



**PLANNING COMMISSION  
CITY OF FREDERICKSBURG, VIRGINIA AGENDA  
March 11, 2020  
7:30 P.M.  
COUNCIL CHAMBERS, CITY HALL**

---

1. Call To Order
2. Pledge Of Allegiance
3. Determination Of A Quorum
4. Approval Of Agenda
5. Approval Of Minutes
  - 5.I. November 13, 2019 Work Session Minutes - DRAFT

Documents:

[5-2019-11-13 DRAFT WORK SESSION MINUTES.PDF](#)

- 5.II. February 26, 2020 Regular Meeting Minutes - DRAFT

Documents:

[5-2020-02-26 DRAFT MINUTES.PDF](#)

6. Declaration Of Conflict Of Interest
7. Public Hearing Items

- 7.I. SUP 2020-02 EUFLORIA

Documents:

[7A - SUP EUFLORIA.PDF](#)

- 7.II. UDOTA 2020-02 And RZ 2020-02 CREATIVE MAKER DISTRICT

Documents:

[7B 7C - UDOTA CREATIVE MAKER DISTRICT.PDF](#)

- 7.III. UDOTA 2020-03 PARKING

Documents:

[7D - UDOTA PARKING.PDF](#)

#### 7.IV. UDOTA 2020-04 RESIDENTIAL DWELLINGS

Documents:

[7E - UDOTA RESIDENTIAL DWELLING.PDF](#)

8. General Public Comments
9. Other Business
  - 9.I. Planning Commissioner Comment
  - 9.II. Planning Director Comment
10. Adjournment



**CITY OF FREDERICKSBURG  
PLANNING COMMISSION  
WORK SESSION  
MINUTES  
November 13, 2019  
6:30 p.m.**

**715 Princess Anne Street  
Council Chambers**

**MEMBERS**

Rene Rodriguez, Chairman  
Steve Slominski, Vice-Chairman  
David Durham (telephonically)  
Kenneth Gantt (absent)  
Chris Hornung  
Tom O'Toole  
Jim Pates

**CITY STAFF**

Chuck Johnston, Director,  
Planning and Building Dept.  
Mike Craig, Senior Planner  
Susanna Finn, Community Development  
Planner  
Cathy Eckles, Administrative Assistant

---

The Planning Commission work session began at 6:30 p.m. The purpose of the session was discussion of the Area 7 Downtown Small Area Plan and the Area 6 Creative Maker District.

Ms. Finn reviewed the current draft of Area 7 and proposed work session plans. Mr. Craig noted that staff has been working with the Pathways Committee and Main Street, will be going before the Architectural Review Board on November 18, and staff will be sending the draft to all boards and commissions for review.

Mr. Craig then summarized the current status of Area 6 and reviewed the draft Canal Quarter Form Based Code (Attachment A). Further discussion ensued regarding the Canal Quarter Area 6 group and their work on the form based code. Mr. Pates questioned the relationship between the Form Based Code and Area 6. Mr. Craig stated this would become the ordinance and only apply to Area 6. The City will adopt the ordinance and then change the zoning map. Mr. Craig noted this is an ordinance that will potentially apply to all of Area 6, there are no other maker districts at this time.

Mr. Durham questioned the two transect areas in Area 7 (T-4M and T-5M) and would they be changed by specific reflecting characteristics. Mr. Craig noted that they were also considering the South Princess Anne Street area and the Jackson-Wolfe Warehouse area.

Mr. Durham clarified that this document was specifically written for the Canal Quarter and would be amended for other transect zones. Ms. Finn stated the only portion to be amended will be the identification of the character structures. Mr. Craig noted that the area plans are being worked in stages and are at the Comprehensive Plan stage for Area 7; if the transect zones are adopted, the City will need to do transect and frontage maps. The Commission will have input on the map work.

Mr. Pates asked how to build any innovative design with the prescriptive standards set forth. Mr. Craig referred him to the Optional Forms of Development which allow deviations after progressing through the proper procedures. Further discussion ensued regarding the various optional forms of development, density, and open space.

Mr. Pates stated that there should be a provision for the request for special use permit to allow extra density only if there is open space provided also. Mr. Craig discussed those options in the Creative Maker Bulk Standards and encouraged the Commissioners to add any further criteria they deem important.

Mr. Pates questioned the Creative Maker Signage Standards and was there anything planned to eliminate billboards. Mr. Craig noted they are a non-conforming use and the content cannot be regulated. Further discussion ensued regarding illegal signage and what is permitted in the Creative Maker District.

Mr. Pates questioned the schedule on adoption of the Form Based Code. Mr. Craig noted it will be initiated in January.

The work session meeting adjourned at 7:30.

---

**Rene Rodriguez, Chairman**



**CITY OF FREDERICKSBURG  
PLANNING COMMISSION  
MINUTES  
February 26, 2020  
7:30 p.m.  
715 Princess Anne Street  
Council Chambers**

**You may view and listen to the meeting in its entirety by going to the Planning Commission page on the City's website:**

<https://amsva.wistia.com/medias/j6chddvc4g>

**The Agenda, Staff Report, Applications and Supporting Documents are also available on the Planning Commission page.**

**MEMBERS**

Rene Rodriguez, Chairman  
Steve Slominski, Vice-Chairman  
David Durham (telephonically)  
Kenneth Gantt  
Chris Hornung  
Tom O'Toole  
Jim Pates (absent)

**CITY STAFF**

Chuck Johnston, Director,  
Planning and Building Dept.  
Mike Craig, Senior Planner  
Susanna Finn, Community Development  
Planner  
Cathy Eckles, Administrative Assistant

---

**1. CALL TO ORDER**

Chairman Rodriguez called the meeting to order at 7:30 p.m. and explained meeting procedures for the public, as well as expected decorum during public comment.

**2. PLEDGE OF ALLEGIANCE**

**3. DETERMINATION OF A QUORUM**

Six members present, including Mr. Durham by telephone. Mr. Pates was absent.

**4. APPROVAL OF AGENDA**

Mr. Hornung moved for approval of the agenda as submitted. Mr. Slominski seconded.

**Motion passed 6-0-1**

**5. APPROVAL OF MINUTES**

February 12, 2020

Mr. Gantt moved for approval of the minutes as submitted. Chairman Rodriguez seconded.

**Motion passed 6-0-1.**

## **6. DECLARATION OF CONFLICT OF INTEREST**

There were no conflicts of interest reported.

## **7. PUBLIC HEARING**

**A. Area 7 Small Area Plan - The City of Fredericksburg** proposes to amend Chapter 10 Land Use Plan and Chapter 11 Planning Areas of the City's Comprehensive Plan to adopt the Area 7 Small Area Plan. The amendment to Chapter 10 would update the land use transects and apply them to Small Area Plan 7 in the General Land Use Plan. The amendment to Chapter 11 would create an expanded Small Area Plan for planning area 7, Downtown, with land use, infrastructure, and transportation policies.

Ms. Finn reviewed the staff presentation along with a Power Point (Attachment A) and noted staff recommended the Commissioners hold today's public hearing open until the Commission's March 25, 2020 meeting.

Mr. O'Toole questioned the height calculations in the transect zones and how stories are defined. Ms. Finn said the zoning code would give the details and this was more of an illustrative description. Mr. Craig said that height is expressed in number of stories but that there are also maximum height limits listed in feet.

Mr. Durham asked about how the character of infill housing was addressed. Ms. Finn said this was discussed on pg. 11(7)-4, T-3, where it is of the most concern. This encourages the creation of neighborhood pattern books or character districts for neighborhood residents to craft their own regulations.

Ms. Finn discussed staff's attendance at the February 20 Darbytown Civic Association meeting to specifically talk about the neighborhoods' concerns regarding Trestle Park and bathrooms for the Train Station.

Chairman Rodriguez discussed his concerns and suggestions for rewording of various sections of the Plan: namely the description of the riverfront in the challenges section and the mention of swaths of asphalt. Mr. Craig explained the plan is to prioritize the City's walkable nature and to emphasize meaningful open spaces in redevelopment.

Chairman Rodriguez questioned the protection of historic resources without dictating architectural style or limiting creativity. Ms. Finn said the Architectural Review Board will ensure that nothing is inappropriate.

Chairman Rodriguez asked who will pay for improvements within the designated walkable urban places within the Plan, such as improving existing alleys. Mr. Craig said that these sections envision the future condition of these areas. The diagrams will be used to craft infill regulations to guide the redevelopment of the area whether undertaken by the City through capital improvements planning or by the landowner if they seek to redevelop their property. He discussed the William Street walkable corridor and changes suggested to reconfigure to better separate the pedestrian and vehicle realms. Chairman Rodriguez asked about public comment from property owners along William Street.

Chairman Rodriguez requested stronger language about building a parking deck shown in the plan in the Train Station area. He also stated that text should be added that the Executive Center needs to be more accessible to make handicap voting more accessible.

Mr. Durham questioned the figures on pgs. 11(7)-7 and 11(7)-8 regarding improvements to existing crosswalks. He asked about crafting a general policy to apply pedestrian improvements at each intersection in the core. Mr. Craig stated that this plan prioritizes certain intersections where pedestrian improvements will serve the highest need. Ms. Finn noted that pg. 11(7)-23 shows the key intersections that were called out to the City of particular concern. Mr. Durham agreed that those were key intersections and of the most immediate need, but didn't want the remaining intersections to get lost.

Mr. Hornung noted he received calls regarding Trestle Park questioning specific details about what may be happening there. Citizens are concerned regarding the mention of the Park possibly including bathrooms and bike parking space (pg. 11(7)-14.) Mr. Craig said that including that text in the discussion of what happens inside the square colored green on that page was confusing and that it would be removed. He said nothing would change in the open space and on pg. 11(7)-25 it shows the possible expansion of the train station, which will not encroach on Trestle Park (south of the existing concrete wall).

Mr. Slominski asked about the volume of traffic through the Downtown core. Mr. Craig stated that the current system was designed in the 1960s when there were no bypasses around downtown to facilitate the movement of vehicles quickly through the Downtown. The goal before the bypasses was to move traffic through the City as fast as possible. This is no longer the situation and while he didn't have traffic volume numbers for comparison, the policy of the City over the last few years has been to remove some of the infrastructure like stop lights that were a part of that system but are no longer justified.

Chairman Rodriguez questioned the proposed roundabouts on Lafayette Boulevard and their effect on truck traffic. Mr. Craig said they would check on the design and report back.

Chairman Rodriguez opened the public hearing.

Ed Sandtner, 132 Caroline Street: Spoke regarding three areas of concern: The Darbytown residents feel the area north of the concrete wall should be part of Trestle Park and they are concerned with plans to use this area for expansion of the train station, public restrooms, and bike storage racks. He felt viable solutions are to take back the old 1910 train station, put the bike storage racks in the City lot between Caroline Street and Sophia Street, and possibly use self-cleaning toilets. He also spoke about his concern for a parking deck on the City lot (between Caroline and Sophia Streets) and felt it will wall off Darbytown.

Rebecca Hanmer, 138 Caroline Street: Spoke regarding the desire of Darbytown area residents to designate the green area by the Train Station as Trestle Park. She said the Darbytown Civic Association had filed a petition with the City to preserve the green space and urged permanent protection of the park. Ms. Hamner brought an updated petition with revised signature pages (Attachment B). She said the Association disagreed with the City's plans to use the space north of the concrete wall and feels this area should be preserved with Trestle Park. She said the Darbytown Civic Association felt it should be consulted on all train expansion plans as it is right on its doorstep.

Maureen Widic, 119 Caroline Street: Spoke regarding concerns that the train station development area is going to significantly encroach on Darbytown. She agreed with Mr. Sandtner that the City should look at taking back the old 1910 train station and make an adaptive reuse of the building.

Frank Widic, 119 Caroline Street: Spoke regarding meetings between the Darbytown Civic Association and members of the City Council, Planning Department, Transportation Department, and Mayor Greenlaw to discuss amendments to the Comprehensive Plan and its effect on the future of the Darbytown area. He said the Darbytown Civic Association seeks to have it included in all future plans for their area in order to preserve Trestle Park.

Linda Coker, 308 Caroline Street: Spoke regarding Darbytown residents' efforts to keep this green space by the Train Station, not only for those in the neighborhood but the large amounts of non-Darbytown residents who also enjoy the use of it as a park.

Mary Deadman, 214 Princess Anne Street: Spoke in opposition regarding the proposal to make the 200-400 portion of Princess Anne Street two-way traffic. She believes this will have an adverse effect on the safety and lifestyle of this area by bringing more traffic, negatively impacting parking, and making exits from driveways too difficult.

Paula Ching, 132 Caroline Street: Spoke in opposition to public restrooms and bike storage racks being located by Trestle Park. She believes the solution is to employ standalone toilets, put the bike storage racks in the City lot, and adaptive reuse of the old 1910 train station.

Amy Olney, 601 Amelia Street: Spoke regarding her concerns about the traffic in the Winchester Street and Amelia Street area due to the William Square/Liberty Place project. She urged the City to change Amelia and William Streets to two-way traffic to alleviate the issues.

Forrest Dickinson, 300 Caroline Street: Spoke in opposition to the proposal of putting public restrooms in the Train Station area.

Ann Little, 726 William Street: Spoke regarding her approval of the Comprehensive Plan amendments; urged the City to convert William Street to two-way traffic; and encouraged bump-outs for stormwater mitigation with trees and shrubs for traffic calming. Ms. Little expressed her concerns about paving alleys because adding impervious surface increases stormwater. She requested wording be added to the Plan regarding preserving existing trees wherever possible. Her final concern was that the downtown street lights should be fixed to allow additional lighting to be plugged in.

Adam Lynch, Friends of the Rappahannock, 3219 Fall Hill Avenue: Spoke in support of the City's proposed amendments to the Area 7 plan. He discussed the three best areas of the plan making this plan river friendly: (1) expanded uplands open space which helps stormwater management; (2) expanded Transfer of Development Rights (TDR) to encourage responsible development by creating density incentives in targeted areas while preserving our historic and environmentally sensitive areas; and (3) the elimination of artificial density caps within the T-5 transect zone in the historic district to encourage sustainable growth.

Matt Kelly, 1309 Hanover Street: Spoke in his capacity as the VRE Operations committee member for the City and how the plan relates to the train station. Mr. Kelly discussed the three

components: current improvements, State initiatives, and the DC to RVA rail plan (previously called the high speed rail). He clarified that the current station platform is owned by CSX and will stay within the boundaries of what they own. He further discussed this is not a City project, it is a state/federal project and funded by them.

Rupert Farley, 1305 Caroline Street: Spoke regarding his approval of Area Plan 7, which embraces mass transit. However, he was against the following aspects of the plan: expanding parking in the train station area, which discourages mass transit; preserving current community densities as that doesn't benefit the City with neighborhood character preservation, he would instead recommend increasing densities to permit more sustainable living; and the plans for beacons on the riverfront.

Jon Gerlach, 809 Charlotte Street: Spoke regarding the cutting edge nature of the Area 7 plan and recommended that the public hearing be kept open for further public input.

Written statements were received from Pete Morelewicz, 222 Princess Anne Street and Denise Malczewski, 220 Princess Anne Street (Attachments C and D, respectively).

No further public comments were made. Chairman Rodriguez closed the public hearing.

Mr. Hornung motioned to keep the public hearing open until the Planning Commission's March 25, 2020 meeting. Mr. Gantt seconded the motion.

Mr. Durham spoke regarding the Darbytown residents' desire to interact formally with planning staff in any future train station developments.

**Motion passed 6-0-1.**

Chairman Rodriguez recommended that the train station committee meet prior to the March 25, 2020 Planning Commission meeting.

Mr. Gantt questioned whether all wording regarding public restrooms and bike storage racks would be stricken from the plan. Mr. Craig stated it would be stricken from the Land Use part of the Plan (pg. 11(7)-14), but will remain in the Train Station Expansion section of the plan (pg. 11(7)-26) to clearly differentiate the area of the block to be used as a green space and the area devoted to train station improvements. Mr. Hornung noted that the language should be kept general in order to keep the community involved and have time to work on a solution to the public restroom issue. Ms. Finn said that this issue actually relates more to the train expansion, which will be a state or federal project.

## **8. GENERAL PUBLIC COMMENT**

There no public speakers.

## **9. OTHER BUSINESS**

**A.** Appoint Commissioner to Small Area Plans Consultant RFP Review Committee. The Chairman appointed Mr. Gantt.

**B.** Create subcommittee for FY2021 Capital Improvement Plan recommendations. Mr. Hornung nominated Mr. Gantt and Mr. Durham, who both agreed to serve. This was approved by the consensus of the Commission. Mr. Johnston noted that the FY21 Capital Improvement Plan will be presented to the Commission at its March 25 meeting.

### **C. Planning Commissioner Comments**

Mr. Durham discussed a letter to the Free Lance-Star editor subsequent to the February 12, 2020 Planning Commission meeting, which took several Commission members to task on a vote and incorrectly stated that Mr. Gantt had voted negatively in a matter. Mr. Durham noted that Mr. Gantt was not present at that meeting and Mr. Durham wanted that on the record. (Attachment E)

Mr. O'Toole asked about the status of the Veterans Administration Clinic applications. Mr. Johnston reviewed the process and timeline. He noted that one of the submissions by Rappahannock HP, LLC involved a rezoning application that is not complete and will not be forwarded to the Commission at this time. Mr. O'Toole asked if the incompleteness affected this property's VA Application. Mr. Johnston noted that if the land use issues are not resolved before the final decision in July or August, the VA will not consider this property.

### **D. Planning Director Comments**

Mr. Johnston noted that at the Commission's March 11, 2020 meeting, the following items will be considered:

- Special Use Permit public hearing for a retail use at 915 Lafayette Boulevard: Eufloria Floral;
- Creative Maker District text amendments public hearing;
- Creative Maker District rezoning public hearing;
- Parking text amendments public hearing; and
- Residential Definitions text amendments public hearing.

A work session on the Area 1 and 2 Small Area Plans is now scheduled for March 25 .

Mr. Johnston said the Commission's March 25, 2020 meeting will continue the Area 7 public hearing.

Chairman Rodriguez asked for staff to contact the property owners on William Street, between Littlepage Street and Kenmore Avenue, regarding the Downtown Plan proposals for this area to encourage these property owners to make any comments. Mr. Craig noted that staff would do that.

## **8. ADJOURNMENT**

There being no further items to be discussed, the Planning Commission adjourned at 9:17 pm.

Next meeting is March 11, 2020.

---

**Rene Rodriguez, Chairman**



## MEMORANDUM

**TO:** Chairman Rodriguez and Planning Commissioners  
**FROM:** James Newman, Zoning Administrator  
**DATE:** March 5, 2020 for the March 11, 2020 meeting  
**RE:** **Eufhoria, SUP2020-02** requests a special use permit to operate a retail sales establishment at 915/917 Lafayette Boulevard (GPIN 7779-91-5882), at the corner of Lafayette Boulevard and Willis Street.

### ISSUE

Should the Planning Commission recommend approval of the proposed special use permit for retail sales?



### RECOMMENDATION

Recommend to the City Council approval of the SUP subject to the following conditions:

- A. Hours of operation shall be limited from 9AM to 9PM Monday through Sunday.
- B. The use shall commence within 24 months of the date of adoption of this resolution. The use is permitted only so long as it continues and is not discontinued for more than 24 months.

## **GENERAL BACKGROUND**

Annie Pates, doing business as Eufloria Fredericksburg, wishes to operate a retail sales establishment at 915 Lafayette Boulevard, Suite D. The business is flower shop and is currently located at 526 Wolfe Street. This property is 7,840 sq. ft. in size. The existing building was built in 1919, and the proposed area for the use is approximately 1,200 sq. ft. in area. The property is zoned Commercial Office-Transitional (CT).

Adjacent uses include parking for the National Battlefield Visitors Center, three single family residences, and a medical office.

The business will be owner-operated. Approximately six parking spots are available on site, with additional space on-street. The applicant has requested hours of operation being 9AM-5PM Monday through Friday, with 11AM-3PM on Saturday, and 11AM-2PM on Sunday. As the use of *retail sales establishment* would run with the property, a proposed condition would permit retail sales from 9AM-9PM Monday through Sunday. This will aid the reuse of the property should Eufloria outgrow this space and a new user become interested in moving in.

The applicant states that there be two employees (herself and a delivery driver). The business is primarily delivery based, with three to four delivery trips a day. Additional temporary employees may be hired during seasons of peak demand.

## **SPECIAL USE PERMIT ANALYSIS**

Special Use Permits applies to the property indefinitely per Virginia Code, regardless of ownership. They are evaluated according to the criteria contained in the UDO, Section 72-22.6, as follows:

### **(1) The proposed special use at a specified location shall be:**

#### **(a) In harmony with the adopted Comprehensive Plan;**

The property lies within Land Use Planning Area 7: Downtown. The future land use map in the Comprehensive Plan designates this property as Transitional/Office. This category provides for *“The areas between residential and commercial districts are transitional spaces. This Commercial-Transitional/Office category provides for limited retail uses and small scale offices, with appropriate landscaping and screening, to provide a transition between quiet residential areas and more intense commercial districts.”*

The relevant Opportunities listed for Land Use Planning Area 7 include (on page 11(7)-1):

- Protect the historic aspects of the downtown business district, through careful adaptive reuse of existing buildings and appropriate new construction on infill sites.
- Support redevelopment that respects historic structures, but without dictating architectural style or limiting creativity.
- Continue revitalization of the key corridors of Princess Anne Street, Kenmore Avenue, William Street, and Lafayette Boulevard.

- Work with Main Street Fredericksburg to develop an appropriate mix of businesses that keep down- town a viable urban center.
- Ensure persons with disabilities are included in the downtown environment by evaluating the accessibility of buildings and infrastructure. Encourage downtown property owners to improve accessibility to shops, restaurants, offices, and other commercial facilities so everyone can visit all parts of the community.
- Evaluate the area between Lafayette Boulevard and Hazel Run, adjacent to the National Park, for possible preservation or appropriate redevelopment.

**(b) In harmony with the purpose and intent of the zoning district regulations;**

The purpose of the Commercial-Transitional (CT) Zoning District is *“to provide for the location of predominantly nonresidential commercial uses in a low-intensity manner such that they can be employed as transitional land uses between residential neighborhoods and higher-intensity uses.”*

The use of a retail sales establishment in this space fits this definition well. It is a low intensity, nonresidential use. It is adjacent to medical office, a parking lot, and three residential structures.

**(c) In harmony with the existing uses or planned uses of neighboring properties.**

The proposed retail use is located along a block face in the Princess Anne Corridor that is made up of a mix of commercial structures and residences. One residential structure is located away from the rear of the property, one is adjacent to the side of the property, and a third is located on the opposite side of Lafayette Boulevard. The use is not noise intensive, nor will it produce fumes, bright lights, or other nuisance factors, and there are existing businesses operating in the structure.

**In considering an application for a Special Use Permit, the City Council shall consider potential adverse impacts including:**

**1. Traffic or parking congestion;**

The site is situated on and has access from Princess Anne Street, which is a minor arterial street. On street parking is available on both Lafayette Boulevard and Willis Street, with on-site parking accessed from Willis Street.

**2. Noise, lights, dust, odor, fumes, vibration, and other factors which adversely affect the natural environment;**

No excessive noise, odor, fumes, or vibration are associated with the proposed use, a flower shop.

**3. Discouragement of economic development activities that may provide desirable employment or enlarge the tax base;**

The use constitutes economic development.

**4. Undue density of population or intensity of use in relation to the community facilities existing or available;**

There are sufficient public utilities to serve the site.

- 5. Reduction in the availability of affordable housing in the neighborhood;**  
Not applicable, this Special Use application is for a commercial use in an existing building.
- 6. Impact on school population and facilities;**  
Not applicable, this Special Use application is for a commercial use in an existing building.
- 7. Destruction of or encroachment upon conservation or historic districts;**  
Not applicable.
- 8. Conformity with federal, state and local laws, as demonstrated and certified by the applicant; and**  
The applicant states they have conformed to all federal, state, and local laws.
- 9. Massing and scale of the project.**  
The business will operate within the existing building, no expansion is proposed as part of this Special Use Permit.

#### **CONCLUSION**

This application meets the criteria required for approval. The Planning Commission should recommend approval of this Special Use Permit subject to the listed conditions.

#### **ATTACHMENTS:**

1. Application
2. Resolution



Application #SUP: 2020-02  
Date: 2.4.20  
Fee/Check#: CK 7052 \$900

**\$300.00 for an Individual Single-Family Lot; or  
\$750.00 + \$150.00 per Acre for All Others**

### APPLICATION SPECIAL USE PERMIT

APPLICANT NAME: JANDRA GLANCY / MARK BRAZWELL

MAILING ADDRESS: 526 Wolfe St. Fredericksburg, Va. 22401

TELEPHONE: 540-920-8166 E-MAIL: paulsyoungatheart@gmail.com  
MARK BRAZWELL@GMAIL.COM

THE UNDERSIGNED HEREBY APPLIES FOR A SPECIAL USE FOR: Flor

Retail Sales



THE SUBJECT PROPERTY IS DESCRIBED AS FOLLOWS:

Property Location 915 Lafayette Blvd. - Unit D

Property Owned By Mark Oliver Brazwell

Owner's Mailing Address 1252 Oakland Drive, King George, Va.

Proposed Use of Property (be specific) King Retail Sales Flower



HOURS OF OPERATION Tue-Fri 9:30-5:30pm NUMBER OF EMPLOYEES 1  
Sat 11-3  
Sun 11-2  
Mon - closed

Anticipated Number of Patrons or Clients \_\_\_\_\_

Description of the development's impact on neighboring and adjacent properties (please submit a complete and accurate description on a separate sheet of paper):

1. Compliance with Comprehensive Plan:
2. In harmony with the purpose and intent of the zoning district regulations:
3. In harmony with the existing uses or planned use of the neighboring properties:
4. Traffic Impact:

Special Use Permit Request  
(Application Continued)



I do hereby make oath or affirmation that to the best of my knowledge, the foregoing information contained in this application is true.

Sandra C Glancy Jan. 29, 2020  
Signature of Applicant Date

PRINT NAME OF APPLICANT Sandra C Glancy

The above oath or affirmation was signed before me and witnessed by me this 29th day of January, 2020 in the County + City of Fredericksburg in the state of Virginia.

Notary Signature [Signature]  
Notary Registration # 348982 MY COMMISSION NUMBER 348982 Expires May 31, 2020



[Signature] JAN 29, 2020  
Signature of Owner Date

PRINT NAME OF OWNER MARK OLIVER BRAZWELL

The above oath or affirmation was signed before me and witnessed by me this 29th day of January, 2020 in the County + City of Fredericksburg in the state of Virginia.

Notary Signature [Signature]

Notary Registration # 348982 Commission expires: May 31, 2020



**OWNERSHIP**

**Applicant is (Circle One):**

Property Owner      Agent of Owner      Lessee      Property Purchaser      Other

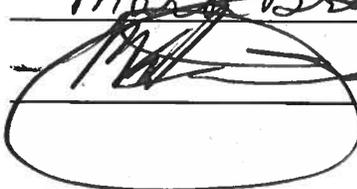
**If 'Other', describe:** \_\_\_\_\_

**Source of Property Title / Instrument #:**

Spky River Morask, LLC - 180002106

**If Property is owned by a Limited Liability Corporation (LLC):**

1. Attach a "Certificate of Fact of Existence" from the State Corporation Commission; and
2. List the names and titles with authority to sign on behalf of the LLC (add additional sheets if needed):

Mark Brazwell - owner  
  
BRAZWELL, MARK O. SOLE OWNER  
IF NEEDED CONTACT @ (757) 995-4414

**OR**

**If Property is owned by a Corporation (Inc.):**

1. Attach a "Certificate of Good Standing" from the State Corporation Commission; and
2. List the names and titles with authority to sign on behalf of the corporation (add additional sheets if needed):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Feb. 3, 2020

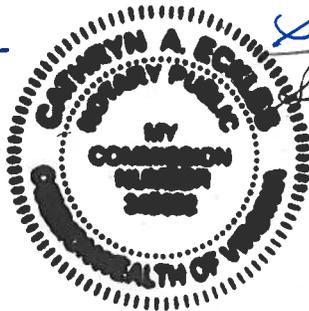
No member of the City Council or the Planning Commission or any member of their immediate household or family owns or has any financial interest in such property or has any financial interest in the outcome of the decision. However my father is James Pates, a member of the Planning Commission, will recuse himself.

I, Cathryn Eckles, a Notary Public in and for the State of Virginia do hereby certify that Anne Pates and Sandra Glancy, appeared before me and acknowledged the same.

Annie Pates  
Annie Pates  
Signature

Sandra Glancy  
Sandra Glancy  
Signature

Cazallo  
#349982  
May 31, 2020



CITY OF FREDERICKSBURG  
BRENDA A. WOOD, TREASURER

Date : 12/16/2019  
Register: ACH/TR  
Trans. #: 70053  
Dept #: RE202001  
ACCT# : 1912

P. O. BOX 267  
FREDERICKSBURG VA 22404-0267

2020 REAL ESTATE TAX

LTS 58 59 & 60 BL 128-G-L7779-91-5882

Acres: .18

915 917 LAFAYETTE BLVD

Land: 235200

Imp: 379400

Previous Balance \$ 344.20

Principal Being Paid \$ 344.20

Penalty \$ .00

Interest \$ .00

Amount Paid \$ 344.20

\*Balance Due

as of 12/16/2019 \$ .00

Check# ACH \$ 344.20

Pd by DirDp ACH \$ 344.20

ANY BALANCE DUE DOES NOT INCLUDE PENALTY AND INTEREST. (DUPLICATE)



COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

Office of the Clerk

*Mark Brazwell*

August 14, 2018

MARK OLIVER BRAZWELL  
1252 OAKLAND DR  
KING GEORGE, VA 22485

RECEIPT

RE: Sky River Monark LLC

ID: S7702824

DCN: 18-08-14-6398

Dear Customer:

This is your receipt for \$100.00 to cover the fee(s) for filing articles of organization for a limited liability company with this office.

The effective date of the filing is August 14, 2018.

If you have any questions, please call (804) 371-9733 or toll-free in Virginia, (866) 722-2551.

Sincerely,

*Joel H. Peck*

Joel H. Peck  
Clerk of the Commission

RECEIPTLC  
LLNCD  
CISECOM

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

AT RICHMOND, AUGUST 14, 2018

The State Corporation Commission has found the accompanying articles submitted on behalf of  
Sky River Monark LLC

to comply with the requirements of law, and confirms payment of all required fees. Therefore, it  
is ORDERED that this

CERTIFICATE OF ORGANIZATION

be issued and admitted to record with the articles of organization in the Office of the Clerk of the  
Commission, effective August 14, 2018.

STATE CORPORATION COMMISSION

By *Mark C. Christie*

Mark C. Christie  
Commissioner

DLLCACPT  
CISECOM  
18-08-14-6398

ARTICLES OF ORGANIZATION  
OF  
SKY RIVER MONARK LLC

The undersigned, pursuant to Chapter 12 of Title 13.1 of the Code of Virginia, states as follows:

1. The name of the limited liability company is Sky River Monark LLC.
2. The purpose for which the limited liability company is formed is to engage in any lawful business, purpose or activity for which a limited liability company may be formed under the Virginia Limited Liability Company Act.
3. The name of the limited liability company's initial registered agent is Mark Oliver Brazwell. The initial registered agent is an individual who is a resident of Virginia and a member or manager of the limited liability company.
4. The address of the limited liability company's initial registered office, which is identical to the business office of the initial registered agent, is 1252 Oakland Dr, King Georger, VA 22485. The initial registered office is located in King George County, Virginia.
5. The address of the limited liability company's principal office where the records of the limited liability company are to be kept is 1252 Oakland Dr, King George, VA 22485.

ORGANIZER:

/s/ Mark Oliver Brazwell Date: August 14, 2018  
Mark Oliver Brazwell

**VIRGINIA LAND RECORD COVER SHEET  
FORM A - COVER SHEET CONTENT**

Instrument Date: 9/28/2018  
Instrument Type: DBS  
Number of Parcels: 2 Number of Pages: 2  
 City [ ] County

FREDERICKSBURG

TAX EXEMPT? VIRGINIA/FEDERAL LAW

[ ] Grantor: \_\_\_\_\_  
[ ] Grantee: \_\_\_\_\_

Consideration: \$600,000.00

Existing Debt: \$0.00

Actual Value/Assumed: \$614,600.00

PRIOR INSTRUMENT UNDER § 58.1-803(D):

Original Principal: \$0.00

Fair Market Value Increase: \$0.00

Original Book Number: \_\_\_\_\_ Original Page Number: \_\_\_\_\_ Original Instrument Number: \_\_\_\_\_

Prior Recording At:  City [ ] County

FREDERICKSBURG

Percentage In This Jurisdiction: 100%

**BUSINESS / NAME**

1  Grantor: ALADDIN SERVICES COMPANY LLC

[ ] Grantor: \_\_\_\_\_

1  Grantee: SKY RIVER MONARK LLC

[ ] Grantee: \_\_\_\_\_

**GRANTEE ADDRESS**

Name: SKY RIVER MONARK LLC

Address: 1252 OAKLAND DRIVE

City: KING GEORGE State: VA Zip Code: 22485

Book Number: \_\_\_\_\_ Page Number: \_\_\_\_\_ Instrument Number: 080001543

Parcel Identification Number (PIN): 7779 91 5892 Tax Map Number: NA

Short Property Description: PARCEL 1

Current Property Address: 915/917 LAFAYETTE BLVD

City: FREDERICKSBURG State: VA Zip Code: 22401

Instrument Prepared By: GORDON B GAY Recording Paid By: GORDON B. GAY

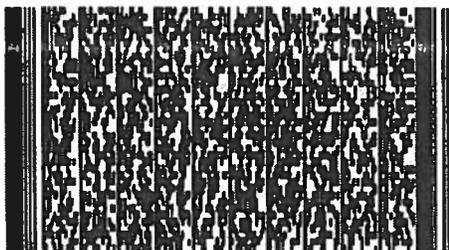
Recording Returned To: GORDON B GAY

Address: 25 BUTLER ROAD

City: FALMOUTH State: VA Zip Code: 22405

INSTRUMENT 180002106  
RECORDED IN THE CLERK'S OFFICE OF  
FREDERICKSBURG CITY CIRCUIT COURT ON  
September 28, 2018 AT 11:28 AM  
\$615.00 GRANTOR TAX WAS PAID AS  
REQUIRED BY SEC 58.1-802 OF THE VA. CODE  
STATE: \$307.50 LOCAL: \$307.50  
JEFF SMALL, CLERK  
RECORDED BY: LBP

(Area Above Reserved For Deed Stamp Only)



Consideration: \$600,000.00  
Grantee's address: 1252 Oakland Drive, King George, VA. 22485  
Prepared by Gordon B. Gay VSB#07692  
Underwritten by Fidelity National Title Insurance Company

GPin#7779-91-5882

File: 7067

Assessed: \$614,600.00

## DEED

THIS DEED, made and entered into this ~~26~~<sup>27</sup> day of September, 2018, by and between ALADDIN SERVICES COMPANY, LLC, a Virginia Limited Liability Company, GRANTOR, and SKY RIVER MONARK, LLC, a Virginia Limited Liability Company, GRANTEE, as follows:

### WITNESSETH:

That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell, and convey with General Warranty and English covenants of title unto the Grantee, in fee simple, the following described real estate, to-wit:

ALL of those certain lots or parcels of land with improvements thereon known as Parcels 1 and 2 fronting 75 feet on the north side of Lafayette Boulevard in the City of Fredericksburg, Virginia and more particularly described as follows:

#### PARCEL 1:

THAT certain parcel of real estate, together with all buildings and appurtenances situate, lying and being on the east side of Willis Street in the City of Fredericksburg, and described as follows: Beginning at a point on the east side of Willis Street 60 feet North of Lafayette Boulevard; thence northwardly along Willis Street 45 feet; thence eastwardly and parallel with said Boulevard 75 feet; thence southwardly and parallel with Willis Street 45 feet; thence westwardly and parallel with said Boulevard 75 feet to the point of beginning. The said real estate being the rear part of Lots 58, 59 and 60 in Block 29 on plat of the Fredericksburg Development Company.

#### PARCEL 2:

That certain parcel of real estate, together with all buildings and appurtenances situate, lying and being in the City of Fredericksburg on the north corner formed by the intersection of Lafayette Boulevard and Willis Street, fronting 75 feet on the north side of Lafayette Boulevard and extending back northwardly between parallel lines 70 feet, more or less, being that portion of Lots Nos. 58, 59 and 60 in Block 29 on the aforesaid map remaining after conveyance of the 45 feet

GORDON B. GAY  
Attorney at Law  
25 Butler Road  
Falmouth, VA 22405  
(540) 373-6666  
Fax (540) 373-7089

## **PUBLIC NOTIFICATION REQUIREMENTS**

**Written Notice:** Written notice of an application initiated by a property owner or contract purchaser shall be provided to adjacent property owners by certified return receipt mail by the applicant **at least 14 days prior** to the hearing (not counting the date of the hearing) and **not more than 21 days prior to the public hearing**. Applicants may use the notice form supplied with the application forms. In the event the application is deferred indefinitely, notification shall be given when the application is rescheduled.

Evidence of the receipt of such notice shall be provided to the Zoning Administrator prior to the public hearing. In the case of a condominium or a cooperative, the written notice may be mailed to the unit owners' association or proprietary lessees' association, respectively, in lieu of each individual unit owner.

**The following notice documents must be submitted to the office of the Zoning Administrator at least 5 days prior to the public hearing:**

1. a copy of the notice letter sent
2. a list of the names and addresses of those persons to whom notice was sent
3. a copy of the post office receipts for the certified or return receipt mail
4. "Certification of Notice" form found at the back of this application

**Posted Notice:** The applicant shall post a sign provided by the Zoning Administrator on each parcel of land involved in an application for zoning map amendment (when 25 or fewer parcels are affected), **Posted notice shall be erected at least five days before the Planning Commission public hearing and before the City Council public hearing.**

**Failure to send accurate or correct notices will result in deferral of the application to a later hearing date.** Property ownership information is to be obtained from the City Real Estate Office, Room 107, City Hall, 715 Princess Anne Street or online at [Fredericksburgva.gov](http://Fredericksburgva.gov)

**APPLICANT to mail this notice by certified return receipt mail to adjoining and abutting property owners between 21 and 14 days prior to the scheduled hearing.**

Dear Property Owner:

You are hereby notified of the following public hearing to be held by the City of Fredericksburg Planning Commission on the issues described below.

**PUBLIC MEETING DATE:** March 11, 2020

**AT  
7:30 PM, CITY HALL  
715 PRINCESS ANNE STREET  
COUNCIL CHAMBERS (LOWER LEVEL)  
FREDERICKSBURG, VA 22401**

**ISSUE**

**DESCRIPTION:** Special Use Application  
Retail Sales/Florest  
1 to 2 Employees - off street parking provided  
majority of Business is delivery

**PROPERTY**

**ADDRESS:** 915 Lafayette Blvd. Suite D, Fredericksburg, Va 22401

**GPIN NUMBER:** 7779-91-5882

As a citizen and party of interest, you are invited to attend the meeting and express your views concerning the above issue. If you have questions regarding the request, you can reach me at 540-219-6624.

Sincerely,

Sandra C Glancy  
Applicant signature

Sandra C Glancy  
Applicant printed name



Property Address	507 Willis	
Owner Name ✓	LOP Senawank	GPIN NUMBER 7779-91-5961 ✓
Mailing Address	507 Willis St.	
City, State, Zip	Fredericksburg, Va 22401	

Property Address	505 Willis	
Owner Name ✓	LOP Senawank	GPIN NUMBER 7779-91-5878 ✓
Mailing Address	Same as above	
City, State, Zip		

Property Address	910 Lafayette Blvd	
Owner Name ✓	Hoffman 910 LLC	GPIN NUMBER 7779-91-7638 ✓
Mailing Address	910 Lafayette Blvd	
City, State, Zip	Fsburg 22401	

Property Address	1001 Lafayette Blvd	
Owner Name ✓	U Sof America	GPIN NUMBER 7779-91-4773 ✓
Mailing Address	120 Chatlam Ln.	
City, State, Zip	Fsburg 22401	

Property Address	- 911 Lafayette Blvd	
Owner Name ✓	Howard, Alan & Gail	GPIN NUMBER 7779-91-6825 ✓
Mailing Address	17 Tally Ho Dr	
City, State, Zip	Fsburg 22405	

Property Address	504 Willis St	GPIN NUMBER  7779-91-4759
Owner Name ✓	US of America	
Mailing Address	120 Chatham Ln	
City, State, Zip	Fsburg 22401	

Property Address		GPIN NUMBER
Owner Name		
Mailing Address		
City, State, Zip		

Property Address		GPIN NUMBER
Owner Name		
Mailing Address		
City, State, Zip		

Property Address		GPIN NUMBER
Owner Name		
Mailing Address		
City, State, Zip		

Property Address		GPIN NUMBER
Owner Name		
Mailing Address		
City, State, Zip		

**ATTACH ADDITIONAL SHEETS IF NECESSARY**

**NOTE: Applicant to return all notice documents at least five days or prior to the public hearing to: Office of the Zoning Administrator, 715 Princess Anne Street, Fredericksburg,**



Rezoning # \_\_\_\_\_  
Special Use/Exception # SUP 2020 -

## CERTIFICATION OF NOTICE

**TO:** Zoning Administrator  
715 Princess Anne Street  
Fredericksburg, VA 22401

At least five days or prior to the public hearing, the applicant shall supply the Zoning Administrator with the following notice documents:

1. A copy of the notice sent
2. A list of the names of those persons to whom notice has been given
3. Copies of the post office receipts for certified or registered mail.
4. A certification statement that notice has been sent by certified or registered mail to those to whom notice is required to be given.

The applicant shall use the records and maps maintained in the City's office of real estate or GIS to determine the proper recipients of notice and reliance upon such records shall constitute compliance with the requirements of the UDO.

The undersigned hereby certifies that the notice to adjoining property owners (copy attached), as required, was sent to the attached list of property owners concerning the following issue on (DATE) ~~March 2020~~ Feb 19, 2020

PROPERTY ADDRESS: 915 D Lafayette Blvd. Fred. Va 22401  
ISSUE DESCRIPTION: Special Use Permit

Sandra C Glancy  
Applicant Signature

Sandra C Glancy  
Applicant Printed Name

540-219-6624  
Telephone Number

Feb 20, 2020  
Date

**NOTE:** Applicant to return all notice documents at least five days or prior to the public hearing to: Office of the Zoning Administrator, 715 Princess Anne Street, Fredericksburg, VA 22401

**Euforia:**

**In late 2018, after months of not working with plants or flowers in a professional capacity - not full-time, or even regularly, and with very little money, hardly any resources, and no help, I took the biggest risk of my life. Everyone in my life said, Yes, sounds great, good luck. Knowing that no one believed in me but me, I took the leap. It might be a small leap to some - a baby crawl for most, but for me, it was a giant leap. Because for me, I had no choice. Living without plants and flowers around me all day every day was one thing, but knowing how infectious my enthusiasm for what I did was, and the profoundly life-changing impact it had had in my life- I knew that, whether it took one year, five years, ten years... I would gain support from my community, because as much as I want to help people, I have learned that they are ready and willing to help me just as much, and even more.**

**I have watched over the last year as one customer at a time came into Euforia, and fell in love. Even customers of mine who said their apartments or homes were overflowing with plants, they still come in to see me, to ask questions, to chat, to look at what I have newly stocked, and pass along the joy that receiving a live plant or fresh flowers can provide to their friends and families. After some unexpected and miraculous help arrived at my doorstep one day, I was given the opportunity to expand my small business - which was at the time, able, but just barely, to keep the doors open with no capital, no cushion, and a tiny, out of the way location. We found the space on Lafayette Boulevard and instantly fell in love with it. It is the perfect location for a flower shop, and with the recent efforts to**

“beautify” the area, what better way to mutually benefit my business and my local community? Nothing is prettier or lovelier to look at than flowers and plants, and nothing could do more to bring beauty, tranquility and togetherness to this little corner of town.

At this moment, I have one part-time employee, but in the coming months and years, hope to bring another florist and artist to the area, and hopefully teach all the things I have learned to someone younger, who shares the enthusiasm I do for my work. If there is one thing I know, it is the amazing benefits to the soul that this work has on just about anyone. My plans for the future are to spread this “plant and flower love” to as many people around me as possible - in any way that I can.

# Eufhoria Florist

## #6 - Hours of Operation

T - 9:30 AM - 5:30 PM

W - 9:30 AM - 5:30 PM

T - 9:30 AM - 5:30 PM

F - 9:30 AM - 5:30 PM

Sat 11 AM - 3 PM

Sun - 11 AM - 2 PM

M - Closed

Number of employees - 1 owner - as needed  
designers - 1 - drivers - owner + 1  
volunteer - 2 days a year 2 designers  
+ 3 drivers - deliveries + trips on  
average 4-6  
customers visits occasional 2-3  
no negative impacts on neighborhood



**Legend**

- City Boundary
- WVS Centerlines Back (12,000)

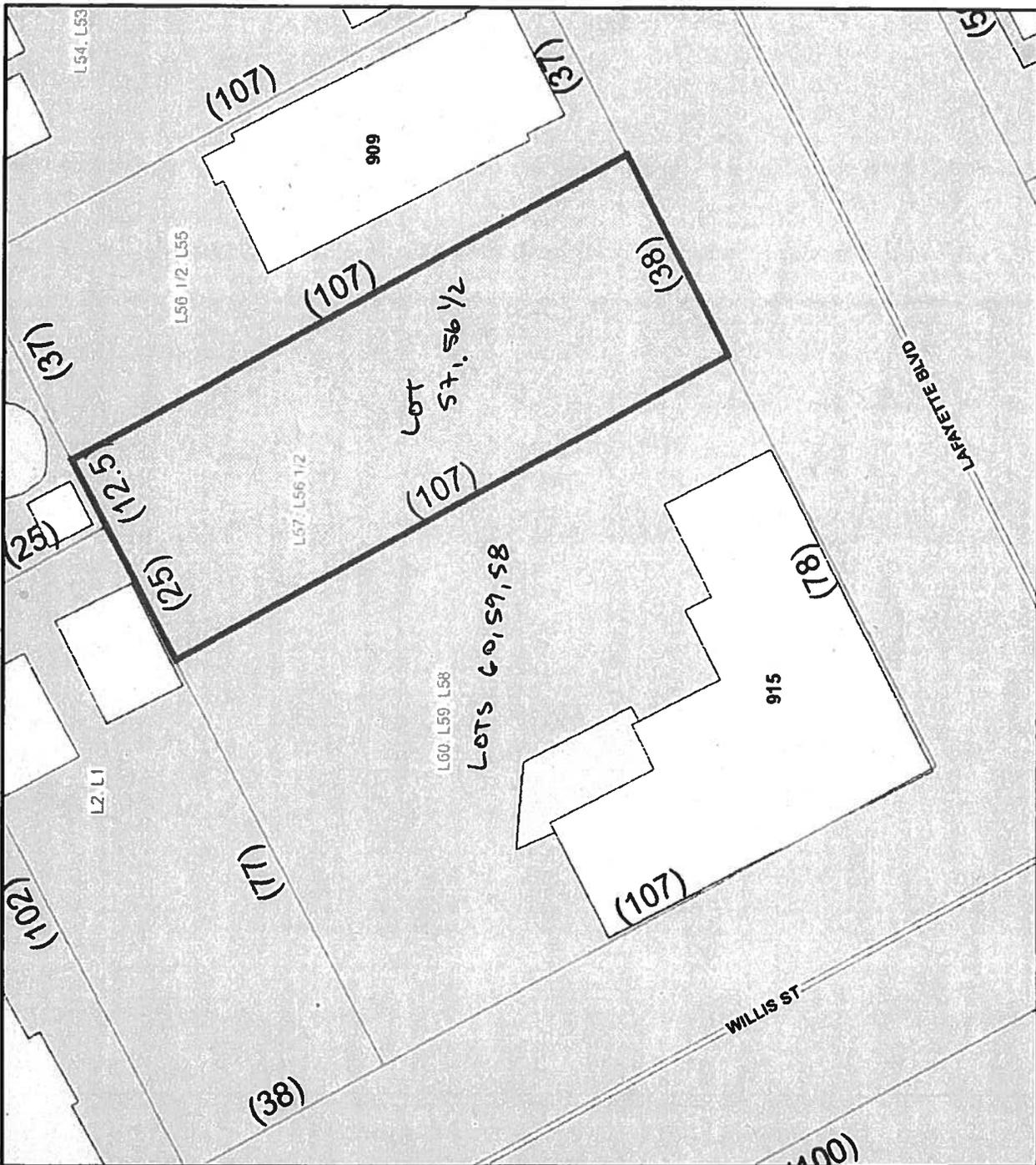
- Interstate
- US Highway
- VA Primary
- Others

- WVS Centerlines Back (12,000)

- Interstate
- US Highway
- VA Primary
- Others
- Parcels
- Addresses
- Lot Labels

- Structures

- Building
- Canopy
- Courtyard
- Deck/Porch
- Foundation
- Patio
- Pool (Above Ground)
- Pool (Below Ground)
- Propane Tank
- Ruin
- Silo
- Tank



**Title:**

**Date:** 1/30/2020

DANS LAMMER. All information depicted on this map shall be treated as confidential information and shall only be used for the sole purpose for which it was provided. This map is for informational purposes only and shall not be used for any other purpose. The City of Frederick does not warrant the accuracy of the map, or the information shown thereon. This map may not be copied or otherwise made available to any other party in paper or electronic format without written consent from the City of Frederick.



**MOTION:**

**SECOND:**

**RE: Granting a special use permit for Eufhoria, a retail sales establishment at 915 Lafayette Blvd., Unit D**

Date  
Regular Meeting  
Resolution 20-\_\_

**ACTION:**

Sandra C. Glancy has applied to the City Council for a special use permit for a florist shop named Eufhoria at 915 Lafayette Blvd., Unit D. The subject property is in the Commercial-Transitional (CT) zoning district. Florist shops are classified as retail sales establishments, which are permitted in the CT district only by special use permit. The applicant seeks this SUP as part of her plans to relocate her existing florist shop to this property.

City Council, after notice and a public hearing, has considered the application in light of its conformity with the City's Comprehensive Plan, its harmony with the purposes and standards of the zoning district regulations, its compatibility with existing or planned uses of neighboring properties, and whether the proposed special use and related improvements will be designed, sited, landscaped, and otherwise configured so that the use will not hinder or discourage the appropriate development or use of adjacent, neighboring, or community land or structures, or impair their economic, social, or environmental value.

Therefore, the City Council hereby resolves that:

- City Council grants to Sandra C. Glancy a special use permit for a retail sales establishment at 915 Lafayette Blvd., Unit D, in accordance with her application dated February 4, 2020, and in accordance with the following conditions:
  - The hours of operation for this special use shall be limited to 9:00 a.m. to 9:00 p.m. Monday through Sunday
  - The use shall commence within 24 months of the date of adoption of this resolution and is permitted only so long as it continues and is not discontinued for more than 24 months.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

\*\*\*\*\*

***Clerk's Certificate***

*I certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Resolution No. 20-\_\_, adopted at a meeting of the City Council held Date, 2020, at which a quorum was present and voted.*

---

***Tonya B. Lacey, CMC***  
***Clerk of Council***



**MEMORANDUM**

**TO:** Chairman Rodriguez and Planning Commissioners  
**FROM:** Mike Craig, Senior Planner  
**DATE:** March 5, 2020 (for the March 11 meeting)  
**RE:** The Creation of the Creative Maker zoning district

---

**ISSUE**

Should the Planning Commission recommend approval of the proposed Creative Maker Zoning District and an amendment to the zoning map to apply the zoning district to 182 properties?

**RECOMMENDATION**

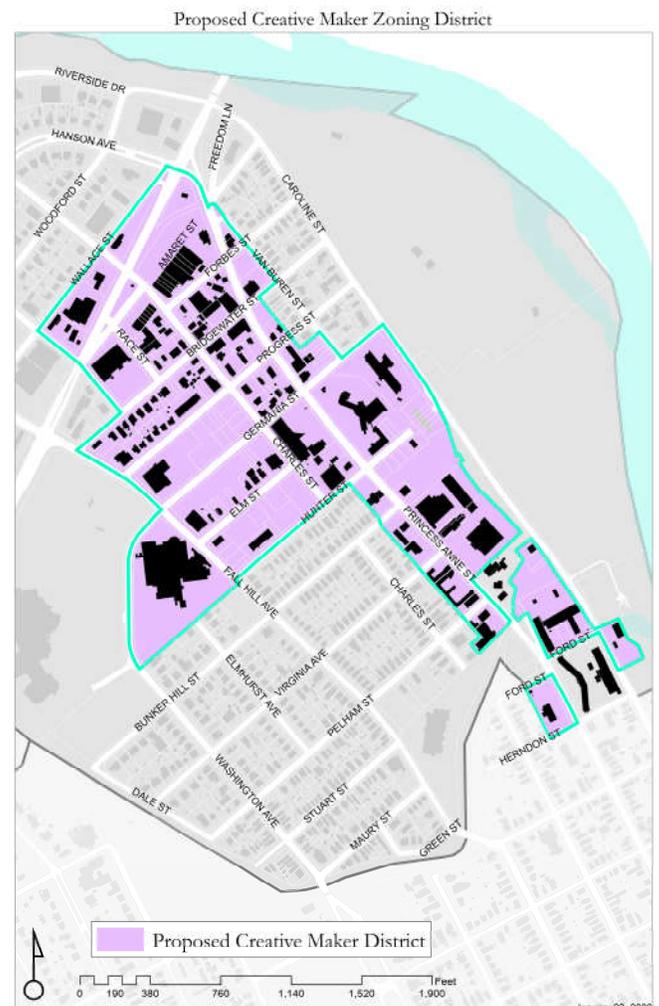
The Planning Commission should open the public hearing on the creation and application of the Creative Maker Zoning District and continue the public hearing until its April 8 meeting. An extra advertising cycle is necessary to include two parcels omitted by the Free Lance Star from the public hearing advertisement published in the newspaper.

**THE PROPOSED CREATIVE MAKER ZONING DISTRICT**

On February 12, 2019 the City Council approved the Area 6 Princess Anne Street / Route 1 North Small Area Plan. Area 6 is the area of the City between the Rappahannock Canal and the Rappahannock River.

The existing commercial quarter of Area 6 was identified as a potential strength in its Small Area Plan. Specifically, the existing fabric along Princess Anne Street and U.S. Route 1 contains a collection of historic structures that have unique architectural value. The buildings were designed accommodate machinery and production uses and many have retained their architectural significance and functionality. The Plan proposes a broadening of allowed uses consistent with the historic character of the area. The Plan designated character structures to highlight their significance and to incentivize their preservation.

Fredericksburg’s economy is changing. Emerging trends indicate that a modern mix of businesses now includes entrepreneurs and larger companies that produce the products they sell. These uses include coffee roasters, brewers, woodworkers, and electronic companies. These uses are ideal for the type of fabric found in Area 6, however, are not



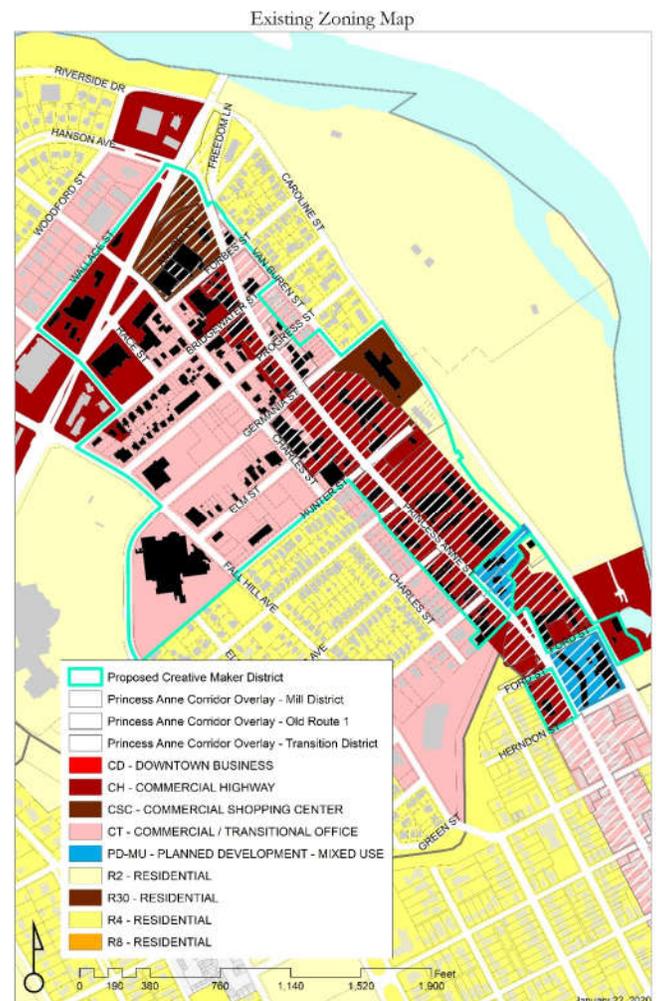
currently permitted under Fredericksburg’s zoning ordinance. As a result, the Area 6 Plan identified the timeliness to develop a Creative Maker District that permitted this level of maker use as a component in a mixed-use zoning district alongside traditional commercial uses and moderate density residential uses. See attached Proposed Creative Maker District Map to see where the new district is proposed.

The Creative Maker Zoning District is a form based code. The form based code will use “transect,” “frontage,” and “building type” tools. These tools ensure that as infill and redevelopment occurs new construction retains a compatible orientation, height, and width to existing structures. Streetscapes and the facades of the buildings will be designed to facilitate a safe, attractive, and harmonious public realm that permits a balance between automobile access (prioritized along US Route 1 and the central areas of Princess Anne Street) and walkability (prioritized where pedestrian activity will be the highest). Proposed architectural compatibility standards require that building elevations correspond to surrounding buildings, compatible materials are used in construction, and equipment is screened from adjacent properties.

The commercial fabric in Area 6 has some of the most dramatic and interesting sets of historic signage in the City. For example, the signage at Carl’s (2200 Princess Anne Street) and the 2400 Diner (2400 Princess Anne Street) define the character of the commercial area. However, these signs are substantially out of conformance with today’s zoning ordinances. The proposed ordinance applies a mixture of conventional zoning regulations (ie. sign height, square footage, and locational criteria) with policies that validate the existing signage in the area (ie. permitting limited roof signs, allowing some signage that can be painted on a building by-right, and creating a special exception process with the Board of Zoning Appeals to encourage creative approaches to signage). This combination will ensure that signage remains in character with its environment while also permitting innovation.

The Creative Maker Zoning District was developed in partnership with the community. Since 2017, a collection of property owners, stakeholders, neighborhood residents, and technical experts have come together to help shape the vision for the Creative Maker District. The result of that process are the proposed amendments to be initiated for public hearing by the City Council on February 11.

A code analysis of the proposed zoning district including a detailed review of use, density, floor area ratio, dimensional standards, and signage is included as an attachment to this memo.



## **THE PROPOSED ZONING MAP AMENDMENT**

The Creative Maker Zoning District is proposed to replace portions of the Commercial Highway (CH), Commercial / Office Transitional (CT), Residential 30 (R30), and Residential 2 (R2) zoning districts within Area 6. The proposed rezoning includes 182 parcels. The parcels along the Princess Anne Corridor also contain the Princess Anne Corridor Overlay zoning district. The Princess Anne Corridor Overlay was adopted in 2007. It applied additional zoning controls and design guidelines to the corridor with the goal of creating an attractive entrance corridor for the core Downtown located south of the Rappahannock Canal.

The new form based code supplants the Princess Anne Corridor Overlay district with an identity and sense of place more suited to the proposed Maker District. A group of citizens, stakeholders, entrepreneurs, and property owners have been meeting as the Canal Quarter Association for over a year and a half. Their vision for Area 6's commercial areas has changed, from a corridor through which people travel to get to the Historic District to:

“A place where residents, creatives, and entrepreneurs can build a diverse and vibrant neighborhood.”  
– The Canal Quarter Association Vision Statement.

The zoning must be changed to achieve this vision. The existing zoning pattern in the commercial portions of Area 6 is complicated. Attached is an Existing Zoning Map showing the current zoning. Permitted uses especially within the Commercial Highway portions of the area favor highly intensive uses (such as automotive dealerships and service stations). Zoning barriers exist at the edges of each district, which create artificial boundaries that prevent a cohesive harmonious community. The complexity of the rules and limitations of the permitted uses establish intensive procedural barriers to small scale entrepreneurs.

The application of the Creative Maker Zoning District to this commercial area will create a cohesive uniform zoning district with a diversity of use. The ordinances establishing this ordinance include a Transect Map, which will encode a grade in intensity. This transect definitions along with the other standards in the form based code will ensure compatibility between the scale and vibrancy of commercial uses and the quality of life in adjacent residential neighborhoods.

## **CONCLUSION**

The Creative Maker District is the product of three years of community interaction. Its implementation will set the legal foundation for the next evolution of Area 6's commercial core and the City's overall economy. To ensure the district is properly advertised, the Planning Commission should hold the public hearing open until its meeting on April 11.

## **ATTACHMENTS**

1. Code Analysis
2. Draft Ordinance Establishing the Creative Maker Zoning District
3. Form Based Code Appendix
4. Draft Ordinance Rezoning 182 parcels to the Creative Maker Zoning District

## CODE ANALYSIS

### I. USES

The Creative Maker Zoning District modifies the permitted uses within its boundaries to permit the next economic evolution of the corridor.

The existing zoning is Commercial Transitional Office, Commercial Highway, R-2, and R-30.

Together, the existing zoning permits a diversity of residential uses including household living and group living. The Creative Maker District includes the plurality of household living uses, but only permits “Group Home” out of the group living category.

The existing zoning permits a diversity of commercial uses. The proposed zoning permits the range of commercial uses with some modifications:

- The ordinance is more permissive in that local breweries and lumber/building materials sales, open-air markets, contractor offices, general industrial services and repair, light manufacturing, warehouse, and wholesale sales are permitted by-right; the district allows regional breweries, commercial laundry, equipment rental and sales, outdoor storage, and freight terminals to be permitted by special use permit.
- The ordinance is more restrictive in that school uses, fire stations, police stations, assisted living facilities, convenience stores with gasoline sales, gasoline sales, large scale automotive sales, and automotive service require a special use permit and continuing care retirement communities, nursing homes, cemeteries, adult establishments, golf courses, telecommunications towers, and self-service storage are not permitted.

The existing Commercial Transitional Office zoning district requires a special use permit for any outdoor storage and any alcohol sales. These requirements are proposed to expand to the boundaries of the T-4M Transect.

**The next pages show a comparison of the existing use table, highlighting R-2, R-30, Commercial / Transitional Office, Commercial Highway, with the proposed Creative Maker Zoning District.**

Category	Use Type	Base Zoning District [Overlay Districts May Further Limit Allowable Uses]						Additional Requirements
		Residential		Nonresidential and Mixed-Use Districts			I-1	
		R-2	R-30	C-T	C-SC	C-H		
<b>Table 72-40.2: Use Table</b>								
"P" = Permitted; Allowed by-right "S" = Special Use Permit Required "blank cell(*)" = Use is Prohibited								
Use Category	Use Type	Base Zoning District [Overlay Districts May Further Limit Allowable Uses]						Additional Requirements
		Residential		Nonresidential and Mixed-Use Districts			I-1	
		R-2	R-30	C-T	C-SC	C-H		
<b>Residential Use</b>								
Household Living	Dwelling, Duplex	.	P	P	.	P	<i>P</i>	. § 72-41.1B
	Dwelling, Live/Work	.	S	P	S	P	<i>P</i>	. § 72-41.1C
	Dwelling, Mobile Home	.	.	.	.	.	.	. § 72-41.1D
	Dwelling, Multifamily	.	P	.	P	P	<i>P</i>	. § 72-41.1E
	Dwelling, Single-Family Attached	.	P	P	P	P	<i>P</i>	. § 72-41.1F
	Dwelling, Single-Family Detached	P	.	P	.	.	<i>P</i>	. § 72-41.1G
Group Living	Dwelling, Upper Story (over nonresidential)	.	S	P	P	P	<i>P</i>	. § 72-41.1H
	Convent or Monastery	.	.	.	.	.	.	.
	Dormitory	.	S	.	.	S	.	. § 72-41.1A
	Fraternity or Sorority	.	S	.	.	S	.	.
	Group Home	P	P	P	.	.	.	.
	Institutional Housing	.	.	S	.	.	.	S
<b>Institutional Uses</b>								
Community Services	Art Center and Related Facilities	.	.	S	.	P	<i>P</i>	.
	Community Center	.	P	.	.	P	<i>P</i>	.
	Cultural Facility	.	S	P	P	P	<i>P</i>	.
	Library	S	P	P	P	P	<i>P</i>	.
Day Care	Museum	S	S	P	P	P	<i>P</i>	.
	Social Service Delivery	.	.	SP	SP	S	<i>S</i>	SP
	Adult Day-Care Center	.	.	S	.	P	<i>P</i>	.
	Child-Care Center	S	P	S	P	P	<i>P</i>	. § 72-41.2B
Educational Facilities	Family Day Home (1-5 Children)	P	P	P	.	.	.	.
	Family Day Home (6-12 Children)	S	S	S	.	.	.	.
	College or University	.	S	S	P	P	<i>P</i>	P
	School, Elementary	S	S	P	P	S	<i>S</i>	. § 72-41.2E
Governmental Facilities	School, Middle	S	S	P	P	S	<i>S</i>	. § 72-41.2E
	School, High	S	S	P	S	S	.	. § 72-41.2E
	Vocational or Trade School	.	.	S	P	P	<i>P</i>	P
	Courthouse	.	.	.	.	.	.	.
Health Care Facilities	Governmental Facility	.	.	S	.	P	<i>P</i>	P
	Governmental Office	.	P	S	.	.	<i>P</i>	P
	Post Office	.	S	S	P	P	<i>P</i>	.
	Hospital	.	.	S	S	S	<i>S</i>	. § 72-41.2D
Institutions	Medical Laboratory	.	.	.	.	P	<i>P</i>	P
	Medical Treatment Facility	.	.	S	.	P	<i>P</i>	.
	Assisted Living Facility	.	P	S	.	S	<i>S</i>	.
	Autocenter, Conference, and Convention Center	.	S	S	S	P	<i>P</i>	P § 72-41.2A
Parks and Open Areas	Club or Lodge	.	S	S	P	P	<i>P</i>	.
	Continuing Care Retirement Community	.	.	.	.	S	.	.
	Nursing Home	.	P	.	.	S	.	.
	Religious Institution	S	S	P	P	P	<i>P</i>	P
Public Safety	Cemetery, Columbarium, Mausoleum	S	S	.	.	S	.	.
	Arboretum or Garden	P	P	P	P	.	<i>P</i>	.
	Community Garden/Gardening, Commercial	P	P	P	.	P	<i>P</i>	.
	Park, Playground, or Plaza	S	P	P	P	P	<i>P</i>	P
Utilities	Swimming Pool (public or private)	S	P	P	S	P	<i>P</i>	.
	Fire/EMS Station	.	P	S	P	S	<i>S</i>	.
	Police Station	.	S	S	P	S	<i>S</i>	.
	Airport	.	.	.	.	.	.	.
Commercial Uses	Heliport	.	.	.	.	.	.	. § 72-41.2C
	Passenger Terminal (surface transportation)	.	S	P	.	P	<i>P</i>	P
	Data Center	.	.	S	S	S	<i>S</i>	S
	Small Cell Facility, Co-Location	P	P	P	P	P	<i>P</i>	P § 66-141 et seq., § 72-41
Agriculture	Small Data Center	.	.	P	P	P	<i>P</i>	P
	Solar Array	.	S	S	P	P	<i>P</i>	P § 72-41.2F
	Telecommunication Facility, Structure	.	S	P	P	P	<i>P</i>	P
	Telecommunication Facility, Co-Location	.	S	P	P	P	<i>P</i>	P
Alcoholic Beverage Production	Telecommunication Facility, Tower	.	.	.	.	P/S	.	. § 72-41.2G
	Utility, Major	.	.	.	.	.	.	S § 72-41.2H
	Utility, Minor	S	P	P	P	P	<i>P</i>	P
	All	.	.	.	S	S	.	. § 72-41.3A
Agriculture	Agritourism	.	.	.	.	.	.	.
	Microbrewery	.	.	S	P	P	<i>P</i>	P § 72-41.3B
Alcoholic Beverage Production	Local Brewery	.	.	.	S	S	.	S § 72-41.3B
	Local Distillery	.	.	.	S	S	.	S § 72-41.3B
Alcoholic Beverage Production	Local Winery	.	.	.	S	S	.	S

	Regional Brewery	.	.	.	.	.	S	.	.	
	Regional Winery	.	.	.	.	.	.	.	.	
	Regional Distillery	.	.	.	.	.	.	.	.	
Animal Care	Animal Grooming	.	.	P	P	P	P	.	\$ 72-41.3B	
	Animal Shelter/Kennel	.	.	.	S	P	P	P	\$ 72-41.3B	
	Veterinary Clinic	.	.	P	P	P	P	P	\$ 72-41.3B	
Eating Establishments	Bakery	.	.	P	P	P	P	.	\$ 72-32.1	
	Restaurant, Fast-food	.	.	S	P	P	P	S	\$ 72-32.1	
	Restaurant, Indoor and Outdoor Seating	.	.	P	P	P	P	P	\$ 72-41.3S; 72-32.1	
	Specialty Eating Establishment	.	S	P	P	P	P	P	\$ 72-32.1	
Offices	Business and Professional Services	.	.	P	P	P	P	P		
Parking	Parking Garage	.	.	.	P	P	P	P	\$ 72-41.3P	
	Parking Lot (commercial)	.	.	P	P	P	P	P		
Recreation, Indoor	Fitness Center	.	S	P	P	P	P	S		
	Recreation, Indoor	.	S	.	P	P	P	S		
	Theater	.	.	.	P	P	P	S		
Recreation, Outdoor	Arena or Stadium	.	.	.	.	.	.	.	\$ 72-41.3C	
	Fairgrounds	.	.	.	.	.	.	P		
	Golf Course	.	S	.	S	.	.	.		
	Marina	.	.	.	.	.	.	S	\$ 72-41.3N	
	Recreation, Outdoor	.	.	P	P	P	P	S		
Retail Sales and Services	Artist Studio	.	.	P	.	.	.	.		
	Auction House	.	.	.	.	S	P	.		
	Convenience Store (with gasoline sales)	.	.	.	P	.	.	S	\$ 72-41.3G	
	Convenience Store (without gasoline sales)	.	S	S	P	P	P	P	\$ 72-41.3H	
	Crematorium	.	.	.	.	.	.	.	.	
	Financial Institution	.	S	P	P	P	P	P		
	Funeral Home	.	S	S	P	P	P	P	\$ 72-41.3I	
	Gasoline Sales	.	.	.	S	P	P	S	\$ 72-41.3J	
	Grocery Store	.	.	S	P	P	P	P		
	Historic Dependency Limited Office/Retail	.	.	S	.	.	.	.	\$ 72-41.3K	
	Laundromat	.	S	.	P	P	P	P		
	Lumber/Building Materials	.	.	.	S	S	P	P		
	Open-Air Market	.	.	.	.	.	.	P	.	
	Personal Services Establishment	.	.	.	P	P	P	P	S	\$ 72-41.3Q
	Pharmacy	.	S	S	P	P	P	P	S	
	Plant Nursery	.	.	.	S	P	P	P	P	
	Repair Service Establishment	.	.	P	P	P	P	P	P	\$ 72-41.3R
Retail Sales Establishment	.	S	S	P	P	P	P	P		
Seasonal Event	Shopping Center	.	.	.	P	P	P	.	\$ 72-41.3T	
	Tattoo/Piercing Establishment	.	.	.	P	P	P	.	\$ 72-41.3V	
	All	.	.	.	.	P	P	S	\$ 72-41.3U	
Vehicle Sales and Service	Automotive Sales and Rental, Small Scale	.	.	.	.	S	S	.	\$ 72-41.3D	
	Automotive Sales and Rental, Large Scale	.	.	.	.	P	S	.	\$ 72-41.3D	
	Automotive Service	.	.	.	S	P	P	S	\$ 72-41.3E	
	Automobile Towing and Impoundment	.	.	.	.	.	.	.	S	
	Car Wash	.	.	.	P	P	P	.		
Visitor Accommodations	Bed-and-Breakfast Inn	S	.	P	.	.	.	P	\$ 72-41.3F	
	Historic Dependency Lodging	.	.	P	.	.	.	P	\$ 72-41.3L	
	Hotel or Motel	.	.	.	P	P	P	S		
<b>Industrial Uses</b>										
Industrial Services	Commercial Laundry	.	.	.	.	.	S	S	\$ 72-41.4A	
	Contractor Office	.	.	.	.	.	P	P	\$ 72-41.4A	
	Equipment Rental and Sales	.	.	.	.	.	S	P	\$ 72-41.4B	
	General Industrial Service/Repair	.	.	.	.	.	P	P	\$ 72-41.4A	
	Research and Development	.	.	P	.	P	P	P	\$ 72-41.4A	
Manufacturing	Abattoir	.	.	.	.	.	.	.		
	Manufacturing, Heavy	.	.	.	.	.	.	.	\$ 71-41.4C	
	Manufacturing, Light	.	.	.	.	.	.	P		
Warehousing and Storage	Bulk Storage	.	.	.	.	.	.	.		
	Outdoor Storage	.	.	.	.	.	.	S	\$ 72-41.4D	
	Self-Service Storage	.	.	.	.	S	.	P		
	Freight Terminal	.	.	.	.	.	S	S		
	Warehouse	.	.	.	.	.	P	P	\$ 72-41.4F	
Waste-Related	Incinerator	.	.	.	.	.	.	.		
	Recycling Center	.	.	.	.	.	.	.	\$ 72-41.4E	
Wholesale Sales	Wholesale Sales	.	.	.	.	.	P	P	\$ 72-41.4G	

## II. DENSITY

The Creative Maker Zoning District is a mixed-use district envisioned to be a vibrant center for people to live, work, and recreate.

The existing zoning permits a residential density between 8 and 30 units per acre. The proposed by-right density is to be 8 units per acre in the T-4M and 12 units per acre in the T-5M. By comparison, residential density in the neighborhoods adjacent to the Maker District range from 3 to 18 units per acre.

- This is a downzoning for the parcels along the western side of Princess Anne Street currently zoned Commercial Highway from 12 to 8 units per acre, 2 Parcels on the south face of Bridgewater Street from 12 to 8 units per acre, and for the parcel zoned R-30 from 30 to 12 units per acre. These changes reduce the number of by-right permitted residential units by 64 units.
- This is an upzoning of portions of 8 properties between Ford Street and Hunter Street from 2 units per acre to 12 units per acre. These changes increase the number of by-right permitted residential units by 18 units.
- Currently, the Commercial Office Transitional zoning district permits mixed-use projects to have a density of 12 units per acre by-right. This rezoning will change 15 acres of CT zoned land to T-4M, which will eliminate that by-right option. This will further reduce the number of permitted units by 63. The total impact on paper residential density is a reduction of 114 permitted by-right residential units.

The Creative Maker District is envisioned to be a thriving, inclusive, walkable core. Its location within the central City and the existing grid system make it an ideal place for the City's population to grow in a place and form that is already served by City infrastructure and services. In both Transects, an applicant may apply for a special use permit for increased residential density.

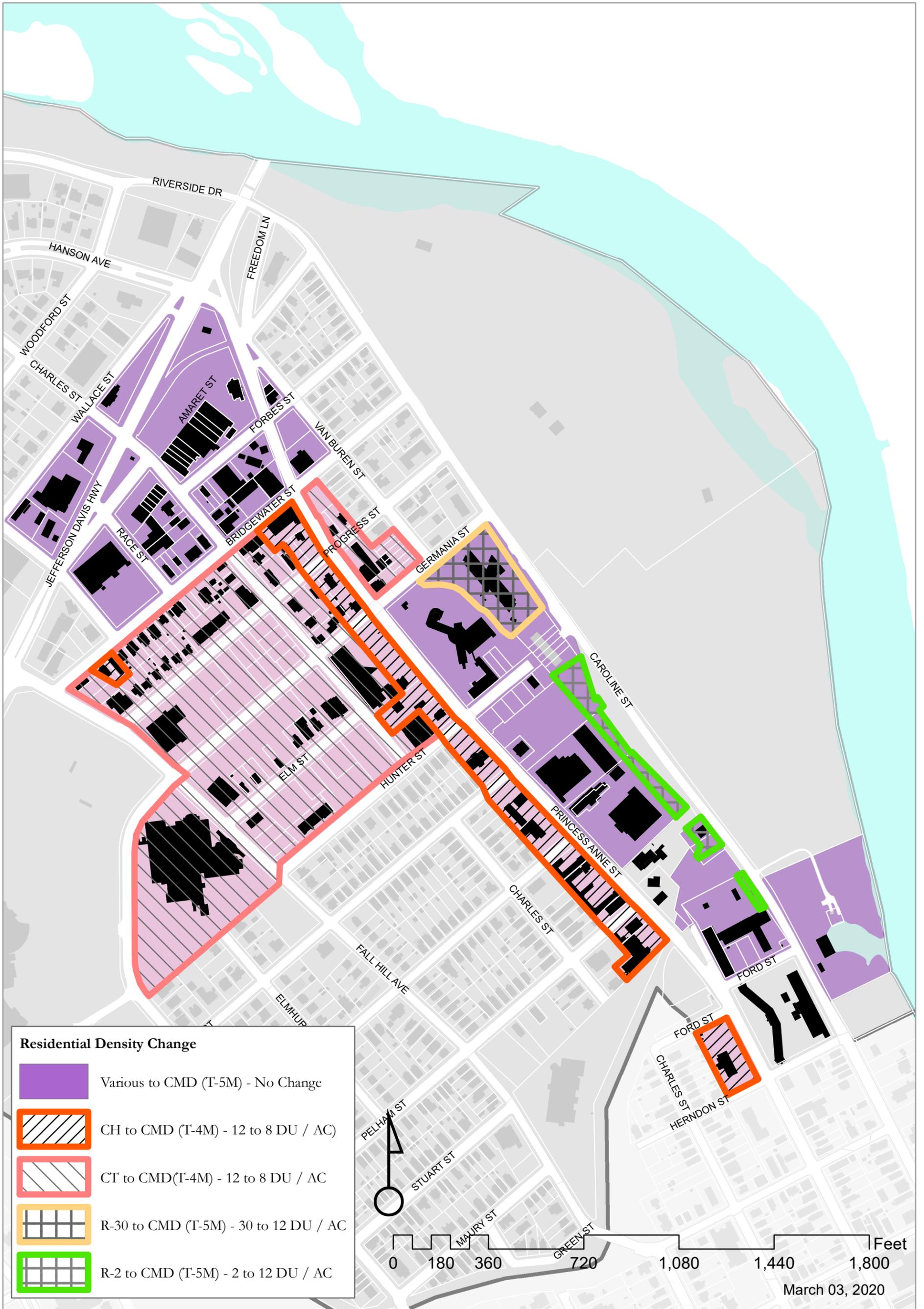
Applications for a special use permit will be reviewed with the existing criteria set out in § 72-22.6 of the UDO. These criteria ensure that any impacts on adjacent properties are mitigated. The ordinance includes additional criteria that reflect certain City values that may also be used to evaluate potential special use permits. They include:

- a. The restoration of a character structure;
- b. A mix of uses within the proposed project; or
- c. Double the amount of general or formal open space.

Additionally, in the future, a Transfer of Development Rights program will be developed for use in the Creative Maker District which permits the shifting of existing density with the commitment that a character structure be preserved in perpetuity.

**The next pages show maps identifying where residential density changes by the proposed zoning.**

# By-Right Residential Density Change



### III. FLOOR AREA RATIO

The Creative Maker Zoning District permits commercial uses in an urban form. Floor Area Ratio sets the amount of bulk a structure can have on a lot. The Ratio is the total amount of building square footage divided by the total square footage of the lot. The existing zoning permits a non-residential FAR between 0.5 and 0.7. The proposed zoning permits a non-residential FAR of 0.7. On a 10,000 square foot lot, this would permit a building containing a total of 7,000 usable square feet including all stories. An applicant may apply for an increase in FAR to 1.5 in the T-4M Transect and 3.0 in the T-5M Transect.

### IV. DIMENSIONAL STANDARDS

The Creative Maker Zoning District utilizes a form based code to provide context sensitive standards to ensure the proposed development best fits into the diverse pieces of urban fabric present in Area 6.

The existing zoning includes base development standards that often conflict with each other and the existing land use patterns in this area. The minimum lot sizes for commercial uses range from a half of an acre to an acre. Side setbacks range from a minimum of 2 feet to a minimum of 15 feet. Front setbacks range from infill setbacks to a minimum of 25 feet. Open space requirements range from 15% to 20%. Permitted heights range from 35 to 50 feet.

The existing zoning configuration requires large suburban setbacks at the arbitrary lines where zoning districts split. The theory behind the large setbacks is that they “protect” adjacent uses from their neighbors. However, in practice, the large setbacks do not fit into the existing urban fabric. They prohibit smaller lots from being built on and instead encourage the consolidation of lots and bigger more intense projects. They also break apart the building envelope so that a series of disconnected buildings are developed rather than a cohesive urban streetscape.

The Princess Anne Corridor Overlay adds additional complexity to these requirements. Along the Overlay applies Design Guidelines related to streetscape character, building design, site design, and signage. The Guidelines were calibrated based on three design districts, the “Old Route 1 Highway District”, the “Mill District”, and the “Transitional District”. The Guidelines are a first step in reorienting the base zoning districts in the Princess Anne street area from a focus on heavy commercial highway uses to creating a unique walkable place. They contain some standards that are easy to interpret and enforce like building materials standards. However, much of the standards are meant as guidelines and are ambiguously written or overly specific about architectural style (ie. the emphasis on “machine moderne”) in a way that creates conflicts during review and permitting of projects.

The proposed Creative Maker Zoning District replaces the complex network of zoning and overlay districts with a single form based code. The form based code includes five elements:

- Urban Fabric Standards. The Urban Fabric Standards ensure that a proposed development fits into the City’s existing development pattern. Streets are required to be connected, development is required to adhere to the existing block pattern, transitional zones are required to create appropriate buffers and reduction and scale and mass of buildings adjacent to residential uses, and useful, meaningful open spaces are required to be included within the site.

Transitional zones are worth describing in more detail. Rather than applying blanket restrictions at arbitrary points along a street, these tools are calibrated so that they are activated when a proposed project is adjacent to single family homes. They then assign perimeter setbacks, buffers, and reduced building heights and widths to ensure that transitions in the existing urban fabric occur where they are needed and are not arbitrarily breaking up the cohesiveness of areas where they are not.

- Frontages. Frontages prescribe the character of the streetscape and yard between the centerline of the street and the front of the building. They are assigned based on the functionality of the different sections of the district and contain three elements:
  - o The Public Component consists of the land within the public right-of-way adjacent to the site. The Public Component regulates the streetscape and assigns the appropriateness and type of on-street parking, utility / planting strips, pedestrian network characteristics, street lights and street trees.
  - o The Private Component consists of the private land between the building and the streetscape within the site. The Private Component regulates the yards, building placement tools, parking lot placement, and permitted building types within the site.
  - o The Building Type Permitted table controls the size and shape of buildings that are permitted on the site.

These elements combine to create a predictable design for the different mapped frontages within the District. Frontage A and B occurs along major highways, with landscaping within the front yard, larger permitted setbacks, and bigger building envelopes. Frontage C balances the need for automobile access and pedestrian infrastructure in the central areas of Princess Anne Street. Commercial buildings are permitted to have parking in front of the building, but a pedestrian streetscape within the public right-of-way is required. Frontage D is a traditional commercial frontage. Sidewalks are permitted to be wide and extend to the building front. Street lights are pedestrian scaled and street trees may be incorporated into tree wells. Buildings are required to be close to the street and parking is required to be located behind the buildings. Frontage E is a traditional neighborhood frontage. Street lights and street trees should be located within a planting / utility strip. Sidewalks are generally five foot wide. Buildings have a modest setback and front yard. Parking is required to be behind the buildings.

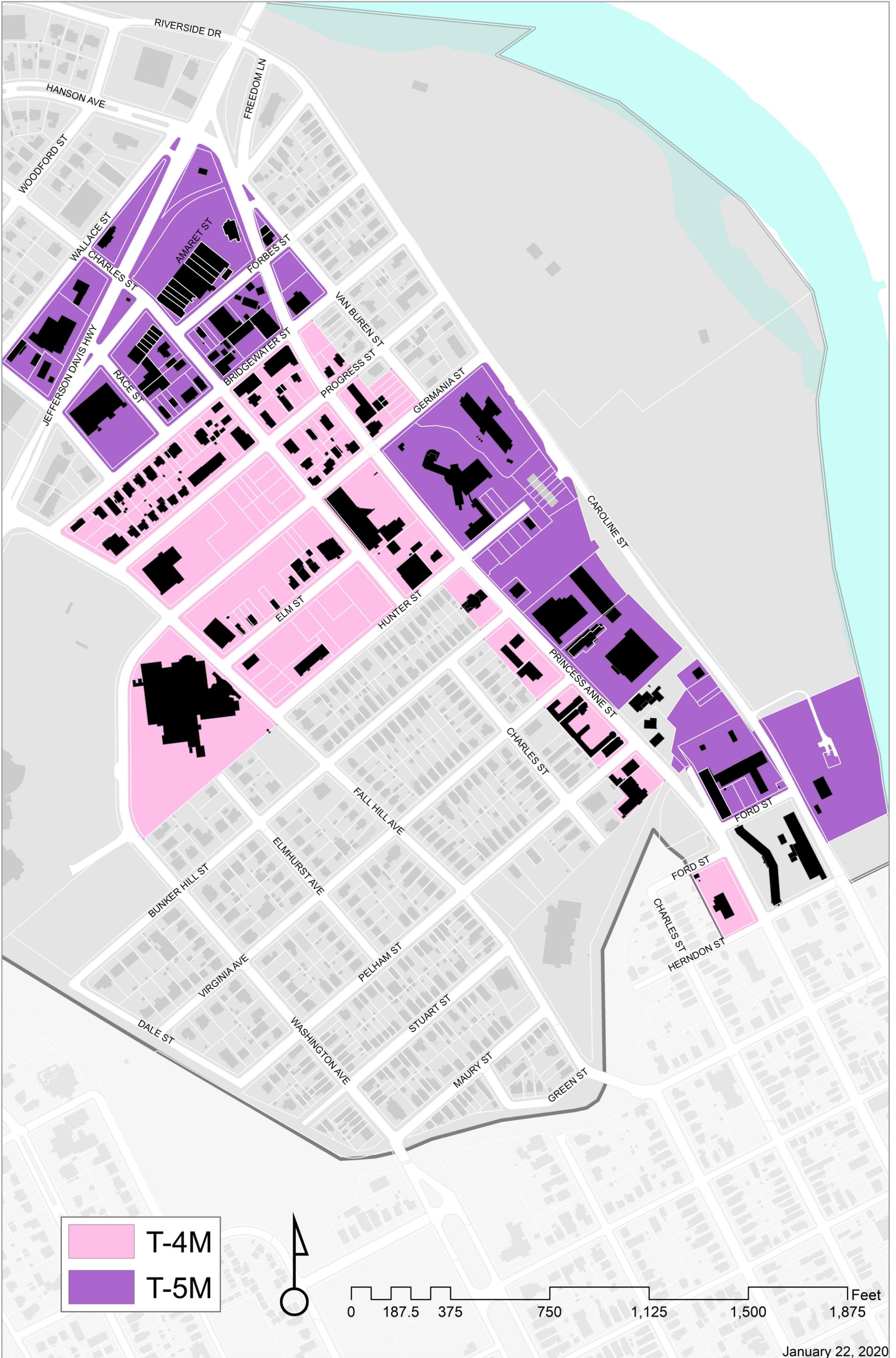
- Building Types. Building Type standards control the placement, orientation, mass, scale, and activation of the buildings on a site. These standards consist of three elements:
  - o Building Placement and Orientation includes lot standards and orientation standards to ensure that buildings have sufficient room on a site and that they are facing the most appropriate frontage.
  - o Mass and Scale tools set the maximum building heights, floorplate sizes, and building widths.
  - o Façade Activation regulates the location and frequency of entrances, the total amount of windows and doors required to be in facades facing the street, and programs the height and amount of openings on the first floor in areas where commercial activity is prioritized. The purpose of these tools is to ensure that buildings are designed in such a

way as to make the surrounding streets feel safe and walkable to pedestrians in order to create a healthy community environment.

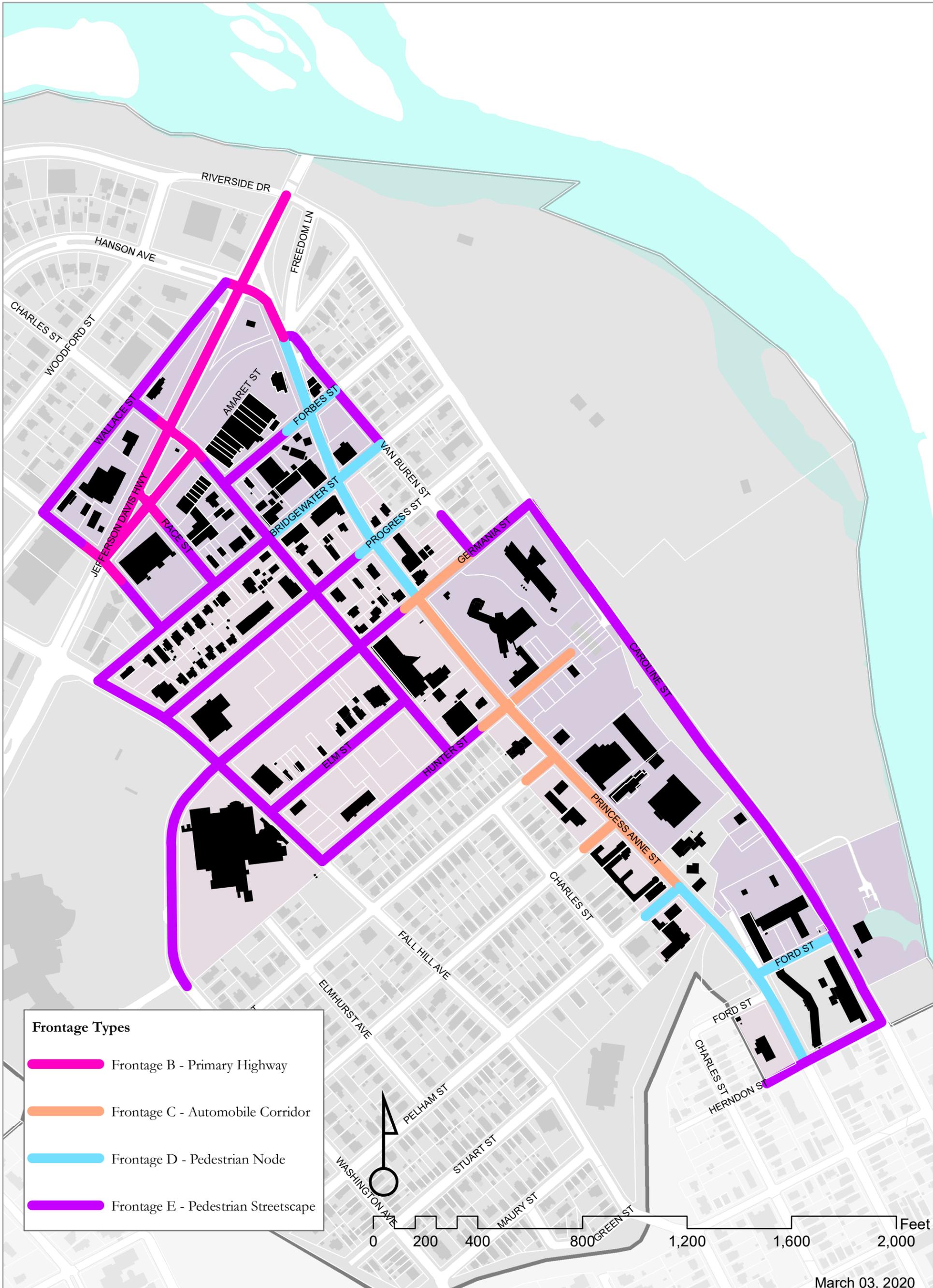
- Areas of Unique Architectural Value. The Creative Maker District is an Area of Unique Architectural Value. It contains 34 Character Structures dating to two periods of significance along the corridor. § 15.2-2306 of the Virginia State Code permits localities to designate areas of unique architectural value and to implement tools to foster the preservation of that value. Within the Creative Maker District, two tools are adopted under this section to maintain the character of the district:
  - o All new construction and exterior alterations within the district will be subject to building elevation, materials, and equipment screening standards.
  - o Designated character structures have special rules that a land owner may utilize in preserving the structure. These rules are context sensitive to each building and override the private frontage and building type standards for a site. If a landowner preserves the character structure and the sight lines to the historic portion of the building, then the general character of the building and site conditions are permitted to govern any additions or expansions of the structure on-site.
- Optional Forms of Development. Optional Forms of Development provide flexibility to the standards within the form based code. Optional Forms are prescribed with a purpose, option, and design guideline and are approvable if the option meets those criteria. These standards ensure that if an applicant deviates from the prescribed standards then their proposed project will still be constructed in accordance with the intended values of the zoning district. Optional Forms are permitted after written notice to adjacent property owners and a twenty-one day public comment period.

**The next pages show maps identifying the proposed transects, and the proposed frontages along with the corresponding frontage and building types.**

# T-4M and T-5M Transect Map Small Area 6

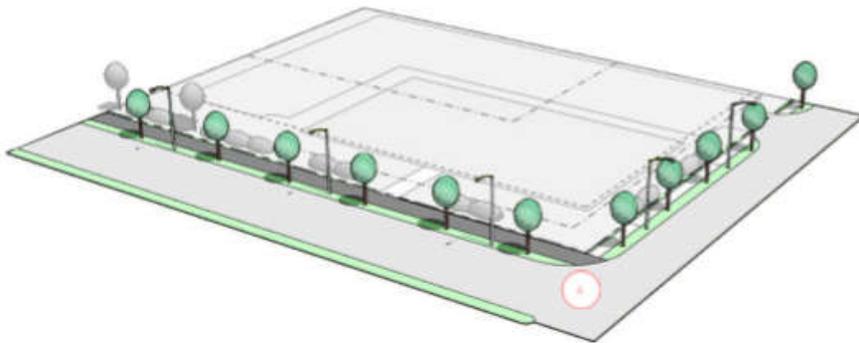


# T-4M and T-5M Frontage Map Small Area 6

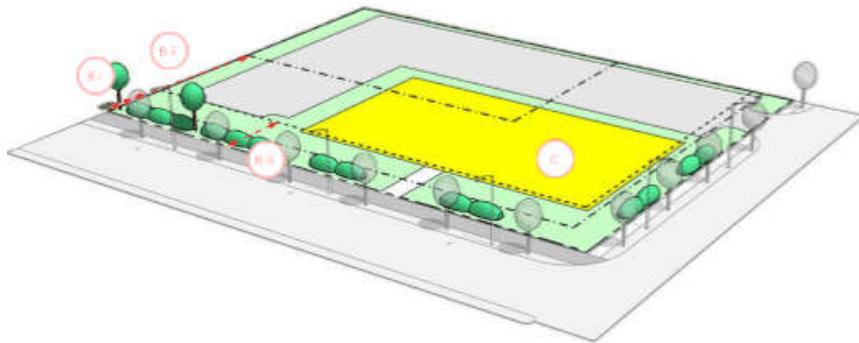


# FRONTAGE B – PRIMARY HIGHWAY

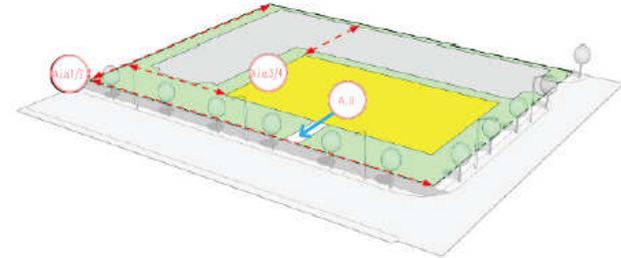
Frontage B Public Component:



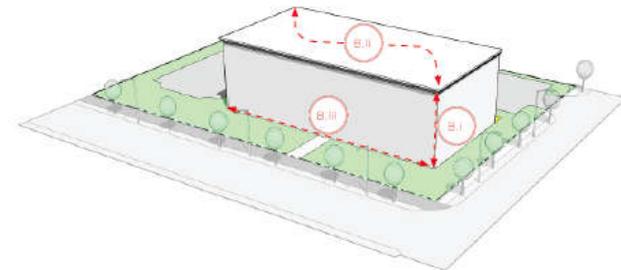
Frontage B Private Component and Building Type Permitted:



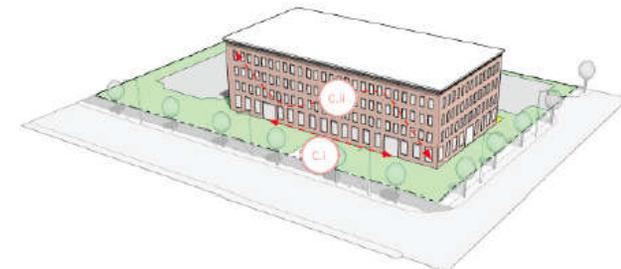
Building Type 1 Building Placement and Orientation:



Building Type 1 Mass and Scale:

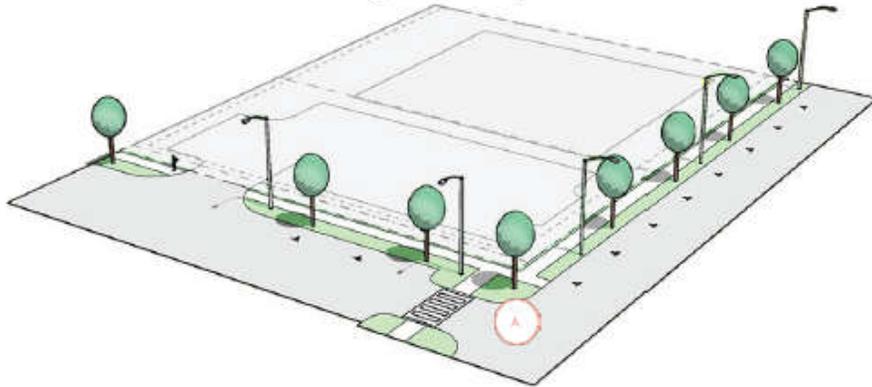


Building Type 1 Facade Activation:

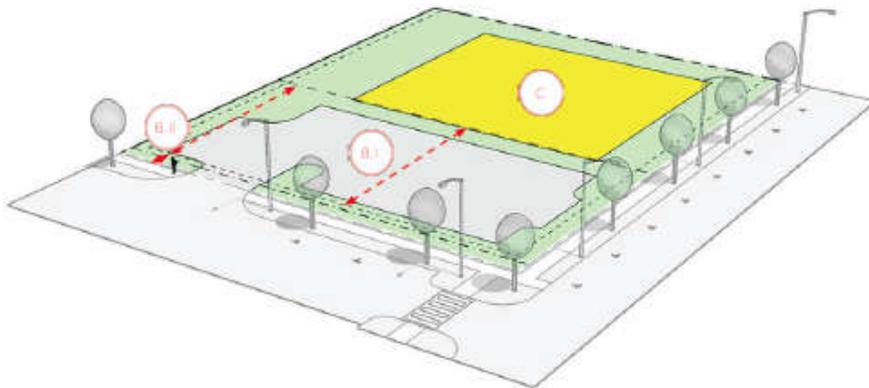


# FRONTAGE C – AUTOMOBILE CORRIDOR

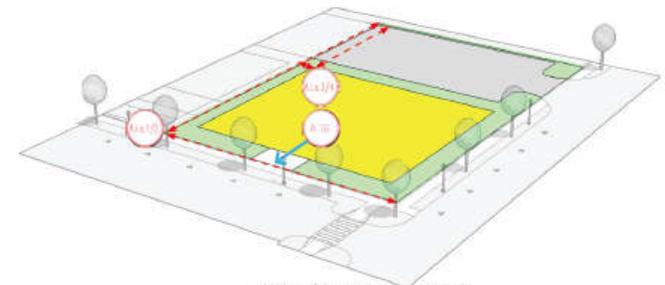
Frontage C Public Component:



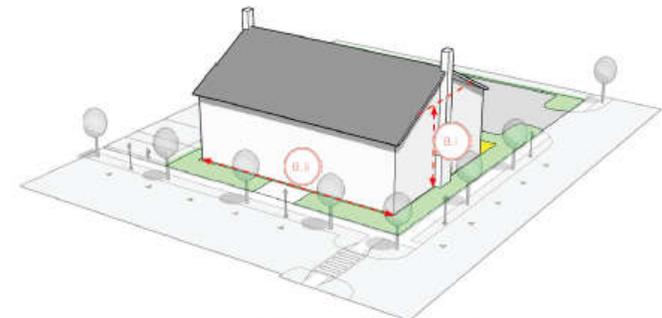
Frontage C Private Component and Building Type Permitted:



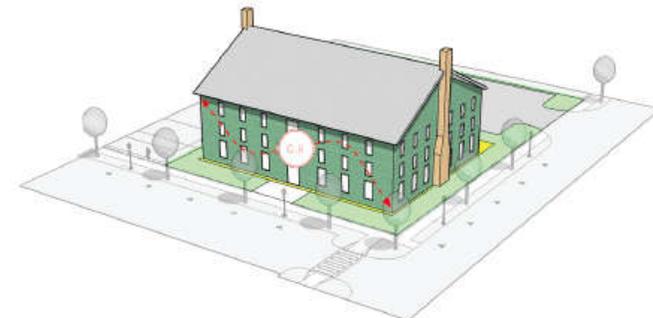
Building Type 2 Building Placement and Orientation:



Building Type 2 Mass and Scale:

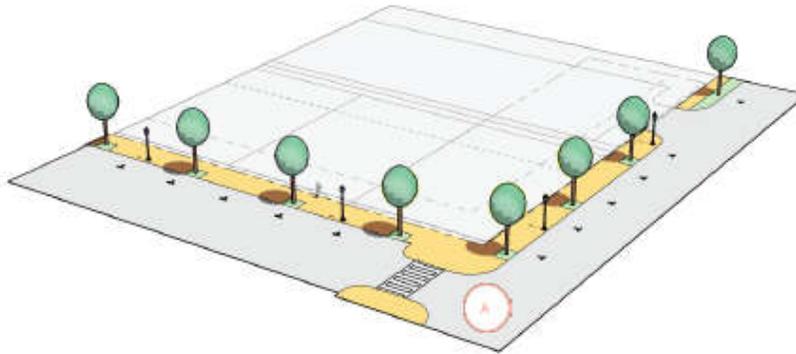


Building Type 2 Facade Activation:

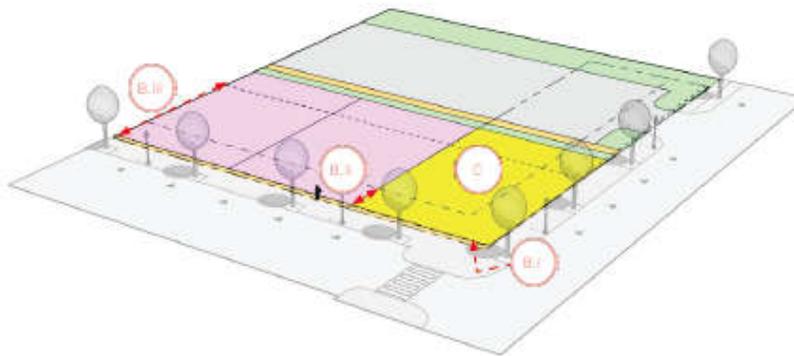


# FRONTAGE D – PEDESTRIAN NODE

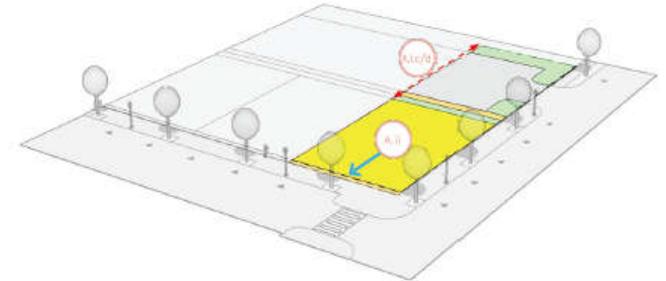
Frontage D Public Component:



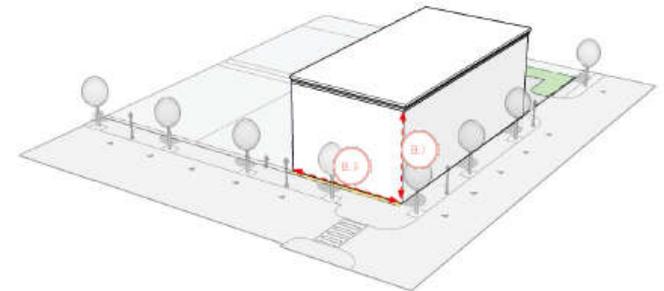
Frontage D Private Component and Building Type Permitted:



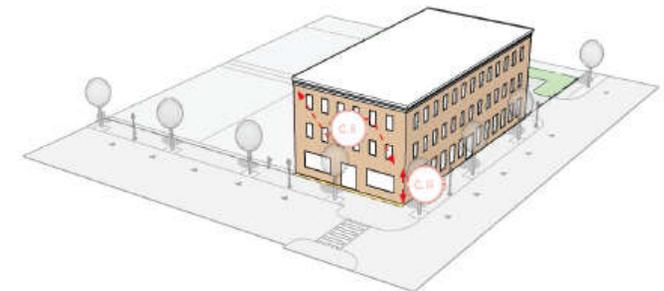
Building Type 3 Building Placement and Orientation:



Building Type 3 Mass and Scale:

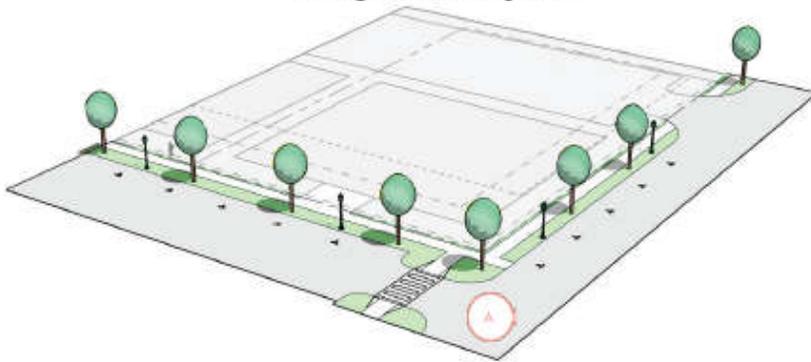


Building Type 3 Facade Activation:

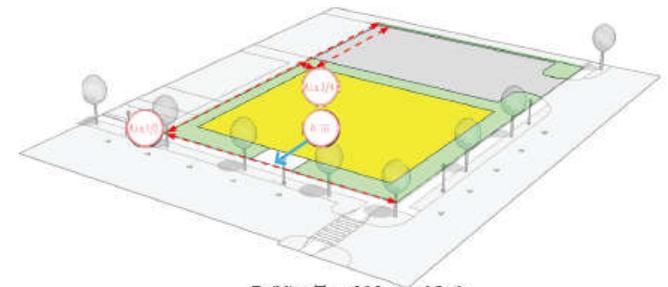


# FRONTAGE E – PEDESTRIAN STREETScape

Frontage E Public Component:



Building Type 2 Building Placement and Orientation:



Building Type 2 Mass and Scale:

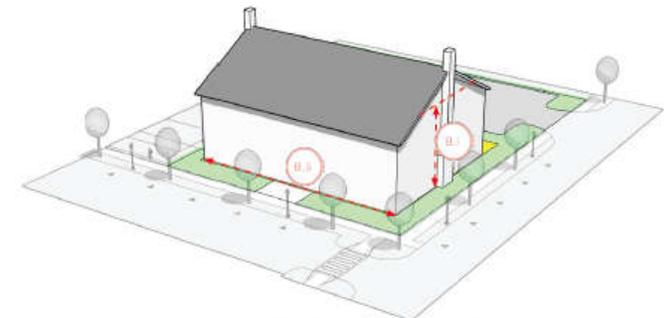
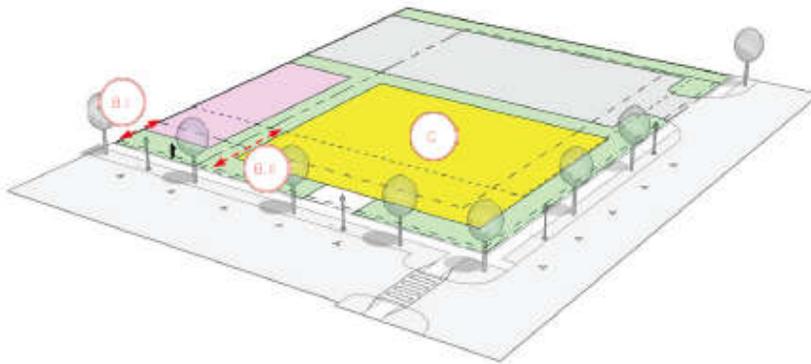
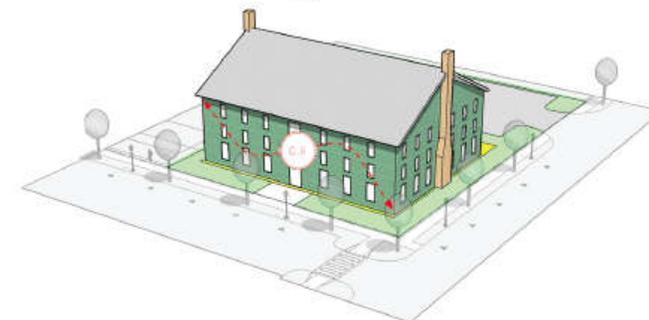


Figure E Private Component and Building Type Permitted:



Building Type 2 Facade Activation:

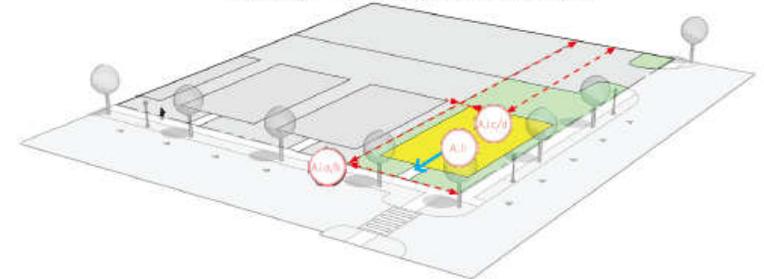


# TRANSITIONAL ZONE

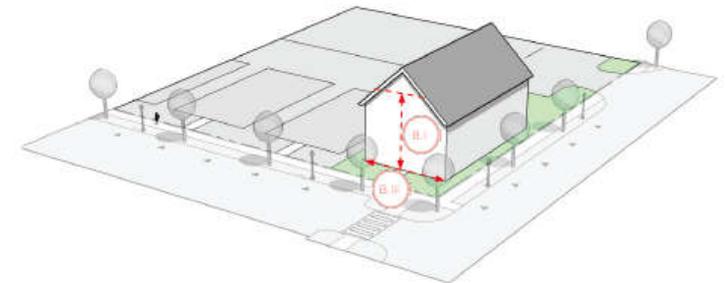
Only building type permitted in Transitional Zone.

Transitional Zones established when abutting single family detached uses and when the blockface across the street from a use is 75% single family detached residential.

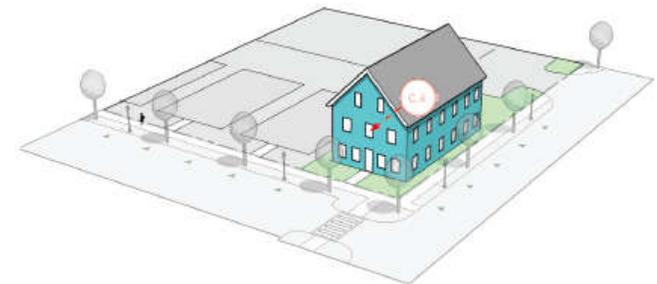
Building Type 4 Building Placement and Orientation:



Building Type 4 Mass and Scale:



Building Type 4 Facade Activation:



## V. CHARACTER STRUCTURES

The Planning Staff identified 32 “character structures” that were built within historic periods of significance along the corridor. These structures either related to the areas history as a manufacturing center in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries within the Mill District or were constructed as part of an economic expansion along the City’s primary highway system in the early to mid 20<sup>th</sup> century. The Architectural Review Board added two structures to the list and made a determination that the structures should be added to the City’s inventory of local historic structures. To be designated, the structure had to of retained its historic integrity. These structures were included in the Area 6 Small Area Plan adopted in February of 2019.

The Creative Maker District is designed to remove zoning obstacles to these structures adaptive reuse. Chapter 7 of the Creative Maker District establishes special rules that may be used to preserve the character structure. Its existing disposition on the site may override the established Private Frontage Standards and the unique characteristics of its architecture may override the Building Type rules as long as the building and the site lines to its historical façade are preserved. These rules are optional. A landowner may, at their discretion, alter the building or remove the building and build anew in accordance with the proposed form based code.

**The next pages contains a map of the designated “character structures”.**



## VI. SIGNS

The Creative Maker District has some of the most unique signage in the City of Fredericksburg. For example, the signage at Carl's (2200 Princess Anne Street) and the 2400 Diner (2400 Princess Anne Street) define the character of the commercial area. However, these signs are substantially out of conformance with today's zoning ordinances.

The proposed ordinance would permit applies a mixture of conventional zoning regulations (ie. sign height, square footage, and locational criteria) with policies that validate the existing signage in the area (ie. permitting limited roof signs, setting a minimum of signage that can be painted on a building by-right, and creating a special exception process with the Board of Zoning Appeals to encourage creative approaches to signage).

The current zoning permits a mix of signage. In the commercial areas, signs are permitted to be between 30 and 100 square feet in size. They are permitted to be between 5 and 20 feet tall.

The Princess Anne Corridor Overlay further restricts signage along Princess Anne Street. The corridor sets a maximum cap of 50 square feet total, limits projecting signs to ten square feet, and limits monument signs to five feet. It limits lettering on sign to between 2 and 12 inches. The Design Guidelines also contain a series of other location, sign type, materials, and illumination standards.

Standard sign regulations would vary by frontage. Signs would remain limited to between 30 / 60 square feet along the D and E frontages and between 75 / 100 square feet along the B and C frontages. Signs along the D and E frontages would be permitted to be 10 feet tall and along the B and C frontages they would be permitted to be 20 feet tall.

Roof signs (similar to the signs at Carl's and 2400 Diner) would be permitted within the Creative Maker District with but would be limited to a total of 125% of the buildings height or twenty feet, whichever is greater. Businesses would be permitted a total of 150 square feet of painted signs on buildings. A new process would be set up to permit the Board of Zoning Appeals to allow exceptions to the sign regulations regarding height and square feet to permit creative signage within the district.

This combination will ensure that signage remains in character with its environment while also permitting innovation.



**MOTION:**

draft 2020 01 24

**SECOND:**

Regular Meeting

Ordinance No. 20-\_\_

**RE:** Amending the Unified Development Ordinance to add the Creative Maker District, and consolidating form-based regulations in a new Appendix 72-A.

**ACTION:** APPROVED; Ayes:0; Nays: 0

**First read:** \_\_\_\_\_ **Second read:** \_\_\_\_\_

It is hereby ordained by the Fredericksburg City Council that City Code Chapter 72, “Unified Development Ordinance,” is amended as follows.

**I. Introduction.**

The purpose of this ordinance is to establish a new zoning district, entitled the “Creative Maker District,” through an amendment of Article 3 of the Unified Development Ordinance and an amendment of the Official Zoning Map. The establishment of the Creative Maker District is a recommendation of the Small Area Plan for Area 6, adopted as an amendment to the Comprehensive Plan by Resolution 19-11 on February 12, 2019. As envisioned by the Comprehensive Plan, the new Creative Maker District will be a “unified” district in at least two respects – it will replace the disparate zoning designations that currently apply to the affected land area, and it will combine the preservation protections of the existing Princess Anne Corridor Overlay District with traditional zoning regulations. Finally, the new Creative Maker District implements the Transect-based approach to zoning as recommended in the Area 6 Small Area Plan.

In adopting this ordinance, City Council finds that the Creative Maker District constitutes an area of unique architectural value located within a “redevelopment” district. The landmarks, buildings, and structures having an important historic, architectural, or cultural interest are set forth in this ordinance, and the new Creative Maker District encompasses these landmarks, buildings, and structures.

The City Council adopted a resolution to initiate this text amendment at its meeting on [date]. The Planning Commission held its public hearing on the amendment on [date], after which it voted to recommend the amendment to the City Council. The City Council held its public hearing on this amendment on [date].

In adopting this ordinance, City Council has considered the applicable factors in Virginia Code § 15.2-2284. The City Council has determined that public necessity, convenience, general welfare and good zoning practice favor the zoning regulation amendment.

## **II. City Code Amendment.**

1. City Code Chapter 1, “General Provisions,” section 1-1, “Designation and citation of this Code,” is amended as follows:

### **Sec. 1-1. Designation and citation of Code.**

The ordinances embraced in this and the following chapters, ~~and~~ sections, *and appendices* shall constitute and be designated the "Code of Ordinances, City of Fredericksburg, Virginia," and may be so cited. Such ordinances may also be cited as the "Fredericksburg City Code."

2. Appendix 72-A, “Form-based Zoning Regulations,” is hereby adopted as an appendix to City Code Chapter 72, the Unified Development Ordinance.
3. City Code Chapter 72, “Unified Development Ordinance,” Section 72-22.8, “Variances, administrative appeals, special exceptions and Zoning Map interpretations,” is amended by adding a new subsection (F) and re-lettering existing (F) and (G), as follows:

### **Sec. 72-22.8 Variances, administrative appeals, special exceptions and Zoning Map interpretations.**

[Subsections A through E are not amended.]

- F. *Review authority and criteria, special exceptions; signs in the Creative Maker District. The Board of Zoning Appeals may hear and decide applications for a special exception from the regulations governing signs in the Creative Maker District.*
1. *(add a number one for section on fences and renumber).*
  2. *The Board of Zoning Appeals may hear and decide applications for a special exception from the regulations governing sign height, setback, and total permitted square feet within the Creative Maker District. The Board may impose such conditions relating to the sign as it may deem necessary in the public interest, Special exceptions may be granted by applying the following criteria:*
    - (a) The sign is no taller than 25 feet.*
    - (b) The sign is a prominent architectural feature of the building on the site, architecturally compatible with neighboring character structures.*
    - (c) The sign is in accordance with the purpose of the frontage and building type for which it is proposed.*
    - (d). The sign is not a standard internally lit box sign.*

[Subsections F and G are re-lettered.]

4. **City Code section 72-30.6, “Zoning districts established,”** is amended as follows:
  - Under the heading, “Nonresidential and Mixed-Use Districts,” add “CM” Creative Maker District;
5. Section 72-32.4, “Commercial-Highway District,” is amended by repealing subsection D, “Form-based regulations.”
6. A new section 72-32.7, “Creative Maker District,” is added, as follows:

***Sec. 72-32.7. Creative Maker District.*** *The Creative Maker District is governed by Appendix 72-A which is incorporated into this Chapter.*

7. **Section 72-35, “Form-Based Regulations,”** is hereby repealed.
8. **Table 72-40.2: Use Table,** is amended to add a column for the Creative Maker District as follows:

		Nonresidential and Mixed-Use Districts
		<i>Creative Maker</i>
<b>Residential Use</b>		
Household Living	Dwelling, Duplex	<i>P</i>
	Dwelling, Live/Work	<i>P</i>
	Dwelling, Mobile Home	•
	Dwelling, Multifamily	<i>P</i>
	Dwelling, Single-Family Attached	<i>P</i>
	Dwelling, Single-Family Detached	<i>P</i>
	Dwelling, Upper Story (over nonresidential)	<i>P</i>
Group Living	Convent or Monastery	•
	Dormitory	•
	Fraternity or Sorority	•
	Group Home	•
	Institutional Housing	•
<b>Institutional Uses</b>		
Community Services	Art Center and Related Facilities	<i>P</i>
	Community Center	<i>P</i>
	Cultural Facility	<i>P</i>
	Library	<i>P</i>
	Museum	<i>P</i>
	Social Service Delivery	<i>S</i>
Day Care	Adult Day-Care Center	<i>P</i>
	Child-Care Center	<i>P</i>
	Family Day Home (1-5 Children)	•
	Family Day Home (6-12 Children)	•
Educational Facilities	College or University	<i>P</i>
	School, Elementary	<i>S</i>

	School, Middle	<i>S</i>
	School, High	<i>S</i>
	Vocational or Trade School	<i>P</i>
Governmental Facilities	Courthouse	•
	Governmental Facility	<i>P</i>
	Governmental Office	<i>P</i>
	Post Office	<i>P</i>
Health Care Facilities	Hospital	<i>S</i>
	Medical Laboratory	<i>P</i>
	Medical Treatment Facility	<i>P</i>
Institutions	Assisted Living Facility	<i>S</i>
	Auditorium, Conference, and Convention Center	<i>P</i>
	Club or Lodge	<i>P</i>
	Continuing Care Retirement Community	•
	Nursing Home	•
	Religious Institution	<i>P</i>
Parks and Open Areas	Cemetery, Columbarium, Mausoleum	•
	Arboretum or Garden	<i>P</i>
	Community Garden / Gardening, Noncommercial	<i>P</i>
	Community Garden / Gardening, Commercial	<i>P</i>
	Park, Playground, or Plaza	<i>P</i>
	Swimming Pool (public or private)	<i>P</i>
Public Safety	Fire/EMS Station	<i>S</i>
	Police Station	<i>S</i>
Transportation	Airport	•
	Heliport	•
	Passenger Terminal (surface transportation)	<i>P</i>
Utilities	Data Center	<i>S</i>
	Small Data Center	<i>P</i>
	Small Cell facility, Co-Location	<i>P</i>
	Solar Array	<i>P</i>

	Telecommunication Facility, Structure	<i>P</i>
	Telecommunication Facility, Collocation	<i>P</i>
	Telecommunication Facility, Tower	•
	Utility, Major	•
	Utility, Minor	<i>P</i>
<b>Commercial Uses</b>		
Adult Establishments	All	•
Agriculture	Agritourism	•
Alcoholic Beverage Production	Microbrewery	<i>P</i>
	Local - Brewery, Winery or Distillery	<i>P</i>
	Regional - Brewery, Winery, or Distillery	<i>S</i>
Animal Care	Animal Grooming	<i>P</i>
	Animal Shelter/Kennel	<i>P</i>
	Veterinary Clinic	<i>P</i>
Eating Establishments	Bakery	<i>P</i>
	Restaurant, Fast-food	<i>P</i>
	Restaurant, Indoor and Outdoor Seating	<i>P</i>
	Specialty Eating Establishment	<i>P</i>
Offices	Business and Professional Services	<i>P</i>
	Medical and Dental	<i>P</i>
Parking	Parking Garage	<i>P</i>
	Parking Lot (commercial)	<i>P</i>
Recreation, Indoor	Fitness Center	<i>P</i>
	Recreation, Indoor	<i>P</i>
	Theater	<i>P</i>
Recreation, Outdoor	Arena or Stadium	•
	Fairgrounds	•
	Golf Course	•
	Marina	•
	Recreation, Outdoor	<i>P</i>
Retail Sales and Services	Artist Studio	<i>P</i>
	Auction House	<i>P</i>

	Convenience Store (with gasoline sales)	<i>S</i>
	Convenience Store (without gasoline sales)	<i>P</i>
	Crematorium	•
	Financial Institution	<i>P</i>
	Funeral Home	<i>P</i>
	Gasoline Sales	<i>S</i>
	Grocery Store	<i>P</i>
	Historic Dependency Limited Office/Retail	•
	Laundromat	<i>P</i>
	Lumber/Building Materials	<i>P</i>
	Open-Air Market	<i>P</i>
	Personal Services Establishment	<i>P</i>
	Pharmacy	<i>P</i>
	Plant Nursery	<i>P</i>
	Repair Service Establishment	<i>P</i>
	Shopping Center	<i>P</i>
	Retail Sales Establishment	<i>P</i>
	Tattoo/Piercing Establishment	<i>S</i>
Seasonal Event	All	<i>S</i>
Vehicle Sales and Service	Automotive Sales and Rental, Large	<i>S</i>
	Automotive Sales and Rental, Small	<i>S</i>
	Automotive Service	<i>S</i>
	Automobile Towing and Impoundment	•
	Car Wash	<i>P</i>
Visitor Accommodations	Bed-and-Breakfast Inn	<i>P</i>
	Historic Dependency Lodging	<i>P</i>
	Hotel or Motel	<i>P</i>
<b>Industrial Uses</b>		
Industrial Services	Commercial Laundry	<i>S</i>
	Contractor Office	<i>P</i>
	Equipment Rental and Sales	<i>S</i>
	General Industrial Service/Repair	<i>P</i>
	Research and Development	<i>P</i>

Manufacturing	Abatoir	•
	Manufacturing, Heavy	•
	Manufacturing, Light	<i>P</i>
Warehousing and Storage	Bulk Storage	•
	Outdoor Storage	<i>S</i>
	Self-Service Storage	•
	Freight Terminal	<i>S</i>
	Warehouse	<i>P</i>
Waste Related	Incinerator	•
	Recycling Center	•
Wholesale	Wholesale Sales	<i>P</i>

9. Table 72-42.5: “Table of Common Accessory Uses,” is amended to add columns for the Creative Maker District, as follows:

<b>Table 72-42.5: Table of Common Accessory Uses</b>		
P = Allowed by right      S = Special use permit required      blank cell = prohibited		
Accessory Use	Zoning District	
	<i>Creative Maker T-4M Trancsect</i>	<i>Creative Maker T-5M Trancsect</i>
Amateur Radio Antennas	<i>P</i>	<i>P</i>
Cemetery	•	•
Drive-Through	<i>S</i>	<i>P</i>
Home Occupation	<i>P</i>	<i>P</i>
Homestay	<i>P</i>	<i>P</i>
Outdoor display and sales	<i>P</i>	<i>P</i>
Outdoor storage (as an accessory use)	<i>S</i>	<i>P</i>
Parking of heavy trucks, trailers, major recreational equipment, etc.	•	•
Satellite dishes	<i>P</i>	<i>P</i>
Solar energy equipment	<i>P</i>	<i>P</i>

Temporary family health care structure	P	P
--	---	---

10. **Section 72-52.2, “Vehicular ingress/egress (driveways),”** is amended as follows:

[Subsections A and B are not amended.]

C. Nonresidential driveways.

(1) Driveways for nonresidential uses shall not exceed 50 feet in width at the curblineline or more than 35 feet at the front lot line.

(2) One-way driveways shall have a minimum width of 15 feet, and two-way driveways shall be at least 24 feet wide, unless the Virginia Statewide Fire Prevention Code requires wider access. *In the Creative Maker District, two-way nonresidential driveways on lots less than 75 feet wide shall be at least 12 feet wide, and shall have a maximum width of 24 feet.*

(3) Commercial driveway pavement shall conform to Figure 72-52.1B.

(4) Curb cuts shall conform to §72-52.1B(4).

(5) Commercial driveway lighting shall conform to §72-52.1B(7).

11. **Table §72-55.4D, “Buffer Type Application,”** is amended as follows:

Table § 72-55.4D: Buffer Type Application

A = Type A Buffer    B = Type B Buffer    C = Type C Buffer    D = Type D Buffer

N/A = Not Applicable (No Buffer Required)

Zoning Classification of Proposed Development Site	Zoning Classification of Adjacent Property						
	R-2; R-4	R-8; R-12; PD-R	R-16; R-30; PD-MU	C-T; C-D <i>CM T-4M Transect</i>	C-SC; PD-C; PD-MC	C-H; I-1; <i>CM T-5M Transect</i>	I-2
R-1; R-2; R-4	N/A	N/A	B	C	D	D	D
R-8; R-12; PD-R	N/A	N/A	A	B	C	D	D
R-16; R-30; PD-MU	B	A	N/A	A	B	C	D
C-T; C-D; <i>CM T-4M Transect</i>	C	B	A	N/A	A	B	D
C-SC; PD-C; PD-MC	D	C	B	A	N/A	A	D
C-H; I-1; <i>CM T-5M Transect</i>	D	D	C	B	A	N/A	C
I-2	D	D	D	D	D	C	N/A

NOTES:

[1] Letters in cells correspond to the buffer types depicted in Table 72-55.4C, Buffer Types.

[2] The General Development Plan in a planned development district may propose an alternative buffer, including an exception to buffer requirements between uses within the boundaries of the PD District.

12. Section 72-56.2: “Height standards,” is amended as follows:

**Sec. 72-56.2. Height standards.**

- A. All fences and walls shall conform to the standards in Table 72-56.2 Fence and Wall Height. In all cases, heights are measured from established grade on the highest side of the fence or wall (see Figure 72-56.2, Fence and Wall Location.)

Table 72-56.2: Fence and Wall Height (effective [date])		
Zoning district	Location	Maximum height
Residential	Any location on a vacant lot	48"
Residential Commercial Planned Development <i>Creative Maker</i>	Between a front lot line and the front of the principal building	48"
	Within a secondary front yard	48"
	Any other location on the lot	72"
Industrial	Between the front lot line and the front of the principal building	72"
	Within a secondary front yard	72"
	Any other location on the lot	96"
Any zoning district	Within a sight triangle	40"

- B. The following exceptions to the general height regulations apply to corner and through lots:

Zoning district	Location	Special Circumstance	Maximum Height
Residential Commercial Planned Development <i>Creative Maker</i>	Secondary front yard	The secondary front yard abuts a primary front yard of another lot.	72" if the fence is no closer to the secondary front property line than the front of the abutting principal structure.
		The secondary front yard abuts the secondary front yard of another lot.	72"
		An accessory structure is located within the secondary front yard.	72" if the fence is no closer to the secondary front lot line than any side of the accessory structure

- C. The Zoning Administrator may approve fences or walls exceeding six feet in height in any side or rear yard in a residential, commercial, *Creative Maker*, or planned zoning district, if the adjacent property is in a nonresidential district, or if there are unique topographic or other physical circumstances on the property that were not created by the property owner. The Zoning Administrator may condition approval on a prescribed setback from the property line.

13. Section 72-56.4, "Fence materials," is amended as follows:

**Sec. 72-56.4. Fence materials.**

No barbed wire, razor wire, or similar fence material is permitted in a residential, planned development, or commercial zoning district or on a lot containing or adjacent to a residential use. *No chain link, wire, unpainted cinder block, non-paintable plastic, or barbed wire are permitted in the Creative Maker District.*

14. Section 72-59.4, "Prohibited signs," is amended as follows:

**Sec. 72-59.4. Prohibited signs.**

All signs and sign structures that are not specifically exempted or permitted by §72-59 are prohibited, specifically including:

[A through M are not amended.]

N. Roof signs, *except as permitted in the Creative Maker District under §72-59.7.*

[O through S are not amended.]

15. Section 72-59.6, "Sign regulations by type of sign: building-mounted and freestanding," is amended as follows:

**Sec. 72-59.6. Sign regulations by type of sign: building-mounted and freestanding.**

[Subsections A and B are not amended. A new subsection C, “Form Based Districts,” is added.]

(1) Building-mounted signs are permitted as follows:

<b>Building-Mounted Signs</b>	
<b>Zoning District</b>	<b>Creative Maker District</b>
<b>Maximum area</b>	1.5 square feet per linear foot of building front (up to 200 square feet per building side)
<b>Illumination</b>	Yes
<b>Maximum projection</b>	42 inches from wall
<b>Minimum clearance if projecting more than 6 inches</b>	8 feet above pedestrian travel way, 15 feet above vehicle travel path
<b>Other</b>	Each building containing a commercial use in C-D may have additional building-mounted signage advertising off-premises nonresidential uses, of up to 4 square feet per off-premises use and up to 16 square feet total.

(2) Freestanding signs are permitted as follows:

	<i>Maker Frontage B-C</i>	<i>Maker Frontage D-E</i>
<b>Maximum Number</b>		
Per parcel per street frontage	1	1
Per gasoline sales use	1	1
Per major entrance to an office park or retail center	1	1
Per major entrance to a shopping center	1	1
Per major entrance to a neighborhood	1	1
Flagpole per parcel	1	1
<b>Maximum Sign Area (square feet)*</b>		
For each sign adjacent to a public street right-of-way > 70 feet	100	40

	<i>Maker Frontage B-C</i>	<i>Maker Frontage D-E</i>
For each sign adjacent to a public street right-of-way $\leq$ 70 feet	75**	30**
For gasoline sales uses	25	25
For major entrances listed above, adjacent to a public street right-of-way $>$ 70 feet	100	60
For major entrances listed above, adjacent to a public street right-of-way $\leq$ 70 feet	75	40
*flag area counts toward maximum sign area.		
** signs painted on the building façade in the Maker District may exceed this sign area in conjunction with § 72-59.6.C.3.		
<b>Maximum Height (feet)**</b>		
General	20	10
For major entrances listed above, adjacent to a public street right-of-way $>$ 70 feet	20	10
For major entrances listed above, adjacent to a public street right-of-way $\leq$ 70 feet	20	8
*** permitted flagpole height is equal to maximum permitted building height as defined by Article III.		
<b>Illumination</b>		
For each sign adjacent to a public street right-of-way $>$ 70 feet	Yes	Yes
For each sign adjacent to a public street right-of-way $\leq$ 70 feet	Yes	Yes
<b>Other</b>		
Two signs are permitted for each stacking lane of an accessory drive-through use. The signs shall not be included in calculating the number of freestanding signs or in calculating the total aggregate sign area. One sign is limited to six feet in height and 30 square feet in area. One sign is limited to six feet in height and 15 square feet in area. Signs shall be installed within 10 feet of the drive-through lane.		

(3) *Additional rules for Creative Maker Districts:*

(a) *Roof signs are permitted in the Creative Maker District in accordance with the following:*

(i) *Roof signs are only permitted along Frontages B, C, and E*

(ii) *The roof sign shall be no taller than 25% of the height of the existing building or twenty feet, whichever is greater.*

(iii) *The roof sign shall count as “building signage” and, together with other building signs, shall not exceed the established square foot limits.*

(b) *Building signage painted onto the façade of the building may exceed the building-mounted signage square foot limits ascribed in § 72-59.6.A.1 in accordance with the following:*

(i) *The painted sign may sign may be 150 total square feet or the maximum amount of building-mounted signage permitted under § 72-59.6.A.1, whichever is greater.*

(ii) *Painted signage shall count towards the total permitted building-mounted signage. If additional building-mounted signage is proposed, then together, the signs shall not exceed the total amount of building-mounted square feet permitted under § 72-59.6.A.1.*

(c) *Electronic variable message signs are prohibited in the Creative Maker Districts.*

(d) *The Board of Zoning Appeals may bear and decide applications for a special exception from the regulations governing sign height and total permitted square feet within the Creative Maker District. The special exception shall be reviewed in accordance with the criteria set forth in § 72-22.8.*

16. City Code section 72-84, “Definitions,” is amended to add the italicized language and delete the language shown in strikethrough, as follows:

#### BUILDING FRONT

That one face or wall of a building architecturally designed as the front of the building, which normally contains the main entrance for use by the general public. *Within Form Based Codes, the building front is the elevation parallel to the most prominent frontage.*

#### BUILD-TO ZONE

The area of the lot where the building front is required to be located. Build-to Zones consist of:

- minimum and maximum setbacks;
- a required percentage of the primary façade that must be within those setbacks; and
- a percentage of the length of the Build-to Zone that must be occupied by building fronts.

The percentage is measured parallel to the street.

EXTERNAL PROPERTY LINE

A property line that abuts land outside the Development Site that is not included in a frontage. This term is used in the Form Based Code Appendix.

INTERNAL PROPERTY LINE

A property line that divides land within the Development Site that is not included within a frontage. This term is used in the Form Based Code Appendix.

TRANSPARENCY

The percentage of ~~windows and doors that cover~~ the façade of a building adjacent to a street or formal open space *that consists of windows and doors*. In order to be considered transparent, windows ~~and doors~~ must be clear and allow views inside the ground-story space to a depth of three feet *and doors must be operable.*”

**SEC. III. Effective Date.**

This ordinance is effective \_\_\_\_\_.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

Approved as to form:

\_\_\_\_\_  
Kathleen Dooley, City Attorney

\*\*\*\*\*

*Clerk's Certificate*

*I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Ordinance No. 20 - duly adopted at a meeting of the City Council meeting held Date, 2020 at which a quorum was present and voted.*

---

**Tonya B. Lacey, CMC**  
**Clerk of Council**

UNIFIED DEVELOPMENT ORDINANCE  
APPENDIX 1

FORM BASED CODES:  
T-5C Commercial Highway and  
T-4M and T-5M Creative Maker District

March 03, 2020

## WHAT IS A FORM-BASED CODE?

1. Form-based regulations foster predictable results and a high-quality public and semi-public realm by prescribing the physical form of buildings and other elements, addressing the relationships between buildings to one another, and the scale and types of streets and open spaces. While form-based regulations primarily control physical form, they can also include provisions to allow only certain uses carefully chosen to maintain compatibility between uses and the intended physical form of the zone.

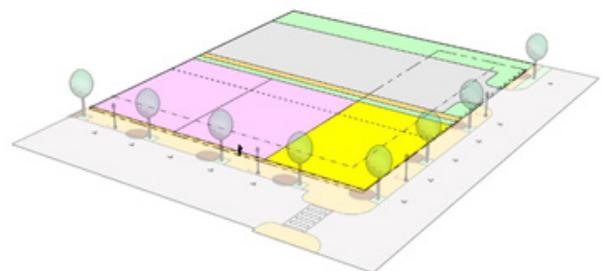
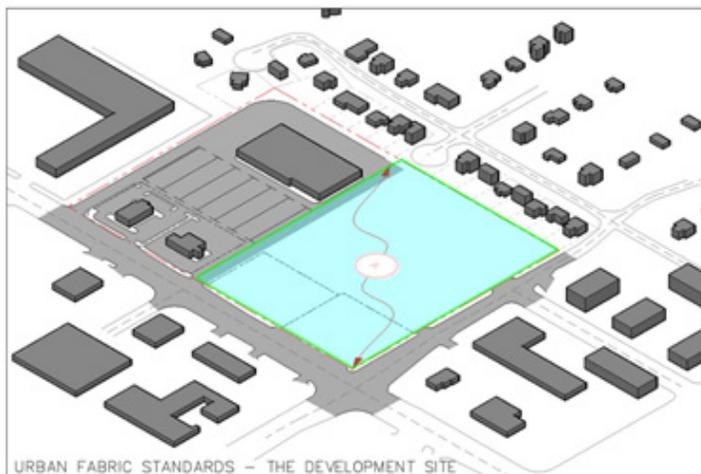
Transect designations are the organizing principle for the City's form-based regulations. The "transect" is a graphic representation of the prescribed character, intensity and physical forms allowed in a specific area. Transects represent the spectrum of intensity and complexity of form and use. Form-based regulations contained in this appendix are calibrated to fit their prescribed transect designations, and are keyed to frontage, building type and other form-based tools that designate the appropriate form and scale (and therefore character) of development, rather than simply limit the uses allowed in a given area.

2. For any development subject to form-based zoning regulations, the landowner or applicant will find the following sequence of steps useful:

- a. Define the development site and the character of the project;
- b. Identify the zoning district of the development site;
- c. Identify the transect designation of the development site;
- d. Check the zoning district regulations to see if form-based code provisions apply for the proposed type of development, in the transect designation, and in that zoning district.
- e. Identify the Urban Fabric Standards associated with the Transect Designation to properly identify how the site fits into the surrounding community;
- f. Identify the Frontage Designation on the Frontage Map to define the proposed development's relationship to the street;
- g. Identify the permitted Building Type listed in the Frontage Designation to define the position and activation of the building's architecture.
- h. Check the Architectural Compatibility section to identify whether any additional architectural design guidelines apply.

3. Form-based regulations utilize diagrams and charts which together regulate the development of a property. Features of each diagram may be annotated by numbered symbols, dimensions, or arrows. The numbering within the symbol corresponds to either the section of the code or the portion of an adjacent chart that is being illustrated.

Examples of form-based diagrams:



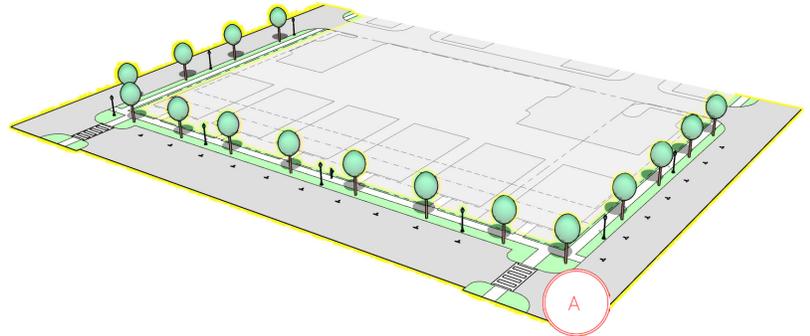
## FRONTAGE STANDARDS AND FRONTAGE MAP

1. Frontages shall create the form and fabric of the development and the public realm. Frontages create an active, attractive, and safe public and semi-public edge where the development site abuts a street. In addition, frontages interior to the site shall produce a connected environment through the site, enlivening the development's internal connections and spaces. The Frontage Maps in this section are adopted by the City Council through the Zoning Map Amendment process. The Frontage Map specifies the appropriate streetscape, disposition of the front yard, and general building placement for different areas within the zoning district.

2. Frontages are composed of three basic elements: the Public Component, Private Component, and a Building Type Permitted column:

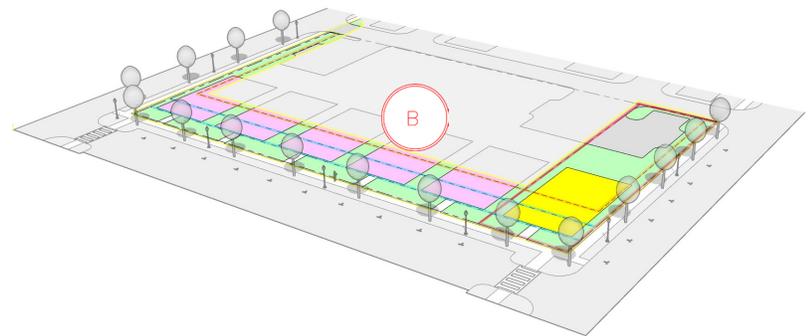
A

The Public Component (generally indicated by the A symbol) consists of the land and elements between the center line of the street and the public right-of-way or street easement line (also referred to as the “streetscape”).



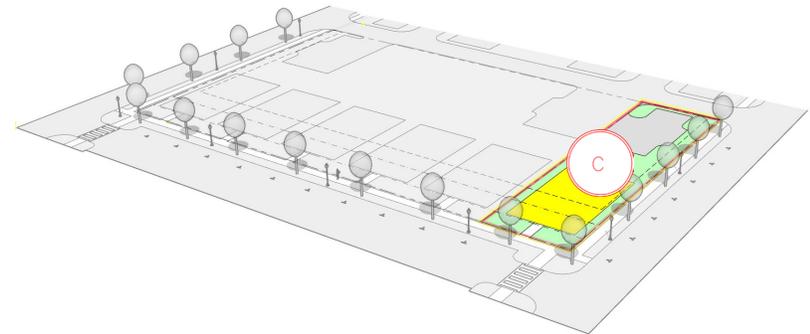
B

The Private Component (generally indicated by the B symbol) consists of the yards, building placement tools, and parking lot placement tools on private property.



C

The Building Type Permitted column (generally indicated by the C symbol) identifies which Building Types are permitted along the frontage. Building Type standards, defined in the next section, control lot standards and setbacks, building orientation, mass and scale, and activation of the building facade.

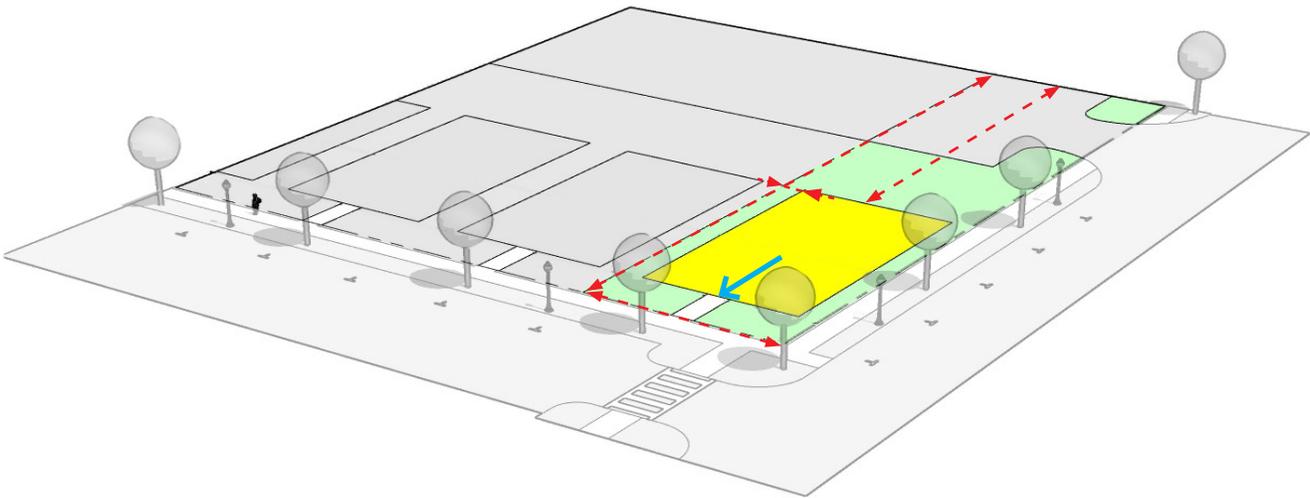


## BUILDING PLACEMENT AND TYPE STANDARDS

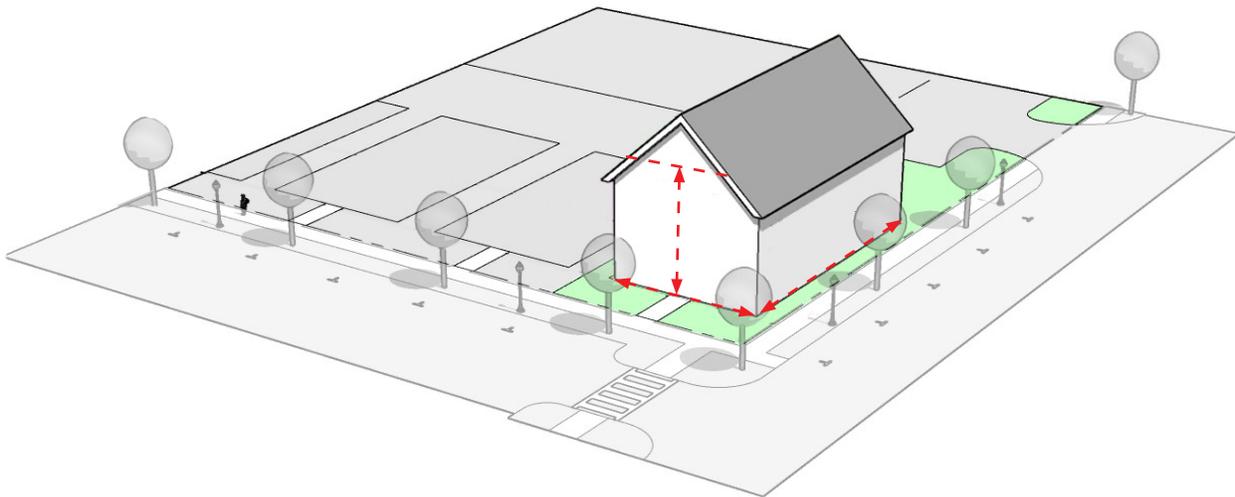
1. Building Types are assigned by Frontage Type. The only Building Type permitted within a lot is that permitted within its assigned Frontage. Additionally, Building Type 4 is the only Building Type permitted within any Transitional Zone required by the Urban Fabric Standards

2. Building Type and Placement Standards focus on the architectural planning of the building to complete the built form. The standards activate street frontages and other public open spaces. The standards also ensure that the form of the development transitions appropriately in mass, scale, and intensity towards adjacent land uses and transects:

- a. Building Placement and Orientation standards govern the required lot parameters and required setbacks associated with each building type. Front setbacks are set as part of the frontage type Build-to Zone. Building Orientation governs the direction the building faces and whether or not it may front onto a Formal Open Space to ensure the building remains an active and functional part of the streetscape.

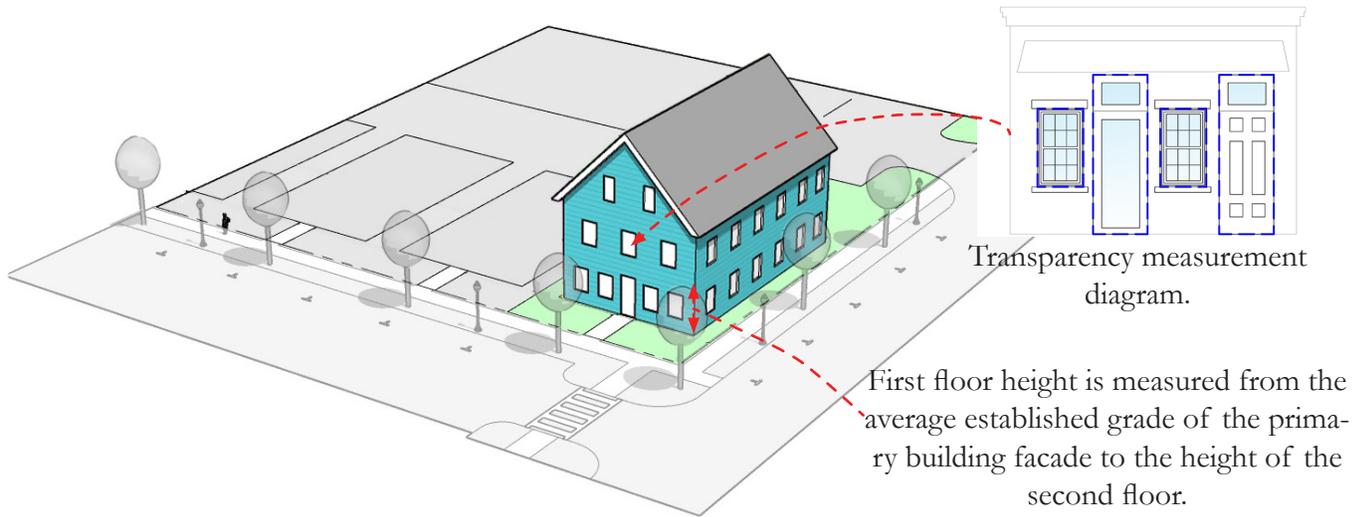


- b. Building Mass and Scale standards regulate the shape of the building. Mass and Scale Standards set the maximum height, floorplate, and width of the building. Any building width criteria shall measure each single-family attached building individually.



c. Façade Activation standards govern the characteristics of the building's street-facing elevations. Entrance location and frequency standards facilitate access into a building from the street. Transparency standards require a minimum amount of openings within the façade. Standards for the first floor of buildings ensure that commercial use may be accommodated within a building in areas with high pedestrian activity. Appropriate transparency provides eyes on the street to ensure a community is safe and conducive to walking. An active walkable community has health benefits and reduces a land use's impacts on automobile infrastructure.

- i. On corner buildings, each street facing elevation shall meet minimum total façade transparency. First floor transparency minimums shall only be required along the building front.



### **CHARACTER STRUCTURES: FRONTAGE AND BUILDING TYPE APPLICABILITY**

1. Character Structures are those structures identified in an adopted Small Area Plan as contributing to the character of designated historic corridors or centers within the City. Character Structures are also shown on the official frontage maps. In order to prioritize the preservation of these structures, they shall not be subject to the Private Component requirements along a frontage. Instead, the Building Type rules established in the Character Structures and Architectural Compatibility section of this appendix may govern alterations or additions to those structures on a site.

## CHAPTER 1: GENERAL PROVISIONS

### 1-1. General provisions.

- A. This Code is an appendix to Chapter 72 of the Fredericksburg City Code, the Unified Development Ordinance and forms a part of that Chapter. This Code is adopted under the authority granted in Code of Virginia 15.2-2280 et seq. as an exercise of the City’s zoning authority. This Code was adopted by City Council as Ordinance 20-\_\_ on [date].
- B. Form-based regulations; transects.
  - i. Form-based regulations foster predictable results and a high-quality public and semi-public realm by prescribing the physical form of buildings and other elements, addressing the relationships between buildings to one another, and the scale and types of streets and open spaces. While form-based regulations primarily control physical form, they can also include provisions to allow only certain uses carefully chosen to maintain compatibility between uses and the intended physical form of the zone.
  - ii. Transect designations are the organizing principle for the City’s form-based regulations. The “transect” is a graphic representation of the prescribed character, intensity and physical forms allowed in a specific area. Transects represent the spectrum of intensity and complexity of form and use. Form-based regulations contained in this appendix are calibrated to fit their prescribed transect designations, and are keyed to frontage, building type and other form-based tools that designate the appropriate form and scale (and therefore character) of development, rather than simply limit the uses allowed in a given area.
- C. For any development subject to form-based zoning regulations, the landowner or applicant will find the following sequence of steps useful:
  - i. Define the development site and the character of the project;
  - ii. Identify the transect designation of the development site;
  - iii. Identify the zoning district of the development site;
  - iv. Check the zoning district regulations to see if form-based code provisions apply for the proposed type of development, in the transect designation, and in that zoning district.
- E. Form-based regulations utilize diagrams and charts which together regulate the development of a property. Features of each diagram may be annotated by numbered symbols, dimensions, or arrows. The numbering within the symbol corresponds to either the section of the code or the portion of an adjacent chart that is being illustrated.
- F. This Code applies to the use and development of land:
  - i. Included in the Transect Regulating Plan, dated May 30, 2018, adopted by City Council on January 22, 2019 by Ordinance 19-01, or included in the “Transect Regulating Plan – Area 6,” dated April 9, 2019, adopted by City Council on July 9, 2019 by Ordinance 19-28 as amendments to the Official Zoning Map; or
  - ii. Designated as the “Creative Maker District,” on the Official Zoning Map.
- G. No land, building, or structure shall be used, developed, constructed, improved, or altered unless such actions or activities are in compliance with the provisions of this Code, except as may be allowed under Chapter 8, Optional Forms of Development, and with all other applicable City, state, and federal laws and regulations.
- H. Unless expressly provided otherwise, any provision of this Code that conflicts with another provision of the Unified Development Ordinance or other applicable ordinance or regulation shall be deemed to control to the extent of such conflict. Except as provided herein, City Code Chapter 72 shall govern the use and development of land in the districts set out in this Code.
- I. The provisions of this Code shall be severable, and in the event one or more of the provisions of this Code shall be adjudged to be invalid or unenforceable, the validity and enforceability of the remaining provisions shall not in any way be affected or impaired by such adjudication.

## CHAPTER 2 FORM-BASED ZONING DISTRICTS.

2-1 Form-based zoning districts.

### A. Creative Maker District (CM).

#### i. Purpose.

- a. The purpose of the Creative Maker District is to foster the redevelopment of commercial corridors where existing development is characterized by the T-4M and T-5M transects, and where future development will be characterized primarily by redevelopment and infill opportunities. This district reduces barriers for both small scale entrepreneurs and larger companies looking to start and expand businesses along commercial corridors.
- b. The Creative Maker District balances the preservation of areas of unique architectural value, the stabilization of existing walkable urban nodes, and the need for meaningful open spaces, with the need for automobile circulation, storage, and access along important economic corridors. The district uses form-based regulations to govern the built environment in support of this purpose.
- c. The Creative Maker District permits a mix of residential and commercial uses, including light manufacturing, in order to create an environment where people can live, work, and create all within a pedestrian-scaled environment that transitions appropriately to surrounding residential neighborhoods.
- d. This district implements the City's authority to provide for the preservation of areas of unique architectural value located within a redevelopment district, under Virginia Code §15.2-2306. The primary period of significance for the Creative Maker District is linked to the City's boom at the expansion of the highway system in the mid-20th century; but the district also includes buildings from the late 19th and early 20th centuries, that contribute to the character of the district.

#### ii. Residential and commercial density.

Standard	T4-M	T5-M
Residential Density, Maximum	8 du/ac. by right	12 du/ac. by right
	The City Council may approve an increase in residential density levels by special use permit upon finding such increase achieves the purpose and intent of this district.	The City Council may approve an increase in residential density levels by special use permit upon finding such increase achieves the purpose and intent of this district.
Nonresidential FAR, Maximum	0.7 by right	0.7 by right
	1.5 by special use permit	3.0 by special use permit

#### iii. Special considerations for special use permits. In reviewing an application for a special use permit in the Creative Maker District, City Council may consider the following, in addition to the criteria set out in section 72-22.6:

- a. Application proposes the restoration of a character structure;
- b. Application proposes a mixed use development, with at least 20% of the total gross floor area in residential use and at least 20% of the total gross floor area in nonresidential use.
- c. Application proposes double the amount of general or formal open space required.
- iv. Dimensional standards. The Creative Maker District uses form-based regulations to govern lot area, lot width, setbacks (yards), open space, and building heights. The form-based regulations set forth in this Code shall apply to all development in this district.
- iv. Design review required. The provisions of Chapter [7] of this Code shall apply to new construction and exterior alterations to a principal or accessory building or structure visible from the public right-of-way, not including alleys, or from public land, in the Creative Maker District.
- v. Within the T-4M Transect, service of alcoholic beverages under an ABC retail on-premises license is

permitted only as a special use.

B. T-5C Form Based Regulations.

- i. The purpose of the T-5C Form Based Regulations is to foster the retrofit and redevelopment of automobile-oriented large-scale suburban and strip-mall shopping centers into mixed use nodes with a walkable urban fabric through good planning principles. The form-based regulations are intended to implement the “T-5C Corridor” designations within the Commercial-Highway Zoning District.
- ii. The T-5C Form Based regulations shall apply to any application for residential use, either alone or as part of a mixed use on land included in the Transect Regulating Plan, dated May 30, 2018, adopted by City Council on January 22, 2019 by Ordinance 19-01, or included in the “Transect Regulating Plan – Area 6,” dated April 9, 2019, adopted by City Council on July 9, 2019 by Ordinance 19-28 as amendments to the Official Zoning Map. Such developments shall be subject to the standards of this Code as well as all other applicable base and overlay zoning district standards in Chapter 72 of the City Code.
- iii. Urban fabric standards transform the organization of land from expanses of asphalt parking lots, commercial driveways, and separated single-use developments into a network of streets and blocks that include formal open spaces, mixed uses, and transitional zones. The retrofit of aging, inefficient surface parking lots into vibrant mixed-use nodes will minimize infrastructure costs and environmental impacts by promoting compact, mixed-use, infill development that links with existing traditional neighborhood areas and districts.
- iv. Frontage standards promote the evolution of the City’s existing shopping-center-oriented corridors into a more safe, harmonious, and attractive environment through the definition and activation of the public realm between the street and the building face, the definition and activation of yards and open spaces, and the transition between the development and adjoining uses.
- v. Building type and lot standards complete the built form. Standards, including building orientation, entrance location, overall transparency, first floor height minimums, and maximum building widths, require that the buildings shape the public realm and activate street frontages and other public open spaces. Standards including maximum building heights and widths also ensure that the form of the development transitions appropriately in mass, scale, and intensity towards adjacent land uses and transects.
- vi. Together, the T-5C form-based regulations are intended to ensure that, when residential uses are introduced, aging shopping centers evolve into mixed use nodes comprised of human-scale streets, a clearly-defined building envelope, and public spaces, all of which contribute to creating a safe, comfortable environment with a high standard of living.
- vii. The residential component of a mixed-use development with a residential density exceeding 12 units per acre shall constitute at least 20%, and no more than 80%, of the gross floor area of the development.
- viii. Retail use is only permitted within the Development Site when located within a Building Type 3 and along Frontage Type D.



## CHAPTER 3: TRANSECTS AND TRANSECT MAPS

The transect maps set the official boundaries of each transect and are an extension of the official zoning map. Each map is adopted by the City Council through the Zoning Map Amendment process.

3-1. T-5C Transect Maps. The Transect Regulating Plan showing Area 6 (Figure 1) and the Transect Regulating Plan dated May 30, 2018 showing Area 3 (Figure 2) identify the location of the adopted T-5C transect in the City of Fredericksburg.

Figure 1:

### T-5C Transect Map Small Area 6

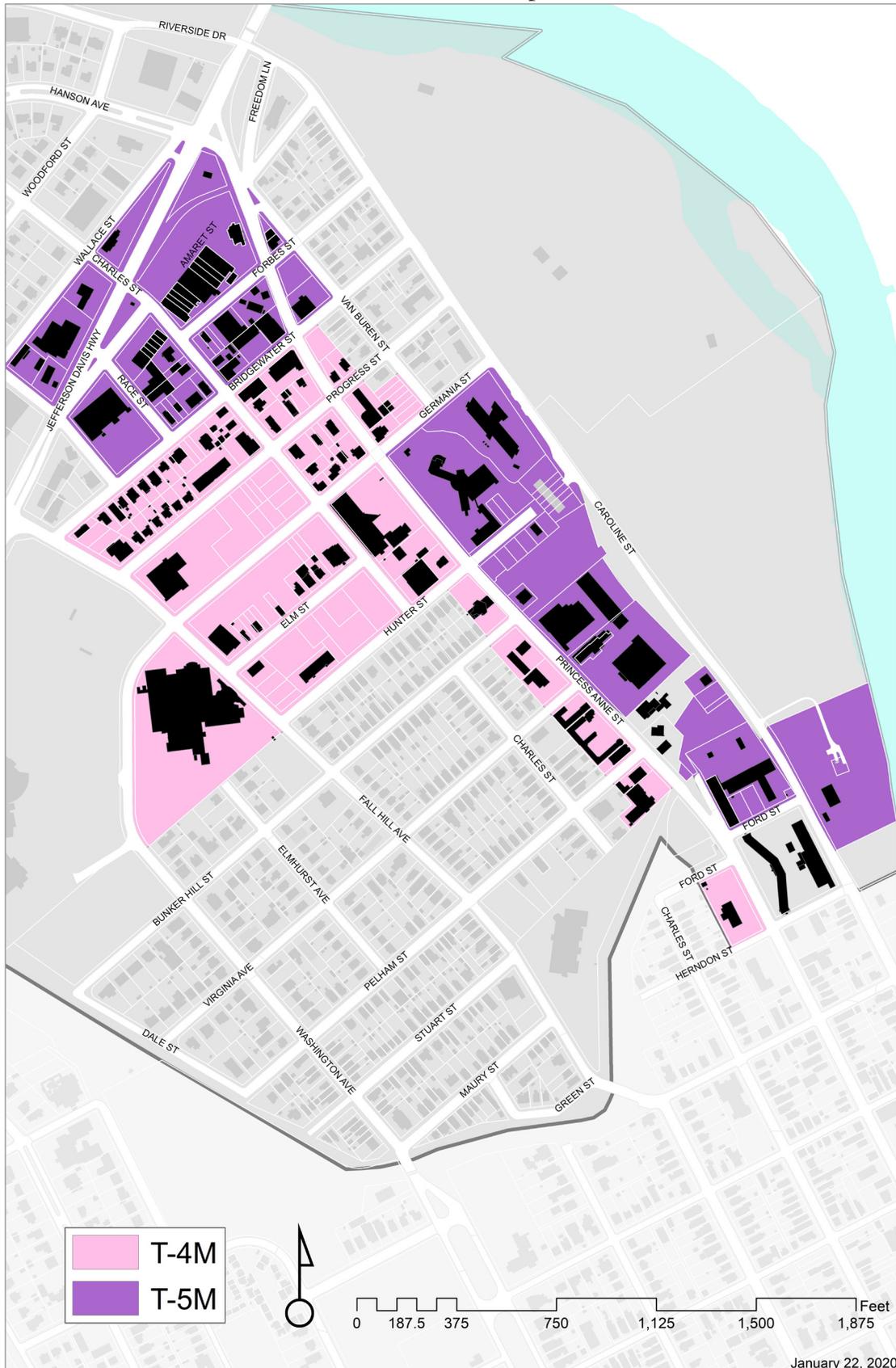




3-2. T-4M and T-5M Transect Maps. The Transect Regulating Plan – T4M / T5M dated August 20, 2019 showing Area 6 (Figure 3) identifies the location of the adopted T-4M and T-5M transects in the City of Fredericksburg.

Figure 3:

T-4M and T-5M Transect Map Small Area 6



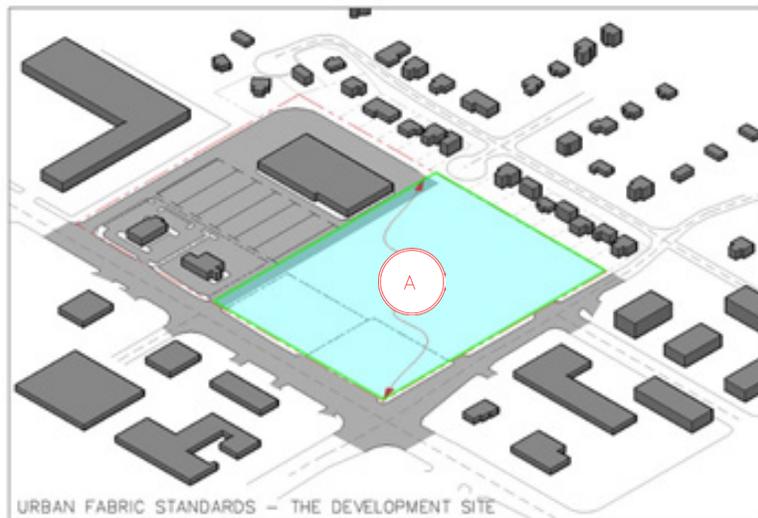
## CHAPTER 4: URBAN FABRIC STANDARDS

Urban Fabric standards approach bigger picture site considerations. They balance the preservation of character buildings, the stabilization of existing walkable urban nodes, and the need for meaningful open spaces with the need for automobile circulation, car storage, and access along important economic corridors.

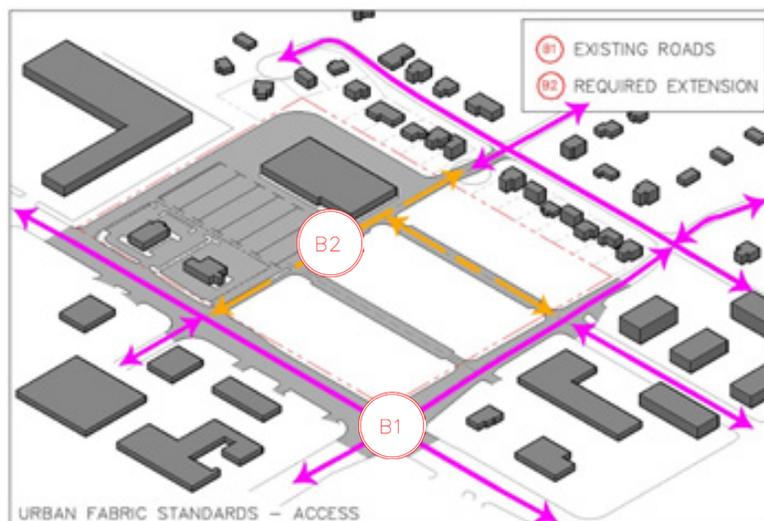
4-1. Development site. The development site shall include all the land, buildings, and structures both existing and proposed, used to calculate the total residential density, use mix, or floor area ratio calculations for a development.

A. Site Plan required; Applicable law.

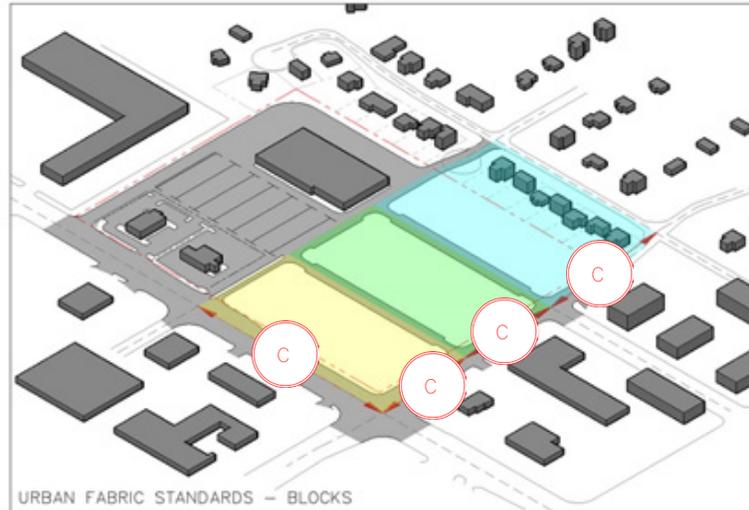
- i. The entire development site shall be shown on an approved site plan in accordance with § 72-26.1 (Commercial and Residential Site Development Plans).
- ii. All land, buildings, site elements, and other features of the development site (i.e., land or buildings used for density or use-mix calculations) shall be brought into conformance with the standards in this code as well as all other applicable standards in the Unified Development Ordinance.



B. Access. Existing streets shall be continued through the Development Site. A network of interconnected streets is required in order to provide adequate pedestrian and motor vehicle access to the development. The character of the streets and adjacent yards is established by the standards in § 72-5 Development Standards as well as the frontage designations as described in this code.

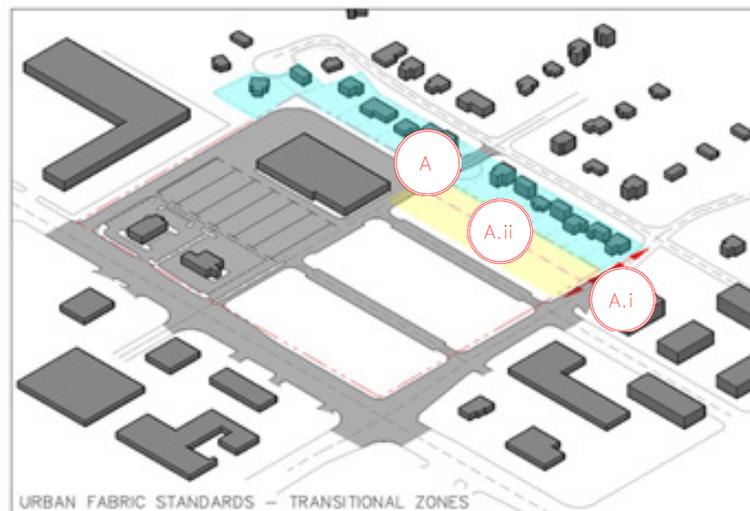


C. Establishment of blocks. In the T-5C and T-5M transects, the entire development site, including all non-residential uses shall be organized into blocks meeting the standards in § 72-51.2.



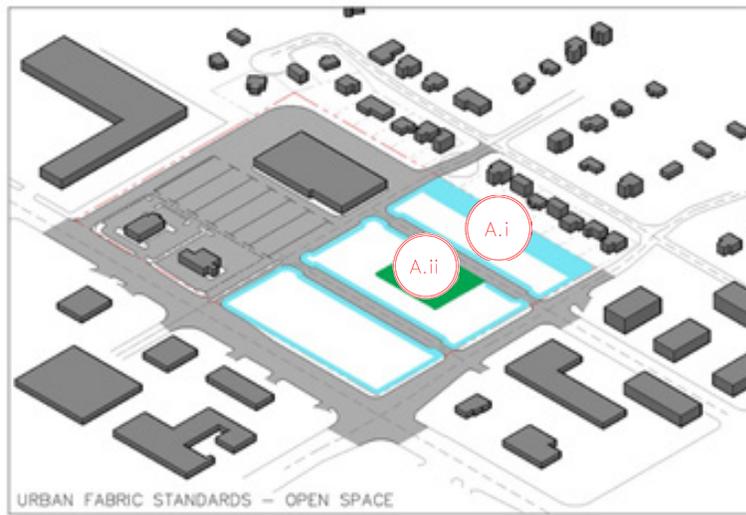
#### 4-2 Transitional Zones –

- A. Depth. The transitional zone shall extend into the property a depth equal to the median depth of all abutting single-family residential lots.
- B. Abutting Transitional Zone. A transitional zone shall be designated along any property line that abuts a single-family residential use. This provision does not apply on lots containing a single-family detached use.
  - i. Setback required. Within the transitional zone the following setbacks are required along any rear property line abutting a single-family residential use:
    - a. A 40-foot setback in the T-5C or T-5M Transect; or
    - b. A 20-foot setback in the T-4M Transect.
    - c. Accessory structures may encroach into this setback.
  - ii. Within the setback area there shall be either:
    - a. A dedication of a public or private alley meeting the standards in § 72-52.3; or
    - b. A Type D landscape buffer in accordance with § 72-55.4C.
  - iii. The Zoning Administrator may also require a 4 to 8 foot tall opaque fence or wall upon a determination that the development will have an adverse impact on adjacent land.
- C. Adjacent Transitional Zone. A transitional zone shall be established where a development site is across the street from a block face where 75% of the primary structures are single family homes. Within this transitional zone, front setbacks shall be established by § 72-84.B(2) Averaging Setbacks.
- D. Transitional Buildings. Building Type 4 or Character Structures where designated are the only Building Type permitted in an abutting or adjacent transitional zone. Buildings shall be designed in accordance with the Building Type standards for those buildings.



4-3. Open Space. The objective of general open space is to provide for transition between the development and adjoining uses, and for stormwater management and utility placement. Formal Open Spaces shall facilitate social interaction. Formal Open Spaces allow human activity throughout the development and avoid “dead” or unsafe zones. Formal Open Spaces shall meet human needs for being outdoors and for recreation.

A. Both General and Formal Open Space shall be designed into a project in the T-5C Transect.



<b>i. General open space:</b> 25% of the site shall be general open space meeting the standards of § 72-51.5.	
<b>ii. Formal Open Space:</b> 50% of the general open space shall be developed as formal open space meeting the following standards:	
a. Type	The Formal Open Space shall be a Plaza, Playground, Square, or Courtyard as defined in § 72-84.
b. Min. Adjacency	25% of the perimeter of formal open space shall adjoin a Frontage.
c. Min. width / length	The minimum length and width is 50 feet.
d. Max. width / length ratio	The maximum width to length ratio is 1:4.
e. Min. landscaping	The number of plants equivalent to what would be required for a Type B Landscaping Buffer measured along the longest side of the Formal Open Space shall be planted and may be distributed within the Formal Open Space.

B. In the T-4M or T-5M Transect, Formal Open Space may be provided in place of general open space at a reduced requirement.

<b>i. General Open Space:</b> 25% of the site shall be general open space meeting the standards of § 72-51.5.	
a. The general open space requirement may be met by providing 12.5% of the lot as Formal Open Space.	
<b>ii. Formal Open Space Option:</b> Formal Open Space shall meet the following standards:	
a. Type	The Formal Open Space shall be a Plaza, Playground, Square, or Courtyard as defined in § 72-84.
b. Min. Adjacency	25% of the perimeter of formal open space shall adjoin a Frontage.
c. Min. width / length	The minimum length and width is 15 feet.
d. Max. width / length ratio	The maximum width to length ratio is 1:2.
e. Min. landscaping	In the T-5M and T-4M Transect, the Formal Open Space shall be landscaped to the maximum extent possible given its proposed function.

## CHAPTER 5: FRONTAGE MAPS AND FRONTAGES

5-1 Frontage maps. The following maps are hereby incorporated:

- A. T-5C Frontage Maps. The Frontage Regulating Plan dated May 30, 2018 showing Area 3 (Figure 4) and the Frontage Regulating Plan showing Area 6 (Figure 5) assign the frontages within the T-5C Transect.

Figure 4:  
T-5C Frontage Map Small Area 3 January 22, 2020

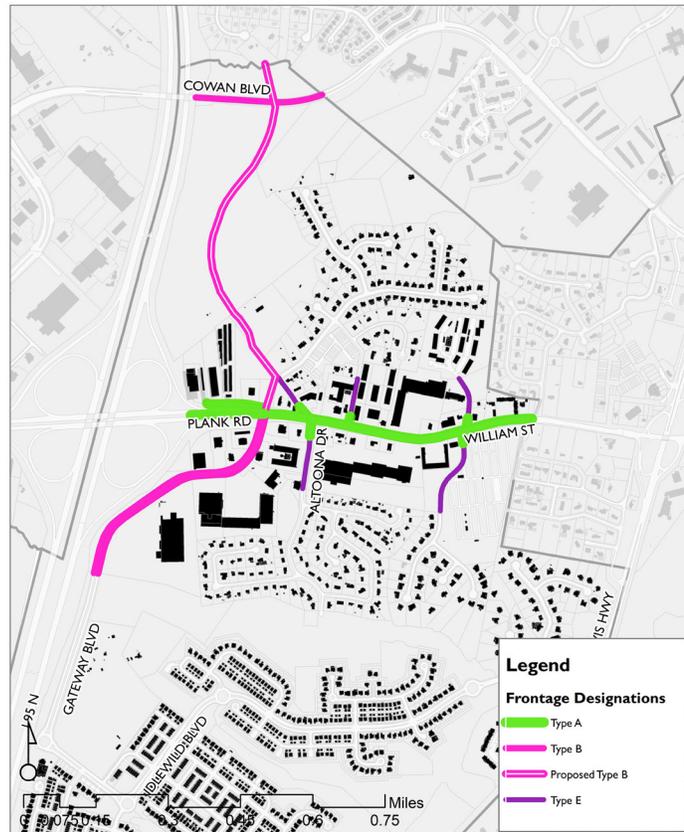
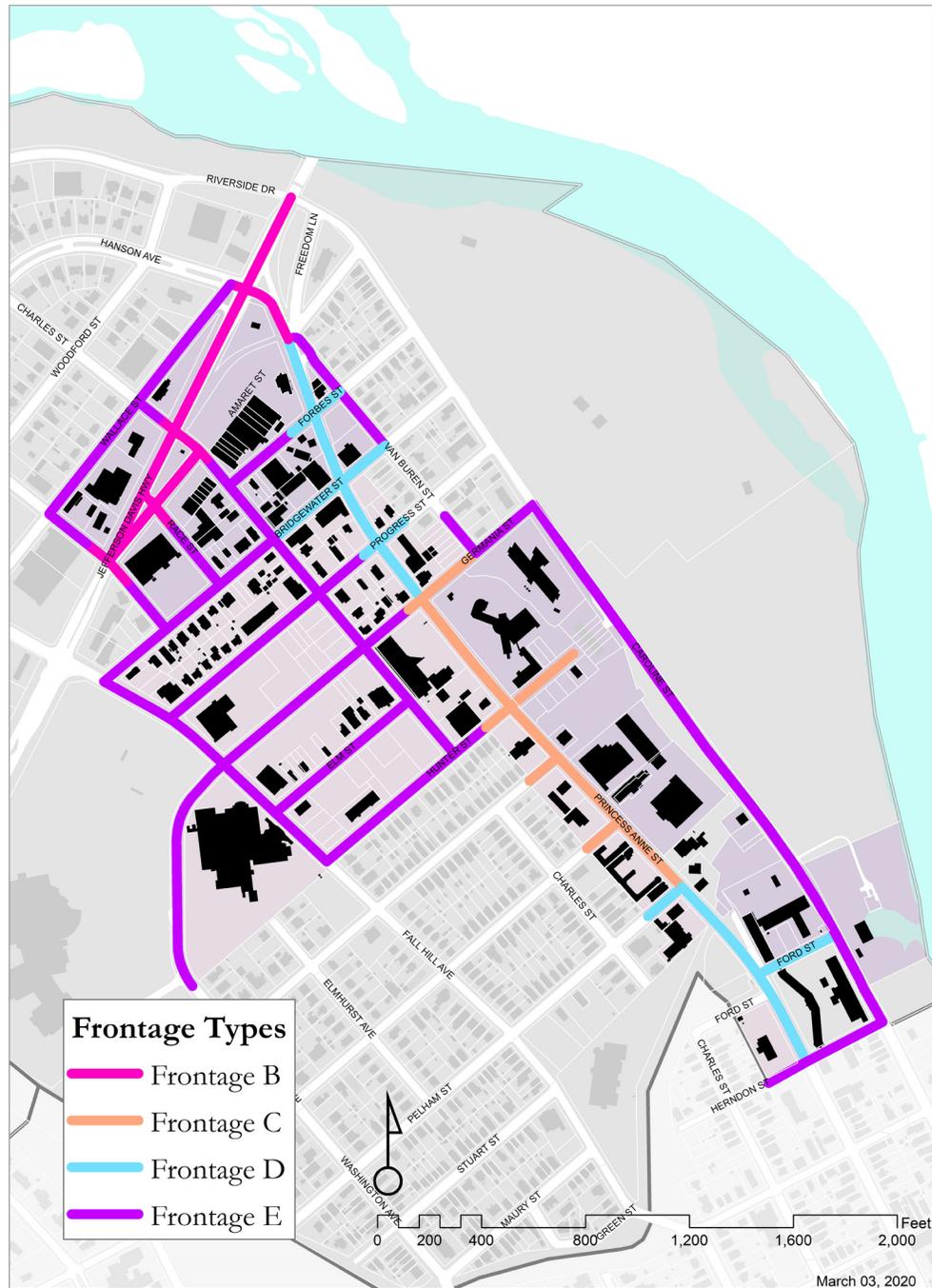


Figure 5:  
T-5C Frontage Map Small Area 6



B. T-5M and T-4M Frontage Maps. The “Frontage Regulating Plan – T-4M and T-5M” dated December 17, 2019 (Figure 6) assigns the frontages within the T-5M and T-4M Transects.

Figure 6:  
T-4M and T-5M Frontage Map Small Area 6

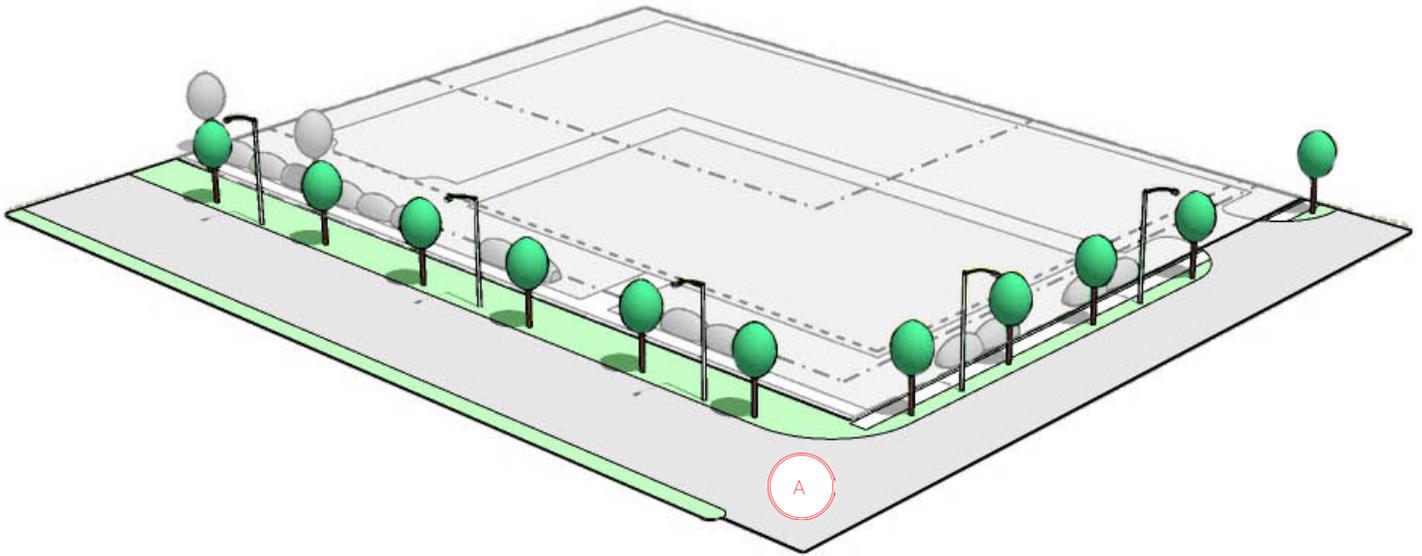


- C. New Frontages. The Zoning Administrator may designate Frontages where new or extended streets not designated on the preceding maps are created in accordance with the following:
- i. Frontage Type D - The Zoning Administrator shall designate the new street Frontage Type D where the proposed uses along the street include retail use and the street is a natural extension of an existing Frontage D.
  - ii. Frontage Type E - The Zoning Administrator shall designate all other new streets Frontage Type E.

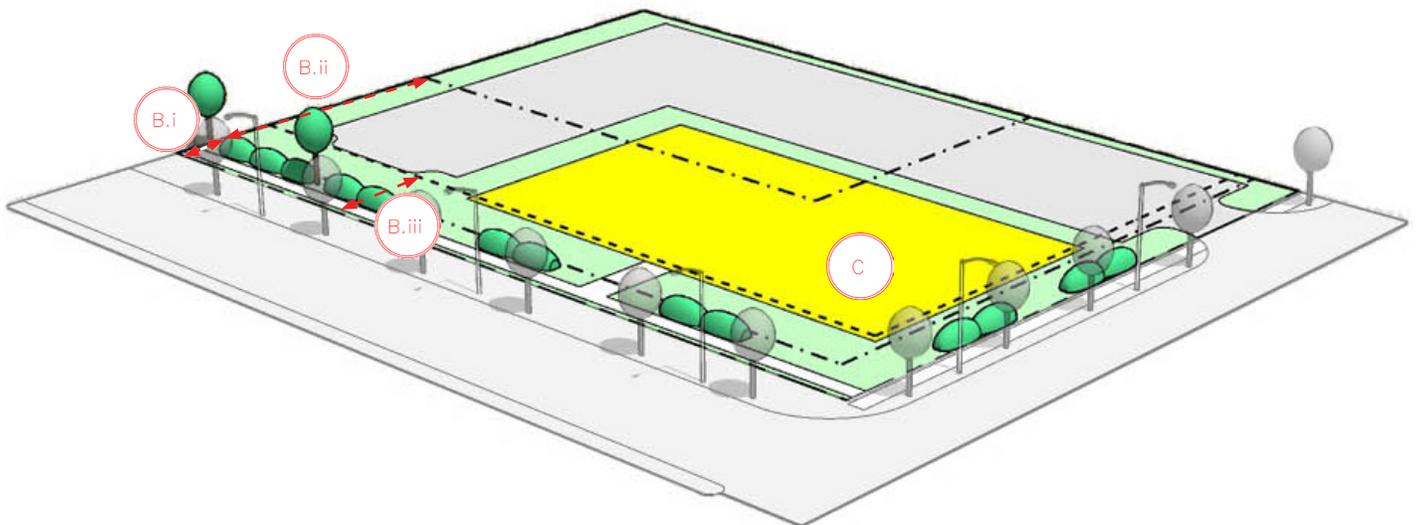
## 5-2. FRONTAGE A

Frontage A provides primarily motor vehicle access and visibility to the properties fronting on State Route 3. This frontage carries the highest volume of motor vehicle traffic to, from, and past the property. The engineering focus is to provide for motor vehicle movements along with sufficient landscaping and buffering to create a harmonious and attractive automotive gateway corridor. The design focus is to provide a safe and attractive streetscape. Where Type D frontage designations intersect a Type A frontage, the Type D frontage may extend along the Type A frontage a maximum distance of 250 feet.

Frontage A Public Component:



Frontage A Private Component and Building Type Permitted:



A. Public Component:

A	i. Streetscape Elements:	a. No on-street parking required.
		b. Minimum 10 foot utility strip adjacent to the roadway.
		c. Automobile scaled street lights required (20 feet to 40 feet in height).
		d. Street trees required in conformance with § 72-55.6.

B. Private Component:

B.i	i. Landscape area:	a. The Frontage shall contain a minimum 15-foot wide landscape area adjacent to the right-of-way line containing the following landscaping and a minimum 5-foot wide sidewalk along the entire frontage.
		b. Canopy street trees required (in addition to public frontage street trees).
		c. Locate required Foundation Plantings required by § 72-55.3 within Landscape Area.
		d. Locate any required Perimeter Landscaping Strips by § 72-55.2 within Landscape Area.
B.ii	ii. Building Placement / Build-to Zone:	a. The Build-to Zone is a minimum of 15 and a maximum of 80 feet from adjacent right-of-way or street easement line.
		b. The primary facade of the building shall be either completely within or to the rear of the Build-to Zone. A minimum of 75% of the primary facade shall be within the Build-To Zone.
		c. Along the most prominent frontage, a minimum of 66% of the length of the Build-to Zone shall contain building facades or Open Space.
B.iii	iii. Parking Lot Placement / Encroachments:	a. Parking lots shall be no closer to the street than adjacent primary building facades.
		b. One single or double loaded parking aisle, no more than 60 feet in width from parking space curb to parking space curb, may encroach in front of a fast-food or convenience store with gasoline sales use adjacent to a primary frontage.

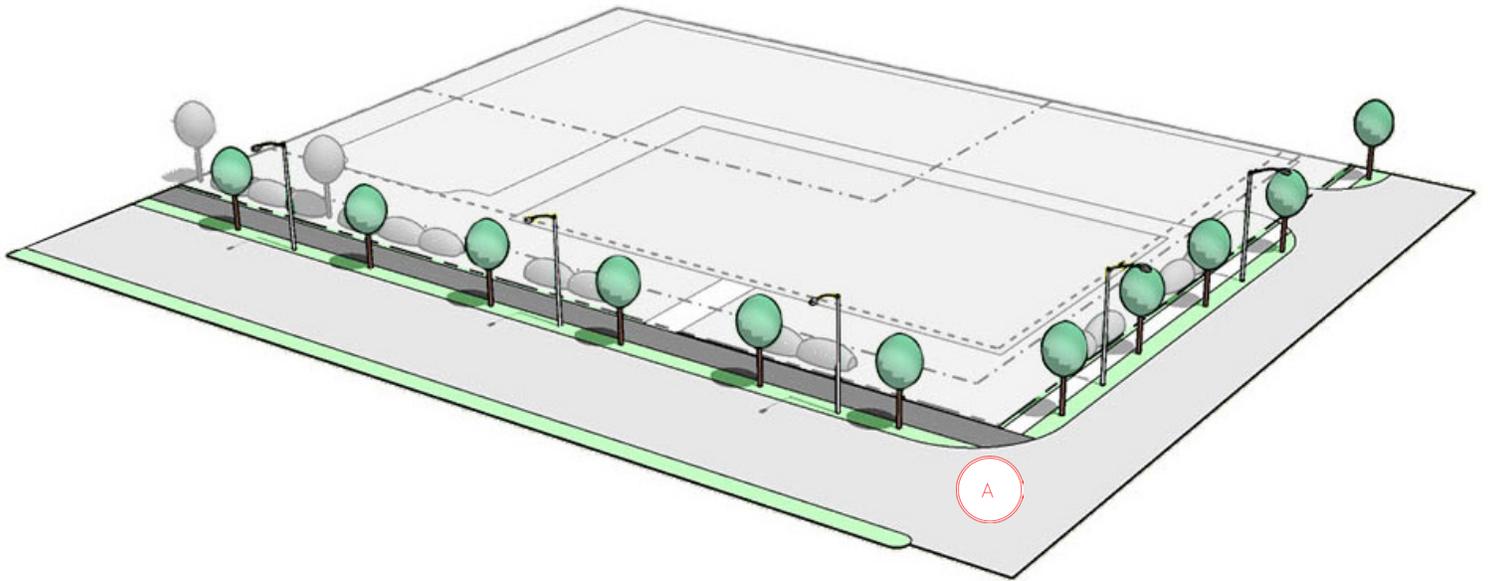
C. Building Type Permitted:

C	i. Building Type Permitted:	a. Building Type 1 permitted.
		b. Building Type 4 required within Transitional Zones.
		c. Character Building Type permitted where designated on the Frontage Map.

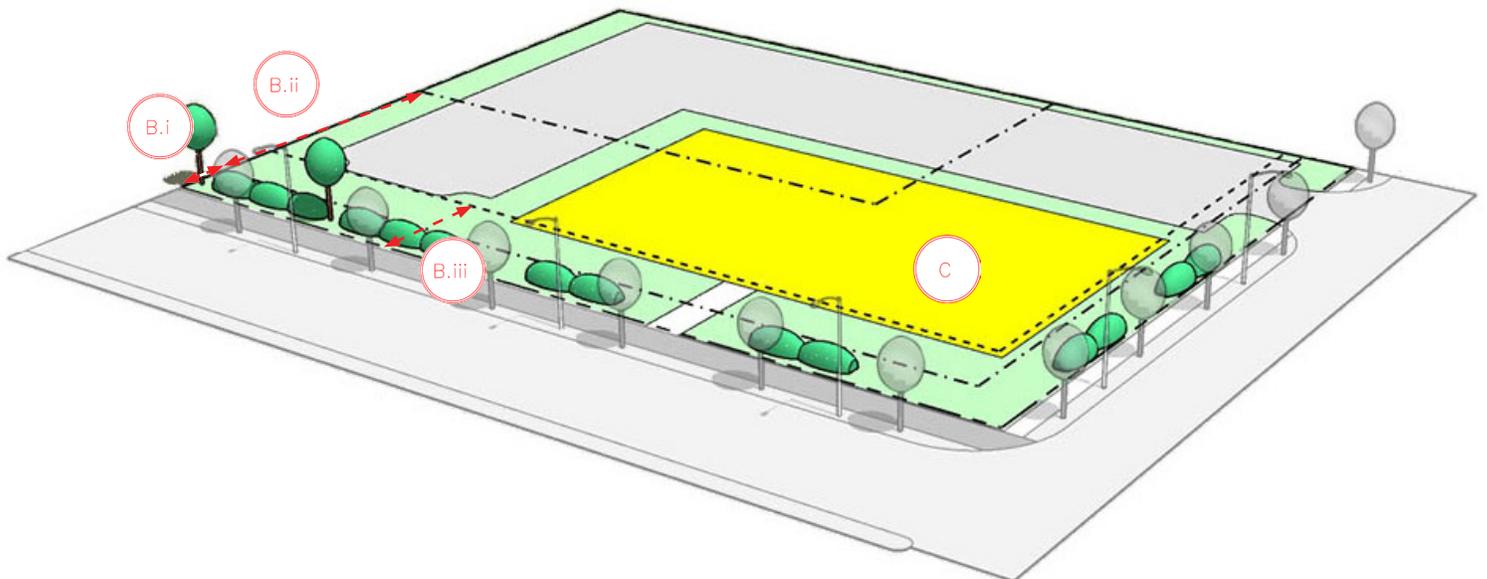
### 5.3. FRONTAGE B

Frontage B provides motor vehicle and pedestrian access and visibility to the property. This frontage carries predominantly motor vehicle traffic to, from, and past the property and is generally designated along the City's primary arterial highways other than State Route 3. The engineering focus is to provide for motor vehicle movements along with walkability and pedestrian safety. The design focus is to provide a safe and attractive streetscape. Where Type D frontage designations intersect a Type B frontage, the Type D frontage may extend along the Type B frontage a maximum distance of 250 feet.

Frontage B Public Component:



Frontage B Private Component and Building Type Permitted:



A. Public Component:

A	i. Streetscape Elements:	a. No on-street parking required.
		b. Minimum 5-foot utility strip adjacent to roadway.
		c. Sidewalks and pathways shall be provided in accordance with § 72-52.6 Pedestrian Access and Bicycle Trails.
		d. Automobile scaled street lights required (20 feet to 40 feet in height).
		e. Street trees required in conformance with § 72-55.6.

B. Private Component:

B.i	i. Landscape area:	a. A minimum 15-foot wide landscape area is required adjacent to the front property line.
		b. Locate foundation landscaping required by § 72-55.3 within Landscape Area.
		c. Locate perimeter landscaping strips required by § 72-55.2 within Landscape Area.
B.ii	ii. Building Placement / Build-to Zone:	a. The Build-to Zone is a minimum of 15 and a maximum of 80 feet from adjacent right-of-way or street easement line.
		b. A minimum of 75% of the primary façade of any building along a Primary frontage shall be within the Build-To Zone. The building may not project closer to the front lot line than the established minimum.
		c. Along the most prominent frontage, a minimum of 66% of the length of the total Build-To Zone within the Development shall contain building façades.
B.iii	iii. Parking Lot Placement / Encroachments:	a. Parking lots shall be no closer to the street than adjacent primary building facades.
		b. One single or double loaded parking aisle, no more than 60 feet in width from parking space curb to parking space curb, may encroach in front of a fast-food or convenience store with gasoline sales use adjacent to a primary frontage.

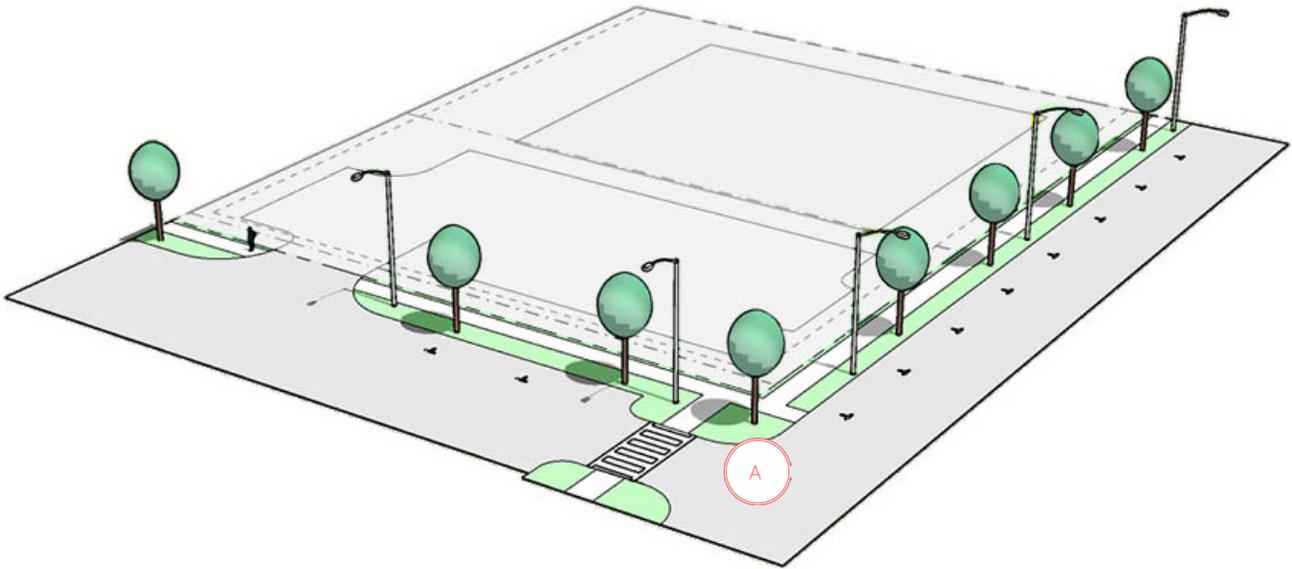
C. Building Type Permitted:

C	i. Building Type Permitted:	a. Building Type 1 permitted.
		b. Building Type 4 required within Transitional Zones.
		c. Character Building Type permitted where designated on the Frontage Map.

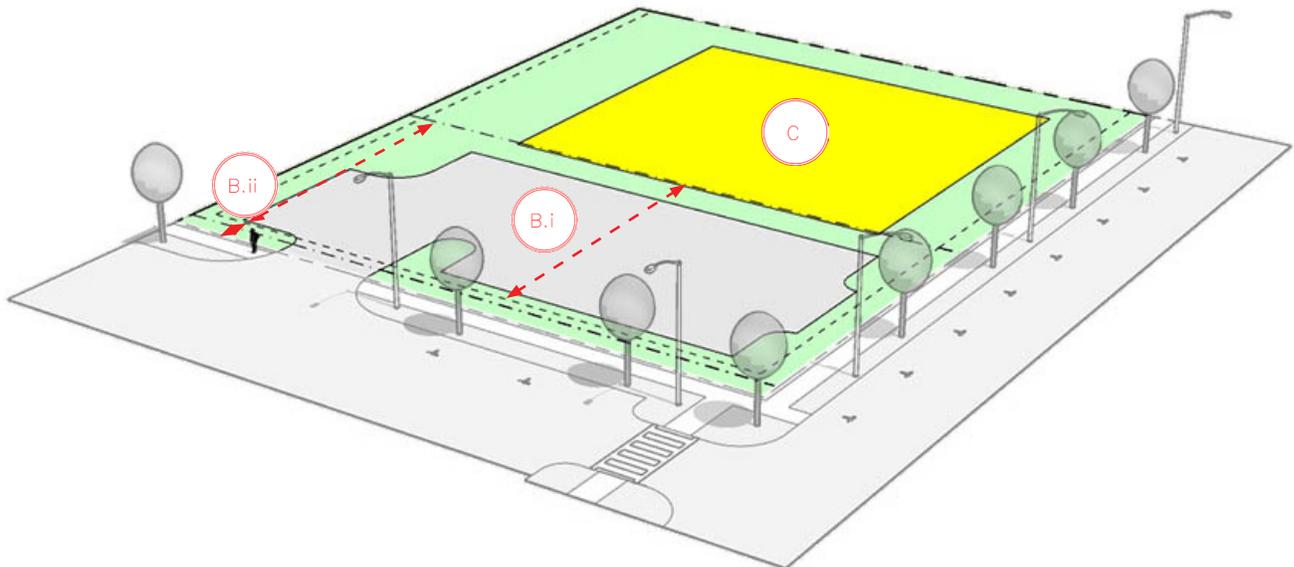
## 5.4 FRONTAGE C

Frontage C is intended to provide a continuous public and semi-public realm appropriate for conducting maker, production, and commercial activity along a major road. This frontage's main engineering focus is balancing truck and automobile traffic with high pedestrian activity. The design focus is to provide a complete multi-functional street.

Frontage C Public Component:



Frontage C Private Component and Building Type Permitted:



## A. Public Component:

A	i. Streetscape Elements:	a. Parallel on-street parking required.
		b. Minimum 5-foot utility strip required adjacent to roadway.
		c. Minimum 5-foot sidewalk required.
		d. Automobile scaled street lights required (20 feet to 40 feet in height).
		e. Street trees required in conformance with § 72-55.6.

## B. Private Component:

B.i	i. Building Placement / Build-to Zone:	a. The Build-to Zone is a minimum of 8 and a maximum of 80 feet from adjacent right-of-way or street easement line.
		b. A minimum of 75% of the primary façade of any building along a Primary frontage shall be within the Build-To zone. The building may not project closer to the front lot line than the established minimum.
		c. Along the most prominent frontage, a minimum of 50% of the length of the total Build-to Zone within the Development shall contain building façades. This shall not apply where a parking lot encroaches in front of a non-residential use as stated in 5-4.B.ii.b.
B.ii	ii. Parking Lot Placement / Encroachments:	a. Parking lots shall be no closer to the street than adjacent primary building facades.
		b. Parking lots serving solely non-residential uses may encroach in front of the building to a minimum of 8 feet from the right-of-way.

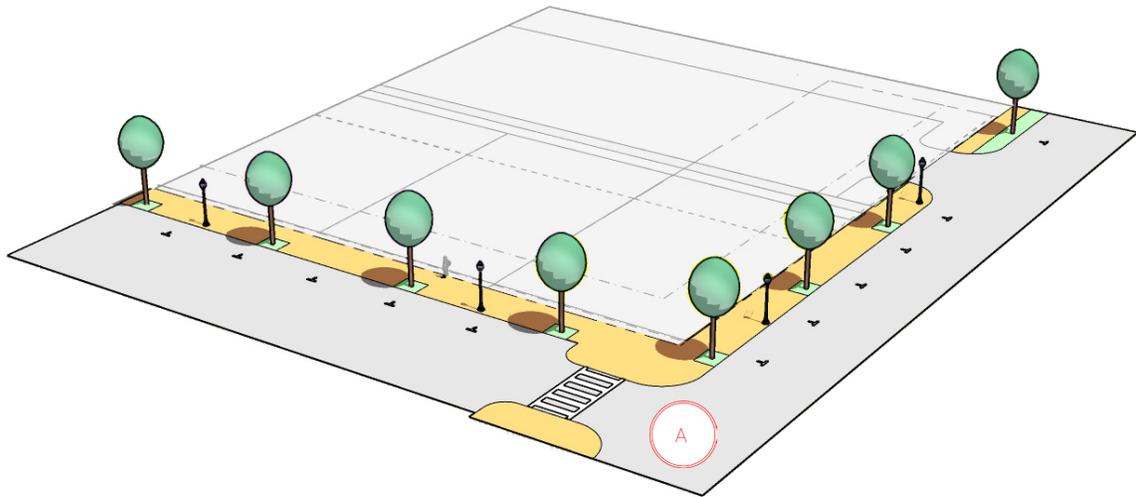
## C. Building Type Permitted:

C	i. Building Type Permitted:	a. Building Type 2 permitted.
		b. Building Type 4 required within Transitional Zones.
		c. Character Building Type permitted where designated on the Frontage Map.

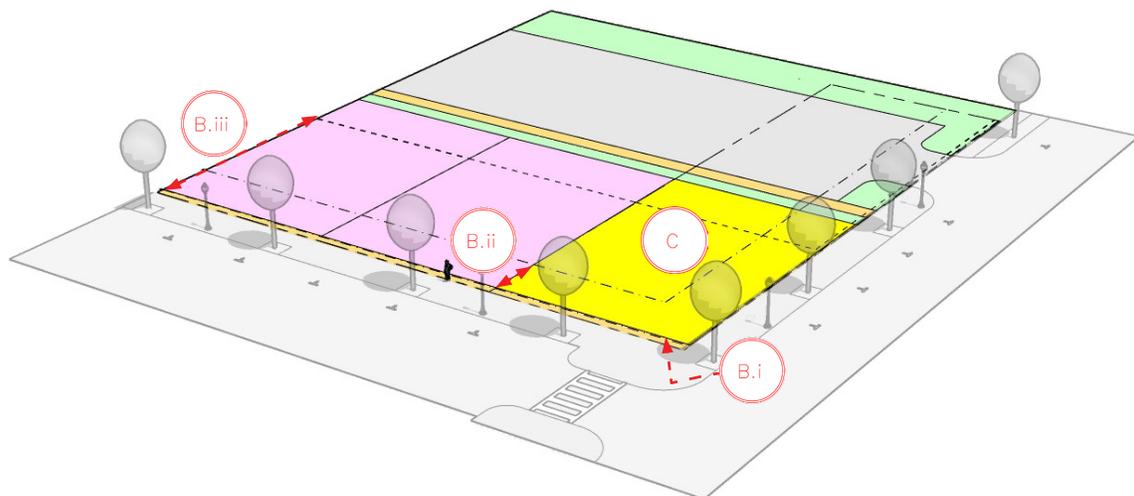
## 5-5. FRONTAGE D

Frontage D is intended to provide a continuous public and semi-public realm appropriate for conducting commercial activity at the pedestrian scale. This frontage's main engineering focus is providing wide sidewalks, canopy street trees, pedestrian scaled street furniture and minimal building setbacks so that the frontage serves as a gathering place for pedestrians and shoppers at the human scale. The frontage also carries a volume of motor vehicle traffic sufficient to support commercial activity to the property. The design focus is to provide a complete active street focused on pedestrian traffic.

Frontage D Public Component:



Frontage D Private Component and Building Type Permitted:



## A. Public Component:

A	i. Streetscape Elements:	a. Parallel on-street parking required. Angled on-street parking is permitted in the T-5C Transect.
		b. No utility strip required.
		c. Street trees conforming to the standards in § 72-55.6 to be planted in tree wells.
		d. Minimum 10 foot sidewalk required.
		e. Pedestrian scaled street lights required (10 feet to 16 feet in height).
		f. The maximum width of any crosswalk or other improved pedestrian street crossing shall be 24 feet.

## B. Private Component:

B.i	i. Extended Sidewalk Area:	a. Continuous sidewalk shall extend through private frontage to building facade or building adjacent to planting beds.
		b. Regular street furniture may be incorporated into the streetscape design in place of Foundation Plantings required by § 72-55.3.
B.ii	ii. Building Placement / Build-to-Zone:	a. The Build-to Zone is a minimum of 2 and a maximum of 15 feet from adjacent right-of-way or street easement line.
		b. A minimum of 75% of the primary façade of any building along a retail frontage shall be within the Build-To Zone. The building may not project closer to the front lot line than the established minimum.
		c. Along the most prominent frontage, a minimum of 75% of the length of the total Build-To Zone within the Development shall contain building façades or Formal Open Spaces.
B.iii	iii. Parking Lot Placement / Encroachments:	a. Minimum parking lot setback shall be 60 foot from the right-of-way or street easement line.
		b. No parking lot encroachment may occur along the most prominent frontage.
		c. On corner lots, parking lots may align with the side of the building along secondary frontages.

## C. Building Type Permitted:

C	i. Building Type Permitted:	a. Building Type 3 Permitted.
		b. Building Type 4 required within Transitional Zones.
		c. Character Building Type permitted where designated on the Frontage Map.

## 5-6. FRONTAGE E

Frontage E is intended to provide secondary motor vehicle pedestrian access and visibility to the property. This frontage carries a lower volume of motor vehicle traffic past the property. The engineering focus is to provide a transitional streetscape where heavy automobile infrastructure cedes primacy to pedestrian travel. The design focus is to provide a safe and attractive streetscape that includes canopy street trees and pedestrian-scaled street amenities.

Frontage E Public Component:

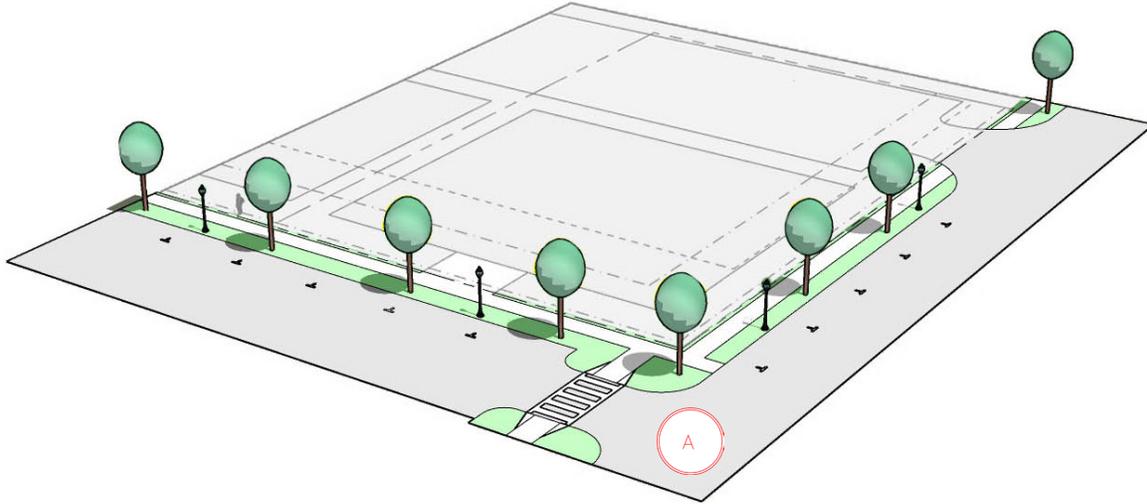
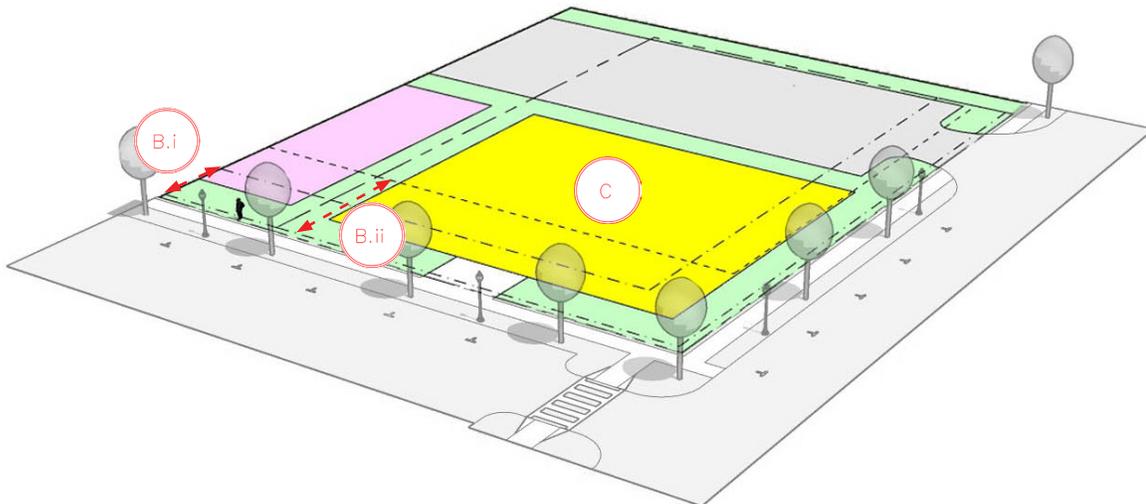


Figure E Private Component and Building Type Permitted:



## A. Public Component:

A	i. Streetscape Elements:	a. Parallel on-street parking required.
		b. Minimum 5-foot utility strip required adjacent to roadway.
		c. Minimum 5-foot sidewalk required.
		d. Pedestrian scaled street lights required (10 feet to 16 feet in height).
		e. Street trees required in conformance with § 72-55.6.
		f. The maximum width of any crosswalk or other improved pedestrian street crossing shall be 24 feet.

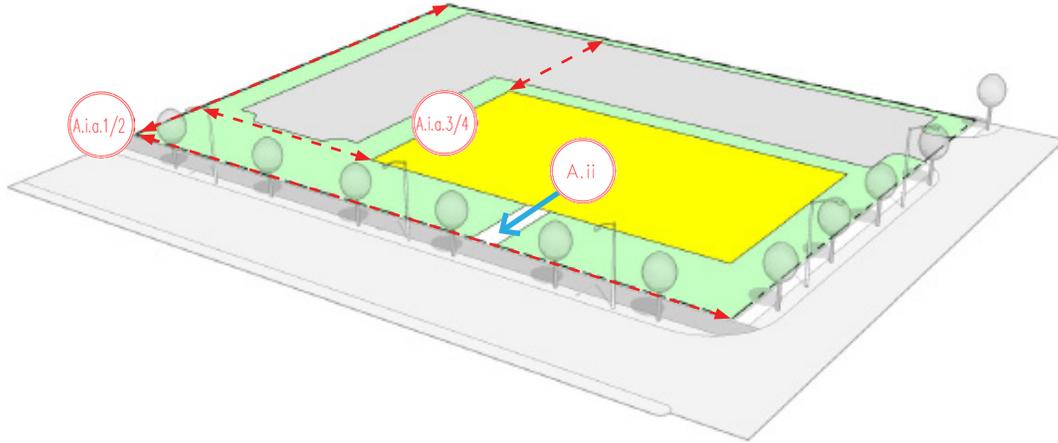
## B. Private Component:

B.i	i. Building Placement / Build-to Zone:	a. The Build-to Zone is a minimum of 2 and a maximum of 25 feet from adjacent right-of-way or street easement line.
		b. 75% of the primary façade of any building along a secondary frontage shall be within the Build-to Zone. The building may not project closer to the front lot line than the established minimum.
		c. Along the most prominent frontage, 75 % of the total Build-to Zone along the designated secondary frontage shall consist either of building facades, General Open Spaces, or Formal Open Spaces.
B.ii	ii. Parking Lot Placement / Encroachments:	a. Parking lots shall be setback a minimum of 40 feet from the front property line.
		b. On corner lots, parking lots may align with the side of the building.

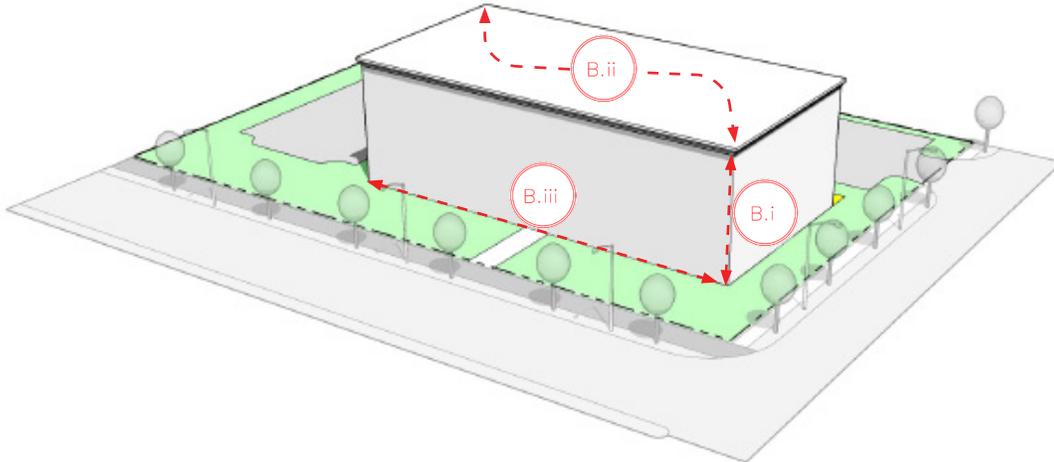
## C. Building Type Permitted:

C	i. Building Type Permitted:	a. Building Type 1 permitted in the T-5C Transect.
		b. Building Type 2 permitted in the T-4M and T-5M Transect.
		c. Building Type 4 required within Transitional Zones.
		d. Character Building Type permitted where designated on the Frontage Map.

Building Type 1 Building Placement and Orientation:



Building Type 1 Mass and Scale:



Building Type 1 Facade Activation:



A. Building Placement and Orientation:

i. Building Placement:	a. Multifamily, non-residential, and mixed-use buildings:	
	A.i.o.1/2	1. Min. Lot Size: None
		2. Min. Lot Width: None
	A.i.o.3/4	3. Side Setbacks: To internal property lines – None To external property lines - 15 foot minimum
		4. Rear Setbacks: To internal property lines – None To external property lines – 15 foot minimum
	b. Single Family Attached and Detached:	
	1. Min. Lot Regulations: In accordance with the R-12 bulk regulations	
	2. Side and Rear Setbacks: In accordance with the R-12 bulk regulations	
A.ii	ii. Building Front Orientation:	<p>a. The building front shall generally be parallel to the most prominent frontage type; and</p> <p>b. The building front may face a Formal Open Space.</p>

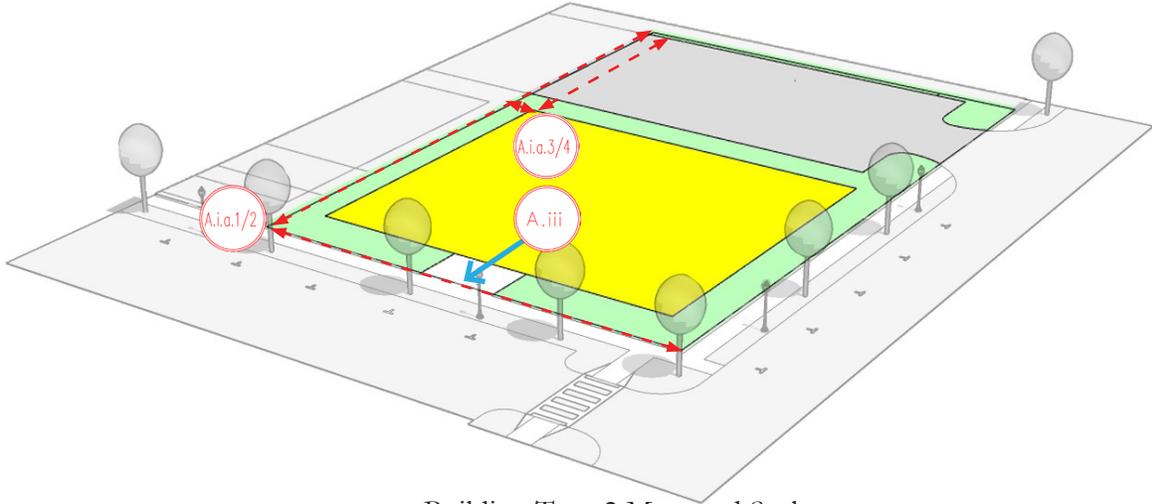
B. Mass and Scale:

B.i	i. Maximum Building Height:	By-right up to 50 feet and 4 stories; by Special Use Permit up to 65 feet and 5 stories.
B.ii	ii. Maximum Building Floorplate:	N/A
B.iii	iii. Maximum Building Width:	Maximum building width 150 feet.

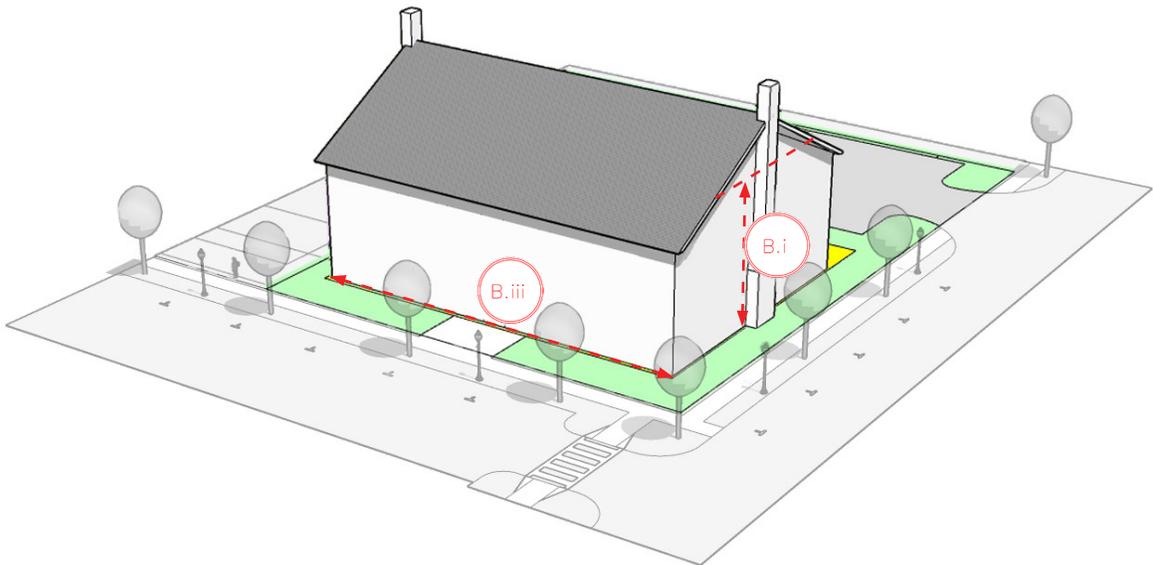
C. Facade Activation:

C.i	i. Entrance location / frequency:	a. At least one functional, pedestrian-accessible entrance shall be located on the building front and any adjacent Formal Open Space.
		b. A functional, pedestrian accessible entrance shall be located, at a minimum, every 70 linear feet along the building front.
		c. At least one functional, pedestrian-accessible entrance shall be provided for every 70 linear feet of building front.
C.ii	ii. Minimum Total Facade Transparency:	15%
	iii. Minimum First Floor Transparency:	N/A
	iv. Minimum First Floor Height:	N/A

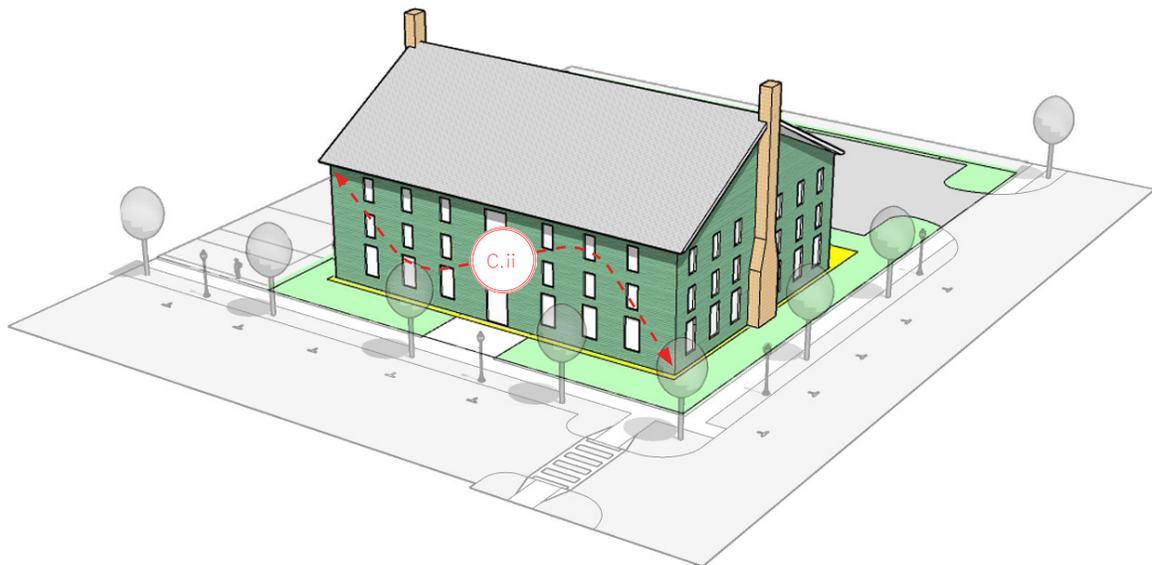
Building Type 2 Building Placement and Orientation:



Building Type 2 Mass and Scale:



Building Type 2 Facade Activation:



A. Building Placement and Orientation:

i. Building Placement:	a. Multifamily, non-residential, and mixed-use buildings:	
	A.i.o.1/2	1. Min. Lot Size: None
		2. Min. Lot Width: None
		3. Side Setbacks: 10' minimum; Side setbacks on lots less than 7,500 square feet may be reduced in accordance with § 72-82.4B(2).
	A.i.o.3/4	4. Rear Setbacks: 20 foot minimum
	b. Single family attached or detached:	
		1. Min. Lot Size:
		2. Min. Lot Width:
	3. Side Setbacks:	In accordance with the R-8 bulk regulations
	4. Rear Setbacks:	
A.iii	ii. Building Front Orientation:	
		a. The building front shall generally be parallel to the most prominent frontage type; or b. The building front may face a Formal Open Space.

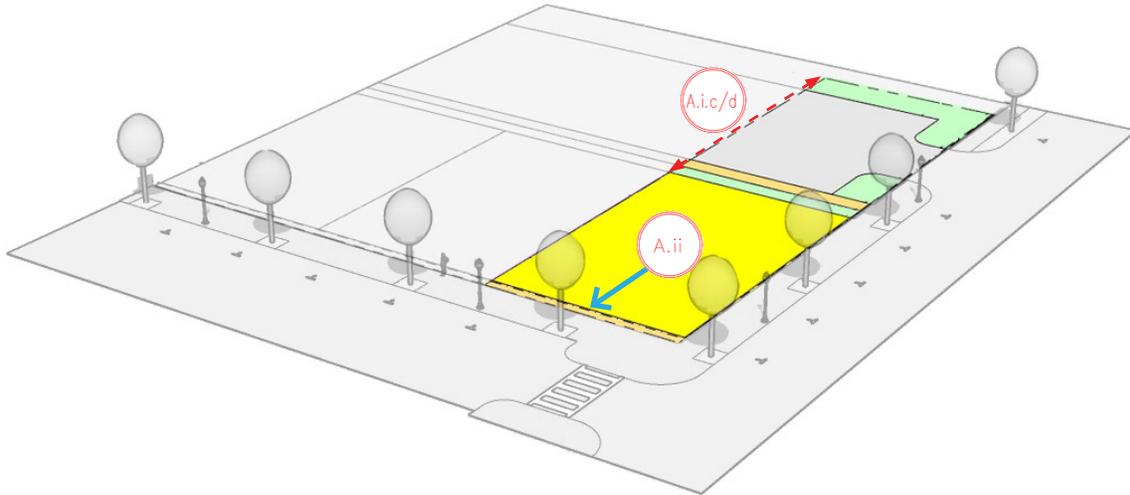
B. Mass and Scale:

B.i	i. Maximum Building Height:	By-right up to 40 feet and 3 stories; by Special Use Permit up to 50 feet and 4 stories.
	ii. Maximum Building Floorplate:	25,000 square feet
B.iii	iii. Maximum Building Width:	Maximum building width 100 feet.

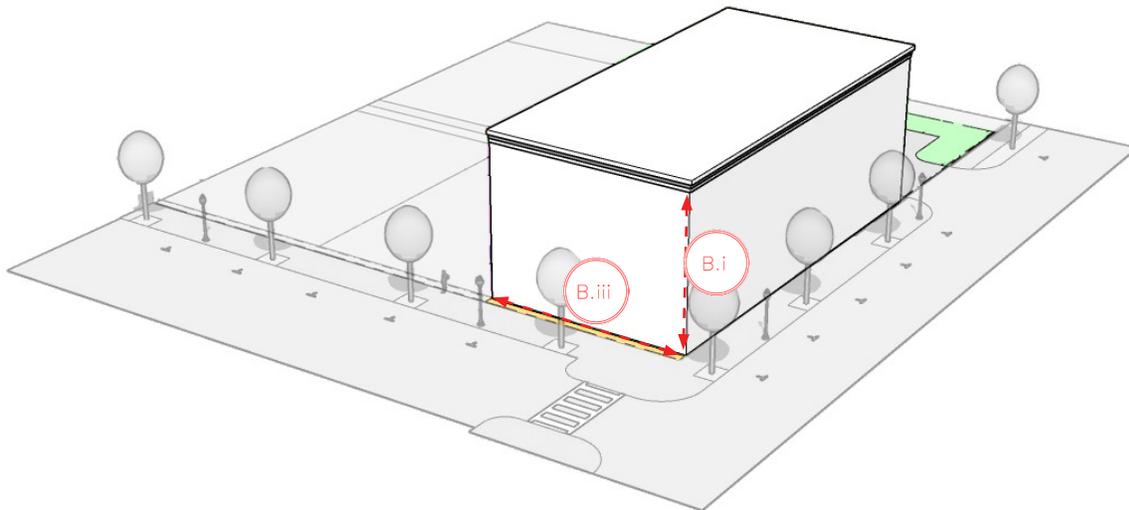
C. Facade Activation:

i.	Entrance location / frequency:	a. At least one functional, pedestrian-accessible entrance shall be located, at a minimum, on the building front and any adjacent Formal Open Space.
		b. A functional, pedestrian accessible entrance shall be located, at a minimum, every 50 linear feet along the building front.
		c. A functional, pedestrian-accessible entrance shall be provided for every 50 linear feet of the building front.
C.ii	ii. Minimum Total Facade Transparency:	18%
	iii. Minimum First Floor Transparency:	N/A
	iv. Minimum First Floor Height:	N/A

Building Type 3 Building Placement and Orientation:



Building Type 3 Mass and Scale:



Building Type 3 Facade Activation:



## A. Building Placement and Orientation:

i. Building Placement:	a. Min. Lot Size:	None.
	b. Min. Lot Width:	None.
	A.i.c/d c. Side Setbacks:	None.
	d. Rear Setbacks:	20 foot minimum.
A.ii ii. Building Front Orientation:	a.	The building front shall generally be parallel to the most prominent frontage type; or
	b.	The building front may face a Formal Open Space.

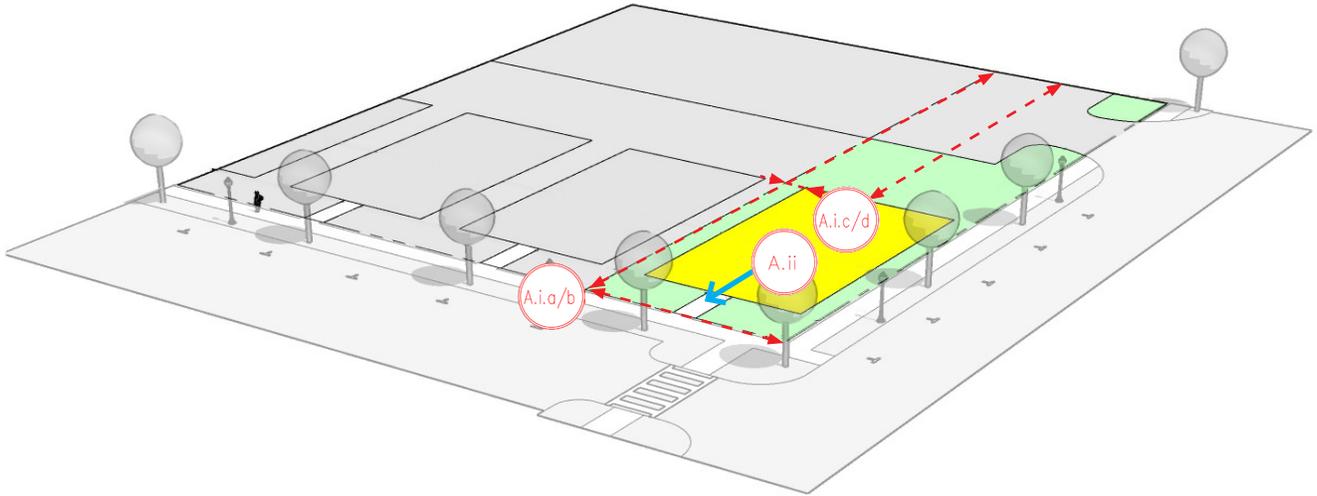
## B. Mass and Scale:

B.i i. Maximum Building Height:	a.	Within the T-5C Transect, by-right up to 50 feet and 4 stories; by Special Use Permit up to 65 feet and 5 stories.
	b.	Within the T-5M and T-4M Transect, by-right up to 40 feet and 3 stories; by Special Use Permit up to 50 feet and 4 stories.
ii. Maximum Building Floorplate:		25,000 square feet
B.iii iii. Maximum Building Width:		Maximum building width 100 feet.

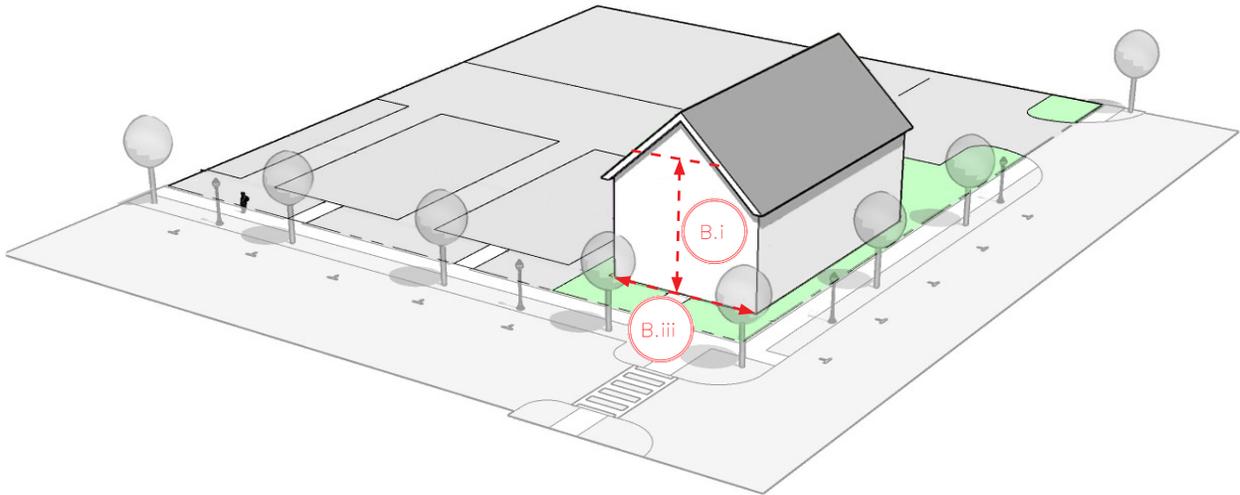
## C. Facade Activation:

i. Entrance location / frequency:	a.	At least one functional, pedestrian-accessible entrance shall be located, at a minimum, on the building front and any adjacent Formal Open Space.
	b.	A functional, pedestrian accessible entrance shall be located, at a minimum, every 50 linear feet along the building front.
	c.	A functional, pedestrian-accessible entrance shall be provided for every 50 linear feet of the building front.
C.ii ii. Minimum Total Facade Transparency:		20%
iii. Minimum First Floor Transparency:		25%
C.iv iv. Minimum First Floor Height:		14'

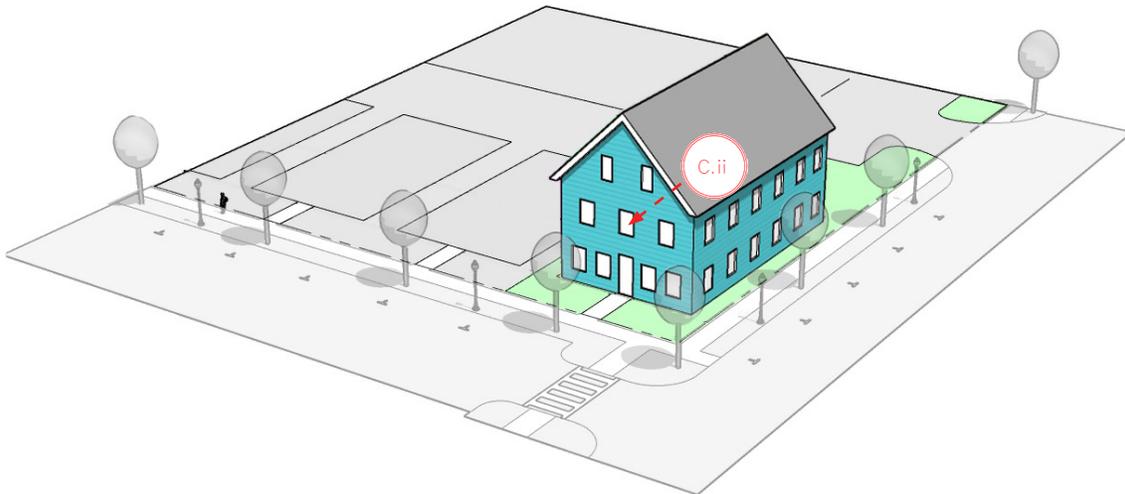
Building Type 4 Building Placement and Orientation:



Building Type 4 Mass and Scale:



Building Type 4 Facade Activation:



## A. Building Placement and Orientation:

i. Building Placement:	A.i.a/b	a. Min. Lot Size:	1,875 square feet.
		b. Min. Lot Width:	18 feet.
	A.i.c/d	c. Side Setbacks:	5' minimum; Side setbacks on lots less than 7,500 square feet may be reduced in accordance with § 72-82.4B(2).
		d. Rear Setbacks:	20 foot minimum.
A.ii	ii. Building Front Orientation:	The building front shall generally be parallel to the most prominent frontage type; or The building front may face a Formal Open Space.	

## B. Mass and Scale:

B.i	i. Maximum Building Height:	By-right up to 35 feet and 3 stories for a residential building or 25 feet or two stories for a non-residential or mixed-use building.
	ii. Maximum Building Floorplate:	6,000 square feet.
B.iii	iii. Maximum Building Width:	50 feet.

## C. Facade Activation:

	i. Entrance location / frequency:	At least one functional, pedestrian-accessible entrance shall be located, at a minimum, on the building front and any adjacent Formal Open Space.
C.ii	ii. Minimum Total Facade Transparency:	18%
	iii. Minimum First Floor Transparency:	N/A
	iv. Minimum First Floor Height:	N/A
	v. Retail Permitted:	In the T-5C Transect, except for an Artist Studio, the uses identified as "Retail Sales and Services" in Table 72-40.2 shall not be permitted within Building Type 4.
	vi. Equipment screening:	Utility and service functions shall be designed so that they are screened from adjacent streets.

## CHAPTER 7: AREAS OF UNIQUE ARCHITECTURAL VALUE – CREATIVE MAKER DISTRICT

7-1. The Creative Maker District constitutes an area of unique architectural value located within a redevelopment district, and is therefore designated as an architectural preservation district, encompassing such area.

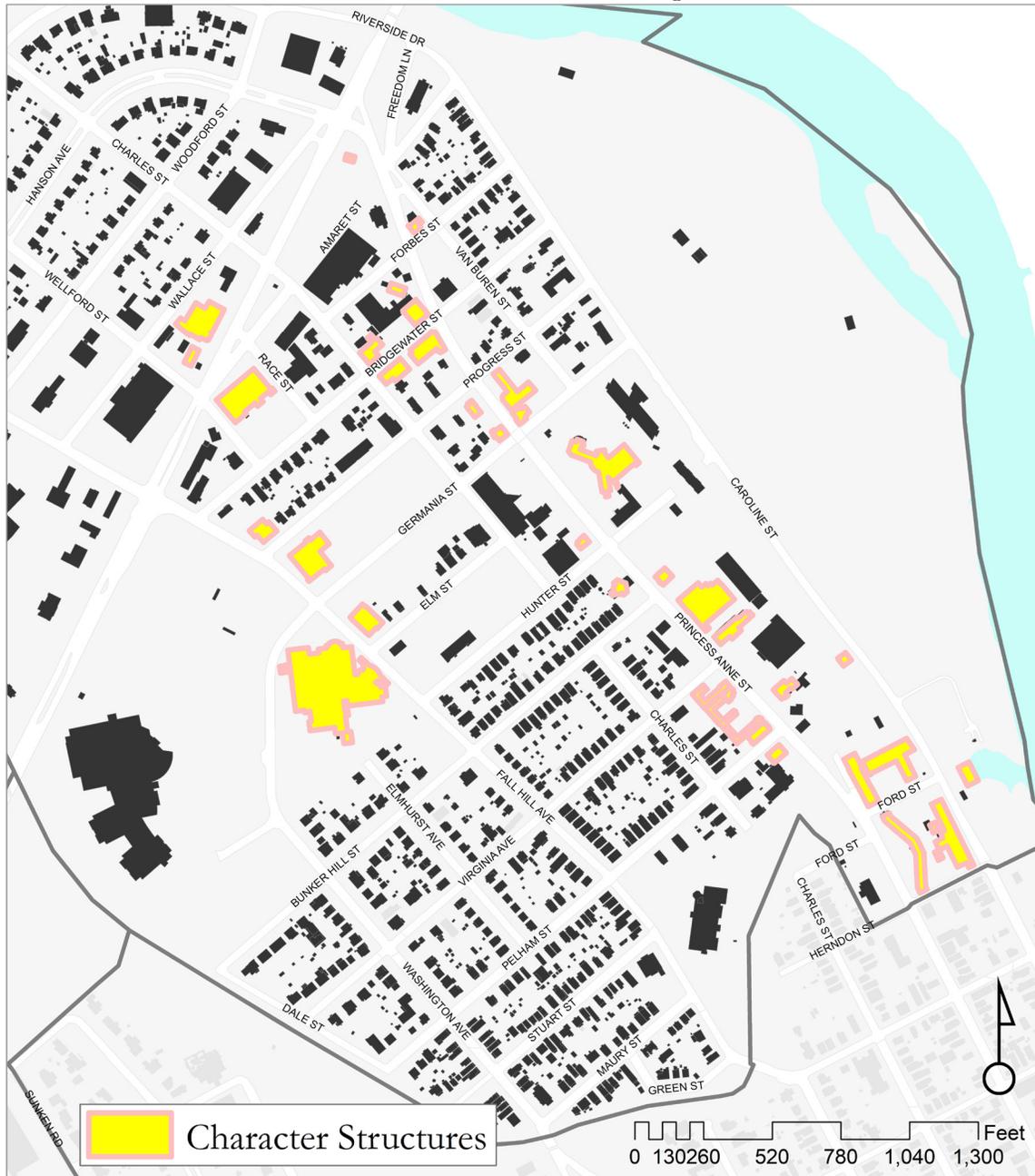
A. The following buildings from the late 19th and early 20th century possess unique architectural character and are set forth as “character structures” for the Creative Maker District:

- i. C.W. Wilder and Co. Silk Mill (1889) - 1700 Caroline Street
- ii. Washington Woolen Mills Pants Factory (1909) - 203 Ford Street
- iii. Billiards Hall (1909) - 2619 Princess Anne Street
- iv. Embrey Power Plant (1910) - 1709 Caroline Street
- v. Germania Mills (1917) - 1900 Caroline Street
- vi. Former National Bank Kitchen (1839) - 2800 Princess Anne Street

B. The following buildings relate to the primary period of significance for the Creative Maker District, the mid-20th century expansion of the highway system, and are set forth as “character structures” for the Creative Maker District:

- i. Kenmore Hosiery (1947) - 400 Amaret Street
- ii. Building (1954) - 316 Bridgewater Street
- iii. Auto Parts (1956) - 317 Bridgewater Street
- iv. Mary Washington Hospital (1949) - 2300 Fall Hill Avenue
- v. Medical Arts Building (1964) - 2301 Fall Hill Avenue
- vi. PNC Bank Headquarters (1975) - 2401 Fall Hill Avenue
- vii. Office Building (1964) - 2501 Fall Hill Avenue
- viii. Blanton Motor Court (1952) - 417 Jefferson Davis Highway
- ix. Auto Service (1955) - 429 Jefferson Davis Highway
- x. Motel (1957) - 1912 - 1914 Princess Anne Street
- xi. Filling Station (1919) - 2404 Princess Anne Street
- xii. Burgess Service Station (1922) - 1810 Princess Anne Street
- xiii. Hotel Wakefield (1928) - 1701 Princess Anne Street
- xiv. Dowling Mills (1936) - 1801 Princess Anne Street
- xv. Retail and Apartment Building (1948) - 1900 Princess Anne Street
- xvi. Inter-State Ice Co. (1939) - 1901 Princess Anne Street
- xvii. Payne Motor Court (1950) - 1902-1910 Princess Anne Street
- xviii. Show Room and Garage (1948) - 1919 Princess Anne Street
- xix. Filling Station (1939) - 2105 Princess Anne Street
- xx. Coca Cola Bottling Co. (1939) - 2011 Princess Anne Street
- xxi. (Original) Hardee’s (1965) - 2100 Princess Anne Street
- xxii. Carl’s Ice Cream (1954) - 2200 Princess Anne Street
- xxiii. Hotel Stratford (1926) - 2217 Princess Anne Street
- xxiv. 2400 Diner (1955) - 2400 Princess Anne Street
- xxv. Modern Beauty Shop (1929) - 2401 Princess Anne Street
- xxvi. Auto Sales and Repair (1930) - 2415 Princess Anne Street
- xxvii. Monroe Motors (1954) - 2506-2508 Princess Anne Street
- xxviii. Auto Service (1948) - 2600 Princess Anne Street, 301 - 305 Bridgewater Street
- xxix. Itemarco Corp. Station (1956) - 2610 Princess Anne Street

## T-4M and T-5M Character Structure Map Small Area 6



- C. Design review required. The following forms of development, located on lands within the Creative Maker District, shall be required to obtain approval by the Zoning Administrator or, on appeal, by the City Council, as being architecturally compatible with the character structures of the district:
- New construction, and
  - Exterior alterations to a principal or accessory building or structure.
- D. The Zoning Administrator is authorized to approve, approve subject to conditions, or disapprove an application for the foregoing forms of development. The Zoning Administrator shall consider only those design features subject to view from the public right-of-way (not to include alleys) or City-owned property and shall not make any requirements except for the purpose of encouraging development that is architecturally compatible with the character structures of the Creative Maker District.

E. Review criteria. New construction and exterior alterations to a principal or accessory building or structure in the Creative Maker District shall be architecturally compatible with the character structures of the district. The Zoning Administrator shall apply the following criteria to that end:

i. Building Elevation:	The building elevation shall be either vertically oriented or horizontally oriented based on the patterns of surrounding buildings.
ii. Permitted Materials:	a. Permitted primary building materials are brick, stone, stucco, wood / wood composite / cementitious siding, and non-corrugated metal.
	b. Accent and trim materials may be any of the primary building materials or vinyl.
iii. Equipment screening:	Utility and service functions shall be designed so that they are screened from adjacent streets.

F. Alterations or reuse of character structures. Character structures may utilize the following standards if the existing structure is retained on-site.

i. Character structures may use the following Private Frontage Standards in place of the general Private Frontage Standards:

a. Building Placement / Build-to Zone:	No building or accessory structure in the same Development as a character structure shall encroach upon the sight line to the character structure. The sight line is the hypotenuse of a triangle where one leg extends from the front corner of a Character Structure to a perpendicular point on the centerline of the adjacent street parallel to the Building Front and another leg extends along the centerline of that street a distance of 250 feet.
b. Parking Lot Placement / Encroachments:	Parking lots may retain their positioning on the site but should be brought into conformance with § 72-53.1.D Configuration as much as practicable.

ii. Character structures may use the following Building Type Standards in place of both the general building type standards:

a. Building Placement and Orientation:

1. Building Placement:	i. Min. Lot Size:	1,875 square feet.
	ii. Min. Lot Width:	18 feet.
	iii. Side Setbacks:	5' minimum; Side setbacks on lots less than 7,500 square feet may be reduced in accordance with unless reduced based on § 72-82.4B(2).
	iv. Rear Setbacks:	20 foot minimum.
2. Building Front Orientation:	The building may retain its existing orientation to the street.	

b. Mass and Scale:

1. Maximum Building Height:	i. 35 feet and 3 stories; or
	ii. Additions to character structures taller than 35 feet may adhere to the existing maximum height of the building.
2. Maximum Building Floorplate:	N/A

3. Maximum Building Width:	i. 50 feet; or
	ii. Additions to character structures wider than 50 feet may adhere to the existing building width.

c. Facade Activation:

i. Entrance location / frequency:	Any new entrances or opening shall be complimentary to the existing building pattern.
ii. Minimum Total Facade Transparency:	18%
iii. Minimum First Floor Transparency:	N/A
iv. Minimum First Floor Height:	N/A

C. Review timing. The Zoning Administrator shall act to approve, approve with modification, or deny any request or application within 60 days of the official submission of the application. The Zoning Administrator shall memorialize his/her decision in writing and the Planning Office shall notify the applicant of the decision within 14 days. A notice of City action does not constitute general zoning approval for any structure, but is contingent upon the owner obtaining any other zoning approval required. A notice of City action issued under the provisions of this section shall expire one year after the date of such approval unless:

- i. A building or sign permit has been obtained and work begun; or
- ii. An extension has been granted by the Zoning Administrator, as appropriate, which shall not exceed six months.

D. Appeals.

- i. The applicant may appeal the Zoning Administrator's decision to the City Council, provided such appeal is filed in writing within 30 days from the date of the Zoning Administrator's decision. The appeal shall clearly set forth the grounds of the appeal, including the procedure or standard alleged to have been violated or misapplied by the Zoning Administrator. The City Council shall consult with the Zoning Administrator in relation to any appeal and may require documentation of any decision prior to hearing the appeal. The City Council may affirm, reverse, or modify the Zoning Administrator's decision. The City Council shall decide such appeal within 45 days of the date of the appeal.
- ii. The applicant may appeal the City Council's decision to the Circuit Court of the City by filing a petition at law setting forth the alleged illegality of the action of the City Council, provided such petition is filed within 30 days after the final decision is rendered by the City Council. The filing of the petition shall stay the decision of the City Council pending the outcome of the appeal to the Circuit Court. The court may reverse or modify the decision of the City Council, in whole or in part, if it finds upon review that the decision of the City Council is contrary to law or that its decision is arbitrary and constitutes an abuse of discretion, or it may affirm the decision of the City Council.

**CHAPTER 8: OPTIONAL FORMS OF DEVELOPMENT**

8-1. Purpose:

- A. While one of the main purposes of form-based regulations is to provide predictability, it is recognized that high-quality development can also be accomplished other than by strict adherence to the prescribed forms of development allowed by this ordinance. Therefore, a certain degree of flexibility is allowed in certain cases in order to encourage creative designs that may generate different, but equally desirable, means of accomplishing the purposes of a prescribed form of development. These optional forms of development allow deviations from applicable regulations so long as the proposed development achieves the goals and objectives of a prescribed form and conforms to the provisions of Section 72-30:1.4.
- B. The Zoning Administrator may review and approve optional forms of development as by-right options, within the criteria described herein, as part of the general site plan approval process. The City Council may approve optional forms of development as part of a special use permit process.
- C. Design elements that are governed by Article 5 of the UDO may be modified in accordance with the provi-

sions of that Article.

- D. Where a development proposal requires even greater flexibility, the developer may seek a special exception from City Council. Special exceptions shall be evaluated for consistency with the following criteria, and the City Council, in deciding whether to permit the Special Exception, shall consider the extent to which the proposed development, taken as a whole:
- i. Advances the stated goals and objectives of the Small Area Plan, transect designation, and the purpose of the form based code regulation.
  - ii. Advances the stated purpose of each form based regulation or standard as applicable to the development as established in the Unified Development Ordinance.
  - iii. Is consistent with any applicable urban fabric standards.
  - iv. Is consistent with the intent of the regulations applicable to the street frontage in which it is located.
  - v. Is physically and functionally integrated with the built environment in which it is located.
  - vi. Promotes modes of transportation other than the automobile, including walking, biking, and transit.
  - vii. Creates a built environment that is in scale with pedestrian-oriented activities and provides visual interest and orientation for pedestrians; and
  - viii. Contributes to a mix of uses in the area that are compatible with each other and work together to create a memorable and successful place.
- E. Applying for an optional form of development requires written and website notice under § 72-21.9. After proper notice, the Zoning Administrator shall make a determination on the permissibility of the proposed optional form of development. These decisions may be appealed to the Board of Zoning Appeals in accordance with § 72-22.8.
- F. Nothing in this section shall be construed to limit or otherwise impair the right of any proper party to apply to the Board of Zoning Appeals for a variance from any of the regulations set forth in this Code, to the extent permitted by law, or to apply to the Zoning Administrator for an administrative modification or minor expansion of a nonconforming use pursuant to Section 72-24.2 or 72-24.3, respectively, in a proper case.

## 8-2. Optional forms of development – Urban Fabric Standards.

- A. Purpose: To transform the organization of the land from ageing automobile-oriented infrastructure (dominant asphalt parking lots, commercial driveways, and separated single use developments) into a walkable urban fabric consisting of a network of streets and blocks that include formal open spaces, mixed uses, and transitional zones. The new urban fabric should effectively transition in scale and intensity towards adjacent development.
- B. Optional form of development:
- i. Access:  
Option --- Provide for interconnectivity through limited road or trail connections linking existing and proposed development where a complete street would add through traffic onto neighborhood streets.  
Design Guidelines --- The connection shall be a minimum of 50 feet wide and shall be safe, open, landscaped, and lit as appropriate. The connection shall contain a minimum 10 foot wide shared use trail.
  - ii. Transitional zones:  
Option --- Permit the reuse of an existing building within a required Transitional Zone that does not meet the maximum building width requirement. For example, permitting the adaptive reuse of an existing shopping center building as a transitional use of the property would recognize that the full redevelopment of a site is an on-going evolution that may occur in several phases.  
Design Guidelines --- The site around the building shall be modified so that the building fronts on a street and fits into a block network in conformance with the required standards. The façade shall be broken up to create the appearance of multiple buildings that would meet the maximum width requirement. Each portion of the façade shall be differentiated by changes in materials, rooflines and offsets in the façade plane as shall also contain an operable, active pedestrian entrance that breaks the mass of the façade.

8-3. Optional forms of development – Frontage Standards.

- A. Purpose: To ensure the creation of safe, harmonious, and attractive public and semi-public corridors through the definition and activation of the public realm between the street and the building face, the definition and activation of yards and open spaces, and the transition between the development and adjoining uses.
- B. Optional form of development:

i. Public frontage:

Option --- Provide for a safe and harmonious public realm with a cohesive streetscape where unusual situations, physiographic features, or existing roadway geometry create engineering challenges that require a deviation from the standards as written location, height, or width of the streetscape elements.

Design Guidelines --- Overall, the general character of the streetscape, including the provision of sidewalk or trails, the location of landscaping and trees, and the provision of lighting shall remain consistent with the intent of the frontage.

Option --- Provide for a safe and harmonious public realm with a cohesive street lighting system.

Design Guidelines --- On smaller infill lots along Princess Anne Street where historic street lighting (characterized by the metal fluted poles that extend along historic US Route 1 along Princess Anne Street and Lafayette Boulevard) exists, the applicant may rely on the existing street lighting to meet the public frontage street lighting standards.

ii. Private frontage:

Option --- Permit modified building placement and build-to-zone components for a semi-public edge where the development site abuts a street that fosters a connected environment through the site, enlivens the development's internal connections and spaces.

Design Guidelines --- The street frontage shall be enlivened through the creative use of landscaping, public art, water features, or other pedestrian amenities that provide visual interest. Options may also include consolidating portions of a required build-to-zone into a compact, high quality outdoor amenity space that is visible from the street. Examples include an outdoor café, swimming pool, fountain, plaza, garden, formal open space or similar area, or a combination thereof. The optional form shall be in reasonable proportion to the degree of difference between the prescribed private frontage requirements and the actual form provided.

8-4. Optional forms of development – Building Type Standards.

- A. Purpose: To create inviting, walkable, and healthy environment by shaping and activating that public realm and other public open spaces.

B. Optional Form of Development

i. Façade Activation and Building Materials:

Option --- Permit modified façade activation and building materials standards where an alternative building design creates an appropriate active and interesting facade that results in a safe and vibrant pedestrian scaled building envelope.

Design Guidelines --- The building elevation shall contain unique or exceptionally detailed architectural treatments or the reduction in transparency must be the result of a building's unique architectural character and style. Materials used shall retain their honesty. The building elevation shall contain a minimum of 5% transparency and shall contain at least one functional, pedestrian entrance on the building front. The amount of these elements required shall be in proportion to the degree of difference between the prescribed transparency and the actual transparency provided. Additional detailing and fenestration shall be prioritized toward the first floor elevation.

ii. Maximum building width and building floorplate:

Option --- Permit modified maximum building widths and floorplates where the building is designed with high architectural quality and style that minimizes the impact of the mass and scale of the building on the



**MOTION:**

draft 2020 01 21

**SECOND:**

Regular Meeting

Ordinance No. 20 -

—

**RE:** Rezoning approximately 78 acres of land located in Planning Area 6, designated as transect T-4M or T-5M, to the Creative Maker District (CM) as recommended in the Small Area Plan for Area 6; and adopting transect maps and frontage maps for the district.

**ACTION:** APPROVED; Ayes:0; Nays: 0

**First read:** \_\_\_\_\_ **Second read:** \_\_\_\_\_

IT IS HEREBY ORDAINED by the Fredericksburg City Council that the official zoning map of the City, established pursuant to City Code §72-30, is amended as follows:

I. Background Information

City Council amended Chapter 11, “Future Land Use,” of the 2015 Comprehensive Plan to adopt a new small area plan for Planning Area 6 by adoption of Resolution 19-11 at its meeting on February 12, 2019. The new small area plan designates approximately 78 acres of Planning Area 6 as either T-4M (General Urban Maker) or T-5M (Area Core Maker). The small area plan then recommends that the City establish a new “Creative Maker District” to apply to these two transects. By adoption of Ordinance 20-\_\_, City Council established the new Creative Maker District, and the Council now proposes to designate the 78 acres of land in Planning Area 6 designated as either T-4M (General Urban Maker) or T-5M (Area Core Maker), as recommended.

This zoning map amendment was initiated by City Council by adoption of Resolution 20-\_\_ on [date]. The Planning Commission held its public hearing on this amendment on [date], after which it voted to recommend the amendment. City Council held its public hearing on [date].

In adopting this ordinance, City Council has considered the applicable factors in Virginia Code §15.2-2284. The City Council has determined that public necessity, convenience, general welfare and good zoning practice favor this rezoning.

## II. Official Zoning Map Amendment

- A. The official zoning map, prepared in accordance with City Code §72-30, is hereby amended by rezoning the following described land from Commercial Highway to Creative Maker District (CM) zoning:

GPIN	Existing Zoning	Acreage
7779-98-4180	CH	0.45
7779-98-4125	CH	0.16
7779-98-3252	CH	0.12
7779-98-2371	CH	0.57
7779-98-1480	CH	0.23
7779-98-0581	CH	0.38
7779-88-9692	CH	0.45
7779-88-8830	CH	0.51
7779-89-7284	CH	2.80
7779-89-9137	CH	0.07
7779-89-9115	CH	0.07
7779-88-6986	CH	0.20
7779-89-5070	CH	0.456
7779-89-4164	CH	1.44
7779-89-2453	CH	0.07
7779-89-2497	CH	0.17
7779-89-3359	CH	0.17
7779-89-3325	CH	0.07
7779-89-1617	CH	0.39
7779-89-2600	CH	0.17
7779-89-1567	CH	0.10
7779-79-4184	CH	0.09
7779-79-4142	CH	0.11
7779-79-4476	CH	1.46
7779-89-0855	CH	0.21
7779-79-9993	CH	0.35
7779-79-9787	CH	0.27
7779-79-9619	CH	0.13
7779-79-8894	CH	0.28
7779-79-6640	CH	0.12
7779-79-6605	CH	0.20

7779-79-6841	CH	0.03
7779-79-6739	CH	0.02
7779-79-6728	CH	0.03
7779-79-6716	CH	0.02
7779-79-5795	CH	0.02
7779-79-5745	CH	0.52
7779-79-5900	CH	0.11
7870-70-5210	CH	0.57
7779-79-3978	CH	0.47
7779-79-2871	CH	0.84
7779-79-1731	CH	0.27
7779-79-2625	CH	0.27
7789-08-2108	CH	3.93
7779-98-7056	CH	0.21
7789-08-0009	CH	0.02
7779-98-8076	CH	0.13
7779-98-8024	CH	0.13
7779-98-2663	CH	0.14
7779-99-0190	CH	0.10
7779-98-0802	CH	0.14
7779-88-8994	CH	0.12
7779-99-0057	CH	0.09
7779-99-0014	CH	0.09
7779-89-9070	CH	0.09
7779-88-9947	CH	0.09
7779-89-9014	CH	0.44
7779-98-7433	CH	0.05
7779-98-6571	CH	0.17
7779-98-6117	CH	0.04
7779-97-7696	CH	0.79

- B. The official zoning map, prepared in accordance with City Code §72-30, is hereby amended by rezoning the following described land from Commercial Highway and Residential 2 to Creative Maker District (CM) zoning:

GPIN	Existing Zoning	Acreage
7779-98-6352	CH/R2	0.77
7779-98-8220	CH/R2	1.47
7779-98-4519	CH/R2	2.36
7779-98-2737	CH/R2	1.59
7779-98-1946	CH/R2	1.77
7779-98-7406	CH/R2	0.14

- C. The official zoning map, prepared in accordance with City Code §72-30, is hereby amended by rezoning the following described land from Commercial Shopping Center to Creative Maker District (CM) zoning:

GPIN	Existing Zoning	Acreage
7870-70-9013	CSC	0.03
7870-70-9129	CSC	0.08
7870-70-8059	CSC	0.16
7870-70-8026	CSC	0.08
7870-70-8014	CSC	0.09
7870-70-7100	CSC	2.32
7779-79-7946	CSC	0.08
7779-79-7925	CSC	0.05
7779-79-7913	CSC	0.05
7779-79-6991	CSC	0.09
7870-70-8400	CSC	0.48

- D. The official zoning map, prepared in accordance with City Code §72-30, is hereby amended by rezoning the following described land from Commercial Transitional Office to Creative Maker District (CM) zoning:

GPIN	Existing Zoning	Acreage
7779-78-7426	CT	6.00
7779-89-2062	CT	0.51
7779-78-9885	CT	1.73
7779-89-1072	CT	0.06
7779-89-1051	CT	0.06
7779-88-2933	CT	0.12
7779-88-1990	CT	0.12
7779-88-1857	CT	0.12
7779-88-0870	CT	0.06
7779-88-0715	CT	0.06
7779-78-9793	CT	0.06
7779-78-9772	CT	0.06
7779-78-9750	CT	0.08
7779-88-4832	CT	0.51
7779-88-1424	CT	0.07
7779-88-1407	CT	0.12
7779-88-0550	CT	0.12
7779-88-0514	CT	0.19
7779-88-3729	CT	0.97
7779-88-3669	CT	0.24

7779-88-2693	CT	0.09
7779-88-2629	CT	0.18
7779-88-1631	CT	0.59
7779-88-2525	CT	0.35
7779-88-6809	CT	0.33
7779-89-2390	CT	0.09
7779-89-1387	CT	0.25
7779-89-2246	CT	0.08
7779-89-4514	CT	0.37
7779-89-4692	CT	0.06
7779-89-5600	CT	0.06
7779-89-5528	CT	0.06
7779-89-5554	CT	0.06
7779-89-5572	CT	0.06
7779-89-4496	CT	0.16
7779-89-2331	CT	0.124
7779-89-2359	CT	0.10
7779-89-2748	CT	0.19
7779-89-3710	CT	0.13
7779-89-0489	CT	0.24
7779-89-2687	CT	0.09
7779-89-1535	CT	0.12
7779-89-0526	CT	0.14
7779-79-9690	CT	0.13
7779-79-9349	CT	0.25
7779-79-4090	CT	0.23
7779-79-4033	CT	0.12
7779-79-8495	CT	0.12
7779-79-3096	CT	0.14
7779-79-8469	CT	0.13
7779-79-3058	CT	0.08
7779-79-8412	CT	0.18
7779-79-8330	CT	0.48
7779-79-7379	CT	0.06
7779-79-7357	CT	0.06
7779-79-7325	CT	0.12
7779-79-7302	CT	0.06
7779-79-6279	CT	0.12
7779-79-7232	CT	0.12
7779-79-6236	CT	0.12
7779-79-6199	CT	0.12
7779-79-5293	CT	0.12
7779-79-6156	CT	0.12
7779-79-5250	CT	0.12
7779-79-6112	CT	0.12
7779-79-5127	CT	0.12

7779-79-5089	CT	0.12
7779-79-5036	CT	0.11
7779-89-1137	CT	0.13
7779-89-1201	CT	0.12
7779-89-0265	CT	0.12
7779-89-0248	CT	0.13
7779-89-0203	CT	0.06
7779-79-9281	CT	0.06
7779-89-0164	CT	0.13
7779-79-9158	CT	0.12
7779-89-0121	CT	0.12
7779-79-9066	CT	0.60
7779-78-7954	CT	1.59
7779-89-1995	CT	0.35
7779-79-8783	CT	0.12
7870-80-1035	CT	0.24
7779-89-5546	CT	0.06
7779-79-8716	CT	0.07
7779-79-8738	CT	0.06
7779-79-8840	CT	0.05
7870-80-0176	CT	0.05
7870-80-0159	CT	0.03
7870-80-0232	CT	0.03
7779-79-7626	CT	0.12
7779-79-7609	CT	0.06
7779-79-6772	CT	0.13
7779-79-7504	CT	0.06
7779-79-6583	CT	0.06
7779-79-6561	CT	0.07
7779-79-8602	CT	0.09
7779-79-7548	CT	0.22

- E. The official zoning map, prepared in accordance with City Code §72-30, is hereby amended by rezoning the following described land from Residential 2 to Creative Maker District (CM) zoning:

GPIN	Existing Zoning	Acreage
7779-99-0268	R2	0.25
7779-99-1205	R2	0.07
7779-99-1213	R2	0.07
7779-99-1231	R2	0.07
7779-99-1250	R2	0.07
7779-99-1167	R2	0.14

F. The official zoning map, prepared in accordance with City Code §72-30, is hereby amended by rezoning the following described land from Residential 30 to Creative Maker District (CM) zoning:

GPIN	Existing Zoning	Acreage
7779-89-9415	R30	2.01

G. The official zoning map is hereby amended to remove the land zoned Creative Maker District (CM) from the Princess Anne Street Corridor Overlay Subdistrict.

H. The official zoning map, prepared in accordance with City Code §72-30, is hereby amended by the adoption of the “T-4M and T-5M Transect Map,” dated August 20, 2019; and the “T-4M and T-5M Frontage Map,” dated December 17, 2019, which shall be used in the administration of the Creative Maker District.

III. Effective Date

This ordinance is effective immediately.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

Approved as to form:

\_\_\_\_\_  
Kathleen Dooley, City Attorney

\*\*\*\*\*

*Clerk’s Certificate*

*I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Ordinance No. 20- duly adopted at a meeting of the City Council meeting held Date, 2020 at which a quorum was present and voted.*

---

***Tonya B. Lacey, CMC***  
***Clerk of Council***



## MEMORANDUM

**TO:** Chairman Rodriguez and Planning Commissioners  
**FROM:** Chuck Johnston, Community Planning & Building Director;  
Mike Craig, Senior Planner  
**DATE:** 2020 March 4 for the March 11 Commission meeting  
**SUBJECT:** Parking Regulation Text Amendments to the Unified Development Ordinance

---

### **Issue**

Should the Planning Commission recommend approval of Unified Development Ordinance Text Amendments to modify parking regulations?

### **Background**

A reduction and recalibration of the City's parking regulations are proposed to implement policies in the City's Comprehensive Plan that encourage quality development/redevelopment Downtown and in Planned Development areas. The 2017 Walker Parking Action Plan encourages efficient parking supply. The changes are also incorporate into the proposed Creative Maker Zoning District. The changes are the application of good planning practices that enable communities to achieve walkable urban places with an appropriate mixture of land uses and open space. Finally, the changes will help the City achieve more sustainable development with less impervious area and reduced need for stormwater facilities. It is proposed to use the "SmartCode" (with some calibration) as the benchmark for parking requirements to the City, particularly Downtown, the proposed additional walkable urban places in the Downtown area, the new Creative Maker District, and in Planned Development projects. An analysis of the history of the City's parking regulations and the legal and regulatory pressure they apply to the City's urban fabric was presented to the Parking Committee at their May 6, 2019 meeting and is included as an appendix.

### **Comprehensive Plan Policies**

- Downtown Parking Strategy 3
  - *Reduce or remove parking regulations* and allow market forces to provide for adequate parking.
- Transportation Policy 9
  - *Develop parking policies that are appropriate to an active downtown.*
- Business Opportunity Policy 5
  - *Implement development/redevelopment standards that promote a human-scale, pedestrian-oriented, transit friendly community*, through site layout, building configuration, landscaping, signage, parking lot design, vehicle and pedestrian circulation, stormwater management, and environmental protection.

- Business Opportunity Initiative 35
  - *Encourage development/redevelopment activity* by creating redevelopment plans, especially for older shopping centers, that will diversify uses and provide for improved multi-modal access, landscaped parking areas, and improved lighting and signage.
- Land Use Revitalization Objective
 

Most of the City’s small areas are designated as revitalization areas per Virginia Code 15.2-2303.4, as having:

  - Large surface parking areas on commercial land, which have revitalization opportunities for the evolution of a suburban pattern of development into a more urban, mixed-use pattern. *Broad expanses of surface parking* result in fragmented and inefficient development patterns that *should be redeveloped so as to create complete communities that are walkable and robust.*

### Walker Parking Action Plan

The 2017 Walker Parking Action Plan cites, as one of several ‘New Parking Paradigms’, that “Too much supply is as harmful as too little. Public resources should be maximized and sized appropriately.” [Pages v and 53]

### Urban Development Standards

The thrust of good planning practice since the late 20<sup>th</sup> century has been to reassert pre-automobile age development standards to refocus communities, through the principles of ‘New Urbanism’, as great places for people, not just great places for cars. The model ordinance created to enable New Urbanism is the “SmartCode” (attached). The proposed recalibration of the City’s parking standards is directly derived from the parking standards in the SmartCode. The SmartCode uses the concept of ‘Transects’ to describe different elements of a community, as illustrated in the diagram below, and establishes land development standards that vary depending on the Transect.



In the small area plans that are being created for the City, T-5 is applied to Fredericksburg’s Downtown and the cores of other planning areas. T-4 is the transitional area between these cores and adjoining lower density residential areas. T-3 is applied to the lower density city residential areas. T-1 is used for open space areas.

The parking standards in the SmartCode vary by Transect. Making comparison somewhat challenging, the SmartCode parking standards are expressed in a ratio of X number of spaces per 1000 square feet, while the City’s Unified Development Ordinance standards are typically stated as 1 space per X hundreds of square feet. Further, the SmartCode consolidates parking

requirements into four broad categories: residential, lodging, office, and retail. While the UDO expresses a parking standard for each of the approximate 120 listed specific land uses.

#### Commercial Downtown, Planned Development, and new Creative Maker Districts

The development standards for Downtown, Planning Development, and the proposed Creative Maker Zoning Districts are intended to foster the development and redevelopment of these areas for a mixture of uses that, while designed to accommodate private vehicles access, also encourage alternative access by foot, bicycle, and transit. Minimum parking requirements are still appropriate in these areas in Fredericksburg, as the level of alternative access has not reached a level of sophistication and comprehensiveness that have allowed larger cities to eliminate parking requirements. Downtowns without parking requirements typically are in high functioning large cities with a critical mass of a mix residential, service, and employment uses. These downtowns are served by mature transit systems with a comprehensive network of routes, fixed rail services (usually), and short intervals between transit vehicles. FRED Transit does not have the network of service nor the frequency of service to provide a comparable transit alternative. Downtown Fredericksburg will remain private vehicle dependent for the foreseeable future for customers, employees, residents, and visitors.

Retaining parking requirements Downtown would allow the City to continue to receive revenue from projects where there is payment in-lieu of spaces. Current regulations allow for purchase of 50% of required spaces. Expansion of the opportunity for purchase would increase the potential for revenue. Parking requirements also allow the City to incentivize uses that it wishes to encourage (such as: reuse of historic buildings or, potentially, affordable housing). Finally, the nature of vehicle use is changing and the City should not be requiring more parking than is really necessary or appropriate in its most urbanized areas.

The use of a 'Shared Parking Factor' is proposed as a set formula for determining when there can be a shared parking in mixed use or multiple use projects. A specific rate of reduction is provided based on the degree uses are complimentary, such as spaces for offices during the day that can be used for residential or lodging in the evening. This would replace the need for an alternative parking plan where the degree of sharing is determined by traffic consultants without public evaluation criteria.

While not as dramatic as the elimination of parking requirements, application of SmartCode parking standards would substantially reduce parking standards for office uses, modestly reduce parking for retail, and recalibrate residential parking expectations in urban areas. The changes would move the City to a more appropriate balance of parking and desired character as a walkable community with:

- a 33% reduction for office uses and 12% reduction for retail in mixed-use areas,
- an approximate 12% reduction for office and use of a lower standard for larger retail uses outside mixed-use areas,
- elimination of parking for small uses (the first 1,500 buildable square feet of a use within a walkable urban place would be parking exempt),
- an increase in requirements for dwellings in mixed use areas combined with an automatic shared use calculation, and
- a specific method for calculation shared use space requirements as a standard practice. Application of a standard formula would remove the vagaries of the current process, which may result in inconsistencies between projects, and additional consultant costs for developers.

- A recalculation of parking requirements for changes of use outside of mixed-use areas

The combination of these parking adjustments will allow for more efficient use of land, provide more opportunity for open space, and reduce impervious area thereby reducing the need for stormwater facilities.

### **Downtown Parking District**

The payment-in lieu of spaces should be allowed for all spaces, with a higher rate for the second 50% in the Downtown Parking District. The Winchester Parking Garage, under construction next to the new Liberty Place project on William Street, has an approximate cost per space of \$28,000. It is recommended that the current rate of \$7,150 as payment for the first 50% of spaces be maintained, with 2x (\$14,300) the base rate for 51 to 70% of spaces, 3x (\$21,450) the rate for 71 to 85% of spaces and 4x (\$28,600) the rate for 86 to 100% of spaces. The base rate was adjusted in last year's budget in process. The rate amount should be reviewed regularly to keep abreast of inflation and construction costs. These funds would support an eventual third parking deck Downtown. In addition, the use of the funds should be expanded to include support of transit/shuttle services as well as bicycle facilities, with the district restyled as the Downtown Parking/*Transit*/Bicycle District. Further, the Downtown Parking/*Transit*/Bicycle District should be expanded to include the proposed additional walkable urban places in the Downtown area, as shown in the Downtown Small Area Plan (see attached map).

### **Information Sessions**

Per the request of Council, these proposed text amendments are being presented to potentially interested/affected organizations: the Economic Development Breakfast (February 18), Fredericksburg Area Builders Association (March 6), Economic Development Authority (March 9), and Main Street Board (March 19).

### **Conclusion**

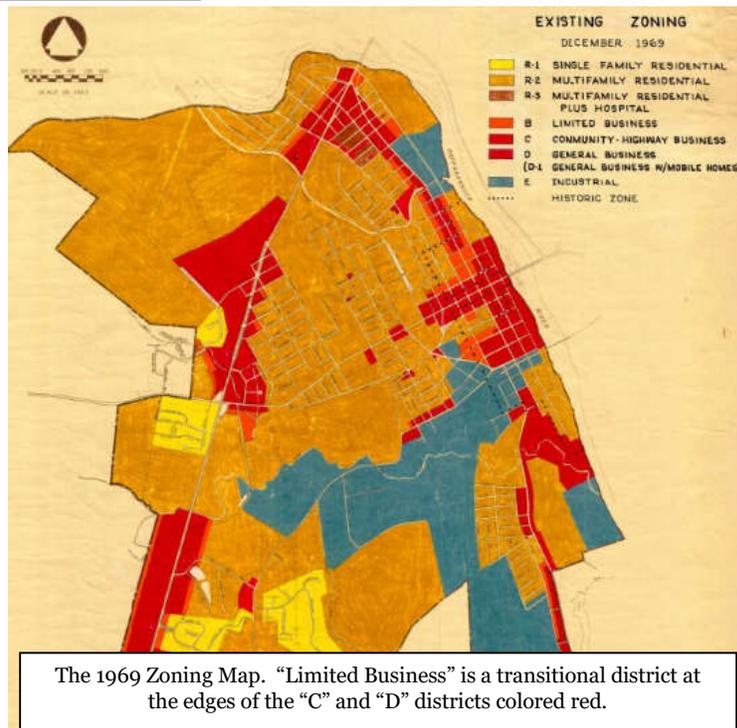
In applying SmartCode parking standards, the City would reinforce its efforts to maintain and enhance its traditional neighborhoods and districts, such as downtown, while requiring a reasonable level of parking in a more environmentally appropriate way. These standards will help encourage the evolution of auto/retail-oriented corridors into communities with multiple uses and that are served by multiple means of access.

## APPENDIX – PARKING IN THE CITY OF FREDERICKSBURG

### THE EVOLUTION OF THE CITY'S PARKING REGULATIONS

As early as 1963, City zoning ordinances required minimum off-street parking based on the quantity of a land use. In 1963 parking ratios were divided up by each zoning district. The ratios were based on different variables including number of units and square foot of use. Commercial uses in the “Community-Highway” (C) and “General Business” (D) Districts were required to provide off-street parking area on the same lot with the building equal to the square feet of the first floor of the building.

Some focus was given to balancing urban form with required parking. An exemption was included in the “Limited Business District” which stated that the regulations should not require the reuse of buildings existing prior to 1952 “to furnish more off-street parking spaces than can be provided within the confines of the property and no structural alteration of the building or buildings thereon shall be required” (§ 18, 1963 Zoning Ordinance). Otherwise, the requirement for off-street parking applied legal and regulatory pressure to consolidate lots and tear down buildings for car storage.



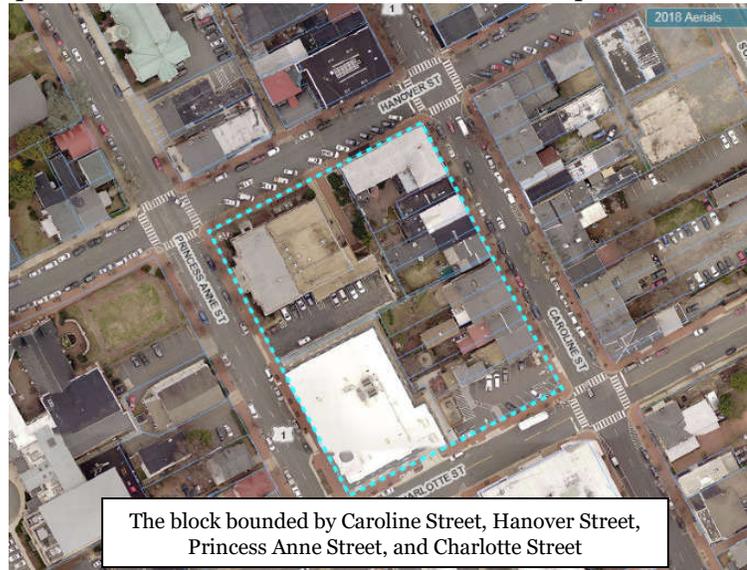
The zoning ordinance was rewritten on April 25, 1972 and included a new standalone chapter dedicated to parking. The chapter introduced dimensional and locational standards to accompany minimum parking ratios (Ord. 72-92). Parking spaces had to be a minimum of 200 square feet in size, were required to have curbed entrances, and access aisles for on-site circulation. Residential parking ratios increased (see chart below for some examples). Non-residential parking ratios became more complex as more uses were granted their own ratios. The only permitted waiver for parking was a provision limiting the amount of parking required to be built for a change of use in an existing buildings. In that case only additional parking deficit was required to be built for the new use.

The zoning ordinance was rewritten again in 1984 and the amount of land area required for car circulation and storage reached its zenith along with the corresponding legal and regulatory pressure to demolish existing fabric. The structure of the ordinance remained the same with no additional exceptions despite the parking ratios increasing again.

Use Type	Minimum Off-Street Parking Ratios (Parking Required / Use Amount)			
	1963 Req.	1972 Req.	1984 Req.	2013 Req.
Single Family Home	1 / DU	2 / DU	2 / DU	1.5 / DU
Office	1 / 400 SF	1 / 250 SF	1 / 200 SF	1 / 300 SF
Commercial / Retail	Off-street parking equal in area to ground floor of building	1 / 250 SF	1 / 200 SF	1 / 300 SF
Restaurant	Included in "commercial"	1 / 5 seats	1 / 4 seats + 1 / 2 employees	1 / 180 SF

Minimum parking ratio and minimum dimensional standards adopted in the 70's and 80's are based on suburban behavioral assumptions. They assume a single use environment where home, store, office, playground, etc. are all individual destinations, connected only by a system of primary highways. The trip from place to place (home to work to shop to restaurant back home) occurs within the vehicle. Sufficient parking infrastructure for each individual use is the paramount design concern in this suburban form. Sufficient off-street area must be provided for vehicles to circulate safely out of the flow of automobiles on-street and be stored on the same site as the use. The amount of space required for car circulation and storage is required to be greater than the amount of space where the person is permitted to be (ie. within the building or meaningful open spaces) in part because the car is four + times the size of a person.

The suburban parking premise conflicts with the existing urban form of the older areas of the City and the desirable urban form of new areas of the City. To illustrate the conflict, a chart containing the total land use in the block bounded by Caroline Street, Hanover Street, Princess Anne Street, and Charlotte Street is on the next page. The data is derived from the City's GIS system. The table includes the name of the building, the type and amount of uses in the building, the modern (2019) requirement for off-street parking per amount of use, the total required parking, and the total existing parking:



NAME	USE TYPE	USE AMOUNT	REQ. PK / USE (2019)	REQ. PK	EX. PK
City Hall	Government Office	29,139	1 / 300 SF	98	19
Courthouse	Courthouse	4 Courtrooms	65 per Courtroom	260	0
Visitors Center	Government Office	5,271	1 / 300 SF	18	14
Mixed-Use (Beck's)	Retail / US DU	1,000 SF / 1 DU	1 / 300 SF; 0.5 / DU	4	0
Mixed Use (O.T.C.)	Pers. Service / Apt / US DU	1,000 SF / 1 Apt / 2 DU	1 / 240 SF; 1.5 / Apt; 0.5 / DU	7	0
Mixed Use (Pon Shop)	Retail / Upper Story DU	1,000 SF / 3 DU	1 / 300 SF; 0.5 / DU	5	0
Skin and Touch Therapy	Pers. Service	2,505 SF	1 / 240 SF	11	0
718 Venue	Theater	82 Occupants	1 / 4 Seats	21	0
Mixed Use (Peecabo)	Retail / US DU	1,000 SF / 2 DU	1 / 300 SF; 0.5 / DU	5	0
Benny Vitalis	Fast Food	1,280 SF	1 / 100 SF	13	0
Mixed Use (J. B's / S & S)	Rest. / Retail / US DU	5,204' SF / 1,500 SF / 10 DU	1 / 180 SF; 1 / 300 SF; 0.5 DU	39	0
<b>TOTAL</b>				<b>481</b>	<b>43</b>

<sup>1</sup> J. Brian's square footage includes outdoor seating on the front and rear patios.

Using a typical parking lot arrangement, two perpendicular parking spaces and the aisle between them require a minimum of 480 square feet of asphalt<sup>2</sup>. The 481 parking spaces required off-street within the block would require 260,880 square feet (or 5.3 acres!). The block is a total of 2 acres in size. Without modification, the amount of use in one Downtown block would require the demolition of almost 3 additional blocks for surface parking.

Over thirty years, the parking ordinances applied legal and regulatory pressure to suburbanize the City's urban form. By 1993, it was apparent that what this pressure produced was problematic. In 1993, a provision was added to the parking regulations that states "for lots in development areas where yard geometry has already been established by existing residential dwellings and development patterns (ie., infill lots), the zoning administrator... may waive or reduce this requirement if necessary to preserve the urban streetscape or to maintain the consistency of building setbacks within the same block." This provision remains in place today, though rewritten as an exception for residentially zoned lots, vacant or otherwise, existing prior to April 25, 1984.

The City Council took broader action in 2007 and again in 2009 to address the impacts of modern parking standards on the Downtown core. The 2009 ordinance created the Downtown Parking District and the fee-in-lieu parking program, reduced required parking for certain new or expanded uses, permitted adjacent on-street parking to be counted towards meeting the parking requirement, amongst other parking exemptions and waivers. The 2009 ordinance approving these changes states,

"the City values its downtown and does not wish to encourage the demolition of structures to provide new surface parking spaces. However, its current parking regulations require suburban-style parking to be provided for expanding businesses or for the change of use of structures. These regulations, combined with the prohibition against demolition of structures, have combined to discourage the expansion of businesses and the change in the use of downtown structures.

The parking regulations contained herein are more appropriate for Fredericksburg's downtown. The new regulations will encourage investment in the downtown, preserve the historic built environment, provide parking where feasible, and aggregate funding for public development or leasing of parking spaces." (Ord. 09-22)

The adoption of the Unified Development Ordinance (UDO) in 2013 included more changes to parking standards (see the chart of the current parking standards attached to this memo). § 72-53.1B(2) included some of the rules adopted in 1993 and 2009 related to infill housing and permitting on-street parking to be counted towards the off-street parking requirement. The rehabilitation or re-use of a historic building was exempted from the parking requirements and changes in building use were exempted from providing any additional parking off-street parking than already existed. § 72-53.1C kept the basic structure of minimum off-street parking ratios and dimensional standards, but the ratios were reduced. A provision was added limiting the maximum amount of parking that a person may build on-site. § 72-53.3 add an alternative parking plans section permitting surplus off-site parking (meeting certain locational parameters) to be allocated to non-residential uses, permitting uses with staggered peak parking demands to share parking, and providing for a general 30% reduction in the parking standard with appropriate justification. The Downtown Parking District and Fund were retained.

The City's parking standards have evolved over the last fifty-six years. The evolution reflects the complex balance between protection and nurturing of the character of the City's neighborhoods and historic Downtown and adequate quantity of car storage. The purpose of this ordinance is to ensure that the proper balance between urban form and asphalt is maintained.

---

<sup>2</sup> UDO § 72-53.1D Configuration requires parking spaces to be 8 feet wide and 18 feet long. Two way access aisles serving perpendicular parking must be a minimum of 24 feet wide. These standards vary depending on the angle of the parking.

### **PARKING AND THE DOWNTOWN CORE**

The 2017 Walker Parking Action Plan (PAP) analyzed the Downtown core public parking supply. The Plan studied the public parking supply. The Plan found that supply was sufficient, but recommended several management techniques to make the supply more efficient (PAP iv). The focus in the Downtown core was to “push” or “pull” long term parkers out of on-street spaces and into public parking lots.

The Action Plan also contained recommendations for zoning regulations. The Plan “supports the City’s fee-in-lieu program and alternative parking plan requirements... as they are rather forward thinking strategies” (Parking Action Plan vii). The Plan also encouraged innovation and experimentation in parking requirements and policies (PAP 53). In 2009, the City Council adopted a \$5,500 fee per parking space. In 2014 the fee was increased to \$6,500 and the Plan stated that was sufficient, but that it should be adjusted based on increase in cost of living every two years (PAP 64). The fee was adjusted as prescribed in 2019 so that an applicant may now pay \$7,150 per space for up to 50% of their parking.

<b>Downtown Parking Fund - Revenue and Capital Projects</b>				
	<b>Year</b>	<b>Project</b>	<b>Total Pk Sp</b>	<b>Payment</b>
<b>Revenue</b>	2015	Sedona Tap House	13	\$ 84,500
	2016	Amelia Square - Phase 5	5	\$ 32,500
	2018	Castiglia's Roof Top	7	\$ 45,504
	2019*	<i>Hanover One (* Proposed*)</i>	46	\$ 299,000
<b>Total</b>			<b>71</b>	<b>\$ 461,504</b>
<b>Projects</b>	2016	Charles Street Parking Lot	46	\$ 538,129
<b>Total</b>			<b>46</b>	<b>\$ 538,129<sup>3</sup></b>

### **EMERGING WALKABLE URBAN PLACES: PARKING AND URBAN FABRIC**

The William Street Node, Canal Quarter Maker District, Jackson + Wolfe Warehouse District, and to a lesser extent Lafayette Boulevard City are walkable urban places within Area 7 in addition to the Downtown core. A design analysis was completed for these areas as part of the Area 7 Small Area process. The design analysis included 5 focus areas comprised of 46 individual lots. The analysis compared existing conditions with zoning ordinance requirements. The purpose was to determine how these places functioned and whether or not the valuable fabric in these areas was legally permitted to grow. On the one hand, these places have the potential to be echoes of the type of urban fabric found on Caroline and William Street. They contain historically unique building envelopes, are walkable and bikeable, and are incorporated into the Downtown fabric.

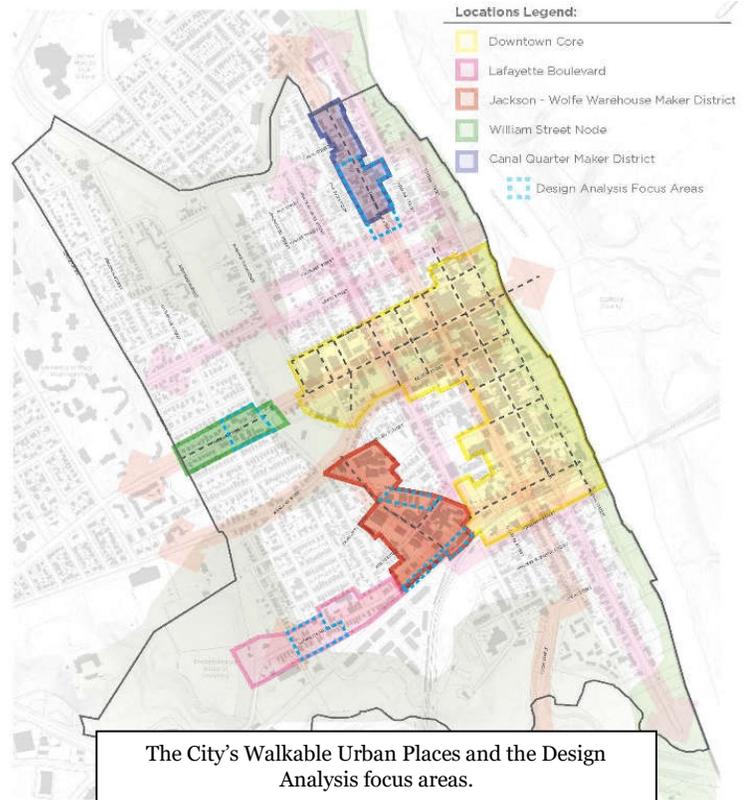
On the other, they face similar regulatory challenges to the Downtown core. Out of the 46 individual lots, only 15 (33%) contain the required amount of off-street parking. Even fewer contained parking areas that met current parking dimensional standards for on-site vehicle circulation. Under current standards roughly 575 off-street parking spaces would be required but only 404 are currently provided (a difference of 171 off-street parking spaces, which based on the formula on page 4 equates to 82,820 square feet of asphalt). With the provision permitting adjacent on-street parking to be counted toward a use that number drops to 113 parking spaces.

<sup>3</sup> The Charles Street Parking Lot provided 46 parking spaces at a cost of \$538,129 or \$11,700 per parking space.

Despite the deficit in required parking these focus areas are all high in asphalt saturation. Combined 44% of the total lot area in these places is devoted to surface parking and circulation. Outside of the building footprint that number jumps to 64%. Take out the West Lafayette focus area around the Allstate building and that number jumps again to 75%. Open space is anemic and poor quality, consisting mostly of landscape strips at the sides and rear of lots. In total, the square footage of asphalt exceeds the amount of total building square footage by 58,000 square feet.

Current parking regulations cannot foster the unique urban fabric in the City's emerging walkable urban places. These areas have unique assets: a solid block network, historic building envelopes and frontages that are capable of becoming vibrant streetscapes. However, parking requirements still require more area for on-site car circulation and storage than they permit for building area or meaningful open space in these areas.

Empty lots and derelict buildings are legally required to be consolidated for and converted into asphalt. The purpose of this ordinance is to establish the primary design consideration for these potential commercial cores.



Walkable urban fabric in the 1600 block of Princess Anne Street built in (from left to right) 1959, 2010, 1900, and 1900. The gap in the fabric was created when a building built in 1800's was torn down in the 1980's.



draft 2020 02 03  
Regular Meeting  
Ordinance No. 20-\_\_

**MOTION:**

**SECOND:**

**RE:** Amending the Unified Development Ordinance to amend off-street parking regulations.

**ACTION:** APPROVED; Ayes:0; Nays: 0

**First read:** \_\_\_\_\_ **Second read:** \_\_\_\_\_

It is hereby ordained by the Fredericksburg City Council that City Code Chapter 72, "Unified Development Ordinance," is amended as follows.

**I. Introduction.**

The purpose of this ordinance is to \_\_\_\_\_

The City Council adopted a resolution to initiate this text amendment at its meeting on \_\_\_\_\_. The Planning Commission held its public hearing on the amendment on \_\_\_\_\_, after which it voted to recommend the amendment to the City Council. The City Council held its public hearing on this amendment on \_\_\_\_\_.

In adopting this ordinance, City Council has considered the applicable factors in Virginia Code § 15.2-2284. The City Council has determined that public necessity, convenience, general welfare and good zoning practice favor the requested rezoning.

**II. City Code Amendment.**

City Code Chapter 72, "Unified Development Ordinance," Article V, Development Standards, Section 72-53, "Parking," is amended as follows:

1. **Section 72-53.1, "Off-street parking and loading,"** shall be amended as follows:

**Sec. 72-53.1. Off-street parking and loading.**

- A. Purpose and intent. The purpose of this section is to ensure provision of off-street parking and loading facilities in proportion to the generalized parking, loading, and transportation demand of the different uses allowed by this chapter. The standards in this section are intended to provide for adequate off-street parking while allowing the flexibility needed to accommodate alternative solutions. The standards encourage pedestrian-oriented development in downtown and commercial centers, while avoiding excessive paved surface areas, promoting low impact development, where appropriate, and safeguarding historic resources.

B. Applicability.

1. General. These off-street parking and loading standards shall apply with respect to the use of land, buildings and structures within the City.
2. Exemptions. The following activities are exempt from the requirements of this § 72-53.1:
  - (a) Re-striping an existing parking lot, which does not create a deficit in the number of required parking spaces, or other nonconformity with the requirements of this § 72-53.1;
  - (b) Rehabilitation or re-use of an historic building;
  - (c) A lot of record, vacant or otherwise, that existed on or before April 25, 1984, and has a residential zoning designation on the Zoning Map;
  - (d) On-street parking that directly abuts a lot may be credited once to the off-street parking requirements for the abutting lot. The Zoning Administrator shall maintain a record of all on-street parking spaces that have been credited towards any particular lot; ~~and~~
  - (e) Changes in use *in the CD and CM zoning districts* shall be exempted from the requirement to provide additional on-site parking spaces beyond those that existed prior to the change in use;
  - (f) *The first 1500 square feet of Commercial or Institutional uses that are in the CD, CM, CT, or Planned Development zoning districts, or where Form Based Code standards are applied and that have required parking based on square footage. This exemption shall not apply where a Shared Parking Factor calculation is used; and*
  - (g) *Outdoor seating for Eating Establishments.*

C. Off-street parking requirements.

1. Parking plan required. A parking plan shall be required in connection with every proposed development, for every proposed change in use of land, buildings or structures, and for every proposed alteration of a building or structure. The parking plan shall accurately designate the required parking spaces, access aisles, and driveways, and the relation of the off-street parking facilities to the development the facilities are designed to serve.
2. Minimum number of spaces required. Unless otherwise expressly stated in this section or approved through an alternative parking plan, the minimum number of off-street parking spaces shall be provided in accordance with Table 72-53.1C(2), Minimum Off-Street Parking Standards.

- (a) Spaces meeting only the dimensional requirements for compact cars or motorcycles ~~are not~~ *may* be credited for compliance with *up to 15%* of the minimum number of parking space standards in this table.
- (b) *The Shared Parking Factor Table shall be applied to the number of parking spaces required by Table 72-53.1C(2) when at least two or more function uses are present in a development in the C-D, C-M, or Planned Development zoning districts or where Form Based Code standards are applied.*

**SHARED PARKING FACTOR**

Function	with		Function
RESIDENTIAL			RESIDENTIAL
LODGING			LODGING
OFFICE			OFFICE
RETAIL			RETAIL

1	1	1	1
1.1	1.1	1.1	1.1
1.4	1.4	1.4	1.4
1.7	1.7	1.7	1.7
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	1.2
1.3	1.3	1.3	1.3
1.2	1.2	1.2	

Table 72-53.1C(2): Minimum Off-Street Parking Standards

Use category	Use type	Minimum number of parking spaces (sf = gross square feet of floor or use area)
<b>Residential use classification</b>		
Household living	Dwelling, duplex	1.5 per DU
	Dwelling, live/work	1 per DU
	Dwelling, mobile home	2 per DU
	Dwelling, multi-family	<del>4.5</del> 1.75 per DU + <del>1</del> per every 5 units or 1 per DU in C-D, C-M, or Planned Development zoning districts or where Form Based Code standards are applied
	Dwelling, single-family attached	<del>4.5</del> 1.75 per DU + <del>1</del> per every 5 units or 1.5 per DU in C-D, C-M, or Planned Development zoning districts or where Form Based Code standards are applied
	Dwelling, single-family detached	2 per DU; 1 per DU on infill lots
	Dwelling, upper story	<del>0.5</del> per DU see Dwelling, multi-family
Group living	Convent or monastery	1 per every 500 sf
	Dormitory	1 per every 2 resident beds
	Fraternity or sorority	1 per resident bed
	Group homes	1 per every 2 resident beds
	Institutional housing	1 per every 3 beds
<b>Institutional use classification</b>		
Community services	Art center and related facilities	1 per every <del>300</del> 335 sf
	Community center	1 per every <del>300</del> 335 sf
	Cultural facility	1 per every <del>300</del> 335 sf
	Library	1 per every <del>300</del> 335 sf
	Museum	1 per every 500 sf
	Social service delivery	1 per every <del>300</del> 335 sf
Day care	Adult day-care center	1 per every 300 sf
	Child-care center	1 per every 325 sf

Use category	Use type	Minimum number of parking spaces (sf = gross square feet of floor or use area)
Educational facilities	College or university	1 per every 900 sf
	School, elementary	1 per classroom + 10
	School, middle	1 per classroom + 10
	School, high school	1 per every 300 sf
	Vocational or trade school	1 per every 300 sf
Government facilities	Courthouse	65 per courtroom
	Government facility	1 per every 600 sf
	Government office	1 per every <del>300</del> 335 sf or 1 per every 500 sf in the C-D, C-M, or Planned Development zoning districts
	Post office	1 per every <del>200</del> 250 sf
Health care facilities	Hospital	1 per every 3 inpatient beds
	Medical laboratory	1 per every 400 sf
	Medical treatment facility	1 per every <del>300</del> 335 sf
Institutions	Assisted living facility	1 per every 3 patient beds
	Auditorium, conference, and convention center	1 per every 400 sf
	Club or lodge	1 per every 300 sf
	Continuing care retirement community	1 per every 3 beds
	Nursing home	1 per every 3 patient beds
	Religious institution	1 per every 6 seats in worship area
Parks and open areas	Arboretum or botanical garden	See §72-53.1C(3)
	Community garden/gardening, non-commercial	See §72-53.1C(3)
	Community garden/gardening, commercial	See §72-53.1C(3)
	Cemetery, columbaria, mausoleum	See §72-53.1C(3)

Use category	Use type	Minimum number of parking spaces (sf = gross square feet of floor or use area)
	Park, playground, or plaza	See §72-53.1C(3)
Public safety	Swimming pool, public or private	See §72-53.1C(3)
	Fire/EMS facility	See §72-53.1C(3)
	Police station	See §72-53.1C(3)
Transportation	Airport	See §72-53.1C(3)
	Heliport	See §72-53.1C(3)
	Passenger terminal (surface transportation)	See §72-53.1C(3)
Utilities	Data center	4 parking spaces for the first 4,000 sf and a maximum of 1 parking space for every additional 6,000 sf
	Small data center	1 parking space per 1,000 sf
	Solar array	None
	Telecommunications facility, structure	None
	Telecommunications facility, co-location	None
	Telecommunications tower, freestanding	None
	Utility, major	1 per every 1500 sf
	Utility, minor	None
<b>Commercial use classification</b>		
Adult entertainment		1 per every 300 sf
	Animal care	<i>1 per every 335 sf or 1 per every 335 sf in the C-D, C-M, or Planned Development zoning districts</i>
	Animal grooming	<i>1 per every <del>300</del> 335 sf or 1 per every 335 sf in the C-D, C-M, or Planned Development zoning districts</i>

Use category	Use type	Minimum number of parking spaces (sf = gross square feet of floor or use area)
	Animal shelter/kennel	1 per every 300 sf or 1 per every 335 sf in the C-D, C-M, or Planned Development zoning districts
	Veterinary clinic	1 per every 300 sf or 1 per every 335 sf in the C-D, C-M, or Planned Development zoning districts
	Bakery	1 per every 240 sf
Eating establishments	Restaurant, fast-food	1 per every 100 sf
	Restaurant, with indoor <del>or</del> outdoor seating	1 per every 180 sf
	Specialty eating establishment	1 per every 240 sf
	Microbrewery/taproom	1 per every 240 sf for food/beverage preparation and consumption area
		1 per every 1000 sf for brewery operations area
Offices	Business and professional services	1 per every <del>300</del> 335 sf or 1 per every 500 sf in the C-D, C-M, or Planned Development Zoning Districts
	Medical and dental	1 per every <del>300</del> 335 sf
Parking, commercial	Parking lot	None
Recreation, Indoor	Fitness center	1 per every 300 sf or 1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts
	Theater	1 per every 4 seats
	Arena or stadium	1 per every 4 seats
Recreation, Outdoor	Golf course	3 per hold
	Marinas	1 per slip or mooring
	Recreation, outdoor	See 72-53.1C(3)

Use category	Use type	Minimum number of parking spaces (sf = gross square feet of floor or use area)
	Artist studio	1 per every 300 sf or 1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts
Retail sales and services	Auction house	1 per every 300 sf or 1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts
	Convenience store (with gasoline sales)	1 per every 250 sf
	Convenience store (without gasoline sales)	1 per every 250 sf
	Crematorium	1 per 4 seats in main assembly room
	Financial institution	1 per every 300 sf or 1 per every 500 sf in the C-D, C-M, or Planned Development Zoning Districts
	Funeral home	1 per 4 seats in main assembly room
	Gasoline sales	1 per every 300 sf
	Grocery store	1 per every 300 sf
	Historic dependency limited office retail	1 per every 300 sf or 1 per every 500 sf in the C-D, C-M, or Planned Development Zoning Districts
	Laundromat	1 per every 300 sf or 1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts
	Lumber/building materials	1 per every 300 sf
	Open-air market	See 72-53.1C(3)
	Personal services establishment	1 per every 300 sf or 1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts

Use category	Use type	Minimum number of parking spaces (sf = gross square feet of floor or use area)
	Pharmacy	1 per every <del>200</del> 250 sf
	Plant nursery	1 per every 500 sf
	Repair establishment	1 per every 300 sf or 1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts
	Retail sales establishments, including groups of two or more commercial uses	<60,000 sf: 1 per every 300 sf 1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts 60,000 sf to 100,000 sf: 1 per every 400 sf >100,000 sf: 1 per every 450 sf
	Shopping center	<60,000 sf: 1 per every 300 sf 60,000 sf to 100,000 sf: 1 per every 400 sf >100,000 sf: 1 per every 450 sf See Retail sales establishments
	Tattoo parlor/body piercing establishment	1 per every 300 sf or 1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts
Seasonal events	All	See 72-53.1C(3)
Vehicle Sales and Service	Automobile sales or rentals	1 per every <del>300</del> 500 sf of building area + 1 per every 5,000 sf of outdoor display area
	Automobile towing and impoundment	1 per every 500 sf + storage area
	Car wash	1 per every 500 sf
Visitor accommodations	Bed-and-breakfast inn	2 spaces + 1 per guest bedroom
	Historic dependency lodging	1 per every guest room
	Hotel or motel (including extended stay)	1 per every guest room + 75% of spaces required for on-site accessory uses

Use category	Use type	Minimum number of parking spaces (sf = gross square feet of floor or use area)
Industrial use classification		
Industrial services	Contractor office	See 72-53.1C(3)
	Equipment rental and sales	1 per every 400 sf
	General industrial service/repair	1 per 1,500 sf
	Research and development	1 per every 800 sf
	Abattoir	See 72-53.1C(3)
Manufacturing and production	Manufacturing, heavy	1 per every 1,000 sf
	Manufacturing, light	1 per every 1000 sf
	Bulk storage	1 per every 2,500 sf
Warehousing and Storage	Outdoor storage (as a principal use)	See 72-53.1C(3)
	Self-service storage	1 per every 100 units
	Freight terminal	1 per every 2,000 sf
	Warehouse (distribution)	1 per every 2,500 sf
Waste-Related Services	Incinerator	See 72-53.1C(3)
	Recycling center	1 per every 500 sf
Wholesale Sales	All uses	1 per every 1,000 sf

- (3) Uses with variable parking demand characteristics. Wherever Table 72-53.1C(2) includes a reference to this § 72-53.1C(3), the specified uses have widely varying parking and loading demand characteristics, making it difficult to establish a single off-street parking or loading standard. Upon receiving a development application for a use subject to this subsection, the Zoning Administrator is authorized to apply the off-street parking standard in the table that is deemed most similar to the use, or establish the off-street parking requirements by reference to standard parking resources published by the National Parking Association or the American Planning Association. Alternatively, the Zoning Administrator may require the applicant to submit a parking demand study that justifies estimates of parking demand based on the recommendations of the Institute of Traffic Engineers (ITE), and includes relevant data collected from uses or combinations of uses that are the same or comparable to the proposed use in terms of density, scale, bulk, area, type of activity, and location.

- (4) Maximum number of spaces permitted. Commercial and ~~institutional~~ *industrial* uses identified in Table 72-53.1C(2), Minimum Off-street Parking Standards, shall be limited in the maximum number of parking spaces that can be provided, in accordance with the following standards:
- (a) Except as allowed in this subsection, commercial and industrial uses of 1,000 square feet in area or larger listed in Table 72-53.1C(2), Minimum Off-Street Parking Standards, shall not exceed 125% of the minimum number of parking spaces required in the table.
  - (b) Through approval of an alternative parking plan in accordance with § 72-53.3A, Provision over the maximum allowed, commercial and industrial uses over 1,000 square feet in area or larger may provide up to a maximum of 175% of the minimum number of parking spaces required in the table.
  - (c) Provision of more than ~~47~~ 175% of the minimum number of parking spaces for commercial and industrial uses over 1,000 square feet in area shall require approval of a special exception in accordance with § 72-22.7, Special exception.
- (5) Stacking spaces. In addition to meeting the off-street parking standards in Table 72-53.1C(2), Minimum Off-Street Parking Standards, uses with drive-through facilities and other auto-oriented uses where vehicles queue up to access a service shall provide the minimum number of stacking/standing spaces established in Table 72-53.1C(5), Required Stacking Spaces.

[Figure 72-53.1C(5), “Stacking Spaces,” is not amended.]

Table 72-53.1C(5): Required Stacking Spaces is amended, to clarify that the “Minimum Number of Stacking Spaces” for a “Restaurant, with drive-through service,” is 3 per *order* window and 3 per *order* board.

#### D. Configuration

- (1) General standards for off-street parking, stacking, and loading areas.
  - a. Use of parking area, stacking area, or loading space. All vehicular parking spaces, stacking spaces, internal aisles and other circulation areas, and loading areas required by this section shall be referred to as "vehicular use area" and shall be used only for their intended purposes. Any other use, including, but not limited to, vehicular storage, vehicle sales, vehicular repair work, vehicle service, or display of any kind, is prohibited.

- b. Identified as to purpose and location. Except for single-family detached and duplex dwellings, off-street parking areas consisting of three or more parking spaces and off-street loading areas shall include painted lines, wheel stops, or other methods of identifying individual parking spaces and loading areas and distinguishing such spaces and areas from aisles or other vehicular use areas.
- c. Surfacing.
  - 1. Except for single-family detached and single-family attached dwellings, and duplexes, and as provided for in § 72-53.3G, "Alternative materials," all off-street parking, loading, and circulation areas shall be surfaced with asphalt, concrete, brick, crushed stone (within floodplain areas), pavers, aligned concrete strips, or an equivalent material. These materials shall be maintained in a smooth, well-graded condition.
  - 2. Overflow parking, and parking for temporary, special and seasonal events may take place on grass surfaces.
- d. Arrangement.
  - 1. Convenient access.
    - a. All off-street parking, loading, and circulation areas shall be arranged to facilitate access by and safety of both pedestrians and vehicles.
    - b. Except for single-family detached and duplex dwellings, off-street parking areas shall be arranged so that no parking or maneuvering incidental to parking shall occur on a public street or sidewalk, and so that an automobile may be parked and un-parked without moving another automobile (except as provided in § 72-53.3.F, Valet and tandem parking).
  - 2. Backing onto streets prohibited. Except for parking areas serving single-family detached dwellings, all off-street parking, loading, and circulation areas shall be arranged so that no vehicle is required to back from such areas directly onto a public street. Vehicular access ways and vehicular use areas on private lands are not considered public streets.

3. Easements. No off-street parking, ~~or loading, or circulation~~ area shall be located within an easement without the written consent of the person or agency that holds the easement, unless already provided for by an existing easement agreement.

[Subsections 72-53.1(D)(1)(e) “Drainage,” (f) “Exterior lighting,” (g) “Landscaping,” (h) “Curbs and motor vehicle stops,” (i) Maintained in good repair, and (j) “Construction of off-street parking and loading areas,” and 72-53.1(D)(2) “Dimensional standards,” are not amended.]

- (3) Accessible parking spaces for physically disabled persons *shall be provided in accord with the most recent version of the Virginia Construction Code, section 116.* [The remainder of this subsection – (a) through (h) -- is repealed.]

[Subsection 72-53.1(D)(4), “Location,” is not amended.]

E. Loading spaces. [Subsection 1 and Table 72-53.1E(1) are not amended.]

(2) Standards.

[Subsection (a) is not amended.]

(b) Location. Where reasonably practical, loading areas:

1. Shall be located to the rear of the use they serve;
2. Shall be located adjacent to the buildings’ loading doors, in an area that promotes their practical use;
3. Shall not be located within a front yard area;
4. Shall not be located within 40 feet of the nearest point of a public street intersection serving the loading approach; ~~and~~
5. Shall not be located within 60 feet of a residential zoning district; *and*
6. *In the C-D and C-M zoning districts, loading berths may be located in the public right of way as a curb parking space between 5:00 a.m. and 11:00 a.m., if approved by the Public Works Director. The minimum width is reduced to eight feet. Such loading berths shall also serve as pick-up/delivery areas.*

[The remainder of 72-53.1 is not amended.]

2. **Section 72-53.2, “Parking standards for single-family development,” is amended as follows:**

**Sec. 72-53.2. Parking standards for single-family development.**

Off-street parking serving single-family detached, duplex, and single-family attached dwellings and located within front yard and/or corner side yard areas shall comply with the following standards:

- A. Authorized vehicles. Only the following vehicles may be parked in single-family residential districts: passenger vehicles designed to transport 15 or fewer passengers, including the driver; pickup trucks and sport utility vehicles with a gross vehicle weight of less than 10,000 pounds; or any vehicle used by an individual solely for his own personal purposes, such as personal recreational activities.
- B. Parking in vehicular use area required. All licensed and operable vehicles, whether parked or stored, shall be located in a vehicular use area, unless the required off-street parking has been waived by the Zoning Administrator.
- C. Maximum area available for vehicular use.
  1. Except for lots of record smaller than 6,000 square feet in the R-4 District, vehicular use areas located within the first 40 feet of the *primary* front or ~~corner side~~ *secondary front* yard (as measured from the edge of the street right-of-way) shall be limited to the greater of 33% of the entire *primary* front and/or ~~corner side~~ *secondary front* yard area, or 750 square feet. Nothing in this subsection shall be construed to limit the size of the vehicular use area located beyond the first 40 feet of a *primary* front or ~~corner side~~ *secondary front* yard area.
  2. Vehicular use areas on lots of record smaller than 6,000 square feet in the R-4 District shall be limited to 33% of the entire front and/or corner side area.

[Subsections D “Surfacing,” and E “Dimensions,” are not amended.]

**3. Section 72-53.3, “Alternative parking plans,” is amended as follows:  
Sec. 72-53.3. Alternative parking plans.**

The Zoning Administrator is authorized to approve an alternative parking plan as an element of a site plan, as set forth within this section. The alternative parking plan may include a combination of one or more of the following parking alternatives for a single use. Reductions in the minimum number of required parking spaces in order to preserve the root zones of existing, healthy specimen trees in accordance with § 72-55.6, Trees, shall not require approval of an alternative parking plan.

- A. Provision over the maximum allowed. The Zoning Administrator may approve an alternative parking plan that authorizes a number of off-street parking spaces in excess of the required by § 72-53.1C(4), Maximum number of spaces permitted, in accordance with the following:
1. Parking demand study. Requests to exceed the maximum number of required off-street parking spaces shall be accompanied by a proposed parking plan, including a parking demand study performed by a professional who is licensed or demonstrated technical expertise to prepare such a study. The purpose of the parking demand study is to provide data and supporting analysis in support of the applicant's contention that the parking spaces required by § 72-53.1C(4), Maximum number of spaces permitted, will be insufficient for the proposed development. In addition to the parking demand study, the requesting party may provide other relevant and appropriate data supporting his request.
  2. Minimum additional spaces allowed. The maximum number of off-street spaces allowed shall be limited to the minimum number of additional spaces deemed necessary, according to the parking demand study referenced above, or other relevant and appropriate data.
- ~~B. Shared parking. The Zoning Administrator may approve an alternative parking plan that reduces the individual parking requirements for two or more uses, through use of shared parking facilities. Requests for shared parking shall comply with the following standards:~~
- Off-site parking. The Zoning Administrator may approve an alternative parking plan that authorizes off-site parking. Generally, all off-street parking areas shall be provided on the same parcel of land as the use to be served. Off-street parking may be located on another parcel of land ("off-site" parking), if there are practical difficulties in locating the parking area on the same parcel or the public welfare, safety, or convenience is better served by off-site parking. Off-site parking shall comply with the following standards:*
1. Location.
    - a. Except for shared parking located within a parking structure or served by a parking shuttle, shared parking spaces shall be located within 1,000 feet of the primary entrance of all uses served.
    - b. Shared parking located within a parking structure or served by a shuttle shall be located within 2,000 feet of the primary entrance of all uses served.

- c. Shared parking spaces shall not be separated from the use they serve by an arterial or collector street, unless the shared parking area or parking structure is served by an improved pedestrian crossing.
2. Pedestrian access. Adequate and safe pedestrian access, *which complies with all applicable ADA requirements*, shall be provided from and to the ~~shared off-site~~ parking areas.
- ~~3. Timing. Two or more uses sharing parking spaces shall have staggered peak usage times.~~
4. ~~Maximum shared spaces. The maximum reduction in the total number of parking spaces required for all uses, in the aggregate, sharing the parking area shall be 50%. The percentage may be increased to 60% if the uses share parking spaces located within a parking structure.~~
3. Directional signage. When determined necessary by the Zoning Administrator, due to distance, indirect locations, or visual barriers, directional signage that complies with the standards of this chapter shall be provided to direct the public to the ~~shared off-site~~ parking spaces.
- ~~6. Shared parking plan.~~
  - a. ~~Justification. Those requesting to use shared parking as a means of satisfying the off-street parking standards must submit a proposed parking plan, including a parking demand study prepared by a professional who is licensed to prepare such a study. The purpose of the study shall be to provide data and supporting analysis demonstrating the feasibility of the proposed shared parking facilities. The parking demand study shall include information on the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces. Additionally the requesting party may submit other relevant and appropriate data supporting the request.~~
4. Recorded agreement. If approved, ~~an shared parking arrangement~~ *off-site parking facility* shall be described and made binding upon the all owners of record of the subject properties, within a written agreement prepared in a form suitable for recording among the City's land records. A signed and attested copy of the ~~shared off-site~~ parking agreement between the owners of record must be recorded with the Clerk of the Circuit Court. Recordation of the agreement shall occur prior to the issuance of any occupancy permit for any premises to be served by the ~~shared off-site~~ parking area. ~~An shared off-site~~ parking agreement may be revoked only if all

required off-street parking spaces are provided in accordance with the requirements of Table 72-53.1C(2), Minimum Off-Street Parking Standards.

5. Duration. ~~An shared~~ *off-site* parking agreement shall run with the land, and shall be and remain in effect until revoked or revised by the parties thereto. In the event the parking requirements for the subject properties change (increase) following recordation of the agreement, due to any change in use(s) or structural alterations of buildings or structures containing such uses, then the City may require the parking plan for the properties to be updated, which may include, but is not limited to, a revision of the ~~shared~~ *off-site* parking agreement.

~~C. Off-site parking for nonresidential uses. The Zoning Administrator may approve an alternative parking plan that authorizes off-site parking for nonresidential uses. Generally, all off-street parking areas for any nonresidential use shall be provided on the same parcel of land as the use to be served. Off-street parking for nonresidential uses may be located on another parcel of land ("off-site" parking), if there are practical difficulties in locating the parking area on the same parcel or the public welfare, safety or convenience is better served by off-site parking. Off-site parking for nonresidential uses shall comply with the following standards:~~

- ~~1. Maximum distance. Off-site parking shall be located no more than 1,500 feet from the use it is intended to serve.~~
- ~~2. Pedestrian way required. A pedestrian way that complies with all applicable ADA requirements, and is not more than 1,500 feet in length, shall be provided from the off-site parking area to the use it serves.~~
- ~~3. No undue hazard. The off-site parking area shall be convenient to the use it serves without causing unreasonable:
  - ~~a. Hazard to pedestrians;~~
  - ~~b. Hazard to vehicular traffic;~~
  - ~~c. Traffic congestion;~~
  - ~~d. Interference with commercial activity or convenient access to other parking areas in the vicinity;~~
  - ~~e. Detriment to the appropriate use of business lands in the vicinity; or~~
  - ~~f. Detriment to any abutting residential neighborhood.~~~~
- ~~4. Recorded agreement. If approved, off-site parking facilities shall be described and be made binding upon both the owner of land where parking is located and the applicant seeking off-site parking, within a written agreement signed by the property owners. The agreement shall be set forth within a document suitable for recording among the City's land records. A signed and attested copy of the off-site parking agreement must be recorded with the Clerk of the Circuit Court. Recordation of the agreement shall take place prior to issuance of any certificate of occupancy for any premises to be served by the off-site~~

~~parking area. An off-site parking agreement may be revoked only if all required off-street parking spaces are provided in accordance with the requirements of Table 72-53.1C(2), Minimum Off-Street Parking Standards.~~

- C. Parking reductions. The Zoning Administrator may approve an alternative parking plan ~~that includes waiver of parking, in accordance with this subsection. An applicant may submit a request to waive the construction of up to 30% of~~ *to reduce* the number of parking spaces required in Table 72-53.1C(2), Minimum Off-Street Parking Standards *and the Shared Parking Factor Table*. The applicant shall demonstrate ~~through submission of relevant and appropriate data and information that, because of the location, nature, or mix of uses,~~ there is a reasonable probability the number of parking spaces actually needed to serve the development is less than the minimum required by Table 72-53.1C(2), Minimum Off-Street Parking Standards *and the Shared Parking Factor Table*. *The application shall include relevant and appropriate data and information, including location, nature, or mix of uses, The application shall be accompanied by a plan that shows the location and number of parking spaces that will be provided, and a parking demand study prepared by a professional who is licensed to prepare such a study. The study shall provide data and supporting analysis demonstrating the feasibility of the proposed shared parking facilities. The parking demand study shall include information on the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces. The applicant may submit other relevant and appropriate data supporting the request.*

D. Downtown Parking, *Transit, and Bicycle* Fund.

1. An applicant may meet up to 50% of the parking requirement for a use in the ~~the Downtown Parking, Transit, and Bicycle District~~ through the payment of a standard amount per *surface* parking space established by City Council. *An applicant may meet 51% to 70% of the parking requirement through the payment of an amount equal to twice the standard amount per surface parking space, 71% to 85% of the requirement through payment of three times the standard amount, 86% to 100% of the requirement through payment of four times the standard amount.* The Zoning Administrator is authorized to grant this reduction. The applicant may combine this reduction with one or more of the foregoing parking alternatives to reduce the number of required on-site parking spaces to zero. The credit for an off-street parking requirement met in this manner shall run with the land. No refund of any payment shall be made when there is a subsequent change of use that requires less parking.
2. The fee shall be collected by the Zoning Administrator as a condition to site plan approval. Payment of this fee does not guarantee that parking spaces will be constructed for the sole use of or in the immediate proximity of a particular

development. It will not guarantee the availability of parking specifically for the development. Funds collected from such payment shall be deposited by the City in a special ~~parking~~ fund and shall be used *in the Downtown Parking, Transit, and Bicycle District* to:

- a. Provide additional off-street public parking ~~to serve the Downtown Parking District;~~
  - b. Acquire land for such parking through purchase, lease, or license;
  - c. Develop land to make it suitable for public parking;
  - d. Replace existing municipal parking lots with public parking structures;  
~~or~~
  - e. Engage in projects that increase the amount of available public parking spaces or reduce dependence upon the automobile and thereby reduce parking demand;;
  - f. *Improve transit/ shuttle facilities or services; or*
  - g. *Improve bicycle facilities and services.*
3. The collection of the fee shall not obligate the City to provide off-street parking for any particular location. In order to provide a logical and cost effective construction of parking improvement, projects funded through this fee may be phased and may be constructed such that the public parking spaces do not directly serve the parcels from which the fee was collected.

[Figure 72-53.3E. Downtown Parking District, is repealed and replaced with new Figure 72-53.3E, “Downtown Parking/Transit/Bicycle District,” attached.]

- F. Valet and tandem parking. The Zoning Administrator may approve an alternative parking plan that includes valet and tandem parking, in accordance with this subsection. An off-street parking program utilizing limited valet and tandem parking may be allowed for uses listed under the commercial use classification in Table 72-53.1C(2), Minimum Off-Street Parking Standards, in accordance with the following standards:
1. The development served shall provide 75 or more parking spaces;

2. No more than 30% of the total number of spaces shall be designated as tandem; and
3. A valet parking attendant must be on duty during hours of operation.

[Subsection G, “Alternative materials,” is not amended.]

**4. Section 72-53.4, “Bicycle parking,” is amended as follows:**

**Sec. 72-53.4. Bicycle parking.**

Lots used for *multifamily* residential development with 30 or more dwelling units, and *Institutional or Commercial nonresidential* development with 5,000 or more square feet of gross floor area, shall provide individual or shared bicycle parking facilities in accordance with the following standards. ~~Nonresidential~~ *Institutional or commercial* uses of up to 30,000 square feet in size may share bicycle parking facilities in accordance with this section.

A. General standards.

1. Bicycle parking facilities shall be conveniently located, but in no case shall such facilities be located more than 150 feet from the primary building entrance. *Facilities for Institutional or Commercial uses may be located in the public right of way with the approval of the Public Works Director.*
2. Bicycle parking spaces shall be provided at the rate of one bicycle parking space for every 30 *multifamily* residential dwelling units and/or every 5,000 square feet of ~~nonresidential~~ *Institutional or Commercial* floor area.

B. Bicycle rack required. Bicycle parking facilities shall incorporate a rack or other similar device intended for the storage of bicycles *located on a solid surface.*

C. Shared bicycle parking. ~~Nonresidential~~ *Institutional or Commercial* uses of 30,000 square feet in size or less may share bicycle parking spaces provided:

1. Each use provides or is served by improved pedestrian access from the bicycle parking facility to the primary building entrance; and
2. The shared bicycle parking facility and improved pedestrian access is depicted on a site plan.

**SEC. III. Effective Date.**

This ordinance is effective immediately.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

Approved as to form:

---

Kathleen Dooley, City Attorney

\*\*\*\*\*

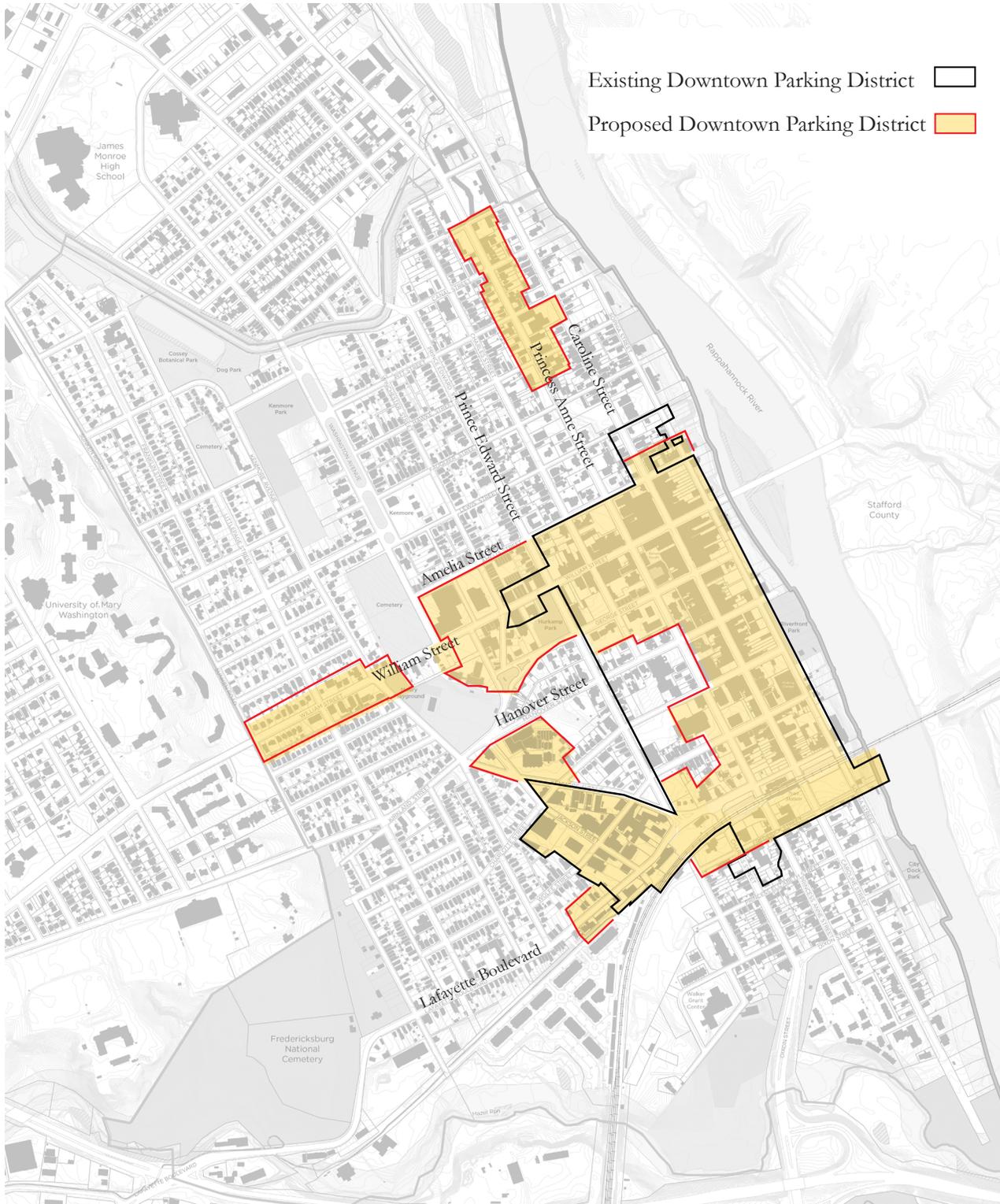
***Clerk's Certificate***

*I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Ordinance No. 20- duly adopted at a meeting of the City Council meeting held Date, 2020 at which a quorum was present and voted.*

---

***Tonya B. Lacey, CMC***  
***Clerk of Council***

PART III



**SMARTCODE**

**TABLES 10 & 11. BUILDING FUNCTION & PARKING CALCULATIONS**

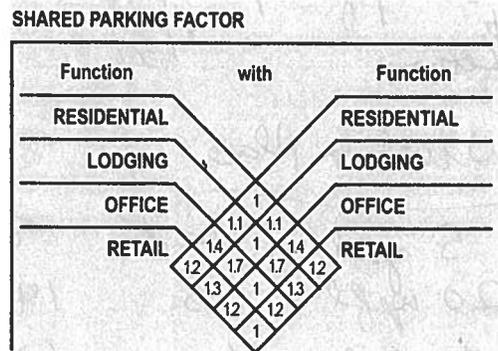
Municipality

**TABLE 10: Building Function.** This table categorizes Building Functions within Transect Zones. Parking requirements are correlated to functional intensity. For Specific Function and Use permitted By Right or by Warrant, see Table 12.

	T2   T3	T4	T5   T6
<b>a. RESIDENTIAL</b>	<b>Restricted Residential:</b> The number of dwellings on each Lot is restricted to one within a Principal Building and one within an Accessory Building, with 2.0 parking places for each. Both dwellings shall be under single ownership. The habitable area of the Accessory Unit shall not exceed 440 sf, excluding the parking area.	<b>Limited Residential:</b> The number of dwellings on each Lot is limited by the requirement of 1.5 parking places for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 11).	<b>Open Residential:</b> The number of dwellings on each Lot is limited by the requirement of 1.0 parking places for each dwelling, a ratio which may be reduced according to the shared parking standards (See Table 11).
<b>b. LODGING</b>	<b>Restricted Lodging:</b> The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking place for each bedroom, up to five, in addition to the parking requirement for the dwelling. The Lodging must be owner occupied. Food service may be provided in the a.m. The maximum length of stay shall not exceed ten days.	<b>Limited Lodging:</b> The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking places for each bedroom, up to twelve, in addition to the parking requirement for the dwelling. The Lodging must be owner occupied. Food service may be provided in the a.m. The maximum length of stay shall not exceed ten days.	<b>Open Lodging:</b> The number of bedrooms available on each Lot for lodging is limited by the requirement of 1.0 assigned parking places for each bedroom. Food service may be provided at all times. The area allocated for food service shall be calculated and provided with parking according to Retail Function.
<b>c. OFFICE</b>	<b>Restricted Office:</b> The building area available for office use on each Lot is restricted to the first Story of the Principal or the Accessory Building and by the requirement of 3.0 assigned parking places per 1000 square feet of net office space in addition to the parking requirement for each dwelling.	<b>Limited Office:</b> The building area available for office use on each Lot is limited to the first Story of the principal building and/or to the Accessory building, and by the requirement of 3.0 assigned parking places per 1000 square feet of net office space in addition to the parking requirement for each dwelling.	<b>Open Office:</b> The building area available for office use on each Lot is limited by the requirement of 2.0 assigned parking places per 1000 square feet of net office space.
<b>d. RETAIL</b>	<b>Restricted Retail:</b> The building area available for Retail use is restricted to one Block corner location at the first Story for each 300 dwelling units and by the requirement of 4.0 assigned parking places per 1000 square feet of net Retail space in addition to the parking requirement of each dwelling. The specific use shall be further limited to neighborhood store, or food service seating no more than 20.	<b>Limited Retail:</b> The building area available for Retail use is limited to the first Story of buildings at corner locations, not more than one per Block, and by the requirement of 4.0 assigned parking places per 1000 square feet of net Retail space in addition to the parking requirement of each dwelling. The specific use shall be further limited to neighborhood store, or food service seating no more than 40.	<b>Open Retail:</b> The building area available for Retail use is limited by the requirement of 3.0 assigned parking places per 1000 square feet of net Retail space. Retail spaces under 1500 square feet are exempt from parking requirements.
<b>e. CIVIC</b>	See Table 12	See Table 12	See Table 12
<b>f. OTHER</b>	See Table 12	See Table 12	See Table 12

**TABLE 11: Parking Calculations.** The Shared Parking Factor for two Functions, when divided into the sum of the two amounts as listed on the Required Parking table below, produces the Effective Parking needed for each site involved in sharing. Conversely, if the Sharing Factor is used as a multiplier, it indicates the amount of building allowed on each site given the parking available.

	REQUIRED PARKING (See Table 10)		
	T2   T3	T4	T5   T6
<b>RESIDENTIAL</b>	2.0 / dwelling	1.5 / dwelling	1.0 / dwelling
<b>LODGING</b>	1.0 / bedroom	1.0 / bedroom	1.0 / bedroom
<b>OFFICE</b>	3.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.	2.0 / 1000 sq. ft.
<b>RETAIL</b>	4.0 / 1000 sq. ft.	4.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.
<b>CIVIC</b>	To be determined by Warrant		
<b>OTHER</b>	To be determined by Warrant		





## MEMORANDUM

**TO:** Chairman Rodriguez and Planning Commissioners  
**FROM:** Mike Craig, Senior Planner  
**DATE:** March 4, 2020 (for the March 11 meeting)  
**RE:** A Unified Development Ordinance Text Amendment to the residential type definitions

### ISSUE

Should the Planning Commission recommend approval of a Unified Development Ordinance Text Amendment clarifying the City’s residential use definitions and standards?

### RECOMMENDATION

Recommend approval to the City Council of the UDOTA clarifying the City’s residential use definitions and standards.

### BACKGROUND

The existing residential housing definitions in the Unified Development Ordinance (UDO) should better reflect the existing conditions in City neighborhoods. The current definitions contain overlaps and contradictory language. For example, both a Duplex and Single-Family Attached are listed as an arrangement of two units. The single-family attached definition includes some missing middle use like “garden court dwellings, patio houses, zero-lot-line dwellings, and townhouses.” However, it does not include triplexes and quadplexes, which are common attached housing arrangements in the City.

Finally, the use standards associated with single-family attached uses are problematic and difficult to enforce. For example, the use standards prohibit an attached building from being within 15 feet from private driveways, parking areas, or walkways. A basis for this regulation is not readily apparent; it appears to prohibit an attached building from having a sidewalk connect to the building’s front door or a residential driveway from connecting to an attached garage.

### THE PROPOSED UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT

The proposed text amendment will create a clearer gradation within the residential use definitions:

- Two units, however connected, are a Duplex.
- Three to four attached units on a single parcel, or three to eight attached units arranged as townhomes are Single-Family Attached.
- Five or more units on a single parcel is a multifamily use.

Five out of the City’s 15 mixed-use zoning districts differentiate between whether or not Duplexes, Single-Family Attached, and Multi-Family are permitted by-right:

	R-8	C-T	C-SC	PD-C	PD-MC
Duplex	P	P	•	S	•
Single-Family Attached	P	P	P	S	P
Multifamily	S	•	P	P	P

P = Permitted      S = Special Use Permit      • = Not Permitted

The proposed changes would not impact the level of residential use in the City. For example, single-family attached uses are currently permitted within the R-8 and C-T zones. The ordinance would specifically identify that triplexes and quadplexes are part of that use and would ensure that those uses were considered conforming under today's zoning. This clarity in the R-8 zoning district would ensure these uses are permitted to be maintained and adapted to modern living standards.

The change would clarify that triplexes and quadplexes would be permitted within the C-T zoning district. No change is proposed to the density rules in these areas. Under the existing and proposed regulations infill housing would still require half an acre to construct four residential units. This clarification addresses the arrangement of the structure. It makes it clear that triplexes or quadplexes that are arranged similar to a single family detached home are a permitted form in addition to semi-detached garden court dwellings, townhomes, patio houses, and zero-lot line homes.

Finally, the changes would sharpen the rules for infill development. The City's zoning ordinance should be set up so that infill development along corridors and in new form based code districts can replicate the City's successful variety of housing. These clarifications help achieve that goal.

The Small Area Planning process identified that the City's neighborhoods contain a variety of housing types including single family detached homes, duplexes, triplexes, quadplexes, townhomes, and multi-family units. The variety of housing ensures that City neighborhoods are accessible to the entire socio-economic range of its citizens and accommodates the changing ways in which people choose to live. The purpose of these updates is twofold: they better define the City's residential definitions to protect existing missing middle housing and they sharpen existing regulations to ensure newer infill can mimic historical sustainable patterns of growth.

During the City Council initiation of this ordinance for consideration by the Planning Commission, Councilor Graham requested a review of changing multifamily from not permitted to a use permitted by special use permit in the Commercial – Transitional Office (CT) Zoning District. The Dimensional Standards in CT (§ 72-32.1.C) correspond to the R-8 and R-12 zoning districts. Multifamily requires a special use permit in R-8 and is permitted by-right in R-12. Multifamily residential uses are an appropriate transitional use between vibrant business corridors and neighborhoods. The Planning Commission may consider permitting multifamily by special use permit in the CT zoning district. This change was not advertised, but should be considered as the Planning Commission examines neighborhood housing issues.

## **CONCLUSION**

The proposed amendments to the City's residential use definitions and use standards will help preserve the City's valuable stock of existing middle missing housing. It will also clarify the rules about different types of housing so that they can be used as a template for infill development in existing corridors. The Planning Commission should recommend approval of this ordinance to the City Council.

## **ATTACHMENTS**

1. Draft Ordinance Amending the City's Residential Use Definitions and Use Standards



**MOTION:**

draft 2020 01 17

**SECOND:**

Regular Meeting

Ordinance No. 20-\_\_

**RE:** Amending Section 72-41.1 (Residential Uses) and Section 72-84 (Definitions) of the Unified Development Ordinance to make revisions of general application to the definitions of .

**ACTION:** APPROVED; Ayes:0; Nays: 0

FIRST READ:\_\_\_\_\_ SECOND READ:\_\_\_\_\_

It is hereby ordained by the Fredericksburg City Council that City Code Chapter 72, “Unified Development Ordinance,” is amended as follows.

### **Sec. I Introduction.**

The purpose of this amendment is to update certain definitions and regulations regarding residential uses. Specifically, revises and differentiates the “dwelling, duplex,” “dwelling, single-family attached,” and “dwelling, multi-family” use types. This ordinance expands the definition of single-family attached dwelling from traditional townhouse-style and semidetached arrangements to include triplexes, quadplexes, and other missing-middle housing. To accompany this change, the requirements for single-family attached dwellings in Article 4 are also updated to provide regulatory flexibility necessary to preserve these different types of residential structures while clarifying those requirements that are appropriate for townhouse arrangements.

The City’s small area planning process has identified that there is a diversity of residential use in older neighborhoods City-wide. This diversity is a strength that makes City neighborhoods accessible to the entire socio-economic range of its citizens and also permits innovative living arrangements that accommodate the changing ways in which people choose to live. The purpose of these updates is to calibrate the City’s residential definitions to re-legalize these valuable pieces of the City’s neighborhoods while also permitting newer infill to mimic historical sustainable patterns of growth.

The City Council adopted a resolution to initiate this text amendment at its meeting on \_\_\_\_\_. The Planning Commission held its public hearing on the amendment on \_\_\_\_\_, after which it voted to recommend the amendment to the City Council. The City Council held its public hearing on this amendment on \_\_\_\_\_.

In adopting this ordinance, City Council has considered the applicable factors in Virginia Code § 15.2-2284. The City Council has determined that public necessity, convenience, general welfare and good zoning practice favor the text amendment.

## **Sec. II City Code Amendment.**

City Code Chapter 72, “Unified Development Ordinance,” is amended as follows.

1. City Code section 72-41.1, “Residential Uses,” subsection F, “Dwelling, single-family attached” shall be amended as follows:

### **§ 72-41.1 Residential Uses**

F. Dwelling, single-family attached. Single-family attached uses shall comply with the following requirements *when arranged as townhouses*:

- (1) A single-family attached building shall contain at least three but no more than eight side-by-side dwelling units.
- (2) Individual buildings containing single-family attached units shall be separated from one another by at least 20 feet.
- ~~(3) Single-family attached buildings shall maintain at least 15 feet of separation from private driveways, parking areas, or walkways.~~
- (3) *No more than two abutting units in a row shall have the same front and rear setbacks, with a minimum setback offset being 2 ½ feet.*
- (4) Nothing in these standards shall prevent a deck from encroaching into a required rear yard setback.
- (5) *No more than one townhouse may be located on a single lot.*

2. City Code section 72-84, “Definitions,” is amended as follows:

DWELLING, DUPLEX

~~A single-family dwelling unit attached to one other~~ Two single-family dwelling units *connected* by a common vertical wall, *common party wall*, a common floor or ceiling, or permanent connecting structure such as a breezeway, carport, or garage. Each dwelling unit may be located on its own lot, or both may be located on a single lot.

DWELLING, SINGLE-FAMILY ATTACHED

A group of ~~two~~ three or more single-family dwelling units which are generally joined to one another by a common party wall, a common floor or ceiling, or permanent connecting structures such as breezeways, carports, garages or screening fences, or wells; ~~whether or not~~ *up to four* such units ~~are~~ *if* located on a single parcel of ground, or *more* on adjacent individual lots. Each unit ~~shall~~ *may* have its own outside entrance *or may share a common hall*. Architectural facades or treatment of materials may be varied from one group of units to another. ~~No more than two abutting units in a row shall have the same front and rear setbacks, with a minimum setback offset being 2 1/2 feet.~~ The term includes structures such as semidetached garden court dwellings, patio houses, zero-lot-line dwellings, *triplexes, quadplexes*, and townhouses.

DWELLING, MULTI-FAMILY

A residential building containing ~~three~~ *five* or more separate dwelling units located on a single lot. A multiple-family dwelling, commonly known as an apartment house, generally has a common outside entrance for all the dwelling units and the units are generally designed to occupy a single floor, one above another. The term shall not include a single-family attached dwelling.

SEC. III. Effective Date.

This ordinance is effective immediately.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Approved as to form:

---

Kathleen Dooley, City Attorney

\*\*\*\*\*

*Clerk's Certificate*

*I, the undersigned, certify that I am Clerk of Council of the City of Fredericksburg, Virginia, and that the foregoing is a true copy of Ordinance No. 20- duly adopted at a meeting of the City Council meeting held Date, 2020 at which a quorum was present and voted.*

---

*Tonya B. Lacey, CMC*  
*Clerk of Council*