



**COUNTY OF ALBEMARLE  
PLANNING STAFF REPORT SUMMARY**

<b>Project Name:</b> SP201700028 Woodard Dock	<b>Staff:</b> David Benish, Planning Chief
<b>Planning Commission Public Hearing:</b> March 6, 2018	<b>Board of Supervisors Public Hearing:</b> TBA
<b>Owner:</b> W. Keith Woodard	<b>Applicant:</b> W. Keith Woodard
<b>Acreage:</b> 9.49 acres	<b>Special Use Permit:</b> 30.3.11
<b>TMP:</b> 04500-00-00-01000 <b>Location:</b> 1775 Earlysville Rd.	<b>Existing Zoning and By-right use:</b> RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development)
<b>Magisterial District:</b> Rio	<b>Conditions:</b> Yes
<b>RA (Rural Areas):</b> X	<b>Requested # of Dwelling Units:</b> NA
<b>Proposal:</b> Private floating dock on South Fork Rivanna Reservoir	<b>Comprehensive Plan Designation:</b> Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre)
<b>Character of Property:</b> Residential, with wooded and open areas	<b>Use of Surrounding Properties:</b> Reservoir, large-lot residential uses, agriculture
<b>Factors Favorable:</b> 1. No direct impact to the water supply or neighboring properties is expected as a result of this special use permit. 2. No increase in flood levels will result from installation of a dock. 3. The proposed dock is supported by the City of Charlottesville Department of Public Works, and meets the requirements of the Rivanna Water and Sewer Authority for residential boat docks.	<b>Factors Unfavorable:</b> None found.
<b>RECOMMENDATION:</b> Staff recommends approval of this Special Use Permit, with conditions.	

**STAFF PERSON:**  
**PLANNING COMMISSION:**  
**BOARD OF SUPERVISORS:**

**David Benish**  
**March 6, 2018**  
**TBA**

**PETITION:**

PROJECT: SP201700028 Woodard Boat Dock

MAGISTERIAL DISTRICT: Rio

TAX MAP/PARCEL: 04500-00-00-01000

LOCATION: 1775 Earlysville Road

PROPOSAL: Private floating dock on South Fork Rivanna Reservoir

PETITION: Water related uses such as boat docks and canoe liveries under Section 30.3.11 of zoning ordinance. No dwelling units proposed.

ZONING: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots). FH Flood Hazard – Overlay to provide safety and protection from flooding. Water related uses such as boat docks and canoe liveries (30.3.11).

COMPREHENSIVE PLAN: Rural Areas – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre in development lots)

**CHARACTER OF THE AREA:**

The surrounding area is a developed rural area largely characterized by large-lot residential uses.

**PLANNING AND ZONING HISTORY:**

None.

**DETAILS OF THE PROPOSAL:**

A special use permit is being requested in accordance with Section 30.3.11 of the Zoning Ordinance, to allow a boat dock in the Flood Hazard Overlay zoning district. See Attachment C for the proposed design. The floating dock would be built in three sections, with a total area of 168 square feet (see Attachment C). No structure would connect the floating dock to the bottom of the reservoir--the dock would be anchored to the shore by two 6x6” posts. The design has been approved by the Rivanna Water & Sewer Authority, which manages the reservoir.

**STAFF COMMENT:**

Section 33.8 of the Zoning Ordinance states that the Planning Commission and Board of Supervisors shall reasonably consider the following factors when reviewing and acting upon an application for a special use permit:

***No substantial detriment. The proposed special use will not be a substantial detriment to adjacent lots.***

The proposed dock would be for private use and would only support permitted boating uses on the reservoir from an existing access point. There would be no new or intensified uses that would impact adjacent lots. Standard conditions of approval (see below) would prohibit dock lighting that would impact adjacent properties.

***Character of district unchanged. The character of the district will not be changed by the proposed special use.***

Construction of a dock at an existing point of access onto the reservoir would be at such a small scale as to have no impacts on the character of the district.

***Harmony. The proposed special use will be in harmony with the purpose and intent of this chapter,***

As the dock design meets the standards of the Rivanna Water & Sewer Authority, it is expected to appropriately protect the public water supply, as called for in the purposes and intent of the Zoning Ordinance and in the Rural Areas Zoning District specifically.

***...with the uses permitted by right in the district***

A small dock for recreational paddling would be compatible with the open-space and residential uses permitted by right in the district.

***...with the regulations provided in section 5 as applicable,***

There are no applicable regulations in section 5.

***...and with the public health, safety and general welfare.***

The dock design meets the standards of the Rivanna Water and Sewer Authority, which are intended to protect public health and prevent impacts on the reservoir. There would be no public or commercial use of the dock, so it would remain accessory to a residential use and not create any new public-safety impacts on the surroundings.

Sections 11-300 through 11-306 of the Albemarle County Code address water supply reservoirs utilized by the Rivanna Water and Sewer Authority and regulate the use and activity on each reservoir. Section 11-304 specifically addresses activities on the South Fork Rivanna Reservoir. Authorized activities are fishing, canoeing, boating (no internal combustion engines), hiking, bird watching, and picnicking. Swimming is specifically prohibited under this section. Given those regulations and the proposed use of this dock for the launching of non-powered boats only, the dock is not expected to have negative public-health impacts.

The proposed site for the boat dock would not require earth disturbance or vegetation removal, and no decking or stairs are proposed. An existing path/old road bed will be used to access the dock. The design therefore has no conflicts with standard conditions 2 and 3 (see below), which are intended to limit the extent and impact of docks.

***Consistency with the Comprehensive Plan. The use will be consistent with the Comprehensive Plan.***

The Comprehensive Plan recognizes the South Fork Rivanna Reservoir as a surface drinking water supply. The *Parks and Recreation, Greenways, Blueways, and Green Systems* chapter of the Comprehensive Plan contains the following objective for the recreational use of water supply areas:

*Strategy 1c: Continue to allow and manage recreational uses of drinking water reservoirs and adjacent public land only as incidental uses to the primary function of water supply and in such a manner as to prevent cumulative impacts that may impair that primary function.*

This particular request is for a low-impact use that is incidental to the water-supply function of the reservoir, and that poses no threat to public health.

**SUMMARY:**

Staff has identified the following factors favorable to this application:

1. No direct impact to the water supply or neighboring properties is expected as a result of this special use permit.
2. No increase in flood levels will result from installation of a dock.
3. The proposed dock is supported by the City of Charlottesville Department of Public Works, and meets the requirements of the Rivanna Water and Sewer Authority for residential boat docks.

Staff has identified no factors unfavorable to this application:

**RECOMMENDED ACTION:**

Based on the findings contained in this staff report, staff recommends approval of SP201700028 Woodard Dock subject to the following conditions:

1. There shall be no lighting within 25 horizontal feet of the Reservoir, measured from the elevation of normal pool, which is Elevation 382 (North American Vertical Datum of 1988).
2. There shall be no removal of vegetation or earth disturbance within the 200-foot stream buffer associated with the installation of the boat dock. The stream buffer is measured from the edge of the floodplain, which is Elevation 390.
3. Structures and improvements located in the two hundred (200)-foot stream buffer shall be limited to those shown on the Woodard Dock Plan, dated November 13, 2017, and a storage rack for kayaks and canoes. There shall be no other structures, such as decking or stairs, constructed in the 200-foot stream buffer.

**PLANNING COMMISSION MOTION:**

A. Should a Planning Commissioner **choose to recommend approval of** this special use permit:

**Move to recommend approval of SP2017-00028 Woodard Dock subject to the conditions as recommended by staff.**

B. Should a Planning Commissioner **choose to recommend denial of** this special use permit:

**Move to recommend denial of SP2017-0001 Woodard Dock.** *Should a commissioner motion to recommend denial, he or she should state the reason(s) for recommending denial.*

## **ATTACHMENTS**

**Attachment A** – [Location Map](#)

**Attachment B** – [Site Map](#)

**Attachment C** – [Applicant's Request and Dock Plan](#)

