Zoning Interpretation Record

Subject of Interpretation:

Location of Street Trees Within VDOT Right-of-Way in RS District

Zoning Ordinance Reference (Article and Section):

Article 5, Section 3.4(b)(1)

Interpretation:

In an RS District, street trees may be planted within the VDOT right-of-way if the following criteria are met:

1. There is a minimum of 6 foot separation between the back-of-curb, at the roadway's edge, to the pedestrian walkway.

2. The area is void of public utility lines, save for service laterals that run generally perpendicular to the right-of-way line.

3. Planting of street trees in the right of way shall cause no sight distance obstructions.

4. The right-of-way width complies with County and VDOT requirements and there are no plans or potential for future widening or improvements that would threaten the street trees.

5. County review departments of Planning, Public Utilities, Public Works have no concerns regarding placement of the trees.

6. The County is presented with an executed agreement with VDOT approving the planting and guaranteeing future maintenance by a legally established entity.

7. The 10' wide easement designated for planting as stipulated in Article 5, Section 3.4(b) (1) is still provided.

Examples:

Examples: In Rutland, Section 1 construction of large homes with substantial porches and stairways make it impractical to place street trees outside of the right-of-way and in the 10 foot planting easement. However, their sidewalk placement, six feet from the curb and gutter, allows them to meet VDOT's requirements to plant trees in the right of way and enter into a maintenance agreement with VDOT.

Interpretation by:

_____ _____
Signature Date

_____
Printed Name

Approved by:

_____ _____
Signature Date

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Printed Name