



COUNTY OF ALBEMARLE
Department of Community Development

SITE PLAN AMENDMENT POLICY

4/16/2021

Changes to site plans are permitted per Section 32.3.8 of Chapter 18 of the Albemarle County Code. This policy establishes how and when a change can occur to an approved Final Site Plan (or another relevant plan).

Changes that frequently arise after Final Site Plan approval vary in scope and detail. A tiered policy has been established to address the varying scope of change(s) and the corresponding level of review required. The quantity of changes can contribute to an upgrade in application type.

Applicants must discuss any proposal for change/modification with a Planner or Permit Planner prior to submittal. The Planner or Permit Planner will determine which type of amendment is required based on the information provided by the applicant and the criteria established in this policy. The decision is at the County's discretion. If new information is uncovered after submittal of the application, applicants may be directed to upgrade the application type with corresponding additional applications, submittals and/or fees.

1. Letter of Revision (LOR): changes to an approved Final Site Plan that are not significant enough to constitute the need for a minor site plan amendment. (SEE LOR POLICY)
2. Minor Site Plan Amendment (MINA): changes that exceed the criteria outlined for a Letter of Revision but are not significant enough to constitute the need for a major site plan amendment. (SEE MINOR AMENDMENT POLICY)
3. Major Site Plan Amendment (MAJA): changes beyond the criteria outlined for a Minor Site Plan Amendment.

LETTER OF REVISION (LOR) POLICY

1. Letter of Revision (LOR): changes to an approved Final Site Plan or most relevant plan that are not significant enough to constitute the need for a minor site plan amendment.
2. Applicants must discuss any proposal for change/modification with a Planner or Permit Planner prior to submittal of the application. The Planner or Permit Planner will determine if the change meets the criteria established below.
3. LORs apply to an approved Final Site Plan. An approved Final Site Plan is a plan that contains the signature block and all the appropriate signatures from the County and other reviewing agencies.
4. An LOR can, on occasion, be applied to an approved minor site plan amendment instead of the approved Final Site Plan. A minor site plan amendment is an approved plan that contains a Planner's signature or stamp of approval.
5. Only three (3) LORs may be approved for a Final Site Plan before a new minor amendment must be submitted for approval that incorporates all the changes approved with the LORs.
6. Any change that does not constitute a permanent physical change to the site (examples: farmer's market, food truck, location of affordable units) will **not** count toward the maximum number of LORs.
7. Any proposed change must meet all applicable regulations.
8. Proposed changes must not create additional adverse impact on adjacent properties or public facilities.
9. If the proposed changes require review by a Site Review Committee member outside the Community Development Department, the amendment will at least be a Minor – an LOR is not available.
10. If the proposed changes require review by more than 3 Community Development Department reviewers, the amendment will at least be a Minor – an LOR is not available.

LETTER OF REVISION (LOR) CHECKLIST

1. A completed LOR application
2. The fee identified on the application
3. The application number of the site plan that the LOR is amending
4. A letter of request from the owner or authorized agent describing the proposed changes
5. 4 copies of the plan that shows the proposed changes

LETTER OF REVISION (LOR) CRITERIA

The following changes may qualify as a Letter of Revision. These criteria are provided as a guide and are not to be considered an exhaustive list of potential changes.

Building/structure changes

- Construction of 200 sf or less (either as an addition to an approved structure or as a separate structure)
- Add/remove loading dock(s)
- Not construct the connector roof between the addition and the existing building
- Add porch roofs at entrance(s) into the building
- Moving, adding, or removing phase line(s) in developments of 5 buildings or fewer

Landscaping, Screening, Grading changes

- Quantity and or species change complying with the approved plant list and approved canopy calculations (See Section 32.7.9)
- Location change for 10 individual trees or 5 landscape groupings
- A change that results in total impervious area up to 5000 sf

Parking changes

- Restriping of spaces
- Addition or subtraction of up to 10 spaces provided that this would not exceed the maximum number or fall below the minimum number of spaces allowed per Section 4.12.4(a)
- Consolidate/move HC spaces (See Section 4.12.4(b))
- Add, remove or adjust curbing
- Add/remove CG-12 ramp (See Section 4.12.4(b))

Lighting changes

- Adding unlimited number of fixtures if emitted lumens are less than or equal to 3,000 (Lighting Plan sheet must be revised to show the new fixtures [cut sheets] and their locations and updated photometrics.)
- Adding up to 5 fixtures that emit 3000 lumens or more (Lighting Plan sheet must be revised to show the new fixtures [cut sheets] and their locations and updated photometrics.)

Other Hardscapes

- Add/remove sidewalk(s) or walkway(s)
- Add propane tank(s) above and below ground and associated pad(s)
- Add a generator(s) and associated pad(s)
- Add/remove or move dumpster(s) and associated pad(s) (See Section 4.12.19)
- Add/remove permanent grease collection container for the restaurants
- Add/remove phone switch box and associated pad(s)
- Add/remove bollard(s)
- Add/remove or move fencing
- Add/remove/relocation some types of recreation (playgrounds, putting area, etc.)
- Add handicapped ramp with or without handrail
- Removal of steps and replacing them with a ramp
- Add/remove step(s)
- Remove a retaining wall if grading will not impact critical resources or adjacent properties, and if slopes do not exceed 3:1
- Adding retaining walls of 3' or less in height
- Altering material of construction (ex. wood steps to poured concrete)

- Add exterior refrigerator

MINOR AMENDMENT POLICY

- A Minor Site Plan Amendment (MINA) is a site plan amendment that proposes changes beyond the criteria outlined for a Letter of Revision, that meets the Minor Amendment Criteria, but are not significant enough to constitute the need for a major site plan amendment.
- Three (3) MINAs may be approved for a Final Site Plan before a new Major Amendment must be submitted for approval that incorporates all the changes approved with previous LORs and MINAs.
- If the proposed changes require review by a Site Review Committee member outside the Community Development Departments, the amendment will at least be a Minor, and could be a Major.
- If the proposed changes require review by more than 3 Community Development Departments reviewers, the amendment will at least be a Minor, and could be a Major.

MINOR AMENDMENT CRITERIA

The following changes may qualify as a Minor Amendment. These criteria are provided as a guide and are not to be considered an exhaustive list of potential changes.

1. For an existing structure that is 10,000 sf or less, the addition shall not be more than 30% of the structure
2. For an existing structure that is 10,001+ sf, the addition shall be no more than 3,000 sf
3. Moving, adding, or removing phase line(s) in developments of more than 5 buildings
4. Reduction of building size resulting in additional site alterations that cannot qualify for an LOR
5. Landscape location changes of more than 10 individual trees or 5 landscape groupings
6. Adding more than 5 light fixtures that emit 3000 lumens or more (Lighting Plan sheet must be revised to show the new fixtures and their locations. Cut sheets and photometric plan are required to confirm full cutoff fixtures and acceptable spillover.)
7. A change that would not result in any activity that requires a waiver or modification
8. A change that would not result in a new or modified entrance
9. A change that results in total impervious area between 5001 sf and 10,000 sf
10. A change that would not violate conditions of prior approvals
11. Changes to one public easement will likely be a minor amendment; changes to multiple easements will likely be a major amendment

MINOR AMENDMENT CHECKLIST

Final Site Plans approved prior to 5-1-87 that are proposed to be changed with a minor amendment must include the applicable site plan content requirements of Section 32.5 and 32.6. (See checklist online.) If content required by sections 32.5 and 32.6 is requested to not be provided, then a site plan waiver must be processed.

1. Appropriate application filled out and fee paid.
2. Plan is prepared and sealed, signed and dated by an architect, professional engineer, land surveyor, or certified landscape architect, each of whom shall be licensed to practice in the Commonwealth of Virginia.
3. Application number of the Final Site Plan that is being amended.
4. List of the proposed changes.
5. Graphic delineation of the proposed changes (bubble, other symbols).