



COUNTY OF ALBEMARLE

ZONING INFORMATION PACKET

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

**Community Development Department
401 McIntire Road
Charlottesville, Virginia 22902-4596
(434) 296-5832**

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 The Inspections Hotline (434-972-4179) by 4 pm the day before the desired inspection.

Checklist

- Property irons/flags/stakes in ground (primarily for sites where it might be difficult to measure distances)
- Structure location marked, staked or flagged
- Easements within 3 feet of structure marked by utility location service

Surveyor's Worksheet

A certified surveyor's worksheet may be required for zoning review at time of preliminary or final inspection. **Whether it is requested or not, we strongly encourage you to submit a worksheet in order to expedite the review of your site.** In some cases, a review or inspection may not take place until the worksheet is received. The Code Compliance Officer (CCO) assigned to your site can provide further information.

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 The Inspections Hotline and set up a final zoning (FZ) inspection at least two (2) weeks prior to the date you would like the Certificate of Occupancy (CO) issued.** Inspections should be called in by 4 pm the day before the desired inspection. You should also notify your assigned CCO of your desired date for a CO. The CCO will inspect the site for completeness as well as safe and convenient access and 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 site performance 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 CCO 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

Incomplete Site-work 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 such as sidewalks, landscaping, parking stripes, etc. A CCO will calculate your bond amount using established County standard pricing, plus Administration and Management fees. All bonded items must be completed within one (1) year of acceptance of the bond unless this period is extended by the Zoning Administrator (Zoning Ordinance Section 31.4.c.2) To have a bond released within the required one-year period, a bond inspection request form must be completed and submitted with a \$301 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
 - Handicap ramps

IV. Site Plan Changes/Amendments

Any changes from the latest approved plan must be submitted and approved by the county planning staff 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 the CCO may reject a final zoning inspection for items not mentioned herein. Note that the Zoning Administrator, per Section 31.4.d 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. 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.

Certified Final Physical Survey

A signed certified final physical survey of the site with building location and notes regarding distances to significant property lines, setbacks, and easements **may** be required by the CCO. As stated previously, whether it is requested or not, the submission of this survey will facilitate a quicker inspection of your site. *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
- 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 port-a-johns 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:

31.4 CERTIFICATES OF OCCUPANCY

The zoning administrator shall review certificates of occupancy submitted to the building official as follows:

- a. Review. Prior to issuance of a certificate of occupancy, the zoning administrator shall review the certificate to ensure that the building, structure and improvements comply with this chapter.
- b. Approval. If the proposed building, structure and improvements, and the proposed use thereof, comply with this chapter, the zoning administrator shall issue the certificate of occupancy. The final zoning inspection approval or approvals may serve as evidence of the zoning administrator's approval of the certificate of occupancy for any addition or alteration to a building or structure for which a certificate of occupancy has previously been issued or is not required under the building code.
- c. Certificate of occupancy where improvements not completed. Upon the request of a developer, the zoning administrator may approve a certificate of occupancy where the buildings or structures shown on a site plan are completed in compliance with the building code and this chapter before all improvements required by the site plan are completed, as follows:
 1. Required findings. The zoning administrator may approve a certificate of occupancy upon finding that: (i) the improvements still to be completed and operating are not directly related to health and safety, such as fire hydrants and safe and convenient access to public roads; and (ii) the site may be occupied without endangering life or public health or safety prior to full completion of the improvements required by the site plan.
 2. Surety. Before issuing a certificate of occupancy, the zoning administrator may require the developer to provide a certified check, bond with surety, a letter of credit, or other form of surety, all of which shall be in a form satisfactory to the county attorney, in an amount sufficient for and conditioned upon the completion of the improvements within one (1) year. Upon the request of the developer prior to the expiration of the surety, the zoning administrator may extend the period of the surety if the developer demonstrates that an extension is required because of adverse weather conditions or other unusual circumstances beyond the developer's control, rather than the developer's failure to diligently pursue completion or other reasons.
- d. Circumstances when certificate of occupancy shall not be issued. The zoning administrator shall not issue a certificate of occupancy in the following circumstances:
 1. No certificate of occupancy shall be issued in violation of this chapter.
 2. No certificate of occupancy shall be issued if, after review of any building, structure or site, the zoning administrator determines that additional improvements are necessary to protect the public health or safety, regardless of whether the improvements are shown on the site plan.
- e. Other information for building official. The zoning administrator shall inform the building official of any other applicable laws or any other provision of the Code to which the building or structure does not comply and, therefore, a certificate of occupancy should not be issued by the building official.