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## Growing Small: Citizen Preferences for New Development in Highland County, Virginia, and the Town of Monterey

Charles F. Wilson

*L. Douglas Wilder School of Government and Public Affairs, Master of Urban and Regional Planning  
Program*

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# GROWING SMALL

Citizen Preferences  
for New Development  
in Highland County,  
Virginia, and the Town  
of Monterey

**Charles Fordham Wilson**

Master of Urban & Regional Planning  
L. Douglas Wilder School of  
Government and Public Affairs

Virginia Commonwealth University  
923 West Franklin Street  
Richmond, VA 23284



# Growing Small: Citizen Preferences for New Development in Highland County, Virginia, and the Town of Monterey

A capstone project submitted in fulfillment of the requirements for the degree of Master of Urban and Regional Planning at Virginia Commonwealth University's L. Douglas Wilder School of Government and Public Affairs.

By

Charles Fordham Wilson  
Bachelor of Science  
Urban and Regional Studies  
Cornell University  
College of Architecture, Art, and Planning  
May 2016

Advisor: John Accordino, Ph.D.,  
Professor, L. Douglas Wilder School of Government and Public Affairs

Capstone Coordinators: Niraj Verma, Ph.D. and Meghan Z. Gough, Ph.D.  
Professors, L. Douglas Wilder School of Government and Public Affairs

Client:  
Highland County and the Town of Monterey, Virginia  
Points of Contact:  
David Blanchard, Board of Supervisors, Highland County, VA  
Ronald Wimer, Mayor, the Town of Monterey, VA  
Betty Mitchell, Economic Development Officer, Highland Economic Development Authority  
Katherine Miller, Capacity Building Program Coordinator (former), Virginia Department of Housing and Community  
Development (DHCD)  
Josh Simmons, Department of Building and Zoning, Highland County, VA

Master of Urban and Regional Planning Program  
Virginia Commonwealth University  
Richmond, Virginia  
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## CHAPTER ONE: INTRODUCTION

### PLAN PURPOSE

Just because a place is rural does not make it irrelevant. Rurality does not warrant a lack of planning. Planning anticipates future changes and manages development growth or decline. While the projected population growth in the United States will predominately occur within the country's mega- and metropolitan areas, lesser-populated areas will continue to exist (Nelsen & Lang 2011). Their conditions will change as local and regional economies adapt to shifting markets. As shown in Appendix C, some rural areas will grow and some will decline. However, those places that can attract newcomers—or even retain the native population—are faced with a dichotomous scenario: how to grow while retaining their “small” character. What incomers like about a rural town or county is likely also what the “locals” wish to preserve—but change is always imminent. How does this change best occur? And how can a locality best manage it?

Reverting to small towns and rural areas is not an entirely novel concept for some people. The literature informing this Plan reveals that rising costs of living (Florida 2005), career-dominated lifestyles with little time to decompress and pursue personal interests (Peterson 2019; McGranahan 2007), and even exposure to airborne pandemic viruses (Hamidi 2020; Lasky 2020) have had negative impacts on certain people. Some of these people actively

---

locate themselves to a more rural periphery, and upon doing so gain tangible benefits (Luckman 2012; McGloughlin 2012). This, combined with the findings that rural planning is an underserved area of the planning field (Stoker 2021; Daniels 1996; Frank 2014), points to a need for rural localities to recalibrate their approach to potential future growth. Highland County, Virginia, is now recognizing that need.

## CLIENT DESCRIPTION

Highland County, Virginia (“Highland”) (the “County”), is situated along the Commonwealth’s western border with West Virginia. The geographical, economic, and cultural center of the County is the Town of Monterey (“Monterey”) (the “Town”)—approximately one hour to the west of the City of Staunton at the intersection of U.S. Routes 250 and 220. Highland has a total population of 2,232 people and a land area of 415.16 square miles according to the 2020 Census. At a population density of 5.6 people per square mile it is among the least dense in Virginia, if not the entire Mid-Atlantic region (Virginia has an overall population density of 202.6 people per square mile, as a comparison). Of the total population, 35.5% is over 65 years old, more than doubling the Virginia percentage of 15.9%. The poverty rate in Highland County is slightly higher than the Virginia average (12.4% vs. 9.9%) and the median income is significantly lower (\$48,587 vs. \$74,222). These figures validate many of the norms one might assume rural areas to have. There are compelling numbers, too, such as the median gross rent being significantly lower than the Virginia median (\$618 vs. \$1,234) and the median value of owner-occupied housing units being lower as well (\$173,900 vs. \$273,100) (US Census Bureau, 2021). The County is void of Interstate highways and is instead predominately served by winding mountain roads; it is a relatively unspoiled wilderness save a few towns. These towns (Monterey, McDowell, and Blue Grass) offer distinct senses of place. The smallness of these places, combined with their unique built environment, means that they are inherently sensitive to construction of new structures or demolition of existing structures. Either case can have an outsized impact on the fabric of the community. Being the County seat, Monterey is the most prominent of these towns and the only one formally incorporated. Its Main Street has the framework of a traditional agrarian community—modest but not short on charm and uniqueness. However, a Dollar General already has a presence on the Town’s Main Street, and a new Family Dollar (which required the demolition of a historic lodging facility) is under construction a few doors down from the Dollar General. This new Family Dollar was able to be constructed “by-right”—meaning that no special permission was needed because the proposal met zoning requirements. All that was needed was a building permit—something that the County and the Town were legally obligated to issue.

## OUTLINE OF PLAN

As a result of the new Family Dollar coming to Monterey, there is now heightened sensitivity within the community with regard to better-protecting its character—not just

architecturally but also socially and economically. As will be documented by the Plan's survey responses, there is a tangible sense of pride in the rural nature of this place among current residents. Prospective in-migrants, too, would likely prefer a County unspoiled by duplicative discount retailers as they are more likely drawn to the County for its existing character and perhaps are willing to accept less conveniences by virtue of that. If the general goal of the County is to add solvency for future generations by lowering its median age, curtailing its population decline, and increasing its social capital (Highland County and the Town of Monterey 2011), the literature informs us as to what prospective in-migrants might find appealing about Highland and Monterey in its current state.

Pivoting from the literature, this Plan will assess the desires of the Highland and Monterey community for new development. By knowing these preferences, Highland and Monterey can consider different methods of better guaranteeing these preferences. The Highland and Monterey community had the opportunity to provide input on their development preferences via a "Community Planning Survey." This survey used visual preference methods to more easily convey the potential outcomes of certain development standards and, in doing so, gleaned the general desires of community for future growth management. Following the Community Planning Survey, there was a charrette that discussed the survey results and how they might be implemented from a geographical and policy perspective. This allowed for final input from the community before the Recommendations were prepared.

The goal of the Plan is to offer planning guidance for future land use decisions that is based on the community preferences. As will be discussed in the Recommendations chapter, there are some options for the Client to consider in implementing this goal. These options are primarily zoning or architectural review regulations and have their own positive and negative aspects. Ultimately, by having this Plan the Town and County will be more able to protect themselves from unwanted styles of development while also bolstering their appeal to prospective incomers and current residents.





## CHAPTER TWO: BACKGROUND

### PLAN CONTEXT

While the next subsection reveals the relative void of discussion from a planning perspective, there is yet heightened demographic and social interest in rural areas. The sources referenced in the Introduction (Florida 2005; Peterson 2019; McGranahan 2007; Hamidi 2020; Lasky 2020; Luckman 2012; McGloughlin 2012) all independently affirm certain motivating factors for people to relocate to rural areas. These are anecdotally important, but it is just as important to quantify that the Town of Monterey and Highland County, while unique, are still part of a country where similarly organized areas are experiencing significant growth.

To achieve this, a national data set was created that measured population growth based on 2010 U.S. Census data and 2020 population estimates from the American Community Survey conducted by the U.S. Census Bureau. From there, the 3,145 jurisdictions in the United States were paired with the relevant 2013 USDA Rural-Urban Continuum Codes. These codes, shown in the below table, index jurisdictions on a one-to-nine scale, with “1” being the most urban, and “9” being the most rural. Within that range, 1, 2, and 3 are jurisdictions that fall within metropolitan areas, while 4, 5, 6, 7, 8, and 9 are not within metropolitan areas. The below table

(Table 1) averages the percentage of population change that was estimated between 2010 and 2020 for all jurisdictions in the United States per respective USDA Rural-Urban Continuum Code classification (including Hawaii and Alaska). The data set in its entirety is included in the appendix as Appendix C. For context, Highland County is an “8” according to the USDA Rural-Urban Continuum Codes. Its population is less than 2,500, but it abuts the Staunton-Waynesboro Metropolitan Service Area’s Augusta County.

United States	USDA Code	Average % increase in population between 2010 and 2020 (not weighted)	USDA Description
Total	1	8.98%	Metro - Counties in metro areas of 1 million population or more
	2	5.43%	Metro - Counties in metro areas of 250,000 to 1 million population
	3	3.09%	Metro - Counties in metro areas of fewer than 250,000 population
	4	0.84%	Nonmetro - Urban population of 20,000 or more, adjacent to a metro area
	5	0.68%	Nonmetro - Urban population of 20,000 or more, not adjacent to a metro area
	6	-1.64%	Nonmetro - Urban population of 2,500 to 19,999, adjacent to a metro area
	7	-2.55%	Nonmetro - Urban population of 2,500 to 19,999, not adjacent to a metro area
	8	-2.42%	Nonmetro - Completely rural or less than 2,500 urban population, adjacent to a metro area
	9	-2.82%	Nonmetro - Completely rural or less than 2,500 urban population, not adjacent to a metro area

Table 1: United States Population Change Indexed by USDA Rural-Urban Continuum Code. U.S. Census Bureau (2010), American Community Survey (2020).

Consistent with *Megapolitan America’s* findings, the majority of growth in the United States is weighted more toward the urban than the rural. Furthermore, localities designated with USDA codes 6, 7, 8, and 9 actually declined an average of 1.64%, 2.55%, 2.42%, and 2.82%, respectively. When aggregated this seems antithetical to a basis of the Plan: that certain rural areas can grow and therefore need to be prepared. But at a closer look, there are parts of the United States that are in fact exhibiting significant growth in rural areas.

Appendix C has been formatted to allow for quick understanding of regions’, states’ and localities’ population trends when compared to the national equivalent. The column titled “Delta from US Average” has been conditionally formatted from a salmon – white – green spectrum. Salmon indicates a lesser percentage change than the U.S. average. White indicates a similar change. Green indicates a greater percentage change than the U.S. average. With this tool, it is readily apparent that some parts of the country are not only growing faster than others among all codes, but many have growth occurring in rural areas. This growth sometimes significantly outpaces national trends. For instance, aside from New Mexico and California, all of the States in the West Region’s Mountain and Pacific Division generally outpace the national averages in all USDA code categories. But in focusing on the more rural codes (4 through 9), some states drastically deviate from national norms. For instance, Utah’s population change is shown below in Table 2, which is highlighted by a 24.64% population change in the “6” USDA code since 2010, which is 26.28% higher than the national average for that code. Washington’s population change (Table 3, below) shows a balanced growth pattern across all codes as well, and yet the growth in the “7” USDA code is the most pronounced when compared to the national average (12.42% greater).

	USDA Code	Average % increase in population between 2010 and 2020 (not weighted)	Delta from US Average
Utah	1	20.59%	11.61%
	2	20.14%	14.71%
	3	24.64%	21.55%
	4	20.04%	19.20%
	6	24.64%	26.28%
	7	3.31%	5.87%
	8	8.30%	10.73%
	9	-2.87%	-0.05%

Table 2: Utah vs. United States Population Change Indexed by USDA Rural-Urban Continuum Code. U.S. Census Bureau (2010), American Community Survey (2020).

	USDA Code	Average % increase in population between 2010 and 2020 (not weighted)	Delta from US Average
Washington	1	15.06%	6.08%
	2	13.52%	8.09%
	3	7.61%	4.53%
	4	10.99%	10.15%
	5	10.42%	9.74%
	6	7.94%	9.58%
	7	9.87%	12.42%
	8	6.35%	8.77%
	9	6.84%	9.66%

Table 3: Washington vs. United States Population Change Indexed by USDA Rural-Urban Continuum Code. U.S. Census Bureau (2010), American Community Survey (2020).

A more nuanced example, though, is the New England Division of the Northeast Region. As shown in Table 4 (below), this Division shows a slight delineation between urban and rural jurisdictions and demonstrates that there are in fact parts of the Country where rural population trends outpace their counterparts.

UNITED STATES		USDA Code	Average % increase in population between 2010 and 2020 (not weighted)	Delta from US Average
			<i>Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont</i>	
<b>NORTHEAST</b>	New England			
	Total	1	2.68%	-6.31%
		2	1.93%	-3.50%
		3	0.69%	-2.39%
		4	-1.14%	-1.98%
		5	1.77%	1.08%
		6	-0.35%	1.28%
		7	-1.34%	1.22%
		8	0.46%	2.89%
		9	-1.62%	1.20%

Table 4: New England vs. United States Population Change Indexed by USDA Rural-Urban Continuum Code. U.S. Census Bureau (2010), American Community Survey (2020).

Virginia and the South Atlantic Division's results are less pronounced. Table 5 (below) shows the findings for the South Atlantic Region, which contains Virginia. Table 6 (further below) shows Virginia's findings. Further in the Plan's Data Collection and Analysis section, the Town's increasing population demonstrates that independent places can find stability despite their state's demographic trends. Moreover, with this information they can know that other statistically comparable parts of the country are experiencing population growth. In anticipating that growth, the Plan provides guidance to ensure that Highland and Monterey's character can remain more wholly intact.

UNITED STATES		USDA Code	Average % increase in population between 2010 and 2020 (not weighted)	Delta from US Average
			<i>Delaware, DC, Florida, Georgia, Maryland, North Carolina, South Carolina, Virginia, West Virginia</i>	
<b>SOUTH</b>	South Atlantic			
	Total	1	11.64%	2.66%
		2	8.33%	2.90%
		3	3.72%	0.63%
		4	2.51%	1.68%
		5	-1.36%	-2.04%
		6	-2.53%	-0.89%
		7	-4.44%	-1.88%
		8	-3.04%	-0.61%
		9	-3.24%	-0.42%

Table 5: South Atlantic Division vs. United States Population Change Indexed by USDA Rural-Urban Continuum Code. U.S. Census Bureau (2010), American Community Survey (2020).

UNITED STATES		USDA Code	Average % increase in population between 2010 and 2020 (not weighted)	Delta from US Average
	Virginia	1	8.26%	-0.72%
		2	1.73%	-3.70%
		3	5.76%	2.67%
		4	-7.71%	-8.55%
		5	-10.09%	-10.78%
		6	-1.73%	-0.09%
		7	-5.81%	-3.25%
		8	-3.94%	-1.52%
		9	-6.01%	-3.19%

Table 6: Virginia vs. United States Population Change Indexed by USDA Rural-Urban Continuum Code. U.S. Census Bureau (2010), American Community Survey (2020).

## TRENDS IN PLANNING PRACTICE

While the planning field today is primarily concerned with urban and suburban realms, underlying discussions on rural areas do still reach the mainstream. Even so, the rural is often excluded from planning discussions and as some have said, “planning” is typically preceded by “urban” (Daniels & Lapping 1996; Frank et al. 2014). However, this has not always been the case. The pioneers of “urban planning,” perhaps more accurately described as “town planners,” often solved urban problems with controlled outward expansion (Howard 1902; Stein 1966; McHarg 1969). From a related sociological perspective, the contemporary romanticization of the rural landscape and lifestyle (Shucksmith 2018; McGranahan 2007; Farmer 2019; Scott 2018) is born from predecessors that have argued rural virtues over the respective industrial, urban, and suburban “others” (Williams 1973; Berry 2017). Rural towns, such as Monterey, offer a context similar to that of these predecessors. Because development occurs less rapidly in rural areas, planning can be more proactive and precede development interests. Monterey and Highland present a backdrop like that described in the literature, where people might echo the sentiments of a Wendell Berry or a Mark Shucksmith in their defense of a rural lifestyle or their description of the rural as an intentional place of self-fulfillment.

Contemporary planning does not typically focus on rural issues (Frank et al 2014). However, rural areas still require planning professionals and administration. To help fill this void, Thomas Daniels (et al) has put together *The Small Town Planning Handbook* (2013). Similarly, Randall Arendt has prepared *Rural by Design: Planning for Town and Country* (2017), which will be referenced later in the literature review. The overall sparseness of discussion in planning regarding small towns and rural areas is a striking void given geographic prevalence of these areas. Planning practice, not just discussion, is lagging as well. Recently the *Journal of the American Planning Association* published an article about “Western Gateway Communities” and their inability to accommodate and plan for the increasing tourism and residential demand based on the lack of resources and institutional knowledge devoted to rural communities (Stoker et al. 2021). This indicates growing awareness among planners for consequences of

sparse rural planning guidance, practice, and staffing. This is only exacerbated by heightened interest in rural areas spurred by the SARS-Covid II Pandemic (Lasky 2020).

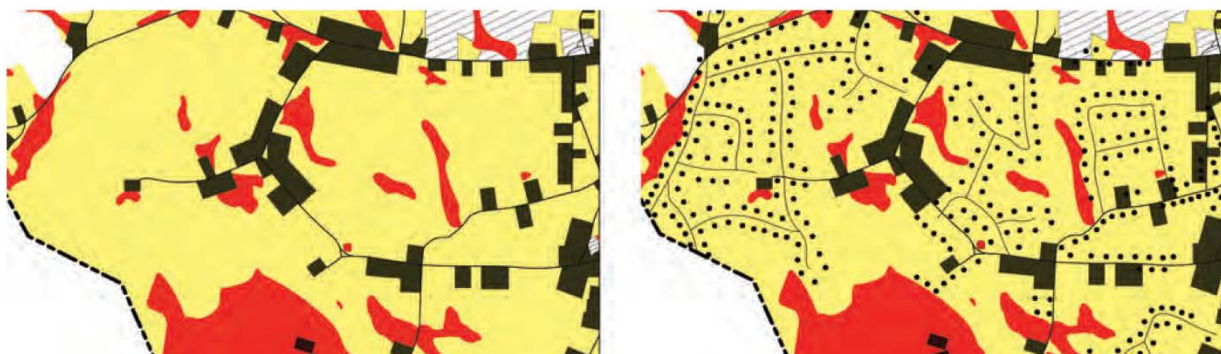
When development interest arises, rural areas that are not planned for typically develop in a manner that undermines their character that made them desirable in the first place. One resource in particular is of great benefit to this plan: *Rural by Design*. Most simply, this book offers a highly accessible analysis of rural development that spans the “micro” (architectural treatment, form-based zoning, landscape design, etc.) and “macro” (sprawl prevention, environmental sustainability, sewer treatment alternatives). With the assistance of conceptual illustrations, Arendt distills the question(s) of rural development and planning into lessons and best practices that are easy to understand and communicate. The thesis of *Rural by Design* is similar to the Plan’s: that anticipatory planning action can carry an outsized impact in rural communities. It can ensure new development is respectful to the existing conditions while also being fiscally solvent—in a toolkit that is easily administered by a small local government.

While any rural locality could find something useful in this book, the most relevant concepts to Highland are as follows: elemental town design, pitfalls of the “do nothing” approach, codifying for the natural, and validation through prior implementation. These concepts are essential to the existing literature on the topics involved in this Plan. Furthermore, it is difficult to find any of Arendt’s work not worth including in this section. More exhaustive analysis on those most relevant concepts in *Rural by Design* is included at the end of this Plan (Appendix G). Within that appendix (and the book as a whole) there are several case studies and tools that are relevant to the Town and County. Arendt is able to condense what are usually complicated conversations about land use, administration, and community building into easily interpreted exhibits. In regard to the causes and consequences of sprawl, he is able to illustrate that low-density development, while palatable initially, can set precedent for future growth that is aimless and literally pulls away from historic town centers. Worse, it can gobble up the landscape and arrange residents and businesses in a socially-isolating development pattern. (Figure 1, Figure 2).



**Figure 2-4:** Modern subdivision standards have created a building form completely out of scale with historic development patterns of older settlements, with distances between opposing house fronts literally double that usually found in traditional neighborhoods. Shown on the left is a typical rural subdivision of conventional design with wide streets and deep front setbacks in Middlebury, Vermont. People living on opposite sides of the street often hardly know their neighbors. By contrast, traditional streetscapes with appropriately scaled road pavement and modest front yards or “dooryard gardens” grace many older communities such as Granville, Ohio (right), where sidewalks and shade trees add to livability. (Source: Randall Arendt)

*Figure 1: Depiction of modern subdivision streetscape vs. traditional neighborhood streetscape. Excerpted from Arendt (2015).*



**Figure 2-10:** Build-out maps graphically depict how a community is likely to change under conventional suburban land-use regulations. The existing situation (left) shows large, buildable, undeveloped areas in yellow. (Red is environmentally constrained land, black is already built upon, and hatched is protected by land trusts). The ultimate build-out map (right) shows general patterns of new development, as permitted under typical zoning, with all buildable open space being converted to new house lots. (Sources: Arendt 2010 and Natural Lands Trust)

*Figure 2: Depiction of anticipated development pattern with typical suburban land use regulations. Excerpted from Arendt (2015).*

## EXISTING CONDITIONS

While the existing literature informs a more global understanding of planning possibilities for rural areas, it is now important to understand the particular existing conditions in Highland and Monterey. These existing conditions will largely come in the form of zoning regulations and enabling legislation from the Code of Virginia, but also in Highland’s comprehensive plan guidance.

## MAP OF STUDY AREA

The geographical extent of the Plan will focus particularly on the Town of Monterey, which boundary is depicted below in Figure 3. While the scale of this Plan lends itself to concentrating solely on Monterey the implementation of the Plan may inform planning discussions elsewhere in Highland County—perhaps in the towns of McDowell or Blue Grass, or at other prominent intersections.



Figure 3: Boundary of the Town of Monterey. ([highlandgis.timmons.com](http://highlandgis.timmons.com)).

## DATA COLLECTION AND ANALYSIS

According to 2020 U.S. Census Bureau data, the Town's population is 165 people—18 more than in 2010 for a percentage increase of 12.2%. Of Virginia's 190 incorporated towns, Monterey is the 24<sup>th</sup>-highest in terms of percentage increase in population. While of course a small sample size, comparing this to the County's numbers tells a relatively optimistic story for the Town: according to Census data, the County shrank from 2,321 to 2,232 people between 2010 and 2020, for percentage decrease of approximately 4%. That 16-point difference in the Town vs. County population change, skewing in favor of the Town, helps demonstrate the need from a planning perspective to prepare the Town for future development interests. It is also worth noting that per Table 6 in Chapter 2: Background, this decrease is essentially identical to



the average decrease for Virginia's localities that are also in the "8" category per USDA Rural-Urban Continuum Codes. So, this decrease is more a statewide trend than a Highland County-specific trend.

Shown in Figure 4 (below) is the zoning map of the Plan area. The Town, while incorporated, does defer to the County for zoning and subdivision implementation. The Town is comprised of the following zoning districts (with the color corresponding to Figure 4 in parenthesis): B General Business (blue), R-1 Residential Limited (tan), R-2 Residential General (orange), R-4 Planned Development (burnt orange), A Agricultural (green), and I Light Industrial (grey). In unison, a variety of uses are permitted within the walkable context of the Town. In reference to Figure 4, one can quickly interpret the pattern of land uses in the Town: a main street consisting of businesses and storefronts, residential uses moving away from the main street, agricultural and industrial land uses further to the periphery.

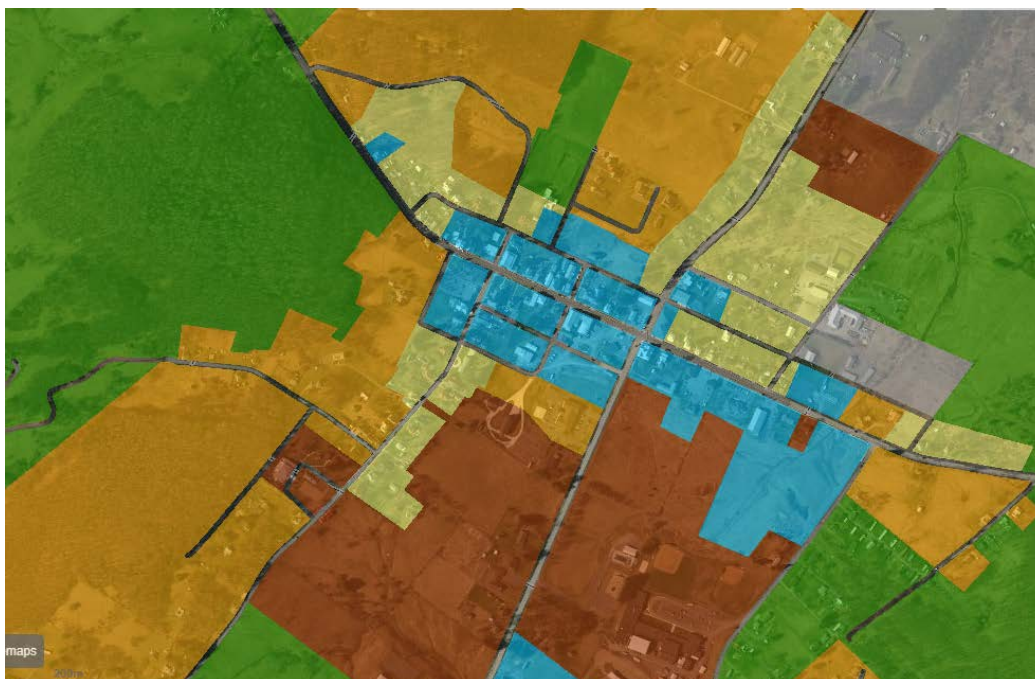


Figure 4: Map of Zoning District Boundaries. ([highlandgis.timmons.com](http://highlandgis.timmons.com)).

It is important to note that the County's zoning does not just police the uses permitted, but also the feature requirements and parking requirements for said uses. This is where a gap currently exists between the desired built environment and the zoning ordinance that governs future development. Furthermore, gaps like this are not unique to Highland County. It is not unusual for a locality to have a somewhat unforgiving development ordinance that is in direct contrast to the existing built environment (Daniels). Reasons for this vary, but in instances like this the zoning requirements were certainly implemented well after the Town had initially developed. More suburban zoning regulations were retroactively applied in rural counties in an attempt to "modernize" during the mid-to-late twentieth century (Arendt). From that point, existing structures or property features that do not conform to the underlying zoning

requirements are seen as legally nonconforming. Future improvements must conform absent receiving some sort of special approval, such as a variance offered by a board of zoning appeals, or a conditional/special use permit issued by a board of supervisors.

Specifically for Highland County, the feature requirements for new development are tabulated below, as ordained by Section 701.00 of Article 7 of their Zoning Ordinance (Table 7).

**TABLE 1  
HIGHLAND COUNTY ZONING DISTRICT  
LOT REGULATIONS**

DISTRICT & PRIMARY PURPOSE	PERMITTED USES	CONDITIONAL USES	MINIMUM LOT REQUIREMENT									ACCESSORY BUILDINGS				
			PUBLIC WATER & SEWER	PUBLIC WATER & INDIVIDUAL SEWER <sup>b</sup>	INDIVIDUAL WATER & SEWER <sup>b</sup>	FRONTAGE INTERIOR LOT	MAXIMUM LOT COVERAGE	MAXIMUM HEIGHT IN FEET	FRONT <sup>b</sup>	SIDE YARD	REAR	MAXIMUM HEIGHT IN FEET	PRINCIPAL BUILDING	SIDE LOT LINE	REAR LOT LINE	OTHER REQUIREMENTS
Conservation Resource Production	Forest and Agricultural Uses	Residential Related Commercial	20,000	320,000	80,000	200'	N/A	35'	35'	35'	35'	35'	20'	35'	35'	150' From property boundary to central use.
A Agricultural General Ag. Production	Agricultural Production & Associated Uses	Limited Residential Convenience Commercial	20,000	320,000	43,560	100'	N/A	35'	35'	10'	35'	60'	20'	10'	10'	-
R-1 Residential Limited Perpetuation of Established Communities	Single-Family Residential	Public, Semi-Public	4,000	20,000	20,000	50'	60%	35'	35'	5'	10'	35'	10'	5'	10'	-
R-2 Residential General Single-Family Residential	Single & Two-Family Residential	Residential Support Facilities	20,000	20,000	20,000	100'	40%	35'	35'	15'	50'	35'	20'	15'	15'	-
R-3 Residential Estates	Single-Family Residential	Residential Support Facilities	5 Acres <sup>c</sup>	5 Acres <sup>c</sup>	5 Acres <sup>c</sup>	200'	5%	35'	50'	5'	50'	35'	20'	15'	15'	-
R-4 Planned Development Neighborhood Development	Single-Family Residential	Mixed Residential & Neighborhood Commercial	20,000 <sup>d</sup>	20,000 <sup>d</sup>	20,000 <sup>d</sup>	100'	40%	35'	35'	15'	50'	35'	20'	15'	15'	-
B General Business	Commercial Development	Shopping Center	None	b	b	N/A	70%	35'	35'	10'	25'	35'	20'	20'	25'	-
I Industrial	Light Industrial	Wholesale	None	b	b	N/A	70%	35'	35'	20'	25'	35'	40'	20'	20'	-

FOOTNOTES:  
<sup>a</sup>Assumes farm dwelling as "Single Structural Use."  
<sup>b</sup> For permitted uses utilizing individual sewage disposal systems, the required area for any such use shall be approved by the health official. The Zoning Administrator shall require greater area as considered necessary by the health official.  
<sup>c</sup> Densities and use variations are approvable based upon the plan submitted for the planned development.  
<sup>d</sup> Police, fire, rescue and public utility stations – one acre.

Table 7 : Feature Requirements for Highland County Zoning Districts per Sec. 701.00.

Cross-referencing this with Figure 4, the bulk of Main Street’s corridor is zoned B General Business. This district has a required front-yard setback of 35 feet. Per the below image (Figure 5), the typology of historic structures in the block have practically no setbacks, and in some instances actually encroach into the public right-of-way.



Figure 5: Main Street Looking West Toward Curly Maple, November 2021. Charlie Wilson.

The County’s zoning ordinance does anticipate this issue (Section 701.02-1), which states that:

“Minimum setback requirements of this Ordinance for yards facing streets shall not apply to any lot where the average setback on developed lots within the same block and zoning district and fronting on the same street is less than the minimum. In such cases, the setback on such lot **may** be less than the required setback, but not less than the average of the existing setbacks on the existing developed lots.”

However, this is just an optional modification. By not having a maximum setback, a developer could legally build a new structure between two existing structures as far away from the street as wanted, which could disrupt the fabric of the Town’s built environment. Also, this modification hinges upon the preexistence of historic structures along the block. As development might occur at the periphery of the Town or in other parts of Highland, the standard 35-foot minimum front yard setback could discourage development from occurring that is of the scale of the historic Main Street. This is just one example in the Zoning Ordinance that leaves the Town and County highly vulnerable to new development that is not consistent with the Town’s development pattern.

In collecting data for the historic nature of the Town, the research revealed a 1996 survey performed by what is now the Northern Regional Preservation Office, a branch of the Virginia Department of Historic Resources (“DHR”). This exhaustive survey was ultimately used in making application for the Town to be added to the DHR registry of historic places. Because of that, it was an exhaustive review of the Town’s existing historic structures. Given the primacy of this survey, it is attached in its entirety as Appendix A. Most immediately useful to the Plan is the below Figure 6, which hatch-codes the buildings in Monterey per their age of construction.

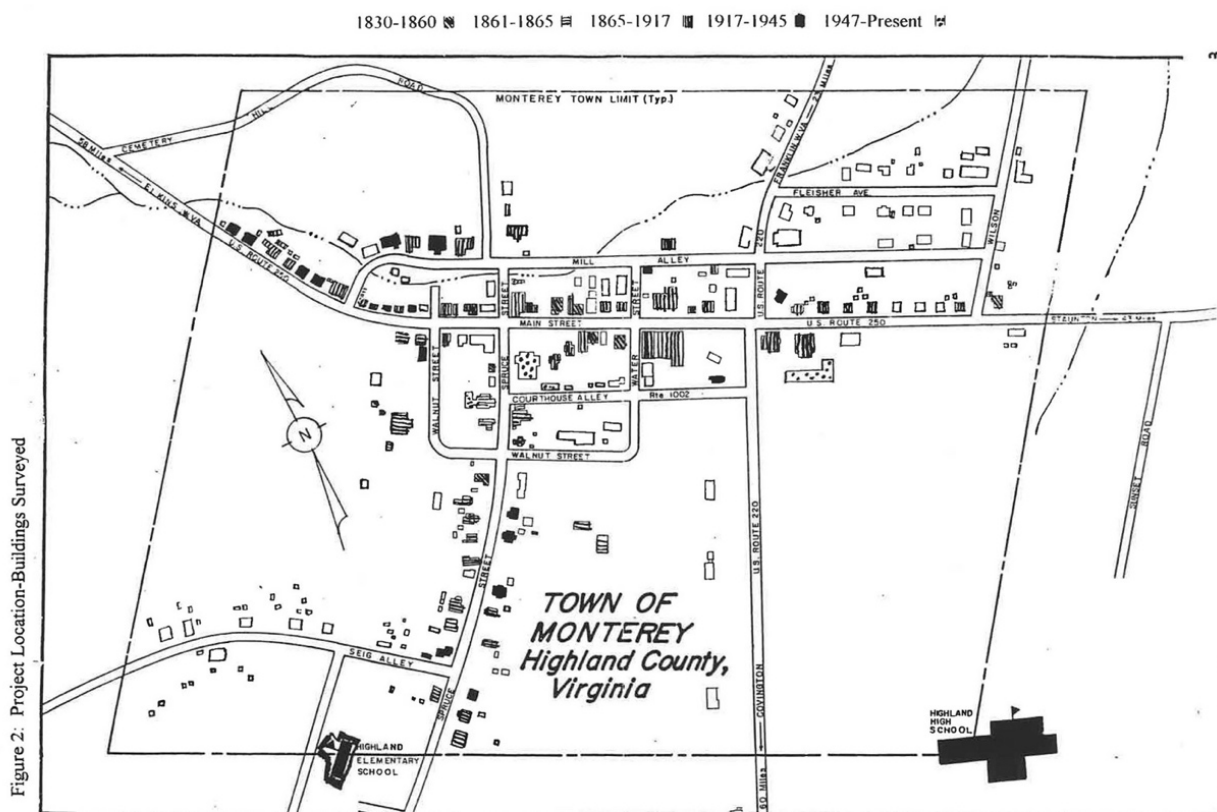


Figure 6: Map of Structures in Monterey by Age (1996).

Lastly, Highland County’s Comprehensive Plan, which was last updated in 2011, provides an important foundation for this Plan. As is typical of most comprehensive plans, there are suggestions throughout that the zoning ordinance is continuously revisited by the Planning Commission and/or Board of Supervisors in order to ensure the goals and objectives of the Comprehensive Plan are able to be met (p. III-16) (p. V-7). With that, the general tone of the Comprehensive Plan supports the concentration of new development toward existing town centers, while also aiming to first fill the vacant storefronts that could remain. With regard to new commercial development, the Comprehensive Plan states that:

“While some of our citizens’ retail needs can be met by patronizing Highland’s current commercial sector, many agree that an expanded retail base is desirable.

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It is important to residents, however, that increased commercial opportunities do not bring with them excessive signage, large expanses of open parking, little or no landscaping, poor pedestrian access, or building design that is inconsistent with the flavor of the County.

Guidelines for future commercial growth will encourage development in existing business districts and gradual growth at the edges of such areas. An expanding retail base should be encouraged in Highland County. The County Zoning Ordinance should be reviewed and modified to encourage sustainable commercial growth practices and adequate parking areas.” (p. V-3).

With that guidance, this Plan has stable footing to exist within the framework of previous guidance offered by the County. As stated above, and further supported in greater detail within the Plan, there is specific guidance suggesting new development be located within town centers and in doing so, being more mindful of its context than the current ordinance(s) require them to. Moreover, in fulfilling other goals of the Comprehensive Plan regarding stabilizing their aging population and attracting young families (p. II-9), the Plan can work to better and preserve the Town and County in order to maintain its attractiveness to new generations.

## LEGISLATION ENABLING FLEXIBLE ZONING APPROACHES IN VIRGINIA

While the Plan’s primary aim is to offer guidance based on community preferences for new development, it also needs to document the tools available for future implementation. Regarding the built environment, these tools come typically with zoning requirements and/or architectural review requirements. To further discuss this, the origins and intent of zoning particularly within the Commonwealth of Virginia (“Virginia”) are essential. Generally, zoning is a policing power exercised by local governments to control land use within their jurisdiction. Being a “Dillon Rule” state, local governments in Virginia derive expressed power(s) from the General Assembly, with the Code of Virginia first officially describing land use and zoning powers in 1950 (Definitions, 2017). Per Code of Virginia § 15.2-2280. “Zoning ordinances generally,” Virginia localities are given these basic permissions:

“Any locality may, by ordinance, classify the territory under its jurisdiction or any substantial portion thereof into districts of such number, shape, and size as it may deem best suited to carry out the purposes of this article, and in each district it may regulate, restrict, permit, prohibit, and determine the followings:

1. The use of land, buildings, structures, and other premises for agricultural, business, industrial, residential, flood plain and other specific uses;
2. The size, height, area, bulk, location, erection, construction, reconstruction, alteration, repair, maintenance, razing, or removal of structures;
3. The areas and dimensions of land, water, and air space to be occupied by buildings, structures and uses, and of courts, yards, and other open spaces to

be left unoccupied by uses and structures, including variations in the sizes of lots based on whether a public or community water supply or sewer system is available and used; or

4. The excavation or mining of soil or other natural resources.” (1997).

Extrapolated from that, Virginia further ordains the intent and purpose of zoning ordinances in its localities in §15.2-2283, as follows:

“Zoning ordinances shall be for the general purpose of promoting the health, safety, or general welfare of the public and of further accomplishing the objectives of §15.2-2200. To these ends, such ordinances shall be designed to give reasonable consideration to each of the following purposes, where applicable:

- i) To provide for adequate light, air, convenience of access, and safety from fire, where applicable;
- ii) To reduce or prevent congestion in the public streets;
- iii) To facilitate the creation of a convenient attractive and harmonious community;
- iv) to facilitate the provision of adequate police and fire protection, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports and other public requirements;
- v) to protect against destruction of or encroachment upon historic areas and working waterfront development areas;
- vi) to protect against one or more of the following: overcrowding of land, undue density of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, or loss of life, health or property from fire, flood, or other dangers;
- vii) to encourage economic development activities that provide desirable employment and enlarge the tax base;
- viii) to provide for the preservation of agricultural and forestal lands and other lands of significance for the protection of the natural environment;...”

When deciding the geographical parameters of applying zoning districts, §15.2-2284 offers this guidance:

“Zoning ordinances and districts shall be drawn and applied with reasonable consideration for the existing use and character of property, the comprehensive plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public

services, the conservation of natural resources, the preservation of flood plains, the protection of life and property from impounding structure failures, the preservation of agricultural and forestal land, the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the locality” (Matters to be considered in drawing and applying zoning ordinances and districts, 2008).

These references all offer the “enabling legislation” for Virginia localities to create and enforce zoning and land use ordinances. Including these within the framework of the Plan underpins Highland and Monterey’s predominant goals and objectives. The enabling legislation encourages the fostering of quality places that enable economic development while not sacrificing valuable historic or natural resources. Monterey, being a historic rural town immediately adjacent to agricultural and forested lands, is contemplated in the Code of Virginia’s enabling legislation.

Furthering the review of the enabling legislation, there are other portions of the Code of Virginia that specifically contemplate historic districts (Code of Virginia §15.2-2306: Preservation of historical sites and architectural areas, see Appendix F). However, these code provisions predominately codify how to set up a formal historic district with an architectural review board component. Previously, the Town of Monterey did implement this with an architectural review board. However, the infrequency of cases and limited population made administration difficult. Many rural areas share this struggle (Gruber 2010). The enabling legislation for establishing a historic district is beneficial to a locality as it allows for maximum control of development or redevelopment occurring on a case-by-case basis. However, many localities struggle to implement this legislation as they must not only create a district and accompanying board, but also keep the board operable over time (Daniels).

As an alternative, many localities in Virginia have instead created zoning district classifications and, more importantly, overlay district regulations, that speak to historic development and architectural patterns. The City of Richmond, for instance, has a West of the Boulevard Design Overlay District, wherein the properties within the district defer to the underlying zoning district for basic zoning requirements, but the Design Overlay District for architectural and massing standards that supplement the underlying zoning. The benefit of this is that it is easily administered: one staff person can read the design manual for the Overlay District and measure building permit applications against it (1996). However, these overlay districts are limited if the goal is to prevent demolition of historic structures. Aside from the City of Richmond West of the Boulevard Design Overlay District, the research revealed at least two localities using historic overlay districts (Smithfield and New Market); however, these are structured under the §15.2-2306 enabling legislation and therefore require an architectural review board (HP-O, Historic Preservation Overlay District, 1998; Historic Overlay District (HOD), 2019). Generally speaking, preparing an overlay district with some simple—yet protective—zoning requirements can be a solution for ensuring a baseline standard of quality for new development. This will be further explored in the Recommendations chapter.



## CHAPTER THREE: METHODOLOGY

### RESEARCH QUESTIONS

The essential questions the Plan aims to answer are as follows:

- *What do the citizens want to see in potential new development in the Town of Monterey?*
- *What development pattern do Highland citizens find preferable for potential future growth?*
  - *Larger residential and commercial lot sizes, more “suburban” development, risk of demolition of older structures, little or no change to zoning district boundaries and zoning text.*
  - *More traditional residential lot sizes commercial storefronts that are pedestrian friendly, business-friendly regulations that allow for a variety of uses but with stricter and more intentional feature regulations.*
- *What architectural aspects of the Town are Highland citizens most interested in having future development implement?*

These questions are the elemental questions that support the reason for the Plan. With the onset of now two national discount retailers locating in the Town of approximately 165 people,



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the moment is ripe for Highland to contemplate these core questions. To administer these questions, the Plan implemented a Community Planning Survey in order to illuminate the answers from respondents, using visual preference methods.

## COMMUNITY PLANNING SURVEY

By relying upon the visual preference survey method, the need for prior knowledge of planning and development concepts was minimized. Survey takers generally “knew it when they saw it.” No one understands Highland more than its residents, and the visual preference survey was designed to articulate planning concepts while not relying upon planning language. From there, the preferences of the community became visible. This method is recommended for use in similar localities by both Arendt and Daniels in their works previously discussed in this proposal. The final survey document is appended to this Plan in its blank form as “Appendix B”. The survey itself was crafted to require no more than ten minutes of attention, though if respondents wished to extrapolate their responses with further commentary they were not discouraged to do so.

Regarding outreach, the Community Planning Survey relied upon in-person engagement to gather responses. This is partially due to the remote nature of the community, where reliable broadband and internet skills are not entirely expected. More so, relying upon in-person engagement offered more colorful dialogue and findings than an online survey might have yielded. The in-person outreach occurred three separate times between the months of December and February. The first round of responses came on December 4, 2021 during their annual Wintertide festival at the Highland Center. The second round of responses came on December 14, 2021 following an already-scheduled and advertised Virginia Department of Housing and Community Development meeting. The third round of responses came on February 26, 2022 in holding walk-in sessions at the Curly Maple general store in the afternoon and Big Fish Cider Company in the evening. Because the third response session was not at an already-scheduled community event, *The Recorder* newspaper provided notice of the session in their print and online media.

As exhibited in Appendix B, the Visual Preference Survey consists of two portions: “Demographic and Economic Development Questions” and “Visual Preference Questions.” The former is a primer to the survey where basic information (like age and residency) is gathered, as well as some minor questions regarding where new businesses/residences should be located in the County and whether or not respondents ever have difficulty parking in Monterey. The latter is the bulk of the survey, being eight visual preference questions. The content in these questions pertain to different aspects of planning, architecture, and development methods.

Each visual preference question presents two concepts—each concept being antithetical to the other. The first question, for instance, shows two contrasting growth patterns for new development outside of an existing town (Figure 7). “Concept A” shows a concept where new development occurred under more suburbanized zoning and land use conditions, with large residential lots and wide streets that are not gridded together but instead are dead-end with

cul-de-sac turnarounds. “Concept B” shows a concept where new development occurred under more traditional growth patterns, with more compact residential lots which front onto more intimate streets that are extension of the existing town’s streets. The two concepts are placed on a scale from -5 to +5, where -5 favors Concept A and +5 favors Concept B. Respondents were encouraged to pick any whole number on the scale and further articulate their reasoning in the space below the question. When all surveys were collected, the numerical responses were processed to present the “average” preference for each question. These averages are shown in Appendix D and are tabulated in the Findings chapter.

## FEEDBACK CHARRETTE

There was a feedback charrette held from 5:30, p.m. – 7:30, p.m. on March 16, 2022. Notice of the charrette was disseminated through *The Recorder*. Six people were in attendance. At the charrette, each page from the Community Planning Survey was printed on 11”x17” paper, with the extra print area being dedicated for data analysis of survey results. Below each page of the survey, varying responses were selected and included below the survey question. Adjacent to each of those pages was an 11”x17” map showing a map of Monterey with property lines silhouetted in the background. Attendees were able to effectively communicate ideas by drawing directly on the map. All of the charrette print-outs have been scanned and appended to the Plan as Appendix D. The attendees incrementally worked through each question as a group with the presenter. In doing so, they reviewed the data of Community Planning Survey responses. Discussion generally contemplated what the visual outcomes of certain community preferences could be, as well as where these preferences should be focused geographically. In addition to the drawings upon the map, attendees were encouraged to write down their thoughts.

Overall, the discussion in the meeting further supported the notions gleaned from the Community Planning Survey: that Highland County can balance future development interest by allowing for concentrated growth within or near the Town boundary on suitable lands, provided that there are quality controls in place from an ordinance perspective to better ensure that future development is consistent with the Town’s character. The feedback charette was a critical pivot-point in the Plan as it allowed the results from the Community Planning Survey to be previewed to the community prior to the Plan’s Recommendations (Chapter 5) being prepared. This feedback bolstered the Qualitative Analysis of Responses subsection of the Findings chapter, too; the “overarching themes” were in solidified based on discussion at the charrette and as documented in Appendix D.



## CHAPTER FOUR: FINDINGS

### NUMERICAL ANALYSIS OF RESPONSES

In reference to the Community Planning Survey (Appendix B), there were 31 total responses which were aggregated to the following averages for the “Demographic and Economic Development Questions”:

#### 1. Where do you live?

- a. In the Town of Monterey limits (16%)
- b. In Highland County, outside the Town of Monterey limits (81%)
- c. Outside Highland County, in \_\_\_\_\_ (3%, Staunton)

#### 2. How long have you lived there?

- a. 0-5 years (35%)
- b. 5-15 years (16%)
- c. 15-30 years (32%)
- d. 30+ years (16%)

- 
3. **What is your age range?**
    - a. 16-18 years old (3%)
    - b. 18-30 years old (6%)
    - c. 30-45 years old (16%)
    - d. 45-60 years old (19%)
    - e. 60+ years old (55%)
  
  4. **Would you prefer to see most new businesses concentrated in the Town of Monterey, OR dispersed throughout Highland County?**
    - a. Strongly prefer Town (26%)
    - b. Somewhat prefer Town (35%)
    - c. Neutral (26%)
    - d. Somewhat prefer County (10%)
    - e. Strongly prefer County (3%)
  
  5. **Would you prefer to see most new residences concentrated in Monterey, OR dispersed throughout Highland County?**
    - a. Strongly prefer Town (10%)
    - b. Somewhat prefer Town (19%)
    - c. Neutral (29%)
    - d. Somewhat prefer County (32%)
    - e. Strongly prefer County (10%)
  
  6. **How often do you have difficulty parking within one block of your destination in Monterey?**
    - a. Always have difficulty parking (0%)
    - b. Sometimes have difficulty parking (3%)
    - c. Almost never have difficulty parking (39%)
    - d. Never have difficulty parking (58%)

The average responses to the “Visual Preference Survey” questions are discussed in the next subsection.

## QUALITATIVE ANALYSIS OF RESPONSES

The feedback that accompanied the individual Community Planning Survey questions was particularly helpful in coloring the community preferences. While every response cannot individually be discussed, each response was individually reviewed. The particularly memorable responses were included in the charrette print-outs (Appendix D). The responses provide unique perspectives of the individual that provided them. However, for each question it is important to tabulate the overarching themes of each question's written responses to distill the public opinion.

In the following pages, each question from the Community Planning Survey is shown with its average score and "overarching response themes." These themes were derived from the visual preference survey's written responses and from feedback received at the charrette meeting.

1. In regards to new development in/around the Town of Monterey, consider the below concepts. Each concept shows new roads (in yellow) and new construction (in gray). Existing agricultural or forested lands are shown in green and the existing town is in black/white.

**Concept A** shows new construction on larger suburban lot sizes. The new development eliminates some of the agricultural and forested lands. The new roads are dead-end which makes walking around more difficult. This concept is in contrast to the original town shown in black/white.

**Concept B** shows new construction on smaller traditional lot sizes. The new development preserves as much of the agricultural and forested lands as possible. The new roads are integrated into the existing street network which encourages walking around and is more efficient in providing public water and sewer services. This concept matches the original town shown in black/white.

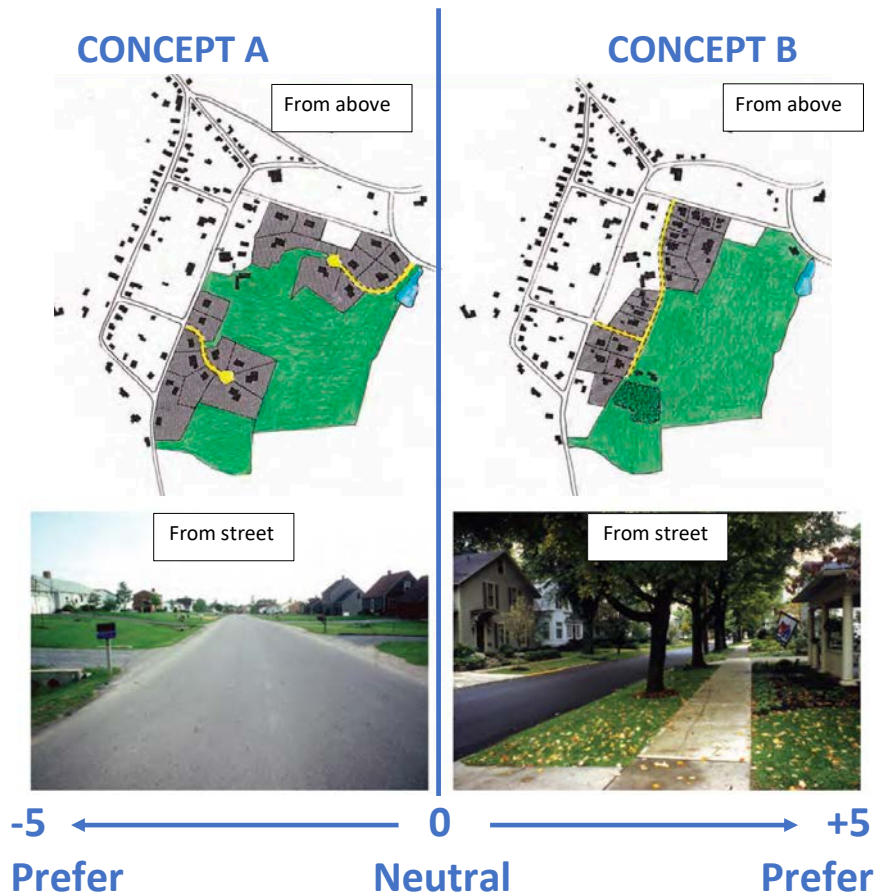


Figure 7: Visual Preference Question 1.

- **Visual Preference Question #1: AVERAGE SCORE: +3.81**
  - Overarching response themes:
  - Walkability is important.
  - Being able to visit neighbors frequently and easily encourages a “town feel” and sense of community; tighter-knit houses and stores foster that.
  - Suburban development patterns are disliked.
  - Preservation of forested lands and agriculture at perimeter of community is preferred.
- **To summarize the above, the community is more interested in concentrating new development in/around Town and in doing so, building upon the existing grid of streets and maintaining a pedestrian scale.**
- **Variability: Of all responses, there were none that favored Concept A. The ‘lowest’ response was “0”. There were 25 responses of “3” or greater.**

2. In regards to development patterns in a growing town, consider the concepts below that illustrate towns that were once similar to Monterey but grew in two different ways:

**Concept A** is “out not up” growth. New homes are built in subdivisions out from the town center. Commercial and retail stores are “big box” style with large parking lots surrounding the building. There is ample access for cars, however walking around is difficult and sometimes unsafe. Agricultural and forested lands are taken out of service.

**Concept B** is “up not out” growth. New homes are built along gridded streets that stem off of the town’s existing streets. Commercial and retail stores are integrated into the fabric of town. Walking around is convenient and safe. Agricultural and forested lands are largely preserved.

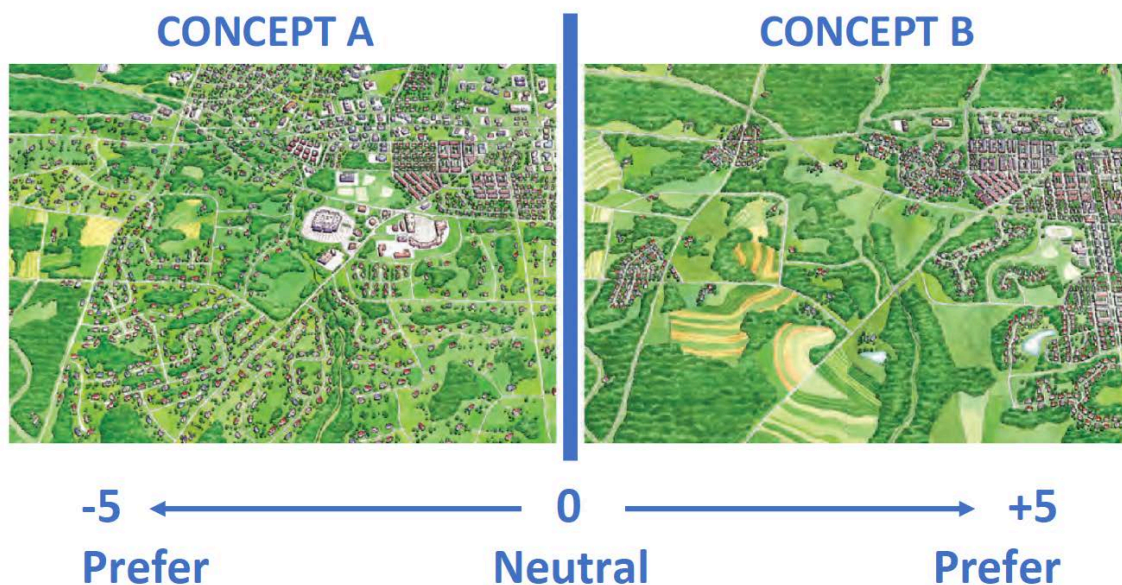


Figure 8: Visual Preference Question 2.

- **Visual Preference Question #2 AVERAGE SCORE: +3.71**
  - Overarching response themes:
  - Again, suburban development patterns are disliked.
  - Preserving the beauty of the countryside can be accomplished by consolidating new development in/around Town.
  - Businesses can benefit from an increase in foot traffic spurred by new residential development.
  - There are many in the County who would prefer not to live in Town, but could support growing the Town in order to better preserve the rural lifestyles throughout the County.
- **To summarize the above, the community is more supportive of preserving overall County landscape by targeting new growth towards the Town Center.**
- **Variability: Of all responses, there was only one response that favored Concept A. The ‘lowest’ response was “-2”. There were a total of 25 responses of “3” or greater.**

3. In regards to sidewalks, consider the concepts below:

**Concept A** shows sidewalks separated from the streets with trees shading the homes, cars, and pedestrians. With an alley to the rear, private driveways for cars are behind the house and visitors can park in the street.

**Concept B** shows no sidewalks, but instead pedestrians using the street to walk in. Each house on this street has ample room for cars, but here are no trees to shade the homes, cars, and pedestrians. With no alley, parking is generally in the driveway at the front of the house.

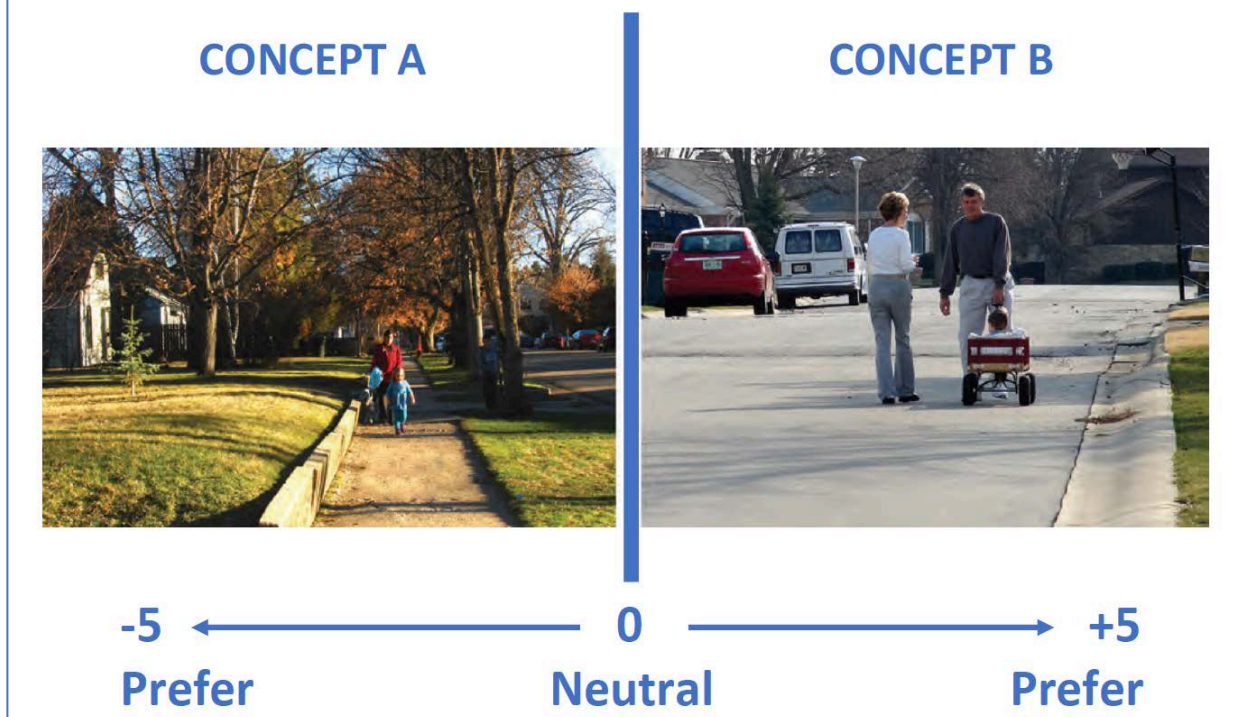


Figure 9: Visual Preference Question 3.

- **Visual Preference Question #3: AVERAGE SCORE: -4.10**
  - Overarching response themes:
    - Sidewalks are an effective way of encouraging pedestrian activity.
    - The existing sidewalk network is well-utilized and should be expanded upon.
    - Establishing street trees between the sidewalks and street can add to the safe feeling and provide for a more welcoming environment.
    - Children are able to more freely roam when sidewalks are present.
- **To summarize the above, the community is greatly appreciative of the existing sidewalk network and asks that new development bolster this amenity.**
- **Variability: Of all responses, there were none that favored Concept B. The 'highest' response was "0". There were a total of 27 responses of "-3" or lower.**



**4. In regards to front yard setbacks, please consider the below concepts:**

**Concept A** shows the Summit Community Bank building in Monterey. Front yard setbacks are minimal or zero. The building comes all the way up to the sidewalk and are easily accessed on foot or by car. Parking is located to the rear of the building or in parallel spaces on the street in front of the building. There is also room for landscaping between the sidewalk and the building.

**Concept B** shows the commercial building across from the Summit Community Bank building. This building is set back about 30 feet from the street so parking can be located directly in front of the building. Because of that, the building does not match the Curly Maple's front yard setback. No cars can park in the street because of the entrance ramp that connects the parking lot to the street. There is no room for landscaping because the cars need as much room as possible to move around.

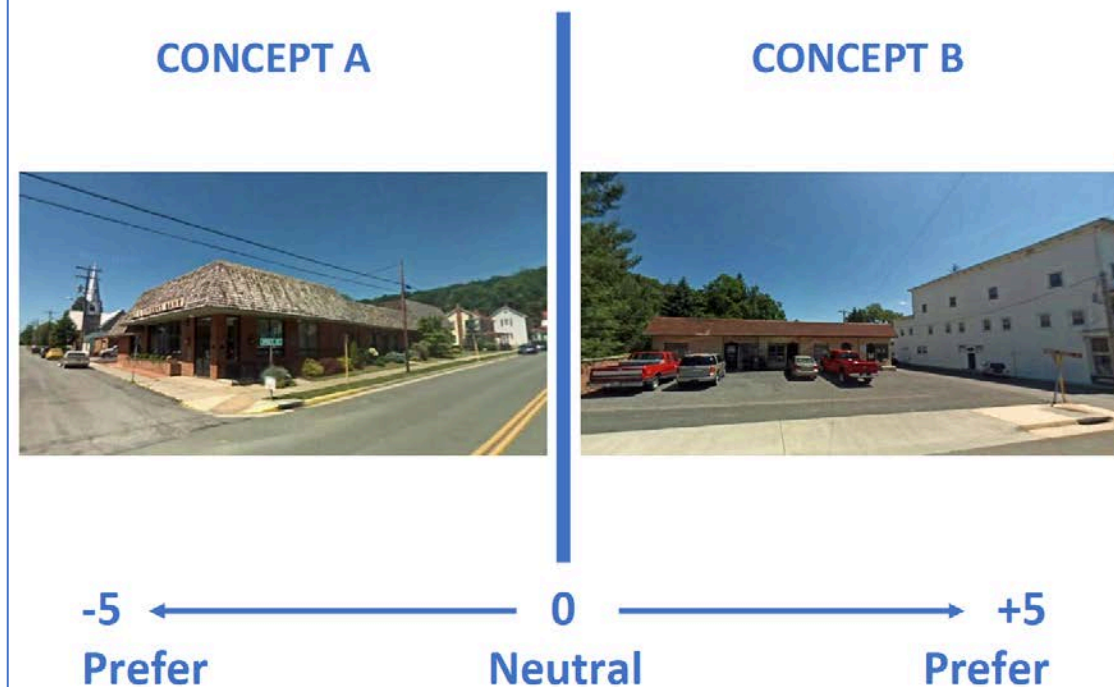


Figure 10: Visual Preference Question 4.

- **Visual Preference Question #4 AVERAGE SCORE: -3.13**
  - Overarching response themes:
  - When possible, off-street parking should be located to the rear or side of the main building for new development.
  - Cars come into conflict less with pedestrians when parking is serviced to the side or rear of buildings.
  - Putting buildings near the sidewalk is more consistent with how buildings were traditionally constructed.
  - By minimizing the amount of new access points for new parking lots needing to come off U.S. Route 250, parallel on-street parking can be preserved.
- **To summarize the above, the community is generally more interested in locating buildings closer to the sidewalks on the primary street so that off-street parking (if provided) can be located to the rear or side of the building.**
- **Variability: Of all responses, there were only two responses that favored Concept B (with scores of “3” and “1”). There were a total of 21 responses of “-3” or lower.**

5. In regards to floor heights, please consider the following concepts:

**Concept A** shows an illustration where a new building (in white) is being built between two existing historic homes buildings (in gray). The new building's first floor is constructed as "slab on grade" and does not match the 1<sup>st</sup> floor heights of the adjacent homes.

**Concept B** shows an illustration where the same new building (in white) is being built between two existing historic homes buildings (in gray). However, this time the new building's 1<sup>st</sup> floor is constructed with a crawlspace and matches the 1<sup>st</sup> floor heights of the adjacent homes.

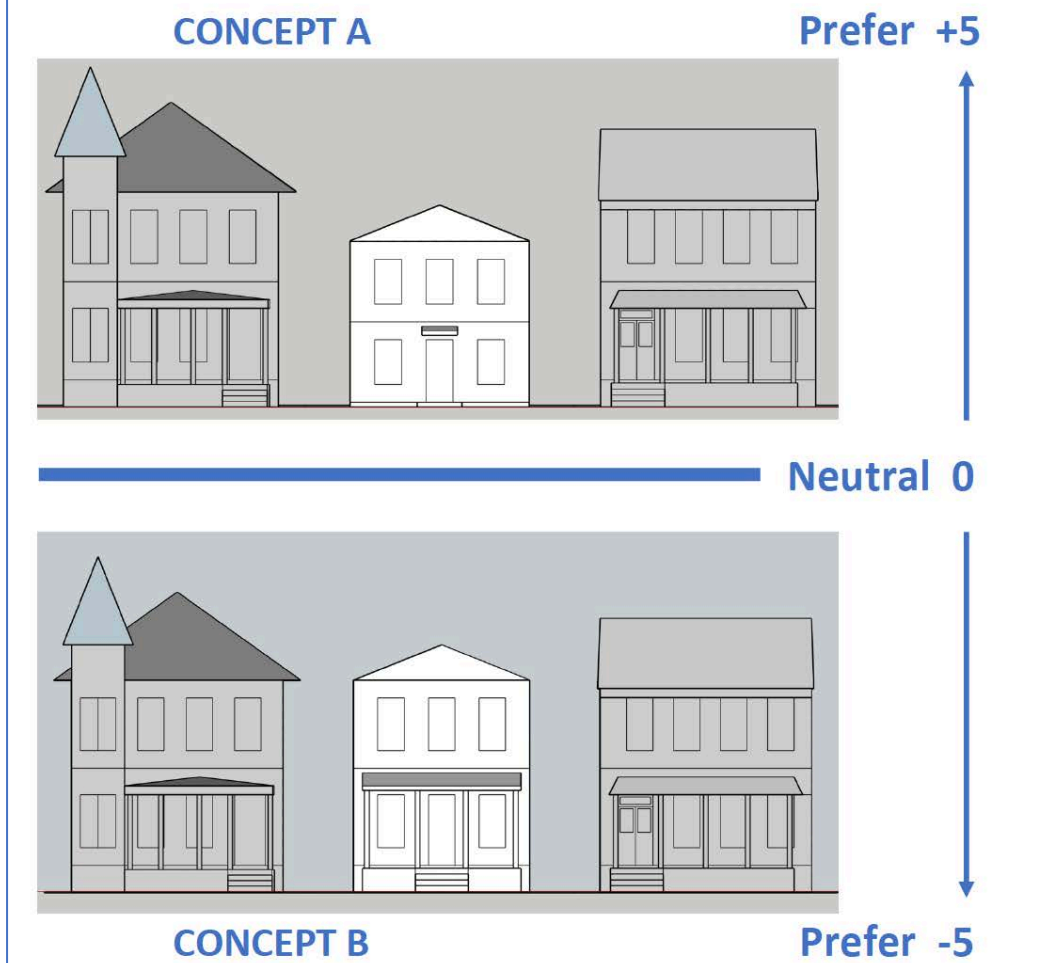


Figure 11: Visual Preference Question 5.

- **Visual Preference Question #5 AVERAGE SCORE: -3.65**
  - Overarching response themes:
  - When new construction occurs next to a preexisting historical structure, it is preferred that the new structure is geometrically similar to the adjacent structure(s) (similar distance for first floor to outdoor grade).
  - While consistency in character is generally encouraged, so should variety.
  - There are simple and affordable adjustments that can be made to new construction buildings that can positively impact the built environment in Town.
- **To summarize the above, the community is more supportive of preserving overall County landscape by targeting new growth towards the Town Center.**
- **Variability: Of all responses, there was only one response that favored Concept A. The 'highest' response was "1". There were a total of 25 responses of "-3" or lower.**

6. In regards to residential features, please consider the following concepts:

**Concept A** shows a residential building. Viewed from the street the ground floor does not have any windows on the primary façade. Instead, the house's ground floor has a 2-car garage door taking up the entire width of the house. There is no alley to the rear of the house and trash cans must go in front of the house to be serviced.

**Concept B** shows another residential building. Viewed from the street the ground floor does have windows and a front door on the primary façade. Because of this, the house can have a front porch. There is an alley to the rear of the house where there is a detached 2-car garage in the backyard. Trash is serviced from the alley.

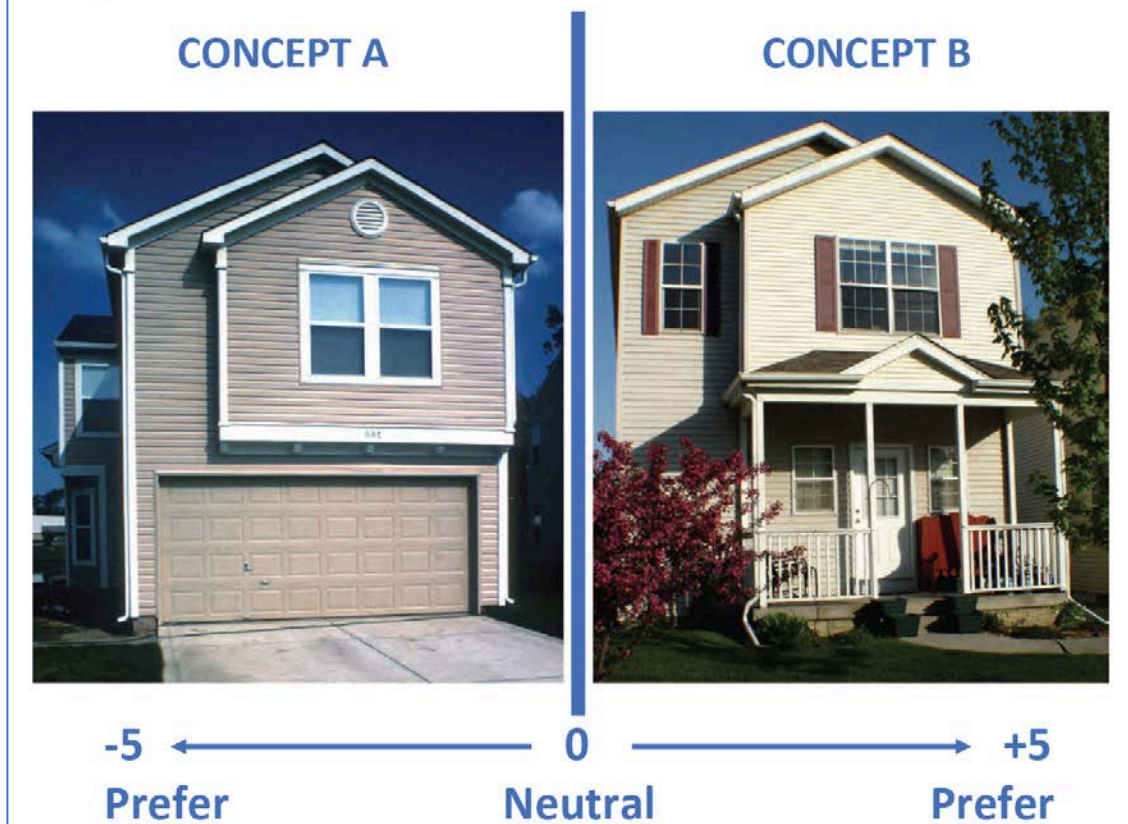


Figure 12: Visual Preference Question 6.

- **Visual Preference Question #6 AVERAGE SCORE: +4.13**
  - Overarching response themes:
    - Ensuring the front façade of a new residential structure has a front door is an easy way to foster neighborliness.
    - Garages that are incorporated in the primary façade are generally unappealing to the eye.
    - Garages should be accessed from the alley if there is an alley available, as this preserves the pedestrian environment along the primary street.
- **To summarize the above, the community appreciates homes that contemplate human interaction and traditional architecture more than immediate convenience of having a front garage entrance.**
- **Variability: Of all responses, there was only one response that favored Concept A. The 'lowest' response was "-3". There were a total of 28 responses of "3" or greater.**

7. Regarding the appearance of new retail/convenience stores, please consider the concepts below:

**Concept A** shows a Dollar General storefront that features horizontal lap siding, scalloped shingle siding ornamentation, architectural awnings, directly lit signage using directional lamps, and varying architectural roof projections. While there are front parking spaces for disabled people, the majority of spaces are to the rear or side of the building so that the building can be closer to the street. It is likely that this façade can more easily be incorporated into an existing town that has historic character.

**Concept B** shows a more typical Dollar General storefront that features masonry block siding, vertical metal roofing, and fluorescent back-lit signage. All of the parking is located in front of the building and because of that the building has to be setback pretty far from the street. It is unlikely that this façade can easily be incorporated into an existing town that has historic character.

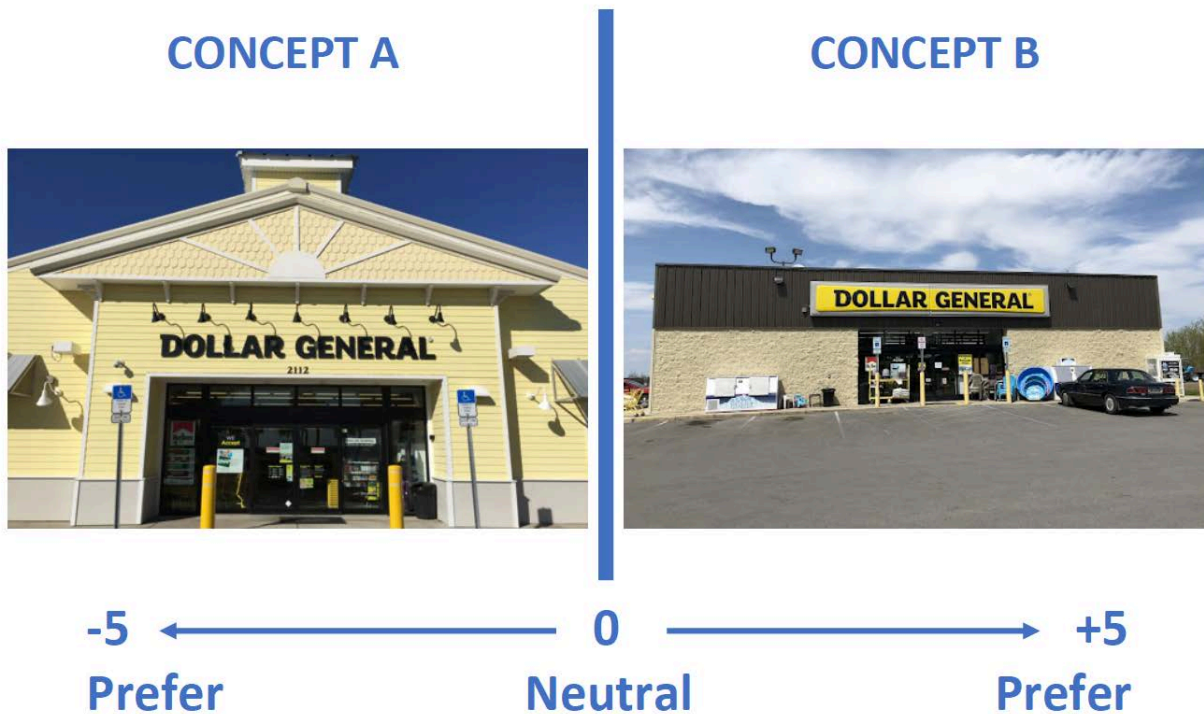


Figure 13: Visual Preference Question 7.

- **Visual Preference Question #7 AVERAGE SCORE: -3.90**
  - Overarching response themes:
  - Simple architectural embellishments can allow for chain retailers to better blend in to nearby traditional buildings.
  - Using directional down-lamps instead of back-lit signs is more aesthetically appealing and is more respectful of the “dark sky” initiative.
  - Incorporating windows into the primary façade can foster a more welcoming environment for shoppers and passersby.
- **To summarize the above, the community is more supportive of preserving overall County landscape by targeting new growth towards the Town Center.**
- **Variability: Of all responses, there was only one response that favored Concept B. The ‘highest’ response was “5”. There were a total of 26 responses of “-3” or lower.**

**8. Regarding cornice detailing, please consider the following concepts:**

**Concept A** shows a corner of a building that is more contemporary and does not include an architectural cornice. Instead, the building walls are “clean” and run all the way up to the metal coping without any architectural features. It is simple and involves minimal maintenance and upkeep.

**Concept B** shows a corner of a building that is more traditional and includes an architectural cornice. The building walls are ornamented and unique, with dentil molding patterns and variations in the brick pattern. However, this concept entails more maintenance and upkeep.

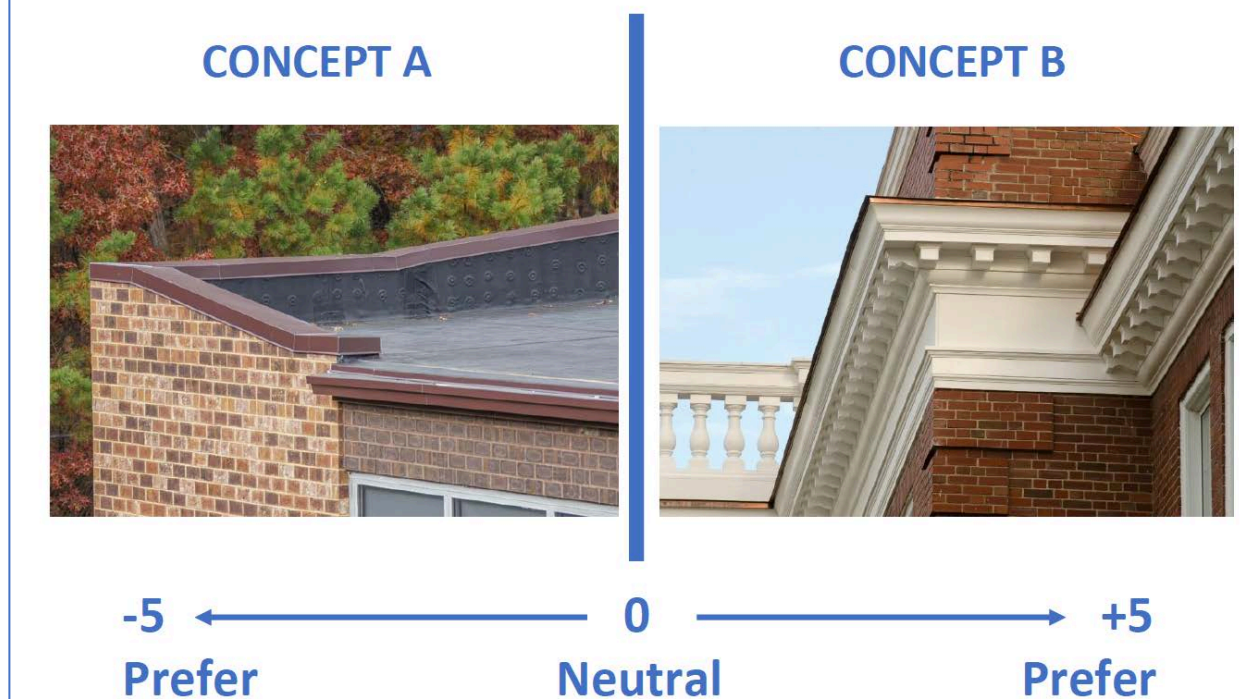


Figure 14: Visual Preference Question 8.

- **Visual Preference Question #8 AVERAGE SCORE: +3.39**
  - Overarching response themes:
  - Architecture that mimics historic architecture is preferable but not wholly necessary to guarantee quality buildings.
  - The community does not want to necessarily mandate costly architectural requirements for new development, and is not opposed to architectural variety.
  - However, there is a consensus that new development should follow historic building geometry, siting, and massing.
- **To summarize the above, the community is more supportive of preserving overall County landscape by targeting new growth towards the Town Center.**
- **Variability: Of all responses, there were no responses that favored Concept A. The ‘lowest’ response was “0”. There were a total of 23 responses of “3” or greater.**

In summary, these eight visual preference questions strongly suggest that Highland and Monterey citizens want future new development build upon the Town character. That character is one where walkability and neighborliness go together, where the historic buildings that are built to the sidewalk and lack off-street parking are often the most cherished buildings, and where the compactness of Town does not negate the rural appeal of the community but instead accentuates it. With that, the community prefers that new buildings in and around Town be located in a manner that mimics the fabric of the existing town (Figure 7). They do not desire large suburban-style residential development in or near Town, as it does not aesthetically blend in with the Town and also encourages driving instead of walking (Figure 8). As most notably shown in the seventh question (Figure 13), the community prefers new commercial buildings to use more traditional cladding, signage, lighting, and site design standards (also shown in Figure 10). For residential development, they want new homes to feel welcoming and community-oriented. This is based on their overwhelming preference for Concept B over Concept A in Figure 12. In concert, and in further reference to the charrette exhibits in Appendix D, the community asks that potential new development is respectful to the existing built environment in Town and to the overall County landscape. The next step is guaranteeing that from a policy perspective.



## CHAPTER FIVE: RECOMMENDATIONS

The current happenings with the Family Dollar being constructed have provided a moment of reflection for the future of the Town and County's built environment. Community preferences simultaneously echo the value people have for Monterey's charm and Highland's natural beauty. Gleaned from the Community Planning Survey questions, these preferences can be achieved by preparing policies that reflect them. By creating these policies, future builders and developers would be required to conform to requirements in order to attain building permits. There are a few policy ideas that the Plan has explored already in the Plan Context and Legislation Enabling Flexible Zoning Approaches in Virginia subsections of the Background Chapter: i) to create an architectural review board with a formal historic district as permitted in the Code of Virginia §15.2-2306, ii) to amend zoning requirements and/or the zoning map, and iii) create an "overlay" district to accompany existing zoning. Those ideas independently can be utilized to ensure the desired architectural and land use outcomes, but each have their benefits and shortcomings. Each idea is discussed below.

### *i) CREATE AN ARCHITECTURAL REVIEW BOARD WITH AN HISTORIC DISTRICT*

As discussed at the end of the Background Chapter, Section §15.2-2306 of the Code of Virginia allows for a locality to designate a geographical area as an historic district (as defined by Virginia §15.2-2201) and, in doing so, erect an architectural review board to govern all

construction/demolition activity within that district for its architectural value. This would allow any locality the most control possible over any construction or demolition activity. Regardless of whether or not on a case-by-case basis a subject proposal meets the zoning ordinance, any activity would be under the review of the architectural review board. At first glance, this sounds like something Highland and Monterey should consider because one of the things that drove this Plan was the sense among the community that the local government should have had more control over the new Family Dollar situation. Furthermore, the DHR survey of the Town's existing buildings (Appendix A) is a thorough basis of the architectural character in Town, and would satisfy requirements set up in subsection B of §15.2-2306. Recall, though, that the Town previously did have a board but no longer does. In reviewing the below guidelines in Section §15.2-2306, it is easy to see why (only subsection A.1 is included; for the full code section refer to Appendix F):

§ 15.2-2306. Preservation of historical sites and architectural areas.

A. 1. Any locality may adopt an ordinance setting forth the historic landmarks within the locality as established by the Virginia Board of Historic Resources, and any other buildings or structures within the locality having an important historic, architectural, archaeological or cultural interest, any historic areas within the locality as defined by § 15.2-2201, and areas of unique architectural value located within designated conservation, rehabilitation or redevelopment districts, amending the existing zoning ordinance and delineating one or more historic districts, adjacent to such landmarks, buildings and structures, or encompassing such areas, or encompassing parcels of land contiguous to arterial streets or highways (as designated pursuant to Title 33.2, including § 33.2-319 of that title) found by the governing body to be significant routes of tourist access to the locality or to designated historic landmarks, buildings, structures or districts therein or in a contiguous locality. A governing body may provide in the ordinance that the applicant must submit documentation that any development in an area of the locality of known historical or archaeological significance will preserve or accommodate the historical or archaeological resources. An amendment of the zoning ordinance and the establishment of a district or districts shall be in accordance with the provisions of Article 7 (§ 15.2-2280 et seq.) of this chapter. **The governing body may provide for a review board to administer the ordinance and may provide compensation to the board. The ordinance may include a provision that no building or structure, including signs, shall be erected, reconstructed, altered or restored within any such district unless approved by the review board or, on appeal, by the governing body of the locality as being architecturally compatible with the historic landmarks, buildings or structures therein.**

This section in part supports the creation of zoning considerations that will be in the spirit of ensuring that infill development is done in a manner that does not undermine the architectural significance of the nearby historic buildings. However, to the point that “no building or structure, including signs, shall be erected, reconstructed, altered or restored within any such



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district unless approved by the review board...as being architecturally compatible with the historic landmarks, buildings, or structures therein,” necessitating an architectural review board is somewhat prohibitive. For smaller localities like Highland County and the Town of Monterey, finding board members who are knowledgeable and available can be difficult, and maintaining a board even more so (Gruber). When Highland previously had an architectural review board, the infrequency of cases and limited population made administration difficult.

*ii: AMEND THE ZONING ORDINANCE AND/OR ZONING DISTRICT MAP*

The other, perhaps more feasible option to implement the community preferences for new development, is to exercise zoning powers enabled by Virginia Code Sections § 15.2-2280, §15.2-2200, §15.2-2284 and §15.2-2306. Building off this Plan’s content at the end of the Background chapter, zoning can translate community preferences into geometric and land use requirements. When underlying zoning requirements are met, potential new development can proceed by applying for the requisite building permits. Provided that building code, water and sewerage, and other environmental impact requirements are met, the building permit will be issued. Because of this, the community will not have the opportunity on a case-by-case basis to review new development that meets zoning requirements—just as is the case today. The community only would be afforded public hearings if some of the requirements were asked to be waived by variance at the board of zoning appeals, or if a developer wished to apply for a rezoning to an available zoning district, or some other special approval process granted by the governing body was sought. While this is not the more intimate level of control some members of the community might prefer, it is more manageable from an administrative perspective. Creating new zoning guidelines, while a serious endeavor, is a process that can be completed within the course of a year and can also be delegated to a third-party vendor. Once the proposed zoning district changes are approved by the governing body, they are inserted into the zoning ordinance. From that point, anything existing that does not conform to the requirements is considered “legally nonconforming” or “grandfathered,” and any new development must thereafter meet those requirements.

But what is the best way to implement zoning changes? That can vary depending on the needs of a locality. In some instances, it might make sense to do a “text amendment,” wherein the locality opts to tweak the requirements within an existing zoning district. The primary benefit here is that it is minimally disruptive from an implementation perspective and from a public process perspective. As an example, if the County wanted to tweak the required side yard along the secondary frontage for corner lots, it could propose a zoning text amendment to Section 701.03-2: “The side yard on the side facing the side street shall be ~~thirty five (35)~~ five (5) feet or more for both main and accessory buildings.” This change, while only two words, could itself do a lot to carry out some of the community preferences as determined by this Plan. However, a potential negative outcome in this method is an undesired impact on other parts of the County that share this zoning district classification.

In other instances, an entirely new zoning district could be prepared that is meticulously crafted to mirror the community preferences. As it would affect Monterey, this would mean

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that the Town’s zoning map (see Figure 4) would be altered. Properties zoned in their current state would be rezoned entirely to the new zoning district, depending on what the geographical boundaries of the new district would be. For some residents, the notion of a government-sanctioned rezoning of their property might be intimidating or seem unwarranted—even if the new zoning would be less restrictive (Arendt). While certain amounts of opposition can be overcome by greater overall support from the community and decisionmakers, it is understandably preferable to avoid opposition if possible.

*iii: CREATE AN “OVERLAY” DISTRICT TO ACCOMPANY EXISTING ZONING*

Overlay districts, by their namesake, can be applied “on top of” the underlying zoning. In doing so, the text of the underlying zoning can be preserved so that it can still apply as intended elsewhere in the locality, and additional requirements or reliefs can apply specifically within the overlay district boundary. In regard to Monterey and the community preferences derived from this Plan, perhaps that overlay district—say a “design overlay district”— could implement certain design standards, parking relief, and increased residential density permissions in and around the Town. Ideally, these requirements would not be so restrictive as to dissuade investment in the community. To the contrary, they should be easy to follow so future development can seamlessly adhere to the community preferences, while the current County building and zoning official(s) can easily interpret and enforce the requirements. For rhetorical purposes only, appended to this plan is a sample set of design overlay district guidelines that have been written to emulate zoning texts that could reflect the community preferences in the Plan (Appendix E). This has not been vetted for legal applicability, and in that respect no reference to current zoning or subdivision requirements have been made. However, the basis of the sample requirements comes directly from the community preferences that have been determined by this Plan.

The Town and County can implement the community preferences in an overlay district while not disturbing the existing zoning. By virtue of that, this method affords considerable compromise while still allowing for some reasonable control mechanisms for new development. When adopted, it can be administered by the local government without needing to maintain an architectural review board. It could be implemented in a manner that might transcend the incorporation boundary of Monterey and cover the adjacent portions of Highland County. By doing that, Highland can also further the community preferences for future growth being within walkable distance to the Town. Lastly, the community preferences in regard to architectural and massing configurations can easily be distilled into basic requirements, just as other localities have done per the discussions at the end of the Background chapter.

In summary of the Recommendations, the foregoing three ideas each have their benefits and drawbacks. To aid the Town, County, and community in their decision-making, the below table has been prepared.

IDEA	BENEFIT(S)	DRAWBACK(S)
<i>i: CREATE AN ARCHITECTURAL REVIEW BOARD WITH AN HISTORIC DISTRICT</i>	<ul style="list-style-type: none"> <li>• Maximum control over new development at the building permit stage</li> <li>• Can protect against demolition of designated historic structures</li> </ul>	<ul style="list-style-type: none"> <li>• Setting up board and maintaining a quorum is difficult</li> <li>• Still would likely require some element of zoning change(s)</li> <li>• Previous experience was not successful</li> </ul>
<i>ii: AMEND THE ZONING ORDINANCE AND/OR ZONING DISTRICT MAP:</i>	<ul style="list-style-type: none"> <li>• More traditional method of changing zoning requirements</li> <li>• Moderate control over new development at building permit stage</li> <li>• Potential to be quickest method depending on scale of change</li> </ul>	<ul style="list-style-type: none"> <li>• Amending zoning district text can have unintended impact on other parts of County with similar zoning</li> <li>• Can be politically more difficult</li> <li>• Cannot protect against demolition of designated historic structures</li> </ul>
<i>iii: CREATE AN "OVERLAY" DISTRICT TO ACCOMPANY EXISTING ZONING</i>	<ul style="list-style-type: none"> <li>• Allows for underlying zoning district to remain intact</li> <li>• Can allow for simple, but effective, architectural requirements</li> <li>• Can be specifically curtailed to context of Monterey</li> </ul>	<ul style="list-style-type: none"> <li>• New concept that has not yet been implemented in County</li> <li>• Prior to adoption, it could be difficult to create specific requirements</li> <li>• Cannot protect against demolition of designated historic structures</li> </ul>

Table 8: Comparisons of Recommendations Ideas

## PREFERRED COURSE OF ACTION

In balancing the community preferences with the practical realities of being a small locality with finite resources, the preferred course of action is to implement an overlay district. This option is the overall best fit for Monterey and Highland when compared to the other options. It can codify the preferences of the community while not burdening the County with changing underlying zoning requirements or designations. It can also better guarantee new development is in-line with the existing character of the Town while not necessitating the formation and upkeep of an architectural review board. While it alone will not protect against the demolition of designated historic structures, the increased density accommodations in the Town that the community prefers can be reflected in the overlay district, which could lessen need to demolish structures as there is currently a sizeable amount of available vacant land. And while creating an overlay district and enmeshing it into the existing zoning ordinance might be a challenge, there are vendors, who could provide this service as a consultant acting on behalf of the County. Lastly, many of the community preferences are as much about site design and massing as they are about architectural sensitivity. Because of that, and as contemplated in Appendix E, the overlay district option can provide superseding requirements that are specifically contextualized to the Town's development pattern.



## CHAPTER SIX: IMPLEMENTATION AND CONCLUSION

Implementing the Plan will be left to the Town and County, as they will ultimately need to determine what the best implementation method is per the above Recommendations. Because each option presented in the Recommendations would require ordinance changes to some degree, the implementation schedule would generally mirror the chronological sequence of legislation becoming law within Highland County and the Town of Monterey. That schedule might look like the below, depending on the Town and County's preferred timing:

<b>Implementation Item</b>	<b>Timeframe</b>
Internal discussions with governing staff and legal counsel	4-6 months
Resolution of Intent to legislation, presented by Planning Commission to Town Council and County Board of Supervisors	1 month
County/Town (or authorized 3 <sup>rd</sup> Party Vendor) conducts public meetings, charrettes to further discuss community preferences	3 months
Staff (or authorized 3 <sup>rd</sup> Party Vendor) prepares draft of legislation	3 months
Introduction of legislation to County/Town, referral to Planning Commission for discussion and recommendation	1 month
Public Hearings at Planning Commission	2 months
Public Hearings at Town Council, County Board of Supervisors for final vote	2 months

*Table 9: Sample Implementation Timeline of Overlay District*

For many in the Highland and Monterey community, the implementation likely cannot come quickly enough. Every day that goes by is a day that another building permit application could come in for an undesirable structure that nonetheless meets the zoning requirements. While this Plan is exhaustive in determining what the preferences are (as shown in the Methodology and Findings chapter), it cannot itself be considered a part of the implementation. As is the case with any legislation, it must go through the proper due diligence and be procedurally sound in order to be effectively administered. With that, the governing bodies must at their own discretion pursue implementing legislation to codify community preferences.

However, because there appears to be a clear consensus of these preferences, implementing the recommendations will likely not cause significant controversy. The Methodology and Findings chapters clearly describe what the community wants. They want the Town's character preserved and new development to bolster that character—not undermine it. Residents also would prefer that new development not result in a decentralized “suburban” development pattern, but instead prioritize growth within/near the core of the Town. These preferences are not themselves lofty or unreasonable, as the community does not wish to discourage economic development. Indeed, many residents appear willing to allow for more development in the Town than what is currently permitted so long as the increase in development comes with an increase in quality. As documented in the Plan Context and Existing Conditions subsections of the Background chapter, it is apparent that this community is not unique in these preferences. What is unique, though, is anticipating and implementing preferences before development happens. Notwithstanding the new Family Dollar, Highland and Monterey are unique in that regard. To grow, and remain small, is the ultimate rural planning task and one for which this community is well suited.

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## APPENDICES

Appendix A: 1996 DHR Architectural Survey (attached separately)

Appendix B: Community Planning Survey, blank (attached separately)

Appendix C: National-level Data Analysis of Rural Growth Areas per USDA Rural-Urban Continuum Code (attached separately)

Appendix D: Exhibits from Charrette Event Held on March 16, 2022 (attached separately)

Appendix E: Sample Overlay District Regulations

The Sample District Guidelines are first summarized by an intent statement and are then broken up into five different sections: Density; Setbacks; Parking; Infrastructure, Conservation, and Development Pattern; and Architectural Quality. Each section will have a basic statement that signifies its specific role in the intent of new Overlay District guidelines. Then each section will list a series of sample zoning regulations that may provide an example for how the community preferences could translate to a zoning ordinance. The language used in the below sample district guidelines are evoked from variety of other localities' zoning ordinances. These example zoning requirements have been crafted so as to be as easily implemented as possible if the County and Town were to consider a Overlay District that might implement the findings of this Plan.

### INTENT STATEMENT:

The intent of the Overlay District is to preserve and enhance the established character of the Town of Monterey commercial downtown and residential peripheries. It does so by ensuring that new development and redevelopment will be consistent with the predominant development pattern of such neighborhoods. The recommendations in the Overlay District incorporate form-based provisions designed to preserve the rural and small-town nature and health of such neighborhoods as characterized by a mixture of commercial, institutional, office, and residential uses. The character of new residential neighborhoods shall be compatible with existing residential neighborhoods. These neighborhoods feature a variety of lot sizes, many of which are quite small and narrow with minimal setbacks from the street and have minimal interruption of the street frontages by open spaces, driveways, parking areas, or accessory buildings visible from the primary street. The District recommendations are also intended to safeguard small town character of the District by providing continuity of building scale and setbacks, enhancing public safety, and encouraging an active pedestrian environment appropriate to the town character of the District by providing for windows in building facades along street frontages. Lastly, the goal of fortifying the Town to better preserve the County's

agricultural and forested lands, in the event new development occurs, can be achieved by this statement and the below recommendations.

## DENSITY

- Relation to Intent Statement:
  - To better preserve the rural nature of the County, new development should aim to efficiently use the land available in Town. In doing so, the Overlay District must modify the lot area and width requirements pertaining to residential development in the underlying R-, A-, and B zoning districts. With added residential density within walking distance to Town, the business in Town can feel better supported. The goals of this Plan cannot be met without the relief contemplated by these Overlay District Recommendations pertaining to permitted density.
- Sample Zoning Regulations:
  - “For permitted residential uses in the Overlay District that are able to connect to the Town’s water and sewer systems, the minimum feature requirements for new development shall be as follows:
    - For single-family detached dwellings:
      - Minimum lot width: 35 feet
      - Minimum lot area: 4,200 square feet
    - For single-family attached dwellings:
      - Minimum lot width: 25 feet
      - Minimum unit width: 20 feet
      - Minimum lot area: 3,000 square feet
    - For two-family detached dwellings:
      - Minimum lot width: 40 feet
      - Minimum lot area: 4,800 square feet
    - For single-family attached dwellings:
      - Minimum lot width: 30 feet
      - Minimum unit width: 20 feet
      - Minimum lot area: 4,600 square feet
    - For multifamily dwellings, or dwellings occurring above or at the rear of other permitted principal uses:
      - No more than one dwelling unit per 1,000 square feet of lot area.”

## SETBACKS

- Relation to Intent Statement:
  - By rethinking setback requirements to not be “minimum” requirements, but instead “maximum” requirements, the Overlay District recommendations can better ensure that new buildings better mesh with adjacent existing structures should any exist, and that the site design for new development is consistent in character with the historic development pattern in Town, where buildings tend to be closer to the street.

- Sample Zoning Regulations:
  - For new residential development in the Overlay District:
    - Front yard. There shall be a front yard with a depth of not less than 10 feet and not greater than 18 feet, provided that:
      - a. Where existing buildings are located on one or both abutting lots along the same street frontage, the front yard shall not be less than the front yard provided for the existing building closest to the street but in no case greater than 18 feet.
      - b. On a corner lot where an existing building is located on an abutting lot or across an alley from an adjacent lot along the same street frontage, the front yard shall be not less than the front yard provided for the existing building but not more than 18 feet.
    - Side yard. Side yard setbacks shall be a minimum of 3 feet.
    - Rear yard. Rear yard setbacks shall be a minimum of 5 feet.
  - For new non-residential development in the Overlay District:
    - Front yard: There shall be no front yard minimum setbacks required. Front yard setbacks should not exceed 10 feet, provided further that:
      - a. Where existing buildings are located on one or both abutting lots along the same street frontage, the front yard shall not be less than the front yard provided for the existing building closest to the street
    - Side yard: Side yard setbacks shall be a minimum of 3 feet.
    - Rear yard: rear yard setbacks will be a minimum of 25 feet.

## PARKING

- Relation to Intent Statement:
  - With the historic fabric of Town far outdated the invention of the automobile, it is important that the Overlay District recommendations provide considerable parking requirement relief so that new businesses do not need to provide as much parking as the underlying zoning currently requires. Moreover, when parking is required or desired, the location of parking to serve new residences and businesses shall be located to the rear/side of buildings. In doing so, the structures can be closer to the street and better mimic the Town development pattern that the community prefers.
- Sample Zoning Regulations:
  - Number of spaces required:
    - “Credit for on-street parking in the Overlay District: for purposes of calculating the number of off-street parking spaces provided for a use located in the Overlay District, on-street parking spaces provided within portions of the public right-of-way abutting the street frontage of the property shall be credited as though they were off-street parking spaces located on the premises.



- Shared parking: For required parking spaces of uses in mixed-use buildings, off street parking for dwelling units may be supplied by off-street parking spaces provided for non-dwelling uses, provided that the non-dwelling use is not routinely open, used or operated after 6:00 P.M. or before 8:00 A.M. on any day.”
    - In the Overlay District, the number of spaces otherwise required by the underlying zoning district per respective use(s) shall be reduced by 50%.
  - Location of off-street parking spaces:
    - Areas devoted to the parking of vehicles in the Overlay District shall not be located between the main building on a lot and the street line, nor shall such areas be located closer to the street than the main building on the lot. On a lot having more than one street frontage, this subsection shall apply only along the principal street frontage of the lot.
    - Driveways from streets: No driveway intersecting a street which constitutes the principal street frontage of a lot shall be permitted when other street frontage or alley access is available to serve such lot. For purposes of this subsection, principal street frontage shall be as defined in section.

#### INFRASTRUCTURE, CONSERVATION, & DEVELOPMENT PATTERN

- Relation to Intent Statement:
  - The Overlay District recommendations, while mostly relating to design details of new development, are similarly informed by infrastructural, economic, and conservation practicalities. New development that occurs where no sidewalk currently exists should be required to install sidewalks that build upon the Town’s existing sidewalk network. The Town’s existing water and sewer systems have the capacity for greater density than what currently exists. With that, it is financially prudent to allow for more users to connect to these services so the Town and County can more easily recuperate their investment. Furthermore, it is conservatively sensible to concentrate most new development towards Town as possible; the County’s natural resources are as precious to the Community as the Town’s historic fabric.
- Sample Zoning Regulations:
  - “Residential Uses in the Overlay District: new residential development in the Overlay District shall be entitled to a waiver of 40% of either the required lot area or permitted dwelling-per-lot square footage specified in the underlying zoning requirements.”
  - New subdivision approvals should require the provision of sidewalks along all new streets. Also, should the property allow for it, alleys should be platted to the rear of new lots in order to allow for parking to be located to the rear of buildings. This will better preserve the “small town” feel that the community has voiced preference for.

#### ARCHITECTURAL QUALITY

- Relation to Intent Statement:
  - While this is inherently a more subjective component of the Overlay District recommendations, it is equally important as maintaining a minimum threshold for architectural quality is essentially to ensuring the goals of the Plan are met. The recommendations have been crafted to be easily implemented and stop short of being overly prescriptive in regards to specific design details. Instead, the recommendations offer a minimal input—high output approach to architectural considerations.
- Sample Zoning Regulations:
  - “For residential uses in the Overlay District, garage doors on the main building shall not be visible from the public right of way. Furthermore, accessory buildings shall be located to the rear of the main building.”
  - “The front façade shall have a pitched main building roof visible from the street. Flat main building roofs visible from the front façade shall not be allowed.”
  - “For newly-constructed non-residential buildings, the primary building material on any façade bearing frontage onto a public street shall be bring, horizontal lap siding, or stucco.”
  - “Fenestration:
    - First and second floor windows in newly-constructed buildings shall not be less than 15 square feet each (measured to rough framing).
    - The head height of first and second floor windows shall be no less than 7’ above finish floor.
    - For the street level of newly constructed buildings, there shall be a minimum fenestration area as follows:
      - Non-dwelling uses shall have a minimum of 60% of the building façade between 2’ and 8’ in height along the street frontage of windows or glass doors (or both) that allow views into and out of the interior building space. The windows being used to satisfy this requirement shall be at least 4’ in height.
      - Dwelling uses shall have a minimum of 30% of the building façade between 2’ and 8’ in height along the street frontage of windows or glass doors (or both) that allow views into and out of the interior building space.”
  - “First floor plate height: For residential buildings, where the new building is within 30 feet of an existing structure on one or two sides, the floor elevation shall match that of one of the adjacent buildings. Where the new building is not within 30 feet of an adjacent building, the first-floor elevation shall be minimum 2’-6” above grade.”
  - “The main entrance front door shall face the street and be incorporated into the front façade.”
  - “For new residential buildings, front porches on the front façade shall be required”

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## Appendix F: Code of Virginia References

### § 15.2-2200. Declaration of legislative intent.

This chapter is intended to encourage localities to improve the public health, safety, convenience, and welfare of their citizens and to plan for the future development of communities to the end that transportation systems be carefully planned; that new community centers be developed with adequate highway, utility, health, educational, and recreational facilities; that the need for mineral resources and the needs of agriculture, industry, and business be recognized in future growth; that the concerns of military installations be recognized and taken into account in consideration of future development of areas immediately surrounding installations and that where practical, installation commanders shall be consulted on such matters by local officials; that residential areas be provided with healthy surroundings for family life; that agricultural and forestal land be preserved; and that the growth of the community be consonant with the efficient and economical use of public funds.

Code 1950, §§ 15-891.1, 15-900, 15-916, 15-961; 1950, pp. 487, 889; 1956, c. 497; 1962, c. 407, § 15.1-427; 1975, c. 641; 1981, c. 418; 1996, cc. 585, 600; 1997, c. 587; 2013, cc. 149, 213.

<https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2200/>.

### § 15.2-2280. Zoning ordinances generally.

Any locality may, by ordinance, classify the territory under its jurisdiction or any substantial portion thereof into districts of such number, shape and size as it may deem best suited to carry out the purposes of this article, and in each district it may regulate, restrict, permit, prohibit, and determine the following:

1. The use of land, buildings, structures and other premises for agricultural, business, industrial, residential, flood plain and other specific uses;
2. The size, height, area, bulk, location, erection, construction, reconstruction, alteration, repair, maintenance, razing, or removal of structures;
3. The areas and dimensions of land, water, and air space to be occupied by buildings, structures and uses, and of courts, yards, and other open spaces to be left unoccupied by uses and structures, including variations in the sizes of lots based on whether a public or community water supply or sewer system is available and used; or
4. The excavation or mining of soil or other natural resources.

Code 1950, §§ 15-819, 15-844, 15-968; 1962, c. 407, § 15.1-486; 1966, c. 344; 1969, Ex. Sess., c. 1; 1972, c. 789; 1975, c. 641; 1997, c. 587.

<https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2280/>.

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§ 15.2-2284. Matters to be considered in drawing and applying zoning ordinances and districts.

Zoning ordinances and districts shall be drawn and applied with reasonable consideration for the existing use and character of property, the comprehensive plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the protection of life and property from impounding structure failures, the preservation of agricultural and forestal land, the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the locality.

Code 1950, §§ 15-821, 15-968.4; 1962, c. 407, § 15.1-490; 1966, c. 344; 1974, c. 526; 1978, c. 279; 1981, c. 418; 1983, c. 530; 1989, cc. 447, 449; 1997, c. 587; 2008, c. 491.

<https://law.lis.virginia.gov/vacode/title15.2/chapter22/section15.2-2284/>.

§ 15.2-2306. Preservation of historical sites and architectural areas. (2021 updated section)

A. 1. Any locality may adopt an ordinance setting forth the historic landmarks within the locality as established by the Virginia Board of Historic Resources, and any other buildings or structures within the locality having an important historic, architectural, archaeological or cultural interest, any historic areas within the locality as defined by § 15.2-2201, and areas of unique architectural value located within designated conservation, rehabilitation or redevelopment districts, amending the existing zoning ordinance and delineating one or more historic districts, adjacent to such landmarks, buildings and structures, or encompassing such areas, or encompassing parcels of land contiguous to arterial streets or highways (as designated pursuant to Title 33.2, including § 33.2-319 of that title) found by the governing body to be significant routes of tourist access to the locality or to designated historic landmarks, buildings, structures or districts therein or in a contiguous locality. A governing body may provide in the ordinance that the applicant must submit documentation that any development in an area of the locality of known historical or archaeological significance will preserve or accommodate the historical or archaeological resources. An amendment of the zoning ordinance and the establishment of a district or districts shall be in accordance with the provisions of Article 7 (§ 15.2-2280 et seq.) of this chapter. The governing body may provide for a review board to administer the ordinance and may provide compensation to the board. The ordinance may include a provision that no building or structure, including signs, shall be erected,

reconstructed, altered or restored within any such district unless approved by the review board or, on appeal, by the governing body of the locality as being architecturally compatible with the historic landmarks, buildings or structures therein.

2. Subject to the provisions of subdivision 3 of this subsection the governing body may provide in the ordinance that no historic landmark, building or structure within any district shall be razed, demolished or moved until the razing, demolition or moving thereof is approved by the review board, or, on appeal, by the governing body after consultation with the review board.

3. The governing body shall provide by ordinance for appeals to the circuit court for such locality from any final decision of the governing body pursuant to subdivisions 1 and 2 of this subsection and shall specify therein the parties entitled to appeal the decisions, which parties shall have the right to appeal to the circuit court for review by filing a petition at law, setting forth the alleged illegality of the action of the governing body, provided the petition is filed within thirty days after the final decision is rendered by the governing body. The filing of the petition shall stay the decision of the governing body pending the outcome of the appeal to the court, except that the filing of the petition shall not stay the decision of the governing body if the decision denies the right to raze or demolish a historic landmark, building or structure. The court may reverse or modify the decision of the governing body, in whole or in part, if it finds upon review that the decision of the governing body is contrary to law or that its decision is arbitrary and constitutes an abuse of discretion, or it may affirm the decision of the governing body.

In addition to the right of appeal hereinabove set forth, the owner of a historic landmark, building or structure, the razing or demolition of which is subject to the provisions of subdivision 2 of this subsection, shall, as a matter of right, be entitled to raze or demolish such landmark, building or structure provided that: (i) he has applied to the governing body for such right, (ii) the owner has for the period of time set forth in the same schedule hereinafter contained and at a price reasonably related to its fair market value, made a bona fide offer to sell the landmark, building or structure, and the land pertaining thereto, to the locality or to any person, firm, corporation, government or agency thereof, or political subdivision or agency thereof, which gives reasonable assurance that it is willing to preserve and restore the landmark, building or structure and the land pertaining thereto, and (iii) no bona fide contract, binding upon all parties thereto, shall have been executed for the sale of any such landmark, building or structure, and the land pertaining thereto, prior to the expiration of the applicable time period set forth in the time schedule hereinafter contained. Any appeal which may be taken to the court from the decision of the governing body, whether instituted by the owner or by any other proper party, notwithstanding the provisions

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heretofore stated relating to a stay of the decision appealed from shall not affect the right of the owner to make the bona fide offer to sell referred to above. No offer to sell shall be made more than one year after a final decision by the governing body, but thereafter the owner may renew his request to the governing body to approve the razing or demolition of the historic landmark, building or structure. The time schedule for offers to sell shall be as follows: three months when the offering price is less than \$25,000; four months when the offering price is \$25,000 or more but less than \$40,000; five months when the offering price is \$40,000 or more but less than \$55,000; six months when the offering price is \$55,000 or more but less than \$75,000; seven months when the offering price is \$75,000 or more but less than \$90,000; and twelve months when the offering price is \$90,000 or more.

4. The governing body is authorized to acquire in any legal manner any historic area, landmark, building or structure, land pertaining thereto, or any estate or interest therein which, in the opinion of the governing body should be acquired, preserved and maintained for the use, observation, education, pleasure and welfare of the people; provide for their renovation, preservation, maintenance, management and control as places of historic interest by a department of the locality or by a board, commission or agency specially established by ordinance for the purpose; charge or authorize the charging of compensation for the use thereof or admission thereto; lease, subject to such regulations as may be established by ordinance, any such area, property, lands or estate or interest therein so acquired upon the condition that the historic character of the area, landmark, building, structure or land shall be preserved and maintained; or to enter into contracts with any person, firm or corporation for the management, preservation, maintenance or operation of any such area, landmark, building, structure, land pertaining thereto or interest therein so acquired as a place of historic interest; however, the locality shall not use the right of condemnation under this subsection unless the historic value of such area, landmark, building, structure, land pertaining thereto, or estate or interest therein is about to be destroyed.

The authority to enter into contracts with any person, firm or corporation as stated above may include the creation, by ordinance, of a resident curator program such that private entities through lease or other contract may be engaged to manage, preserve, maintain, or operate, including the option to reside in, any such historic area, property, lands, or estate owned or leased by the locality. Any leases or contracts entered into under this provision shall require that all maintenance and improvement be conducted in accordance with established treatment standards for historic landmarks, areas, buildings, and structures. For purposes of this section, leases or contracts that preserve historic landmarks, buildings, structures, or areas are deemed to be consistent with the purposes of use, observation, education, pleasure, and welfare of the people as stated above so long as the lease or contract provides for reasonable public access consistent

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with the property's nature and use. The Department of Historic Resources shall provide technical assistance to local governments, at their request, to assist in developing resident curator programs.

B. Notwithstanding any contrary provision of law, general or special, in the City of Portsmouth no approval of any governmental agency or review board shall be required for the construction of a ramp to serve the handicapped at any structure designated pursuant to the provisions of this section.

C. Any locality that establishes or expands a local historic district pursuant to this section shall identify and inventory all landmarks, buildings, or structures in the areas being considered for inclusion within the proposed district. Prior to adoption of an ordinance establishing or expanding a local historic district, the locality shall (i) provide for public input from the community and affected property owners in accordance with § 15.2-2204; (ii) establish written criteria to be used to determine which properties should be included within a local historic district; and (iii) review the inventory and the criteria to determine which properties in the areas being considered for inclusion within the proposed district meet the criteria to be included in a local historic district. Local historic district boundaries may be adjusted to exclude properties along the perimeter that do not meet the criteria. The locality shall include only the geographical areas in a local historic district where a majority of the properties meet the criteria established by the locality in accordance with this section. However, parcels of land contiguous to arterial streets or highways found by the governing body to be significant routes of tourist access to the locality or to designated historic landmarks, buildings, structures, or districts therein, or in a contiguous locality may be included in a local historic district notwithstanding the provisions of this subsection.

D. Any locality utilizing the urban county executive form of government may include a provision in any ordinance adopted pursuant to this section that would allow public access to any such historic area, landmark, building, or structure, or land pertaining thereto, or providing that no subdivision shall occur within any historic district unless approved by the review board or, on appeal, by the governing body of the locality as being compatible with the historic nature of such area, landmarks, buildings, or structures therein with regard to any parcel or parcels that collectively are (i) adjacent to a navigable river and a national park and (ii) in part or as a whole subject to an easement granted to the National Park Service or Virginia Outdoors Foundation granted on or after January 1, 1973.

1973, c. 270, § 15.1-503.2; 1974, c. 90; 1975, cc. 98, 574, 575, 641; 1977, c. 473; 1987, c. 563; 1988, c. 700; 1989, c. 174; 1993, c. 770; 1996, c. 424; 1997, cc. 587, 676; 2009, c. 290; 2011, c. 237; 2012, c. 790; 2021, Sp. Sess. I, c. 531.

<https://law.lis.virginia.gov/vacodeupdates/title15.2/section15.2-2306/>.

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## Appendix G: Analysis of Relevant Chapters in Randall Arendt's *Rural by Design*

The first chapter of *Rural By Design* is “The Common Qualities of Traditional Towns,” which offers a basic explanation of what typical towns consist of, and what makes them successful—or elemental town design. Zoning, he argues, has come to nullify the traditional arrangement of uses in towns and villages, as zoning was crafted to form a unified suburbia against an urban “problem.” With that, the natural inclination of rural counties was to adapt zoning ordinances if for nothing else to solely keep pace with their suburban neighbors. The distinguishing features of the traditional towns are enumerated in this chapter, such as “compactness and tighter form,” “‘downtown’ centers with street-edge buildings, mixed uses, gathering places, public buildings, parks, and other open spaces,” “commercial premises that meet everyday needs,” “residential neighborhoods close to the town center,” “civic open spaces within and rural open spaces at edges,” “pedestrian-friendly and auto-accessible design,” “streets scaled for typical uses (rather than being overengineered to accommodate ‘worst-case scenarios’),” and “incremental growth outward from the core.” While these concepts are somewhat rudimentary from the perspective of today’s urban planner, they bear repeating for the rural audience. Furthering that, this chapter discusses how these features help bolster the social structures of a town’s community: “[m]any residents live within easy walking distance of typical amenities such as schools, shops, churches, and playgrounds. They often feel an attachment to their neighborhood and a sense of place about their street, where they know many of their neighbors. When queried about what they like about living in a traditional town, the same factors are mentioned time and again—the variety, convenience, and neighborliness typical of life in such places,” (Arendt). Based on the survey responses to be discussed in Chapter 5, this messaging resonates with the Highland community. It is also generally consistent with core tenets of planning practice, namely “smart growth,” which encourages efficient development patterns that concentrate growth inward to better preserve the natural landscape and lessen traffic burden (EPA, 2021).

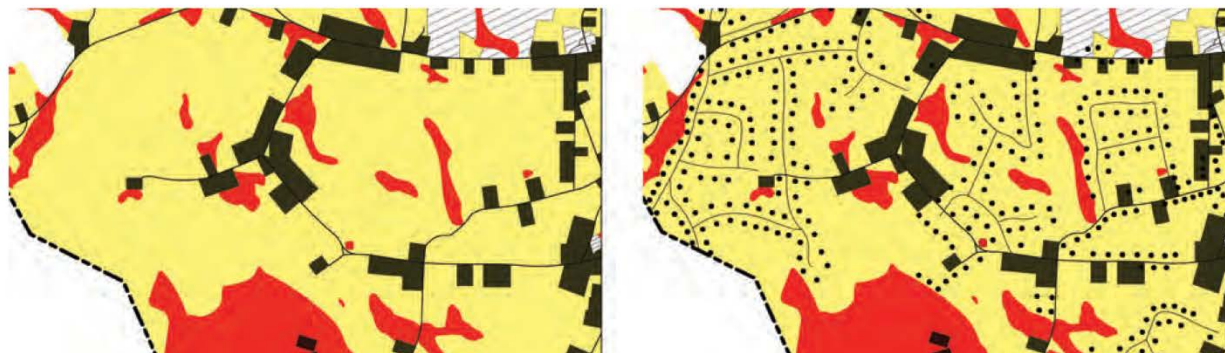
The next chapter, “Changes in the Pattern,” takes a broader look at what is ultimately at stake when creating development scenarios or land use/zoning plans, more specifically the causes and consequences of sprawl—better summarized as “pitfalls of the do-nothing approach.” Low-density development, while palatable initially, can set precedent for future growth that is aimless and literally pulls away from historic town centers. Worse, it can gobble up the landscape and arrange residents and businesses in a socially-isolating development pattern. As shown below, Arendt’s illustrations in this chapter are paramount in communicating the origins of sprawl and the viable alternatives (Figure 1, Figure 2).





**Figure 2-4:** Modern subdivision standards have created a building form completely out of scale with historic development patterns of older settlements, with distances between opposing house fronts literally double that usually found in traditional neighborhoods. Shown on the left is a typical rural subdivision of conventional design with wide streets and deep front setbacks in Middlebury, Vermont. People living on opposite sides of the street often hardly know their neighbors. By contrast, traditional streetscapes with appropriately scaled road pavement and modest front yards or “dooryard gardens” grace many older communities such as Granville, Ohio (right), where sidewalks and shade trees add to livability. (Source: Randall Arendt)

**Figure 15:** Depiction of modern subdivision streetscape vs. traditional neighborhood streetscape. Excerpted from Arendt (2015)



**Figure 2-10:** Build-out maps graphically depict how a community is likely to change under conventional suburban land-use regulations. The existing situation (left) shows large, buildable, undeveloped areas in yellow. (Red is environmentally constrained land, black is already built upon, and hatched is protected by land trusts). The ultimate build-out map (right) shows general patterns of new development, as permitted under typical zoning, with all buildable open space being converted to new house lots. (Sources: Arendt 2010 and Natural Lands Trust)

**Figure 16:** Depiction of anticipated development pattern with typical suburban land use regulations. Excerpted from Arendt (2015).

Otherwise, this chapter introduces the “image preference survey” technique, which helped inspire this Plan’s methodology in the Community Preference Survey. The image preference survey (“IPS”) generally measures the perception that respondents have to certain imagery—in this case different styles of development. It is helpful in that it can easily—and accurately—deduce planning concepts and consequences to exhibits that are more discernible to the general public.

The “Form-Based Coding and Standards for Performance and Design” chapter comes later in the book, and offers perhaps the most technical guidance for the Plan—or codifying for

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the natural. Form-Based Codes (“FBCs”) are a relative antithesis to traditional zoning ordinances. Traditional zoning ordinances are more controlling of use and density—specifying how many dwelling units per acre are permitted, parking spaces per dwelling unit are required, what commercial uses are permitted and where, etc. While these are easily implemented in areas where new suburban development is occurring, they can create undue burden in established towns, and moreover create undesirable results for new development both in and outside of the town. FBCs are more concerned with the “feeling” of development, in that the priorities of FBC standards are more involved with setbacks, height, fenestration, and site design (Talen, 2009). Citing Brovitz, typical FBC components may include:

- a regulating plan that is somewhat analogous to a zoning district map, illustrating the locations of various building types, different street types, and open space types.
- an illustrated series of building and lot types defining the placement, form, massing, facade and frontage treatments, and other design standards.
- a table of uses that refer to specific performance standards regarding the location, scale, and interaction of uses.
- dimensional standards defining the positioning of buildings on a lot.
- thoroughfare design standards establishing different types of interconnected streets, alleys, and pathways based on context and anticipated multimodal uses, with illustrated street cross sections.
- public and private open space standards prescribing different types, locations, and purposes of open spaces, from natural environments to active civic spaces.
- flexible parking standards providing for and often incentivizing mixed uses and a smaller footprint through shared parking, remote parking, and public parking offsets.
- a development review process that typically provides for administrative or other forms of expedited review and approval, given the greater predictability of development and more direct connection with the community’s planning goals. (2017)

While the Plan does not suggest that the County and Town consider a wholesale shift to an FBC zoning ordinance, these typical FBC components will be of assistance when preparing the Design Overlay District. As discussed by Talen, effective FBCs are ones that are easily administered and carry a tangible positive impact on the built environment (2009). With using the above list as inspiration, a sound FBC-inspired design overlay district can be constructed as such.

The “Downtown Commercial and Mixed Use Examples” chapter features a number of case studies wherein various towns and development proposals were able to implement certain development principles that bolstered the viability of the commercial town center (often times while accepting the presence of national retailers)—summarized as validation through prior implementation. A few case studies feel particularly relevant to Highland, such as the “Camden Rite-Aid” discussion. This case study documents the Rite-Aid’s introduction to the community, as it acquired a site to construct one of its three standardized designs and would have been able to do so given the absence of design standards on the books in the town. This premise of

this scenario is similar to the Town’s incoming Family Dollar, but of course differs in the outcome. This chapter overall is worthy of future review by the County and Town stakeholders as it provides real examples of other towns’ experiences in managing development—even types of development that were initially not desired—and ensuring positive outcomes through administered processes.