

**Board of Supervisors**

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

Anthony J. Romanello, ICMA-CM  
County Administrator

## Community & Economic Development Committee Meeting AGENDA

June 7, 2016 – 12:00 Noon  
Conference Room A/B/C, Second Floor

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**Committee Members:** Chairman Wendy Maurer, Gary Snellings and Bob Thomas

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Agenda Item	
1.	Zoning Ordinance Amendment <ol style="list-style-type: none"><li>As it relates to right-of-way dedication</li><li>Expansion of nonconforming structures</li></ol>
2.	Sign ordinance
3.	Courthouse Area Design Standards
4.	P-TND Ordinance Amendments
5.	Land Preservation grants discussion

CEDC06072016agenda






# ***MEMORANDUM***

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

MEMORANDUM TO: Community and Economic Development Committee

FROM: Jeffrey A. Harvey  
Director 

DATE: June 7, 2016

SUBJECT: *Right-of-Way Dedications*

### **Background**

The County Code requires dedication of right-of-way with approval of a site plan for non-residential development. A typical development would dedicate half of the right-of-way identified in the Comprehensive Plan for future road improvements. On a number of occasions, staff had encountered situations where a proposed site development project could not accommodate all of the required right-of-way. In those cases, the principal building is usually too close to the current front property line to accommodate the right-of-way dedication and the front yard requirement. The property owner would be prohibited from expanding the existing building or constructing a new building on the property.

The administrative relief would be through granting of a variance for the right-of-way dedication. In reviewing an application for a variance, the Board of Zoning Appeals (BZA) must determine if a hardship exists from the physical configuration of the property. The hardship must not be self-imposed by the property owner. It would be difficult for a property owner to provide that there is not a self-imposed hardship since options can include moving the location of a building, pursuing a minor development project of less than 2,500 square feet in size that does not require right-of-way dedication, or not pursuing the development.

### **Conclusion**

Staff believes that consideration should be given to amending the zoning ordinance to allow dedication of right-of-way to the extent feasible without creating a non-conformity. There are both pros and cons to making such an amendment. A positive aspect that it may allow more properties to expand or construct new buildings and

*Memo to: Community and Economic Development Community*

*June 7, 2016*

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thereby enhancing the real estate tax base. A potential negative aspect would be that if the County or State needed the right-of-way in the future, it may be more costly to acquire due to the increased value of the property and higher potential for damages.

JAH:SWB:dfk

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 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 AMEND AND REORDAIN STAFFORD COUNTY  
CODE SEC. 28-106, "RIGHT-OF-WAY PROTECTION" AND  
COUNTY CODE SEC. 28-256, "REQUIRED STANDARDS AND  
IMPROVEMENTS GENERALLY"

WHEREAS, the Comprehensive Plan identifies future road improvements to accommodate projected growth and development; and

WHEREAS, in order to promote orderly development and encourage proper planning, County Code Sec. 28-256 requires development to dedicate right-of-way pursuant to the Comprehensive Plan; and

WHEREAS, in some cases, it may not be possible for developments to provide all of the identified future right-of-way needs per the Comprehensive Plan; and

WHEREAS, the Board desires to allow development projects to dedicate the planned future right-of-way to the extent possible without creating non-conformities; and



WHEREAS, the Board has considered the recommendations 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 practice require adoption of this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the day of , 2016, that Stafford County Code Sec. 28-106 "Right-of-way protection" and Sec. 28-256 "Required standards and improvements generally" be and it hereby is amended and reordained and it hereby is amended as follows, with all other portions remaining unchanged:

**Sec. 28-106. - Right-of-way protection.**

Roads shall be constructed and rights-of-way provided in accordance with the Stafford County Subdivision Ordinance and Virginia Department of Transportation standards. Where plans exist, approved by either the ~~state department of highways and transportations~~ Virginia Department of Transportation or the board of supervisors, for widening, opening or relocating any street or highway within the county, setbacks for any new construction shall be calculated based on the planned right-of-way in order to preserve and protect the right-of-way for such proposed street or highway.

**Sec. 28-256. - Required standards and improvements generally.**

(c)

In addition to improvements and standards specified in other sections of this article, the following minimum standards and improvements shall also be required:

(1)

When a site development plan abuts one side of any public street which is in the state highway system and/or maintained by the county or which is proposed by the comprehensive plan of the county, the ~~subdivider~~ development shall be required to dedicate at least one-half of the right-of-way necessary to make horizontal and vertical adjustments to such street or as much right-of-way that can be dedicated without creating a non-conformity. Any such right-of-way addition shall be dedicated for public use when the plat is recorded. When a site development plan is presented on public streets of less than fifty (50) feet in total width, additional right-of-way shall be dedicated to achieve at least a minimum fifty (50) feet in width or as much right-of-way that can be dedicated without creating a non-conformity. All building setbacks shall be measured from the additional dedicated right-of-way. No alley on a site plan shall have a right-of-way of less than twenty (20) feet.




# ***MEMORANDUM***

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

MEMORANDUM TO: Community and Economic Development Committee

FROM: Jeffrey A. Harvey  
Director 

DATE: June 7, 2016

SUBJECT: *Expansion of Nonconformities*

### **Background**

The County Code allows non-conforming single family structures to be expanded provided the expansion does not further encroach into a required yard or exacerbates nonconformity. Currently this privilege does not extend to non-residential buildings. As the County continues to urbanize and roads are widened in order to carry more traffic, the County and VDOT often require additional right-of-way be taken from the front of lots. In many cases, the affected lots service single family homes. However, along major corridors such as Garrisonville Road, Jefferson Davis Highway, and Warrenton Road, many of the properties fronting the roads have commercial or non-residential buildings.

Staff believes that the zoning ordinance should be amended to allow the expansion of nonconforming structures regardless of the use provided that the expansion does not further encroach into a required yard or does not make the existing nonconformity worse for such things as open space ratio, floor area ratio and building height. Further, staff believes that it would also be helpful to specify in the code that any lot subject to a condemnation proceeding that does not meet the zoning specifications be deemed to be nonconforming. This would codify the current practice and no longer require the issuance of zoning determinations to verify that fact.

JAH:SWB:dfk

O16-

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 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 AMEND AND REORDAIN STAFFORD COUNTY  
CODE SEC. 28-273, "NON CONFORMING STRUCTURES" AND  
CREATE COUNTY CODE SEC. 28-278, "HIGHWAY  
REALIGNMENT OR CONDEMNATION"

WHEREAS, from time to time it is necessary for public projects to require taking of real property; and

WHEREAS, taking of real property may create a non-conformity which may limit the future use of or ability to expand the use or structure on a property; and

WHEREAS, Sec. 28-273 of the County Code allows expansion of non-conforming single family residential structures where the proposed increase in square footage of the structure does not further encroach into the non-conforming area; and

WHEREAS, the Board desires to allow the expansion of all non-conforming structures where the proposed increase in square footage of the structure does not further encroach into the non-conforming area; and

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WHEREAS, the Board has considered the recommendations 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 practice require adoption of this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the day of , 2016, that Stafford County Code Sec. 28-24 "Nonconforming structures" be and it hereby is amended and reordained and Sec 28-278 "Highway Realignment or Condemnation" be and it hereby is created as follows, with all other portions remaining unchanged:

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

(a)

A nonconforming building or structure, except for general advertising 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.

**Sec. 28-278. – Highway Realignment or Condemnation.**

Any lot, which by reason of realignment of a Federal or State highway or by reason of condemnation proceedings, has been reduced in size to an area less than that required by law, shall be considered a non-conforming lot of record subject to the provisions set forth in Sec. 28-275; and any lawful use or structure existing at the time of such highway realignment or condemnation proceedings which would thereafter no longer be permitted under the terms of this chapter shall be considered to be a nonconformity as that term is used in this chapter.

AJR:jah




# ***MEMORANDUM***

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

MEMORANDUM TO: Community and Economic Development Committee

FROM: Jeffrey A. Harvey  
Director 

DATE: June 7, 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

- 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. Attachment 3 is examples of types of signs referenced in the draft ordinance.

JAH:SWB:dfk

Attachments (3)

O16-21

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 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.~~

- e. ~~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.~~

- ~~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. 28-124. 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.~~

- ~~e. 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:~~
      - ~~i. The sign shall be a freestanding monument sign of the kind ordinarily used to identify the center or park, and:~~
        - ~~1. 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 Districts (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 those 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. (footeandle) 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.~~

~~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 (1½) square feet for each linear foot of building frontage.~~

- ~~(4) Temporary sale signs.~~
- ~~(5) Directional signs.~~
- ~~(6) Window signs.~~
- ~~(7) Subdivision signs.~~
- ~~(8) Critical resource protection area (CRPA) signs.~~
- ~~(9) 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 premises 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 any lot or parcel of land.~~
  - ~~e. The sign shall be removed when use of the advertised home as a model home is discontinued.~~

**Sec. 28-128. – Types permitted in agricultural and residential districts (A-1, A-2, R-1, R-2, R-3, R-4).**

- (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</u> <u>(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 (B-1, B-2, B-3, RC, SC, HI).**

(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</u>	<u>2 sf per 1 lf of building frontage/ 2sf per 1 lf of</u>	<u>40 sf/ 40 sf</u>	<u>64 sf/256 sf</u>

	<u>building frontage</u>	<u>building frontage</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 (M-1, M-2).**

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 (LC, PD-1, PD-2, PTND, RBC, RDA-1, UD).**

(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</u>	<u>2 sf per 1 lf of building</u>	<u>64 sf/128 sf</u>

	<u>frontage/ 0.25 sf per 1 lf of building frontage</u>	<u>frontage not to exceed 100 sf. / 2sf per 1 lf of building frontage</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.

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 demonstrated in order to vary from the standards?***
8. Signs Painted on Walls – The draft code does not permit them. They are currently permitted and count towards sign area requirements. ***Do we want to allow signs painted on walls?***
9. Neon Signs – The draft ordinance only allows neon signs to be located in windows. The current code does not allow them on the exterior of buildings. ***Do we want to allow neon signs outside of windows?***



## A-Frame Sign

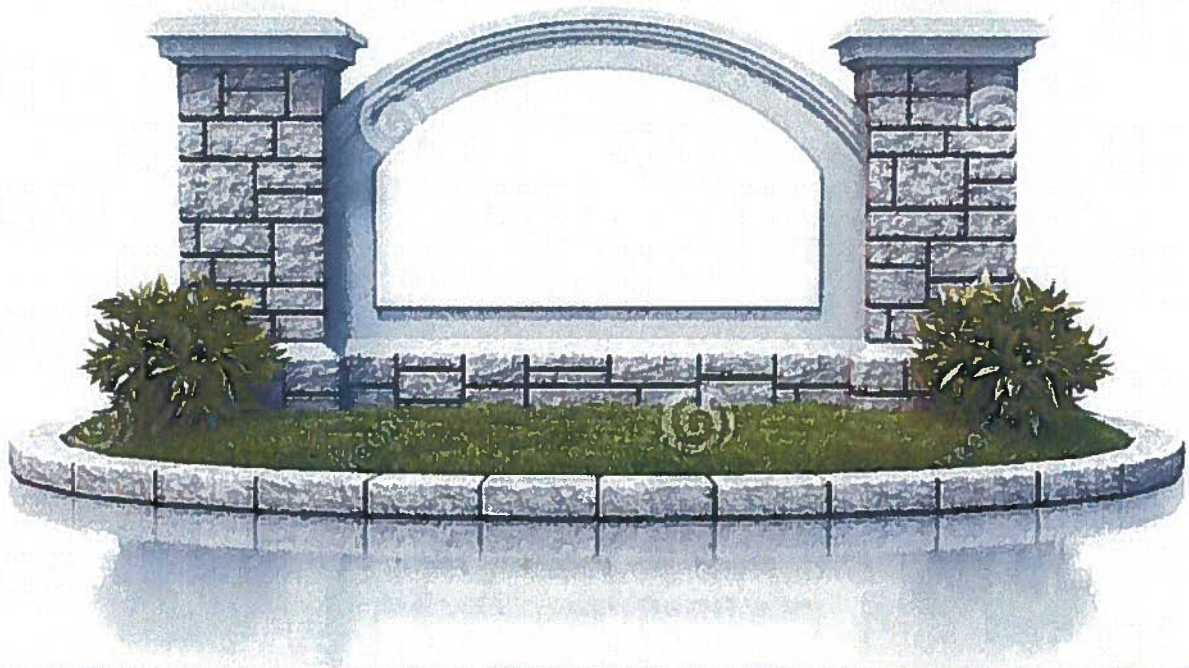




## Banner Sign




## Business/Monument Sign



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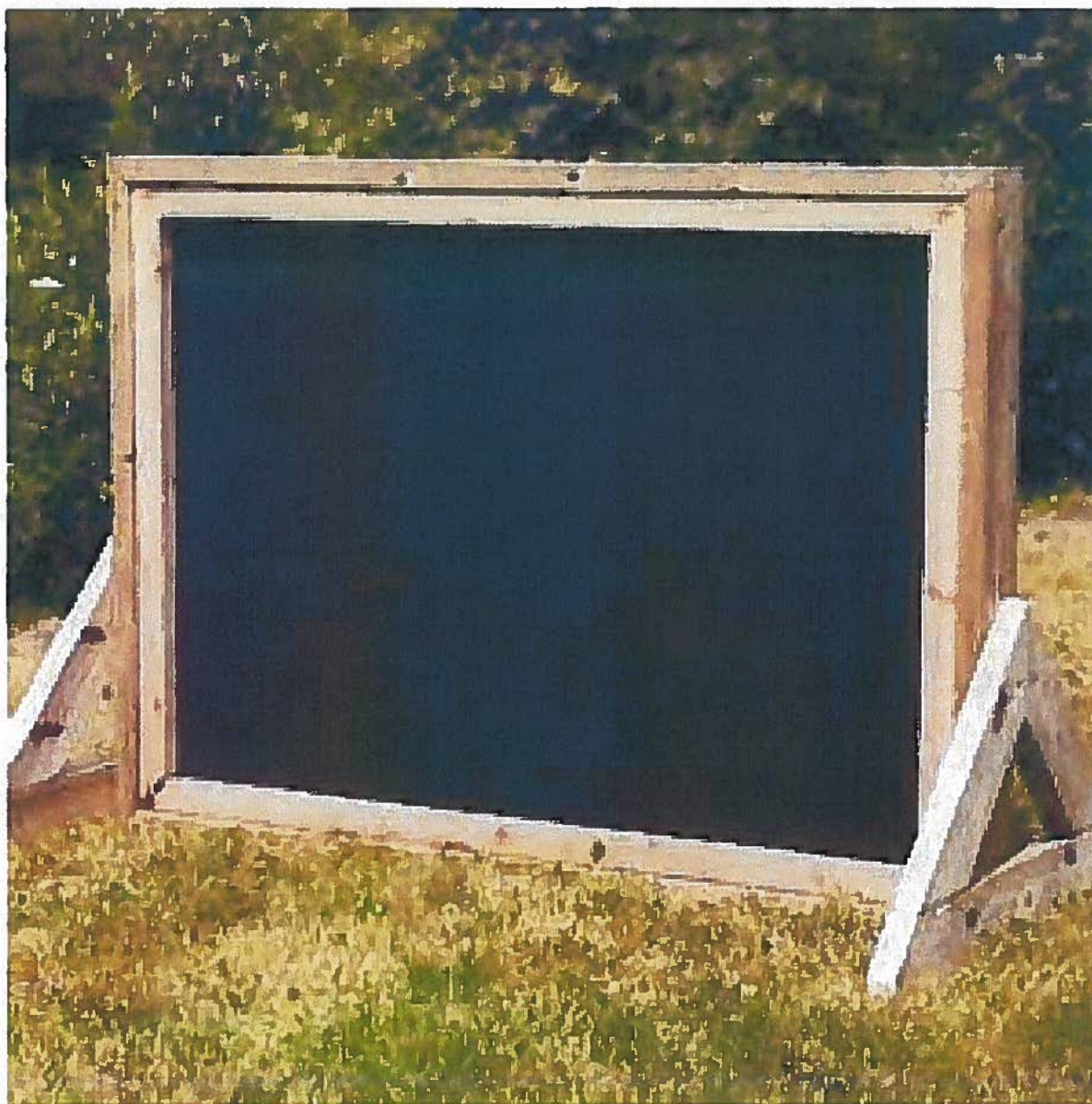
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## Canopy Sign

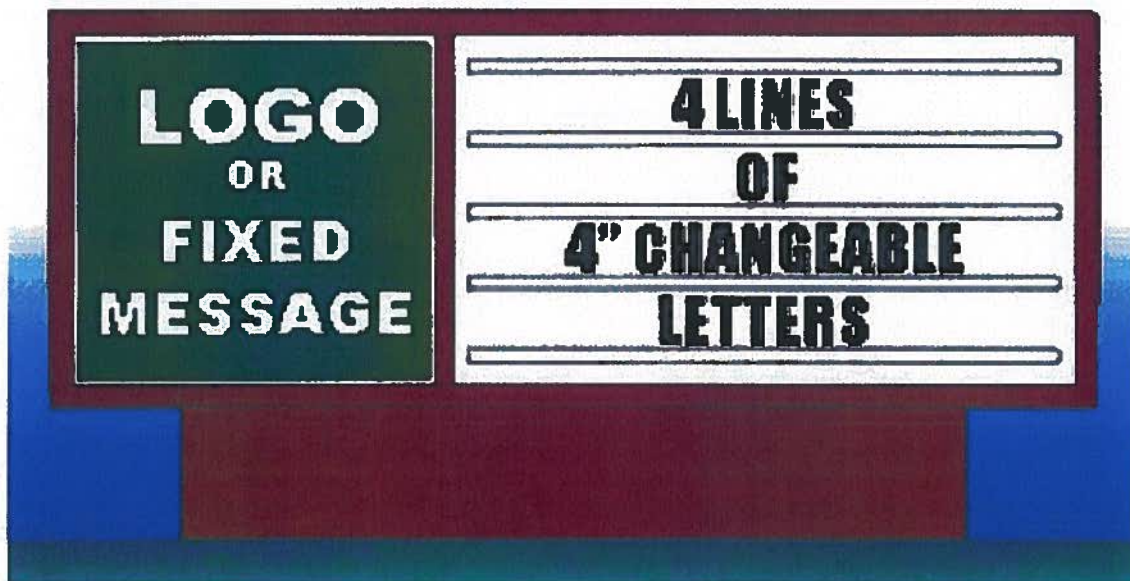




## Chalkboard Sign



## Changeable Copy Sign

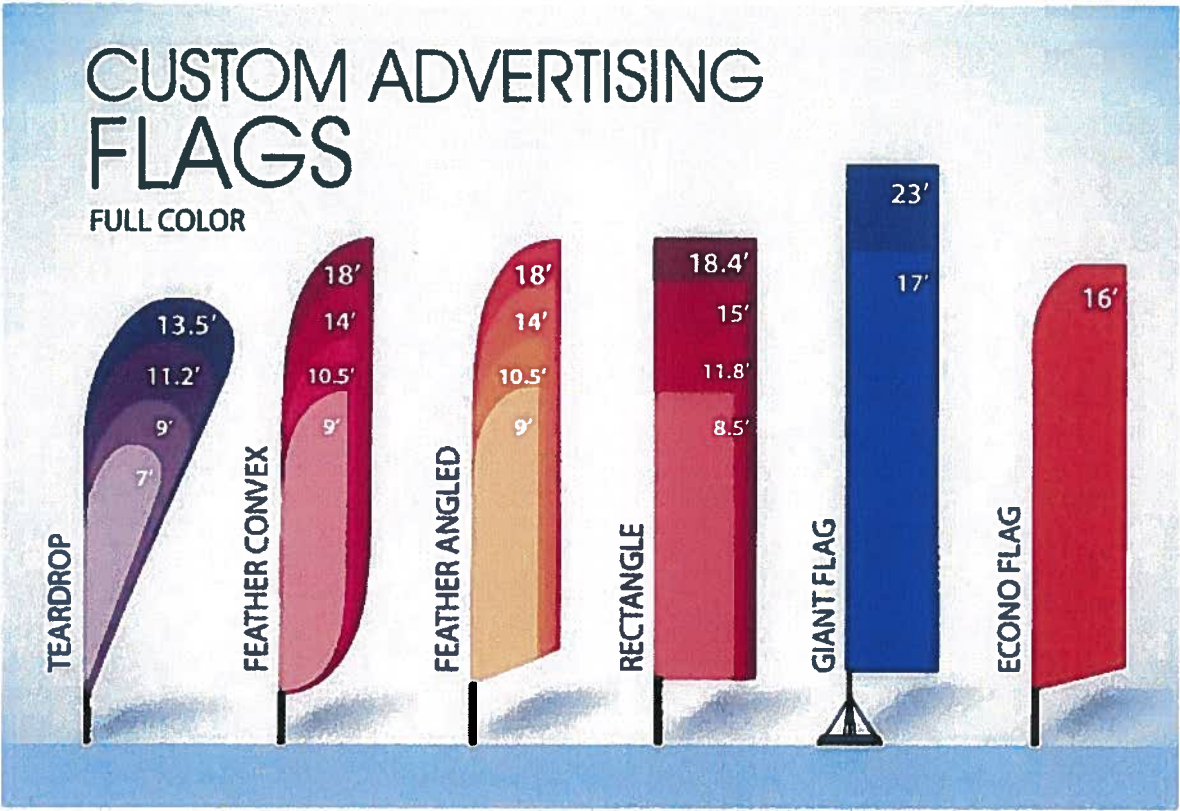


## EMC Sign





Feather Signs



## Flashing Sign



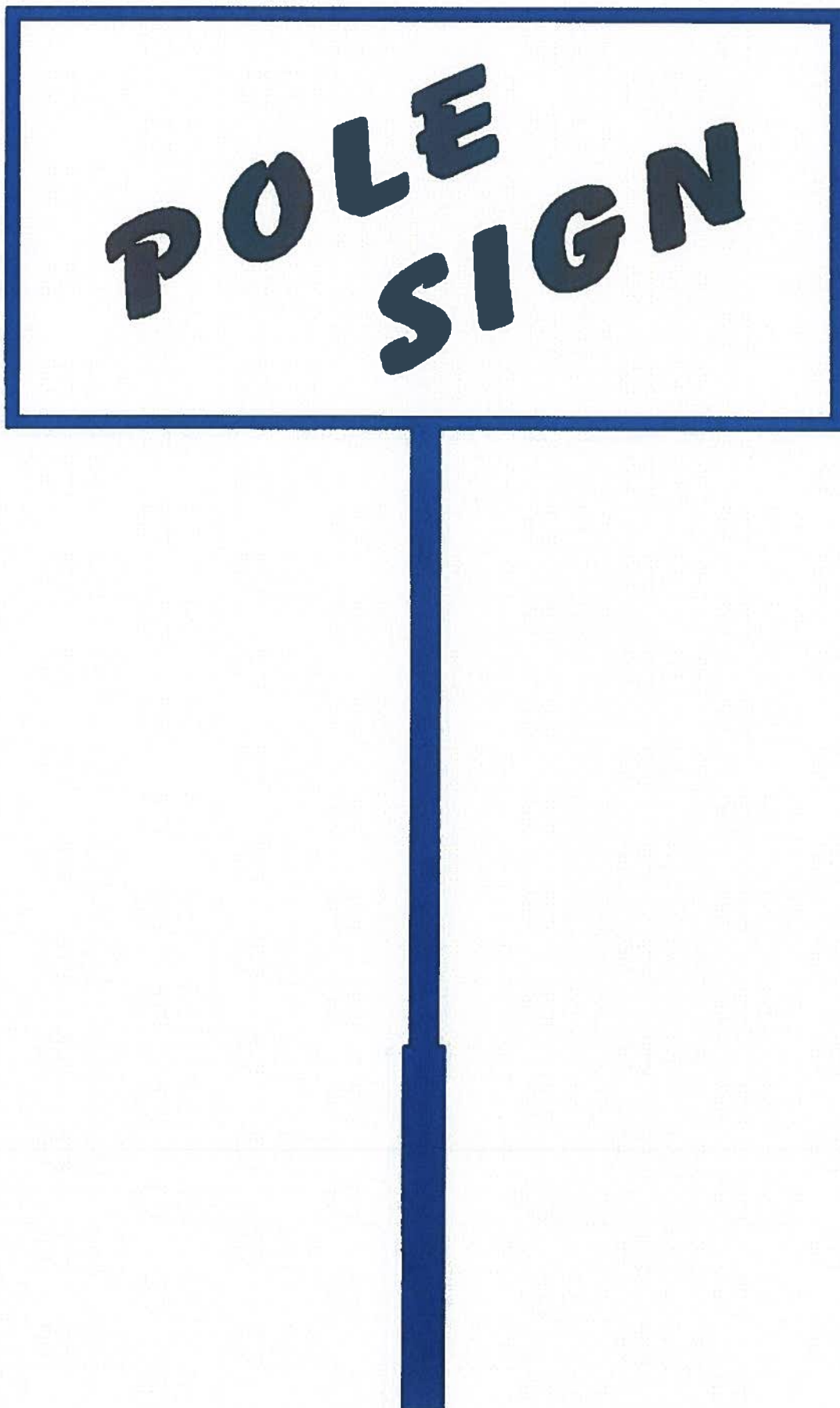


## Illuminated Sign

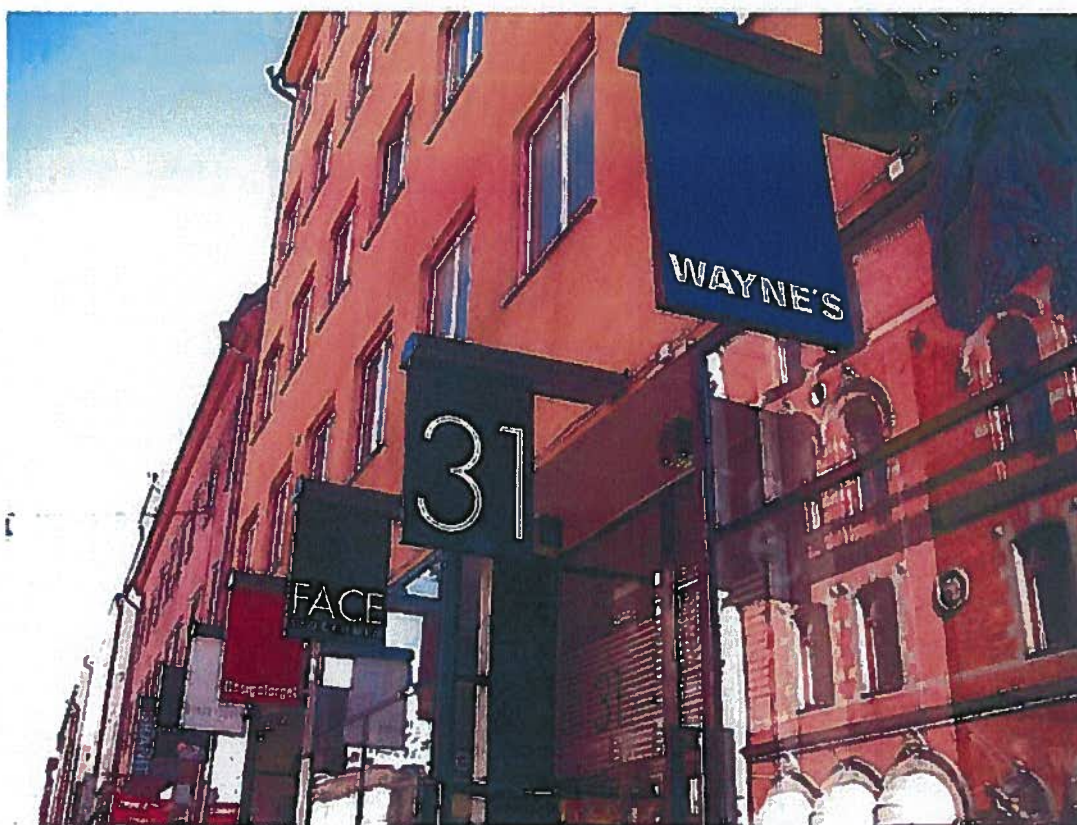


## Neon Sign





## Projecting Signs

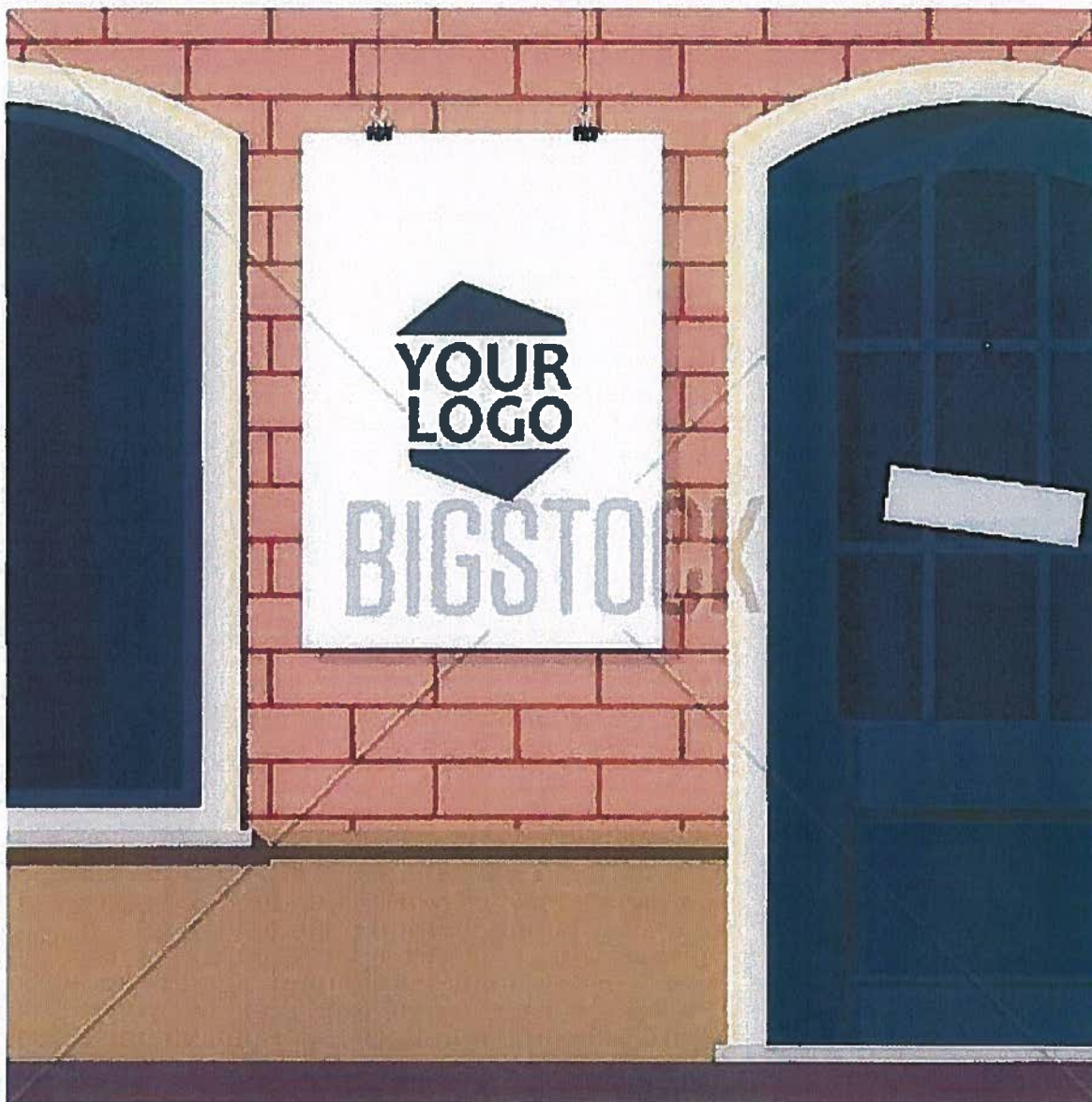




## Trailer Sign



## Wall Sign



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# MEMORANDUM

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## *Department of Planning and Zoning*

MEMORANDUM TO: Community and Economic Development Committee

FROM: Jeffrey A. Harvey   
Director

DATE: June 7, 2016

SUBJECT: *Courthouse Area Design Standards*

### Background:

At the May 3<sup>rd</sup> CEDC meeting, there were discussions 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 extent of this area is shown on the map in Attachment 1. The applicable standards are found in the Neighborhood Design Standards (NDS) of the Comprehensive Plan as seen in Attachment 2. 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 3 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. The Guidelines could be separate and distinct from the current Falmouth Historic District Guidelines included in Attachment 4. Approvals are granted through a Certificate of Appropriateness (COA) issued by the ARB.

Based on this legislation a Historic Gateway Corridor overlay zoning district could be a tool used by the Board to ensure certainty of architectural design. 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 and existing Courthouse Road extending from Interstate 95 to US-1 could also qualify since it will be a direct route for tourists to access the area. The potentially eligible properties along Jefferson Davis Highway and Courthouse Road can be seen on Attachment 5. The reconstructed Courthouse Road/Hospital Center Drive may become an eligible corridor once the reconstruction of Exit 140 is complete.

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.

At the May 3<sup>rd</sup> meeting, the CEDC discussed the possibility of establishing a committee of property owners in the area to discuss the potential for the Historic Gateway Corridor and the additional guidelines that could be developed to regulate new development.

JAH:

Attachments (5)

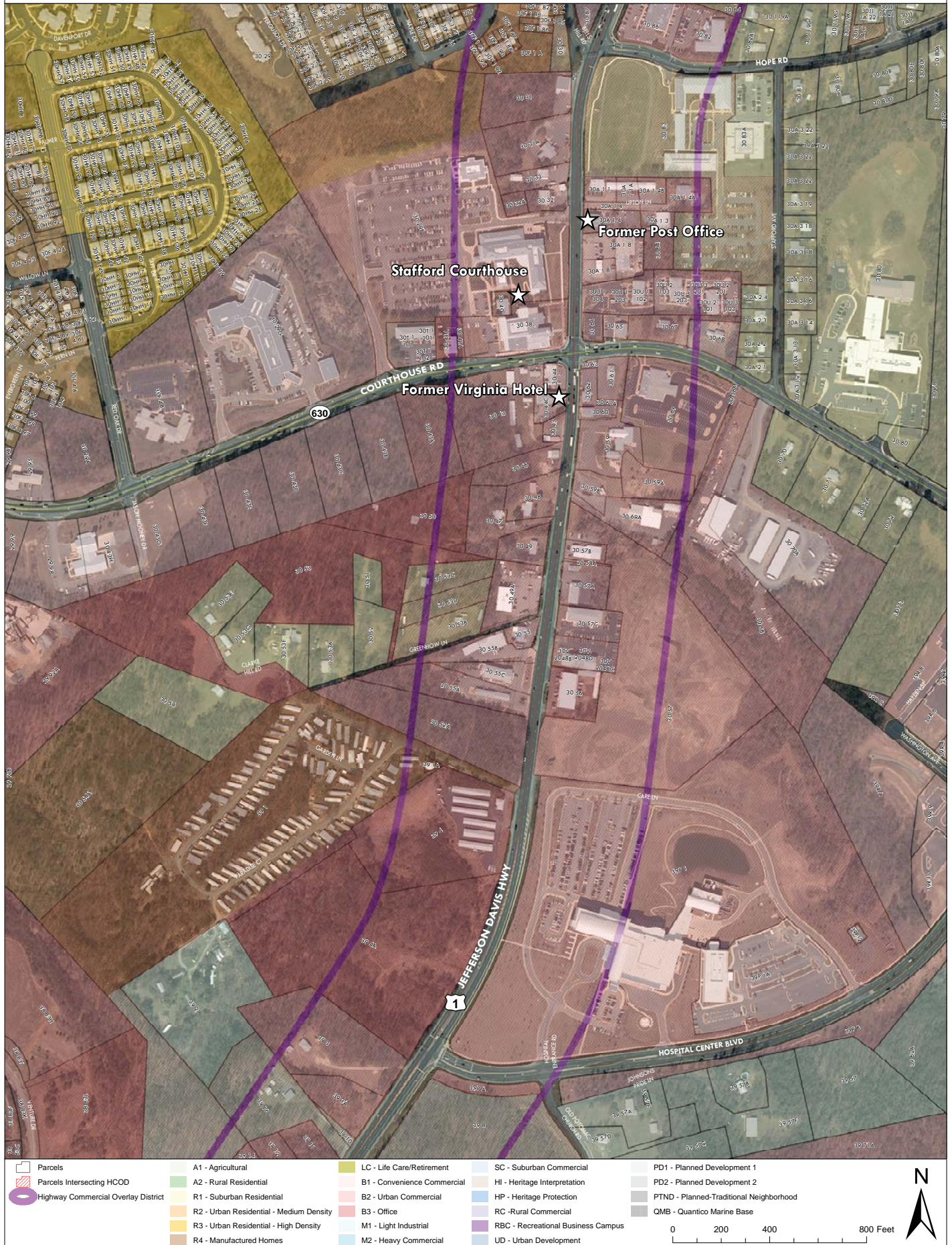




# Highway Commercial Overlay District, Stafford Courthouse

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

Attachment 1  
Page 1 of 1





# **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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Visual Preference Survey – Summary of Results	(under separate cover)

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

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R12-348  
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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

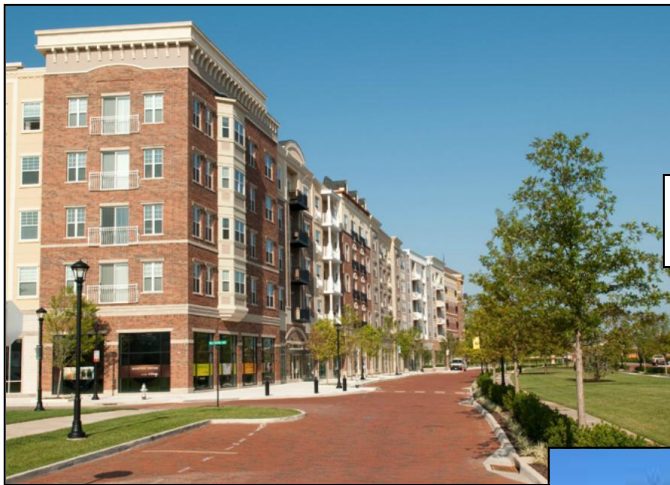
These guidelines are not appropriate in all situations. Development proposals within or adjacent to historic districts and/or structures should be designed to fit in with the context of the established development pattern. Consideration should be given to any Small Area Plan recommendations and guidelines 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*



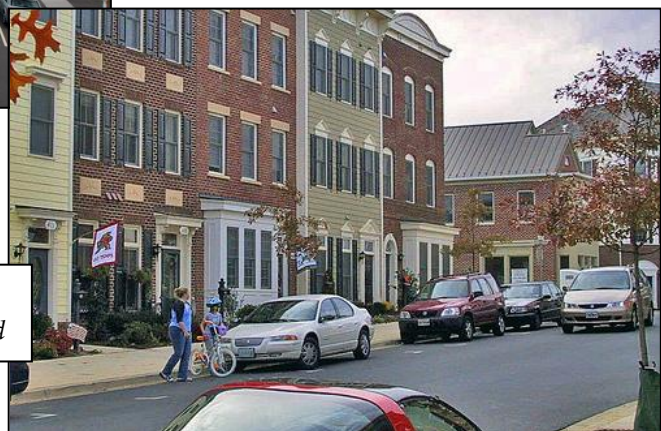
*West Broad Village  
Glen Allen, Virginia*



*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 ( $\frac{1}{3}$ ) 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.





- 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.





### 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.



## 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.

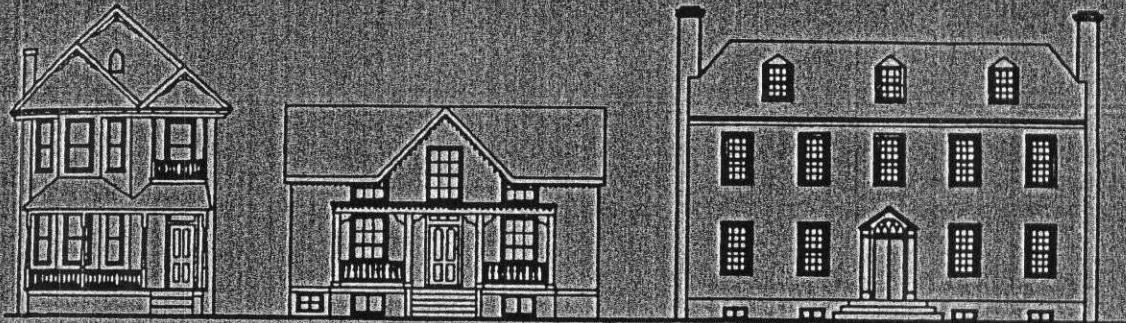
B. Notwithstanding any contrary provision of law, general or special, in the City of Portsmouth no approval of any governmental agency or review board shall be required for the construction of a ramp to serve the handicapped at any structure designated pursuant to the provisions of this section.

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.



# Historic District Design Review Guidelines

Architectural Review Board  
Stafford County, Virginia



October, 1993

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BOARD OF SUPERVISORS  
COUNTY OF STAFFORD  
STAFFORD, VIRGINIA

RESOLUTION

*At a regular meeting of the Stafford County Board of Supervisors held in the Board Chambers, Stafford County Administration Center, Stafford, Virginia, on the 12th day of October, 1993*

MEMBERS:

*Lyle Ray Smith, Chairman  
E. C. "Bill" Williams, Jr., Vice Chairman  
Alvin Y. Bandy  
Ferris M. Belman, Sr.  
Lindbergh A. Fritter  
Robert C. Gibbons  
Linda V. Musselman*

VOTE:

*Yes  
Yes  
Yes  
Yes  
No  
Yes  
Yes*

*On motion of Ms. Musselman, seconded by Mr. Belman, which carried by a vote of 6 to 0, the following was adopted:*

***A RESOLUTION TO APPROVE THE HISTORIC DISTRICT DESIGN REVIEW GUIDELINES  
FOR THE ARCHITECTURAL REVIEW BOARD***

*WHEREAS, the Zoning Ordinance provides for the designation of historic districts; and*


*WHEREAS, the Zoning Ordinance provides that the Architectural Review Board (ARB) examine the appropriateness of activities in historic districts; and*

*WHEREAS, it is the desire of the Board of Supervisors to provide guidelines to the ARB; and*

*WHEREAS, the ARB has voted 4 - 0 to adopt the guidelines as presented;*

*NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 12th day of October, 1993, that the Historic District Design Review Guidelines, dated October, 1993, be and they hereby are approved for the Architectural Review Board.*

*A Copy, teste:*

  
\_\_\_\_\_  
C. M. Williams, Jr.  
County Administrator

CMWJr:WCS:ek



The Code of Virginia authorizes localities to establish historical districts in order to protect against destruction of or encroachment upon historic areas. Historical districts are areas containing buildings or places in which historic events occurred or which have special public value because of notable architectural or other features relating to the cultural or artistic heritage of the County, the Commonwealth and the nation, of such significance as to warrant conservation and preservation.

The Code of Virginia also authorized localities to establish an Architectural Review Board (ARB). The Stafford County Code (Article VII, Special Districts, Division 3, Historical Districts, Section 28-141 through 155) describes the responsibilities of the ARB as follows:

*"No building or structure, including signs, shall be erected, reconstructed, altered or restored within any historical and cultural conservation district, unless the same is approved by the Architectural Review Board as being architecturally compatible with the historic landmarks, buildings or structures in such district."*

This document describes guidelines utilized by the ARB in this review process.

The guidelines are based on information taken from the U.S. Department of the Interior's "Standards for Rehabilitation." Additional requirements may apply if a property is listed on the Virginia Landmarks Register or the National Register of Historic Places.

For more information, please contact

*Stafford County Office of Planning  
P.O. Box 339  
Stafford, Virginia 22555*

*(703) 659-8668*

# **I. GUIDELINES FOR CHANGES TO HISTORIC AND CONTRIBUTING PROPERTIES**

---

## **A. PHYSICAL INTEGRITY: The conservation of traditional building materials.**

### **1. MASONRY: brick, stone, terra cotta, concrete, stucco, and mortar**

**GUIDELINE 1:** Retain and preserve masonry features and surfaces that are important in defining the character of the property.

**Guidelines:**

- *clean masonry only when necessary to halt deterioration, using the gentlest means possible; avoid sandblasting, surface grinding or using chemicals that will harm the masonry.*
- *avoid applying paint or other coatings to masonry that has historically been unpainted; avoid removing paint from historically painted masonry, or changing the type of paint or coating and its color.*
- *install new masonry features based either on documented precedent or on compatibility with the size, scale, material, style and color of the structure.*
- *place new mortar which replicates the old in color, texture, pointing and striking techniques.*

### **2. WOOD: clapboard, weatherboard, shingles, other siding and decorative elements**

**GUIDELINE 2:** Retain and preserve wood features that are important in defining the character of the property.

**Guidelines:**

- *strive to maintain the type of finish or color scheme, and maintain decorative painting, such as graining or marbled finishes.*
- *repaint with colors that are compatible to the property and its district.*
- *install new wood features based either on documented precedent or on compatibility with the size, scale, style, and color of the structure.*
- *reuse or replicate original decorative fasteners, such as fancy headed nails.*

**3. ARCHITECTURAL METALS: cast iron, steel, sheet metal, copper, aluminum and zinc**

**GUIDELINE 3:** Retain and preserve those architectural metal features, including their finishes and colors, that are important in defining the character of the property.

**Guidelines:**

- *use proper chemical cleaning processes for the particular metal and, where applicable, repaint with colors compatible with the structure; avoid harsh mechanical cleaning methods that can damage historic metal textures and details.*
- *install new architectural metal features based either on documented precedent or on compatibility with the size, scale, style and color of the property.*

**4. SUBSTITUTE MATERIALS: For wood, masonry, and metals**

**GUIDELINE 4:** Traditional construction materials are preferred. If using the same kind of material is not technically feasible, a compatible substitute may be considered.

**Guidelines:**

- *replicate historic masonry features in substitute materials, e.g., concrete, plastic, or fiberglass to convey the visual appearance of the original wood.*
- *replicate historic wood features in substitute materials, e.g., fiberglass, plastic, metal, or composition board to convey the visual appearance of the original wood.*
- *avoid cladding historic wood siding with metal, vinyl, or plastic substitute materials whenever possible; when used for additions, match cladding to the historic materials in scale, texture, and form.*
- *replicate historic metal features in substitute materials, e.g., concrete, fiberglass, plastic, wood, or different metals (such as aluminum for iron) to convey the visual appearance of the original.*
- *replicate historic roofing materials in substitute materials, e.g., asphalt, fiberglass, plastic, rubber, or metal, or in different forms (such as split shingles instead of sawn shingles) to convey the visual appearance of the original materials.*



**B. VISUAL CHARACTER: The design of compatible building forms and features.**

**5. ROOFS, ROOF FEATURES, AND ROOFING MATERIALS: refer to Guideline 11 for physical attachments**

**GUIDELINE 5:** Retain and preserve roofs, roof forms, and their functional and decorative features that are important in defining the character of the property.

**Guidelines:**

- *base installation of new roof, roof features, or roofing materials either on documented precedent or on compatibility with the size, color, style, and form of the structure.*
- *install roof mechanical and service equipment, e.g., air conditioners, transformers, vents, elevator housing, or solar apparatus, to be inconspicuous from public view; install in a manner that does not damage or obscure character-defining features.*
- *ensure that changes in roof form or the addition of new roof features which accommodate interior expansion or remodeling, such as skylights, decks and terraces, dormers, or roof extensions, are inconspicuous from the public right-of-way and completed in such a manner that does not damage or obscure character defining features.*

**6. WINDOWS, WINDOW FEATURES, AND GLAZING MATERIALS**

**GUIDELINE 6:** Retain and preserve windows, including their functional and decorative features, that are important in defining the architectural character of a property.

**Guidelines:**

- *strive to maintain the historic appearance of windows through appropriate design, materials, and colors which continue the type of sash, depth of reveal, muntin configuration, and reflectivity of glazing.*
- *install replacement windows and window features based either on documented precedent for the historic building, or on compatibility in form, scale, detail style, materials, and color to the original structure.*
- *ensure that window features, such as awnings or shutters work or appear to work.*

## 7. ENTRANCES AND PORCHES; also refer to Guideline 9

**GUIDELINE 7:** Retain and preserve entrances and porches, as well as their decorative and functional features.

**Guidelines:**

- *install new entrances or porches based either on documented precedent or on compatibility in form, style, and scale with the original structure.*
- *enclose porches, when required by a new use or interior remodeling, in a manner that preserves the architectural character of the structure.*

## 8. STOREFRONTS

**GUIDELINE 8:** Retain and preserve storefronts and their functional decorative features that are important in defining the character of the property.

**Guidelines:**

- *install new storefronts, when necessary, based either on documented precedent or on compatibility in scale, size, glazing, and detail with the original storefront that must be replaced.*
- *install new awnings or signs based either on documented precedent or compatibility in scale, size, color, and detail with the original structure; installation should not damage or obscure character-defining features of the building.*

## 9. HEALTH AND SAFETY CODE REQUIREMENTS, ACCESSIBILITY STANDARDS

**GUIDELINE 9:** Comply with health and safety code requirements, including barrier-free access standards, in such a manner that character defining features are preserved. (Refer to the American Disabilities ACT (ADA) for handicapped access requirements)

**Guidelines:**

- *install required permanent means of access for disabled persons to conserve significant historic materials, features, and design characteristics and, if possible, located on a non-primary facade.*
- *provide required structural reinforcement to a historic property in a manner that retains character-defining features.*
- *place required interior stairways or elevators that cannot be accommodated within a building in a new exterior addition located at the rear or on an inconspicuous side.*

## II. GUIDELINES FOR ADDITIONS AND ATTACHMENTS TO HISTORIC AND CONTRIBUTING PROPERTIES

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### A. ADDITIONS TO BUILDINGS AND STRUCTURES

**GUIDELINE 10:** New additions should be designed and constructed so that the character-defining features of the host building are not masked, damaged, or destroyed; the difference between the new work and what is original may be subtle, but should be clear.

Guidelines:

- *plan new additions to minimize the loss of original materials and character-defining features of the host building and its site, including potential archaeological resources.*
- *locate exterior additions at the rear or on an inconspicuous side of the host building when possible.*
- *limit the size and scale of an addition so that the host building is not visually overwhelmed.*
- *consider the addition both in terms of the new use of the host building and the appearance of other properties within the district.*
- *design new work to reference and be compatible with the host building in terms of mass, scale, roof form and materials.*
- *avoid using a continuous wall plane, roof or cornice line, or other devices which would make additions appear to be an integral part of the host structure.*
- *design additional stories, when required for a new use and otherwise permitted, to be set back from the wall plane and as inconspicuous as possible when viewed from public rights-of-way.*

### B. ATTACHMENTS TO BUILDINGS OR STRUCTURES (e.g., TV antennas, satellite dishes, carports, decks, signs)

**GUIDELINE 11:** Attachments to structures should not mask, damage, or destroy character defining features.

Guidelines:

- *locate attachments at the rear or on an inconspicuous side of the host structure and in a place that will not damage character-defining site features, including potential archaeological resources.*
- *consider the attachment in terms of both the host structure and the appearance of other properties within the district.*

### III. GUIDELINES FOR NEW CONSTRUCTION, SITE DEVELOPMENT, AND CHANGES TO NON-CONTRIBUTING PROPERTIES

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#### A. NEW CONSTRUCTION

**GUIDELINE 12:** To complement the design of historic properties and traditional patterns of development found in historic overlay districts, planning for new construction should consider factors of placement, scale, form, detail, materials, and style.

**Guidelines:**

***Placement -***

- *relate new construction to existing open space, roadways, pedestrian circulation systems, natural topography, and landscape materials or features within the district in a manner similar to existing historic structures within the district; also consider potential archaeological resources.*
- *cluster new construction and locate parking areas away from primary views and vistas.*

***Scale -***

- *carefully consider the visual relationships of new construction to adjacent historic or contributing buildings; if new construction or elements of new construction, such as steeples or towers, of a greater height or bulk are permitted, the new should not visually overwhelm the old.*

***Form -***

- *relate the basic shape of new construction to that of historic and contributing buildings and structures within the district.*
- *roof forms or other architectural features should be compatible with that of existing historic and contributing properties.*

***Detail -***

- *use construction materials and design details that are visually compatible with those traditionally found within the district.*
- *strive to use colors that are harmonious with those traditionally found within the district.*

***Style -***

- *recognize the traditional architectural styles of historic or contributing buildings or structures found within the district.*
- *respect the traditional architectural styles of historic and contributing structures; ensure that new construction can be clearly distinguished from older work.*

## **B. SITE DEVELOPMENT AND THE PRESERVATION OF CULTURAL LANDSCAPES**

**GUIDELINE 13:** Historic landscape relationships and views should be protected and enhanced.

**Guidelines:**

- *retain and preserve those landscape features, such as ways, fences, gates, terraces, walls, outdoor sculpture, water features, and plant materials that define the character of a property.*
- *retain the traditional relationship among landscape features, plant materials, open space and buildings or structures.*
- *strive to keep the original landscape features or plant materials in a manner that retains the traditional relationships and historic character.*
- *maintain existing topography; avoid lowering the grade level adjacent to a building or structure to expose a below grade area in a manner that would change the traditional relationship of the property to its site.*
- *repair landscape features by reinforcing original materials or replacing extensively deteriorated features with original or compatible substitute materials.*
- *install new landscape features and plant materials based either on documented precedent or on compatibility of scale, materials, and detailing with the property or district; avoid disruption of traditional site patterns and important views or vistas.*
- *design necessary new utilitarian site features, such as storm water detention ponds, parking areas, or loading docks, so that they are unobtrusive and preserve the character defining features of the property or district.*

## **C. CHANGES TO NON-CONTRIBUTING PROPERTIES**

**GUIDELINE 14:** The visual compatibility of non-contributing properties should be enhanced whenever possible.

**Guidelines:**

- *preserve the original physical integrity and visual appearance of well-designed newer buildings or structures as they may acquire architectural significance of their own over time.*
- *if remodeling, retain the architectural styles, forms and building materials or construction details that are compatible with those of historic or contributing properties within the district.*

## IV. GUIDELINES FOR PROTECTING ARCHAEOLOGICAL SITES

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**GUIDELINE 15:** Identified archaeological resources that may be affected by a project should be properly excavated, studied, and recorded or protected and preserved.

**Guidelines:**

- *minimize disturbance of terrain, thus reducing the possibility of destroying unknown archaeological features or materials.*
- *plan and carry out necessary investigations using appropriate archaeological methods as approved by the Department of Historic Resources when preservation is not feasible.*
- *incorporate, where feasible and after appropriate investigation, visible archaeological features, such as earthworks, foundations, or ruins, into the overall landscape design for new development.*



## V. CRITERIA FOR THE DEMOLITION OR RELOCATION OF BUILDINGS OR STRUCTURES

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### A. DEMOLITION OF HISTORIC BUILDINGS OR STRUCTURES

**GUIDELINE 16:** In reviewing an application for demolition of a historic building or structure, the following criteria shall be considered:

**Criteria -**

- *Is the property of such architectural or historic interest that its demolition or partial demolition would be detrimental to the historic district?*
- *Is the property of such old and unusual or uncommon design, construction, or materials that it could not be reproduced or could be reconstructed only with great difficulty?*
- *Would retention of the property help preserve and protect a historic place or historic area of the County?*

### B. RELOCATION OF HISTORIC BUILDINGS OR STRUCTURE

**GUIDELINE 17:** In reviewing an application for the removal and relocation of a historic building or structure, the following criteria shall be considered:

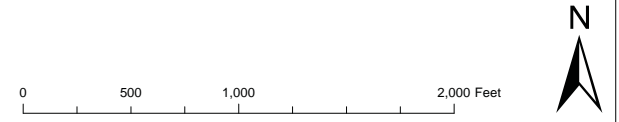
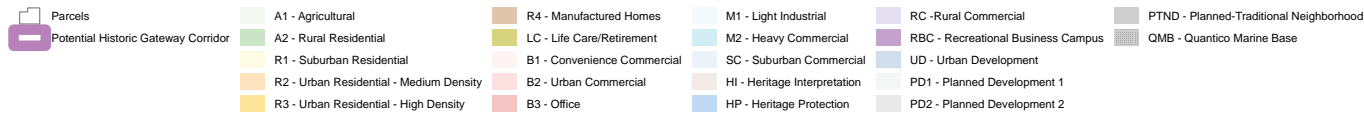
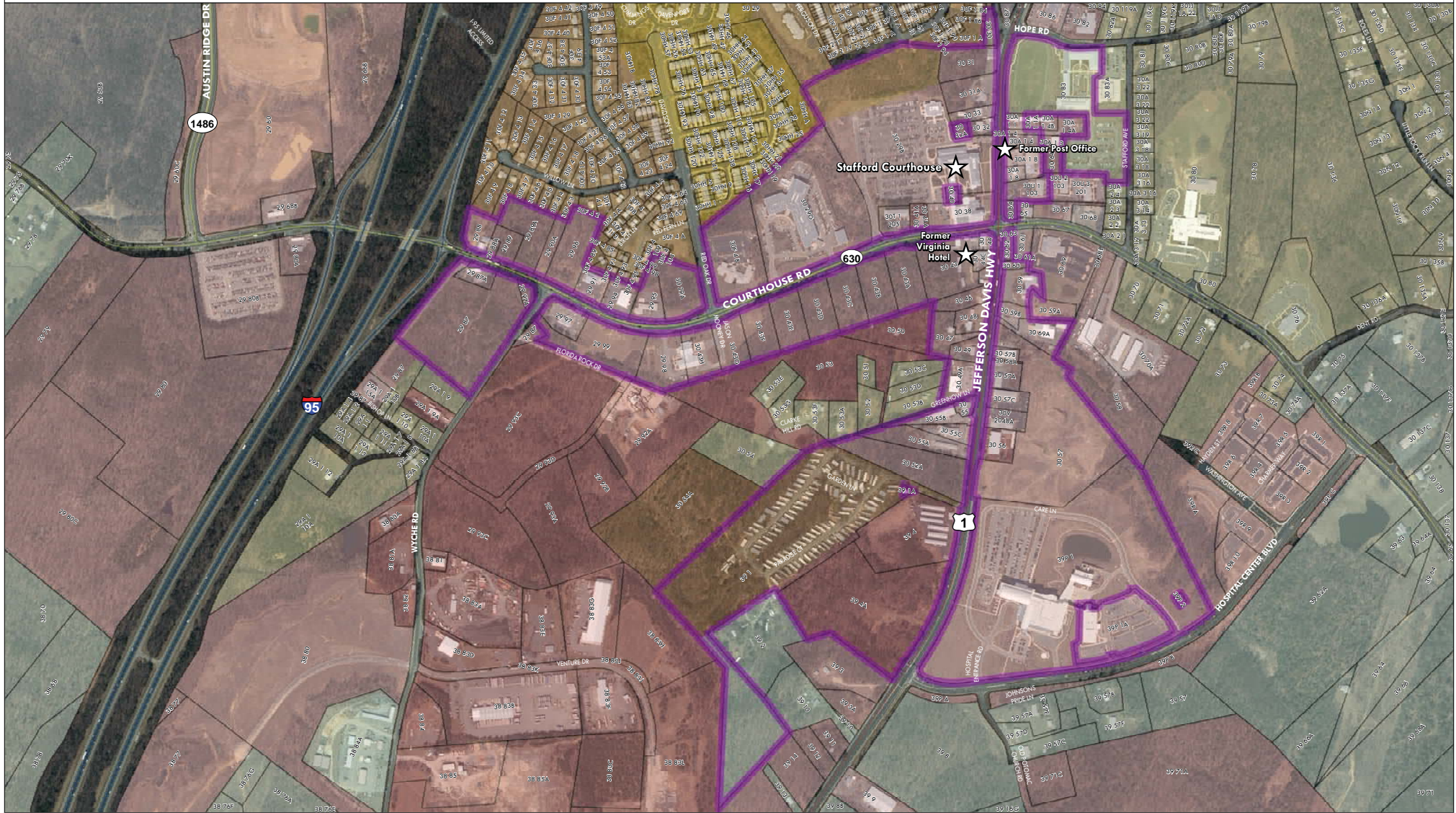
**Criteria -**

- *Would the proposed removal and relocation have a detrimental effect on the historic significance of the structure or other properties in the district?*
- *Would removal and relocation to another site provide new surroundings that would be harmonious or incongruous to the historic and architectural character of the building or structure?*
- *Would removal and relocation to another site help preserve and protect a historic place or area of historic interest in the County?*



# Potential Historic Gateway Corridor, Stafford Courthouse

Produced by the Stafford County GIS Office  
540-658-4033 | www.StaffordCountyGIS.org








# ***MEMORANDUM***

---

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

MEMORANDUM TO: Community and Economic Development Committee

FROM: Jeffrey A. Harvey  
Director 

DATE: June 7, 2016

SUBJECT: *P-TND Ordinance Amendments*

### **Background**

The Planned-Traditional Neighborhood Development (P-TND) Zoning District was created in 2007. The P-TND is intended to facilitate development projects that have urban neighborhoods with varying types of uses. Since its adoption, two properties have been rezoned to P-TND: Aquia Town Center in 2008 and Stafford Village Center in 2015. Minor amendments to the P-TND district regulations have been made, during the planning of the Aquia Town Center Project.

Currently, the Stafford Village Center/The Garrison at Stafford project is in the planning stages. The developer has applied for a proffer amendment to modify the layout of the project and has requested several ordinance amendments (Attachment 3). The new layout will relocate the buildings to front on the principal street in the middle of the project, with on-street parallel parking located along the principal street, as the zoning ordinance permits. The applicant is requesting the zoning ordinance be amended to allow flexibility in the type of on-street parking to also include angled parking along the principal street.

Staff notes that the P-TND standards were developed based on the Smart Code, which establishes a framework for traditional neighborhood design. In the Smart Code, street design standards support angled parking along principal streets.

In addition, the applicant is proposing to delete the following reference to the Traditional Neighborhood Development element of the Comprehensive Plan (now referred to as the Neighborhood Design Standards Plan (NDS Plan)) regarding classification of streets in a P-TND district.

**Sec 28-39. - Special regulations.**

*(q) Planned-Traditional Neighborhood Development (P-TND)*

*(2) Streets*

~~b. Refer to the traditional neighborhood development appendix to the comprehensive plan for specific classification of streets within a development in the P-TND district.~~

Staff notes the NDS Plan recommends a hierarchy of streets in a TND project, and recommends that projects incorporate the street categories and guidelines. These guidelines are not mandatory, leaving flexibility to the developer, while allowing staff to provide advisory comments during site plan review. Staff notes that the standard in the Comp Plan for a Principal street recommends only parallel parking. Staff would not support deleting reference to all street standards for one single issue. Rather, a minor amendment of the NDS Plan may be more appropriate. And further, staff notes that angled parking would be permitted if this ordinance provision remains.

Lastly, the applicant is proposing to delete standards that require travel aisles with on-street parallel parking meet Virginia Department of Transportation (VDOT) or County street requirements.

**Sec. 28-66 – P-TND, Planned-Traditional Neighborhood Development.**

*(e) On-street parallel and angled parking and detached parking garages.* On-street parallel parking and angled parking shall be permitted in a P-TND district. The number of parking spaces required for off-street parking requirements specified in Table 3.3(a) of this section shall be required, except that all on-street parallel and angled parking spaces provided shall count towards the off-street parking requirements and shall be located within one hundred fifty (150) feet of the dwelling they are intended to serve. Parking spaces in garages on individual residential lots shall count toward off-street parking requirements, however, the driveway accessing the private parking garage shall not be considered towards the required number of parking spaces even if the area of the driveway is adequate for a parking space. ~~Where on-street parallel parking is provided, a travel aisle in accordance with the Virginia Department of Transportation Subdivision~~

~~Street Requirements or the requirements of Stafford County if any exceed VDOT Subdivision Requirements, shall be provided, in addition to that necessary to accommodate the on-street parallel parking.~~

The applicant states it is unclear why the requirement of a travel aisle is being applied to parallel or angled parking, since it appears that such restrictions apply only to off-street parking.

Staff notes that the zoning ordinance does include standards for travel lane widths in all areas of the County: Section 28-102. Off-street parking, includes travel aisle width standards, and; Section 28-256(c)(3) includes travelway requirements for private vehicular travel lanes. The specific provision in question provides flexibility in the design of streets and travelways in the P-TND district. Travel aisle widths are designed for a reason, primarily to accommodate the movement of vehicles in a manner that reduces the risk for accidents and allows access for emergency vehicles and therefore provides a safe environment. For these reasons, staff does not support the portion of the request to remove the standards for aisle width adjacent to parallel parking. Specifying the sections of the code would be beneficial.

Staff notes that the ordinance provision could benefit from additional standards. One of the stated intents of TND projects is to utilize the narrowest width of streets permitted. For this reason, staff would recommend the language be modified to require travel aisle widths conform to street standards in the Smart Code, subject to applicable VDOT and County approval. The Smart Code includes a comprehensive series of standards depending on the applicable transect zone and intensity of development. Where Smart Code standards are not applicable, travel aisles shall be in accordance with VDOT or County standards.

Staff suggests the following modified language to the highlighted portion of Code section 28-66(e):

Where on-street parallel parking is provided, a travel aisle shall be provided in accordance with the Virginia Department of Transportation Subdivision Street Requirements or the requirements of in Stafford County Zoning Ordinance Sections 28-102 or Section 28-256(c)(3), or the Smart Code, subject to approval by VDOT and/or the County. if any exceed VDOT Subdivision Requirements, shall be provided, in addition to that necessary to accommodate the on-street parallel parking.

Staff believes the amendments to expand the type of on-street parking will not compromise the mixed use character of the P-TND district.

The proposed amendments identified in Ordinance O16-25 (Attachment 2) reflect all of the amendments recommended by the applicant.

Staff would recommend that if the ordinance is sent to the Planning Commission, flexibility be granted for modification of the text, specifically the sections on which staff has commented.

This issue is on the June 7<sup>th</sup> Board of Supervisors Consent Agenda. Staff is recommending adoption of proposed Resolution R16-182 (Attachment 1), which refers proposed Ordinance O16-25 to the Planning Commission for a public hearing and its recommendations. The Resolution allows flexibility to modify the proposed ordinance.

JAH:mz

Attachments (3)



R16-182

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., Administration Building, Stafford, Virginia, on the 7<sup>th</sup> day of June, 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 REFERRING AN ORDINANCE TO THE PLANNING COMMISSION TO AMEND AND REORDAIN STAFFORD COUNTY CODE SECTION 28-39, "SPECIAL REGULATIONS," AND SECTION 28-66, "P-TND, PLANNED-TRADITIONAL NEIGHBORHOOD DEVELOPMENT"

WHEREAS, the Planned-Traditional Neighborhood Development (P-TND) Zoning District was created pursuant to Ordinance O07-39 on July 7, 2007; and

WHEREAS, the P-TND Zoning District establishes standards for the design of streets that include allowing parallel parking along designated principal streets, intended to serve as the main commercial street in a P-TND development; and

WHEREAS, a pending development project has requested flexibility in the type of on-street parking to allow angled parking; and

WHEREAS, the Smart Code, a document that the P-TND zoning district was modeled after, supports angled parking on principal streets; and

WHEREAS, the Board has been made aware of additional provisions and regulations of the P-TND Zoning District regulations that need to be modified; and

R16-182  
Page 2

WHEREAS, the Board desires to add these provisions to proposed Ordinance O16-25 and refer it to the Planning Commission for its review, public hearing and recommendations;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 7<sup>th</sup> day of June, 2016, that it be and hereby does refer proposed Ordinance O16-25 to the Planning Commission for a public hearing and its review and to provide its recommendations to the Board; and

BE IT FURTHER RESOLVED that the Planning Commission may make modifications, as it deems appropriate, to proposed Ordinance O16-25.

AJR:JAH:mz

O16-25

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 SEC. 28-39 "SPECIAL REGULATIONS," AND  
SECTION 28-66, "P-TND, PLANNED-TRADITIONAL  
NEIGHBORHOOD DEVELOPMENT"

WHEREAS, the Planned-Traditional Neighborhood Development (P-TND),  
Zoning District was created pursuant to Ordinance O07-39 on July 7, 2007; and

WHEREAS, the P-TND Zoning District establishes standards for the design of  
streets that include allowing parallel parking along designated principal streets,  
intended to serve as the main commercial street in a P-TND development; and

WHEREAS, a pending development project has requested flexibility in the  
type of on-street parking to allow angled parking; and

WHEREAS, the Smart Code, a document that the P-TND zoning district was  
modeled after, supports angled parking on principal streets; and

WHEREAS, the Board desires to amend the Zoning Ordinance, to  
modify the P-TND Zoning District regulations, to facilitate the orderly and timely  
development of mixed-use projects within the County; and

WHEREAS, the Board carefully considered the recommendations 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 Stafford County Code Sec. 28-39 "Special regulations," and Sec. 28-66 "P-TND, Planned Traditional Neighborhood development," be and they hereby are amended and reordained as follows, with all other portions remaining unchanged:

**Sec 28-39. - Special regulations.**

*(q) Planned-Traditional Neighborhood Development (P-TND)*

(2) Streets

~~b. Refer to the traditional neighborhood development appendix to the comprehensive plan for specific classification of streets within a development in the P-TND district.~~

(6) Parking and loading for all Transect Zones

d. Other than parallel and angled parking spaces, all parking spaces shall be accessed by an alley or a street that is not considered a principal street.

**Sec. 28-66 – P-TND, Planned-Traditional Neighborhood Development.**

(e) *On-street parallel and angled parking and detached parking garages.* On-street parallel parking and angled parking shall be permitted in a P-TND district. The number of parking spaces required for off-street parking requirements specified in Table 3.3(a) of this section shall be required, except that all on-street parallel and angled parking spaces provided shall count towards the off-street parking requirements and shall be located within one hundred fifty (150) feet of the dwelling they are intended to serve. Parking spaces in garages on individual residential lots shall count toward off-street parking requirements, however, the driveway accessing the private parking garage shall not be considered towards the required number of parking spaces even if the area of the driveway is adequate for a parking space. ~~Where on-street parallel parking is provided, a travel aisle in accordance with the Virginia Department of Transportation Subdivision Street Requirements or the requirements of Stafford County if any exceed VDOT Subdivision Requirements,~~

~~shall be provided, in addition to that necessary to accommodate the on-street  
parallel parking.~~

; and

**BE IT FURTHER ORDAINED** that this Ordinance shall become effective upon adoption.

AJR:JAH:mz

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May 23, 2016

**VIA EMAIL**

Jeffrey A. Harvey, Director  
Department of Planning and Zoning  
Stafford County  
P.O. Box 339  
Stafford County, Virginia 22555-0339

**RE: Modified Request to Initiate a Zoning Text Amendment to Amend Restrictions on On-Street Parallel and Angled Parking within a P-TND zoning district**

Dear Jeff:

This purpose of this request is to initiate a text amendment to allow on-street parallel and angled parking for all streets within a P-TND zoning district, and remove requirements for a travel aisle for such on-street parking. On March 11, 2016, a request was submitted on behalf of The Garrison At Stafford, (f/k/a Stafford Village Center), for the Board of Supervisors to initiate a zoning text amendment to modify parking space requirements in the P-TND zoning district. On May 20, 2016, staff requested a modification to allow parallel and angled parking, but not perpendicular (90 degree) parking. We have therefore revised the request to clarify that the amendment would specify parallel and angled parking. We have also requested the deletion of text concerning the requirement of a drive aisle. Finally, we suggest consideration be given to inclusion of a definition of "parallel" and "angled" parking in the Zoning Ordinance.

As previously stated, this request is being submitted on behalf of The Garrison at Stafford, which was approved by the Board of Supervisors on October 20, 2015 as a mixed use development with P-TND zoning. Due to requests of certain tenants now negotiating leases, the Pence Group proposes to reconfigure this Center in a manner that combines entertainment venues (such as a state of the art movie theatre) with restaurants and shopping within a main street design.

Allowing additional forms of parking is considered more convenient for customers, allowing parking closer to each individual use.

Allowing only parallel parking on principal streets is not consistent with other town centers in the region. For instance, both Reston Town Center and Norfolk's City Center allow other types of parking on main roads of town centers. Approval of the modification below



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would allow parallel or angled parking on both the principal streets and the side streets within the development.

It is unclear why the County's original P-TND zoning ordinance provided only for parallel parking along principal streets. The ordinance was based on a model code called the "Smart Code," which provides for various types of parking, including angled parking. It is similarly unclear why the requirement of a "travel aisle" is being applied to parallel or angled parking. Such restrictions appear intended to apply only to off-street parking, rather than on-street parallel or angled parking.

It is proposed that the following provisions be deleted or amended:

Sec. 28-39(Q) Planned-Traditional Neighborhood Development (P-TND)

6) Parking and loading for all Transect Zones

d. Other than parallel and angled parking spaces, all parking spaces shall be accessed by an alley or a street that is not considered a principal street.

(2) Streets.

~~b. Refer to the traditional neighborhood development appendix to the comprehensive plan for specific classification of streets within a development in the P-TND district.~~

28-66 (e) On-street parallel and angled parking and detached parking garages. On-street parallel parking and angled parking shall be permitted in a P-TND district. The number of parking spaces required for off-street parking requirements specified in Table 3.3(a) of this section shall be required, except that all on-street parallel and angled parking spaces provided shall count towards the off-street parking requirements and shall be located within one hundred fifty (150) feet of the dwelling they are intended to serve. Parking spaces in garages on individual residential lots shall count toward off-street parking requirements, however, the driveway accessing the private parking garage shall not be considered towards the required number of parking spaces even if the area of the driveway is adequate for a parking space. ~~Where on-street parallel parking is provided, a travel aisle in accordance with the Virginia Department of Transportation Subdivision Street Requirements or the requirements of Stafford County if any exceed VDOT Subdivision Requirements, shall be provided, in addition to that necessary to accommodate the on-street parallel parking.~~

Yours very truly,

  
H. Clark Leming

cc: Robert Pence  
Geoff Pence  
Michael Stoltz




# MEMORANDUM

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## *Department of Planning and Zoning*

TO: Community and Economic Development Committee

FROM: Jeffrey A. Harvey  
Director 

DATE: June 7, 2016

SUBJECT: *Land Preservation Grants*

### *Background*

In 2007, the Board established the Purchase of Development Rights (PDR) program. The PDR program offers landowners an alternative to selling land, thereby preserving the County's open space, agricultural and forested lands, and natural and cultural resources. Two program rounds have been conducted, with five properties totaling 347 acres protected under easement to date. A sixth property, totaling 100 acres, is in process, with funds previously allocated by the Board. The County allocates a portion of rollback taxes generated from the Land Use Taxation program annually to support the PDR program. Matching funds have primarily been provided through Virginia Department of Agricultural and Consumer Services (VDACS) for the PDR properties.

Since 2015, the CEDC has been working toward development of an overall land conservation program. The PDR program focuses on agricultural lands protection (including silviculture), while other programs are available to protect other types of open space, including environmentally sensitive lands, parkland, and lands with significant cultural resources. Two of these programs are:

- Readiness and Environmental Protection Initiative (REPI) program - The U. S. Department of Defense partners with conservation organizations and state and local governments to offer grant funding to preserve buffer land and habitat around military installations and ranges. The County has received approval for funding for purchase of easements on two properties. County funds must be appropriated for these projects.

- Virginia Land Conservation Foundation (VLCF) – Grants are available for purchasing interests in real property or easements for land conservation, with categories for natural area protection, open spaces, parks, farmlands, forest preservation, and historic area preservation. The County utilized VLCF funds to partially fund the latest PDR easement acquisition.

There are numerous other programs available in the Commonwealth that provide grants and other funding sources for land conservation. In addition, land trusts can provide assistance with funding and land management. The staff is currently working with Northern Virginia Conservation Trust (NVCT) to develop a formal partnership through a Memorandum of Understanding, and will bring more information back to the CEDC at a future meeting.

#### *Application for Matching Funds*

Several new grant rounds will be forthcoming in FY2017. These include matching funds available through VLCF and REPI in July, and VDACS in October. The County currently has \$380,000 available in unspent rollback funds, and \$400,000 in funds earmarked for the Aquia District through a developer contribution. Additionally, approximately \$534,000 in rollback taxes has been collected to date in FY2016 for the PDR/land conservation program. With these funds, the staff will be providing recommendations later this summer to the CEDC, and subsequently the PDR Committee and the Board, for additional land/easement acquisitions. In the meantime, staff requests authorization to proceed with grant applications for matching funds. The Board would need to authorize the applications on or before their July 7, 2016 meeting.

JAH:KCB:kb