site matches the approved site plans/letters of revisions (see Section IV)
- Submittal of a zoning clearance application BEFORE calling for a FZ — (check with your zoning inspector to determine if this is needed). **In the event that a**

**final zoning inspection is rejected and/or a clearance application is not on file, a Certificate of Occupancy (CO) will not be issued.**

Note that occupancy before the issuance of a CO is a zoning violation and may result in a Notice of Violation. Please note that both final zoning and final building inspections must be approved to get a CO.

**III. Bonds**

**A. Site Performance Bond**

If all building and site plan requirements are not completely finished for CO issuance, the owner or his/her designated agent will have to post a Site Performance Bond for the amount of all unfinished work. Items insured by the bond might include things as sidewalks, landscaping, parking stripes, etc. A zoning inspector will calculate your bond amount using established County standard pricing, plus a contingency fee. All bonded items must be completed within one (1) year of acceptance of the bond unless this period is extended by the Board of Supervisors (Zoning Ordinance Section 31.2.3.1.) Site performance bond reductions may be possible during the course of the year by request only after significant progress on the site has been made. To have a bond reduced and/or released within the required one-year period, a bond inspection request form must be completed and given to Pam Shifflett, along with a \$60 inspection fee. An inspection fee is required for each site inspection conducted.

*Items that cannot be bonded:*

- Any safety items including, but not limited to:
  - Fire hydrants
  - Guard rails
  - Street signs
  - Parking lot stone and/or base surface treatment coat
  - Traffic control signs
  - Railings or fences on top of retaining walls
  - Handicap parking signs

**B. Landscape Maintenance Bond**

A landscape maintenance bond must **ALWAYS** be posted by the owner or his/her designated agent in an amount equal to 33.3% of the total landscaping value (based on County standard pricing). This bond will be held for one (1) year from the date it is approved in order to cover replacement costs if any landscaping should die or be removed. If any landscaping does die or is removed within the one-year period, the landscaping must be replaced before the bond will be released. The owner should schedule the landscape maintenance bond inspection request prior to the one-year time period for release. The procedure to schedule an inspection is the same as described in the preceding.

## **IV. Site Plan Changes/Amendments**

Any changes from the latest approved plan must be made before the final zoning can be approved. Revisions must be submitted to the County as: a letter of revision, a minor amendment, or a major site plan amendment. Contact the assigned County planner to get more information on this process and to make application. Because this amendment process may take some time, it is advisable to make contact with the Planner as soon as possible in order to avoid delays in obtaining your certificate of occupancy.

## **V. Signs**

One construction sign of up to 32 square ft is allowed (while under construction) without obtaining a sign permit. It should be removed upon approval of FZ. Please remember that all other signs on your site, either permanent or temporary, will required a sign permit.

## **VI. Mobile Office Trailers**

A mobile office trailer used during construction requires a separate permit. Section 5.1.18 has supplemental regulations guiding temporary construction headquarters and yards.

## **VII. Site Inspection Checklist**

The following checklist may not be comprehensive and Zoning Inspectors may reject a final zoning inspection for items not mentioned herein. Note that the Zoning Administrator, per Section 31.2.3.3 of the Albemarle County Zoning Ordinance, may determine that “additional improvements are necessary as precedent to issuing a certificate of occupancy or a zoning compliance clearance to protect the public health or safety, *whether or not the improvements are shown on the approved site plan.*”

**3-MINUTE RULE OF THUMB:** If construction materials, equipment and/or other vehicles are located in required parking, a 3-minute rule of thumb will be used by Zoning Inspectors. That is, if such items could easily be moved out of the way in 3 minutes or less (if the person who could move it was already present), it is not considered to be preventing safe and convenient access. However, if special equipment is needed to move the items (e.g., a dumpster), the inspection may be rejected.

**\*\*\*EXPEDITED FZ INSPECTION PROCESS OPTION\*\*\***

A certified final physical survey of the site with building location and notes regarding distances to significant property lines, setbacks, and easements is acceptable for the final zoning review in lieu of the comprehensive field inspection. This may not be the stake-out survey but must be a survey done after construction is complete. However, the site will still be inspected for safe and convenient access.

**General**

- The site matches the approved final site plan/amendments/letters of revision

**Vehicular Access and Parking**

- Easy vehicular access to site per Albemarle County's *Design Standards Manual Section 607.1* (see attached)
- Driveways have necessary surface treatment (minimum base stone placed and compacted) and base coat, if required
- Residual construction materials/debris should be out of the travel ways, access to building entrances and/or required parking
- Backfill less than 2"/mark (with Day-Glo) utilities in the travel ways and roads
- Sufficient turnaround room for fire apparatus
- All required parking should be installed and reasonably accessible
- No construction vehicles or portajohns are blocking the travel ways, walkways and/or required parking

**Building Site**

- All property corners are marked with stakes, irons, and/or flags, if necessary
- Entire structure meets setbacks and is out of easements. Note that some architectural features may be allowed to encroach in some cases—please check with your zoning inspector for specific details.
- Only residual amounts of construction materials may be present

**Pedestrian Access and Safety**

- Safety fencing is in place as common sense would dictate
- No impalement hazards (e.g., sidewalk forms, rebar) are present to access the building
- Backfill to less than 2" and/or safety fencing on curbs/sidewalks with steep drop-offs, holes for lighting, etc.
- The required "safe and convenient" pedestrian access to building is present

- No missing tops on drainage structures (e.g., manholes, drop inlets)
- Site should not be considered a “hard hat” area (e.g., scaffolding still up)

### **Lighting**

- If applicable, a light meter test may be conducted to confirm that any new exterior lighting conforms to County lighting ordinance requirements. This test is done after sunset, Monday through Thursday. It may be cancelled due to inclement weather.

#### *Relevant Albemarle County Code Section:*

##### **31.2.3.1 CERTIFICATE OF OCCUPANCY**

It shall be unlawful to use or permit the use of any structure or premises, or part thereof, hereafter created, erected, changed, converted, altered or enlarged, wholly or partly in its use or structure, until a certificate of occupancy indicating completion of the work for which a permit was issued, is issued therefore by the zoning administrator. Final inspection approval or approvals may serve as the certificate of occupancy for any addition or alteration to a structure for which a certificate of occupancy has already been issued. The certificate shall show that the structure, premises or part thereof, and the proposed use thereof, is in conformity with the provisions of this chapter. (Amended 10-3-01)

When structures are completed and ready for occupancy prior to the completion of all improvements required by the site plan, and the zoning administrator determines that the site may be occupied consistently with the public health, safety and welfare: (Amended 10-3-01)

a. Except as provided in subsection (c), the owner may provide a certified check, bond with surety satisfactory to the county, a letter of credit satisfactory to the county, or other form of surety satisfactory to the county approved by the county attorney, in an amount sufficient for and conditioned upon the completion of the improvements related to the structure for which the permit is sought, within one (1) year. Upon the providing of such bond with surety, a permit may be issued for the occupancy of those structures already completed. (Added 10-3-01)

b. The board of supervisors may extend the period of the surety if the applicant demonstrates that the extension is required because of adverse weather conditions or other unusual circumstances beyond the applicant’s control, rather than the applicant’s failure to diligently pursue completion or other reasons. (Added 10-3-01)

c. A certificate of occupancy shall not be issued, and a surety shall not be accepted, if the zoning administrator determines that improvements directly related to health and safety, such as fire hydrants and safe and convenient access to public roads, have not been completed and are not operational. (Added 10-3-01)

## SECTION 607.1 SAFE AND CONVENIENT ACCESS

As provided in Code 18-31.2.3.1(c), a certificate of occupancy shall not be issued for a dwelling if the zoning administrator determines that improvements directly related to health and safety, such as safe and convenient access to public roads, have not been completed and are not operation. The intent of this provision is to provide guidance for what will be considered “safe and convenient access”.

### A. Driveway Access to Dwellings

#### 1. Entrance

For an urban (curbed) street, the driveway grade should be 8% or flatter for the greater of: 10 feet measured behind the sidewalk; or 20 feet measured behind the face-of-curb, with the exception that the driveway apron grade will be in accordance with the VDOT standard.

For rural (shoulder & ditch) street without sidewalks, driveway grade should be 8% or flatter for a least 20 feet measured from the outside edge of the shoulder. For a rural street with sidewalks behind the ditch line, driveway grade should be 8% or flatter for at least 10 feet measured from the back of the sidewalk.

#### 2. Parking Area

An area at least 18 feet wide by 18 feet in length that is graded to 5% or flatter will be considered adequate for two off-street parking spaces.

#### 3. Driveway Width

A width of at least 10 feet will be considered acceptable for driveways. Pullouts may be required for longer driveways where it is not possible to see if another car has already entered the driveway and backing up to allow a vehicle to pass will be difficult (e.g. where a vehicle would need to back onto the street or would need to back around a curve in the driveway).

#### 4. Driveway Grade

The driveway grade should be 20% or flatter.

#### 5. Slopes Adjacent to Driveways

To reduce the risk of vehicle rollover in the event a vehicle slides off the driveway, downhill slopes higher than 6 feet should be graded to a slope of 3:1 (horizontal : vertical) or flatter. If determined that this slope criteria cannot be attained due to site constraints, protective measures designed to prevent vehicles from leaving the driveway (e.g. guardrail, curbs, or other) should be used.

#### 6. Driveway Surface

Driveways steeper than 10% should have a non-erodable surface, such as surface treatment, asphalt, or concrete pavement. There may be circumstances in the Rural Area where steeper driveways may not require pavement. These should be considered on a case-by-case basis.

#### 7. Drainage

Concentrated runoff (from a culvert, swale, or ditch above a driveway) will be conveyed underneath a driveway with a culvert and discharged into a stable channel or storm sewer. Sheet flow across a driveway will be considered acceptable. Driveway side-ditches should be used whenever concentrated flows along the edges of a driveway will be erosive.

8. Fire Apparatus Access

Fire suppression service from the street typically cannot be adequately provided to a dwelling located more than 100 feet from the street. Therefore, an adequate fire apparatus access will need to be provided and maintained along the driveway serving the dwelling. A driveway will be considered an adequate fire apparatus access when a:

- Vertical clear zone at least 13 ft.-6in. high (measured from the driveway surface) and a horizontal clear zone at least 14 feet wide (centered over the driveway) has been provided along the length of the driveway; and
- Turnaround area has been provided at the end of the driveway.

9. Other Emergency Vehicle Access

When a dwelling is located more than 50 feet from the street, an adequate access, along the driveway serving the dwelling, will need to be provided and maintained for other emergency vehicles (e.g. ambulance, rescue, etc.). A driveway will be considered an adequate access when a:

- Vertical clear zone at least 10 feet high (measured from the driveway surface) and a horizontal clear zone at least 10 feet wide (centered over the driveway) has been provided along the length of the driveway; and
- Turnaround area has been provided at the end of the driveway.

**B. Street Access to a Lot**

1. Street Surface

A street, shown on the approved subdivision road plan, will be considered safe and convenient access to a lot if the street grade and shoulders have been established and a suitable surface capable of supporting vehicle loading under all weather conditions has been provided. Additionally, all sub-surface improvements (e.g. storm sewers, water mains) must be properly installed. For streets receiving asphalt pavement, the base course of asphalt pavement should be in place. Where surface treatment of the street has been approved, that treatment should be in place. Where a gravel surface has been approved, the full depth of gravel should be in place.

2. Obstacles in the Street

If valves, manholes, or similar improvements are present in the street serving as access to a lot, they should project less than 2 inches above the street surface and should be marked such that they can be easily seen at night ("Day-Glo" paint is acceptable). Construction materials, dumpsters and equipment should be stored outside of the roadway clear zone. Vehicles should only be parked along the roadway as would be allowed on the finished roadway.

3. Signage

Stop signs, street signs, and other signage required to assure street identification and traffic safety should be in place.