

**Board of Supervisors**

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Anthony J. Romanello, ICMA CM  
County Administrator

## Community & Economic Development Committee Meeting AGENDA

May 3, 2016 – 12:00 Noon  
Conference Room A/B/C, Second Floor

Agenda Item	
1.	Economic Development Metrics
2.	Falmouth RDA Overlay
3.	JLUS, real estate disclosure
4.	Lighting ordinance
5.	Sign ordinance
6.	Neighborhood Design Standards for the Courthouse Area
7.	Keeping of bees
8.	Inoperable Vehicle Issues
9.	Discussion - Amendments to Stafford County Code regarding private sewage disposal systems
10.	Donated property located at 204 Thompson Avenue – authorize to accept

CEDC05032016agenda



# Economic Development

## 4/28/16

In the chart below, “Inputs” represent the interactions Economic Development staff have with citizens and businesses. “Outputs” reflect statistics regarding Stafford County that are reported by external agencies.

### INPUTS

2016 Economic Development Activity Report						
	Site Visits	Walk-ins	Start up packets	E-Newsletter Outreach	Website Views	Social media interactions
January	11	61	74	3,185	4,649	41,862
February	11	58	72	3,819	5,972	49,997
March	12	48	37	3,844	5,137	48,712

### OUTPUTS

Quarterly Census of Establishments / Employment / Wages for Stafford County

Year Period	Average Establishments				Average Employment			
			Delta	% Growth			Delta	% Growth
2010 3rd Qtr	2,278				36,105			
2014 3rd Qtr	2,388	1 year	203	8.50%	40,568	1 year	1,366	3.37%
2015 3rd Qtr	2,591	5 year	313	13.74%	41,934	5 year	5,829	16.14%
					Average Weekly Wage			
Year	Period						Delta	% Growth
	2010 3rd Qtr				\$824			
	2014 3rd Qtr				\$923	1 Year	11	1.19%
	2015 3rd Qtr				\$934	5 Year	110	13.35%

Monthly Unemployment	
Period	Unemployment Rate (%)*
Mar-10	7.0
Mar-15	4.8
Mar-16	4.0

Commercial Vacancy Rates -1Q16			
	1Q16 **	1 yr trend	5 yr trend
Office	17.10%	↑	↑
Industrial	10.40%	→	↓
Retail	4.70%	↓	↓

Source: VEC/Labor Market Statistics, Covered Employment and Wages Program (lags 2 Qrts behind)

\*Source: LAUS Unit and Bureau of Labor Statistics

\*\* Source: CoStar

NOTE: Updated April, June, October and January with calendar year investment and square footage data included in every January report.



# MEMORANDUM

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## Department of Planning and Zoning

MEMORANDUM TO: Community and Economic Development Committee

FROM: Jeffrey A. Harvey  
Director

DATE: May 3, 2016

SUBJECT: *Falmouth Redevelopment Area Overlay District (FRAOD)*

At the March 3, 2015 CEDC meeting, staff made an initial presentation of draft text for the FRAOD. The intent of the ordinance was to allow some additional flexibility as well as additional regulation for new construction and conversion of uses in the district. There would be: more low intensity by-right uses, additional level of review for other uses with a conditional use permit, requirement for sidewalks for new construction, screening standards for outdoor storage, dumpsters and loading areas, new construction must be approved by the ARB based on guidance from the Falmouth Area Redevelopment Plan, add additional bulk restrictions to limit over-building, submittal of landscaping plans, establish regulations for outdoor seating for restaurants, and allow for building setback encroachments to be approved with a special exception rather than a variance. The Committee found the language to be generally acceptable but asked for more detail about the definitions of the proposed uses for the district. At the April 14, 2015 meeting, staff identified eleven of the listed uses currently in the zoning ordinance. The remaining listed uses had no previous definition. New definitions for those uses were approved June 2, 2015 as part of a comprehensive revision to the zoning ordinance definitions. Staff had also prepared a draft map of where the FRAOD may apply.

Prior to moving forward with the amendment, Supervisor Thomas requested that public input should be gathered on the concept and proposed boundary of the district. In the interim, staff met with several property owners that showed interest in the concept. Supervisors Thomas and Bohmke held a town hall meeting on February 18, 2016. Residents of the Falmouth Bottom Area received written invitations to attend the meeting. Based on comments of the meeting, staff prepared a revised map for the proposed boundaries of the overlay district. Attached is the latest draft of the Ordinance (Attachment 1) and the revised map (Attachment 2).

Staff recommends the Committee refer the amendment to the Board in order to start the public hearing process.

JAH:dk

Attachments (2)

O16-

PROPOSED

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

ORDINANCE

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the \_\_\_\_ day of \_\_\_\_, 2016:

MEMBERS:

Robert "Bob" Thomas, Jr, Chairman  
Laura A. Sellers, Vice Chairman  
Meg Bohmke  
Jack R. Cavalier  
Wendy E. Maurer  
Paul V. Milde III  
Gary F. Snellings

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

AN ORDINANCE TO AMEND AND REORDAIN  
STAFFORD COUNTY CODE TO CREATE SEC.  
28-67, ENTITLED "FALMOUTH  
REDEVELOPMENT AREA OVERLAY DISTRICT"

WHEREAS, the Master Redevelopment Plan, Stafford County, Volume IV, Falmouth Village was adopted as an element of the Comprehensive Plan; and

WHEREAS, the Master Redevelopment Plan recommends changes to the zoning ordinance in order to facilitate development as envisioned in the plan; and

WHEREAS, the Board desires to establish a Falmouth Redevelopment Overlay District to implement the recommendations of the Master Redevelopment Plan; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practice require adoption of such an ordinance;



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NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the \_\_\_\_ day of \_\_\_\_, 2016, that the Zoning Ordinance be and it hereby is amended and reordained with all other provisions remaining unchanged to create Sec. 28-67, entitled "Falmouth Redevelopment Overlay District."

**Sec. 28-67. – Falmouth Redevelopment Area Overlay District (FRAOD).**

- (a) Purpose of the FRAOD. In furtherance of the purposes set forth in Code of Virginia, §§ 15.2-2280, 15.2-2283, 15.2-2284 and 15.2-2285, and in general to protect the health, safety and general welfare of the public by establishing regulations to allow for redevelopment efforts consistent with the recommendations of the Master Redevelopment Plan element of the Comprehensive Plan. This district is created in recognition of the need to provide suitable and sufficient opportunities for redevelopment and reuse of existing buildings while maintaining the historic nature and cultural context of the Falmouth Area of the County.
- (b) Establishment of districts. The Falmouth Redevelopment Area Overlay District (FRAOD) shall be designated by the board of supervisors by separate ordinance and will overlay all other zoning districts where it is applied so that any parcel of land lying in the FRAOD shall also lie within one or more other land use districts provided for by this chapter. The regulations and requirements of both the underlying district(s) and the FRAOD shall apply; provided, however, that when the regulations applicable to the FRAOD conflict with the regulations of the underlying district, the less restrictive regulations shall apply with exception of compliance with Sec 28-57, Sec 28-58 and Chapter 27B of this code, where those provisions shall prevail.
- (c) District boundaries.
- (1) FRAOD boundaries shall be designated on the official zoning map as ordained by Ordinance, O16- pursuant to Chapter 28, article XII.
- (d) Uses permitted by right. All uses permitted by right in the underlying land use district(s), shall be permitted by right in the FRAOD unless otherwise specifically made a conditional use by this section. Additional by-right uses shall be:
- (1) Adult Day care
  - (2) Apartment, commercial
  - (3) Bed and Breakfast Inn
  - (4) Cemetery
  - (5) Community Use
  - (6) Farmers market (in accordance with subsection 28-39(v))
  - (7) Home Business
  - (8) Live/work unit
  - (9) Place of Worship
  - (10) Public Art

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(e) Conditional uses. In addition to the listed uses requiring a conditional use permit (as listed in Table 3.1) in the underlying district, the following uses shall require a conditional use permit when proposed to be established in a FRAOD:

- (1) Any uses which include drive-through facilities
- (2) Automobile repair
- (3) Hotels or motels
- (4) Machinery sales and service
- (5) Outdoor flea market
- (6) Recreational enterprise

(f) Development standards. All uses shall be subject to the use limitations and development standards set forth in the underlying land use district(s) and, in addition, shall be subject to the following FRAOD limitations:

(1) Pedestrian circulation shall be provided for and coordinated with that generated from or

using adjacent properties.

a. The requirement for the provision of pedestrian circulation for the development of any parcels abutted on both sides along its road frontage to undeveloped parcels may, at the option of the county administrator, be satisfied by the execution and recordation of a sidewalk security agreement between the owner of the property and the county administrator to be prepared by the director of planning. The agreement shall provide for payment of one hundred twenty-five (125) percent of the amount of an engineer's certified cost estimate of the construction of the required sidewalk(s) at the time of permits or by monthly installments during a term not to exceed thirty-six (36) months and shall contain appropriate provisions for acceleration upon the sale or transfer of the property or upon a breach of the terms of the agreement. Payments made pursuant to this section shall also include an administrative fee of one hundred dollars (\$100.00) which shall be payable at the time of the execution of the sidewalk security agreement.

b. The requirement for the provision of pedestrian circulation for the development of any parcels abutted on both sides along its road frontage to undeveloped parcels may, at the option of the planning director (agent) or his designee, be satisfied by a payment in lieu of constructing the required pedestrian circulation. The payment shall be in the amount of an engineer's certified cost estimate of the construction of the required sidewalk(s) that is deemed to be acceptable by the agent. Such payment shall be made at the time of permits. The payment shall be deposited in an account designated for pedestrian circulation improvements along the corridor highway that serves the property.

(2) Outdoor storage of goods shall be prohibited in any front yard, and shall be completely

screened from view of the public street. Outdoor storage shall include the parking of company owned and operated vehicles, with the exception of passenger vehicles. Outdoor display areas shall be permitted in any front yard or street-facing side yard from dawn to dusk. Outdoor displays by businesses with first floor frontage are permitted during business hours. The merchandise must be stored inside when the business which displays it is closed.

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Merchandise shall not be placed in the public right-of-way, nor shall it obscure the architectural features of a building (columns, railings, belt courses, balconies or other decorative features) or extend past the length of the storefront. Permanent display tables or racks or other permanent display pieces are prohibited outside of buildings. All items and displays shall be safe and stable with no risk of overturning due to wind or contact. No signs may be placed upon or hung from outdoor merchandise.

(3) Parking areas and driveways shall be paved with concrete, bituminous concrete, brick, concrete pavers or other similar material except for pervious paving blocks and other similar materials may be allowed for stormwater management purposes and as approved by the agent. Surface treated parking areas and drives shall be prohibited. Concrete curb and gutter shall be installed around the perimeter of all driveways and parking areas, except that concrete curb without a gutter may be permitted where drainage is designed to flow away from the curb. Drainage shall be designed so as to not interfere with pedestrian traffic.

(4) Utility lines such as electric, telephone, cable television, or similar lines shall be installed underground. This requirement shall apply to lines serving individual sites as well as to utility lines necessary within the project. All junction and access boxes shall be screened. All utility pad fixtures and meters shall be shown on the site plan. The necessity for utility connections, meter boxes, etc., should be recognized and integrated with the architectural elements of the site plan.

(5) Loading areas, service entrances, and service bays shall be oriented and/or screened so as to

not be visible from the public street and adjacent residential uses.

(6) Dumpster and other waste disposal or storage areas shall be completely screened from the

public view by means of a board-on-board fence and/or landscaping, or similar opaque material approved by the zoning administrator.

(7) Construction of any new buildings or building additions shall be in compliance with the Neighborhood Design Standards and Stafford County Master Redevelopment Plan, Volume

IV, Falmouth Village Element of the Comprehensive Plan. The Architectural Review Board shall review and approve all building elevations for compliance with the above

referenced standards and for compatibility with nearby architectural styles of buildings in the district.

(8) Area and bulk regulations in the FRAOD shall be the same as for the underlying land use district(s), except that:

a. The height of buildings or structures shall not exceed three (3) stories or forty-five (45)

feet, whichever is less.

b. The height of accessory structures shall not exceed twenty-five (25) feet.

c. No individual multi-family building shall exceed a length of two hundred fifty (250) feet.

d. The minimum open space ratio on a lot shall be 0.10.

(9) A landscaping and planting plan shall be submitted in conjunction with site plan submittal.

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Such landscaping and planting plan shall be drawn to scale, including dimensions and distances, and clearly delineate all existing and proposed parking spaces or other vehicle areas, access aisles, driveways, and the location, size, and description of all landscaping materials and areas. Landscaping and planting plans shall be prepared by persons practicing in their area of competence.

All plant materials shall be living and in a healthy condition. Plant materials used in conformance with the provisions of these specifications shall conform to the standards of the most recent edition of the "American Standard for Nursery Stock," published by the American Association of Nurserymen.

Preservation of existing trees is encouraged to provide continuity, improved buffering ability, pleasing scale and image along the corridor. Any healthy, existing tree on-site may be included for credit towards the requirements of this section.

The owner, or his designee, shall be responsible for the maintenance, repair, and replacement of all landscaping materials as may be required or approved within the scope of these provisions.

New development that requires submittal of a site plan pursuant to Article XIV of this chapter shall be exempt from the provisions of Sec. 110.2, Street buffering along arterial and major collector streets, and Sec. 110.3, Transitional buffers of the Design and Construction Standards, Landscaping, Buffering, and Screening (DCSL). Screening pursuant to Sec. 130 of the DCSL shall be reviewed for compliance with the Neighborhood Design Standards and Stafford County Master Redevelopment Plan, Volume IV, Falmouth Village Element of the Comprehensive Plan. The Architectural Review Board shall review and approve all screening for compliance with the above referenced standards and for compatibility with nearby architectural styles of buildings in the district.

- (10) Restaurants with outdoor seating shall comply with the following standards:
- a. The use of outdoor seating shall be limited to the time period from 7:00AM to 11:00 PM.
  - b. The use of outdoor seating shall not obstruct the movement of pedestrians on any sidewalk or through any areas intended for public use.
- (11) All minimum yards shall be as specified in the underlying zoning district. The property owner may be granted relief of the minimum yard requirement pursuant to Sec.28-351 of this Chapter.

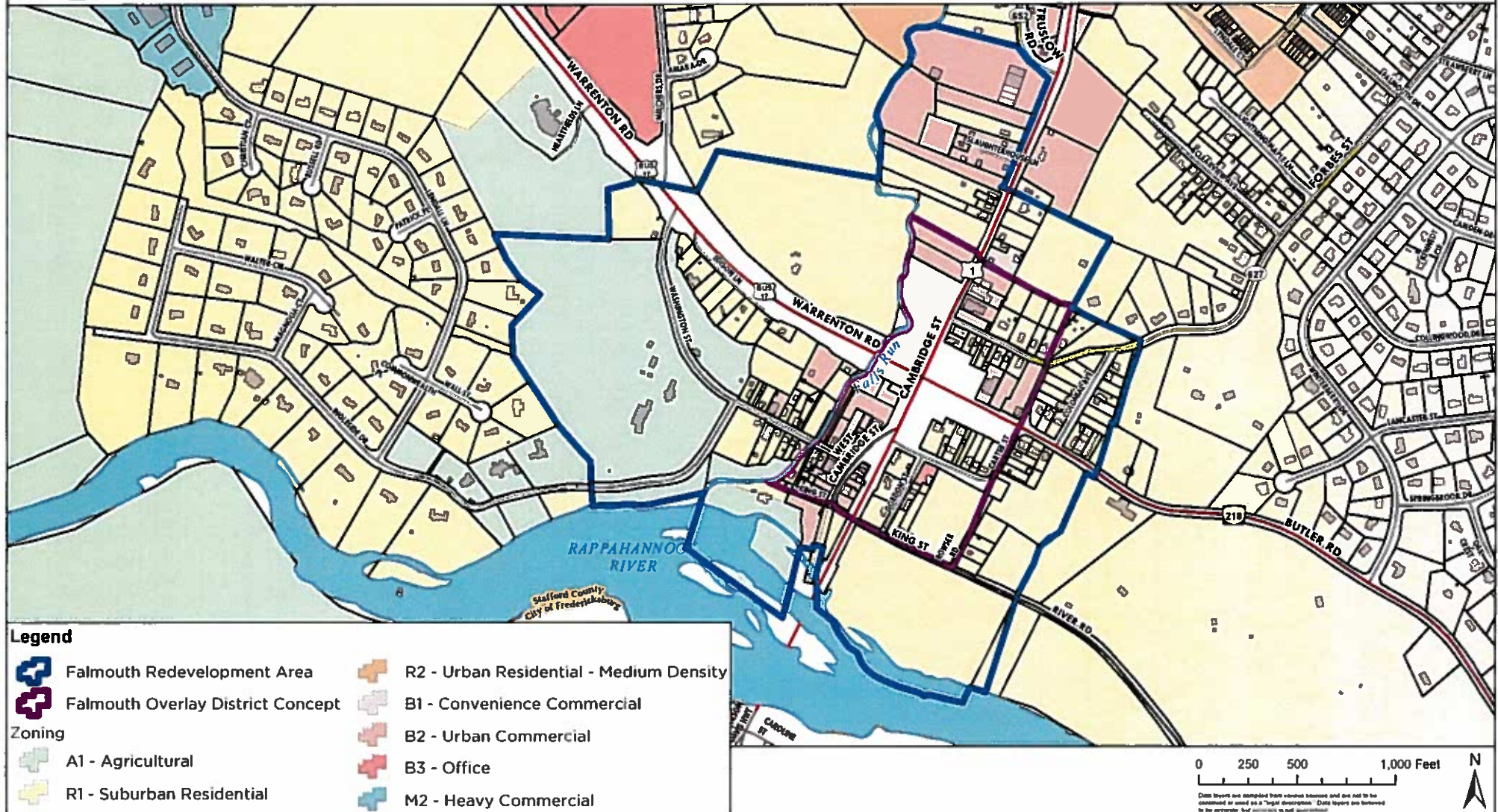
AJR:JAH:





# Falmouth Overlay District Concept Redevelopment Area Plan

Produced by the Stafford County GIS Office  
540-658-4033 | [www.StaffordCountyGIS.org](http://www.StaffordCountyGIS.org)





# MEMORANDUM

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## *Department of Planning and Zoning*

TO: Community and Economic Development Committee

FROM: Jeffrey A. Harvey  
Director

DATE: May 3, 2016

SUBJECT: *Quantico Joint Land Use Study, Real Estate Disclosures*

In 2014, the Board adopted the Quantico Joint Land Use Study (JLUS), prepared by AECOM, dated June 2014. A copy of the executive summary is attached. The County was awarded a grant through the Department of Defense, Office of Economic Adjustment (OEA), to assist in the preparation of the JLUS for Marine Corps Base (MCB) Quantico, and the surrounding counties of Stafford, Prince William, and Fauquier. The purpose of the JLUS is to promote compatible community growth while supporting military training and operational missions.

The JLUS provided detailed recommendations and follow-up implementation strategies to address compatibility issues. Approximately forty recommendations fall into eight overall categories: Coordination; Communication; Military Operations; Transportation Systems; Utility/Municipal Services; Virginia Legislative Initiatives; Community Development/Planning; and Environmental/Conservation Open Space. A number of the recommendations are specific to the individual Military Influence Area (MIA Zones), while others are policy-oriented. The recommendations are intended for potential adoption and implementation by MCB Quantico and its three neighboring localities, with lead parties and potential time frames identified.

The following recommendations were included in the JLUS:

VL.1 Following completion of a noise study identifying noise contours, the QRESC should consider recommending amendments to State Code 15.2-2295 to expand the application of noise overlay zones, sound attenuation and real estate disclosure to impacts associated with range noise (not just aircraft noise). The modification should apply to any military installation in Virginia with noise-generating operations (not just air facilities or master jet bases).

Memo to: Community and Economic Development Committee

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VL.2 Following completion of a noise study identifying noise contours, the QRESC should consider recommendations to amend the Virginia Construction Code 15.2-2286, Chapter 12, to allow the application of appropriate noise attenuation standards for impulsive sounds from small arms, large caliber weapons and demolition activity.

The JLUS recommends that implementation efforts be coordinated through the Quantico Regional Executive Steering Committee (QRESC). The QRESC was established in 2009, and has representation from each locality and MCB Quantico, as well as several regional agencies. Since adoption of the JLUS in 2014, the QRESC has been discussing the recommended implementation measures.

The QRESC met last month to brief on their recently updated noise study and now seek efforts to live JLUS recommendations highlighted above.

JAH:kb

Attachment



# Marine Corps Base Quantico Joint Land Use Study

Final June 2014

Stafford County  
Prince William County  
Fauquier County  
Marine Corps Base Quantico



This study was prepared under contract with County of Stafford, Virginia, with grant support from the Office of Economic Adjustment, Department of Defense. The content of this document reflects the views of Stafford County and the study partners and does not necessarily reflect the views of the Office of Economic Adjustment.

The MCB Quantico Joint Land Use Study (JLUS) is a cooperative land use planning initiative between the Marine Corps, Stafford County, Prince William County, and Fauquier County, as well as others responsible for planning, development and communications in the region. The JLUS was prepared with assistance from a number of individuals. Two committees – a Policy Committee and a Technical Advisory Committee – have guided the study and support its findings.

This document serves as an on-going framework for those local governments and military actions necessary to encourage compatible community growth around MCB Quantico and improve the quality of life in the surrounding communities.

#### **Acknowledgements**

##### **JLUS Policy Committee Members**

Col Roarke Anderson, MCB Quantico  
Kevin Brown, Town of Quantico  
Maureen Caddigan, Prince William County, Vice-Chair  
Daniel Choike, Stafford County  
Mike Coleman, Office of the Virginia Secretary of Veterans Affairs and Homeland Security  
Wally Covington, Prince William County  
Dell Ennis, Fauquier County  
Col David Maxwell, MCB Quantico  
Paul Milde, Stafford County  
Ty Schieber, Stafford County, Chair  
D. Lee Sherbeyn, Fauquier County

##### **JLUS Technical Advisory Group Members**

Dale Allen, Stafford County  
Marc Aveni, Prince William County  
Kathy Baker, Stafford County, Chair  
Tim Baroody, Stafford County  
Tom Blaser, Prince William County  
Ric Canizales, Prince William County  
Dave Capaz, Stafford County  
Fred Church, MCB Quantico  
Don del Rosso, Fauquier County  
Amy Denn, MCB Quantico  
Dean Dickey, Prince William County  
Kimberley Fogle, Fauquier County  
Amber Forestier, Stafford County  
Miles Friedman, Fauquier County  
Jim Gahres, Prince William County  
Lori Hertig, Fauquier County  
Steve Hundley, MCB Quantico, Vice-Chair  
Chuck Jenks, MCB Quantico  
Brad Johnson, Stafford County  
Ed Keasler, Stafford County  
Michael Law, MCB Quantico  
Kirk Nelson, MCB Quantico  
Capt Craig Olszta, MCB Quantico  
Joe Pereira, MCB Quantico  
Ray Pickering, Fauquier County  
Chris Price, Prince William County  
Capt Jarrod Robinson, MCB Quantico  
Susan Roltsch, Prince William County  
John Rosewarne, MCB Quantico  
Tammy Smith, MCB Quantico  
Nathan Stokes, MCB Quantico  
Jack Trophia, MCB Quantico  
Ray Utz, Prince William County  
Bill Vaughan, Prince William County  
Helen Walla, Prince William County  
Ed Wallis, Stafford County  
Larry Weedon, MCB Quantico  
Joe Winterer, MCB Quantico

##### **Consultants**

AECOM  
Rinker Design Associates  
Travesky and Associates, Ltd.

# MCB Quantico Joint Land Use Study

## Executive Summary

Marine Corps Base Quantico is called the “Crossroads of the Marine Corps” and trains every U.S. Marine Corps officer serving in the Marines. It covers approximately 93 square miles and straddles four jurisdictions in Northern Virginia: Stafford, Prince William and Fauquier Counties and the Town of Quantico. MCB Quantico is also a significant contributor to the regional economy, with an economic benefit of approximately \$5.9 billion recorded in fiscal year 2011. The base is physically divided by the Interstate 95 and U.S Route 1 corridor in one of the fastest growing and most congested parts of the state. In addition, in response to the 2005 Base Realignment and Closure (BRAC) legislation, MCB Quantico was a designated receiving site and has recently grown by over 2,700 personnel as a result of realigned defense investigative agencies on the West Side of the base.

These factors have encouraged the three counties surrounding the base - Stafford County, Prince William County, and Fauquier County - and MCB Quantico to collaborate on this Joint Land Use Study (JLUS). The JLUS is sponsored by Stafford County using a community compatibility grant program administered by the Office of Economic Adjustment (OEA) within DoD. The purpose of the JLUS is to balance military operations with economic development and growth objectives of the surrounding communities. Increased growth is a key priority for these communities but can also increase the

potential for complaints about military operations and can build pressure to modify base operations in ways that could negatively affect the training mission of the base. This study brings the communities and the base together to collectively discuss and cooperate on ways to minimize any adverse effects of growth both within the base boundaries and outside. Through this cooperative effort, the quality of life in the communities will be improved and the overall mission of the base protected for the benefit of all.

The JLUS has been conducted over an approximately 18-month period from January 2013 to June 2014. It has involved two committees established to oversee the planning process - a Policy Committee of elected officials, the Base Commander and a representative from the Virginia Governor’s Office, and a Technical Advisory Group (TAG) consisting of planning directors, county managers and other technical experts in environmental, transportation, public affairs and other issues potentially affected by the relationship between the base and the surrounding jurisdictions. The Committees have met almost a dozen times with the JLUS consultant team over the last year and a half to conduct a detailed land use analysis of the region and to develop recommendations for future steps to address growth and development issues affecting both the base and the jurisdictions.

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The JLUS is designed to promote desired community growth while supporting military training and operational missions at MCB Quantico.

*Source: Stafford County (RFP for Marine Corps Base Quantico JLUS), September 2012*



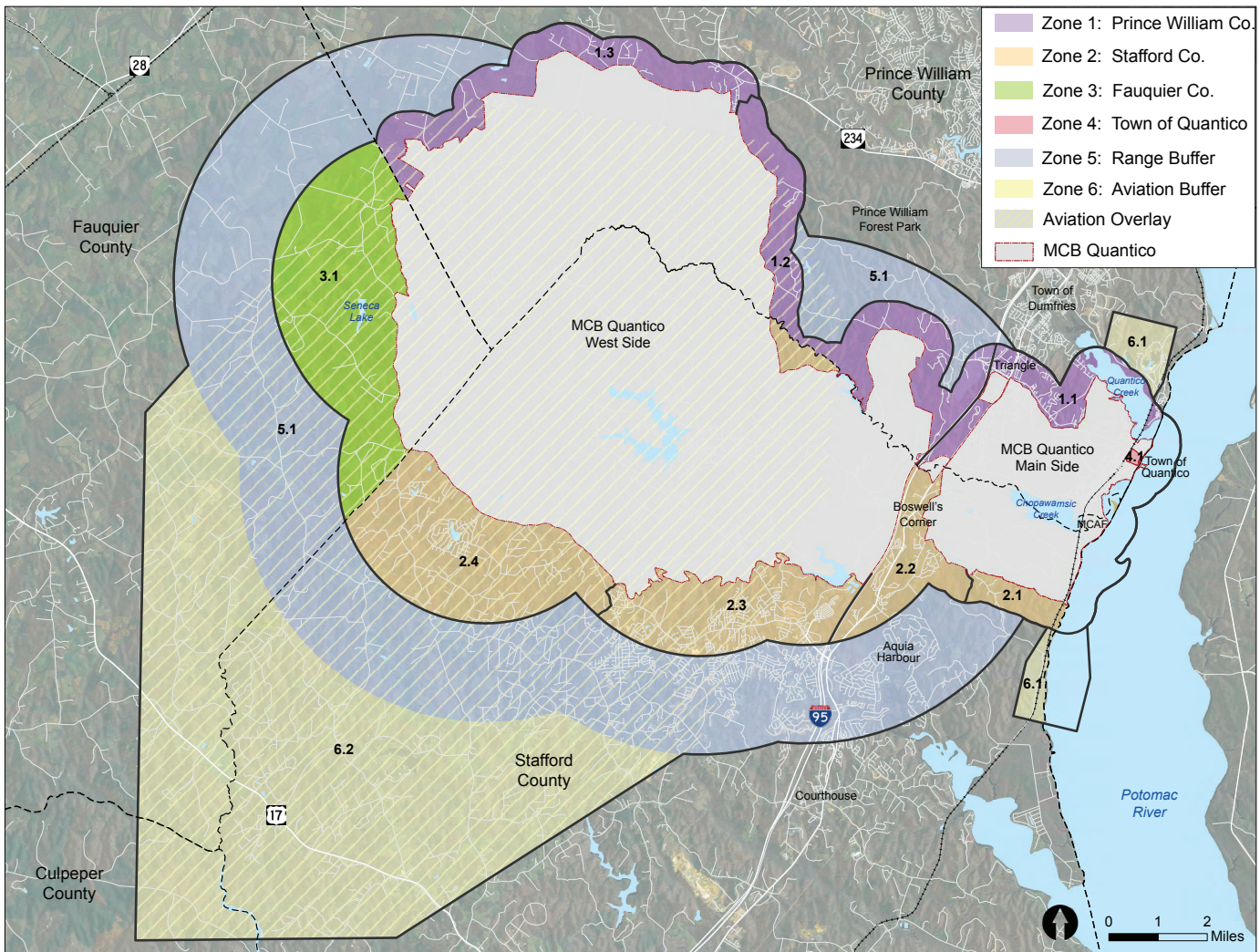
In addition, public meetings were held in all three counties during the planning period to receive citizen input and comment on the planning analysis and draft materials being developed for the final study.

Using this input, the JLUS was prepared with the following six sections included:

1. **Introduction** describing the methodology and process;
2. **Study Area Profile** providing a summary description of the base and region;
3. **Plans and Programs** describing planning tools and policies relevant to

the study for each jurisdiction, as well as at the regional and state level;

4. **MCB Quantico Military Operations** describing internal functions and plans, as well as ordnance and air operations potentially affecting the adjacent communities
5. **Military Influence Area Analysis** summarizing the extent of the area affected and potential land use compatibility recommendations;
6. **Implementation Plan** of recommendations to address impacts and compatibility issues associated with MCB Quantico.



**Figure ES.1** Military Influence Area Zones

Sources: Counties of Fauquier, Prince William, and Stafford, MCB Quantico, 2013

A key result of the JLUS is included in Chapter 5, the Military Influence Area Analysis. Due to the size and complexity of land uses on MCB Quantico, the degree to which activities on base affect the adjacent communities varies significantly from one location to another. Therefore, a Military Influence Area (MIA) was developed that is jurisdiction-specific and includes the land uses off base that could reasonably affect, or be affected by, military operations on base. This influence area is shown in Figure ES.1 and includes a number of mapped features, such as noise contours, buffer areas from the ranges, aviation safety zones, and a 3,000 foot notification boundary around the base established by state law. The MIA is further divided into subzones which are appropriate for specific recommendations based on the degree of potential impact experienced from base operations and, conversely, the degree potential land use changes within these areas could affect base operations.

The study has concluded with jointly developed recommendations to address compatibility issues. A number of these are specific to the individual zones included in the MIA described above, while others are more policy oriented and affect the entire region. These recommendations are strategies for enhancing the relationship between MCB Quantico and the surrounding JLUS communities over time. They are not prescriptive but will be implemented at the jurisdiction and base level, following public input and leadership approval for any recommendations affecting land use or policy changes within each jurisdiction. The recommendations fall into eight different categories as follows:

- Coordination
- Communication
- Military Operations
- Transportation Systems
- Utility/ Municipal Services
- Virginia Legislative Initiatives
- Community Development/Planning
- Environmental/Conservation/Open Space

There are a total of 41 recommendations to be addressed over time among the JLUS

partners. These recommendations are included in Table ES.1. A lead organization is assigned to each recommendation to help with its implementation and participating parties are identified including other regional or state level agencies, as appropriate. A timeframe for addressing each recommendation is also provided.

In the case of MCB Quantico, a coordination group was established following the 2005 BRAC among the same JLUS parties included in this study, along with the respective regional planning commissions. This coordinating body was organized very similarly as the JLUS oversight committees and included a Quantico Regional Executive Steering Committee (QRESC) of senior leadership from the jurisdictions and the base, and a Quantico Regional Planning Team (QRPT) of technical staff from the jurisdictions and base. One of the first recommendations in this JLUS is to continue to use this previously established committee structure to help address the JLUS issues identified in this study and included in the recommendations. Military communities undertaking a JLUS do not usually have this type of coordinating body already established. The MCB Quantico region is fortunate that this organizational structure exists and can seamlessly continue the JLUS partnership effort in the years to come.

The JLUS also identified eight critical short-term recommendations to proceed with first. These are listed in Table ES.2 and are deemed to be the most important for implementation in the near-term and the most promising at addressing initial compatibility issues identified during the JLUS process.

As agreed to by all the parties participating in this study, MCB Quantico is a critical asset for the region and the nation. Balancing the base's objectives with the important economic development interests of the surrounding jurisdictions, as documented in this study, is a critical and timely effort to enhance the partnership among these jurisdictions and MCB Quantico for the long-term future.



*Coordination (CO)*



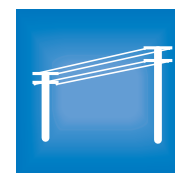
*Communication (CM)*



*Military Operations (MO)*



*Transportation Systems (TS)*



*Utility/Municipal Services (UM)*



*Virginia Legislative Initiatives (VL)*



*Community Development/Planning (CD)*



*Environmental/Conservation/Open Space (EC)*

**Table ES.1** MCB Quantico JLUS Recommendations

Recommendation		Military Influence Area Zones											
		1.1	1.2	1.3	2.1	2.2	2.3	2.4	3.1	4.1	5.1	6.1	6.2
CO.1	Continue to use the Quantico Regional Executive Steering Committee (QRESC) and Quantico Regional Planning Team (QRPT) as the standing mechanism to continue dialogue between MCB Quantico and the three surrounding jurisdictions on issues of mutual concern.												
CO.2	Update the QRESC and QRPT Charters to formalize joint consultation procedures among the JLUS partners for the long-term.												
CO.3	Establish mutual notification procedures for new development proposals in Military Influence Area Zones 1-4.	x	x	x	x	x	x	x	x	x			
CO.4	Incorporate mutual planning process where MCB Quantico and localities can participate in respective planning processes.												
CO.5	Through the QRESC/QRPT or other mechanism (e.g., Joint Round-table, etc.), share information on MCB Quantico space requirements and collaborate on ways to meet these requirements through on and off-base development, such as Enhanced Use Leases (EULs).												
CO.6	Develop a regional dialogue towards mitigation of environmental impacts and resource conservation (on and off base). This could be accomplished as an agenda item(s) through the QRESC/QRPT structure (see 1.1 above), involving regional and local agencies and organizations as appropriate.												
CM.1	Continue and expand range operations notification to as many outlets as possible to inform residents of expected noise and aviation impacts.												
CM.2	Establish a process to correlate noise complaints and comments with range operations. This should include U.S. Marine Corps (USMC), Federal Bureau of Investigation (FBI), Drug Enforcement Agency (DEA) and all other parties using the ordnance and demo ranges.												
CM.3	Ensure the base's communication plan emphasizes community awareness and provides creative opportunities for local community leaders (and the public) to understand mission activities.												
CM.4	Support advocacy groups (e.g., local chambers of commerce and regional affairs groups) within legal, ethical, and fiscal constraints in efforts to promote positive community/base relations. Develop programs of mutual interest specific to MCB Quantico and the surrounding jurisdictions.												

Lead Organization	Participating Partners	Action Steps	Timeframe
QRESC/ QRPT	All JLUS Partners	<ul style="list-style-type: none"> <li>- No action required</li> </ul>	Ongoing
QRESC/ QRPT	All JLUS Partners	<ul style="list-style-type: none"> <li>- Amend the Charters to include language recognizing a joint effort to oversee implementation of the JLUS recommendations</li> <li>- Review membership on the committees and amend the Charters accordingly</li> <li>- Review dates, time and locations for QRESC and QRPT meetings as stated in the Charters and amend as needed</li> <li>- Sign the revised Charters to continue the consultation process included in the JLUS</li> </ul>	Short-term
JLUS Counties, Town of Quantico	MCB Quantico	<ul style="list-style-type: none"> <li>- Formalize consultation procedures to obtain base input on all development projects within the defined MIA</li> <li>- Specifically, define which types of projects in the localities will require base consultation (e.g., plan changes, re-zonings, subdivision reviews, etc.)</li> <li>- Seek input from the base and consider the input in decision-making processes as required by the Virginia State Code</li> <li>- Base provides written input on proposals within the required timeframes</li> </ul>	Short-term
JLUS Counties, MCB Quantico	All JLUS Partners	<ul style="list-style-type: none"> <li>- Exchange information about upcoming infrastructure studies and plans</li> <li>- Localities/base to modify planning processes to include opportunity for base/community input early on – during development of alternatives and as part of final plan</li> <li>- Involve utilities and public works personnel in discussions</li> </ul>	Mid-term
QRESC/ QRPT	All JLUS Partners	<ul style="list-style-type: none"> <li>- Schedule an annual or bi-annual business Round Table or other appropriate forum at a suitable time and place for input from on and off base business leaders</li> </ul>	Mid-term
QRESC/ QRPT	All JLUS Partners	<ul style="list-style-type: none"> <li>- Convene a sub-committee of the QRPT dedicated to environmental issues</li> <li>- Seek input from local environmental organizations or governmental agencies to develop priorities and appropriate consultation topics</li> <li>- Develop a list of regional strategies the group can jointly implement to improve environmental quality</li> </ul>	Mid-term
MCB Quantico	All JLUS Partners	<ul style="list-style-type: none"> <li>- Base Public Affairs Office (PAO) to define additional media and social network outlets for notifications</li> <li>- Develop template for notices defining information elements</li> <li>- Localities to include notices on websites and social media venues</li> <li>- Seek feedback on effectiveness of notifications from localities and public (during surveys or other feedback mechanisms)</li> </ul>	Ongoing
MCB Quantico	MCB Quantico, FBI, DEA, Other Tenants Using Ranges	<ul style="list-style-type: none"> <li>- Review current procedures used by the PAO to record comments and complaints received at the base</li> <li>- Work with Range Operations to correlate comments with training schedules</li> <li>- Review results among the two offices and the Training and Education Command to determine if adjustments in training activities are needed or could be considered</li> </ul>	Short-term
MCB Quantico	All JLUS Partners	<ul style="list-style-type: none"> <li>- When appropriate, regularly hold tours for community leaders, particularly after election cycles, to demonstrate ordnance and weapons training and air operations at the base</li> <li>- Depending on staff availability and security procedures, hold open houses or other public visit days to educate community residents and visitors about the MCB Quantico mission</li> </ul>	Mid-term
QRESC/ QRPT	JLUS Counties, Fredericksburg MAC, Quantico-Belvoir Regional Business Alliance, local Chambers of Commerce	<ul style="list-style-type: none"> <li>- Using the QRESC/QRPT structure, designate representative(s) to coordinate with local military advocacy groups to schedule appropriate meetings, forums, business breakfasts/lunches, or other functions to educate leaders about MCB Quantico as well as on-base leadership about business opportunities for MCB Quantico employees and residents off-base</li> </ul>	Ongoing



**Table ES.1** MCB Quantico JLUS Recommendations

Recommendation	Military Influence Area Zones											
	1.1	1.2	1.3	2.1	2.2	2.3	2.4	3.1	4.1	5.1	6.1	6.2
CM.5	Update locality web sites to recognize the base, its mission, its location, links to the MCB Quantico web page, contact information for key organizations, and relevant base activities potentially involving the communities (as provided by MCB Quantico). Expand the MCB Quantico website to better communicate off-base community activities available to on-base personnel.											
MO.1	Pursue technical modeling to create official noise contours associated with MCB Quantico range operations. Update the Range Compatible Use Zone (RCUZ) study with new data and adjust JLUS Military Influence Zone boundaries as applicable.											
MO.2	Review the training requirements to support the size, location and extent of the MCB Quantico Military Operations Area (MOA). Make modifications as necessary to support safety requirements associated with current and projected platforms and training requirements.											
MO.3	Pursue funding or other options as available to provide an on-base ordnance and personnel route to reduce the safety impacts of transporting military ordnance off-base on civilian roads.											
TS.1	Include jurisdictions in review of the Draft Transportation Management Plan (TMP) being prepared by MCB Quantico.											
TS.2	Jointly work together to improve traffic conditions at the Route 1 / Fuller Gate intersection through mutually agreed-upon road, gate and intersection improvements.											
TS.3	Jointly work together to provide additional rights-of-way for Route 1 widening and Russell Road ramps.											
TS.4	Using the QRESC/QRPT structure, cooperatively work together to analyze and review other road and transportation improvements affecting traffic around MCB Quantico.											
TS.5	Coordinate with Virginia Railway Express (VRE) and AMTRAK on expansion plans to add a third rail line along the CSX rail corridor through MCB Quantico as well as expanded parking options for commuters.											
TS.6	Coordinate with George Washington Regional Commission (GWRC) and other regional bodies to promote car pooling and other ride-sharing programs for MCB Quantico employees.											
TS.7	Pursue expansion of Fredericksburg Regional Transit (FRED) and Potomac & Rappahannock Transportation Commission (PRTC) bus service to employment centers on and off-base in southern Prince William County and northern Stafford County.											

Lead Organization	Participating Partners	Action Steps	Timeframe
JLUS Counties	MCB Quantico	<ul style="list-style-type: none"> <li>- Update community websites with links to the base key personnel contact information and noise reporting procedure</li> <li>- Update base website with locality links, noise impacts, and complaint procedures and contact</li> </ul>	Ongoing
MCB Quantico		<ul style="list-style-type: none"> <li>- Seek funding to update the RCUZ</li> <li>- Include noise modeling for peak impulse noise events in the updated RCUZ</li> <li>- Within the QRESC/QRPT structure, review the JLUS recommendations and make adjustments as appropriate in response to the RCUZ conclusions and noise modeling results</li> </ul>	Short-term
MCB Quantico		<ul style="list-style-type: none"> <li>- As part of the RCUZ Update process (see Recommendation MO.1), evaluate the existing and projected training requirements for the MOA</li> <li>- Within the QRESC/QRPT structure, review the JLUS recommendations and make adjustments As appropriate in response to the study result</li> </ul>	Mid-term
MCB Quantico	Stafford County, Fauquier County, Congressional delegation	<ul style="list-style-type: none"> <li>- Update preliminary siting for on-base ordinance route based on current and projected range use and locations</li> <li>- Develop Military Construction (MILCON) funding documentation and program this project in an upcoming MILCON cycle</li> </ul>	Long-term
MCB Quantico	JLUS Counties	<ul style="list-style-type: none"> <li>- Issue the TMP draft to Prince William, Stafford, and Fauquier Counties for review when the draft is submitted to the National Capital Planning Commission</li> <li>- The counties should provide reviews and comments on a timely basis</li> </ul>	Short-term
MCB Quantico	Prince William County, NAVFAC, VDOT	<ul style="list-style-type: none"> <li>- Involve Prince William County in the MCB Quantico design discussions related to the Fuller Road and Fuller Gate improvements</li> </ul>	Short-term
NAVFAC	Prince William County, Stafford County, MCB Quantico, VDOT	<ul style="list-style-type: none"> <li>- Identify additional right-of-way (ROW) required for Route 1 expansion</li> <li>- Establish a preliminary agreement for real estate transfers between the base and Stafford County to provide ROW needed for the road and intersection expansion</li> </ul>	Mid-term
QRESC/QRPT	JLUS Counties, MWCOG, NVRC, GWRC/FAMPO, VDOT	<ul style="list-style-type: none"> <li>- Through the QRESC/QRPT structure, road and intersection improvements should be discussed on a regular basis to help coordinate improvements among all affected parties (including the regional transportation agencies - Metropolitan Washington Council of Governments (MWCOG), Northern Virginia Regional Commission (NVRC), George Washington Regional Commission (GWRC), Fredericksburg Area Metropolitan Planning Organization (FAMPO) - and Virginia Department of Transportation (VDOT)</li> </ul>	Ongoing
VRE/CSX	MCB Quantico, Prince William & Stafford Counties, Town of Quantico, AMTRAK	<ul style="list-style-type: none"> <li>- Through the QRESC/QRPT structure, assign representatives or participate in planning efforts for the 3rd rail expansion through MCB Quantico</li> <li>- Maintain / expand shuttle service to base employment centers from the VRE commuter lot at Quantico as funding and staffing are available</li> </ul>	Mid-term
MCB Quantico	JLUS Counties, GWRC/FAMPO, NVRC, MWCOG	<ul style="list-style-type: none"> <li>- Assign a base representative, or the TMP Coordinator once established, to coordinate with regional and local organizations offering car-pooling service to employment centers within MCB Quantico</li> <li>- Establish websites, kiosks, notice boards and other methods at the base to encourage car-pooling as a commuting alternative</li> </ul>	Mid-term
MCB Quantico	Prince William County, Stafford County, FRED, PRTC	<ul style="list-style-type: none"> <li>- Assign a base representative, or the TMP Coordinator</li> <li>- Coordinate with Prince William County and PRTC to provide bus service to employment centers within MCB Quantico as feasible depending on ridership surveys</li> <li>- Work with Stafford County and FRED to increase bus service through Boswell's Corner and employment centers on Main Side and West Side as feasible depending on ridership surveys</li> </ul>	Long-term

**Table ES.1** MCB Quantico JLUS Recommendations (continued)

Recommendation		Military Influence Area Zones											
		1.1	1.2	1.3	2.1	2.2	2.3	2.4	3.1	4.1	5.1	6.1	6.2
TS.8	Coordinate with Federal Aviation Administration (FAA) and Stafford Regional Airport to reduce potential military/civilian airspace conflicts while supporting continued expansion of regional airport.		x	x			x	x	x		x		
TS.9	Coordinate to planning and development of the Potomac Heritage National Scenic Trail segments within the Route 1 corridor in Prince William and Stafford Counties, as well as other feasible bicycle/ pedestrian connections to and from the base.	x	x	x	x	x	x	x		x			
UM.1	Update the utility service agreement between MCB Quantico and Stafford County for shared water & sewer service, including projected MCB Quantico and Stafford growth as part of this update.				x	x	x						
UM.2	Develop a utility services agreement between MCB Quantico and Prince William County Service Authority to support water supply to the National Museum of Marine Corps (NMMC) campus.	x											
UM.3	Using the QRESC/QRPT structure, develop proposals for public-public partnership service agreements between MCB Quantico and the surrounding counties. In the short-term, MCB Quantico and Stafford County should continue their coordination to share Regional Fire Training services and pursue the possibility of a cooperative effort to establish a Regional Fire Training facility.	x	x	x	x	x	x	x	x	x			
UM.4	Consider amending the respective zoning regulations in Prince William and Stafford Counties as applicable to establish height restrictions for tall structures (cell towers, transmission lines, etc.) in Military Influence Area Zones 6.1 and 6.2 to avoid impacts to MCAF Quantico.											x	x
UM.5	MCAF Command Airspace Liaison Officer (CALO) will work closely with the jurisdictions to develop procedures serving the needs of MCB Quantico, MCAF Quantico and the adjacent localities.	x	x	x	x	x	x	x	x	x	x		
VL.1	Following completion of a noise study identifying noise contours, the QRESC should consider recommending amendments to State Code 15.2-2295 to expand the application of noise overlay zones, sound attenuation and real estate disclosure to impacts associated with range noise (not just aircraft noise). The modification should apply to any military installation in Virginia with noise-generating operations (not just air facilities or master jet bases).												
VL.2	Following completion of a noise study identifying noise contours, the QRESC should consider recommendations to amend the Virginia Construction Code 15.2-2286, Chapter 12, to allow the application of appropriate noise attenuation standards for impulsive sounds from small arms, large caliber weapons and demolition activity.												
CD.1	Revise the Comprehensive Plans in Prince William, Stafford and Fauquier Counties to incorporate the JLUS recommendations applicable to the JLUS Military Influence Area Zones 1 through 6.	x	x	x	x	x	x	x	x	x	x	x	x

Lead Organization	Participating Partners	Action Steps	Timeframe
Marine Corps Air Facility (MCAF) Quantico	Stafford County, FAA	<ul style="list-style-type: none"> <li>- Assign a base representative, or through the QRESC/QRPT structure, establish regular communication process between all affected parties to address Stafford Regional Airport expansion plans and to resolve airspace conflict issues affecting aviation operations at MCB Quantico</li> </ul>	Ongoing
National Park Service (NPS)	MCB Quantico, Prince William County, Stafford County	<ul style="list-style-type: none"> <li>- Through the QRESC/QRPT structure, coordinate with NPS and the surrounding jurisdictions to plan and develop the Potomac Heritage National Scenic Trail segments near the base</li> <li>- Through the QRESC/QRPT structure, develop access to and from on-base bike/pedestrian facilities, as well as gates for bicyclists and pedestrians, subject to base security requirements</li> <li>- Identify new funding sources and opportunities to include development of bike and pedestrian facilities within existing projects (e.g., Route 1, I-95, etc.)</li> </ul>	Long-term
Naval Facilities Engineering Command (NAVFAC)	MCB Quantico, Stafford County	<ul style="list-style-type: none"> <li>- Base and Stafford County representatives should continue to work together to update and sign this agreement</li> </ul>	Short-term
NAVFAC	Prince William County Service Authority, NMMC, MCB Quantico	<ul style="list-style-type: none"> <li>- Base and Prince William County Service Authority representatives should meet to discuss a potential water service agreement for NMMC</li> </ul>	Mid-term
QRESC/QRPT	MCB Quantico, JLUS Counties, Town of Quantico	<ul style="list-style-type: none"> <li>- Develop a support agreement between MCB Quantico and Stafford County for fire training services</li> <li>- Through the QRESC/QRPT structure, develop proposals for public-public service agreements on other services as determined mutually beneficial</li> </ul>	Short-term
MCAF Quantico	Prince William & Stafford Counties, Town of Quantico	<ul style="list-style-type: none"> <li>- Review current regulations</li> <li>- Review/confirm required MCAF height limits</li> <li>- Revise regulations as appropriate</li> </ul>	Mid-term
MCAF Quantico	JLUS Counties, Town of Quantico	<ul style="list-style-type: none"> <li>- Establish a notification and review process with the base for all proposed tall objects or other infrastructure that could interfere with base aviation operations</li> </ul>	Ongoing
QRESC/QRPT	Virginia Dept of Veterans Affairs & Homeland Security, Virginia Legislature, Local Realty Boards	<ul style="list-style-type: none"> <li>- Complete the updated base noise study as recommended in MO.1</li> <li>- Through the QRESC/QRPT structure, explore the viability and legal details of amending relevant State Code sections</li> </ul>	Long-term
QRESC/QRPT	Virginia Dept of Veterans Affairs & Homeland Security/Virginia Legislature	<ul style="list-style-type: none"> <li>- Complete the updated base noise study as recommended in MO.1</li> <li>- Through the QRESC/QRPT structure, explore the viability and legal details of amending relevant State Code sections</li> </ul>	Long-term
JLUS Counties		<ul style="list-style-type: none"> <li>- For each respective jurisdiction, review and include applicable JLUS maps and recommendations in the next iteration of comprehensive plans or plan updates</li> </ul>	Mid-term

**Table ES.1** MCB Quantico JLUS Recommendations (continued)

Recommendation	Military Influence Area Zones											
	1.1	1.2	1.3	2.1	2.2	2.3	2.4	3.1	4.1	5.1	6.1	6.2
CD.2		x	x	x	x	x	x	x				
CD.3						x	x					
CD.4					x							
CD.5		x	x	x	x	x	x	x				
CD.6		x	x	x	x	x	x	x				
EC.1		x	x	x	x	x	x	x		x		
EC.2		x	x	x			x	x				
EC.3												
EC.4	x											
EC.5		x										

Lead Organization	Participating Partners	Action Steps	Timeframe
JLUS Counties	MCB Quantico, Local Realty Boards	<ul style="list-style-type: none"> <li>- Complete recommendation MO.1 to provide updated noise and RCUZ data to share with the localities</li> <li>- Based on step 1, each jurisdiction should review this data to determine applicability to the respective MIA zones within their county</li> <li>- Guidelines as applicable and desired by the respective communities should be addressed in the comprehensive planning process as these plans are prepared</li> </ul>	Long-term
Stafford County		<ul style="list-style-type: none"> <li>- Review current allowable uses with MIA Zones 2.3 and 2.4 to determine compatibility with MCB Quantico range operations</li> <li>- Through a public planning process, implement comprehensive plan amendments or updates to reflect this analysis</li> <li>- Through a public planning process, implement revisions to the Stafford Zoning Ordinance to reflect comprehensive plan recommendations</li> </ul>	Long-term
Stafford County	MCB Quantico	<ul style="list-style-type: none"> <li>- Continue discussions between Stafford County and base representatives regarding appropriate land use densities and allowable uses within the Boswell's Corner area</li> <li>- Coordinate on planned transportation improvements including vehicular and bicycle/pedestrian circulation and transit services serving employment centers in the Boswell's Corner area</li> <li>- Consider amending the Boswell's Corner Redevelopment Area (RDA) Plan as appropriate based on these discussions</li> </ul>	Mid-term
JLUS Counties	MCB Quantico	<ul style="list-style-type: none"> <li>- Review sound attenuation guidelines appropriate for public facilities with noise sensitive uses</li> <li>- Complete the updated base noise study as recommended in MO.1</li> <li>- Based on updated noise data, develop sound attenuation guidelines for noise sensitive public buildings applicable to the respective MIA Zones within each JLUS jurisdiction</li> </ul>	Mid-term
JLUS Counties	MCB Quantico	<ul style="list-style-type: none"> <li>- MCB Quantico should provide guidelines for lighting controls applicable to their night training activities</li> <li>- Based on these guidelines, develop lighting guidelines or standards applicable to the respective MIA Zones within each county</li> </ul>	Mid-term
MCB Quantico	JLUS Counties, NAVFAC Real Estate, local conservation organizations	<ul style="list-style-type: none"> <li>- Through the QRESC/QRPT structure, collaborate with local conservation partners to identify potential properties for conservation</li> <li>- Pursue REPI or other conservation funding sources to establish easements or other means to limit development on priority parcels</li> </ul>	Ongoing
JLUS Counties		<ul style="list-style-type: none"> <li>- Establish TDR or PDR programs where not available</li> <li>- For TDRs, review potential properties for these programs in land areas near the MCB Quantico ranges (for sending) and developed areas away from these noise sources (for receiving)</li> <li>- For PDRs, review potential properties in land areas near the MCB Quantico ranges for conservation as funding is available</li> </ul>	Long-term
QRESC/QRPT	All JLUS Partners	<ul style="list-style-type: none"> <li>- Through the QRESC/QRPT structure, review storm water and water quality initiatives affecting both the JLUS counties and MCB Quantico</li> <li>- Develop a strategy for cooperation on shared water quality requirements</li> </ul>	Mid-term
MCB Quantico	Prince William County, U.S. Army Corps of Engineers	<ul style="list-style-type: none"> <li>- Prince William County and base representatives should meet to discuss potential improvements to Little Creek</li> <li>- Review potential improvements with affected landowners</li> <li>- Seek funding through federal, state and/or local funding sources for agreed upon priority improvements</li> </ul>	Mid-term
MCB Quantico	Prince William Forest Park	<ul style="list-style-type: none"> <li>- Establish a schedule for meetings between PWFP and MCB Quantico leadership</li> <li>- Hold meetings to coordinate on issues of mutual concern</li> </ul>	Ongoing

**Table ES.2** Priority Recommendations

Recommendation		Lead Organization	Participating Partners
CO.2	Update the QRESC and QRPT Charters to formalize joint consultation procedures among the JLUS partners for the long-term.	QRESC/QRPT	All JLUS Partners
CO.3	Establish mutual notification procedures for new development proposals in Military Influence Area Zones 1-4.	JLUS Counties, Town of Quantico	MCB Quantico
CM.2	Establish a process to correlate noise complaints and comments with range operations. This should include USMC, FBI, DEA and all other parties using the ordnance and demo ranges.	MCB Quantico	MCB Quantico, FBI, DEA, Other Tenants Using Ranges
MO.1	Pursue technical modeling to create official noise contours associated with MCB Quantico range operations. Update the RCUZ with new data and adjust JLUS Military Influence Area as applicable.	MCB Quantico	
TS.1	Include jurisdictions in review of the Draft Transportation Management Plan (TMP) being prepared by MCB Quantico.	MCB Quantico	JLUS Counties
TS.2	Jointly work together to improve traffic conditions at the Route 1 / Fuller Gate intersection through mutually agreed-upon road, gate and intersection improvements.	MCB Quantico	Prince William County, NAVFAC, VDOT
UM.1	Update the utility service agreement between MCB Quantico and Stafford County for shared water and sewer service, including projected MCB Quantico and Stafford growth as part of this update.	MCB Quantico	Stafford County
UM.3	Using the QRESC/QRPT structure, develop proposals for public-public partnership service agreements between MCB Quantico and the surrounding counties. In the short-term, MCB Quantico and Stafford County should continue their coordination to share Regional Fire Training services and pursue the possibility of a cooperative effort to establish a Regional Fire Training facility.	QRESC/QRPT	MCB Quantico, JLUS Counties, Town of Quantico



For a copy of the final JLUS document and for further information, please see the MCB Quantico JLUS website at:

[www.staffordcounty.gov/quanticojlus](http://www.staffordcounty.gov/quanticojlus)

The following points of contact for the project are also available for more information:

- **Stafford County:** Kathy Baker, kbaker@staffordcountyva.gov, 540-658-8668
- **Prince William County:** Ray Utz, rutz@pwcgov.org, 703-792-6846
- **Fauquier County:** Kimberley Fogle, kimberley.fogle@fauquiercounty.gov, 540-422-9200
- **Marine Corps Base Quantico:** Steve Hundley, steve.hundley@usmc.mil, 703-784-5927

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**MCB Quantico Joint Land Use Study Project Overview**

Stafford, Prince William, and Fauquier Counties and Marine Corps Base (MCB) Quantico have partnered to develop a Joint Land Use Study (JLUS) to examine land uses in and around MCB Quantico and develop recommendations encouraging collaboration and compatibility between the base and the localities. The JLUS is sponsored by Stafford County and administered by the Office of Economic Adjustment (OEA) within the Department of Defense. The fiscal agent for the grant is Stafford County. The JLUS partners contracted AECOM, Rinker Design Associates, P.C., and Travesky & Associates, Ltd to lead the JLUS process.

Known as "The Crossroads of the Marine Corps," every Marine Officer has trained at MCB Quantico, and the base continues to be a critical asset for the Department of Defense while providing major employment and economic benefit to the surrounding communities. The majority of MCB Quantico's land area is devoted to training and operations featuring live-fire ranges, navigational ranges, an airfield, and other training and operational facilities. With a weekday population of approximately 25,000 military and civilian personnel and over 90-square miles of land, MCB Quantico has a major presence in the region. The areas in Stafford, Prince William, and Fauquier Counties that surround the base vary from rural areas to vibrant suburban/urban communities. This region also includes the I-95/U.S. Route 1 corridor, which is one of the state's most significant transportation corridors and one of the fastest growing areas in the Commonwealth. The JLUS will document existing and future missions at the base, as well as current and planned land use, development proposals, and policies in the adjacent localities. The study will explore the impacts of local land use policies or proposals on the base mission and will also evaluate the impacts of base operations on the localities. The planning effort will lead to mutually-agreed upon recommendations that encourage compatible growth and a sustained collaborative planning framework that fosters compatible growth on the installation and in the surrounding localities.

The JLUS will be developed from January to December 2013 and managed by a Policy Committee and a Technical Advisory Group (see member list to the right) composed of representatives from all partner entities. The Policy Committee and Technical Advisory Committee will meet several times during the planning process.

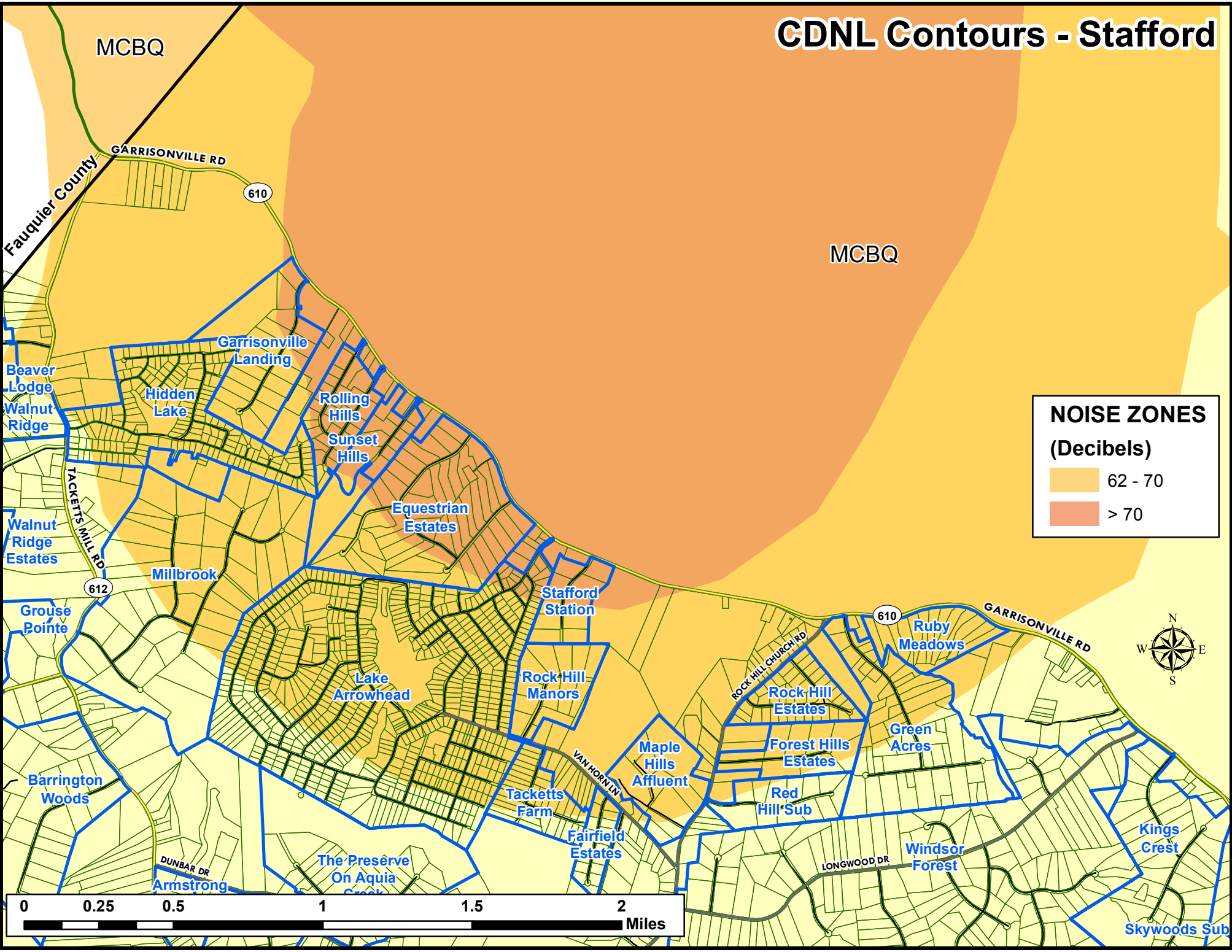
**STAFFORD 311**

JLUS Website <http://www.staffordcounty.gov/quanticojlus>





# CDNL Contours - Stafford






# MEMORANDUM

## *Department of Planning and Zoning*

MEMORANDUM TO: Community and Economic Development Committee

FROM: Jeffrey A. Harvey   
Director

DATE: May 3, 2016

SUBJECT: *Lighting Ordinance Issues*

The lighting regulations were adopted on September 3, 2013 with Ordinance O13-34. Purpose of lighting regulations: is to establish outdoor lighting standards that will minimize glare, light trespass, over lighting and sky glow, which improving the safety and security, and conserving energy for businesses and residents of Stafford County. Staff has received the following complaints concerning the regulations and has offered potential solutions to these complaints. Below are talking points based on comments received and observed plan review situations since adoption of the current standards.

### Lighting Ordinance issues

- Complaint - Foot candle minimums are too high and require too many light poles for commercial development
- Conflict with VDOT road lighting levels on commercial sites
- Conflict with VDOT road lighting levels on residential sites
- Commercial Lighting security levels are not realistic, too bright and expensive

Staff drafted a proposed ordinance that tries to address all the issues that have been mentioned. Copies of the draft ordinance were sent to many of the engineering firms and developers who work in the county and also to the Fredericksburg Area Builders Association (FABA). The comments we received were incorporated into the draft document. The minimum light standard was changed to an average, the different parts of the parking lot requiring different light levels was changed to treating the parking area as one space, the different areas on buildings were addressed as one, and consideration for compliance with VDOT standards was addressed.

*Memo to: Community and Economic Development Committee*

*May 3, 2016*

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The draft also includes a maximum level of lighting permitted within in a commercial development and reduced the maximum level of lighting for fuel stations and auto sales lots and placed a minimum for security lighting levels.

Staff also added language to address areas within a commercial development that are not accessible to the public such as areas of outdoor storage, loading and parking. These areas would be subject to security lighting levels.

The requirement for hours of operation for the sports events was removed from this section of the Ordinance. Staff suggests that if hours of operation are to be required, it be placed in a different section of the Zoning Ordinance.

Staff recommends that the Committee forward the amendment to the Board to start the public hearing process.

JAH:swb

Attachment (1)

PROPOSED

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

ORDINANCE

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the day of, 2016:

MEMBERS:

Robert "Bob" Thomas, Jr., Chairman  
Laura A. Sellers, Vice Chairman  
Meg Bohmke  
Jack R. Cavalier  
Wendy E. Maurer  
Paul V. Milde, III  
Gary F. Snellings

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

AN ORDINANCE TO AMEND AND REORDAIN  
STAFFORD COUNTY CODE SECTION 28-87, "OUTDOOR  
LIGHTING STANDARDS"

WHEREAS, the Stafford County Code includes standards for design and location of lighting; and

WHEREAS, the Board desires to amend the lighting standards within the County Code; and

WHEREAS, the proposed amendments to the County Code will clarify and simplify current lighting standards; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the testimony, if any, at the public hearing; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practices require adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this , that Stafford County Code Section 28-87, "Outdoor Lighting Standards," be and they hereby are amended and reordained as follows, all other portions remaining unchanged:

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the day of , 2016, that it be and hereby does

Sec. 28-87. - Outdoor lighting standards.

- (a) Purpose and intent. The purpose and intent of this section is to establish outdoor lighting standards that will minimize glare, light trespass, overlighting, and skyglow, while improving the safety and security, and conserving energy for businesses and residents of Stafford County.
- (b) Applicability.
  - (1) All new commercial, industrial, and residential outdoor lighting installations or replacement of existing outdoor lighting fixtures shall meet the requirements of this chapter. . Replacement of a fixture shall mean a change of fixture type if the site is being redeveloped, and increase in lighting by 25% or more or the entire lighting scheme is being replaced, ~~mounting height, or location of a fixture.~~ Routine maintenance such as changing bulbs or lamps, lenses, housing, or similar components shall not constitute a replacement as long as the change does not result in a higher output.
  - (2) Outdoor lighting fixtures lawfully existing prior to the adoption of the most recent amendment of section 28-87 that do not conform to this section will be considered nonconforming. ~~and may remain. A Nonconforming light fixtures that is~~ are modified as part of a redevelopment plan or replacement of the entire lighting scheme must conform to the current outdoor lighting standards in subsection 28-87(k).
  - (3) For existing vehicle fuel station canopies, convenience stores, motor vehicle sales, motor vehicle rentals, ATMs, or lighted playing fields/courts of public or private outdoor recreational facilities that do not comply with the applicable maintained lighting levels specified in subsection 28-87(d), the addition of the new outdoor lighting fixtures may be permitted in accordance with the following:
    - a. There may be an addition of new outdoor lighting fixtures to existing vehicle fuel station canopies, convenience stores, motor vehicle sales, motor vehicle rentals, ATMs, or lighted playing fields/courts of public or private outdoor recreational facilities, only when the outdoor lighting meets the provisions of this chapter and such replacement or addition will not increase the noncompliance with the applicable maintained levels specified in subsection 28-87(d).
- (c) General outdoor lighting standards.



- (1) All outdoor lighting shall be designed, shielded, aimed, located, and maintained to protect adjacent properties and roadways from:
  - a. Excessive illumination;
  - b. Energy waste;
  - c. Glare;
  - d. Light trespass; and
  - e. Unnecessary skyglow.
- (2) Shielding: Full cut-off ~~or~~ and fully-shielded lighting fixtures shall be required. Exemptions shall be made for other acceptable outdoor light fixtures. Acceptable outdoor light fixtures shall include those which:
  - a. Are provided with internal and/or external glare control louvers and installed so as to minimize uplight and off-site light trespass.
  - b. Are installed and maintained with aiming angles that permit no greater than five (5) percent of the light emitted by each fixture to project above the horizontal.
  - c. ~~All walkway/sidewalk, drive aisles, parking lot light fixtures, canopy, and building/wall mounted light fixtures shall be full cut-off or fully shielded fixtures, mounted horizontal to the ground except for architectural and landscape lighting in subsection 28-87(g).~~

(3) Prohibited lighting

- ~~d.a. Flashing, revolving, or intermittent exterior lighting visible from a property line or street shall be prohibited.~~
- ~~b. High intensity lights, such as, but not limited to, outdoor search lights, lasers or strobe lights shall be prohibited unless used as part of a security system.~~
- ~~c. Ancillary uses and areas where people congregate related to the primary use such as, but not limited to, refuse areas, delivery docks, loading spaces, drive up windows, sidewalks, doors areas, and steps, shall be lit to have a minimum of three (3) footcandles.~~
- ~~f. Street lighting shall be provided in accordance with the requirements of section 22-215.~~
- ~~g. Lighting levels shall be reduced to security lighting levels within thirty (30) minutes after the close of business or the end of the business activities involving the public. Security lighting levels shall be achieved by extinguishing at least fifty (50) percent of the total number of lights, by dimming lighting levels to no more than fifty (50) percent of the levels used during business or activity hours, or some combination thereof. Business or activity hours are defined by any time when the business is open to the public.~~
- ~~h. Maximum maintained illuminance levels.~~

- ~~1. No outdoor lighting shall be installed to exceed the maximum maintained illuminance levels as recommended by the IES for the designated activity. When no maximum level is defined by the IES, no lighting shall be installed to exceed one hundred seventy five (175) percent of the minimum maintained illuminance levels as recommended by the IES.~~
- ~~2. Exceptions may be granted under the provisions in subsection 28-87(k).~~

(4).Measurements.

1. Unless otherwise stated all luminance measurements for the purpose of section 28-87 shall be made at waist height with the light meter oriented horizontally.
2. Height shall be measured from the grade or surface on which the light pole is mounted to the bottom top of the lighting fixture.

(5).Street lighting shall be provided in accordance with the requirements of section 22-215

(d) Outdoor lighting standards for nonresidential uses.

(1) The average maintained lighting levels for nonresidential uses shall meet the following standards:

- a. 3 5 foot-candles for parking lot, along fronts of buildings and along main drive aisles and other areas. However, the maximum lighting level to average lighting level ratio shall not exceed 2.5 to 1
  - b. Thirty-foot- 25 candles for high security areas, such as, but not limited to automated teller machines (ATMs), motor vehicle display areas and vehicle fuel station canopies, but not including parking lots. The maximum to average ratio shall not exceed 1.5 to 1 for canopy lighting, and 2.5 to 1 for pole- or building-mounted lighting. Lighting levels shall be reduced to a maximum of ten foot-candles after the close of business. The outdoor lighting shall be recessed into the canopy ceiling with a flat lens so as to not produce glare. Outdoor lighting fixtures shall not be mounted on the top or sides of a canopy, and the sides of the canopy cannot be illuminated unless part of the sign area
  - c. A minimum of 1 footcandle shall be maintained on the site during non-daylight hours except as required along common property lines of the development and VDOT right of way.
- (3) The minimum maintained lighting levels for nonresidential uses shall meet the following standards: Lighting levels shall not exceed five-tenths (0.5) footcandles to at any property line adjacent to a residential or agricultural property properties at the property line.
- (4).Five (5) footcandles along building fronts-Parking lot light fixtures poles shall not be more than thirty (30) feet in height. The board may modify the height requirements by review and approval of a CUP

~~(5) Fifteen (15) footcandles for high security areas, such as, but not limited to, vehicle fuel sales canopy areas, vehicle display areas, and ATMs. Lighting levels shall be reduced to security lighting levels within thirty (30) minutes after the close of business or the end of the business activities involving the public. Security lighting levels shall be achieved by extinguishing at least fifty (50) percent of the total number of lights, by dimming lighting levels to no more than fifty (50) percent of the levels used during business or activity hours or no less than 1 foot candle, or some combination thereof. Business or activity hours are defined by any time when the business is open to the public.~~

~~((6). Parking lot lighting shall be in accordance with subsection 28-87(h).~~

Outdoor display areas used in concurrence with vehicle sale, rental, and ancillary service establishments shall not exceed Twenty (20) footcandles measured horizontally at grade. However, a lighting level, not to exceed thirty (30) footcandles, may be specified by the board with approval of a conditional use permit or proffered condition. For purposes of this section 28-87, outdoor display area shall include all display/storage areas for vehicles offered for sale or rent and the associated travel lanes

~~(7). Lots that have four (4) or more parking lot light poles, parking lot lighting levels for ground surface parking lots shall be reduced to security levels within thirty (30) minutes after the close of business. Security lighting level shall be achieved by extinguishing at least fifty (50) percent of the total number of pole-mounted lights, by dimming lighting levels to no more than fifty (50) percent of the levels used during business or activity hours, or some combination thereof~~

~~e. Lighting levels shall not exceed five tenths (0.5) footcandles to any adjacent residential or agricultural properties at the property line.~~

~~f. Parking lot light fixtures poles shall not be more than thirty (30) feet in height. The board may modify the height requirements by review and approval of a CUP~~

~~(3) Vehicle fuel sales canopies.~~

~~a. Fifteen (15) footcandles, measured horizontally at grade, shall be maintained during business hours. However, a lighting level, not to exceed thirty (30) footcandles, may be specified by the board with approval of a conditional use permit or proffered condition.~~

~~1. The outdoor lighting shall be recessed into the canopy ceiling with a flat lens so as to not produce glare.~~

~~2. Outdoor lighting fixtures shall not be mounted on the top or sides of a canopy, and the sides of the canopy cannot be illuminated unless part of the sign area.~~

~~3. As an alternative to recessed ceiling lights, indirect lighting may be used where light is directed upward and then reflected down from the underside of the canopy.~~

~~In this case, light fixtures shall be shielded so that direct illumination is focused exclusively on the underside of the canopy.~~

(8) Public or private outdoor recreational facilities.

- a. When an outdoor recreation facility has illuminated playing fields or courts, they shall be subject to the provisions in section 28-87. Other parts of an outdoor recreation facility, such as parking lots, administrative offices, restrooms, concession stands, pedestrian access and spectator viewing areas, ~~shall not be subject to the provisions in section 28-87, but shall be subject to the general standards in subsection 28-87(e-d).~~
- b. The following shall apply to recreational photometric plans, other than professional sports teams:
  1. Shall be submitted as part of a conditional use permit, site or construction plan, or rezoning application.
  2. Shall be prepared by either a lighting professional that is certified by the National Council on Qualifications for the Lighting Professions (NCQLP) or a Commonwealth of Virginia licensed professional engineer, architect, landscape architect, or land surveyor with a Class A license.
  3. Shall contain the following information:
    - i. Boundaries, dimensions, and total land area of the outdoor recreation facility property, with graphic scale no less than one inch equals fifty feet (1" = 50') and north arrow.
    - ii. Location and limits of the playing field, (Table 5.1), landscaping, and/or buffering to help assist in light control and protection of adjacent properties and roadways shall be included. Perimeters shall be included around recreation fields and shall be lit. For baseball/softball fields, the perimeter shall extend thirty (30) feet perpendicular to the foul lines and away from the field. The perimeter for rectangular fields, such as but not limited to, football, lacrosse, and soccer, shall be twenty (20) feet from the side lines and thirty (30) feet from the end lines. The perimeter for all other recreation/fields shall be ten (10) feet from the playing field boundary.
    - iii. All light fixtures/light poles shall be set back a minimum of one foot for every foot in height from any residential property line, property line where residences are located, or any right-of-way.
    - iv. Location, height, and specifications of the illuminating devices, lamps, supports, and other devices, including the designation as (IES) "cut-off" fixtures. This description shall include, but is not limited to, site, parking lot, parking canopies, walkways/sidewalks, building-mounted under canopies, architectural, landscaping, flagpole, and any other area where people congregate.

v. Lighting levels shall not exceed five-tenths (0.5) footcandles at any common property line zoned, used as, or planned for residential units where residences may be located, agricultural, or mixed use.

~~vi. All events on any playing field, court, track, or field shall be scheduled to be completed by 11:00 p.m. Lights may remain on after 11:00 p.m., only under unusual circumstances, to conclude an event started before 11:00 p.m. No event shall be permitted to start after 11:00 p.m.~~

~~viii~~ vi. All lighted playing field lights shall be turned off no later than one hour after the games are over.

~~Viii~~ vii. All newly lighted fields or existing fields being upgraded or retrofitted, public or private, shall be equipped with overriding timing devices which will automatically cut off the lights.

e. ~~Shielding.~~

~~1. Full cut-off or fully shielded lighting fixtures are required. If full cut-off or fully shielded fixtures cannot be used, acceptable outdoor light fixtures shall include those which:~~

~~i. Are provided with internal and/or external glare control louvers and installed so as to minimize uplight and off-site light trespass;~~

~~ii. Are installed and maintained with aiming angles that permit no greater than five (5) percent of the light emitted by each fixture to project above the horizontal; and~~

~~iii. The fixtures shall be aimed to only illuminate the playing fields/courts.~~

Table 5.1  
Maximum Permitted Lighting Levels for Outdoor Recreation Facilities

Recreation/Sport Facility	Lighted Area	Footcandles*	Height (feet)**
Archery Ranges		10	50
Baseball	Infield	50	70—80
	Outfield	50	70—80
Softball	Infield	50	60—80
	Outfield	50	60—80

Baseball Hitting Ranges		50	50
Basketball, Volleyball		50	50
Field Hockey		50	90—100
Football		50	90—100
Go-Kart Tracks		30	50
Golf Courses	Tee boxes, Greens	5	50
Fairways		3	50
Golf Driving Ranges	Tee boxes	20	50
	Fairways	3	50
	Greens	5	50
Golf (miniature)		20	50
Horse Riding Rings/Show Areas		30	50
Ice Skating, Ice Hockey, Roller Skating Rinks		50	50
Lacrosse		50	90—100
Soccer		50	90—100
Swimming Pools	Pool Surface	10	50
	Pool Deck	30	50
Tennis Courts (College/High School)		50	50
Tennis Courts (Recreational)		50	50
Track & Field		50	90—100

Other Uses		To be determined by zoning administrator	
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- \* Average Maintained Lighting Level
- \*\* Height Above Playing Surface

(e) Lighting standards for multifamily residential uses.

- (1) The maximum maintained lighting levels for multifamily residential uses shall not exceed ~~the following standards~~ Five-tenths (0.5) foot candles at any common property line and a minimum of 1 foot candle shall be maintained on the site during non-daylight hours except required along the common property line (just combined the two line items).
- (2) ~~A minimum of 1 foot candle shall be maintained on the site during non-daylight hours except required along the common property line.~~
- (3) ~~The minimum maintained lighting levels for multifamily residential uses shall meet the following standards:~~  
The average maintained lighting levels for multifamily units shall be exceed 5 foot-candles at buildings, parking lots and other areas. The maximum to average ratio shall not exceed 1.5 to 1(the 1.5 is to the 5 foot candles -  $1.5 \times 5 = 7.5$ )
  - a. ~~Five (5) footcandles for main drive aisles; and~~
  - b. ~~Three (3) footcandles for refuse areas, pedestrian areas, parking areas, and other areas where people congregate.~~

(f) Construction lighting.

- (1) All exterior construction lighting shall be full cut-off ~~or~~ and directionally shielded fixtures so as to only illuminate the desired objects.
- (2) For the purposes of section 28-87, a building is no longer considered under construction when exterior walls and windows are installed and permanent lighting replaces the temporary lighting.

(g) Architectural and landscape lighting.

- (1) Lighting used to illuminate statues, flags, signs, or other objects mounted on a pole, platform, or pedestal, or spotlighting or floodlighting used for architectural or landscape purposes, shall be full cut-off and directionally shielded outdoor lighting fixtures that are designed, aimed, and controlled so the directed lights shall be confined to the object intended to be illuminated.

Directional shields shall be used to limit stray light and prevent minimize glare, sky glow, and light trespass.



- (2) The lighting shall not shine directly into the window of any residence or directly onto a roadway. Light fixtures attached to a building shall be directed downward.

~~(h) Parking lot lighting.~~

- ~~(1) Parking lot lighting shall be located at vehicle entrances and exits, loading areas, parking spaces, and drive aisles.~~
- ~~(2) Lighting levels shall not exceed five tenths (0.5) footcandles at any common property line, unless the adjacent property has a similar use or compatible zoning.~~
- ~~(3) Minimum maintained and along building fronts for businesses and commercial uses, three (3) footcandles for main drive aisles and along building fronts for other uses.~~
- ~~(4) Minimum maintained two (2) footcandles for refuse areas.~~
- ~~(5) Minimum maintained two (2) footcandles for pedestrian areas located in parking lots.~~
- ~~(6) Minimum maintained three (3) footcandles in parking areas for businesses and commercial uses.~~
- ~~(7) The location of lighting poles shall be placed in areas to reduce conflict with the ultimate growth of landscaping and tree canopies. Light poles shall not be placed within the ten-year canopy of any tree.~~
- ~~(8) Parking lot light fixtures poles shall not be more than thirty (30) feet in height. The board may modify the height requirements by review and approval of a CUP.~~
- ~~(9) Lots that have four (4) or more parking lot light poles, parking lot lighting levels for ground surface parking lots shall be reduced to security levels within thirty (30) minutes after the close of business. Security lighting level shall be achieved by extinguishing at least fifty (50) percent of the total number of pole-mounted lights, by dimming lighting levels to no more than fifty (50) percent of the levels used during business or activity hours, or some combination thereof.~~
- ~~(10) A photometric plan shall be submitted following subsection 28-87(j).~~

~~(ih) Pedestrian scale lighting. For the purpose of section 28-87, pedestrian scale lighting applies to sidewalks that are adjacent to or within the rights-of-way of a public or private street., but are too far away to be lit by roadway lighting. Section 28-87 does not apply to trails, greenways, or paths within natural areas.~~

- ~~(1) Minimum average of five tenths (0.5) footcandle for residential uses. (if there is a minimum it will conflict with VDOT standards of .2-.3 fc in the roadway, a point of discussion)~~
- ~~(2) Minimum average of one footcandle for nonresidential uses and multifamily residential.~~



- (3) Maximum five-tenths (0.5) footcandles for conditions such as but not limited to, abrupt changes in elevation, curves, stairs, and bridges shall be adequately lit.
  - (4) Securities shall be required for any lights located in homeowners association (HOA) maintained spaces that are not installed prior to recordation.
  - (5) Pedestrian scale lighting in HOA maintained spaces shall be installed throughout the subdivision section prior to the issuance of the first occupancy permit in that section.
  - (6) Pedestrian scale lighting on individual lots that will be maintained by the owner must be installed prior to issuance of occupancy permit
  - (7) Trails, greenways, and paths within natural areas may be lit with a waiver. Waivers may be granted under subsection 28-87(k).
- (ji) Site and subdivision plan requirements for outdoor lighting.
- (1) As part of a submission for a site, subdivision, construction, or infrastructure plan to install outdoor lighting fixtures as part of the application, the applicant shall submit evidence that the proposed lighting plan shall meet the conditions set forth in this chapter.
  - (2) The photometric plan will be prepared by either: a lighting professional that is certified by the (NCQLP) or a Commonwealth of Virginia licensed professional engineer, architect, landscape architect, or land surveyor with a Class A license.
  - (3) The point-to-point photometric plan shall include the following:
    - a. A site plan drawn to scale showing the building(s), landscaping, parking areas, vehicle ingress and egress, and proposed outdoor lighting fixtures with graphic scale no less than one inch equal to fifty feet (1" = 50'), and north arrow. Photometric plans shall be shown with the landscaping plan.
    - b. A vicinity map that shows adjacent properties and their zoning within one hundred fifty (150) feet of the project.
    - c. Location of proposed outdoor luminaires including, but not limited to, site, parking lot, parking canopies, walkways/sidewalks, building-mounted under canopies, architectural, landscaping, flagpole, and any other areas where people congregate.
    - d. Illumination calculation showing:
      1. Light levels in footcandles at points located on ten-foot (10) center grid;
      2. Maximum to minimum ratio;
      3. Average maximum to minimum ratio; and
      4. Uniformity level.
    - e. Fixture schedule that includes:
      1. Fixture design;

2. Type of lamp;
3. Wattage of each fixture;
4. Luminaire and pole color/finish;
5. Lamp quantity per luminaire;
6. Lamp initial lumens;
7. Lamp color temperature;
8. Mounting height of the luminaire; and

~~9-f.~~ Light loss factors /maintenance plan.

Maintenance plan shall include:

- i. ~~Immediate~~ replacement within 5 days of failed lamps, electrical components, photocells, and vandalized or damaged luminaires ;
- ii. Regular cleaning of luminaires shall be performed annually;
- iii. Shrubbery pruning; and
- iv. Inspections of all lamps to be performed at least monthly during hours of darkness to look for dirty or broken lenses, failed lamps or those not performing to specified standards, tree limbs blocking light paths, and evidence of vandalism. In the case of large properties where there are on-site security patrols or maintenance personnel, lamps should be checked nightly, and observed outages reported in patrol logs or maintenance request records.

10. Descriptions or comments.

- f. Fixture type/marks for all luminaires.
- g. Manufacturer's cut sheet.
- h. Security levels.

1. Identify fixtures that will remain on all night for security purposes.
2. Note identifying the time the site will enter security lighting mode and description of the device that will automatically control the lighting and will be adjusted for time changes.

~~3-i.~~ Pole and base design (mounting) for each type of light fixture, including:

- i. Mounting height of the luminaires as measured from the top of the fixture lens to the finished grade;
- ii. Fixture type of the luminaires mounted on the pole; and
- iii. Colors/finishes of the luminaire and pole, and finish of the base.

4 j. Complete date for the current plan and complete dates for all prior versions of the lighting plans that were submitted to the county.

~~5-k.~~ Contact name, phone number, signature, and seal of lighting design professional.

(kj) Exemptions. The following shall be exempt from the provisions of chapter 28:

- (1) Nonconforming fixtures. Light fixtures installed prior to the effective date of section 28-87 are exempt from the provision of this section; provided however, no replacement or structural alteration of outdoor light fixtures shall be made unless it conforms to the provisions of chapter 28. Any modification to a nonconforming fixture shall be required to meet all current standards.
- (2) Outdoor lighting fixtures and standards required by federal, state, or other government agencies, including roads with lighting in the right-of-way.
- (3) Construction or emergency lights used for construction, law enforcement, fire and rescue, emergency, or construction repair work to public facilities.
- (4) Holiday outdoor lighting fixtures.
- (5) Security lighting on single-family residences that is controlled and activated by motion sensor devices for a duration of fifteen (15) minutes or less and is not aimed at any point outside of the property boundary.
- (6) Flag lighting of the United States' flag or Commonwealth of Virginia's flag, flags, or other noncommercial flags where such activities is protected by the United States Constitution, the Virginia Constitution, or federal or state law, provided that shielded and directional fixtures are used. Fixtures must be installed and aimed so as to minimize glare, sky glow, and light trespass to adjacent properties, pedestrians, and motorists.
- (7) Airport lighting.
- (8) Any other uses determined by the zoning administrator.
  - a. A modification, waiver, or variation from the standards set forth in section 28-87 may be granted by the zoning administrator or CPTED official.
  - b. The zoning administrator or CPTED official may modify or waive any standard set forth in section 28-87 for an individual case, and he/she may impose conditions on such a modification or waiver which he/she deems appropriate to further the purposes of these lighting regulations, under the following circumstances:
    1. Upon finding that the strict application of the standard would not further the purposes of chapter 28, or that the alternatives proposed by the applicant would satisfy the purposes of these lighting regulations, at least to an equivalent degree;
    2. Such hardship is not shared generally by other properties in the same zoning district and the same vicinity; and/or
    3. The authorization of the modification, waiver, or variation will not be of substantial detriment to the adjacent property(ies) and the character of the zoning district will not be changed by granting the modification, waiver, or variation.
  - c. Prior to the granting of a modification, waiver, or variation from the standards set forth in section 28, the zoning administrator or CPTED

official shall give, or require the applicant to give, all adjacent property owners written notice of the request for the modification, waiver, or variation. Adjacent property owners shall have twenty-one (21) days from the date of the notice to comment on the request for modification, waiver or variation.

- d. The zoning administrator or CPTED official shall make a decision of the application for modification, waiver, or variation within thirty (30) days of receipt of the application, and issue a written decision with a copy provided to the applicant and any other adjacent property owner who responded in writing to the notice sent pursuant to the section.
- e. Decisions of the zoning administrator or CPTED official may be appealed within ten (10) days of the decision to the board of zoning appeals.
- f. Decisions of the board of zoning appeals may be appealed to the circuit court as provided under the Virginia Code.

AJR:JAH:swb






# ***MEMORANDUM***

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## ***Department of Planning and Zoning***

MEMORANDUM TO: Community and Economic Development Committee

FROM: Jeffrey A. Harvey  
Director 

DATE: May 3, 2016

SUBJECT: *Sign Regulations*

### **Background**

In 2015, members of the EDA attended the annual International Conference of Shopping Centers (ICSC) as a means to inform retailers about Stafford County and its pent-up demand for retail services. During the conference, the EDA members heard some concern from a shopping center owner that the County's sign regulations may not be meet the needs of industry. Staff was invited to attend the May 8, 2015 Economic Development Authority (EDA) meeting. To facilitate discussion of this issue, staff prepared a chart comparing sign regulations for shopping centers, stand-alone retail and industrial establishments. The comparison was made with the adjacent jurisdictions that a person drives through to get to Stafford County (City of Fredericksburg, Fauquier County, Prince William County, King George County and Spotsylvania County).

Staff presented these findings to the CEDC in June 2014. In general, signs in Stafford were comparable to adjacent jurisdictions. The Committee discussed some areas where the regulations could be modified. Staff began making modifications of the ordinance to:

- Increase the height of directional signs from 2 ½ feet to five feet.
- Place height and duration limitations on political signs.
- Eliminate the restriction on the number of colors for an EMC (Electronic Message Center) sign
- Allow wall signs on all side of buildings. Currently there is limited square footage allowed on the rear of buildings.
- Increase the height of free-standing signs for pad sites in shopping centers and businesses on individual parcels

## Sign Ordinance Questions for the CEDC

1. Temporary Signs – All temporary signs must be treated the same regardless of whether or not they are advertising a business coming soon or a political sign. *Is 90 days the correct length of time for a temporary sign? Is 12 sf the right size without requiring a permit? Temporary signs on non-residential property would require a permit. Do we want to allow temporary signs on non-residential property without a permit and if so, how many or how large?*
2. Feather Signs and Banners – We can regulate these types of temporary signs by type of construction rather than by content. *Do we want to allow feather signs, banners and inflatable or wind activated signs? Do they count towards the overall signage allowed?* The current draft ordinance would allow them without limitation.
3. Free-standing signs - The County code currently requires a solid monument base for any free-standing sign. The County has had some inquiries from developers to allow pole signs due to sight distance concerns. The free-standing signs are typically located along the public road frontage near the main entrance(s) to the project. Due to sight distance constraints, monument signs open have to be located farther away from the roadway and entrance intersection than pole signs. *Do we want to allow pole signs?* The current draft does not allow pole signs.
4. Window Signs – CEPTED principals recommend that not all of the windows of a building be covered with sign advertisements or symbols. There is a public safety value to be able to see in as well as out of a store. Window signs would not require permits as long as the signs are on the interior of the windows. *Do we want to regulate window signs?* The current draft does not regulate window signs.
5. Flags – The draft ordinance does not regulate them. *Do we want to regulate flags?* If so, they can be regulated by size, quantity and height and setback of flag poles.
6. Minor Signs – The draft ordinance creates the concept of minor signs. Each sign would be 4 square feet or smaller, as tall as 5 feet high and could be used as directional signs, location signs, and advertising on-premises goods and services. The draft ordinance allows them with a permit. There would be no limitation on the number of the signs. *Is 4 square feet too small? Should minor signs count against the allowable free-standing sign area on a property?*
7. Exceptions to the standards – The draft ordinance allows for exceptions to the standards (height, number of signs, size, etc...) upon approval of a conditional use permit for a comprehensive sign plan for the property. *Do we want to allow exceptions with a CUP or keep it the way things currently operate that a variance and a hardship must be show to vary from the standards?*
8. Signs Painted on Walls – The draft code does not permit them. *Do we want to allow signs painted on walls?*
9. Neon Signs – The draft ordinance only allows neon signs to be located in windows. *Do we want to allow neon signs outside of windows?*

- Include Shopping Center signs in the PTND and UD zones

Staff was prepared to present a draft ordinance to the Committee at the September meeting but was apprised of a United States Supreme Court Case ruling in *Reed v. Town of Gilbert Arizona* that makes some of the existing sign regulations to be considered as unconstitutional. That decision further defined what constitute content based signs. A locality cannot restrict the content of signs because it violated the free-speech provisions of the US Constitution.

The current ordinance regulations have a number of sign types that are problematic. They include home occupation signs, subdivision signs, model home signs, temporary sale signs, temporary event signs, CRPA signs, school signs, directional signs, cemetery identification sign, historic site entrance sign, and political signs. All of these sign types are content based and have different standards for different zoning districts.

The Virginia Local Government Attorney's Association (VLGA) developed a model sign ordinance in order to assist localities to become compliant with the Supreme Court Ruling. In doing so, they also looked at other state and federal cases in support of the draft model legislation. Staff blended the model ordinance with current county regulations in an effort to come into compliance but also take into account the previous direction of the CEDC. The draft to date would:

- Add more definitions
- Eliminate content based signs
- Provide specific requirements for permits and improve enforceability
- Specify what signs do not require permits
- Allows deviation of sign size and height regulations through CUP approval of a comprehensive sign plan rather than a variance
- Set rules for temporary signs
- Consolidate rules by 4 types of zoning categories rather than specific districts (agricultural and residential/ commercial and office/ industrial/ planned development and urban development districts) and display it in a table format.

Staff made a presentation of an initial of the ordinance to the CEDC in February 2016 with some questions. The CEDC asked staff to redraft the ordinance to better comport with current regulations. Staff has done so (Attachment 1) but has some policy questions for consideration (Attachment 2) based on past experience.

JAH:SWB:dfk

Attachments (2)

PROPOSED

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

ORDINANCE

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the day of, 2016:

MEMBERS:

VOTE:

Robert "Bob" Thomas, Jr., Chairman  
Laura A. Sellers, Vice Chairman  
Meg Bohmke  
Jack R. Cavalier  
Wendy E. Maurer  
Paul V. Milde, III  
Gary F. Snellings

On motion of , seconded by , which carried by a vote of , the following was adopted:

AN ORDINANCE TO AMEND AND REORDAIN STAFFORD COUNTY CODE SEC. 28-24 "MEASUREMENTS", SEC 28-25, "DEFINITIONS OF SPECIFIC USES", SEC 28-121, "PURPOSE AND INTENT", SEC 28-122, "CERTAIN TYPES PROHIBITED IN ALL DISTRICTS", SEC 28-123, "CERTAIN TYPES PERMITTED IN A-1 DISTRICTS", SEC 28-124, "CERTAIN TYPES PERMITTED IN A-2 DISTRICTS", SEC 28-124.1, "TYPES PERMITTED IN R-1 DISTRICTS", SEC 28-125, "TYPES PERMITTED IN R-2, R-3, AND R-4 DISTRICTS", SEC, 28-126, "TYPES PERMITTED IN B-1, B-2, M-1 AND M-2 DISTRICTS", SEC 28-127, "TYPES PERMITTED IN RC, SC, B3 AND LC DISTRICTS", SEC 28-128, "TYPES PERMITTED IN PD-1 DISTRICTS", SEC 28-129, "TYPES PERMITTED IN PD-2 DISTRICTS", SEC 28-130, "TYPES PERMITTED IN HI DISTRICTS", SEC 28-131, "PERMIT TO ERECT", SEC 28-132, "APPROVAL OF INTERNAL ILLUMINATION", SEC 28-133, "EXCEPTION FROM SETBACK REQUIERMENTS", SEC 28-134, "TRAFFIC HAZARD", SEC 28-135, "CLEARANCE FOR PROJECTING SIGNS", SEC 28-137, "TYPES PERMITTED IN PTND DISTRICTS", SEC 28-138, "TYPES PERMITTED IN THE RBC DISTRICT", SEC 28-273, "NONCONFORMING STRUCTURES", AND SEC 28-277, "ABANDONED NON-CONFORMING SIGNS"



WHEREAS, In 2015 the United States Supreme Court Case ruling in *Reed v. Town of Gilbert Arizona* established new standards for sign regulations; and

WHEREAS, that Supreme Court ruling established that regulating signs based on content is in violation of the free-speech provisions of the United States Constitution; and

WHEREAS, staff reviewed the county sign regulations and determined that changes were necessary due to the *Reed v. Town of Gilbert Arizona* ruling; and

WHEREAS, the Board desires to amend Stafford County Code Sec. 28-24, 28-25, 28-121, 28-122, 29-123, 28-124, 28-124.1, 28-125, 28-126, 28-127, 28-128, 28-129, 28-130, 28-131, 28-132, 28-133, 28-134, 28-135, 28-138, 28-273, and 28-277 to modify the zoning ordinance to remove any content based provisions pertaining to the regulation of signs; and

WHEREAS, the Board considered the recommendation of the Planning Commission and staff, and the public testimony, if any, received at the public hearing; and

WHEREAS, the Board finds that public necessity, convenience, general welfare, and good zoning practices require adoption of this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the day of , 2016, that it be and hereby does amend and reordain county code sections 28-24, 28-25, 28-121, 28-122, 29-123, 28-124, 28-124.1, 28-125, 28-126, 28-127, 28-128, 28-129, 28-130, 28-131, 28-132, 28-133, 28-134, 28-135, 28-138, 28-273, and 28-277 with all other provisions remaining unchanged;

#### **Sec. 28-24. - Measurements.**

Measurements required under this chapter shall be made following these principles:

- (6) *Sign, area of.* ~~The area of a sign shall be determined from its outside measurements, including any wall work incidental to its decoration, but excluding supports, unless such supports are used to attract attention. In the case of a sign where lettering appears back to back, that is on the opposite side of the sign, the area shall be considered to be that of only one face. In the case of an open sign made up of individual letters, figures or designs, the area shall be determined as if such display were made on a sign with straight lines or circular sides.~~ That area within a line including the outer extremities of all letters, figures, characters and delineations, or within a line including the background of the sign, whichever line includes the larger area. The support for the sign background, whether it be columns, a pylon, or a building or part thereof and structural embellishments or trim, shall not be included in the sign area. Only

one side of a double-faced sign shall be included in the computation of sign area; for triangular signs, two faces shall be included in a computation of sign area. The area of a cylindrical sign shall be computed by multiplying one-half of the circumference by the height of the sign.

- (7) *Sign, height of.* ~~The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. The maximum vertical distance from the base of the sign at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of:~~
- a. Existing grade prior to construction; or
  - b. The newly established grade after construction, exclusive of any filling, berming, mounding or excavating primarily for the purpose of mounting or elevating the sign.

#### **Sec. 28-25. - Definitions of specific terms.**

*Advertising.* Any words, symbol, color, design or graphic used to call attention to a commercial product, service, or activity.

*Comprehensive sign plan.* A plan for all of the permanent signage of a property that includes multiple tenants or owners with shared parking or other facilities.

*Flag.* A piece of cloth or similar material, typically oblong or square, attachable by one edge to a pole or rope and used as a symbol or decoration; this includes pennants.

*Frontage, building.* The width of a front building facade applicable to an individual building or unit within a building that is clearly visible from a public street or private travel lane, which provides primary access to the building. The length of the main wall of a building which physically encloses usable interior space, and which is an architecturally designed wall that contains the main entrance into the building for use by the general public.

*Holiday Displays.* Displays erected on a seasonal basis in observance of religious, national, or state holidays which are not intended to be permanent in nature, of less than ninety (90) days in duration and which contain no advertising material

*Marquee.* A permanent structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather and used for signage.

*Public area.* Any public place, public right-of-way, any parking area or right-of-way open to use by the general public, or any navigable body of water.

*Public Art.* Items expressing creative skill or imagination in a visual form, such as painting or sculpture, which are intended to beautify or provide aesthetic influences to public areas or areas which are visible from the public realm.

~~*Sign.* Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public. Any such device, fixture, placard or structure less than two (2) square feet in size is excluded from this definition.~~

*Sign.* Any object, device, display, or structure, or part thereof, visible from a public place, a public right-of-way, any parking area or right-of-way open to use by the general public, or any navigable body of water which is designed and used to attract attention to an institution, organization, business, product, service, event, or location by any means involving words, letters, figures, designs, symbols, fixtures, logos, colors, illumination, or projected images. The term does not include public art, architectural elements incorporated into the style or function of a building, or flags of any nation, state, or other geopolitical entity not related to a commercial business, product or service. The term "sign" also does not include the display of merchandise for sale on the site of the display

*Sign, A-Frame.* A two-faced sign with supports that are connected at the top and separated at the base, forming an "A" shape not more than four feet high. These are also referred to as "sandwich board" signs. They are included in the term "portable sign."

*Sign, Animated.* A sign or part of a sign that is designed to rotate, move or appear to rotate or move. Such a sign is sometimes referred to as a "moving sign."

*Sign area.* See this section, "Measurements."

*Sign, banner.* A temporary sign of flexible material affixed to a framework, between poles or flat surface.

*Sign, business.* A sign, ~~either freestanding or projecting on a wall~~, which directs attention to a product, commodity or service available on the premises.

~~*Sign, cemetery identification.* A sign no smaller than one foot by one foot constructed of bronze or of another material similar in appearance that depicts the historic name associated with a particular cemetery, as recorded in the Stafford County Cultural Resource Database or as deemed appropriate by the county agent.~~

*Sign, canopy.* A sign attached or as an integral part of a canopy.

*Sign, chalk-board.* A single-faced, framed slate or chalk-board that can be written on with chalk or similar markers.

*Sign, Changeable copy.* A sign or part of a sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or surface of the sign.

~~Sign copy.~~ The letters, numbers, symbols, characters, pictures, lights, or other information or device included on a sign to inform or attract the attention of persons.

*Sign dimensions (height, area).* See this section, "Measurements."

~~Sign, directional.~~ An on-premises sign designed to direct customers to an entrance, drive-through facility, or parking area, except for a development in the P-TND district. The directional sign shall not exceed two and one-half (2½) feet in height.

*Sign, electronic message center (EMC).* A sign that displays images, scrolling images or moving images, including video, through the use of a series of grid lights, such as: cathode ray; light emitting diode display; plasma screen; liquid crystal display; fiber optics; or other similar electronic technology. This definition includes each of the following:

- (1) Signs which present images and/or messages that are similar to those which are ordinarily displayed on color television screens or computer monitors, where the image and/or message is in motion or appears as if it is motion;
- (2) Signs for which the images and/or messages are capable of being changed through any remote means; and
- (3) Signs presenting two (2) or more separate displays of images and/or messages by means of any scrolling cylinder or other scrolling device.

~~Sign face.~~ The area of a single side of a sign, excluding supports for such sign so long as said supports are not used for placement of any sign copy. The portion of a sign structure bearing the message.

*Sign, feather.* A lightweight, portable sign mounted along one edge on a single, vertical, flexible pole the physical structure of which at may resemble a sail, bow, or teardrop.

*Sign, flashing.* A sign that includes lights that flash, blink, or turn on and off intermittently.

~~*Sign, freestanding.* Any sign located upon a lot or parcel of ground supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure. Any non-portable sign supported by a fence, retaining wall, or by upright structural members or braces on or in the ground and not attached to a building.~~

~~*Sign, general advertising.* A sign that identifies or communicates an image and/or message for any activity, product, service, or commodity not available for sale or lease on the premises at which the sign is located.~~

*Sign, ground-mounted.* See "Freestanding sign."



~~*Sign, historic site entrance.* Any freestanding, nonilluminated sign located at the entrance of a historic site that contains the site name and does not exceed four (4) feet in height.~~

~~*Sign, home occupation.* An unlighted, wall-mounted sign not exceeding four (4) square feet in area directing attention to a product, commodity or service available on the premises, but which product, commodity or service is clearly a secondary use of the dwelling.~~

~~*Sign, illegal.* Any sign erected without a required permit or which otherwise does not comply with any provisions of this article.~~

~~*Sign, illuminated.* A sign, or any part of a sign, which is externally or internally illuminated or otherwise lighted from a source specifically intended for the purpose of such illumination or lighting. A sign that is backlit, internally lighted, or indirectly lighted, but does not include a neon sign.~~

~~*Sign, minor.* A wall or freestanding sign not exceeding four (4) square foot in area, not exceeding five (5) feet in height, and not illuminated.~~

~~*Sign, model homes.* A sign that identifies a dwelling unit as a model home.~~

~~*Sign, monument.* A freestanding, on-premises sign designed with a solid base and with a sign face attached such that there are no gaps for air or light between the sign face and the base. a sign affixed to a structure built on grade in which the sign and the structure are an integral part of one another; not a pole sign.~~

~~*Sign, neon.* A sign containing exposed tubes filled with light-emitting gas.~~

~~*Sign, nonconforming.* Any sign which was lawfully erected in compliance with applicable regulations of the County and maintained prior to the effective date of this chapter of the zoning ordinance and which fails to conform to current standards and restrictions of the zoning ordinance.~~

~~*Sign, off-premises directional.* An off-premises sign not over three (3) square feet in area, indicating the location of places of worship, schools, hospitals, parks, scenic or historic places, or other places of general public interest. The signs and mountings shall not exceed five (5) feet in total height and not more than one sign pertaining to a single place shall be displayed along any one street. a sign that directs attention to a business, product, service or activity conducted, sold or offered at a location other than the premises on which the sign is erected.~~

~~*Sign, place of worship.* An on-site, freestanding monument style sign that does not exceed fifty (50) square feet in area, nor six (6) feet in height.~~

~~*Sign, political.* A temporary sign announcing or supporting political candidates or issues.~~

~~*Sign, pole.* A sign that is mounted on one (1) or more freestanding poles.~~

Sign, portable. Any temporary sign not affixed to a building, structure, vehicle or the ground. It does not include a flag or banner.

~~Sign, projecting.~~ Any sign affixed to a building or wall in such a manner that its leading edge extends more than six (6) inches beyond the surface of such building or wall. Any sign, other than a wall, awning or marquee sign, affixed to a building and supported only by the wall on which it is mounted and its leading edge extends more than six (6) inches beyond the building or wall.

*Sign, public.* A sign owned by and erected at the instance of a federal, state or local government agency.

*Sign, roof.* Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure.

~~Sign, subdivision.~~ A sign sixty (60) square feet or less in aggregate area identifying a subdivision by the name found on the recorded plat for such subdivision and located on the subdivision site at one or more of the entrances to such subdivision. Said sign shall be no greater in height than six (6) feet above ground level and shall be set back from any right of way to allow for an unobstructed motorist view.

~~Sign, temporary event.~~ A sign describing a seasonal, brief or particular event or activity to be or being conducted upon the lot or premises upon which it is located. Such sign may be erected not more than one month before the event or activity described, shall be removed within one week of its conclusion, and in no event shall such sign be displayed for a period longer than six (6) months in any one calendar year. Signs advertising construction activity may remain in place until such construction is completed. The maximum height of such sign shall be ten (10) feet. Balloons used as such signs shall be exempt from the maximum height requirement.

~~Sign, temporary sale.~~ An on-premises sign used to advertise merchandise or the sale of goods or merchandise, on a temporary basis not to exceed a period of seven (7) continuous days. No freestanding temporary sale sign shall exceed four (4) square feet in sign area. No wall-mounted temporary sale sign shall exceed twenty (20) square feet in sign area.

~~Sign, tenant.~~ A wall sign to identify more than one tenant or business located within a building in which the tenant or business does not have a direct/independent entrance to a street and its primary entrance is through the principal entrance to the building. The sign shall be located near the principal entrance to the building. This term shall not include a business sign.

Sign, temporary. Any sign intended to be displayed for a limited period, not to exceed ninety (90) days, is neither permanently installed in the ground nor permanently affixed to a building or structure which is permanently installed in the ground.

Sign, vehicle or trailer. Any sign attached to or displayed on a vehicle, if the vehicle or trailer is used for the primary purpose of advertising a business establishment, product, service or activity. Any such vehicle or trailer shall, without limitation, be considered to be used for the primary purpose of advertising if it fails to display current license plates, inspection sticker, or municipal decal, if the vehicle is

inoperable, if evidence of paid-to-date local taxes cannot be made available, or if the sign alters the standard design of such vehicle or trailer.

*Sign, wall.* Any sign erected or painted on a ~~building, visible from the exterior, no part of which is more than six (6) inches from the surface of the building on which it is erected and which is confined within the limits of an outside wall.~~ Such sign may be illuminated flat vertical surface of a structure.

*Sign, window.* ~~A sign used to advertise the sale of goods and merchandise, services or a business located on premises. Window signs shall be affixed to the interior side of a window. Any sign visible outside the window and attached to or in front of or behind the surface of a window or door.~~

## ARTICLE VIII. - SIGNS

### *Sec. 28-121. - Purpose and intent.*

~~The purpose and intent of this article is to promote the public health, safety, convenience, and general welfare through the establishment of standards for the placement, erection, use and maintenance of signs in Stafford County in order to minimize the adverse secondary effects that accompany the unregulated display of signs; preserve the character of residential neighborhoods; avoid the appearance of clutter; protect property values; reduce traffic hazards caused by visual distractions to motorists and/or the impairment of motorists sight lines; enhance the appearance and aesthetic environment of the county and ensure that the county remains an attractive place to live and work.~~

- (1) Signs obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation. The purpose of this article is to regulate the size, color, illumination, movement, materials, location, height and condition of all signs placed on private property for exterior observation, thus ensuring the protection of property values, the character of the various neighborhoods, the creation of a convenient, attractive and harmonious community, protection against destruction of or encroachment upon historic areas, and the safety and welfare of pedestrians and wheeled traffic, while providing convenience to citizens and encouraging economic development. This article allows adequate communication through signage while encouraging aesthetic quality in the design, location, size and purpose of all signs. This article shall be interpreted in a manner consistent with the First Amendment guarantee of free speech. If any provision of this article is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of other provisions of this article which can be given effect without the invalid provision.
- (2) Signs not expressly permitted as being allowed by right or by conditional use permit under this article, by specific requirements in another portion of this chapter, or otherwise expressly allowed by the Board of Supervisors are forbidden.
- (3) A sign placed on land or on a building for the purpose of identification, protection or directing persons to a use conducted therein shall be deemed to be an integral but

accessory and subordinate part of the principal use of land or building. Therefore, the intent of this article is to establish limitations on signs in order to ensure they are appropriate to the land, building or use to which they are appurtenant and are adequate for their intended purpose while balancing the individual and community interests identified in subsection (a) of this section.

- (4) These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.
- (5) These regulations distinguish between portions of the County designed for primarily vehicular access and portions of the County designed for primarily pedestrian access.
- (6) These regulations do not regulate every form and instance of visual speech that may be displayed anywhere within the jurisdictional limits of the County. Rather, they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes set forth above.
- (7) These regulations do not entirely eliminate all of the harms that may be created by the installation and display of signs. Rather, they strike an appropriate balance that preserves ample channels of communication by means of visual display while still reducing and mitigating the extent of the harms caused by signs.

***Sec. 28-122. - Certain types prohibited in all districts.***

The following types of signs are prohibited in all zoning districts:

- ~~(1) Any sign which illuminates its image(s) and/or message(s) with lights that:
 
  - ~~a. Are separate from, i.e., not included within or as part of, the image(s) and/or message(s) displayed; and~~
  - ~~b. Continually, intermittently or regularly flash, blink, flicker, flutter or rotate (clockwise and/or counter-clockwise) on an alternating cycle lasting fewer than five (5) seconds.~~~~
- ~~(2) Any lighting, either by exposed tubing or string of lights, either outlining any part of a building or affixed to any ornamental part thereof.~~
- ~~(3) Any sign that obscures or interferes with any sign displayed by public authority for the purpose of giving traffic instructions or direction or other public information.~~
- ~~(4) Any sign that uses the word "stop" or "danger" or otherwise presents or implies the need or requirement of stopping or caution of the existence of danger or which is a copy or imitation of, or which, for any reason, is likely to be confused with, any sign displayed by public authority.~~



- ~~(5) Any sign that obstructs any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress or egress for any building, as required by law.~~
- ~~(6) Any sign that causes illumination, as measured from the nearest edge of the nearest street, highway or public road:~~
  - ~~a. Greater than 0.8 footcandles for signs located in commercial, office, business, industrial or planned development zoning districts; or~~
  - ~~b. Greater than 0.3 footcandles for signs located in residential or agricultural zoning districts.~~
  - ~~c. The illumination measurements contemplated herein shall be taken no sooner than two (2) hours after sunset and no later than two (2) hours before sunrise and from a height of not less than four (4) feet, nor more than five (5) feet above ground level and, as nearly as is practicable.~~
    - ~~1. At a forty five degree angle to each sign image and/or message, when such image and/or message is perpendicular to the nearest roadway edge, i.e., facing oncoming traffic; and~~
    - ~~2. At a ninety degree angle to each sign image and/or message, when such image and/or message is parallel to the nearest roadway edge, i.e., facing the roadway edge.~~
- ~~(7) Any sign that violates any provision of any law of the commonwealth or the United States Government relative to outdoor advertising.~~
- ~~(8) An EMC, as defined in section 28-25, having any image(s) and/or message(s) which continually, intermittently or regularly change, flash, blink, flicker, flutter or rotate (clockwise and/or counter clockwise) on any cycle lasting fewer than five (5) seconds.~~
- ~~(9) An EMC, as defined in section 28-25, which is located within five hundred (500) feet of any property having a historic designation.~~
- ~~(10) An EMC, as defined in section 28-25, having any image(s) and/or message(s) which contain(s) four (4) or more visible colors, including the background, within each image and/or message displayed, i.e., within each of the changeable copies, except when such sign's image and/or message is less than six (6) square feet in area.~~

~~Signs erected, authorized, owned and/or operated by local, state or federal governmental authorities for the purpose of providing emergency, traffic, safety or~~



~~other information for the convenience of the public are excepted from the prohibitions contained in this section.~~

In addition to signs prohibited elsewhere in this Code or by applicable state or federal law, the following signs are prohibited:

(1) General prohibitions.

- a. Signs that violate any law of the Commonwealth relating to outdoor advertising.
- b. Signs attached to natural vegetation or rock land forms.
- c. Signs simulating, or which are likely to be confused with, a traffic control sign or any other sign displayed by a public authority. Any such sign is subject to immediate removal and disposal by an authorized county official as a nuisance.
- d. Vehicle or trailer signs.
- e. Freestanding signs more than thirty (30) feet in height unless otherwise permitted by this chapter.
- f. Signs hanging from supports, except where the supports are anchored to a part of a building.
- g. Any sign displayed without complying with all applicable regulations of this chapter.

(2) Prohibitions based on materials.

- a. Signs painted directly on a building, except where expressly permitted by this chapter.
- b. Animated signs. This subsection does not apply to flags expressly permitted under this article or the changing of the message content no more often than once every five (5) seconds.
- c. Flashing signs or other signs displaying flashing, scrolling or intermittent lights or lights of changing degrees of intensity, except where such signs are expressly permitted within this article.
- d. Signs consisting of illuminated tubing or strings of lights outlining property lines or open sales areas, rooflines, doors, windows or wall edges of any building, except for temporary decorations not to exceed three months per year.
- e. Signs that emit smoke, flame, scent, mist, aerosol, liquid, or gas.

f. Signs that emit sound.

g. Strings of flags.

h. Pole signs.

(c) Prohibitions based on location.

(1) Off-premises signs, unless specifically permitted by this chapter.

(2) Signs erected on public land other than those approved by an authorized County official in writing, required by law without such approval, or permitted under Virginia Code § 24.2-310 E. Any sign not so authorized is subject to immediate removal and disposal by any authorized official. Removal of the sign under this provision does not preclude prosecution of the person responsible for the sign.

(3) Signs on the roof surface or extending above the roofline of a building or its parapet wall.

(4) Neon signs, except in windows.

(5) A sign that obstructs free or clear vision, or otherwise causes a safety hazard for vehicular, bicycle, or pedestrian traffic due to its location.

~~Sec. 28-123. Types permitted in A-1 districts.~~

~~The following types of signs are permitted in A-1 districts:~~

~~(1) Business signs; provided that:~~

~~a. No portion of a freestanding sign shall be greater than twenty (20) feet above ground level.~~

~~b. No wall sign shall be greater in height than the roof line of the main building located on the premises.~~

~~c. The aggregate area of freestanding, or projecting, or wall signs shall not exceed fifty (50) square feet.~~

~~d. No more than one freestanding sign shall be located on any one road frontage of any lot or premises.~~

~~(2) Home occupation signs, provided that, the area of the sign shall not exceed four (4) square feet.~~

~~(3) Public signs.~~

- ~~(4) — Subdivision signs.~~
- ~~(5) — Temporary event signs, provided that the area of each sign shall not exceed sixty-four (64) square feet and, provided further, that no more than two (2) such signs shall be located on any lot or parcel of land.~~
- ~~(6) — Model home signs, provided that:
  - ~~a. The maximum area of the sign shall not exceed thirty-two (32) square feet.~~
  - ~~b. No such sign shall extend more than six (6) feet in height above ground level.~~
  - ~~c. The sign shall only be located on the lot or parcel of land on which the model home, that is the subject of the image and/or message, is located.~~
  - ~~d. No more than one such sign shall be located on the lot or parcel of land.~~
  - ~~e. The sign shall be removed when use of the advertised home as a model home is discontinued.~~~~
- ~~(7) — Temporary sale signs.~~
- ~~(8) — Critical resource protection area (CRPA) signs.~~
- ~~(9) — Sign, directional.~~
- ~~(10) — Sign, off-premises directional.~~
- ~~(11) — Sign, place of worship.~~
- ~~(12) — School signs, provided that:
  - ~~a. No portion of a freestanding monument sign shall be greater than eight (8) feet above ground level.~~
  - ~~b. No wall sign shall be greater in height than the roof line of the main building located on the premises.~~
  - ~~c. The aggregate area of freestanding, or projecting, or wall signs shall not exceed forty (40) square feet.~~
  - ~~d. No more than one freestanding sign shall be located on any one road frontage of any lot or premises.~~
  - ~~e. The school shall have a regular enrollment of at least fifty (50) students grades K-8 and shall be accredited by a Virginia Council for Private Education approved state-recognized accrediting member.~~~~

~~Sec. 28-124. Types permitted in A-2 districts.~~

~~The following types of signs are permitted in A-2 districts:~~

~~(1) — School signs; provided that:~~

- ~~a. No portion of a freestanding monument sign shall be greater than eight (8) feet above ground level.~~
- ~~b. No wall sign shall be greater in height than the roof line of the main building located on the premises.~~
- ~~c. The aggregate area of freestanding, or projecting, or wall signs shall not exceed forty (40) square feet.~~
- ~~d. No more than one freestanding sign shall be located on any one road frontage of any lot or premises.~~
- ~~e. The school shall have a regular enrollment of at least fifty (50) students grades K-8 and shall be accredited by a Virginia Council for Private Education approved state recognized accrediting member.~~

~~(2) — Home occupation signs; provided that, the maximum size shall be four (4) square feet.~~

~~(3) — Public signs.~~

~~(4) — Subdivision signs.~~

~~(5) — Temporary event signs, provided that the area of the sign shall not exceed four (4) square feet and, provided further, that no more than one such sign shall be located on any lot or parcel of land.~~

~~(6) — Model home signs, provided that:~~

- ~~a. The area of the sign shall not exceed thirty-two (32) square feet.~~
- ~~b. No such sign shall extend more than six (6) feet in height above ground level.~~
- ~~c. The sign shall only be located on the lot or parcel of land on which the model home, that is the subject of the image and/or message, is located.~~
- ~~d. No more than one such sign shall be located on the lot or parcel of land.~~
- ~~e. The sign shall be removed when use of the advertised home as a model home is discontinued.~~

~~(7) — Critical resource protection area (CRPA) signs.~~

~~(8) — Sign, directional.~~

~~(9) — Sign, off-premises directional.~~

~~(10) — Business signs, provided that:~~

- ~~a. No portion of a freestanding sign shall be greater than six (6) feet above ground level.~~
- ~~b. No wall sign shall be greater in height than the roof line of the main building located on the premises.~~
- ~~c. The aggregate area of freestanding, or projecting, or wall signs shall not exceed fifty (50) square feet.~~
- ~~d. No more than one freestanding sign shall be located on any one road frontage of any lot or premises.~~

~~(11) — Sign, place of worship.~~

~~(12) — School signs, provided that:~~

- ~~a. No portion of a freestanding monument sign shall be greater than eight (8) feet above ground level.~~
- ~~b. No wall sign shall be greater in height than the roof line of the main building located on the premises.~~
- ~~c. The aggregate area of freestanding, or projecting, or wall signs shall not exceed forty (40) square feet.~~
- ~~d. No more than one freestanding sign shall be located on any one road frontage of any lot or premises.~~
- ~~e. The school shall have a regular enrollment of at least fifty (50) students grades K-8 and shall be accredited by a Virginia Council for Private Education approved state recognized accrediting member.~~

~~Sec. 28-124.1. — Types permitted in R-1 districts.~~

~~The following types of signs are permitted in R-1 districts:~~

- ~~(1) — Home occupation signs; provided that, the maximum size shall be four (4) square feet.~~
- ~~(2) — Public signs.~~
- ~~(3) — Subdivision signs.~~



- ~~(4) — Temporary event signs, provided that the area of the sign shall not exceed four (4) square feet and, provided further, that no more than one such sign shall be located on any lot or parcel of land.~~
- ~~(5) — Model home signs, provided that:~~
  - ~~a. The area of the sign shall not exceed thirty-two (32) square feet.~~
  - ~~b. No such sign shall extend more than six (6) feet in height above ground level.~~
  - ~~c. The sign shall only be located on the lot or parcel of land on which the model home, that is the subject of the image and/or message, is located.~~
  - ~~d. No more than one such sign shall be located on the lot or parcel of land.~~
  - ~~e. The sign shall be removed when use of the advertised home as a model home is discontinued.~~
- ~~(6) — Critical resource protection area (CRPA) signs.~~
- ~~(7) — Sign, place of worship.~~
- ~~(8) — Business signs, provided that:~~
  - ~~a. No portion of a freestanding sign shall be greater than six (6) feet above ground level.~~
  - ~~b. No wall sign shall be greater in height than the roof line of the main building located on the premises.~~
  - ~~c. The aggregate area of freestanding, or projecting, or wall signs shall not exceed fifty (50) square feet.~~
  - ~~d. No more than one freestanding sign shall be located on any one road frontage of any lot or premises.~~
- ~~(9) — Sign, directional.~~
- ~~(10) — Sign, off premises directional~~
- ~~(11) — School signs, provided that:~~
  - ~~a. No portion of a freestanding monument sign shall be greater than eight (8) feet above ground level.~~
  - ~~b. No wall sign shall be greater in height than the roof line of the main building located on the premises.~~

- ~~e. The aggregate area of freestanding, or projecting, or wall signs shall not exceed forty (40) square feet.~~
- ~~d. No more than one freestanding sign shall be located on any one road frontage of any lot or premises.~~
- ~~e. The school shall have a regular enrollment of at least fifty (50) students grades K-8 and shall be accredited by a Virginia Council for Private Education approved state recognized accrediting member.~~

~~Sec. 28-125. Types permitted in R-2, R-3, and R-4 districts.~~

~~The following types of signs are permitted in R-2, R-3 and R-4 districts:~~

~~(1) — Public signs.~~

~~(2) — Subdivision signs.~~

~~(3) — Temporary event signs, provided that the area of the sign shall not exceed four (4) square feet and, provided further, that no more than one such sign shall be located on any lot or parcel of land.~~

~~(4) — Model home signs, provided that:~~

- ~~a. The area of the sign shall not exceed thirty two (32) square feet.~~
- ~~b. No such sign shall extend more than six (6) feet in height above ground level.~~
- ~~c. The sign shall only be located on the lot or parcel of land on which the model home, that is the subject of the image and/or message, is located.~~
- ~~d. No more than one such sign shall be located on the lot or parcel of land.~~
- ~~e. The sign shall be removed when use of the advertised home as a model home is discontinued.~~

~~(5) — Critical resource protection area (CRPA) sign.~~

~~(6) — Sign, place of worship.~~

~~(7) — Business signs, provided that:~~

- ~~a. No portion of a freestanding sign shall be greater than six (6) feet above ground level.~~
- ~~b. No wall sign shall be greater in height than the roof line of the main building located on the premises.~~

~~c. The aggregate area of freestanding, or projecting, or wall signs shall not exceed fifty (50) square feet.~~

~~d. No more than one freestanding sign shall be located on any one road frontage of any lot or premises.~~

~~(8) — Sign, directional.~~

~~(9) — Sign, off-premises directional.~~

~~(10) — School signs, provided that:~~

~~a. No portion of a freestanding monument sign shall be greater than eight (8) feet above ground level.~~

~~b. No wall sign shall be greater in height than the roof line of the main building located on the premises.~~

~~c. The aggregate area of freestanding, or projecting, or wall signs shall not exceed forty (40) square feet.~~

~~d. No more than one freestanding sign shall be located on any one road frontage of any lot or premises.~~

~~e. The school shall have a regular enrollment of at least fifty (50) students grades K-8 and shall be accredited by a Virginia Council for Private Education approved state-recognized accrediting member.~~

~~Sec. 28-126. Types permitted in B-1, B-2, M-1 and M-2 districts.~~

~~The following types of signs are permitted in B-1, B-2, M-1, and M-2 districts:~~

~~(1) — Public signs.~~

~~(2) — Temporary event signs, provided that the area of the sign shall not exceed sixty-four (64) square feet and, provided further, that no more than two (2) such signs shall be located on any lot or parcel of land.~~

~~(3) — General advertising signs, provided that:~~

~~a. The area of the sign shall not exceed forty (40) square feet.~~

~~b. No such sign shall extend more than twenty (20) feet in height above ground level.~~

~~c. No such sign shall be located less than two hundred (200) feet from any other such sign on the same side of the same street, highway or public road.~~

~~d. No such sign shall be located in any front, rear or side yard.~~

~~(4) — Business signs.~~

~~a. Located within existing and proposed shopping centers, industrial parks and office parks, provided that:~~

~~1. The sign shall be a freestanding monument sign of the kind ordinarily used to identify the center or park, and:~~

~~i. The area of the sign shall not exceed one quarter square foot for each linear foot of combined building frontage or street frontage, whichever is greater.~~

~~ii. No such sign shall extend more than thirty (30) feet in height above ground level.~~

~~iii. Only one freestanding sign shall be permitted unless the center or park fronts two (2) or more streets, highways or public roads, in which case one sign for each such frontage shall be permitted and; provided further, that the aggregate area of all signs shall not exceed the permissible area for one sign.~~

~~2. Each building may have wall signs on its front and side exterior walls, provided that:~~

~~i. The height of each such sign shall not extend more than five (5) feet above the wall to which it is attached.~~

~~ii. The aggregate area of all wall signs shall not exceed two (2) square feet for each linear foot of building frontage.~~

~~3. Each building may also have one wall sign on its rear exterior wall, provided that:~~

~~i. The height of the sign shall not extend more than five (5) feet above the wall to which it is attached.~~

~~ii. The area of the sign shall not exceed ten (10) square feet.~~

~~4. Each building may also have one under canopy sign, located at the front of the building; not to exceed six (6) square feet in sign area.~~

~~5. Signs for identifying proposed shopping centers, industrial parks and office parks shall be removed upon completion of the construction of the shopping center, industrial park and/or office park.~~

~~6. Each pad site, having street, highway or public road frontage, may have one freestanding monument sign, provided that:~~

~~i. The height of such sign shall not extend more than eight (8) feet above ground level.~~

~~ii. The area of such sign shall not exceed one square foot for each linear foot of building frontage.~~

~~7. Each pad site, not having street, highway or public road frontage, may have one freestanding monument sign, provided that:~~

~~i. The height of such sign shall not extend more than six (6) feet above ground level.~~

~~ii. The area of such sign shall not exceed one half square foot for each linear foot of building frontage.~~

~~b. Not located within existing and proposed shopping centers, industrial parks and office parks, provided that:~~

~~1. The sign shall be a freestanding monument sign, and:~~

~~i. The area of the sign shall not exceed one square foot for each linear foot of building frontage.~~

~~ii. No such sign shall extend more than twelve (12) feet in height above ground level.~~

~~iii. Only one freestanding sign shall be permitted unless the business fronts two (2) or more streets, highways or public roads, in which case one sign for each such frontage shall be permitted and; provided further, that the aggregate area of all signs shall not exceed the permissible area for one such sign.~~

~~2. Each building may have wall signs on its front and side exterior walls, provided that:~~

~~i. The height of each such sign shall not extend more than five (5) feet above the wall to which it is attached.~~

~~ii. The aggregate area of all such signs shall not exceed two (2) square feet of sign area for each linear foot of building frontage.~~

~~(5) — Temporary sale signs.~~

~~(6) — Directional signs.~~



~~(7) Window signs.~~

~~(8) Critical resource protection area (CRPA) sign.~~

~~Sec. 28-127. Types permitted in RC, SC, B-3 and LC districts.~~

~~The following types of signs are permitted in RC, SC, B-3, and LC districts:~~

~~(1) Public signs.~~

~~(2) Temporary event signs, provided that the area of such signs shall not exceed sixty-four (64) square feet and, provided further that no more than two (2) such signs shall be located on any lot or parcel of land.~~

~~(3) Business signs:~~

~~a. Located within existing and proposed convenience centers, shopping centers, and office parks, provided that:~~

~~1. The sign shall be a freestanding monument sign of the kind ordinarily used to identify the center or park, and:~~

~~i. The area of the sign shall not exceed one square foot for each linear foot of combined building frontage or street frontage, whichever is greater.~~

~~ii. No such sign shall extend more than twenty (20) feet in height above ground level.~~

~~iii. Only one freestanding sign shall be permitted unless the center or park fronts two (2) or more streets, highways or public roads, in which case one sign for each such frontage shall be permitted and, provided further, that the aggregate area of all signs shall not exceed the permissible area for one sign.~~

~~2. Each building may have wall signs on its front and side exterior walls, provided that:~~

~~i. The height of each such sign shall not extend more than five (5) feet above the wall to which it is attached.~~

~~ii. The aggregate area of all wall signs shall not exceed one square foot for each linear foot of building frontage.~~

~~3. Each building may also have one wall sign on its rear exterior wall, provided that:~~

- ~~i. The height of the sign shall not extend more than five (5) feet above the wall to which it is attached.~~
  - ~~ii. The area of the sign shall not exceed ten (10) square feet.~~
- ~~4. Signs identifying proposed convenience centers, shopping centers and office parks shall be removed upon completion of the construction of the convenience center, shopping center, and/or office park.~~
- ~~5. Each pad site, having street, highway or public road frontage, may have one freestanding monument sign, provided that:~~
  - ~~i. The height of such sign shall not extend more than eight (8) feet above ground level.~~
  - ~~ii. The area of such sign shall not exceed one square foot for each linear foot of building frontage.~~
- ~~6. Each pad site, not having street, highway or public road frontage, may have one freestanding monument sign, provided that:~~
  - ~~i. The height of such sign shall not extend more than six (6) feet above ground level.~~
  - ~~ii. The area of such sign shall not exceed one half square foot for each linear foot of building frontage.~~
- ~~b. Not located within existing and proposed convenience centers, shopping centers and office parks, provided that:~~
  - ~~1. The sign shall be a freestanding monument sign, and:~~
    - ~~i. The area of the sign shall not exceed one square foot for each linear foot of building frontage.~~
    - ~~ii. No such sign shall extend more than twelve (12) feet in height above ground level.~~
    - ~~iii. Only one freestanding sign shall be permitted unless the business fronts two (2) or more streets, highways or public roads, in which case one sign for each such frontage shall be permitted and, provided further, that the aggregate area of all signs shall not exceed the permissible area for one such sign.~~
  - ~~2. Each building may have wall signs on its front and side exterior walls, provided that:~~
    - ~~i. The height of each such sign shall not extend more than five (5) feet above the wall to which it is attached.~~

~~ii. The aggregate area of all wall signs shall not exceed one and one-half square feet for each linear foot of building frontage.~~

- ~~(4) — Temporary sale sign.~~
- ~~(5) — Directional sign.~~
- ~~(6) — Window sign.~~
- ~~(7) — Subdivision sign.~~
- ~~(8) — Critical resource protection area (CRPA) sign.~~

~~Sec. 28-128. Types permitted in PD-1 districts.~~

~~Signs permitted in PD-1 districts shall be the same as those specified in section 28-125; provided, however, that business signs greater than thirty (30) square feet, may be permitted, with a special exception.~~

~~Sec. 28-129. Types permitted in PD-2 districts.~~

- ~~(a) — The following types of signs are permitted in residential areas of a PD-2 district:
  - ~~(1) — Public signs.~~
  - ~~(2) — Subdivision signs.~~
  - ~~(3) — Temporary event signs, provided that the area of the sign shall not exceed four (4) square feet and, provided further, that no more than one such sign shall be located on any lot or parcel of land.~~
  - ~~(4) — Model home signs, provided that:
    - ~~a. The area of the sign shall not exceed thirty two (32) square feet.~~
    - ~~b. No such sign shall extend more than six (6) feet in height above ground level.~~
    - ~~c. The sign shall only be located on the lot or parcel of land on which the model home that is the subject of the image and/or message is located.~~
    - ~~d. No more than one such sign shall be located on the lot or parcel of land.~~
    - ~~e. The sign shall be removed when use of the advertised home as a model home is discontinued.~~~~~~
- ~~(5) — Critical resource protection area (CRPA) sign.~~

~~(b) The following types of signs are permitted in commercial areas of a PD-2 district:~~

~~(1) Temporary event sign, provided that the area of the sign shall not exceed four (4) square feet and, provided further, that no more than one such sign shall be located on any lot or parcel of land.~~

~~(2) Business signs.~~

~~a. Located within existing and proposed shopping centers and office parks, provided that:~~

~~1. The sign shall be a freestanding monument sign of the kind ordinarily used to identify the center or park, and:~~

~~i. The area of the sign shall not exceed one quarter square foot for each linear foot of combined building frontage or street frontage, whichever is greater.~~

~~ii. No such sign shall extend more than twenty (20) feet in height above ground level.~~

~~iii. Only one freestanding sign shall be permitted unless the center or park fronts two (2) or more streets, highways or public roads, in which case one sign for each such frontage shall be permitted and, provided further that the aggregate area of all signs shall not exceed the permissible area for one sign.~~

~~2. Each building may have wall signs on its front and side exterior walls, provided that:~~

~~i. The height of each such sign shall not extend more than five (5) feet above the wall to which it is attached.~~

~~ii. The aggregate area of all wall signs shall not exceed two (2) square feet for each linear foot of building frontage.~~

~~iii. The area of each such wall sign shall not exceed one hundred (100) square feet.~~

~~3. Each building may also have one wall sign on its rear exterior wall, provided that:~~

~~i. The height of the sign shall not extend more than five (5) feet above the wall to which it is attached.~~

~~ii. The area of the sign shall not exceed ten (10) square feet.~~

- ~~4. Signs identifying proposed shopping centers and office parks shall be removed upon completion of the construction of the shopping center and/or office park.~~
- ~~5. Each pad site, having street, highway or public road frontage, may have one freestanding monument sign, provided that:~~
  - ~~i. The height of such sign shall not extend more than eight (8) feet above ground level.~~
  - ~~ii. The area of such sign shall not exceed one square foot for each linear foot of building frontage.~~
- ~~6. Each pad site not having street, highway or public road frontage may have one freestanding monument sign, provided that:~~
  - ~~i. The height of such sign shall not extend more than six (6) feet above ground level.~~
  - ~~ii. The area of such sign shall not exceed one half square foot for each linear foot of building frontage.~~
  - ~~b. Not located within existing and proposed shopping centers and office parks, provided that:~~
    - ~~1. The sign shall be a freestanding monument sign, and:~~
      - ~~i. The area of the sign shall not exceed one square foot for each linear foot of building frontage.~~
      - ~~ii. No such sign shall extend more than twenty (20) feet in height above ground level.~~
      - ~~iii. Only one freestanding sign shall be permitted unless the business fronts two (2) or more streets, highways or public roads, in which case one sign for each such frontage shall be permitted and, provided further that the aggregate area of all signs shall not exceed the permissible area for one such sign.~~
    - ~~2. Each building may have wall signs on its front and side exterior walls, provided that:~~
      - ~~i. The height of each such sign shall not extend more than five (5) feet above the wall to which it is attached.~~



~~ii. The aggregate area of all wall signs shall not exceed two (2) square feet for each linear foot of building frontage.~~

~~iii. The area of each such wall sign shall not exceed one hundred (100) square feet.~~

~~(3) Critical resource protection area (CRPA) sign.~~

~~Sec. 28-130. Types permitted in HI districts.~~

~~The following types of signs are permitted in HI districts:~~

~~(1) Historic entrance sign.~~

~~(2) Public sign.~~

~~(3) Temporary event sign, including banners; provided that, the maximum height shall not exceed four (4) feet.~~

~~(4) Directional sign.~~

~~Sec. 28-131~~ 123 - *Permit to erect.*

~~No permanent or temporary event sign shall be erected without first obtaining a sign permit. Every application for a sign permit shall be accompanied by a set of plans showing the area of the sign, the size, the structure, character and design proposed, the method of illumination if any, the exact location of the sign, building frontage, road frontage and clear sight triangles. A fee as determined by the board of supervisors shall be paid for each sign permit. The largest face of a multiple face sign shall be computed to determine the square footage.~~

(1) In general. A sign permit is required prior to the display and erection of any sign except as provided in section 28-124 of this Article.

(2) Application for permit.

a. An application for a sign permit shall be filed with the Department of Public Works on forms furnished by that department. The applicant shall provide sufficient information to determine if the proposed sign is permitted under the zoning ordinance and other applicable laws, regulations, and ordinances. An application for a temporary sign shall state the dates intended for the erection and removal of the sign.

b. The Building Official or designee with concurrence of the Zoning Administrator shall promptly process the sign permit application and approve the application, reject the application, or notify the applicant of deficiencies in

the application within twenty (20) business days after receipt. Any application that complies with all provisions of this zoning ordinance, the building code, and other applicable laws, regulations, and ordinances shall be approved.

- (3) If the application is rejected, the County shall provide a list of the reasons for the rejection in writing. An application shall be rejected for non-compliance with the terms of the zoning ordinance, building code, or other applicable law, regulation, or ordinance.
- (4) Permit fee. A nonrefundable fee as set forth in the uncodified fee schedule adopted by the Board of Supervisors shall accompany all sign permit applications.
- (5) Duration and revocation of permit. If a sign is not installed within six (6) months following the issuance of a sign permit (or within thirty (30) days in the case of a temporary sign permit), the permit shall be void. The permit for a temporary sign shall state its duration, not to exceed ninety (90) days unless another time is provided in the zoning ordinance. The County may revoke a sign permit under any of the following circumstances:
  - a. The County determines that information in the application was materially false or misleading;
  - b. The sign as installed does not conform to the sign permit application; or
  - c. The sign violates the zoning ordinance, building code, or other applicable law, regulation, or ordinance.
- (6) Overlay district regulations. All signs in the Historic Overlay District (HOD) require approval of the Architectural Review Board (ARB) except when a sign permit is not required as provided in Section 28-124.
- (7) Conditional Use Permits. Comprehensive sign plans may be approved by conditional use permit. The comprehensive sign plan shall establish the time, manner, and placement of signs, frequency of message changes, the materials, the hours of lighting, the height of signs, the total number of square feet of sign surface, and the number of signs to be placed on a site.

~~Sec. 28-132. Approval of internal illumination.~~

~~Any internally illuminated sign must have a U.L. label or meet the minimum standards of the Uniform Statewide Building Code.~~

**Sec. 28-124. Permit not required.**

A sign permit is not required for:

- (1) Signs erected by a governmental body or required by law.
- (2) The changing of messages on marquees or an existing permitted sign.

(3) Temporary signs as follows:

- a. One (1) sign, no more than twelve (12) square feet in area, located on property where a building permit is active.
  - b. On any property for sale or rent, not more than one sign with a total area of up to twelve (12) square feet and a maximum height of six (6) feet.
  - c. Official notices or advertisements posted or displayed by or under the direction of any public or court officer in the performance of his official or directed duties; provided, that all such signs shall be removed no more than ten (10) days after their purpose has been accomplished.
  - d. On residential property, one or more temporary signs with a total area of no more than twelve (12) square feet, and which are removed within ninety (90) days after being erected.
- (6) A-frame signs more than fifty (50) feet from the nearest public right of way.
- (7) Pavement markings. Any sign applied directly and entirely to and flush with an asphalt, concrete, or similar paved surface.
- (8) A permanent window sign in commercial, office, industrial, planned development and urban development districts.

***Sec. 28-133. 125 - Exception from setback requirements.***

Except where specified elsewhere in this article, signs Signs shall be exempt from setback requirements in all districts; provided, however, that no sign shall be so located as to interfere with vehicular clear sight triangle distance at intersections or to create a safety hazard.

~~Sec. 28-134. Traffic hazard.~~

~~No sign shall be located or illuminated in such a manner as, in the opinion of the zoning administrator or his designee, to cause a traffic hazard. Where a permit is required, the permit shall not be issued until the location and illumination, if any, of the sign are approved by the zoning administrator or his designee, who may consult with the resident engineer of the Virginia Department of Transportation to assist in determining whether the sign would constitute a traffic hazard.~~

***Sec. 28-135 126. - Clearance for projecting signs.***

No part of any sign projecting more than twelve (12) inches from any wall ~~or from any other support~~ shall be less than ten (10) feet above the level of the ground at that point. Signs projecting over vehicle traffic shall be not less than fourteen (14) feet above ground level.

**Sec. 28-127. - Repair and removal of signs.**

Whenever the Zoning Administrator in concurrence with the Building Official or his designee determines that a sign is structurally unsafe or endangers the safety of a structure, premises, or the public, or is erected or maintained in violation of the provisions of this chapter, the Zoning Administrator or his designee shall order the sign to be made safe or in compliance with this chapter, as the case may be, or to be removed. Such order shall be sent by registered mail, return receipt requested, and shall be complied with.

~~Sec. 28-137. Types of signs permitted in P-TND Districts. Modified~~

~~(a) — Monuments.~~

- ~~(1) — Project or community identification signs may only be monument signs no larger than thirty (30) feet above finished grade.~~
- ~~(2) — The signage area of the monument sign shall not exceed one quarter square foot for each linear foot of combined building frontage or street frontage, whichever is greater.~~
- ~~(3) — Only one freestanding sign shall be permitted unless the center, park or project fronts on two (2) or more streets, highways or public roads, in which case one sign for each such frontage shall be permitted, but the aggregate area of all signs shall not exceed the permissible area for one sign.~~
- ~~(4) — The lettering style for the monument sign shall be legible, simple and straightforward, with the size of letters scaled to pedestrian and vehicular sight lines from the street.~~
- ~~(5) — Any illumination of monument signs must not exceed 1.0 f.c. (footcandle) at the property/right of way line. External lights fixtures for monument signs should be concealed or screened by landscaping and directed so that no glare impacts motorists.~~
- ~~(6) — High pressure sodium vapor (yellow-orange) lighting is prohibited.~~

~~(b) — Building signs Nonresidential.~~

- ~~(1) — Within a project or community, each pad site having street, highway or public road frontage may have one freestanding, monument sign, provided that:~~

- ~~a. The height of such sign shall not extend more than eight (8) feet above ground level;~~
  - ~~b. For a principal building, the height of such sign shall not extend more than thirty (30) feet above ground level; and~~
  - ~~c. The area of such sign shall not exceed one square foot for each linear foot of building frontage.~~
- ~~(2) Within a project or community, each pad site not having street, highway or public road frontage may have one freestanding monument sign, provided that:~~
- ~~a. The height of such sign shall not extend more than six (6) feet above ground level;~~
  - ~~b. For a principal building, the height of such sign shall not extend more than thirty (30) feet above ground level; and~~
  - ~~c. The area of such sign shall not exceed one half square foot for each linear foot of building frontage.~~
- ~~(c) Tenant signs.~~
- ~~(1) The aggregate area of all wall signs shall not exceed two (2) square feet for each linear foot of building frontage.~~
  - ~~(2) The height of each such sign shall not extend more than five (5) feet above the wall to which it is attached.~~
  - ~~(3) One blade sign for each business not to exceed five (5) square feet, may be attached perpendicular to the facade and must have at least eight (8) feet of clearance between the bottom of the blade sign and the sidewalk and shall not project more than forty two (42) inches from the wall.~~
  - ~~(4) One blade sign for each business not to exceed five (5) square feet, may be attached perpendicular to the facade and must have at least eight (8) feet of clearance between the bottom of the blade sign and the sidewalk and shall not project more than forty two (42) inches from the wall.~~
- ~~(d) Address signs. One address number no less than six (6) inches measured vertically shall be attached to the building in proximity to the principal entrance. Per section 28-145 of the zoning ordinance, the number shall be Arabic numerals only. Roman numerals or the spelling out of an address is prohibited.~~



~~(e) Directional signs.~~

~~(1) Directional signs shall be no higher than eight (8) feet measured from the base of the sign.~~

~~(2) Directional signs shall be clearly visible to vehicular traffic and located far enough from the nearest curb of an intersection to prevent visual interference of any street signs or traffic.~~

~~(f) Critical resource protection area (CRPA) sign.~~

~~(Ord. No. 007-39, 7-17-07; Ord. No. 008-02, 5-6-08; Ord. No. 008-56, 9-16-08; Ord. No. 011-14, 6-21-11; Ord. No. 015-24, 9-1-15)~~

~~Editor's note — See editor's note following § 28-130.~~

~~Sec. 28-138. Types permitted in the RBC District.~~

~~The following types of signs are permitted in the RBC District:~~

~~(1) Public signs.~~

~~(2) Temporary event signs, provided that the area of such signs shall not exceed sixty-four (64) square feet and, provided further, that no more than two (2) such signs shall be located on any lot or parcel of land.~~

~~(3) Business signs:~~

~~a. Located within existing and proposed convenience centers, shopping centers and office parks, provided that:~~

~~1. The sign shall be a freestanding monument sign of the kind ordinarily used to identify the center or park, and:~~

~~i. The area of the sign shall not exceed one square foot for each linear foot of combined building frontage or street frontage, whichever is greater.~~

~~ii. No such sign shall extend more than twenty (20) feet in height above ground level.~~

~~iii. Only one freestanding sign shall be permitted unless the center or park fronts two (2) or more streets, highways or public roads, in which case one sign for each such frontage shall be permitted and, provided further, that the aggregate area of all signs shall not exceed the permissible area for one sign.~~

**Sec. 28-128. – Types permitted in agricultural and residential districts.**

- (a) Except as otherwise prohibited in this Article, the following signs are permitted as accessory to residential uses in residential districts. Changeable copy signs, electronic message signs and signs with moving parts are prohibited on residential properties in all agricultural and residential districts.

<u>TYPE</u>	<u>Temporary</u>	<u>Permanent</u>	<u>Off-premises</u>
<u>Maximum Size (each/total)</u>	<u>16 sf/16 sf</u>	<u>4 sf/4 sf</u>	<u>32sf/64sf</u>
<u>Illumination</u>	<u>None</u>	<u>0.3 foot candles</u>	<u>None</u>
<u>Setback</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Maximum Height</u>	<u>4 ft.</u>	<u>4 ft.</u>	<u>6 ft.</u>
<u>Location</u>	<u>Freestanding, portable, wall, or window</u>	<u>Freestanding</u>	<u>Freestanding</u>
<u>Maximum Number</u>	<u>2</u>	<u>2</u>	<u>2</u>

- (b) Except as provided otherwise in this Article, the following signs are permitted as accessory to principal non-residential uses in agricultural and residential districts. Changeable copy signs, electronic message signs and signs with moving parts are prohibited as accessory uses for non-residential uses in all residential districts.

<u>TYPE</u>	<u>Freestanding</u>	<u>Wall signs</u>	<u>Temporary signs</u>
<u>Maximum Size (each/total)</u>	<u>25 sf/25 sf</u>	<u>25 sf/25 sf</u>	<u>32 sf/64 sf</u>
<u>Illumination</u>	<u>0.8 foot candles</u>	<u>0.8 foot candles</u>	<u>None</u>
<u>Setback</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Maximum Height</u>	<u>20 ft.</u>	<u>20 ft.</u>	<u>6 ft.</u>

**Sec. 28-129. – Types permitted in commercial and office districts.**

(a) Generally. Except as provided otherwise in this Article, the following signs are permitted as accessory uses in commercial and office districts.

<u>TYPE</u>	<u>Freestanding</u>	<u>Wall</u>	<u>Off-Premises</u>	<u>Temporary signs</u>
<u>Maximum Size (each/total)</u>	<u>1 sf per 1 lf of building frontage/ 1 sf per 1 lf of building frontage</u>	<u>2 sf per 1 lf of building frontage/ 2sf per 1 lf of building frontage</u>	<u>40 sf/ 40 sf</u>	<u>64 sf/256 sf</u>
<u>Maximum Number</u>	<u>1 per parcel and 1 per public street frontage</u>	<u>None</u>	<u>1 per lot</u>	<u>1 per tenant</u>
<u>Illumination</u>	<u>0.8 foot candles</u>	<u>0.8 foot candles</u>	<u>As permitted by law</u>	<u>None</u>
<u>Setback</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Maximum Height</u>	<u>30 ft.</u>	<u>Roofline or mansard whichever is higher</u>	<u>20 ft.</u>	<u>8 ft.</u>

**Sec. 28-130. – Signs permitted in industrial districts.**

Except as provided otherwise in this Article, the following signs are permitted as accessory uses in industrial districts. In addition, up to one minor sign per business is permitted as a wall sign.

<u>TYPE</u>	<u>Freestanding</u>	<u>Wall</u>	<u>Off-Premises</u>	<u>Temporary signs</u>
<u>Maximum Size (each/total)</u>	<u>1 sf per 1 lf of building frontage/ 1 sf per 1 lf of building frontage</u>	<u>2 sf per 1 lf of building frontage/ 2sf per 1 lf of building frontage</u>	<u>40 sf/ 40sf</u>	<u>64 sf/128 sf per lot</u>
<u>Maximum Number</u>	<u>1 per lot and 1 per public street frontage</u>	<u>None</u>	<u>1 per lot</u>	<u>1 per lot</u>
<u>Illumination</u>	<u>0.8 foot candles</u>	<u>0.8 foot candles</u>	<u>As permitted by law</u>	<u>None</u>
<u>Setback</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Maximum Height</u>	<u>12 ft.</u>	<u>Roofline</u>	<u>20 ft.</u>	<u>8 ft.</u>

**Sec. 28-131. – Signs permitted in planned development and urban development districts.**

- (a) Except as provided otherwise in this Article, the following signs are permitted as accessory uses associated with primary commercial and multi-family uses in planned development and urban development districts.

<u>TYPE</u>	<u>Freestanding</u>	<u>Wall</u>	<u>Temporary signs</u>
<u>Maximum Size (each/total)</u>	<u>0.25 sf per 1 lf of building frontage/ 0.25 sf per 1 lf of building frontage</u>	<u>2 sf per 1 lf of building frontage not to exceed 100 sf. / 2sf per 1 lf of building frontage</u>	<u>64 sf/128 sf</u>
<u>Maximum Number</u>	<u>1 per lot and 1 per public street frontage</u>	<u>None</u>	<u>1 per lot</u>
<u>Illumination</u>	<u>0.8 foot candles</u>	<u>0.8 foot candles</u>	<u>None</u>
<u>Setback</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Maximum Height</u>	<u>20 ft.</u>	<u>Roofline</u>	<u>8 ft.</u>

- (b) Except as otherwise prohibited in this Article, the following signs are permitted as accessory to residential uses in planned development and urban development districts. Changeable copy signs, electronic message signs and signs with moving parts signs are prohibited on residential properties in all residential transect zones or districts.

<u>TYPE</u>	<u>Temporary</u>	<u>Freestanding and Wall</u>	<u>Off-premises</u>
<u>Maximum Size (each/total)</u>	<u>16 sf/16 sf</u>	<u>4 sf/4 sf</u>	<u>32sf/64sf</u>
<u>Illumination</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Setback</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Maximum Height</u>	<u>4 ft.</u>	<u>4 ft.</u>	<u>6 ft.</u>
<u>Location</u>	<u>Freestanding, portable, wall, or window</u>		<u>Freestanding</u>

**Sec. 28-273. - Nonconforming structures.**

- (a) A nonconforming building or structure, except for ~~general advertising off-premises~~ signs which are subject to Code of Virginia, § 33.1-370.2, as amended, shall conform to current zoning regulations whenever the square footage of a building or structure is enlarged, or the building or structure is structurally

altered as provided in the Virginia Uniform Statewide Building Code. The owner of a single-family residential structure may enlarge or alter the structure including any proposed increase in square footage, provided that structure shall not further encroach into the nonconforming area except as provided in this section. Under all other situations, an applicant will be required to apply to the BZA for a variance; however, any building or structure may be altered to decrease its nonconformity without the requirement for a special exception or variance.

- (b) The owner of any building or structure, except for ~~general-advertising off-premises~~ signs which are subject to Code of Virginia, § 33.1-370.2, as amended, damaged or destroyed by a natural disaster or other act of God may repair, rebuild, or replace such building or structure to eliminate or reduce the nonconforming features to the extent possible, without the need to obtain a variance from the BZA. If such building or structure is damaged greater than fifty (50) percent and cannot be repaired, rebuilt or replaced to eliminate or reduce the nonconforming features, the owner may restore it to its original nonconforming condition as long as the building or structure is not repaired, rebuilt, or replaced in a manner which increases its nonconforming characteristic. The owner shall apply for a building permit and any work done to repair, rebuild or replace such building or structure shall be in compliance with the provisions of the Virginia Uniform Statewide Building Code, and any work done to repair, rebuild or replace such building or structure shall be in compliance with the provisions of the Flood Overlay district. Unless such building or structure is repaired, rebuilt or replaced within two (2) years of the date of the natural disaster or other act of God, such building shall only be repaired, rebuilt or replaced in accordance with the provisions of the zoning district in which it is located. However, if the nonconforming building or structure is in an area under a federal disaster declaration and the building has been damaged or destroyed as a direct result of conditions that gave rise to the declaration, then the owner shall have an additional two (2) years for the building to be repaired, rebuilt or replaced as otherwise provided in this subsection. For purposes of this section, "act of God" shall include any natural disaster or phenomena including a hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, earthquake or fire caused by lightning or wildfire. For purposes of this section, owners of property damaged by an accidental fire have the same rights to rebuild such property as if it were damaged by an act of God. Nothing herein shall be construed to enable the property owner to commit an arson under Code of Virginia, §§ 18.2-77 or 18.2-80, as amended, and obtain vested rights under this section. "Accidental means" shall not include any intentional act by the property owner to damage or destroy the building or structure.
- (c) If a nonconforming structure is moved for any reason, and for any distance, it shall thereafter, upon relocation, conform to the current regulations for the zoning district in which it is relocated.



- (d) Such buildings or structures, except for ~~general advertising off-premises~~ signs which are subject to Code of Virginia, § 33.1-370.2, as amended, shall conform to such regulations whenever they are enlarged, extended, reconstructed or structurally altered.

**Sec. 28-277. - Abandoned nonconforming signs.**

- (a) ~~A nonconforming sign shall be considered abandoned if the business for which the sign was erected has not been in operation for a period of more than two (2) years.~~
- (b) ~~Upon notification by the county, an abandoned, nonconforming sign shall be removed by the owner of the property on which the sign is located within sixty (60) days of the date of the notification.~~
- (c) ~~If the county, despite reasonable attempts, is unable to locate and/or notify the owner; or if the owner fails to remove an abandoned nonconforming sign within sixty (60) days of being notified, the county, through its agents or employees, may enter the property upon which the sign is located and remove said sign.~~
- (d) ~~If the county removes an abandoned nonconforming sign pursuant to paragraph (c) above, the cost of such removal shall be chargeable to the owner of the property.~~

- (1) Signs lawfully existing on the effective date of this chapter or prior ordinances, which do not conform to the provisions of this chapter, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain except as qualified below. The burden of establishing nonconforming status of signs and of the physical characteristics/location of such signs shall be that of the owner of the property. Upon notice from the zoning administrator, a property owner shall submit verification that sign(s) were lawfully existing at time of erection. Failure to provide such verification shall be cause for order to remove sign(s) or bring sign(s) into compliance with the current ordinance.
- (2) No nonconforming sign shall be enlarged nor shall any feature of a nonconforming sign, such as illumination, be increased.
- (3) Nothing in this section shall be deemed to prevent keeping in good repair a nonconforming sign. Nonconforming signs shall not be extended or structurally reconstructed or altered in any manner, except a sign face may be changed so long as the new face is equal to or reduced in height and/or sign area.
- (4) No nonconforming sign shall be moved for any distance on the same lot or to any other lot unless such change in location will make the sign conform in all respects to the provisions of this article.
- (5) A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding fifty (50) percent of its area may be restored within two (2) years after such destruction or damage but shall not be enlarged in any manner. If such sign is so destroyed or damaged to an extent exceeding fifty

(50) percent, it shall not be reconstructed but may be replaced with a sign that is in full accordance with the provisions of this article.

(6) A nonconforming sign which is changed to becoming conforming or is replaced by a conforming sign shall no longer be deemed nonconforming, and thereafter such sign shall be in accordance with the provisions of this article.

(7) A nonconforming sign structure shall be subject to the removal provisions of section 28-136.. In addition, a nonconforming sign structure shall be removed if the use to which it is accessory has not been in operation for a period of two years or more. Such structure sign shall be removed by the owner or lessee of the property. If the owner or lessee fails to remove the sign structure, the zoning administrator or designee shall give the owner fifteen (15) days' written notice to remove it. Upon failure to comply with this notice, the zoning administrator or designee may enter the property upon which the sign is located and remove any such sign or may initiate such action as may be necessary to gain compliance with this provision. The cost of such removal shall be chargeable to the owner of the property.




# **MEMORANDUM**

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## *Department of Planning and Zoning*

MEMORANDUM TO: Community and Economic Development Committee

FROM: Jeffrey A. Harvey  
Director 

DATE: May 3, 2016

SUBJECT: *Courthouse Area Design Standards*

### Background:

Recently there had been discussion with the Board about establishing architectural design standards specifically for the Courthouse Area. The desired design standards would apply to all new development regardless of whether by-right or with a zoning change.

State Code limits a locality's ability to regulate architectural design for by-right development. Architectural design controls are specifically permitted in historic districts and historic gateway corridors. Often, elements of building architecture are proffered as part of a zoning reclassification or imposed as a condition of a Conditional Use Permit where there can be a reasonable relation between the zoning change and design of proposed buildings. Stafford County also regulates building architecture in Highway Corridor Overlay (HC) zoning districts as a means to minimize distracting visual clutter.

Currently, architectural design standards apply to by-right development within the limits of all highway corridor overlay zoning districts. The district in the Courthouse Area applies to properties located within 500 feet of Jefferson Davis Highway. The applicable standards are found in the Neighborhood Design Standards (NDS) of the Comprehensive Plan (attachment 1). The NDS provides recommendations regarding architectural features of buildings, signs, parking lot design, buffering and screening. Interpretation of compliance with the guidelines is determined at the staff level with review of site plans and building plans for new construction.

The zoning ordinance currently contemplates creation of Historic Gateway Corridor Overlay zoning districts. To date, none have been adopted. State Code provision 15.2-2306 entitled "Preservation of historical site and preservation areas" specifically allows

for the adoption of historic gateway corridors. Attachment 2 is a copy of the legislation. The highlighted portions of the text provide the specific details of how they can be applied. The designation can be applied to parcels fronting on arterial streets found to be significant routes for tourists to the County or to historic sites. Any alterations to or new construction of buildings or structures would have to be approved by the Architectural Review Board (ARB). The ARB reviews such changes by evaluating them against established historic district guidelines. Approvals are granted through a Certificate of Appropriateness (COA).

Based on this legislation, the Board could establish a Historic Gateway Corridor for the Courthouse Area to include properties along Jefferson Davis Highway since it is designated as an arterial street (see attachment 3) and the reconstructed Courthouse Road/Hospital Center Drive once the reconstruction of Exit 140 is complete since it will be a direct route for tourists to access the area. This could be a tool used by the Board to ensure certainty of architectural design.

Unfortunately, not all properties in the Courthouse Area will be applicable to the regulations of a HC zoning District, Historic Resources (HR) Overlay District or a Historic Gateway Corridor District. Development of properties that do not lie within one of those areas could develop without architectural design control unless a zoning change was required.

JAH:

Attachments (3)

# **NEIGHBORHOOD DEVELOPMENT STANDARDS PLAN**

**Including:**

- **URBAN DEVELOPMENT AREAS**
- **REDEVELOPMENT AREAS**
- **PLANNED DEVELOPMENTS**
- **ARCHITECTURAL DESIGN**

**Stafford County Comprehensive Plan**

**STAFFORD COUNTY, VIRGINIA**

September 19, 2012





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*Neighborhood Development Standards Plan*  
*Stafford County Comprehensive Plan*

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R12-348

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, Stafford County Administration Center, Stafford, Virginia, on the 4<sup>th</sup> day of December, 2012:

<u>MEMBERS:</u>	<u>VOTE:</u>
Susan B. Stimpson, Chairman	Yes
Cord A. Sterling, Vice Chairman	Yes
Jack R. Cavalier	Yes
Paul V. Milde III	Yes
Ty A. Schieber	Yes
Gary F. Snellings	Yes
Robert "Bob" Thomas, Jr.	Yes

On motion of Mr. Milde, seconded by Mr. Sterling, which carried by a vote of 7 to 0, the following was adopted:

A RESOLUTION TO AMEND THE STAFFORD COUNTY COMPREHENSIVE PLAN IN ACCORDANCE WITH SECTION 15.2-2229 OF THE CODE OF VIRGINIA (1950), AS AMENDED, BY ADOPTING THE PROPOSED AMENDMENTS, AS ADVERTISED, TO THE TEXTUAL DOCUMENT ENTITLED, "TRADITIONAL NEIGHBORHOOD DEVELOPMENT PLAN," DATED APRIL 18, 2007, RETITLING THE SECTION "NEIGHBORHOOD DESIGN STANDARDS PLAN," DATED SEPTEMBER 19, 2012

WHEREAS, under Virginia Code § 15.2-2229, the Board may amend its Comprehensive Plan; and

WHEREAS, under Virginia Code § 15.2-2229, the Planning Commission ("Commission") was directed by the Board, pursuant to Resolution R12-68, to conduct a public hearing, and provide its recommendations to the Board on certain Comprehensive Plan amendments ("the proposed Comprehensive Plan Amendments"); and

WHEREAS, in accordance with Resolution R12-68, the proposed Comprehensive Plan Amendments propose, among other things, to amend the Traditional Neighborhood Development Plan (TND Plan), an element of the Comprehensive Plan, to include architectural design guidelines; and

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Page 2

WHEREAS, the Commission held a public hearing on October 24, 2012, on the proposed Comprehensive Plan Amendments; received a recommendation from County staff supporting approval of the proposed Comprehensive Plan Amendments; received and considered public testimony; and recommended approval of the proposed Comprehensive Plan Amendments by a vote of 7-0, and forwarded its recommendation to the Board; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission, staff, and the testimony, if any, at the public hearing; and

WHEREAS, the Board concludes that adoption of the proposed Comprehensive Plan Amendments, as advertised, will guide and accomplish a coordinated, adjusted, and harmonious development in the County, which will, in accordance with the present and probable future needs and resources of the County, best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the citizens of the County, including the elderly and persons with disabilities; and

WHEREAS, the Board concludes that adoption of the proposed Comprehensive Plan Amendments, as advertised, is consistent with good planning practices;

NOW, THEREFORE, BE IT RESOLVED that the Stafford County Board of Supervisors on this the 4th day of December, 2012, that it be and hereby does approve and adopt the proposed Comprehensive Plan Amendments, dated September 19, 2012, as advertised.

A Copy, teste:



Anthony J. Romanello, ICMA-CM  
County Administrator

AJR:JAH:mz

R12-348

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

RESOLUTION

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A Copy, teste:

  
\_\_\_\_\_  
Anthony J. Romanello, ICMA-CM  
County Administrator

AJR:JAH:mz



## **I. INTRODUCTION**

### **A. Background**

The Stafford County Land Use Plan, a chapter of the County's Comprehensive Plan, provides goals and objectives for the future development of the County. The Plan recommends various land uses that include desired development densities and location criteria. Specifically, the Plan encourages a majority of future growth to occur inside the Urban Services Area in Suburban, Business and Industry, and Urban Development Areas. In these areas, the Plan recommends general criteria regarding use, location, and densities of this type of development.

As an Objective in the Plan, the County is encouraging an approach to land use planning that promotes the development or redevelopment of traditional style neighborhoods that are pedestrian friendly; includes a mix of uses, housing types, lot sizes and densities, and architectural variety; incorporates civic uses, and includes a network of streets and alleys that may include on street parking and defined development edges.

The purpose of this Urban Development Standards Plan is to provide more detailed guideline recommendations supporting this type of planned development in more compact urban areas as well as conventional suburban areas.

### **B. Planning Process**

On July 17, 2007, the Stafford County Board of Supervisors adopted Ordinance O07-171 which approved the Planned-Traditional Neighborhood Development Plan as a component of the Comprehensive Plan. The plan was developed by a Traditional Neighborhood Development subcommittee, consisting of the Chairman of the Planning Commission, Chairman of the Ordinance Committee, County Attorney's office, developers, civil engineers, land use attorneys and County staff members.

Since the adoption of the Traditional Neighborhood Development Plan, several Comprehensive Plan documents and ordinances were adopted to

further recommend and permit more compact, urban, and traditional forms of development. The “Comprehensive Plan 2010 – 2030” document recommends seven Urban Development Areas. The Implementation Plan, a chapter of the 2010 – 2030 Plan, recommends review and amendment of the TND Plan. The Redevelopment Plan, which applies to four areas of the County where Economic Development efforts are focused, encourages traditional neighborhood design principles. In addition to the P-TND zoning district, other zoning districts were approved with the same purpose of creating a traditional development pattern. These zoning districts include the RDA-1, Redevelopment Area 1 – Boswell’s Corner and UD, Urban Development. The recommendations in this Plan could apply to any of these areas. Staff began review and update to this document in the spring of 2012.

With the Comprehensive Plan recommending more compact development areas, a desire expressed by the Board of Supervisors was to establish design standards for future development. Design Guidelines are being incorporated into amendments to this Plan. To seek public input, during a two week period in the summer of 2012, staff conducted a Visual Preference Survey. The results of the survey helped to shape the recommendations.

### **C. Needs Assessment**

Stafford County has had a comparatively rapid growth rate. According to recent statistics, the County is one of the fastest growing localities in the Commonwealth. Without properly managing growth, the form of development may take on a sprawling pattern. Indicators of sprawling development include large lot sizes, generous setbacks of buildings from property lines, and separation of land uses. Standards for excessively wide roads and large parking areas widen the distances even further. Low density and spread-out building patterns limit opportunities for travel by walking or mass transit, forcing residents to rely on auto travel for an average of 12 auto trips per day for each household. While on average, sprawling development densities are low, this development pattern frequently contains higher density developments in the form of clustered single-family homes and townhouses. More often than not, these higher densities are scattered across the land. Each project stands alone without the ability to support transit and without the convenience

of nearby services. Living in “town-homes” without a town, residents experience urban densities without the advantage of urban living.

#### **Traditional Neighborhood Development Defined**

A method of managing growth could be obtained by implementing traditional neighborhood development, or traditional development. Traditional development is compact. It uses land efficiently. Streets are narrow. Buildings are clustered together and front closely on the street. Yard space is concentrated in deep back yards where it is most useable. Yet the density may be no more than that of a typical modern townhouse development.

In traditional development, homes of all types, shops, and workplaces intermingle, even within a building. This mixing of land uses and a pedestrian-friendly street environment encourages walking and bicycling. Densities also support transit service. The availability of transportation options reduces the demand for high-volume roads and parking.

Traditional development’s efficient use of land and reduced auto infrastructure pay off in a significant reduction in impervious surfaces. In a comparison of equivalent traditional development and sprawl development on the same size tracts, the traditional development occupied a third as much land, contained half as much impervious surface area, and yielded 43 percent less storm water runoff.

This Plan has been approved to provide guidelines for Traditional Neighborhood Development, by requiring the mixing of land uses and a pedestrian-friendly street environment, reduce impervious surface area and yield less storm water runoff.

#### **D. Relationship to Other County Documents**

Stafford County’s Comprehensive Plan consists of the Comprehensive Plan 2010 – 2030 document “2010 – 2030 Plan”, several area management and strategic plans, and other related documents. The 2010 – 2030 Plan provides the goals, objectives and policies for the management of growth and development throughout the County. Area management and strategic plans outline more specific strategies for local planning areas and particular issues. The Traditional Development policies contained in this

*Neighborhood Development Standards Plan*  
*Stafford County Comprehensive Plan*

Plan are a strategic plan consisting of objectives, policies and guidelines for the design of Traditional Neighborhood Development.

## **II. GOALS AND OBJECTIVES**

### **A. Goals**

Stafford County recognizes the need to better manage growth and sprawl and develop objectives, policies and guidelines for the location and design of more compact urban development and the appearance of conventional development in more populated areas of the County.

### **B. Objectives**

1. To identify those areas within the County appropriate for Traditional Neighborhood Development.
2. To encourage the use of mixed types of land use and develop a pedestrian-friendly street environment.
3. To protect the cultural and environmental resources by allowing larger intensity of development within less sensitive areas.
4. To reduce the impervious area of a project, reducing the amount of storm water run-off.
5. To encourage the use of transit systems.
6. To promote the public health, welfare and safety within a Traditional Neighborhood Development.
7. To promote enhanced architectural design for commercial and residential development in more densely populated areas.

### **III. APPLICABILITY**

#### **Traditional Neighborhoods**

The recommendations in this Plan regarding traditional neighborhood development shall apply to new development or redevelopment within locations designated as an “Urban Development Area” or “Redevelopment Area” on the Future Land Use map in the Comprehensive Plan. This Plan’s recommendations may also apply to Planned Development projects that wish to incorporate traditional development design features within areas designated Suburban on the Future Land Use Map.

New development located within the applicable areas is encouraged to incorporate these guidelines in the layout and design.

#### **Architectural Design Guidelines**

The Architectural Design Guidelines in this Plan are recommended for any new residential and/or commercial development inside the Urban Services Area that requires a zoning reclassification.



#### **IV. TRADITIONAL NEIGHBORHOOD DESIGN STANDARDS**

The purpose of this section of the Plan is to state the County' intent or policies toward the concept of Traditional Neighborhoods. The Policies address the Community level and the Block and Buildings level and Street Design. The Community pertains to the neighborhood or subdivision level. The Block and building includes the elements that make up our neighborhoods. The County should enable, encourage and qualify the implementation of the following policies:

##### **A. The Community**

1. That the "development" within a Traditional Neighborhood Development should be compact, pedestrian-oriented and mixed-use.
2. That Neighborhoods and Regional Centers should be the preferred pattern of development and that a district specializing in a single-use should be the exception.
3. That ordinary activities of daily living should occur within walking distance of most dwellings, allowing independence to those who do not drive.
4. That inter-connective network of thoroughfares should be designed to disperse and reduce the length of automobile trips.
5. That within the development, a range of housing types and price levels should be provided to accommodate diverse ages and incomes except for redevelopment or infill, whereas a limited range of housing types may be provided.
6. That appropriate building densities and land uses should be provided within walking distance of public transit stops.
7. That civic, institutional, and commercial activity should be embedded in a village or town center area and isolated in remote single-use complexes.
8. That when a school is part of the development, the school should be sized and located to enable children to walk or bicycle to them.
9. That a range of open space including parks, squares, and playgrounds should be distributed within the development.

##### **B. The Block and Building**

1. That buildings and landscaping should contribute to the physical definition of the thoroughfares as civic places.

2. That development should adequately accommodate automobiles while respecting the pedestrian and the spatial form of public space.
3. That the design of streets and buildings should reinforce safe environments, but not at the expense of accessibility.
4. That architecture and landscape design should grow from local climate, topography, history, and building practice.
5. That all buildings should provide their inhabitants with a clear sense of geography and climate through energy efficient methods.
6. That civic buildings and public gathering places should be provided in locations that reinforce community identity and support self-government.
7. That all civic buildings and uses should be distinctive and appropriate to a role more important than other buildings that constitute the fabric of the neighborhood.
8. That the preservation and renewal of historic buildings should be facilitated to affirm the continuity and evolution of society.
9. That the harmonious and orderly evolution of urban areas should be secured through graphic codes that serve as guides for change.

### **C. Street Design**

#### **1. Intent**

Development within a Traditional Neighborhood shall use the narrowest width of streets permitted to present the traditional town center environment, reduce the speed of vehicles and encourage pedestrian access through developments. Traditional neighborhoods are recommended to incorporate the following type of street categories and associated guidelines.

#### **2. Street Categories**

##### **(a) Primary street.**

- i. A street defined by VDOT as a primary street.
- ii. Parallel and angled on-street parking is prohibited.
- iii. Access from a lot is restricted.
- iv. A primary street may bisect and/or may be adjacent to the development.
- v. Sidewalks are required.
- vi. Bicycle trail may be permitted if within the design standards for VDOT. If a bicycle trail is provided and is not within the

- pavement of the travel lanes then a sidewalk will not be required.
  - vii. Development within a traditional neighborhood is not required to be adjacent to a primary street.
  - viii. Maximum speed limit determined by VDOT.
- (b) Collector street.
- i. A street defines by VDOT as a collector street, major and minor.
  - ii. A collector street may bisect and/or may be adjacent to a traditional neighborhood.
  - iii. On-street parking is prohibited.
  - iv. Access from a lot is limited to special commercial districts (or SD Transect Zones in the P-TND district) only, access from lots within all other transect zones are restricted.
  - v. Sidewalks are required.
  - vi. Bicycle trail may be permitted if within the design standards for VDOT. If a bicycle trail is provided and is not within the pavement of the travel lanes then a sidewalk will not be required.
  - vii. Development in a traditional neighborhood is not required to be adjacent to a collector street.
  - viii. Maximum speed limit determined by VDOT.
- (c) Parkway.
- i. A parkway may be similar to a primary street as defined by VDOT.
  - ii. A parkway is recommended for large traditional neighborhoods to connect various pedestrian sheds and communities.
  - iii. A parkway shall have a minimum of four (4) driving lanes and a median.
  - iv. On-street parallel parking is prohibited.
  - v. There may be more than one parkway bisecting or adjacent to a traditional neighborhood.
  - vi. In lieu of sidewalks, a bicycle trail shall be required and shall not be within the pavement of the travel lanes.
  - vii. Access from a lot is limited to the urban core or special commercial districts (or T6 and SD Transect Zones in the P-TND district) only, access from lots within all other transect zones are restricted.

- viii. A parkway may be required for development in a traditional neighborhood based on the overall tract size of the development.
- ix. Maximum speed limit is 45 mph unless VDOT requires a lower maximum speed.

(d) Principal street.

- i. The principal street shall be the main street(s) of the TND. It may have the highest volume of traffic within the TND, other than a parkway, and the location of the most intense commercial activity.
- ii. The principal street may have no more than four (4) driving lanes.
- iii. The principal street may have a median.
- iv. On-street parallel parking is permitted.
- v. Access from a lot is limited to the urban core or special commercial districts (or T6 and SD Transect Zones in the P-TND districts) only, access from lots within all other transect zones are restricted.
- vi. Sidewalks are required.
- vii. Round-a-bouts, stop signs or traffic lights may be warranted when intersecting with another principal street.
- viii. Pedestrian crossings shall be identified by using brick, stamped-painted asphalt or similar material and slightly raised from the grade of the street.
- ix. Maximum speed limit is 30 mph unless VDOT requires a lower maximum speed.

(e) Village street.

- i. The village street is the “offshoot” from the principal street.
- ii. It is intended to provide vehicle access to the parking and loading areas for majority of the commercial and large residential uses.
- iii. Direct vehicle access to single family attached units is permitted.
- iv. Direct vehicle access to single family detached units is restricted.
- v. Access to alleys to serve single family detached and attached units is permitted.
- vi. The village street may have no more than two (2) travel lanes.

- vii. A median may be used to restrict access when near the intersection to a principle street.
  - viii. Center left lanes are not required but may be necessary when access is near the intersection to a principal street to prevent stacking problems.
  - ix. Parallel parking is permitted. On-street angled parking is prohibited.
  - x. Sidewalks are required.
  - xi. Round-a-bout or stop signs may be required when intersecting with another secondary street.
  - xii. Pedestrian crossing shall be identified by using brick, stamped-painted asphalt or similar material and slightly raised from the grade of the street.
  - xii. Maximum speed limit is 25 mph unless VDOT requires a lower maximum speed.
- (f) Neighborhood street.
- i. Narrow, quiet and designed for low vehicle speed. Neighborhood streets serve residential attached and detached units and civic open spaces.
  - ii. The neighborhood street shall have no more than two (2) travel lanes.
  - iii. Median and center left turn lanes are prohibited.
  - iv. Recommended for access to alleys.
  - v. Direct vehicle access to all lots is permitted.
  - vi. On-street parallel parking is permitted.
  - vii. Sidewalks are required.
  - viii. Round-a-bouts or stop signs may be required when intersecting with another neighborhood street.
  - ix. Traffic calming devices, such as speed humps, may be required depending on length of blocks.
  - x. Maximum speed limit is 25 mph unless VDOT requires a lower maximum speed.
- (g) Rural street.
- i. Rural streets are narrow and designed to serve large single family residential lots or large tract of open space areas. Not intended to serve high density or intensity areas.
  - ii. The rural street shall have no more than two (2) travel lanes.
  - iii. Medians and center left turn lanes are determined by VDOT.

- iv. Direct access for all lots is permitted.
- v. Parallel and on-street angle parking is prohibited.
- vi. Rural streets may have sidewalk if within a pedestrian shed to access a civic open space.
- vii. Round-a-bouts and traffic calming devices are prohibited.
- vii. Traffic stop signs may be required at intersections.
- viii. Maximum speed to be determined by VDOT.

#### **D. Form Based Codes / Transect Zones**

Form based codes are a type of zoning regulation that focuses more on the form of development of the land and less on the uses on the land. The “Form” addressed in these types of codes include building height, setback, open space, parking requirements and street width. The intensity is regulated within sub-areas or transect zones. The P-TND ordinance in Stafford includes transect zones that range from T-1 to T-6. T-1 equates to open land preservation area. T-6 is the most intense area that in effect permits an urban form of development. The type of transect zone is established upon rezoning of a given tract of land.

On-line resources are available for more information on form-based codes and transect zones.

Form-Based Codes Institute: <http://formbasedcodes.org>

A link to the definition of form-based codes is on the right side of the home page.

Center for Applied Transect Studies: <http://www.transect.org/transect.html>

## V. ARCHITECTURAL DESIGN GUIDELINES

The purpose of this section is to guide the design and character of buildings, including residential and commercial building types, in the designated Urban Services Areas of the County. The guidelines specify the materials and details of the buildings in addition to design criteria for the other elements of a development, including: parking, lighting, signage, and other features.

The design guidelines are general in nature and are intended to provide guidance for the desired appearance of future development. The guidelines help to ensure that future development is high quality and lasting. It is not the intent of these guidelines to recommend that every building look the same. The standards are general enough to allow for variety in design from one building to the next. The standards address details relating to buildings and the features accessory to buildings, including parking, landscaping, and mechanical and refuse. The images in these guidelines are intended to provide a general representation of the recommended design features and should not be construed as controlling the specific appearance of buildings and amenities.

### Special Areas

These guidelines are not appropriate in all situations. Development proposals within or adjacent to historic districts and/or structures should be designed to fit in with the context of the established development pattern. Consideration should be given to any Small Area Plan recommendations and guidelines that have been adopted and apply to other special planning areas, including, but not limited to any of the Urban Development Areas and Redevelopment Areas.

### Traditional Neighborhood Images

The guidelines would apply to the development of traditional neighborhoods. The images provided on the following page are representative of the style of development the guidelines would promote.





*Neighborhood Development Standards Plan  
Stafford County Comprehensive Plan*



*West Broad Village  
Glen Allen, Virginia*

*Lantern Hill  
Doylestown, Pennsylvania*



*The Market Common  
Myrtle Beach, South Carolina*

*Kentlands  
Gaithersburg, Maryland*



## A. Residential Uses

### 1. Multi-family Dwellings

- a. The Base of the buildings should consist of brick, stone or other masonry materials.
- b. Other materials along a façade shall consist of: brick, stone, cast stone, wood, synthetic wood, architectural concrete masonry unit (e.g., regal stone, split-face, precision, ground-face), precast concrete panels, or architectural metal panels.
- c. The use of aluminum or vinyl siding as a primary building material is discouraged.
- d. Facades should be broken up horizontally with recesses and projections and vertically with material changes.



*Example of an apartment building utilizing material changes and recesses and projections to break up the façade.*

- e. All sides of buildings facing a street or parking area shall have decorative elements or similar facades.
- f. Buildings should be oriented to the street.
- g. On street parallel parking or common parking lots to the rear of the buildings is encouraged. Ninety degree parking in front of the buildings is discouraged.
- h. Common trash receptacle areas shall be provided in close proximity to the dwelling units.

- i. Trash receptacles should be enclosed with an opaque wall consisting of similar materials as the primary buildings or maintenance-free materials. Chain link fencing with slats and wood materials are discouraged.
- j. Sidewalks, parking areas, and common areas shall contain consistent lighting levels. Sporadic lighting coverage that creates dark pockets should be avoided. The location of lighting shall be coordinated with landscaping so trees are not blocking the flow of light.

## 2. Townhouse Dwellings

- a. Provide varying style and/or building materials and wall plane recesses and projections from one unit to the next within a row of townhomes.
- b. Provide varying roof lines and materials from one unit to the next. Roof lines can be broken up by the use of dormers or other decorative features.
- c. Continuous uninterrupted facades and roof lines are discouraged.
- d. Flat roofs should be screened by a parapet wall or sloping roof tall enough to conceal mechanical equipment.
- e. A raised front stoop or porch is encouraged to separate private from public spaces.
- f. The Base of the buildings should consist of brick, stone or other masonry materials.
- g. Parking in front of units should be limited. On-street parallel parking in front of the units and parking to the rear of the units is encouraged.





### 3. Single Family Dwellings

- a. Utilize front porches or raised stoops to define the entry to a home.
- b. Mass, scale, and style of buildings within a block should be similar.
- c. Setbacks for dwellings should be consistent along a street.
- d. Provide slight variations in roof lines from one building to the next to avoid the appearance of a continuous roof plane.
- e. Avoid long, unadorned wall planes, which make buildings appear larger.
- f. Openings above the first story, as seen from the principal street, should not exceed fifty (50) percent of the total building wall area, with each façade being calculated independently.
- g. Pitched roofs, if provided, should be symmetrically sloped no less than 5:12, except that porches and attached sheds may be no less than 2:12.
- h. The Base of the buildings should consist of brick, stone or other masonry materials.
- i. Provide an interconnected network of sidewalks.
- j. Parking and driveways should be designed to avoid sidewalks from being blocked by overhanging vehicles.
- k. Minimize impacts of parking with the following:
  - Garages should be set back to the rear or behind the dwelling.
  - Where possible, orient access off of alleys to the rear or side of the dwelling.
  - Provide on-street parallel parking.
- l. Avoid large expanses of asphalt and provide landscaping in front of homes.
- m. Utilize landscaping or decorative fencing between the front of the home and the sidewalk to separate public from private space.



## **B. Commercial, Mixed Use and Civic Uses**

It is the intent that these design guidelines may be applied to a wide variety of commercial uses, including stand-alone commercial retail or office buildings, suburban commercial shopping centers, and mixed-use town centers, with the overall intent of meeting the goal of ensuring high quality lasting development in the County.

### Mixed Use

Mixed use development is typically found in town center or downtown environments where development is more compact and pedestrian oriented. Mixed use buildings typically will consist of ground floor retail where the building fronts on primary streets with either residential units or office space above. Parking is accommodated in shared surface or multi-level parking decks and with on-street angled or parallel parking.



### Commercial Uses

For the purpose of these guidelines, commercial uses are considered those within free-standing commercial buildings, office buildings, or shopping centers. These types of developments may include retail, restaurant, grocery or office uses. They may be located within a single parcel of land or be on an outparcel that is part of a shopping center, or within an office complex. These sites are typically located in close proximity to arterial or collector roads and are more automobile dependent.

#### **1. Massing / Scale**

- a. New construction shall complement or be compatible with existing surrounding architecture and buildings.
- b. Scale (width and height) should not dwarf existing adjacent buildings.

#### **2. Roofs and Parapet Walls**

- a. Similar rooflines should be incorporated into the design of buildings within the same block.

- b. Sloped Roofs should incorporate the following design features:
- materials should consist of: wood shingles, slate, clay tiles, concrete tiles, standing seam metal, or composition shingles.
  - roof color shall consist of natural or muted shades.
  - utilize overhanging eaves, extending from 6" to 18" past the supporting walls.
  - maintain a slope between 1:3 and 1:1 (rise:run) along the primary building façade.
  - Subtle breaks and fluctuations in the roof line or raised accent elements such as dormer windows, gables and chimneys are encouraged to highlight important areas such as entrances and break up longer runs of roof area.
- c. Flat roofs shall incorporate the following design features:
- Flat roofs shall use parapet walls and cornices.
  - All rooftop mechanical equipment such as heating and cooling, antennas and telecommunication equipment should be screened through the use of parapets or other opaque walls constructed of materials complementary to the supporting walls.
  - The average height of such parapets should not exceed fifteen (15) percent of the height of the supporting wall and such parapets should not at any point exceed one-third ( $1/3$ ) of the height of the supporting wall.
  - Such parapets shall feature three (3) dimensional cornice treatment.
  - Cornices should complement the building in scale, size and materials.
  - Cornices shall be continuous or wrap around the wall.
  - Break up continuous parapets with a change in height and similar decorative elements.



### 3. Site Design

- a. Shopping centers should orient buildings closer together along a primary street that may or may not permit vehicle traffic. A primary street through the center may include parallel or angled parking spaces with the remainder of the parking to the rear or side of the buildings.
- b. Free-standing commercial buildings along highway corridors, including retail and office uses, should orient buildings toward the street with parking oriented away from the street.

### 4. Façades

- a. Location - Facades facing the primary street should be located along a consistent setback.
- b. Materials - Any building or unit, including other buildings or units within its group or center, shall be faced on all sides with a combination of durable, attractive, high quality primary and accent materials.
  - Approved primary materials should include: brick, stone, cast stone, wood, synthetic wood, architectural concrete masonry unit (e.g., regal stone, split-face, precision, ground-face), precast concrete panels, or architectural metal panels.
  - In no instance shall Exterior Insulation and Finish Systems (EIFS), corrugated or channeled metal, pre-engineered metal or exposed metal wall system or unfinished/smooth face concrete block or simulated masonry or vinyl siding be used as a primary exterior façade.
- c. Color – Colors should complement and tie building elements together.
  - Limit bright colors to accent details.
  - Primary colors shall be low reflectance, subtle, and neutral or earth tone colors (e.g., such as colors of beige, sage or forest greens, grays, browns, terracotta, etc.) and shall not include high intensity, metallic, black, bright white or fluorescent tones. Neon tubing shall not be used as an accent feature.





d. Design –

- Ground floor facades that face a primary street shall have arcades, display windows, entry areas, awnings, or other such features along no less than sixty (60) percent of their horizontal length.
- Facades shall be broken up with detailed entrances and human scale architectural elements such as doors, windows, awnings, columns and arcades.
- Larger retail structures, with facades greater than one hundred (100) feet in length, measured horizontally are encouraged to incorporate vertical elements such as wall plane projections or recesses having a depth of at least three (3) percent of the façade length, and extending at least twenty (20) percent of the façade length. In no case shall an uninterrupted façade length exceed one hundred (100) feet. Each projection or recess should show a change in color, texture or pattern.
- 360 Architecture - All sides of buildings facing a public street or parking area should have decorative elements and similar facades. Blank facades are discouraged.
- Buildings four stories or taller should be broken up to define a “top”, “middle” and “base”. The “Top” is defined with cornices, sloping roofs with projections. The “Base” is defined with thicker walls, ledges or sills, textured, painted, or other materials such as stone or masonry.



**Top**

**Middle**

**Base**

- Mechanical equipment such as gutters, meters, and other utilities should match or complement the primary color of the building.
- Corner buildings with high visibility should incorporate enhanced details such as raised parapets, increased building height or tower feature, and other building articulation.



*Enhanced details are incorporated into this corner building*

## 5. Entrances

- a. Doors for public use shall be orientated toward the public street or primary road.

- b. Each principle building on a site shall have clearly defined, highly visible customer entrances.

- Entrances should featuring no less than three of the following: canopies or porticos; awnings; overhangs; recesses or projections; arcades; raised corniced parapets over the door; peaked roof forms; arches; outdoor patios; display windows; architectural details such as tile work and moldings which are integrated into the building structures and design; or, integral planters or wing walls that incorporated landscaped areas and/or places for sitting.
- Where additional stores will be located in the principal building, each such store shall have at least one (1) exterior customer entrance, which shall conform to this requirement.

## 6. Windows

- a. Windows should be vertically aligned with lower windows and doors along the building facade.
- b. Windows without trim should have window frames at least 2" wide.
- c. Facades for retail uses along a principal street should be glazed with clear glass no less than 70 percent of the first floor along the street frontage.

## 7. Gutters, Scuppers, Downspouts

- a. Gutters shall not be visible on parapet walls
- b. Parapets and cornices shall be continuous above a scupper
- c. Scuppers should be used on facades not visible from the primary street or public spaces.
- d. Downspouts shall be located on interior corners



*Scuppers collect rainwater from flat roofs behind parapet walls*

## 8. Awnings

a. Awnings should incorporate the following design criteria:

- Awnings should be pedestrian scaled and complement the building.
- Awnings should not be backlit.
- Awnings should be no longer than a storefront.
- Materials should consist of fabric, metal or glass.
- The bottom of the awning should not be higher than the top of the window and typically no higher than 9' above the exterior average grade.



## 9. Stairways

- a. Stairways should be incorporated into the building or made an architectural feature in massing and form.
- b. Prefabricated stairs are discouraged.

## **C. Architectural Standards for Signage**

### **1. General Standards**

- a. Lighting of signs shall be shielded to prevent spillover into residential areas.
- b. Corporate branding shall be permitted in a manner that blends in with the design of the building. Bright oversized corporate logos should be discouraged.
- c. Signage should be secondary to the architectural elements of the building.
- d. Business names are appropriate on wall signs, but not extraneous information such as business address, website address, or phone number.
- e. Neighborhoods should be defined with entry signage.
- f. Illumination of wall signs with external lighting is encouraged.
- g. The use of Electronic Message Center (EMC) signage should be closely evaluated, consistent with the zoning ordinance standards, taking into account the characteristics of the neighborhood and frequency and number of EMC signs. EMC signs should be incorporated into monument or wall signs in a manner that avoids negatively impacting adjacent properties or creating a distraction to the driving public.

### **2. Signage in Mixed Use Town Centers**

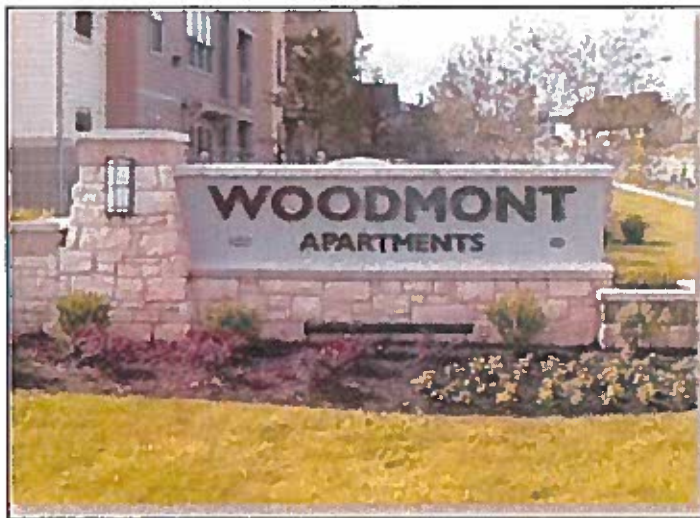
- a. Signage should be at an appropriate scale to the building.
- b. Signage should not dominate the façade but rather complement the building and its surroundings.
- c. Externally lighted wall signs are encouraged.
- d. Directional signage should be of a coordinated design.



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**3. Monument Signage**

- a. Monument style signs are encouraged over pole mounted signs.
- b. Sign materials and colors should be compatible with the materials and colors found on the primary building.
- c. Incorporation of landscaping around monument signs are encouraged to establish a sense of place.



**4. Signage for Shopping Centers**

- a. Shopping center signs should be sized for sufficient visibility and business identification without becoming a dominant part of the landscape or interfering with vehicular movement along adjacent streets.
- b. Directional signage should be of a coordinated design.



## **D. Design Standards for Screening and Landscaping**

### **1. Screening / Landscaping**

- a. Should be used to help hide trash, recycling, loading areas, mechanical equipment, utilities and other unsightly objects.
- b. Walls and fences utilized for screening should incorporate similar materials and colors as the primary building.



- c. Materials and landscaping should hide the objects but also enhance the street scape and principal building
- d. Board-on-board fencing should consist of low maintenance vinyl or other similar materials with subtle, earth tone colors.
- e. Slatted chain link fence is discouraged for screening.
- f. Outdoor storage shall be screened from view of any principal street by a streetscreen.
- g. Architectural elements added to a streetscreen should match the same architectural elements of the façade.
- h. Transitional buffers between conflicting uses should include a mix of evergreen trees with deciduous trees to provide year-round screening.
- i. Board-on-board fencing in transitional buffers should be enhanced with landscaping.



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## E. Design Standards for Parking

### 1. General Standards

- a. Inter-parcel connections are encouraged.
- b. Large parking lots should be avoided. Smaller, connected parking lots are recommended.
- c. When large parking areas cannot be avoided, they should be broken up by landscaping areas and pedestrian walkways.
- d. Motorcycle parking and Bicycle racks shall be provided.
- e. Shared parking between businesses is encouraged.
- f. In addition to car circulation, pedestrian circulation is recommended.
- g. Landscaping will help define the area with shade trees, lighting and sidewalks. These should enhance the architectural detail of the buildings.
- h. Lighting shall be designed to provide consistent light coverage over all parking and pedestrian facilities.
- i. Underutilized, overflow parking should consist of pervious pavement where feasible.



Discouraged

### 2. Location

- a. In town centers and shopping centers, parallel or angled parking along the primary commercial street and adjacent to the businesses is encouraged.
- b. Other parking should be behind buildings and in the rear of the property.
- c. Entrances to parking lots should be located on side streets or alleyways away from pedestrian movement.



Recommended

### **3. Parking Structures**

- a. Where parking structures are used, they should blend into the site. The exterior facades shall be compatible with respect to materials, accents, and color of adjacent facades.
- b. The first level of parking structures should not include parking that fronts on primary commercial streets. Retail uses are encouraged in these locations.



This parking garage along the primary street has includes retail uses along the first floor.



## F. Design Standards for Other Amenities

### 1. Lighting

- a. Decorative lighting fixtures are preferred over standard light poles.
- b. Lighting shall be Dark Sky compliant.
- c. Lighting should be directed downward and inward onto the site and away from adjacent property lines and streets.
- d. Accent lighting on building facades is encouraged to enhance building design.
- e. Lighting should be designed in accordance with Crime Prevention through Environmental Design guidelines.



### 2. Other Amenities

- a. In town centers, shopping centers, and neighborhood parks, the following amenities should be provided:
  - Benches, with intermediate armrests
  - Stationary Trash Containers
  - Bike Racks, located close to building entrances
  - If located along a transit route, include bus stop shelters, designed to fit into the character of the surrounding area.
- b. Amenities should be durable, attractive and follow a coordinated design within a community.
- c. Public Art, such as fountains or sculptures, should be incorporated as centerpieces of a town center or shopping center.



## **VI. IMPLEMENTATION**

The following implementation policies provide the County with the recommended strategies in executing this Plan. These strategies serve as a guide to applicants proposing reclassification to develop a Traditional Neighborhood or residential or commercial development projects inside the Urban Services Area as well as an outline of future actions which need to be taken by the County in order to facilitate implementation of these policies.

- A. The County should develop Zoning Ordinance amendments which comply with this Plan.
- B. The County should pursue local VDOT support of the recommended street designs.
- C. Applications for new P-TND districts or other Redevelopment Area or Urban Development Area zoning districts will be evaluated on their ability to demonstrate that the County's location policies and design standards have been followed.
- D. Applications for new residential or commercial developments will be evaluated on their ability to demonstrate compliance with the architectural design guidelines in this Plan.

§ 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.

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 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

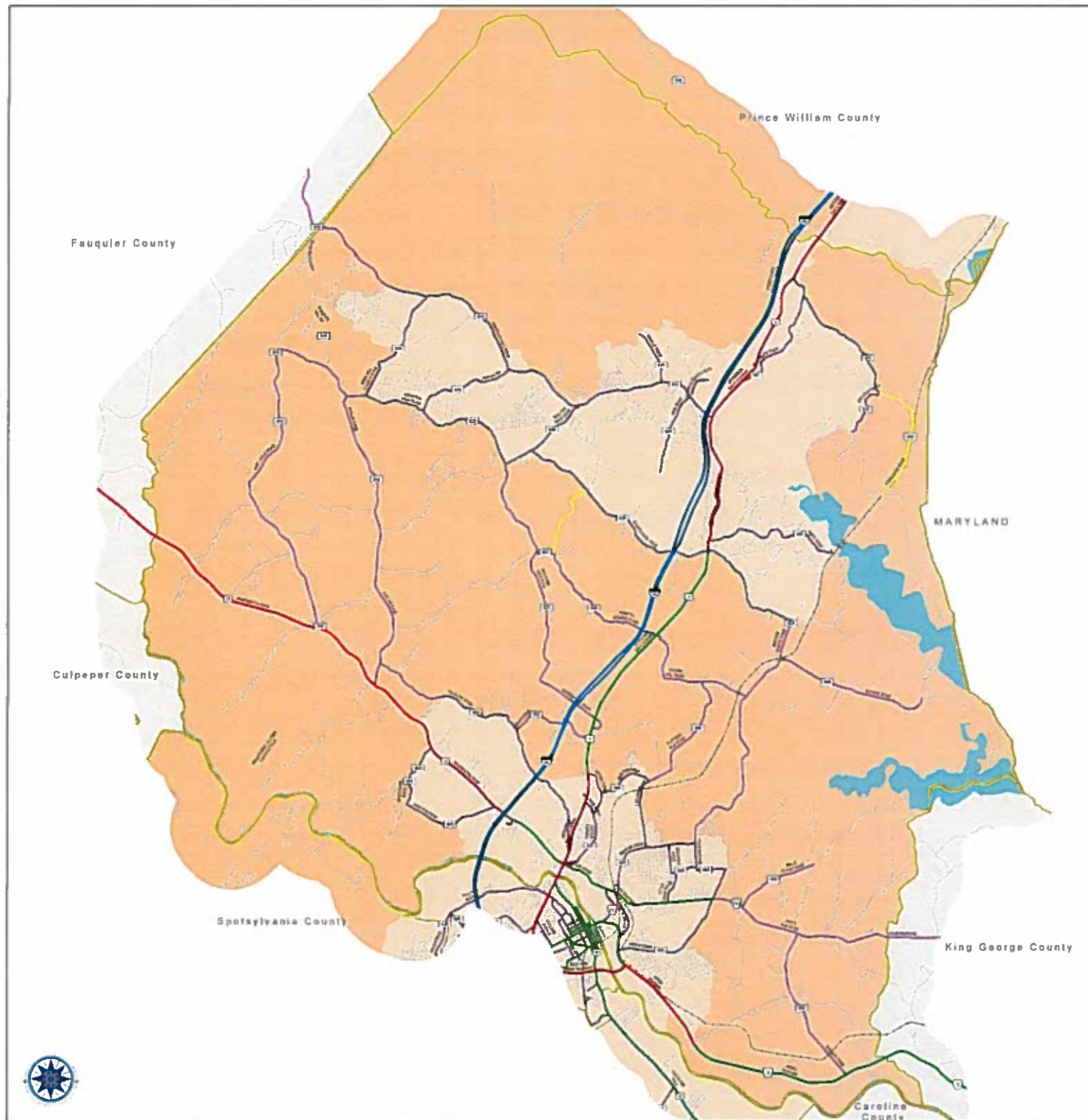
to enter into contracts with any person, firm or corporation for the management, preservation, maintenance or operation of any such area, landmark, building, structure, land pertaining thereto or interest therein so acquired as a place of historic interest; however, the locality shall not use the right 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 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.



Functional Classification Action	PH006 Approval Date
1995 Functional Classification	May 10, 1995
2005 Functional Classification	April 20, 2007

### Attachment 3 Page 1 of 1

The accuracy or completeness of this map is not guaranteed or warranted. The purpose of this map is to provide the Commonwealth of Virginia's official highway functional classification system. Information and changes noted on this map are subject to the highway functional classification system only.

Jurisdiction boundaries, Urban Cluster boundaries, Unincorporated Area boundaries and MPO Study Area boundaries based on Census 2000 data. However, some boundary data has been modified or amended for transportation planning purposes. Urban Cluster boundaries are only shown around outside of Unincorporated Area boundaries.

Request for information on the functional classification of roads on this map should be addressed to Virginia Department of Transportation, Transportation and Mobility Planning Division, State Transportation Planner, 1401 East Broad Street, Richmond, VA 23219 (804) 746-7000 (TTY users: call 711).

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		<b>FUNCTIONAL CLASSIFICATION</b>
		Urban Freeway & Expressway
		Urban Other Principal Arterial
		Urban Minor Arterial
		Urban Collector
		Rural Interstate
		Rural Other Principal Arterial
		Rural Minor Arterial
		Rural Minor Collector
		Not Classified Urban Local Road Local
<b>HIGHWAY ROUTE SHIELD</b>		
		Interstate
		US Highway
		VA Primary
		VA Secondary
<b>BOUNDARIES</b>		
		Jurisdiction Boundary
		Urban Cluster Boundary
		Unincorporated Area Boundary
		MPO Study Area Boundary
		City/County Boundary
		Railroad
		Major Water Feature

STAFFORD COUNTY

**Stafford County**

**2005 Functional Classification**

Stafford County






# **MEMORANDUM**

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## *Department of Planning and Zoning*

MEMORANDUM TO: Community and Economic Development Committee

FROM: Jeffrey A. Harvey  
Director 

DATE: May 3, 2016

SUBJECT: *The Keeping of Bees*

Staff has received an inquiry concerning the regulations in Stafford County for the keeping of bees. Currently, the Zoning Ordinance allows for the keeping of bees as an Agricultural Operation use in the A-1, Agriculture and A-2, Suburban Residential Districts. There is no additional acreage nor setback requirements for this use.

The neighboring jurisdictions that enforce special regulations for the keeping of bees are Hanover County (Attachment 1), the City of Fairfax (Attachment 2), and the City of Fredericksburg (Attachment 3). Copies of the regulations are attached. These regulations include setbacks from property lines, the number of hives, and requiring a permit. Currently, our zoning ordinance does not impose setbacks for any agricultural use nor does it allow for such uses in the Residential districts, consequently a zoning text amendment would need to be adopted to allow for the keeping of bees in other zoning districts or to impose special regulations for such a use.

JAH: SB:dk

Attachments (3)

## Hanover County

## DIVISION 1. - A-1 Agricultural District.

## Section 26-17. - Purpose of the district.

The purpose of this district is to provide for a full range of agricultural activities and to protect agricultural land, as one of the county's most valuable natural resources, from the depreciating effect of objectionable, hazardous, and unsightly uses. The district is also intended for protection of watersheds, water resources, forest areas, and scenic values, and at the same time to provide for spacious residential development for those who choose this environment and to prevent untimely scattering of more dense urban uses which should be confined to areas planned for efficient extension of public service.

(Ord. No. 12-08, § 3, 1-9-13)

## Section 26-18. - Permitted uses.

A building or land shall be used only for the following purposes:

1. Single-family dwellings, detached.
2. Agriculture, including horticultural, chemical, or general farming, truck gardens, cultivation of field crops, orchards, groves, or nurseries for growing or propagation of plants, trees, and shrubs, including temporary sawmills for cutting trees grown on the premises and use of heavy cultivating machinery, spray planes, or irrigating machinery, dairy farming, keeping or raising for sale of large or small animals, reptiles, fish, birds, or poultry, and including structures for processing and sale of products raised on the premises; provided:
  - a. Any sawmill, grain drier, commercial feed lot or hog raising operation shall be located at least two hundred fifty (250) feet from any dwelling not located on the premises.
  - b. Structures for commercial poultry raising shall be located at least two hundred (200) feet from any dwelling not located on the premises and at least one hundred (100) feet from any street or road.
  - c. Commercial slaughtering and processing of large animals, such as horses, cows, pigs, sheep, or goats shall not be conducted on the premises.
  - d. Any building for keeping of livestock shall be located at least two hundred (200) feet from any side or rear lot line, except as may be otherwise specified in this ordinance.
3. Telecommunications towers and related facilities, in accordance with the standards section 26-282 through 26-292:
  - a. On properties along designated scenic roads or waterways or within the "FAA Part 77 Area" as depicted on the public works facilities plan in the county comprehensive plan, that do not exceed fifty (50) feet in height;
  - b. Otherwise, that do not exceed one hundred (100) feet in height.
4. Dog kennels, noncommercial; provided any open pens, runs, cages or kennels or any place for keeping more than five (5) adult dogs shall be located at least two hundred (200) feet from any side or rear lot lines.
5. Golf courses, not lighted for night play and not including miniature golf courses, putting greens, driving ranges, and similar activities operated as a business, but including a building for a golf shop, locker room, and snack bar as an accessory use to a permitted golf course, providing no



such building is located closer than one hundred (100) feet from adjoining property lines. Practice greens and tees may accompany a standard nine-hole or eighteen-hole golf course occupying at least seventy-five (75) acres.

6. Facilities and structures necessary for rendering utility service, including poles, wires, transformers, utility cabinets and pedestals, and the like for normal electrical power distribution or communication service, pipelines or conduits for electrical or gas service, and pipelines, conduits, and transmission lines located within the suburban service area as depicted on the phased suburban development plan in the county comprehensive plan and used to connect to the public water and sewer system owned by the county, but not including buildings, treatment plants, pumping or regulator stations, substations and power transmission lines which are permitted as conditional uses.

Where a utility cabinet or pedestal is located above ground and outside the public right-of-way, it shall be:

- a. Located so that it does not interfere with the normal flow of pedestrian and motor vehicle traffic; and
  - b. Screened from view from residences and public rights-of-way with evergreen plant material that is at least the height of the utility cabinet or pedestal. Screening shall not be required for:
    - (i) Single stand-alone utility cabinets or pedestals that do not exceed four feet in height and do not have a footprint area in excess of six (6) square feet; and
    - (ii) A single means of access to a utility cabinet or pedestal, provided the means of access is located so as to minimize visibility of the utility cabinet or pedestal from residences and public rights-of way.
7. Grain storage structures.
  8. Greenhouse, commercial.
  9. Animal hospital or clinic for large animals provided that all buildings, structures, pens, or open kennels shall be located at least two hundred (200) feet from any lot line.
  10. Animal hospital or clinic for small animals (dogs, cats, birds, and the like) provided such hospital or clinic and any treatment rooms, cages, pens, or kennels be maintained within a completely enclosed, soundproof building, and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls.
  11. Military bases and appurtenances and parks operated by the United States Government or agencies of the Commonwealth of Virginia.
  12. Public and private forests, wildlife reservations, similar conservation projects.
  13. Railroad rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, round houses, power houses, interlocking towers, and fueling, sanding and watering stations.
  14. Recreational uses such as tennis courts, swimming pools, and other similar activities operated exclusively for the use of private membership and not for commercial purposes; provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property line.
  15. Keeping of horses, ponies or other livestock; provided that there shall be kept on the premises no more than one (1) horse or pony for each acre of land.
  16. Stable, public or private; provided that there shall be housed on the premises no more than one (1) horse or pony for each acre of land.

17. Raising for sale of birds, bees, fish, rabbits, and other small animals, provided any use shall be located at least two hundred (200) feet from any side or rear lot lines.
18. Frog or fish farms, provided any use shall be located at least two hundred (200) feet from any side or rear lot lines.
19. Medical office, limited to two (2) doctors and their staffs (no more than two (2) staff members per doctor).
20. The permanent placement or removal of clean earth fill, including all related excavation and filling activities, provided:
  - a. If the placement or removal is done in connection with the development of a property and the clean earth fill is being relocated on the same property, such placement or removal shall be permitted when it is done in furtherance of an approved site plan or construction plan.
  - b. If the placement or removal is done in connection with the development of another property and the clean earth fill is either being transported to or from the property, such placement or removal shall be permitted when the source and destination of the clean earth fill are properly permitted with the applicable state and local regulatory authorities.
  - c. If the placement of fill is not being done in furtherance of an approved site plan or construction plan and the average depth of clean earth fill being added is greater than one (1) foot, the property owner shall record a plat, approved by the director of public works, showing the locations where the fill has been placed. This plat shall be recorded in the office of the clerk of the circuit court of the county, within thirty (30) days of the conclusion of the placement or filling activities on the property.

(Ord. No. 12-08, § 3, 1-9-13)

**Section 26-29. - Applicability of regulations to certain lots.**

All lots or parcels described in deeds or plats recorded in the Hanover County Circuit Court Clerk's Office prior to the close of business on October 9, 1996, which meet all zoning and subdivision requirements for yards, setbacks, and access in effect on the date of building permit application shall be deemed to be in compliance with the lot dimension and area requirements of the Zoning Ordinance and requirements of the Subdivision Ordinance."

(Ord. No. 12-08, § 3, 1-9-13)

**Section 26-30. - Rural cluster subdivisions.**

- (a) Rural Cluster subdivisions shall be permitted in areas designated as a Rural Conservation Area on the Conservation and Phased Suburban Development Plan in the Hanover County Comprehensive Plan, subject to the following standards, conditions, and criteria:
- (b) Minimum area for application; density. The minimum parcel size for consideration of a rural cluster subdivision shall be twenty (20) acres. Permissible density shall be one lot per ten (10) acres.
- (c) Lot area requirements.
  - (1) Residential lots. No residential lot within a Rural Cluster subdivision shall exceed two (2) acres. There shall be no minimum lot area.
  - (2) Conservation lot. A minimum of eighty (80) percent of the total area of the parcel shall be within the conservation lot.
- (d) Preservation of open space on conservation lot.

- (1) Prior to or contemporaneous with final subdivision approval for any property within a Rural Cluster subdivision, the property owner shall record documents conveying an open space easement applicable to the conservation lot to the County, with content approved by the County, requiring preservation of features so designated on the subdivision plat in perpetuity and prohibiting further division of the conservation lot.
  - (2) The Board may approve conveyance of the open space easement to a qualifying nonprofit or governmental entity other than the County, upon a finding that such a conveyance will achieve purposes of open space or historic preservation consistent with the character of the property, that the conveyance will be beneficial to the future owners within the subdivision and to the public, and that the purposes and resources of the entity and the proposed conveyance are consistent with the perpetual preservation of the open space and significant features.
- (e) Access. No residential lot shall have direct access to a road located outside the Rural Cluster subdivision. Conservation lots may have direct access to a road located outside the subdivision only for agricultural and related purposes.
- (f) Additional requirements for subdivision plat. In addition to the requirements set forth in the Subdivision Ordinance for subdivisions within the A-1 Agricultural District, the following shall also be required:
1. Location(s) of any historic resources on both the subject and adjacent parcels, including cemeteries, trenches, and archeological features as reflected in available County records.
  2. Proposed location of single-family dwelling, if any, on conservation lot.
  3. Such other information as may be required by the Director.
- (g) Additional requirements for subdivision. The following additional development standards shall be required for Rural Cluster subdivisions:
1. All floodplains, wetlands, and steep slopes shall be protected from clearing, grading, filling, or construction (except as may be approved by the County for essential infrastructure).
  2. Lots shall be designed to preserve and maintain existing treelines between fields or meadows, pastures, meadows, orchards, and mature woodlands, especially those containing a significant wildlife habitat.
  3. Lots shall be designed to minimize development on open fields and pastures, and should locate building sites on the least prime agricultural lands.
  4. Existing views from public thoroughfares shall be preserved to the maximum extent practicable.
  5. Lots shall be designed to minimize necessary grading or filling, and to take advantage of the existing topography and landforms to the extent practicable.
  6. Lots shall be designed to avoid important historic, archaeological, or cultural sites.

(Ord. No. 12-08, § 3, 1-9-13)

**Section 26-31. - Family homesteads.**

A lot or parcel with a minimum area of two (2) acres is permitted for the purpose of constructing a home to be occupied by the natural or legally defined offspring, spouse, grandchild, grandparent, or parent of the owner of the tract from which the homestead lot is divided. The creation and use of a homestead lot shall be subject to the following provisions:

1. Only one homestead lot may be created for any one family member, and such lot shall not be created for the purpose of circumventing this Ordinance. No homestead lot shall be created prior to compliance with the requirements of this Section. Any homestead lot created under this Section shall be titled in the name of the family member for whom the home is built for a period

- of no less than three (3) years following issuance of the certificate of occupancy unless the lot is the subject of an involuntary transfer such as foreclosure, death, judicial sale, condemnation, or bankruptcy. The requirements of this Section shall be set forth in an agreement to be executed by the grantor and grantee of the lot in a form prescribed by the Director. This agreement shall be recorded in the Hanover County Circuit Court Clerk's Office prior to the creation of the lot.
2. Prior to the creation of a homestead lot, the grantor and grantee shall submit to the Director documentation as to compliance with these requirements, as required by the Director, along with an affidavit describing the purpose of the conveyance and identifying the members of the immediate family receiving the lot created.
  3. An application for a building permit shall be submitted within two (2) years of creation of any homestead lot and shall include confirmation of previously submitted documentation. A certificate of occupancy for the residence must be obtained within three (3) years after creation of any homestead lot, unless this time period is extended by the Planning Director, for good cause, consistent with the purpose of this Section, demonstrated by the applicant.
  4. The minimum width, yard, and area requirements of all such lots, including the remaining property from which the lot is divided, shall be in accordance with the Zoning Ordinance.
  5. For property not served with public water and public sewer, each lot shall have its septic tank system and water source approved by the Health Department, and those facilities shall be located on the lot served.
  6. Each lot or parcel of property shall front a road which is part of the Virginia System of Highways or shall front upon a private drive or road which is in a right-of-way no less than twenty (20) feet in width. Such right-of-way shall remain private and shall include a driveway within it consisting of, at a minimum, an all-weather surface of rock, stone, or gravel, with a minimum depth of one inch and a width of ten (10) feet. An erosion and sediment control plan with appropriate surety shall be submitted for approval if the proposed right-of-way and drive construction disturbs more than two thousand five hundred (2,500) square feet of the property.

(Ord. No. 12-08, § 3, 1-9-13)

## Hanover County

## DIVISION 2. - AR-6, Agricultural Residential District.

## Section 26-32. - Purpose of the district.

The purpose of this district is to provide for spacious residential development for those who choose this environment; to provide for a full range of agricultural activities; and to protect agricultural land, as one of the county's most valuable natural resources, from the effect of objectionable, hazardous, and unsightly uses. The district is also intended to provide for protection of watersheds, water resources, forest areas, and scenic values.

(Ord. No. 12-08, § 3, 1-9-13)

## Section 26-33. - Permitted uses.

A building or land shall be used only for the following purposes:

1. Single-family dwellings, detached.
2. Agriculture, including horticultural, chemical, or general farming, truck gardens, cultivation of field crops, orchards, groves, or nurseries for growing or propagation of plants, trees, and shrubs, including temporary sawmills for cutting trees grown on the premises and use of heavy cultivating machinery, spray planes, or irrigating machinery, dairy farming, keeping or raising for sale of large or small animals, reptiles, fish, birds, or poultry, and including structures for processing and sale of products raised on the premises; provided:
  - a. Any sawmill, grain drier, commercial feed lot or hog raising operation shall be located at least two hundred fifty (250) feet from any dwelling not located on the premises
  - b. Structures for commercial poultry raising shall be located at least two hundred (200) feet from any dwelling not located on the premises and at least one hundred (100) feet from any street or road,
  - c. Commercial slaughtering and processing of large animals, such as horses, cows, pigs, sheep, or goats shall not be conducted on the premises.
3. Telecommunications towers and related facilities that do not exceed fifty (50) feet in height, in accordance with the standards of section 26-282 through 26-292.
4. Dog kennels, noncommercial; provided any open pens, runs, cages or kennels or any place for keeping more than five (5) adult dogs shall be located at least two hundred (200) feet from any side or rear lot lines.
5. Golf courses, not lighted for night play and not including miniature golf courses, putting greens, driving ranges, and similar activities operated as a business, but including a building for a golf shop, locker room, and snack bar as an accessory use to a permitted golf course, providing no such building is located closer than one hundred (100) feet from adjoining property lines. Practice greens and tees may accompany a standard nine-hole or eighteen-hole golf course occupying at least seventy-five (75) acres.
6. Facilities and structures necessary for rendering utility service, including poles, wires, transformers, utility cabinets and pedestals, and the like for normal electrical power distribution or communication service, and pipelines or conduits for electrical, gas, sewer, or water service, but not including buildings, treatment plants, pumping or regulator stations, substations and power transmission lines which are permitted as conditional uses.

Where a utility cabinet or pedestal is located above ground and outside the public right-of-way, it shall be:

- a. Located so that it does not interfere with the normal flow of pedestrian and motor vehicle traffic, and
  - b. Screened from view from residences and public rights-of-way with evergreen plant material that is at least the height of the utility cabinet or pedestal. Screening shall not be required for:
    - i. Single stand-alone utility cabinets or pedestals that do not exceed four (4) feet in height and do not have a footprint area in excess of six (6) square feet, and
    - ii. A single means of access to a utility cabinet or pedestal, provided the means of access is located so as to minimize visibility of the utility cabinet or pedestal from residences and public rights-of way.
7. Grain storage structures.
  8. Greenhouse, commercial.
  9. Animal hospital or clinic for large or small animals provided that all buildings, structures, pens, or open kennels shall be located at least two hundred (200) feet from any lot line.
  10. Animal hospital or clinic for small animals (dogs, cats, birds, and the like) provided such hospital or clinic and any treatment rooms, cages, pens, or kennels be maintained within a completely enclosed, soundproof building, and that such hospital or clinic be operated in such a way as to produce no objectionable odors outside its walls.
  11. Military bases and appurtenances and parks operated by the United States Government or agencies of the Commonwealth of Virginia.
  12. Public and private forests, wildlife reservations, similar conservation projects.
  13. Railroad rights-of-way, including a strip of land with tracks and auxiliary facilities for track operations, but not including passenger stations, freight terminals, switching and classification yards, repair shops, round houses, power houses, interlocking towers, and fueling, sanding and watering stations.
  14. Recreational uses such as tennis courts, swimming pools, and other similar activities operated exclusively for the use of private membership and not for commercial purposes; provided that no such use, structure, or accessory use is located closer than fifty (50) feet to any adjoining property line.
  15. Stable, public or commercial; provided that any building for keeping of animals shall be located at least two hundred (200) feet from any side or rear lot lines, and that there shall be housed on the premises no more than one (1) horse or pony for each acre of land.
  16. Stable, private, or keeping of horses, ponies or other livestock for personal enjoyment and not as a business; provided that any building for keeping of animals shall be located at least one hundred (100) feet from any side or rear lot lines and that there shall be housed or kept on the premises no more than one (1) horse or pony for each acre of land.
  17. Raising for sale of birds, bees, fish, rabbits, and other small animals, provided any use shall be located at least two hundred (200) feet from any side or rear lot lines.
  18. Frog or fish farms outside of the Suburban Development Overlay District, provided any use shall be located at least two hundred (200) feet from any side or rear lot lines.
  19. Medical office, limited to two (2) doctors and their staffs (no more than two (2) staff members per doctor).
  20. The permanent placement or removal of clean earth fill, including all related excavation and filling activities, provided:



- a. If the placement or removal is done in connection with the development of a property and the clean earth fill is being relocated on the same property, such placement or removal shall be permitted when it is done in furtherance of an approved site plan or construction plan.
- b. If the placement or removal is done in connection with the development of another property and the clean earth fill is either being transported to or from the property, such placement or removal shall be permitted when the source and destination of the clean earth fill are properly permitted with the applicable state and local regulatory authorities.
- c. If the placement of fill is not being done in furtherance of an approved site plan or construction plan and the average depth of clean earth fill being added is greater than one (1) foot, the property owner shall record a plat, approved by the director of public works, showing the locations where the fill has been placed. This plat shall be recorded in the office of the clerk of the circuit court of the county, within thirty (30) days of the conclusion of the placement or filling activities on the property.

(Ord. No. 12-08, § 3, 1-9-13)

## DIVISION 8. - B-1 Neighborhood Business District.

## Section 26-109. - Permitted accessory uses.

1. The location of office and construction trailers, which shall be removed within thirty (30) days of completion of construction.
2. Parking lot, garage, or deck, accessory to permitted uses.
3. Promotional events that meet the following criteria:
  - a. A permit must be issued by the Director before the promotional event occurs. All requests for promotional event permits shall be submitted at least five (5) business days before the promotional event. The application for a promotional event permit shall describe the activities planned and shall contain a sketch plan showing the location of existing structures, parking areas, vehicle entrances and exits, and pedestrian walkways, and the proposed location of the promotional event activities.
  - b. A promotional event permit may be issued for a period not to exceed three (3) consecutive days.
  - c. Promotional events involving the outdoor display of goods and merchandise shall be conducted within an area immediately adjacent to the place where such items are customarily sold.
  - d. No required off-street parking space, area used for vehicular ingress or egress, access drive or loading area shall be utilized for such display or activity.
  - e. A promotional event permit shall not authorize yard sales, flea markets, or other display or sale of used merchandise other than that normally sold by the business holding the promotional event.
  - f. Promotional events may only occur during the normal business hours of operation on the property.
  - g. If a private sidewalk or pedestrian way in front of the building is used for the display of merchandise or for any activity related to the promotional event, a minimum width of four feet must remain unobstructed for pedestrian use.

All other promotional events shall be considered "promotional activities."

4. Wetland banks, facilities used for stormwater management, and conservation projects.
5. Telecommunications arrays, located on an existing structure, provided the following requirements are met:
  - a. The existing structure shall be in compliance with all currently applicable regulations.
  - b. The height of the existing structure shall not be increased by more than ten (10) percent or ten (10) feet, whichever is less; provided, for properties located within the Hanover County Airspace Map area, no such increase may be permitted if the increase in height creates a hazard for the Hanover County Airport for existing, future or planned airspaces. In determining whether a proposed structure or addition to an existing structure creates such a hazard, the Director may consult with the Federal Aviation Administration and the Virginia Department of Aviation.
  - c. The arrays shall not cause any interference with, or adverse impact on, the county's communications system.
  - d. Any equipment cabinets or structures placed on the ground to serve the array(s) shall be screened in accordance with section 26-262, unless visually obstructed by existing vegetation or other structures on site.

- e. The arrays shall not be permitted if lighting, beacons, or other safety devices are required by the Federal Communications Commission, the Federal Aviation Administration, or any other governing agency.

(Ord. No. 12-08, § 3, 1-9-13; Ord. No. 13-05, § 3, 7-23-14)

**Section 26-111. - Special exceptions.**

The following uses may be permitted as special exceptions:

1. Adult day care centers.
2. Archery ranges (indoor only).
3. Assisted living facilities.
4. Auction sales, on a lot no less than ten (10) acres in area, located outside of the suburban development district, with no more than four (4) such sales in any calendar year.
5. Children's residential facilities.
6. Commercial dog kennels.
7. Convalescent homes, nursing homes, or homes for the aged.
8. Day nurseries or child day care centers.
9. A dwelling for use by proprietor or employee of business other than a hotel or motel.
10. Fences up to seven (7) feet in height, located within the front yard on lots outside of the suburban service area.
11. Nonaccessory tents for special purposes.
12. Outdoor displays or promotional activities (other than "promotional events").
13. Outdoor musical or entertainment festivals.
14. Raising for sale of birds, bees, fish, rabbits and other small animals in a suburban development district only.
15. Rifle or pistol ranges, or trap shooting (indoor only).
16. Temporary buildings for use as a sales or rental office for an approved real estate development or subdivision.
17. Telecommunications towers and related facilities that:
  - (a) Exceed one hundred (100) feet in height but do not exceed one hundred forty (140) feet in height; or
  - (b) Exceed fifty (50) feet but do not exceed one hundred forty (140) feet and are located along designated scenic roads or waterways or within the "FAA Part 77 Area" as depicted on the public works facilities plan in the county comprehensive plan, in accordance with the standards set forth in sections 26-282 through 26-292.

(Ord. No. 12-08, § 3, 1-9-13)

**Section 26-21. - Special exceptions.**

The following uses may be permitted as special exceptions:

1. Archery ranges.
2. Asphalt batching plants or concrete batching plants.
3. Dog kennels, commercial.
4. Nonaccessory tents for special purposes.
5. Outdoor displays or promotional activities (other than "promotional events").
6. Equestrian facilities.
7. Raising for sale of birds, bees, fish, rabbits and other small animals in a Suburban Development Overlay district only.
8. Rifle or pistol ranges, trap, or skeet shooting.
9. Sawmill for cutting timber not grown on the premises.
10. Temporary buildings for use as a sales or rental office for an approved real estate development or subdivision.
11. Private garage for more than four (4) vehicles, on properties located within the suburban service area as depicted on the phased suburban development plan in the county comprehensive plan.
12. Cemetery for pets.
13. Convalescent homes, nursing homes, or homes for the aged.
14. Day nurseries or child or adult day care centers.
15. Frog or fish farms in the Suburban Development Overlay district only.
16. Sale of farm products not raised on the premises. Such sale shall be permitted only in conjunction with sales pursuant to section 26-19 above and only on a lot no less than ten (10) acres in area.
17. Manufactured homes for living quarters as follows:
  - (a) Accessory to a farm;
  - (b) In cases of medical hardship, as provided in section 26-23.
18. Equipment storage yards accessory to a business office for construction or service contractors, operated as a home occupation, when located outside of the Suburban Development Overlay district, provided:
  - a. The maximum number of employees on site shall not exceed ten (10) per establishment.
  - b. There shall be no more than ten (10) pieces of motor propelled equipment stored per site, related to the designated use.
  - c. There shall be a minimum lot size of five (5) acres, and no more than two (2) acres shall be devoted to the use permitted pursuant to this section.
  - d. There shall be no associated structure on site larger than five thousand (5,000) square feet in size.
  - e. When equipment storage is within one hundred (100) feet of a property zoned for residential use, the equipment shall be screened in accordance with the standards specified in section 26-263.
  - f. Applications shall be accompanied by a sketch plan prepared in accordance with the standards specified in section 26-323.

19. Home occupations in an accessory building, home craft shops, or retail sales businesses conducted as a home occupation in accordance with the standards of section 26-279.
20. Sale of Christmas trees not raised on the premises.
21. Auction sales, on a lot no less than ten (10) acres in area, located outside of the Suburban Development Overlay district, with no more than four (4) such sales in any calendar year.
22. Open or enclosed space for the storage of one commercial motor vehicle with greater than two ton capacity on property that is located outside of the suburban service area as depicted on the phased suburban development plan in the county comprehensive plan, subject to the following standards:
  - a. The tax parcel on which the vehicle is stored shall be a minimum of two (2) acres in area and shall have public road frontage; and
  - b. A sketch plan shall be submitted for review at the time of application, in accordance with the standards specified in section 26-323.
23. Bed and breakfast, in accordance with the standards of section 26-300.
24. Fences up to seven (7) feet in height, located within the front yard on lots outside of the suburban service area.
25. Accessory family housing unit for use by a family member in accordance with the standards of section 26-280.
26. Outdoor musical or entertainment festivals.
27. Telecommunications towers and related facilities that:
  - a. Exceed one hundred (100) feet in height but do not exceed one hundred forty (140) feet in height; or
  - b. Exceed fifty (50) feet but do not exceed one hundred forty (140) feet and are located along designated scenic roads or waterways or within the "FAA Part 77 Area" as depicted on the public works facilities plan in the county comprehensive plan, in accordance with the standards set forth in section 26-282 through 26-292.
28. Assisted living facilities that house nine or more persons, not including caregivers.
29. Children's residential facilities.

(Ord. No. 12-08, § 3, 1-9-13)

**Section 26-197. - Permitted uses, special exceptions, and conditional uses.**

All uses permitted in the underlying zoning districts shall be permitted in the U.S. Route 1 Corridor Overlay District and shall be subject to the standards and regulations applicable in the underlying zoning districts, with the following exceptions:

- (a) For properties zoned R-1, R-2, or R-3, the following shall be conditional uses:
  - 1. All uses listed in the underlying district regulations as conditional uses.
  - 2. Agricultural uses as specified in the underlying district regulations, and any references made to these sections.
  - 3. Raising for sale of birds, bees, fish, rabbits, and other small animals.
- (b) In the R-4 zoning district, the following shall be conditional uses:
  - 1. All uses currently listed in the underlying district regulations as conditional uses.
  - 2. Agricultural uses incorporated by reference.
- (c) In the R-5 zoning district, the following shall be conditional uses:
  - 1. All uses currently listed in the underlying district regulations as conditional uses.
  - 2. Raising birds, bees, fish, rabbits, and other small animals for sale.
- (d) In the M-2, Light Industrial District, the following uses shall be conditional uses:
  - 1. All uses specified in section 26-174, as conditional uses.
  - 2. Animal, poultry, and bird raising, commercial.
- (e) For properties zoned M-3, Heavy Industrial District, the following uses shall be conditional uses:
  - 1. All uses specified in section 26-183, as conditional uses.
  - 2. Animal, poultry, and bird raising, commercial.
  - 3. Pulp, paper and paperboard.
  - 4. The manufacturing, compounding, processing, packaging, fabrication or treatment of:
    - a. Asphalt or asphalt products, including batching and mixing.
    - b. Fish curing and smoking, fish oils and meal.
    - c. Leather and hide tanning and finishing.
    - d. Meat or fish product manufacturing, including slaughtering or preparation for packaging.

(Ord. No. 12-08, § 3, 1-9-13)



**Section 26-204. - Permitted uses, special exceptions, and conditional uses.**

All uses permitted in the underlying zoning districts shall be permitted in the Ashland Area Overlay District and shall be subject to the standards and regulations applicable in the underlying zoning districts, with the following exceptions:

- (a) In the R-1, R-2, R-3, and R-6 zoning districts, the following shall be conditional uses:
  - 1. All uses listed in R-1, R-2, R-3, and R-6 zoning district regulations, as conditional uses.
  - 2. Agricultural uses as specified in R-1 and R-2 zoning district regulations, and any references made to these sections.
  - 3. Raising for sale of birds, bees, fish, rabbits, and other small animals.
- (b) In the R-4 zoning district, the following shall be conditional uses:
  - 1. All uses currently listed in the R-4 zoning district regulations, as conditional uses.
  - 2. Agricultural uses incorporated by reference.
- (c) In the R-5 zoning district, the following shall be conditional uses:
  - 1. All uses currently listed in the R-5 zoning district regulations, as conditional uses.
  - 2. Raising for sale of birds, bees, fish, rabbits, and other small animals.
- (d) In the M-2, Light Industrial District, the following uses shall be conditional uses:
  - 1. All uses specified in section 26-174, as conditional uses.
  - 2. Animal, poultry, and bird raising, commercial.
- (e) In the M-3, Heavy Industrial District, the following uses shall be conditional uses:
  - 1. All uses specified in section 26-183, as conditional uses.
  - 2. Animal, poultry, and bird raising, commercial.
  - 3. Pulp mills.
  - 4. Asphalt or asphalt products, including batching and mixing.
  - 5. Fish curing and smoking, fish oils and meal.
  - 6. Glue, hides, and raw fur curing, tanning, dressing, dyeing, and storage.
  - 7. Leather tanning and curing.
  - 8. Meat or fish products, including slaughtering of animals or poultry or preparation of fish for packing.

(Ord. No. 12-08, § 3, 1-9-13)

## Fairfax City Chapter 7 - DOMESTIC BEEKEEPING<sup>(1)</sup>

### Footnotes:

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Cross reference— Animals, ch. 6; environment, ch. 38; health and sanitation, ch. 46; zoning, ch. 110.

### Sec. 7-1. - Definitions.

[The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Apiary means the assembly of one or more colonies of bees at a single location.

Beehive or hive means a dwelling-place constructed for bees, measuring no greater than six feet in height from the base of the structure to the top.

Beekeeping equipment means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.

Colony means an aggregate of bees consisting principally of workers, but having, when perfect, one queen and at times drones, brood, combs and honey.

Domestic beekeeping means the care, manipulation and management of all life-stages of honey bees for non-commercial purposes.

Flyway barrier means a wall, solid fence, dense vegetation or a combination thereof at least six feet in height, designed to direct the honeybees' flight from the hive upward, out of humans' way.

Honey bee, means all stages of life of the common domestic, certified European honeybee, otherwise known by the species name *Apis mellifera*.

(Ord. No. 2013-15, 6-25-2013)

### Sec. 7-2. - Colony density.

- (a) The minimum lot size required for beekeeping shall be 5,000 square feet.
- (b) The maximum number of hives allowed shall be determined based on lot sizes as follows:
  - (1) Larger than 5,000 square feet but smaller than ¼ acre: Two beehives.
  - (2) Larger than ¼ acre: Four beehives.

(Ord. No. 2013-15, 6-25-2013)

### Sec. 7-3. - Best practices.

Keeping of up to four beehives on an occupied, residential lot shall be allowed, provided that:

- (1) All honey bee colonies shall be kept in inspectable type hives with removable combs, which shall be kept in sound and usable condition.

- (2) A constant supply of fresh water shall be provided on the lot, within 20 feet of all hives. The water source shall be maintained so as not to become stagnant.
- (3) A flyway barrier at least six feet in height, but no greater than seven feet in height, shall be erected parallel to the property line between the hive opening and any property line located ten feet or less therefrom. The flyway barrier shall consist of a wall, solid fence, dense vegetation or a combination thereof extending five feet beyond the hive in each direction. A flyway barrier of dense vegetation shall not be limited to seven feet in height provided that the initial planting is four feet in height and the vegetation normally reaches six feet in height or higher. Barriers shall be maintained in good condition so that all bees are forced to fly at an elevation of at least six feet above ground level.
- (4) The property owner, operator, or tenant that intends to engage in domestic beekeeping shall obtain a permit under section 7-4.

(Ord. No. 2013-15, 6-25-2013)

Sec. 7-4. - Permit and fees.

- (a) Any person who wishes to keep bees in the City of Fairfax shall obtain a permit prior to acquiring the honey bees.
- (b) The applicant for the permit shall provide written permission from the owner of the property if the applicant is not the owner.
- (c) Upon receipt and approval of a permit application, best practices list, plat showing proposed hive locations and payment of the fee, the zoning administrator may issue a non-transferable permit to the applicant.
- (d) The treasurer shall place all money collected by him for domestic beekeeping permits in the general fund of the city.

(Ord. No. 2013-15, 6-25-2013)

Sec. 7-5. - Authority to revoke permit.

- (a) The city manager's designee may revoke the permit and remove the hive(s) if the applicant fails to comply with the best practices as stipulated herein, this or any ordinance of the City Code, or any other applicable Virginia or local law or regulation pertaining to the keeping of bees.
- (b) The city's designated inspector shall have the right to inspect the hives between 8:00 a.m. and 5:00 p.m. Where practicable, prior notice shall be given to the licensed beekeeper.
- (c) In any instance in which a colony exhibits aggressive or swarming behavior as determined by the city, the beekeeper must ensure that the colony is re-queened or the permit may be revoked by the city manager. Aggressive behavior is any instance in which unusual aggressive characteristics such as stinging or attacking without provocation occurs.
- (d) The city manager's designee may remove any colonies and hives determined to be abandoned.

(Ord. No. 2013-15, 6-25-2013)

**Section 26-204. - Permitted uses, special exceptions, and conditional uses.**

All uses permitted in the underlying zoning districts shall be permitted in the Ashland Area Overlay District and shall be subject to the standards and regulations applicable in the underlying zoning districts, with the following exceptions:

- (a) In the R-1, R-2, R-3, and R-6 zoning districts, the following shall be conditional uses:
  - 1. All uses listed in R-1, R-2, R-3, and R-6 zoning district regulations, as conditional uses.
  - 2. Agricultural uses as specified in R-1 and R-2 zoning district regulations, and any references made to these sections.
  - 3. Raising for sale of birds, bees, fish, rabbits, and other small animals.
- (b) In the R-4 zoning district, the following shall be conditional uses:
  - 1. All uses currently listed in the R-4 zoning district regulations, as conditional uses.
  - 2. Agricultural uses incorporated by reference.
- (c) In the R-5 zoning district, the following shall be conditional uses:
  - 1. All uses currently listed in the R-5 zoning district regulations, as conditional uses.
  - 2. Raising for sale of birds, bees, fish, rabbits, and other small animals.
- (d) In the M-2, Light Industrial District, the following uses shall be conditional uses:
  - 1. All uses specified in section 26-174, as conditional uses.
  - 2. Animal, poultry, and bird raising, commercial.
- (e) In the M-3, Heavy Industrial District, the following uses shall be conditional uses:
  - 1. All uses specified in section 26-183, as conditional uses.
  - 2. Animal, poultry, and bird raising, commercial.
  - 3. Pulp mills.
  - 4. Asphalt or asphalt products, including batching and mixing.
  - 5. Fish curing and smoking, fish oils and meal.
  - 6. Glue, hides, and raw fur curing, tanning, dressing, dyeing, and storage.
  - 7. Leather tanning and curing.
  - 8. Meat or fish products, including slaughtering of animals or poultry or preparation of fish for packing.

(Ord. No. 12-08, § 3, 1-9-13)

City of Fredericksburg, VA  
Monday, April 25, 2016

## Chapter 14. Animals

### ARTICLE IX. Urban Agriculture

#### DIVISION 2. Honeybees

#### § 14-240. Keeping of honeybees.

[Ord. No. 12-21, 9-11-2012]

Keeping of up to two hives of honeybees on an occupied, single-family residential lot shall be allowed, provided that:

- A. No hive shall be located closer than 10 feet to any side property line or public sidewalk or closer than five feet to a rear property line.
- B. A constant supply of fresh water shall be provided on the lot, within 20 feet of all hives.
- C. A flyway barrier at least six feet in height shall shield any part of a property line that is within 25 feet of a hive, or facing a hive opening. The flyway barrier shall consist of a wall, solid fence, dense vegetation or a combination thereof.
- D. The owner, operator, or tenant shall obtain a license under § 14-241.




## **MEMORANDUM**

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### *Department of Planning and Zoning*

MEMORANDUM TO: Community and Economic Development Committee

FROM: Jeffrey A. Harvey   
Director

DATE: May 3, 2016

SUBJECT: *Inoperative Vehicle Issues*

The zoning staff is charged with the enforcement of regulations for inoperative vehicles which is found in Chapter 15 of the County Code. Article IV - NUISANCE INOPERABLE MOTOR VEHICLES ON RESIDENTIAL, COMMERCIAL OR AGRICULTURAL PROPERTY, Sec. 15-101 - 104 (Attachment 1) defines an inoperable vehicle, how many inoperable vehicles are permitted on a property and the procedure for their removal. The procedure provides for the issuance of notice of violation, a time frame for the property owner to remove the vehicle, a procedure for the county to remove the vehicle and to dispose of the vehicle. It also states how the County will recoup the costs.

Currently, the County does not have a contract with a towing company to tow vehicles from private property. If the vehicles are parked in public right of way or on public property, the Sheriff is responsible for removing those vehicles under Section 15-52 (Attachment 2).

In the past, the County has been reluctant to tow personal vehicles from private property without the owner's consent. Towing companies had also shown reluctance to participate in such a program without issuance of a court order to remove the vehicles.

This is not part of the zoning ordinance and is not subject to the enforcement regulations of time limits and appeal procedures. Staff believes that this section of the County Code should be reconsidered since the current code is ineffective.

JAH:sb



**1-ARTICLE IV. - NUISANCE INOPERABLE MOTOR VEHICLES ON RESIDENTIAL, COMMERCIAL OR AGRICULTURAL PROPERTY<sup>[4]</sup>**

**Footnotes:**

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**Editor's note**—Ord. No. O10-18, adopted April 20, 2010, amended Art. IV in its entirety and enacted the provisions set out herein. The former Art. IV, entitled Unattended and Inoperable Vehicles, derived from Ord. No. O85-25(R), §§ 17-54.1—17-54.17, adopted Sept. 3, 1985; and Ord. No. O01-10, adopted Feb. 20, 2001.

**Cross reference**— Solid waste, Ch. 21.

**Sec. 15-101. - Definitions.**

*Inoperable motor vehicle* means any motor vehicle which:

- (1) Is not in operating condition. A vehicle which has been partially disassembled, as evidenced by the removal of its wheels and tires, the engine or one or more other components that are essential to the operation of the vehicle, shall be considered not in operating condition;
- (2) Does not display any state license plates;
- (3) Displays state license plates that have been expired for more than sixty (60) days;
- (4) Does not display any state motor vehicle inspection decal; or
- (5) Displays a state motor vehicle inspection decal that has been expired for more than sixty (60) days.

*Motor vehicle* or *vehicle* means any motor vehicle, trailer or semitrailer, or any part thereof, as defined in Code of Virginia, § 46.2-100, as amended.

*Shielded or screened from view* means hidden from sight, from any ground level location, by plantings or fences.

(Ord. No. O10-18, 4-20-10)

**Sec. 15-102. - Declared nuisance.**

The keeping by any person, firm or corporation, except within a fully enclosed building or structure or otherwise shielded or screened from view, of any inoperable motor vehicle on any property zoned for residential or commercial purposes is detrimental to the public health, safety and welfare, and is hereby declared to constitute a public nuisance.

(Ord. No. O10-18, 4-20-10)

**Sec. 15-103. - Unlawful to keep; exceptions.**

- (a) It shall be unlawful for any person, firm or corporation to keep more than one inoperable motor vehicle located outside of a fully enclosed building or structure or is otherwise shielded or screened from view in any zoning district, except in the M-1 and M-2 zoning districts, in any zoning district if permitted under a valid conditional use permit, or as otherwise set out in this section.
- (b) It shall be unlawful for any person, firm or corporation to keep on property zoned for agricultural purposes (A-1 and A-2) with less than five (5) acres more than two (2) inoperable motor vehicle located outside of a fully enclosed building or structure or is otherwise shielded or screened from view.
- (c) It shall also be unlawful for any person, firm or corporation to keep on property zoned for agricultural purposes (A-1) with more than five (5) acres more than three (3) inoperable motor vehicle located outside of a fully enclosed building or structure or is otherwise shielded or screened from view.
- (d) The provisions of this article shall not apply to a licensed business which is regularly engaged in business as an automobile dealer, salvage dealer or scrap processor. Nor shall the provisions of this article apply to any antique motor vehicle, as defined in Code of Virginia, § 46.2-100, as amended, so long as a bona fide effort is being made to repair or restore the vehicle and it is shielded in a manner to protect it from the weather and to make it unsuitable for rodent harborage.

(Ord. No. O10-18, 4-20-10)

**Sec. 15-104. - Removal of inoperable vehicle; remedies for failure to remove; costs.**

- (a) The owners of properties zoned for residential, commercial or agricultural purposes, shall at such time or times as the board of supervisors may prescribe, remove any such inoperable motor vehicle that is not kept within a fully enclosed building or structure or is otherwise shielded or screened from view.
- (b) The board of supervisors, through its agents or employees, may remove any such inoperable motor vehicle whenever the owner of the premises, after fifteen (15) days' notice by certified mail or personal deliver, has failed to do so. Upon such removal, the board, through its agents or employees, shall hold and store such vehicle until: (i) the owner reclaims and redeems such vehicle by the payment of towing and storage charges, and removes the vehicle from the board's designated storage site; or (ii) the vehicle is disposed of as further provided herein.
- (c) In the event the board of supervisors, through its agents or employees removes any such motor vehicle, after having given such notice as described in subsection (b) above, the board may dispose of such motor vehicle after giving an additional notice, twenty-one (21) days in advance by certified mail or personal delivery to the owner of the vehicle.
- (d) The cost of any such removal, storage and disposal shall be chargeable and billed to the owner of the motor vehicle or premises. Such costs may be recovered from the proceeds of the sale and disposal of such inoperable motor vehicle. In the event the proceeds of the sale and disposal of such inoperable motor vehicle exceeds the cost of such removal, storage and disposal, the excess shall be

remitted to the owner of such motor vehicle or premises. In the event the cost of such removal, storage and disposal exceeds the proceeds of such sale and disposal, such costs shall be chargeable to the owner of the motor vehicle or premises and may be collected by the county as taxes and levies are collected.

- (e) Every cost authorized by this section with which the owner of the premises has been assessed shall constitute a lien against the property from which the vehicle was removed, and the lien shall continue until actual payment of such costs have been made to the county.

(Ord. No. O10-18, 4-20-10)

Secs. 15-105—15-125. - Reserved.

**Sec. 15-52. - Removal of motor vehicles against which there are outstanding parking violations.**

- (a) Whenever there is found any vehicle parked upon public streets, roads, or highways or public grounds against which there are three (3) or more outstanding, unpaid, or otherwise unsettled parking violation notices, the vehicle may, by towing or otherwise, be removed or conveyed to a place in the county designated by the sheriff for temporary storage of such vehicles. The removal or conveyance of the vehicle shall be by or under the direction of a sheriff's deputy.**
- (b) It shall be the duty of the sheriff's deputy removing the vehicle or under whose direction such vehicle is removed, to inform as soon as practicable the owner of the removed vehicle of the nature and the circumstances of the prior unsettled parking violation notices, for which or on account of which the vehicle was removed.**
- (c) The owner of a removed vehicle, or other duly authorized person, shall be permitted to repossess or secure the release of the vehicle by payment of outstanding parking violation notices for which the vehicle was removed and by payment of all reasonable costs incidental to the removal and storage of the vehicle, and the efforts to locate the owner of the vehicle. Should the owner fail or refuse to pay such fines and costs, or should the identity or whereabouts of such owner be unknown and unascertainable, the vehicle may be sold in accordance with the procedures set forth in Code of Virginia, § 46.2-1213.**

**(Ord. No. O10-18, 4-20-10)**

**State Law reference— Code of Virginia, § 46.2-1216.**

## **Proposed Changes of Septic Field Regulations**

5/3/16

- Stafford County's on-site sewage disposal regulations are more stringent than the Virginia Department of Health; therefore, some changes were suggested by the development community and provided for discussion by Supervisor Milde (attachment 1).
- Staff met with the Virginia Department of Health and reviewed the suggested changes; many of which staff agreed with, and some where a few tweaks were suggested. Attachment 2 has suggested changes to the proposed amendments.
- Chapter 22 (Subdivisions) relates to requirements for subdivision plan approval only. Once a plan is approved, the actual construction of that plan may change and would be subject to Chapter 25 (Utilities)
- Chapter 25 (Utilities) contains three levels of requirements; one for those lots created before the 1997 regulations, one for lots created between 1997 and 2008 (which were all required to have a reserve sewage disposal site with a capacity at least equal to that of the primary system), and one for subdivision lots created after 2008 (which duplicates Section 22)
- In order to move this forward, it may be a good idea for a committee of Utilities and Planning staff along with Virginia Department of Health and some members of the development community to get together and discuss the suggested changes.
- A few of the major concerns:
  - Deletion of a minimum size drainfield could result in "table top" drainfields in marginal soils – recommend a compromise of 2,500 square feet minimum able to handle 400 gpd.
  - Proposed amendments mixed new and existing drainfields in the two sections (22 & 25), made amendments for proper section. (Examples on pgs. 2 and 3)
  - Community Drainfields are an area of concern – VDH suggested referencing a technical guideline they could generate to address the types of soils we have in this area with specific regulations that may be more stringent than State code.
  - There are several other comments and edits that should be reviewed by the suggested committee to get all stakeholder perspectives.
- Are there any suggestions for committee members?

**\*\*\*1/20/16 DRAFT\*\*\***

## **Highlights of Suggested Amendments to Stafford County's Code Pertaining to Septic Systems**

- **Impacts Chapter 22 (Subdivisions) and Chapter 25 (Utilities) of the existing Stafford County Code as various parts of these chapters cumulatively comprise the rules governing onsite systems in Stafford County**
- **Replaces an arbitrary minimum square footage requirement for onsite systems with a minimum capacity requirement**
- **Maintains a 100% reserve requirement for all lots created after adoption of the 2007 subdivision ordinance**
- **Requires older lots (pre 2007 subdivision ordinance) to have a 100% reserve area when possible, but not less than what is required by the Virginia Department of Health**
- **Replaces the arbitrary requirement for adding treatment to a system simply due to the depth of installation with a more appropriate requirement for treatment *and* nitrogen reduction for all systems installed a) close to water tables, b) close to limiting features in the soil, and c) close to the surface of the ground**
- **Provides flexibility for repairing malfunctioning systems and upgrading systems where none currently exists in the Code**
- **Provides several technical changes to more accurately describe the relationship of Stafford County ordinances to the Virginia Department of Health's onsite program**



# **Suggested Amendments to Stafford County Ordinances related to Septic Systems**

## **Chapter 22 - Subdivisions**

### ARTICLE V - UTILITIES

#### Sec. 22-118 - Water and sewer

The following requirements apply to the provision of water and sewer:

- (1) Public water and sewer: Public water and sewer facilities shall be required for all lots less than one acre in size and for all subdivisions where the use of the public water and/or sewer system is required by section 25-71 of this Code.
- (2) Subdivider or developer's share of off-site costs: The subdivider or developer's share of the cost to provide off-site water and sewer facilities shall be established in accordance with section 25-72 of this Code.
- (3) Design and construction standards: All water and sewer facilities designed and/or constructed by subdividers and developers shall be in accordance with chapter 25 and chapter 26.2 of the Stafford County Code, the most recent edition of the Water Works Regulations of the Commonwealth of Virginia/State Board of Health, and the most recent edition of the Sewerage Regulation of the Commonwealth of Virginia, State Department of Health and State Water Control Board.
- (4) On-site sewage disposal systems:
  - a. No subdivision plat, including boundary line adjustments, shall be approved where individual or community ~~septic tanks~~ *onsite sewage systems* are to be used until the developer has submitted documented proof to the satisfaction of the agent that the soils and parent materials are such that on-site waste disposal methods for all lots are satisfactory, that no well pollution shall occur from the systems, and that the useful life of the system

shall not be less than twenty (20) years; and written approval from the ~~health department~~ *Virginia Department of Health* shall also be submitted.

- b. All on-site sewage disposal systems shall be designed and constructed in accordance with the Code of Virginia (1950), as amended.
- c. ~~The minimum disposal area for design capacity of each onsite sewage systems proposed to serve an individual lot in a residential subdivision comprised of single family homes dispersing septic tank effluent shall be at least four thousand (4,000) square feet of primary drainfield 300 gallons per day on a peak daily flow basis. and a~~ A reserve area in accordance with subsection (4)e. below ~~shall also be provided for each lot. Larger primary drainfield areas~~ A higher design capacity may be required depending on soil type and the proposed use, as determined by the Virginia Department of Health.
- d. *Provided that a sufficient disposal area is available,* ~~The~~ the minimum disposal area for systems dispersing secondary effluent or better shall be at least two thousand five hundred (2,500) square feet of primary drainfield and a reserve area in accordance with subsection (4)e. below. Larger primary drainfield areas may be required depending on soil type and proposed use, as determined by the Virginia Department of Health.
- e. For lots to be served by individual or community ~~septic tanks~~ *onsite sewage systems*, a reserve sewage disposal site with a capacity at least equal to that of the primary sewage disposal site shall be identified and provided in accordance with Virginia Department of Health regulations. In all cases, ~~except as specified in subsection (4)f. below,~~ there shall be a reserve drainfield area that is equal to one hundred (100) percent of the primary drainfield capacity but in the case of a system dispersing secondary effluent or better, the reserve area shall be no less than two thousand five hundred (2,500) square feet *provided that sufficient disposal area is available. This percentage is based on both absorption capacity and land area.*

- f. Lots served by on-site sewage disposal systems shall have the disposal site located on the lot which they serve. No easements shall be permitted for on-site sewage disposal systems. Easements may be permitted for community sewage disposal systems. In no case, shall a boundary line adjustment reduce or give away the absorption capacity of a primary or reserve drainfield. All such lots shall have a primary and reserve drainfield of equal absorption capacity.
  - g. These standards are in addition to those contained in section 25-165 of the county Code regulating utilities.
  - h. *The requirements contained in subsection (4) of this section shall not apply to existing improved parcels where an existing onsite system has failed or is to be upgraded. Notwithstanding the provisions of this subsection, boundary line adjustments that may be required to facilitate the repair or upgrade of an onsite system shall not have the effect of reducing the primary or reserve capacity of an existing onsite sewage system. For the purpose of the subsection, upgrades include voluntary enhancements to improve the level of treatment or system performance, but do not include system changes that result in an increase in the permitted capacity of the system.*
- (5) On-site water systems: No subdivision plat shall be approved where individual water systems are to be used until written approval for all building sites is provided by the health department. All on-site water systems shall be designed and constructed in accordance with the Code of Virginia (1950, as amended).
- (6) Fire protection: Where public water is available, the installation of adequate fire hydrants for the protection of the subdivision shall be required to be provided by the developer in accordance with the Stafford County Code. Accessible dry fire hydrants shall be required in major subdivisions of five (5) lots or more that contain water impoundments of no less than three thousand (3,000) cubic feet storage capacity and are not served by public utilities according to the requirements of this section. Accessibility shall be provided by a paved road

built to VDOT subdivision standards. The paved surface area shall be a maximum of ten (10) feet from the hydrant location and shall include adequate parking and turn around area for fire protection vehicles. Area within ten (10) feet of the dry fire hydrant and connected pipes shall be dedicated to public use in fee simple ownership. If a subdivision contains a water impoundment that is larger than three thousand (3,000) cubic feet of storage capacity but less than three (3) acres in surface area, then the developer shall be required to install at least one dry fire hydrant according to county standards. If the water impoundment is three (3) acres or more in surface area, then the developer shall be required to install two (2) dry fire hydrants according to county standards. Dry fire hydrant standards and specifications shall be in accordance with the United States Department of Agriculture Forest Service Dry Hydrant Manual. If a subdivision is served by a public or central water system with fire hydrants, then there shall be no requirement for a dry fire hydrant(s).

## **Chapter 25 - Water, Sewers, and Sewage Disposal**

### ARTICLE VII - PRIVATE SEWAGE DISPOSAL SYSTEMS

Sec. 25-161. - When required; when prohibited.

- (a) Where a public sanitary sewer is not available under the provisions of section 25-22, the building sewer shall be connected to a private *onsite* sewage disposal system complying with the provisions of this article. When such a *public sanitary* sewer is available, it shall be unlawful for any person to construct or ~~maintain~~ *repair* any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.
- (b) Where the building drain for any premises is below the elevation to obtain a grade equivalent to one-eighth of an inch per foot in the building sewer, but is otherwise

accessible to a public sewer as provided in section 25-22, the owner shall provide a private sewage pumping station as provided in section 25-56.

Sec. 25-162. - Certificate required prior to construction.

A private *onsite* sewage disposal system may not be constructed within the county, unless and until a certificate is obtained from the director stating that a public sewer is not accessible to the property and no such sewer is proposed for construction in the immediate future. No certificate shall be issued for any private *onsite* sewage disposal system ~~employing subsurface soil absorption facilities, where the area is less than specified by the county health department~~ *unless and until a valid construction permit is issued by the Virginia Department of Health.*

Sec. 25-165. - Type, capacity, location, etc.

The type, capacity, location and layout of a private on-site sewage disposal system shall comply with the ~~recommendations~~ *regulations* of the ~~state and county health departments~~ *Virginia Department of Health*. No septic tank or cesspool shall be permitted to discharge *effluent* into any natural outlet.

- (a) *For private sewage disposal systems on all lots recorded after the effective date of Ordinance No. 008-07 utilizing onsite sewage disposal systems, These the standards in subsection (b) below are in addition to those contained in section 22-118 of the County Code regulating subdivisions.*
- (b) Minimum standards for private *onsite* sewage disposal systems on all lots shall be as follows:
  - (1) All disposal fields installed ~~deeper than sixty (60)~~ *shallower than eighteen (18) inches below the original ground surface or installed closer than eighteen (18) inches to a limiting feature in the soil, as defined by the Virginia Department of Health regulations*, shall disperse secondary *pretreated* effluent or better *and the system shall provide a fifty (50) percent*

*total nitrogen reduction as compared to a conventional onsite sewage disposal system.* This requirement shall apply to new and expanded drainfields, but not to repairs unless secondary effluent *or better* is otherwise required.

- (2) All ~~new~~ septic tanks and pump chambers *installed in conjunction with new construction on a parcel* shall be provided with ~~a precast~~ at-grade access over the outlet structure. The access shall have a minimum open space of eighteen (18) inches by eighteen (18) inches and shall be fitted with a tamper proof child resistant cover at grade. Access shall be added to existing septic tanks and pump chambers at the time of repair or expansion requiring a Virginia Department of Health permit.
  - (3) All effluent from on-site sewage disposal systems dispersing septic tank effluent, shall pass through an effluent filter meeting NSF International Standard 46. Effluent filters shall be added to existing septic tanks at the time of repair or expansion requiring a Virginia Department of Health permit. A reduced-maintenance septic tank or septic tanks in series may be used in place of an effluent filter.
  - (4) No permanent structure or land disturbance shall be permitted within the setbacks established by ~~VDH~~ *the Virginia Department of Health* for any primary or reserve drainfield or dispersal field.
- (c) Minimum standards for private sewage disposal on all lots recorded prior to August 19, 1997, utilizing ~~drainfields~~ *onsite sewage disposal systems* shall be as follows:
- (1) Provided that sufficient ~~soils are~~ *area is* available on a particular parcel, a reserve drainfield area *equal to or greater than one hundred (100) percent of the capacity of the primary drainfield area* shall be provided *as part of the process of securing an approval for an onsite sewage system from the Virginia Department of Health.* ~~If a reserve drainfield is provided, it shall be equal to one hundred (100) percent of the primary drainfield area. This percentage is based on both absorption capacity and land area.~~



- (2) Where there is insufficient room on a particular parcel for ~~two secondary effluent on-site sewage disposal systems~~, a secondary effluent system may be utilized to accommodate a reserve area equal in capacity to the primary drainfield, and any unused drainfield area shall be designated as a the reserve drainfield area. The amount of reserve area available shall comply with the Virginia Department of Health requirements. The reserve area shall be identified and documented as part of the process of securing an approval for an onsite sewage system from the Virginia Department of Health.
- (3) Wherever technically feasible, the ~~size~~ volume of effluent generated of the structure shall be compatible with ~~an~~ the capacity of the on-site sewage disposal system. ~~That~~ This includes a the primary drainfield and a the one hundred (100) percent reserve drainfield area, ~~based on both absorptive capacity and land area~~. The number of bedrooms in a residential structure shall not exceed the number that complies with this paragraph allowed by the Virginia Department of Health permit for the onsite system serving the structure. ~~unless~~ If there is an inadequate amount of suitable soil on a lot to provide a primary drainfield and a reserve drainfield area for a one-bedroom residence, in which case only a primary drainfield may be provided and any additional area reserved for future repairs.
- (4) The requirements contained in subsection (c) above shall not apply to existing improved parcels where an existing onsite system has failed or is to be upgraded. For the purpose of this subsection, upgrades include voluntary enhancements to improve the level of treatment or system performance, but do not include system changes that result in an increase in the permitted capacity of the system.
- (d) Minimum standards for private sewage disposal on all lots recorded after August 19, 1997, and before the effective date of Ordinance No. O08-07, utilizing ~~drainfields~~ onsite sewage disposal systems shall be as follows:

- (1) To the maximum extent possible, the reserve drainfield area shall be equal to *or greater than* one hundred (100) percent of the *capacity of the* primary drainfield area. ~~This percentage is based on both absorption capacity and land area.~~
- (2) *Where there is insufficient room on a particular parcel to accommodate a reserve area equal in capacity to the primary drainfield, any unused drainfield area shall be designated as the reserve drainfield area. The amount of reserve area available shall comply with the Virginia Department of Health requirements. The reserve area shall be identified and documented as part of the process of securing an approval for an onsite sewage system from the Virginia Department of Health.*
- (3) ~~Where ever~~ *Wherever* technically feasible, the ~~size~~ *volume* of effluent ~~generated of the structure~~ shall be compatible with ~~an~~ *the* capacity of the on-site sewage disposal system. ~~that This includes a the primary drainfield and a the one hundred (100) percent reserve drainfield area, based on both absorptive capacity and land area.~~ The number of bedrooms in a residential structure shall not exceed the number ~~that complies with this paragraph~~ *allowed by the Virginia Department of Health permit for the onsite system serving the structure.* ~~unless~~ *If* there is an inadequate amount of suitable soils on a lot to provide both a primary drainfield and a reserve drainfield area for a one-bedroom residence, ~~in which case, only a primary drainfield may be provided and any additional area reserved for future repairs, in which case only a primary drainfield may be provided and any additional area reserved for future repairs.~~
- (4) *The requirements contained in subsection (d) above shall not apply to existing improved parcels where an existing onsite system has failed or is to be upgraded. For the purpose of this subsection, upgrades include voluntary enhancements to improve the level of treatment or system performance, but do not include system changes that result in an increase in the permitted capacity of the system.*

Sec. 25-166. - Inspection.

A *An operations* permit for a private *onsite* sewage disposal system shall not become effective nor occupancy permitted until the installation is completed to the satisfaction of the ~~county health department~~ *Virginia Department of Health*. Health department personnel shall be allowed to inspect the work at any stage of construction and, in any event, the owner shall notify the health department when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within a reasonable period of time after the receipt of such notice by the health department.

## **Staff Suggested Amendments to Stafford County Ordinances related to Septic Systems**

### **Chapter 22 - Subdivisions**

#### **ARTICLE V - UTILITIES**

##### **Sec. 22-118 - Water and sewer**

The following requirements apply to the provision of water and sewer:

- (1) Public water and sewer: Public water and sewer facilities shall be required for all lots less than one acre in size and for all subdivisions where the use of the public water and/or sewer system is required by section 25-71 of this Code.
- (2) Subdivider or developer's share of off-site costs: The subdivider or developer's share of the cost to provide off-site water and sewer facilities shall be established in accordance with section 25-72 of this Code.
- (3) Design and construction standards: All water and sewer facilities designed and/or constructed by subdividers and developers shall be in accordance with chapter 25 and chapter 26.2 of the Stafford County Code, the most recent edition of the Water Works Regulations of the Commonwealth of Virginia/State Board of Health, and the most recent edition of the Sewerage Regulation of the Commonwealth of Virginia, State Department of Health and State Water Control Board.
- (4) On-site sewage disposal systems:
  - a. No subdivision plat, including boundary line adjustments, shall be approved where individual or community ~~septic tanks~~ on-site sewage systems are to be used until the developer has submitted documented proof to the satisfaction of the agent that the soils and parent materials are such that on-site waste disposal methods for all lots are satisfactory, that no well pollution shall occur from the systems, and that the useful life of the system

shall not be less than twenty (20) years; and written approval from the ~~health department~~ Virginia Department of Health shall also be submitted.

- b. All on-site sewage disposal systems shall be designed and constructed in accordance with the Code of Virginia (1950), as amended.
- c. The minimum ~~disposal area for design capacity and disposal area~~ of each onsite sewage systems proposed to serve an individual lot in a residential subdivision comprised of single family homes ~~dispensing septic tank effluent~~ shall be at least Two Thousand Five Hundred (2,500) square feet of primary drainfield and be able to handle 400 gallons per day on a peak daily flow basis. ~~four thousand (4,000) square feet of primary drainfield 300 gallons per day on a peak daily flow basis.~~ and a A reserve area in accordance with subsection (4)e. below shall also be provided for each lot. ~~Larger primary drainfield areas~~ A higher design capacity may be required depending on ~~soil type and~~ the proposed use, as determined by the Virginia Department of Health.
- d. ~~Provided that a sufficient disposal area is available, The the minimum disposal area for systems dispensing secondary effluent or better shall be at least two thousand five hundred (2,500) square feet of primary drainfield and a reserve area in accordance with subsection (4)e. below. Larger primary drainfield areas may be required depending on soil type and proposed use, as determined by the Virginia Department of Health.~~
- e. For lots to be served by individual or ~~community septic tanks~~ onsite sewage systems, a reserve sewage disposal site with a capacity at least equal to that of the primary sewage disposal site shall be identified and provided in accordance with Virginia Department of Health regulations. In all cases, ~~except as specified in subsection (4)f. below,~~ there shall be a reserve drainfield area that is equal to one hundred (100) percent of the primary drainfield capacity ~~but in the case of a system dispensing secondary effluent or better, and~~ the reserve area shall be no less than two thousand five hundred (2,500) square feet ~~provided that sufficient disposal area is~~

**Comment [MTS1]:** After discussions with VDH, we felt leaving the minimum size of the drainfield out could result in "table top" drainfields which could be prone to failure. Staff believes the 2,500 square feet and 400 gpd is a compromise where both parties can feel comfortable.

**Comment [MTS2]:** This comment is provided in Section 25 with the deleted portion for previously existing lots, but should not be included for new lots. New lots should meet the requirements.

**Comment [MTS3]:** Since we have compromised on the area for septic field effluent, and it matches the suggested secondary effluent requirement, this section can be deleted.

**Comment [MTS4]:** Community Drainfields are an area of concern and need more discussion. We may consider reference to the local health departments technical guidelines (once they are promulgated)

**Comment [MTS5]:** This is the recommended minimum for all

~~available. This percentage is based on both absorption capacity and land area.~~

**Comment [MTS6]:** This comment should not be included in this section as it is for new subdivision lots.

- f. Lots served by on-site sewage disposal systems shall have the disposal site located on the lot which they serve. No easements shall be permitted for on-site sewage disposal systems. Easements may be permitted for community sewage disposal systems. In no case, shall a boundary line adjustment reduce or give away the absorption capacity of a primary or reserve drainfield. All such lots shall have a primary and reserve drainfield of equal absorption capacity.
- g. These standards are in addition to those contained in section 25-165 of the county Code regulating utilities.

~~h. The requirements contained in subsection (4) of this section shall not apply to existing improved parcels where an existing onsite system has failed or is to be upgraded. Notwithstanding the provisions of this subsection, boundary line adjustments that may be required to facilitate the repair or upgrade of an onsite system shall not have the effect of reducing the primary or reserve capacity of an existing onsite sewage system. For the purpose of the subsection, upgrades include voluntary enhancements to improve the level of treatment or system performance, but do not include system changes that result in an increase in the permitted capacity of the system.~~

**Comment [MTS7]:** Section 22 deals with new lots; therefore, existing improved parcels should not be included.

- (5) On-site water systems: No subdivision plat shall be approved where individual water systems are to be used until written approval for all building sites is provided by the health department. All on-site water systems shall be designed and constructed in accordance with the Code of Virginia (1950, as amended).
- (6) Fire protection: Where public water is available, the installation of adequate fire hydrants for the protection of the subdivision shall be required to be provided by the developer in accordance with the Stafford County Code. Accessible dry fire hydrants shall be required in major subdivisions of five (5) lots or more that contain water impoundments of no less than three thousand (3,000) cubic feet

storage capacity and are not served by public utilities according to the requirements of this section. Accessibility shall be provided by a paved road built to VDOT subdivision standards. The paved surface area shall be a maximum of ten (10) feet from the hydrant location and shall include adequate parking and turn around area for fire protection vehicles. Area within ten (10) feet of the dry fire hydrant and connected pipes shall be dedicated to public use in fee simple ownership. If a subdivision contains a water impoundment that is larger than three thousand (3,000) cubic feet of storage capacity but less than three (3) acres in surface area, then the developer shall be required to install at least one dry fire hydrant according to county standards. If the water impoundment is three (3) acres or more in surface area, then the developer shall be required to install two (2) dry fire hydrants according to county standards. Dry fire hydrant standards and specifications shall be in accordance with the United States Department of Agriculture Forest Service Dry Hydrant Manual. If a subdivision is served by a public or central water system with fire hydrants, then there shall be no requirement for a dry fire hydrant(s).

## **Chapter 25 - Water, Sewers, and Sewage Disposal**

### **ARTICLE VII - PRIVATE SEWAGE DISPOSAL SYSTEMS**

Sec. 25-161. - When required; when prohibited.

- (a) Where a public sanitary sewer is not available under the provisions of section 25-22, the building sewer shall be connected to a private *onsite* sewage disposal system complying with the provisions of this article. When such a *public sanitary* sewer is available, it shall be unlawful for any person to construct or ~~maintain~~-repair any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of sewage.



- (b) Where the building drain for any premises is below the elevation to obtain a grade equivalent to one-eighth of an inch per foot in the building sewer, but is otherwise accessible to a public sewer as provided in section 25-22, the owner shall provide a private sewage pumping station as provided in section 25-56.

Sec. 25-162. - Certificate required prior to construction.

A private *onsite* sewage disposal system may not be constructed within the county, unless and until a certificate is obtained from the director stating that a public sewer is not accessible to the property and no such sewer is proposed for construction in the immediate future. No certificate shall be issued for any private *onsite* sewage disposal system ~~employing subsurface soil absorption facilities, where the area is less than specified by the county health department~~ unless and until a valid construction permit is issued by the Virginia Department of Health.

Sec. 25-165. - Type, capacity, location, etc.

The type, capacity, location and layout of a private on-site sewage disposal system shall comply with the ~~recommendations~~ regulations of the ~~state and county health departments~~ Virginia Department of Health. No septic tank or cesspool shall be permitted to discharge *effluent* into any natural outlet.

- (a) ~~For private sewage disposal systems on all lots recorded after the effective date of Ordinance No. 008-07 utilizing onsite sewage disposal systems, These the~~ The standards in subsection (b) below are in addition to those contained in section 22-118 of the County Code regulating subdivisions.

- (b) Minimum standards for private *onsite* sewage disposal systems on all lots shall be as follows:

- (1) All disposal fields installed ~~deeper than sixty (60)~~ shallower than eighteen (18) inches below the original ground surface or installed closer than

**Comment [MTS8]:** The intent of Section 25 is to include ALL on site disposal areas in the County, not just the new subdivisions; therefore, this section needs to be removed.

eighteen (18) inches to a limiting feature in the soil, as defined by the Virginia Department of Health regulations, shall disperse secondary pretreated effluent or better and the system shall provide a fifty (50) percent total nitrogen reduction as compared to a conventional onsite sewage disposal system. This requirement shall apply to new and expanded drainfields, but not to repairs unless secondary effluent or better is otherwise required.

- (2) All ~~new~~ new septic tanks and pump chambers ~~installed in conjunction with new construction on a parcel~~ shall be provided with a ~~precast~~ at-grade access over the outlet structure. The access shall have a minimum open space of eighteen (18) inches by eighteen (18) inches and shall be fitted with a tamper proof child resistant cover at grade. Access shall be added to existing septic tanks and pump chambers at the time of repair or expansion requiring a Virginia Department of Health permit.

**Comment [MTS9]:** This is important to keep as is. The intent is to ensure that any new tank, or replacement tank meets the minimum open space and tamper proof requirement. New construction may not include replacement of a tank.

- (3) All effluent from new, expanded or repaired on-site sewage disposal systems dispersing septic tank effluent, shall pass through an effluent filter meeting NSF International Standard 46. Effluent filters shall be added to existing septic tanks at the time of repair or expansion requiring a Virginia Department of Health permit. A reduced-maintenance septic tank or septic tanks in series may be used in place of an effluent filter.

- (4) No permanent structure or land disturbance shall be permitted within the setbacks established by ~~VDH~~ the Virginia Department of Health for any primary or reserve drainfield or dispersal field.

- (5) The requirements contained in sections c, d and e below shall not apply to existing improved parcels where an existing onsite system has failed or is to be upgraded. For the purpose of this subsection, upgrades include voluntary enhancements to improve the level of treatment or system performance, but do not include system changes that result in an increase in the permitted capacity of the system.

(c) Minimum standards for private sewage disposal on all lots recorded prior to August 19, 1997, utilizing ~~drainfields~~ *onsite sewage disposal systems* shall be as follows:

- (1) ~~Provided that sufficient soils are area is available~~ on a particular parcel, a reserve drainfield area *equal to or greater than one hundred (100) percent of the capacity of the primary drainfield area* shall be provided as part of the process of securing an approval for an onsite sewage system from the Virginia Department of Health. ~~If a reserve drainfield is provided, it shall be equal to one hundred (100) percent of the primary drainfield area. This percentage is based on both absorption capacity and land area.~~
- (2) Where there is insufficient room on a particular parcel ~~for two secondary effluent on-site sewage disposal systems, a secondary effluent system may be utilized~~ to accommodate a reserve area equal in capacity to the primary drainfield, and any unused drainfield area shall be designated as a the reserve drainfield area. The amount of reserve area available shall comply with the Virginia Department of Health requirements. The reserve area shall be identified and documented as part of the process of securing an approval for an onsite sewage system from the Virginia Department of Health.
- (3) Wherever technically feasible, the ~~size~~ volume of effluent generated ~~of the structure~~ shall be compatible with ~~an~~ the capacity of the on-site sewage disposal system. ~~That~~ This includes a the primary drainfield and a the one hundred (100) percent reserve drainfield area, ~~based on both absorptive capacity and land area~~. The number of bedrooms in a residential structure shall not exceed the design capacity of the available on-site sewage disposal site at the Virginia Department of Health's recommended rate of 150 gallons per day per bedroom, or 400 gallons per day; whichever is less. Non-residential structures shall be determined on a case by case basis determined by the Virginia Department of Health. ~~number that complies with this paragraph allowed by the Virginia Department of Health permit for the onsite system serving the structure. unless~~ If there is an inadequate

**Comment [MTS10]:** This is to account for previous lots that do not have sufficient area/capacity for a reserve. Since those lots were before the 1997 ordinance we should not limit them from development.

**Comment [MTS11]:** I believe we want to keep this section. If a lot is too small for a typical septic tank effluent and reserve, we would like them to install an advanced system with an advanced system reserve

amount of suitable soil on a lot to provide a primary drainfield and a reserve drainfield area for a one-bedroom residence, ~~in which case only~~ a primary drainfield may be provided and any additional area reserved for future repairs.

~~(4) The requirements contained in subsection (c) above shall not apply to existing improved parcels where an existing onsite system has failed or is to be upgraded. For the purpose of this subsection, upgrades include voluntary enhancements to improve the level of treatment or system performance, but do not include system changes that result in an increase in the permitted capacity of the system.~~

**Comment [MTS12]:** Not needed as it is included above for all sections

- (d) Minimum standards for private sewage disposal on all lots recorded after August 19, 1997, and before the effective date of Ordinance No. O08-07, utilizing ~~drainfields~~ *onsite sewage disposal systems* shall be as follows:

- (1) ~~To the maximum extent possible, t~~The reserve drainfield area shall be equal to *or greater than* one hundred (100) percent of the *capacity of the* primary drainfield area. ~~This percentage is based on both absorption capacity and land area.~~

**Comment [MTS13]:** The 1997 regulations required a 100% reserve capacity, so this comment is not appropriate.

- (2) ~~Where there is insufficient room on a particular parcel to accommodate a reserve area equal in capacity to the primary drainfield, any unused drainfield area shall be designated as the reserve drainfield area. The amount of reserve area available shall comply with the Virginia Department of Health requirements. The reserve area shall be identified and documented as part of the process of securing an approval for an onsite sewage system from the Virginia Department of Health.~~

**Comment [MTS14]:** Same comment as above, already required by 1997 regulations.

- (3) ~~Where ever~~ *Wherever* technically feasible, the ~~The~~ *size* ~~volume of effluent generated of the structure~~ shall be compatible with ~~an~~ *the* capacity of the on-site sewage disposal system. ~~that~~ *This* includes ~~a~~ *the* primary drainfield and ~~a~~ *the* one hundred (100) percent reserve drainfield area, ~~based on both absorptive capacity and land area.~~ The number of bedrooms in a residential structure shall not exceed the design capacity of the available on-site

**Comment [MTS15]:** 1997 regulations require 100% reserve capacity so the Technically feasible language is not appropriate.

sewage disposal site at the Virginia Department of Health's recommended rate of 150 gallons per day per bedroom, or 400 gallons per day; whichever is less. Non-residential structures shall be determined on a case by case basis determined by the Virginia Department of Health. ~~the number that complies with this paragraph allowed by the Virginia Department of Health permit for the onsite system serving the structure. unless~~ If there is an inadequate amount of suitable soils on a lot to provide both a primary drainfield and a reserve drainfield area for a one-bedroom residence, in which case, only a primary drainfield may be provided and any additional area reserved for future repairs, in which case only a primary drainfield may be provided and any additional area reserved for future repairs.

**Comment [MTS16]:** This part should not be needed as a 100% reserve capacity was required on all lots after 1997.

~~(4) The requirements contained in subsection (d) above shall not apply to existing improved parcels where an existing onsite system has failed or is to be upgraded. For the purpose of this subsection, upgrades include voluntary enhancements to improve the level of treatment or system performance, but do not include system changes that result in an increase in the permitted capacity of the system.~~

**Comment [MTS17]:** Included above

(e) Minimum standards for private sewage disposal on all lots recorded after the effective date of Ordinance No. O08-07, utilizing onsite sewage disposal systems shall be as follows:

(1) The minimum design capacity and disposal area of each onsite sewage systems proposed to serve an individual lot in a residential subdivision comprised of single family homes shall be at least Two Thousand Five Hundred (2,500) square feet of primary drainfield and be able to handle 400 gallons per day on a peak daily flow basis. A reserve area in accordance with subsection (4)e below shall also be provided for each lot. A higher design capacity may be required depending the proposed use, as determined by the Virginia Department of Health.

(2) For lots to be served by individual or community ~~septic tanks~~ onsite sewage systems, a reserve sewage disposal site with a capacity at least equal to

that of the primary sewage disposal site shall be identified and provided in accordance with Virginia Department of Health regulations. In all cases, there shall be a reserve drainfield area that is equal to one hundred (100) percent of the primary drainfield capacity and the reserve area shall be no less than two thousand five hundred (2,500) square feet.

(3) Lots served by on-site sewage disposal systems shall have the disposal site located on the lot which they serve. No easements shall be permitted for on-site sewage disposal systems. Easements may be permitted for community sewage disposal systems. In no case, shall a boundary line adjustment reduce or give away the absorption capacity of a primary or reserve drainfield. All such lots shall have a primary and reserve drainfield of equal absorption capacity.

Sec. 25-166. - Inspection.

An operations permit for a private onsite sewage disposal system shall not become effective nor occupancy permitted until the installation is completed to the satisfaction of the Virginia Department of Health. Health department personnel shall be allowed to inspect the work at any stage of construction and, in any event, the owner shall notify the health department when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within a reasonable period of time after the receipt of such notice by the health department.

**BOARD OF SUPERVISORS****Agenda Item**




<b>Meeting Date:</b>	May 3, 2016
<b>Title:</b>	Authorize the County Administrator to Accept Donated Property Located at 204 Thompson Avenue
<b>Department:</b>	County Administration
<b>Staff Contact:</b>	Tim Baroody, Deputy County Administrator
<b>Board Committee/ Other BACC:</b>	N/A
<b>Staff Recommendation:</b>	Approval
<b>Fiscal Impact:</b>	N/A
<b>Time Sensitivity:</b>	See Background Report

**ATTACHMENTS:**

1.	Background Report	4.	Map of Property
2.	Proposed Resolution R16-138	5.	Engineer Evaluation
3.	Sewer Project Limits Exhibit		

X	Consent Agenda		Other Business		Unfinished Business
	Discussion		Presentation		Work Session
	New Business		Public Hearing		Add-On

**REVIEW:**

X	County Administrator	
X	County Attorney	
X	Utilities	

<b>DISTRICT:</b>	George Washington
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## **BACKGROUND REPORT**

The Utilities Department (Department) is planning a sewer improvement along the CSX railroad line in south Stafford (Project). Access to the 2,500 linear foot Project is very limited due to the railroad, Claiborne Run Creek and its elevated railroad bridge, and steep terrain on Butler Road near the Wawa. The only affordable Project access available is over a private bridge located at 204 Thompson Avenue, Tax Map Parcel No. 54-37 (Property).

Department staff contacted the owners of the Property to negotiate access across the bridge for a potential contractor. The owners, Wen and Carole Huang, expressed concern about the liability of providing such access. However, they did offer to donate the entire property to Stafford County. Department staff knows this donation will save money on the Project due to the easier access. The Property also has potential long-term use by the Department of Parks, Recreation, and Community Facilities (PRCF), and other County departments.

County Administration, PRCF, Utilities, and a structural engineer made a visit to the Property. The structural engineer provided an evaluation of the building located on the Property (Building) and determined that the Building is of sound construction and in relatively good condition. There are a few items that the structural engineer suggested (Attachment 5) that may need attention in the coming years, including a new roof and the armoring of Claiborne Run Creek to ensure that future erosion does not undermine the structure.

Staff has estimated that general maintenance, repairs and upkeep over the next decade may cost between \$550,000 to \$700,000. Almost half of this estimate is attributed to roof replacement expenses.

The County has worked to build covered storage and maintenance facilities at major parks throughout the system. Historically, equipment and maintenance vehicles/supplies have been stored outdoors in open space at our parks. Recently, to provide some protection and security (and to allow for enhanced trail development and for the construction of Celebration Stage), staff worked to demolish an old structure at Pratt Park and moved equipment into a leased space in the Chatham area (Chatham Structure). This leased, heated, and secure Chatham Structure is at a current cost of \$18,000 annually.

Acquisition of the Property would eliminate the need for leasing the Chatham Structure, and would expand opportunities to house a consolidated maintenance/storage facility for both the Pratt/Brooks District and the Duff District. The Property could also be the home of a salt and sand storage facility needed by the County as expectations of snow and ice rise in winter months locally. In addition, other departments would be able to use the back area of the Building for storage. For instance, the Sheriff's Office currently uses part of the Chatham Structure to house three golf carts and generators. Additionally, the Sheriff's Office currently uses three storage areas throughout the County to house various pieces of equipment such as gators, severe weather equipment (trailer, cables and other supplies), traffic management equipment, electronic signs, and an emergency shelter cache (trailer with cots and other supplies). Much of this equipment is in open storage areas that are unsecured. They would be able to transfer these pieces to the Building and keep it secure and out of the weather.

The front area of the Building could be suitable for special programs and events, and also house space for staff. This would give citizens in the southern part of the County an opportunity to participate in programs closer to home rather than travel north on Route 1 or I-95 to the Rowser Building or the Courthouse Community Center. Alternatively, the front portion of the Building could be given to the Economic Development Authority to improve, lease, or sell the Building to ensure its continued contribution to the County's tax base.

The Building is currently about 50% occupied, with three tenants in place on month-to-month leases. The tenants pay approximately \$72,000 in combined annual rents. If these rents and occupancy rates simply stayed stagnant (an unlikely scenario), they could offset projected expenses over the next decade.

The 2016 assessed value of the Property, including the land and buildings, is \$1,263,600. Annual real estate taxes are \$13,220.51. The Property is zoned M-1 and is appropriate for light manufacturing and/or storage, which is consistent with the needs of the County.

Staff recommends approval of proposed Resolution R16-138, which authorizes the County Administrator to accept the donation of the Property.

PROPOSED

BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 3<sup>rd</sup> day of May, 2016:

MEMBERS:

Robert "Bob" Thomas, Jr., Chairman  
Laura A. Sellers, Vice Chairman  
Meg Bohmke  
Jack R. Cavalier  
Wendy E. Maurer  
Paul V. Milde, III  
Gary F. Snellings

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR  
TO ACCEPT THE DONATION OF PROPERTY LOCATED AT  
204 THOMPSON AVENUE, TAX MAP PARCEL NO. 54-37, LOCATED  
WITHIN THE GEORGE WASHINGTON ELECTION DISTRICT

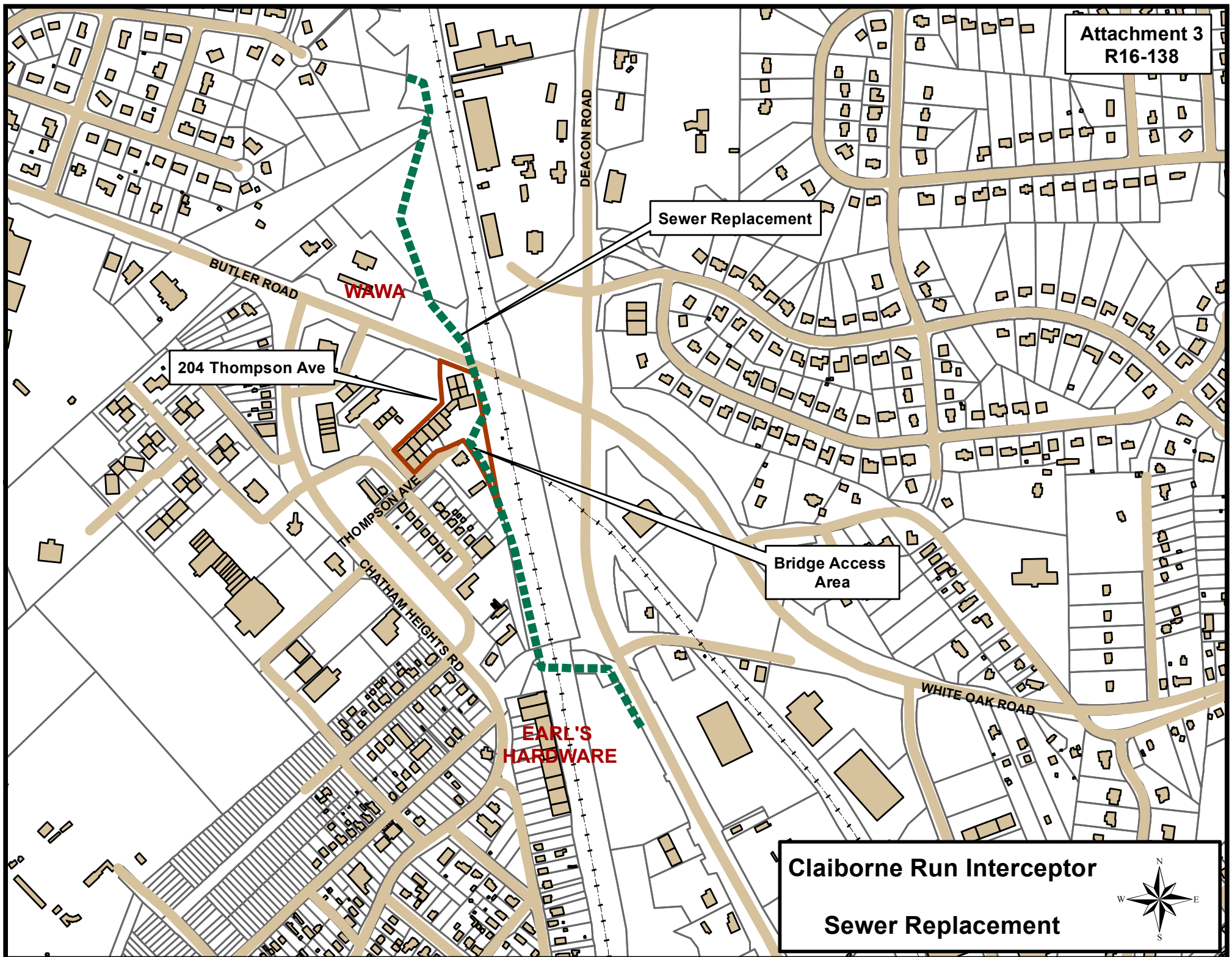
WHEREAS, Wen and Carole Huang, owners, desire to donate property to the County, located at 204 Thompson Avenue, Tax Map Parcel No. 54-37, within the George Washington Election District; and

WHEREAS, this property is located adjacent to a sewer interceptor improvement project (Project) and will provide valuable access to the sewer easement; and

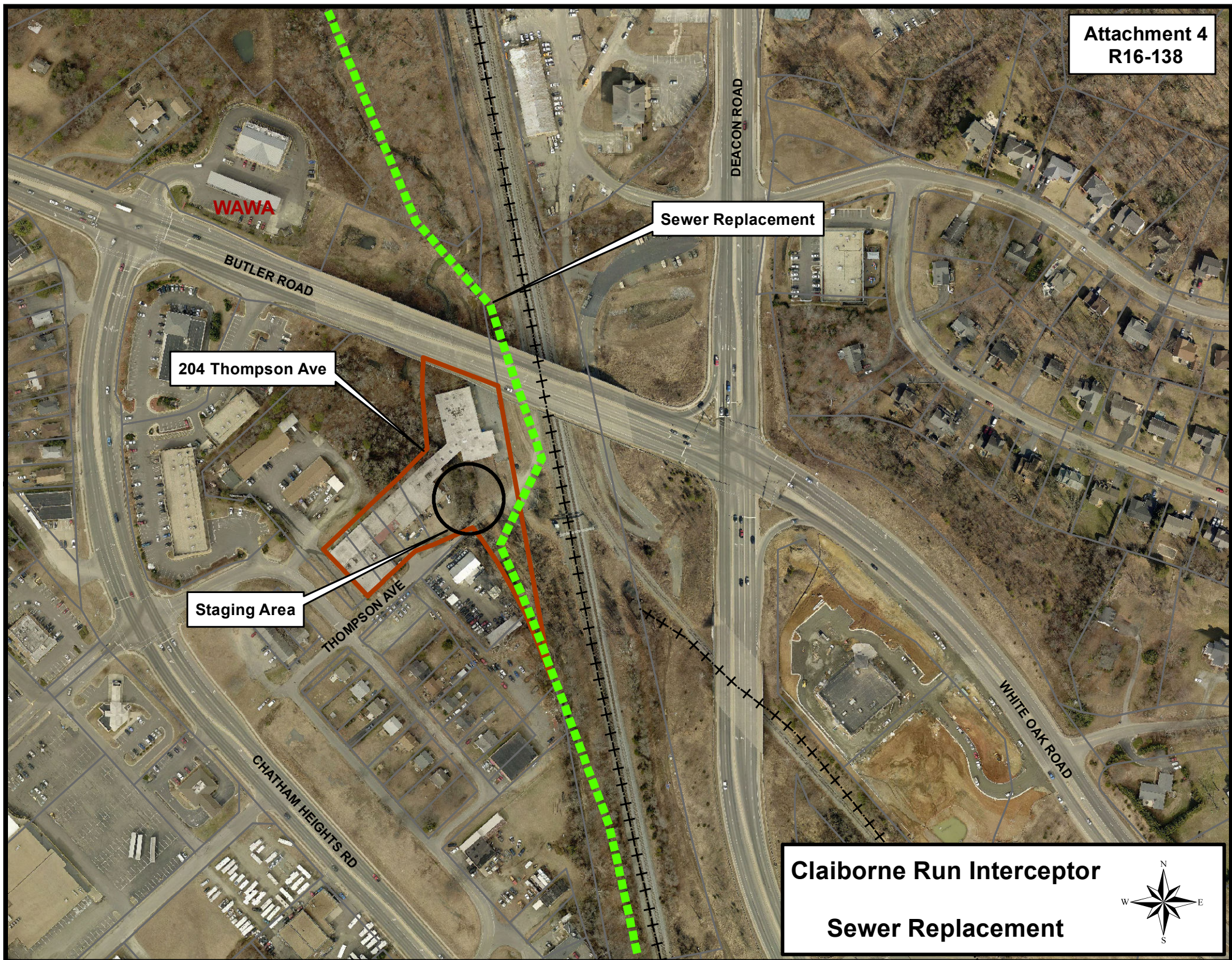
WHEREAS, the Board desires to accept this property to facilitate the completion of the Project, and may desire other public uses for the property;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 3<sup>rd</sup> day of May, 2016, that it be and hereby does authorize the County Administrator to accept the donation of Tax Map Parcel No. 54-37 (Property), located at 204 Thompson Avenue after receipt of a title report satisfactory to the County Administrator; and

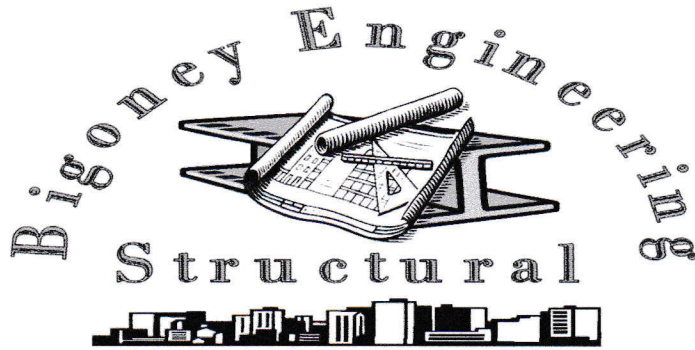
BE IT FURTHER RESOLVED that the County Administrator is authorized to execute all documents necessary and appropriate to transfer the Property to the County.











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**Condition Survey Report  
Buildings @ 204 Thompson Ave  
Stafford Co., VA**

April 1, 2016

**Purpose:**

It is understood that Stafford County is contemplating taking ownership of the premises. Because of potential maintenance and repair issues knowledge of the current condition is very much pertinent to the decision. I have attempted herein to offer some observations for consideration.

**Scope:**

I along with other participants from the county, conducted a cursory walk through in the morning of 3/21/16. An owner's representative accompanied us and offered additional insight.

**Description:**

The buildings are basically a conglomerate of multiple constructions done at various points in time. The original construction probably dates to the 1950's or 60's.

It is understood that in aggregate there is about 33000 sq. ft.

All the buildings appeared to have similar construction, one story, masonry walls, open web steel joists and metal deck at the roof with wide flange girders or masonry bearing.

**Observations:**

A list of pertinent observations and some thoughts that I had are as follows:

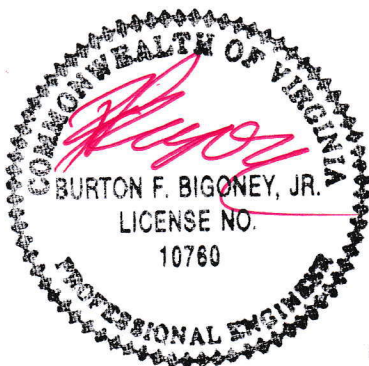
1. The basic structural systems seemed to have benefitted from design by a knowledgeable professional. Roof framing appears to be logical and thought out. Masonry walls and floor slabs seemed to be in relatively good condition. Conspicuous concerning cracks were absent.
2. The roofs appear to be dead flat. That was one unfortunate "standard of care" practice of the era in which they were built. I would strongly advise an owner to consider having tapered insulation installed the next time a re-roofing effort is made. As little as ¼ inch per foot slope can greatly enhance life expectancy.
3. A portion of the building was constructed over a creek. Columns and their footings are actually in the water and were noted to have experienced some undermining erosion. I suggest that an owner either:
  - a. plan on abandoning that area when the erosion gets bad enough or
  - b. underpin the footings with new concrete and protect from future scour with rip-rap or
  - c. provide transfer beams and new footings out of the creek.
4. No attempt was made to determine wind and seismic resistance. It is certainly less than what is built today.

**Conclusions:**

No attempt was made to determine load resistance capabilities. That could be done but would require a much more intense effort.

What could be seen thus far does imply well done constructions for the era in which buildings were built.

Submitted by,



Burton F. Bigoney, Jr., P.E.