



City of Fredericksburg, Virginia

City Council

AGENDA

Council Chambers

715 Princess Anne Street

Fredericksburg, Virginia 22401

Hon. Mary Katherine Greenlaw, Mayor
Hon. Charlie L. Frye, Jr., Vice-Mayor, Ward Four
Hon. Kerry P. Devine, At-Large
Hon. Matthew J. Kelly, At-Large
Hon. Jason N. Graham, Ward One
Hon. William C. Withers, Jr., Ward Two
Hon. Timothy P. Duffy, Ph.D., Ward Three

September 8, 2020

7:30 p.m.

Mary Katherine Greenlaw, Presiding

The City Council Meeting will hold an e-meeting pursuant to and in compliance with City Council Ord. 20-05. The public is encourage to access the meeting though the broadcast on Cox Channel 84 and Verizon Channel 42. The meetings can also be viewed on our

www.regionalwebtv.com/fredcc or accessed through Facebook at www.facebook.com/FXBGgov

Agenda

1. Call To Order

"This Meeting is being held electronically by "Go to Meeting" application, pursuant to City Council Ordinance 20-05, An Ordinance to Address Continuity of City Government during the Pendency of a Pandemic Disaster.

The members participating are: [List members by name]

Members of the public have been invited to access this meeting by public access television Cox Channel 84, Verizon Channel 42, online at www.regionalwebtv.com/fredcc or accessed through Facebook at facebook.com/FXBGgov

2. Invocation

Councilor Matthew J. Kelly

3. Pledge Of Allegiance

Mayor Mary Katherine Greenlaw

4. Presentations

A. Legislative Update – Congressman Rob Wittman

B. COVID-19 Update – Fire Chief Mike Jones

C. Safe Harbor Child Advocacy Center & Save Jane Awareness Proclamation

Documents:

[4C PROCLAMATION.PDF](#)

5. Consent Agenda

A. Transmittal Of Report On City Response To Federal Payroll Tax Deferral

Documents:

[5A PAYROLL TAX DEFERRAL.PDF](#)

B. Resolution 20-___, Declaring The End Of The Local Emergency In Response To Civil Unrest

Documents:

[5B DECLARING END OF EMERGENCY.PDF](#)

C. Transmittal Of Boards And Commission Minutes

C.i. Recreation Commission – July 16, 2020

Documents:

[5C RECREATION 7-16-20.PDF](#)

6. Public Hearing

Citizens who wish to participate in the public hearing will be able to send their comments in writing by (1) dropping them in the Deposit Box at City Hall, (2) U.S. Mail, (3) through a form on our website <HTTPS://WWW.FREDERICKSBURGVA.GOV/677/PUBLIC-COMMENT> or (4) email to the Clerk of Council. Comments must be received at least one hour in advance of the meeting – for example, comments will be accepted until 4:30 p.m. on nights with a 5:30 work session. The plan is to read these comments out loud during the public comment portion of the City Council meeting. The standard rules apply to public comments: the person must identify himself or herself by name and address, including zip code, limit his or her remarks to 3 minutes or less (read aloud), and address a topic of City business.

7. Comments From The Public

Citizens who wish to participate in the public comment period will be able to send their comments in writing by (1) dropping them in the Deposit Box at City Hall, (2) U.S. Mail, (3) through a form on our website <HTTPS://WWW.FREDERICKSBURGVA.GOV/677/PUBLIC-COMMENT> or (4) email to the Clerk of Council. Comments must be received at least four hours in advance of the meeting – for example, comments will be accepted until 1:30 p.m., on nights with a 5:30 p.m. work session. The plan is to read these comments out loud during the public comment portion of the City Council meeting. The standard rules apply to public comments: the person must identify himself or herself by name and address, including zip code, limit his or her remarks to 3 minutes or less (read aloud), and address a topic of City business. Public comments are limited to a total of 40 minutes, with priority for comments from City residence or businesses.

8. Council Agenda

9. Minutes

A. Work Session – May 12, 2020

Documents:

[9A 5-12-20 WORK SESSION MINUTES.PDF](#)

B. Work Session – May 26, 2020

Documents:

[9B 5-26-20 WORK SESSION MINUTES.PDF](#)

C. Regular Session – August 11, 2020

Documents:

[9C 08-11-20 REGULAR SESSION MINUTES.PDF](#)

D. Public Hearing – August 25, 2020

Documents:

[9D 08-25-20 PUBLIC HEARING MINUTES.PDF](#)

E. Regular Session – August 25, 2020

Documents:

[9E 08-25-20 REGULAR SESSION MINUTES1.PDF](#)

10. Boards And Commission Appointments

A. Recreation Commission, School Board Appointment – Dr. Matthew Eberhardt

Documents:

[10A REC COM APPT.PDF](#)

11. City Manager Agenda

A. Ordinance 20-___, First & Second Read, Authorizing The Conveyance Of A Parcel Of Land Containing Approximately 1.95 Acres In Celebrate Virginia South To Celebrate Virginia South, LLC As Provided For In The September 5, 2008 Deed Of Gift Of The Parcel To The City

Documents:

[11A CVAS.PDF](#)

B. Resolution 20-___, Approving An Amendment To The 2015 Comprehensive Plan To Amend Chapter 4, "Public Services, Public Facilities, And Preserved Open Space," Chapter 10, "Land Use," And Chapter 11, "Planning Areas," To Adopt A New Small Area Plan For Planning Area 7 Downtown

Documents:

[11B AREA 7.PDF](#)

C. The Creative Maker District Located Generally Along US Route 1, Fall Hill Avenue, And Princess Anne Street In Planning Area 6 North Of The Rappahannock Canal:

1. Ordinance 20-___, First & Second Read, Amending the Unified Development Ordinance to Add the Creative Maker District, and Consolidating Form-Based Regulations in a New Appendix 72-A
2. Ordinance 20-___, First & Second Read, Rezoning Approximately 78 Acres of Land Located in Planning Area 6, Designated as Transect T-4M or T-5M, to the Creative Maker District as Recommended in the Small Area Plan for Area 6; and Adopting Transect Maps and Frontage Maps for the District

Documents:

[11C CREATIVE MAKER.PDF](#)

- D. Ordinance 20-___, First & Second Read, Amending The Unified Development Ordinance To Amend Off-Street Parking Regulations

Documents:

[11D PARKING.PDF](#)

- E. Ordinance 20-___, First & Second Read, 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 Duplex, Single-Family Attached, And Multi-Family Dwellings

Documents:

[11E DEFINITIONS.PDF](#)

- F. City Manager's Update

Documents:

[11F CITY MANAGER REPORT.PDF](#)

- G. Calendar

Documents:

[11G CALENDAR.PDF](#)

12. **Adjournment**



*Safe Harbor Child Advocacy Center
&
Save Jane Awareness*

***WHEREAS,** Fredericksburg's future prosperity depends on the next generation and it is imperative that citizens do all they can to nurture the healthy development of over 6,000 children currently living, growing, and learning within the community; and*

***WHEREAS,** child maltreatment directly affects the physical, social, and emotional health of children and can cause severe, costly, and lifelong problems affecting all of society; and*

***WHEREAS,** Safe Harbor Child Advocacy Center has provided significant leadership in the area of multidisciplinary response to child maltreatment since its founding in 2008, grounded in the principles of hope, healing, and justice for maltreated children; and*

***WHEREAS,** Save Harbor Child Advocacy Center, in partnership with law enforcement, department of social services, forensic nursing professionals, victim advocates, prosecutors, and mental health professionals, has served more than 350 children in the past year and more than 2,000 since its inception; and*

***WHEREAS,** "Save Jane", is an event first launched in Dallas, Texas in 2019 to spread awareness about child maltreatment and to encourage the community to join in the work of child advocacy centers; and*

***Now therefore,** I Mary Katherine Greenlaw, Mayor of the City of Fredericksburg and the City Council do hereby encourage citizens, businesses, schools, and community and faith-based organizations to partner with Safe Harbor Child Advocacy Center to support the safety and wellbeing of all children and do hereby recognize October 2, 2020, as a day for:*

Safe Harbor Child Advocacy Center and Save Jane Awareness



Mary Katherine Greenlaw
Mary Katherine Greenlaw, Mayor
Fredericksburg, Virginia



MEMORANDUM

TO: Timothy J Baroody, City Manager
FROM: Mark Whitley, Assistant City Manager
RE: Payroll Tax Deferral Question for September through December 2020
DATE: September 1, 2020

ISSUE

This is a report that will brief you on the City's response to the question raised by the potential deferral of FICA taxes for the City and its employees.

RECOMMENDATION

There is no recommendation – this report is informational only.

BACKGROUND

On August 8, 2020, President Trump ordered the Department of the Treasury to provide guidance on a proposed policy that would defer FICA taxes that would otherwise be owed between September and December of 2020. On August 28, the Internal Revenue Service issued Notice 2020-65, which postpones the due date for the payment of the employee's portion of the Social Security tax for employees whose wages are below \$4000 for a bi-weekly pay period, or to salaried workers earning less than \$104,000 per year.

The City, in evaluating this guidance, notes that the payroll taxes are only deferred – not eliminated. The guidance states that the deferred taxes would be owed between January and April of 2021. If the City were to cease deduction of the payroll taxes during September through December of 2020, the payroll tax deduction would need to be increased to pay the deferred tax beginning next January. In addition, the guidance is unclear as to the treatment of any employees who might separate employment with the City between September and December of 2020.

The proposed deferral does not provide a tax cut or otherwise save the City or the employees from making tax payments – rather, it postpones the tax liability. The City proposes to maintain the current system, and not pursue any deferral, as this is the easiest to administer and creates no potential additional liability for the City or employees.

If additional guidance is received that would allow the City to reconsider the proposal, then it could be brought back before City Council at a later date.

Attachment: IRS Notice 2020-65

Part III - Administrative, Procedural, and Miscellaneous

Relief with Respect to Employment Tax Deadlines Applicable to Employers Affected by the Ongoing Coronavirus (COVID-19) Disease 2019 Pandemic

Notice 2020-65

On August 8, 2020, the President of the United States issued a Presidential Memorandum directing the Secretary of the Treasury (Secretary) to use his authority pursuant to section 7508A of the Internal Revenue Code (Code) to defer the withholding, deposit, and payment of certain payroll tax obligations.¹ Accordingly, the Secretary has determined that employers that are required to withhold and pay the employee share of social security tax under section 3102(a) or the railroad retirement tax equivalent under section 3202(a) are affected by the COVID-19 emergency for purposes of the relief described in the Presidential Memorandum and this notice (Affected Taxpayers). For Affected Taxpayers, the due date for the withholding and payment² of the tax imposed by section 3101(a), and so much of the tax imposed by

¹ The Presidential Memorandum is available at <https://www.federalregister.gov/d/2020-17899>.

² The deposit obligation for employee social security tax does not arise until the tax is withheld. Accordingly, by postponing the time for withholding the employee social security tax, the deposit obligation is delayed by operation of the regulations. Thus, this notice does not separately postpone the deposit obligation.

section 3201 as is attributable to the rate in effect under section 3101(a), on Applicable Wages, as defined herein, (collectively Applicable Taxes) is postponed until the period beginning on January 1, 2021, and ending on April 30, 2021.

Applicable Wages

For purposes of this notice, Applicable Wages means wages as defined in section 3121(a) or compensation as defined in section 3231(e)³ paid to an employee on a pay date during the period beginning on September 1, 2020, and ending on December 31, 2020, but only if the amount of such wages or compensation paid for a bi-weekly pay period is less than the threshold amount of \$4,000, or the equivalent threshold amount with respect to other pay periods. The determination of Applicable Wages is made on a pay period-by-pay period basis. If the amount of wages or compensation payable to an employee for a pay period is less than the corresponding pay period threshold amount, then that amount is considered Applicable Wages for the pay period, and the relief provided in this notice applies to those wages or that compensation paid to that employee for that pay period, irrespective of the amount of wages or compensation paid to the employee for other pay periods.

Payment of Deferred Applicable Taxes

An Affected Taxpayer must withhold and pay the total Applicable Taxes that the Affected Taxpayer deferred under this notice ratably from wages and compensation

³ Because Applicable Wages are defined as wages as defined in section 3121(a) and compensation as defined in section 3231(e), any amounts excluded from wages or compensation under these sections are not included when determining Applicable Wages.

paid between January 1, 2021 and April 30, 2021 or interest, penalties, and additions to tax will begin to accrue on May 1, 2021, with respect to any unpaid Applicable Taxes. If necessary, the Affected Taxpayer may make arrangements to otherwise collect the total Applicable Taxes from the employee.

Drafting Information

The principal authors of this notice are attorneys of the Office of Associate Chief Counsel, Employee Plans, Exempt Organizations, and Employment Taxes, with the participation of staff from other offices. For further information regarding the guidance under this notice, please call the Notice 2020-65 Hotline at (202) 317-5436 (not a toll-free number).



September 8, 2020
Regular Meeting
Resolution 20-__

MOTION:

SECOND:

RE: Declaring the End of the Local Emergency in Response to Civil Unrest

ACTION: APPROVED: Ayes: 0; Nays: 0

The City Manager, by virtue of the authority vested in him by Code of Virginia §44-146.21 and City Code §26-36, declared a local emergency in the City of Fredericksburg on May 31, 2020, in response to civil unrest.

City Council confirmed the declaration of local emergency by adoption of Resolution 20-41 at a special meeting on June 2, 2020. Under City Code §26-36, the City Council, when it judgment all emergency actions have been taken, shall take appropriate action to end the declared emergency.

The City Manager advises that all emergency actions in response to civil unrest have been taken, and that it is appropriate for City Council to declare the end of the local emergency.

Therefore, the City Council hereby resolves that the local emergency is ended.

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 September 8, 2020, at which a quorum was present and voted.

Tonya B. Lacey, MMC
Clerk of Council

**FREDERICKSBURG
RECREATION COMMISSION
Minutes of July 16, 2020**

The July meeting of the Fredericksburg Recreation Commission was held electronically on July 16, 2020 by GoToMeeting pursuant to City Council ordinance 20-05, an ordinance to address continuance of City government during the tendency of pandemic disaster.

Commissioners Present: Mr. David Dorsey, Mr. Cameron John, Mr. Eric Keeler, Mr. Brandon McVade, Mrs. Sharon Null, Mrs. Sue Sargeant, Absent: Dr. Tim Duffy, Dr. John Russ, Mr. DaCorey Carter Also in attendance: Director Jane Shelhorse, Mrs. Wendy Stone, Mr. Mike Ward

- I. **Election of FY21 Officers** – The Commissioners approved a motion to extend the terms of Chairman Dorsey and Chairperson John until the end of 2020.
- II. **Approval of Minutes** – The February 20, 2020 minutes were unanimously approved.
- III. **Opportunity for Public Comment** – none
- IV. **Communications from Director:**
 - A. **Program Update** - Wendy Stone provided the program updates. Camp @ Home was a huge success, and the Department is working on a second one. All materials and instructions for five days of activities were provided in a box to be picked up by the parents. The Sports Department is working on Sports in a Box for soccer and field hockey with the goal of providing parents with coaching skills for when we resume sports as normal. Fall sports have been canceled. Camp Spirit was held, and plans are underway for the Children's Art Show in late August. The Department is currently working on Pop Up programs to be held outside. The Events staff has been busy with Freedom of Expression events. We are hoping to hold a water day in conjunction with the Fredericksburg Police Department.

- B. Parks Update** – Mike Ward noted that our parks have been as busy as ever during the pandemic. Working with less than half our normal staff, the existing staff has had to empty trash daily due to high park use. With the exception of Motts, all parks and courts have reopened. The new playground equipment at W. L. Harris Park has been well received. A local Eagle Scout will complete his Eagle badge when he installs benches and racks at the hockey rink.
- C. Trestle Park email** – Director Shelhorse shared an email from City resident, Rebecca Hanmer. Ms. Hanmer, along with several Darbytown residents, has requested the parcel referred to as Trestle Park be officially designated a City Park. Part of that process involves getting the Recreation Commission to approve the designation.
- D. VRPS Magazine Story** – Director Shelhorse shared a story on the Fred Nationals stadium in the June VRPS magazine.
- E. Dorsey appointment letter** – City Council has reappointed David Dorsey to the Parks and Recreation Commission until June 30, 2024.

V. Old Business:

- A. Riverfront Park** – Mike Ward reported that the construction phase is on schedule to be complete by October. Tree Fredericksburg will begin their portion of the work at that time. Solar lights will be used in the park.
- B. Strategic Plan for Parks** – Staff was not happy with the February report. Due to delays caused by Covid-19, the plan will be reviewed next week and sent back to be revised.
- C. City Branding Project** – The City has released the new City brand. Director Shelhorse shared a link to the news release.
- D. Alum Springs Playground** – The Department selected Miracle Recreation to provide the new playground equipment. Installation should be complete in October. Mike Ward noted that he found 1300 plastic, interlocking tiles that have been sitting at Sunshine Ballpark for years, and these tiles will be used to make an accessible walkway at Alum Spring and at Mott’s Reservoir. The tiles are removable and will not damage tree roots.

VI. New Business:

A. Cobblestone Park – Director Dorsey and Mike Ward shared that this park is about 10 acres and is highly susceptible to flooding. The park has been neglected since two Eagle Scout projects that were performed there were destroyed due to flooding. There is no signage and no parking, and with the staff cut backs during the past several months, the park has not received as much maintenance.

B. Trestle Park – The Commission approved the motion asking that Trestle Park be included in the City’s Comprehensive Plan.

C. Canal Street Wharf – The Commission recommended that the Canal Street right-of-way be included in City’s Comprehensive Plan.

D. ADA Accessibility in Parks – The CIP was funded to pursue an ADA walkway from the VCR Trail to Alum Spring Park, ideally in 2021. Wendy Stone worked with the Engineering Chair at Virginia Tech, and a class project was assigned to develop a plan for the walkway. The Department is waiting on the documents explaining their plan.

Directors/Commission Concerns and Topics – Director Shelhorse mentioned the passing of Don Minor, a long time staff member and the face of Motts Reservoir. Don worked at Motts for years and was known and loved by all who enjoyed Motts.

Commissioner Dorsey would like to form a sub-committee for public relations, accounting, and spending concerns for the Director’s Fund. He noted that the Department may need to plan for long term changes in our playgrounds and sports programs due to the pandemic. Director Dorsey expressed concern about parking at Old Mill Park. He would like the City to consider charging non-residents for parking. Mike Ward added that money is in the CIP to expand the parking at Old Mill Park. Director Dorsey asked about installing picnic tables in the area along the river near The Happy Clam to accommodate the increasing number of picnic goers.

Commissioner Keeler asked about the possibility of opening up fields at Dixon Park for public use while the Department is not offering sports programs. Wendy Stone noted that the Department will be using some of the fields for Sport in a Box. Mike Ward and Commissioner McVade expressed concern about the fields being abused with public use. Director Shelhorse stated that the Department will discuss and consider increased use of the fields.



CITY OF FREDERICKSBURG, VIRGINIA
CITY COUNCIL
MINUTES
Council Chambers, 715 Princess Anne Street
Fredericksburg, Virginia 22401

ITEM #9A

HON. MARY KATHERINE GREENLAW, MAYOR
HON. WILLIAM C. WITHERS, JR., VICE -MAYOR, WARD TWO
HON. KERRY P. DEVINE, AT-LARGE
HON. MATTHEW J. KELLY, AT-LARGE
HON. JASON N. GRAHAM, WARD ONE
HON. DR. TIMOTHY P. DUFFY, WARD THREE
HON. CHARLIE L. FRYE, JR., WARD FOUR

Council Work Session
May 12, 2020

Fiscal Year 2021 Budget Discussion

The Council of the City of Fredericksburg, Virginia held a work session on Tuesday, May 12, 2020, beginning at 5:30 p.m. using electronic communication through GoToMeeting pursuant to and in compliance with the City Council Ordinance 20-05, an ordinance to address Continuity of City Government during the pendency of a pandemic disaster.

Council Present. Mayor Mary Katherine Greenlaw, Presiding. Vice-Mayor William C. Withers, Jr., Councilors Kerry P. Devine, Timothy P. Duffy, Charlie L. Frye, Jr., Jason N. Graham and Matthew J. Kelly.

Also Present. City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, City Attorney Kathleen A. Dooley, Budget Manager Brenna Erford, and Clerk of Council Tonya B. Lacey.

Disclosures. Councilor Duffy disclosed that he was a principal at James Monroe High School but he could participate fairly, objectively and in the public interest.

Councilor Frye disclosed that his spouse was an assistant principal in the Fredericksburg City Schools but he could participate fairly, objectively and in the public interest.

Fiscal Year 2021 Budget Discussion. Assistant City Manager Whitley presented a PowerPoint presentation and he discussed the Fiscal Year 2020 update. He noted that there would be a reduction in the revenue between \$4 and \$8 million. The proposed reductions are as follows: \$500,000 in school support, Small Area Plans and Transfer to capital reductions \$1.3 million combined, \$350,000 between Library, Jail and Juvenile Center. \$400,000 in personnel reductions, \$30,000 closed pool for the summer, \$200,000 reductions in transfers to Department of Social Services and Child Services Act and \$300,000 savings in snow removal and other line items. Additional reductions proposed would be a health insurance premium freeze, additional \$445,000 in premium savings for operating funds for both June and July, and utilizing resources already available in the Internal Service Fund to pay claims for June and July.

ITEM #9A

Mr. Whitley also gave a Fiscal Year 2021 update and he discussed the bond refinancing authorized by the City Council. He said there would be a reduction in the revenue for FY21 between \$8 and \$10 million. There would be cuts to the school budget by \$1,260,944, regional agencies at approximately \$500,000. Other proposed cuts were elimination of City staff salary increase (\$1.25 million), elimination of new positions (\$512,000), debt refinancing of 2011 Bonds, reducing cash capital and reducing operating line items.

The next step to the budget process includes school budget public hearing May 12, school budget second reading May 20, City budget public hearing May 26, budget first reading June 9 and second read June 23. (See attachments for more information).

Councilor Graham disclosed that he was a participant in the City's healthcare but he could participate fairly, objectively and in the public interest.

Mr. Graham asked for updates to revenues, i.e. sales, meals, lodging etc. Mr. Whitley said there had not been any updates in the past week but that the sales tax for the month of March was a little over a million and that was approximately a five percent reduction. The other projections were too isolated to make suggestions. The next big revenue event would be real estate and they may have a better idea in a week or so. He said the City may be eligible for some CARES Act funding (interdepartmental) and there was also some funding for transit.

Councilor Duffy asked if the estimates for the outside agencies were available and if not when. Mr. Whitley said it would be a week or two before they were ready.

Ms. Erford said they were hoping the sale tax would be more resilient than originally thought but they would not know how resilient until June. She also noted that the interdepartmental funding would be very restrictive.

Councilor Kelly expressed his concern with drawing down on the saving in order to provide the insurance premium freeze. Mr. Whitley explained that they thought it was the responsible thing to do given what was going on with the pandemic.

Councilor Kelly asked if the City was honoring the funding for PRTC, VRE, FAMPO, and GWRC or would it be cutting their budgets and Mr. Whitley said they would not violate the agreements, they would recommend honoring them.

Councilor Kelly noted that there would be a significant loss on gas tax revenue and he asked how that would affect the City or was it built in. Mr. Whitley said they would make recommendations that would reduce withdrawals. He said it was built in the planning, and he said there was a little bit of a balance to draw off of.

ITEM #9A

Mr. Kelly asked whether the revenue projection would be tightened by the time the Council has to vote on the budget and Mr. Whitley said they would land on a number in order to adopt the budget and they may have to come back and amend the budget in July or August. He said they plan to have triggers in the budget and they would make amendment recommendations throughout the year.

Councilor Duffy asked for staff comments on the Governor's recommendation on the opening Northern Virginia at a different time than the rest of the state due to the pandemic. Mr. Baroody said he met with staff to process the information as it relates to the business community. He said they were working diligently in order to be creative for the restaurants, like reducing parking, so there could be more outdoor seating. He said he hoped to have a recommendation by the end of the week on a soft opening but he wanted to be safe in doing so.

Adjournment. There being no further business to come before the Council at this time. Mayor Greenlaw declared the session officially adjourned at 6:25 p.m.

**Tonya B. Lacey
Clerk of Council
City of Fredericksburg**

FY 2020 & FY 2021 Budget Work Session Discussion

May 12, 2020

Agenda

- Recap and Update of FY 2020
 - Discussion of additional savings measure – health insurance premium freeze
- FY 2021 Update
 - Update on Bond Refinancing Results
 - Update on Outside Agency listing
 - School Funding – First Reading tonight

FY 2020 Update

- Reduction in Revenue between \$4 and \$8 million
 - Proposed reduction in school support \$500,000
 - Small Area Plans & Transfer to Capital Reductions \$1.3 million combined – resolution April 28
 - Proposed reduction to Library / Jail / Juvenile Center - \$350,000
 - Personnel reductions \$400,000
 - Closed Pool Summer 2020 - \$30,000 FY 2020
 - Reduced transfers to DSS and CSA - \$200,000
 - Snow Removal and Other Line Item Savings - \$300,000

FY 2020 Update

- Additional Reduction
 - Health Insurance Premium Freeze
 - Additional \$445,000 in premium savings for operating funds for both June and July
 - Employees will also not pay premiums – approximately \$62,000 in savings
 - Utilizes resources already available in the Internal Service Fund to pay claims for June and July of 2020 (savings effect for both FY 2020 and FY 2021)
 - Should be sufficient given the level of resources in the Internal Service Fund – at close of last fiscal year \$1.9 million
 - Claims & fees vary generally between \$350,000 and \$650,000 per month
 - Claims in May and June could be lower than normal

FY 2021 Update

- Bond refinancing authorized by City Council – bond sale May 6

Fiscal Year	Old Debt Service	New Debt Service	Savings
FY 2021	\$ 2,343,900	\$ 609,323	\$ 1,734,577
FY 2022	\$ 2,339,388	\$ 933,431	\$ 1,405,956
FY 2023	\$ 2,136,088	\$ 2,005,931	\$ 130,156
FY 2024	\$ 2,139,638	\$ 2,009,431	\$ 130,206
FY 2025	\$ 2,137,063	\$ 2,005,056	\$ 132,006
FY 2037	\$ 2,139,638	\$ 2,012,388	\$ 127,250

FY 2021 Update

- Reduction in revenue for FY 2021 – between \$8 and \$10 million
 - School Budget for FY 2021
 - FY 2020 City Support - \$30,460,210
 - FY 2021 City Support - \$29,199,266 (\$1,260,944 reduction)
 - Other Sources - \$244,000
 - Recovered Costs - \$25,000
 - School Operating Fund Balance - \$1,500,000
 - Commonwealth - \$17,026,804
 - FY 2021 Total City Schools Operating Fund - \$47,995,070
 - Appropriating 75% of Operating Fund to provide additional flexibility
 - Monthly discussions with School Administration on monitoring
 - School Capital - \$700,000 (no General Fund transfer)
 - School Grants - \$5,596,277 (no General Fund transfer)

FY 2021 Update

- Regional Agencies
 - Updated Table
 - Recommended Target for reductions approximately \$500,000 in funding from FY 2021 Recommended Budget level (\$3,297,493)

FY 2021 Update

- FY 2021 – Current Thinking – May 12 Update
 - \$95.7 million target – includes use of \$5 million in Fund Balance
 - Eliminate City Staff Salary Increases (\$1.25 million)
 - Eliminate New Positions in Recommended Budget (\$512,000)
 - Debt Refinancing for 2011 Bonds – (\$1.73 million update)
 - Reduce “Cash” Capital – (TBD)
 - Reduce Operating Line Items (TBD)
 - Reduce Local Support for FCPS (\$1.26 million update)
 - Reduce support for regional agencies (\$500,000 update)

Next Steps

- School Budget Public Hearing & First Reading – May 12
- School Budget second reading – May 20 (special)
- City Budget Public Hearing May 26
- City Budget First Reading June 9
- City Budget Second Reading June 23



MEMORANDUM

TO: Timothy J. Baroody, City Manager
FROM: Mark Whitley, Assistant City Manager
RE: Health Insurance Premium Freeze – June & July 2020
DATE: May 12, 2020

City revenues are decreasing due to the reduction in local economic activity as a result of the public health response to the global COVID-19 pandemic. The City in response has undertaken a series of spending reductions, including impacts to schools, capital projects, operating line items, and personnel.

This memorandum is a proposal for an additional spending reduction – a “health insurance premium freeze.”

Based upon current enrollments, for each month the City will not transfer \$445,000 in premiums from the operating funds to the internal service fund. The majority of the savings will occur in the General Fund, with smaller amounts in other operating funds, such as Water, Wastewater, Transit, City Grants, Stormwater, and Social Services. Employees will save for each month approximately \$62,000 for their share of premiums as well.

BACKGROUND

The City is self-insured for health insurance claims. The City contracts with a health insurance company – currently, Anthem Blue Cross and Blue Shield – to administer claims and provide re-insurance for very large claims and for the year as a whole. Premiums to pay the claims are a joint responsibility of the City and participating employees and retirees. The City’s share of premiums are estimated at the start of the year and included based on the employee roster in the operating funds of the annual budget. Employee shares are taken through payroll deduction.

The City maintains an internal service fund that accepts as revenue the City premiums that are in the budget, and the employee shares taken from their salary.

This proposal would “freeze” both the employer and the employee share of the premiums for the following pay periods:

- May 16 through May 29 (pay date of June 5)
- May 30 through June 12 (pay date of June 19)
- June 13 through June 26 (pay date of July 3)
- June 27 through July 10 (pay date of July 17)

Claims and administrative / reinsurance fees will still be paid, but by the current resources that are in the internal service fund.

FINANCIAL ANALYSIS

This proposal will provide savings in both FY 2020 and FY 2021 to help meet the revenue shortfalls of the City.

This proposal is feasible for two reasons: 1) the availability of resources in the Internal Service Fund, and the General Fund, to cover claims costs and 2) the potential slowdown in claims costs as a result of the pandemic.

Resources in the Internal Service Fund

The City closed FY 2019 with a net position in the Internal Service Fund for health insurance of **\$1,916,357**. Claims costs and fees are almost equivalent to the premiums for FY 2020 so far to date, as there is a \$23,335 net income at the end of April.

The City's average claims and fees per month for FY 2020 (July through April) is \$509,064.25, and the median of those ten months is \$473,624.89. The claims and fees do vary significantly month-to-month, with a low of \$345,395.69 (April) and a high of \$669,819 (December). Two "good" months of costs in the \$350,000 range would cost the internal service fund \$700,000; two "bad" months in the \$600,000 range would cost the internal service fund \$1.2 million.

The City and employee premiums paid into the fund vary slightly based on turnover, but average \$506,730 per month. The "freeze" proposal would eliminate the premium income to the fund for June and July, and allow the accumulated reserves to pay the costs of claims and fees – likely anywhere from **\$700,000 to \$1.2 million**.

Potential for Lower Claims Costs

The City's administrative and reinsurance fees are set at around \$100,000 per month, but claims are quite variable. Anecdotally, claims costs have decreased significantly during the pandemic, as check-ups and procedures are postponed to avoid visiting health care facilities. This phenomenon will result in some backlog of needed care that will feed into additional claims later on in the calendar year. Other claims that would have occurred will be foregone entirely.

Although this is not certain, the City will likely see lower claims costs in May and possibly June and July, depending upon the level of utilization and the backlog of care that has been deferred.

Risk Assessment

This recommendation does increase financial risks for the City by drawing down reserves in the internal service fund for health insurance. These resources will not be available to meet claims costs in FY 2021 and future years.

The City sets premiums based on expected claims, but is liable for claims up through the "Stop Loss" limit for FY 2021. The City does have "stop-loss" protection in the event of high claims costs, but there is an approximately \$1.17 million gap between the expected claims level in FY 2021 that serves as the basis for the premium level and the "stop-loss" limit.

The City would be able to meet that level of loss with a combination of remaining funds in the internal service fund and the commitment of fund balance in the General Fund of \$800,000 to meet health insurance claims.

Partner Agencies

Partner Agencies

Organization	Account Code	Munis Code	FY 2019 Adopted	FY 2020 Adopted	FY 2021 Original Recommended	FY 2021 Revised Recommended
Community Agencies						
Boys & Girls Club of the Rappahannock Region (BGCRR)	4-100-053521-5690	10053600-456900	\$ 24,230	\$ 24,230	\$ 24,230	
disAbility Resource Center of the Rappahannock, Inc.	4-100-053521-5703	10053600-457030	\$ 21,025	\$ 21,025	\$ 21,025	
Empower House	4-100-053521-5651	10053600-456510	\$ 14,350	\$ 14,350	\$ 14,350	
FailSafe Transitional Housing						
Fredericksburg Regional Alliance	4-100-081200-7015	10081200-470160	\$ 17,763	\$ 17,763	\$ 30,088	
Fredericksburg Regional Food Bank	4-100-053521-5678	10053600-456780	\$ 5,000	\$ 5,000	\$ 5,000	
Greater Fredericksburg Habitat for Humanity	N/A		\$ -	\$ -		
Healthy Families Rappahannock Area	4-100-053521-5689	10053600-456890	\$ 9,000	\$ 9,000	\$ 9,000	
Legal Aid Works (Formerly Rappahannock Legal Services)	4-100-053521-5653	10053600-456520	\$ 29,380	\$ 29,380	\$ 29,380	
Rappahannock Refuge - Loisann's Hope House	4-100053521-5652	10053600-456520	\$ 18,660	\$ 18,660	\$ 18,660	
Mental Health America of Fredericksburg - Senior Visitor	4-100-053521-5701	10053600-456430	\$ 12,215	\$ 12,215	\$ 12,215	
Micah Ministries	4-100-053521-5643	10053600-456430	\$ 20,000	\$ 22,000	\$ 22,000	
Moss Free Clinic	4-100-053521-5685	10053600-56850	\$ 12,000	\$ 12,000	\$ 12,000	
Quin Rivers	N/A		\$ -	\$ -		
Rappahannock Area Agency on Aging	4-100-053521-5650	10053600-456500	\$ 7,880	\$ 7,880	\$ 7,880	
Rappahannock Big Brothers Big Sisters	4-100-053521-5657	10053600-456570	\$ 10,000	\$ 10,000	\$ 10,000	
Rappahannock Court Appointed Special Advocates	4-100-053521-5671	10053600-456600	\$ 8,000	\$ 8,000	\$ 8,000	
Rapp. Council Against Sexual Assault	4-100-053521-5660	10053600-456600	\$ 4,140	\$ 4,140	\$ 4,140	
Rappahannock EMS Council	4-100-032300-5644	10032300-456440	\$ 7,500	\$ 8,416	\$ -	
Rappahannock River Basin Commission	4-100-081200-5698	10081200-456980	\$ 1,000	\$ 1,000	\$ 1,000	
RUW Volunteer & Info. Services	4-100-053521-5677	10053600-456770	\$ 3,000	\$ 3,000	\$ 3,000	
Safe Harbor	4-100-053521-5723	10053600-457230	\$ 5,000	\$ 5,000	\$ 5,000	
SPCA	4-100-053521-5688	10053600-456880	\$ 10,000	\$ 10,000	\$ 10,000	
Thurman Brisben Homeless Shelter	4-100-053521-5659	10053600-456590	\$ 80,000	\$ 80,000	\$ 80,000	
Virginians For High Speed Rail	N/A		\$ -	\$ -		
TOTAL			\$ 320,143	\$ 323,059	\$ 326,968	
Intergovernmental Agencies						
Central Rappahannock Regional Library - City Maintenance*						
Central Rappahannock Regional Library	4-100-073200-7009	10073200-470090	\$ 1,300,990	\$ 1,463,835	\$ 1,566,570	
George Washington Regional Commission	4-100-081200-7011	10081200-470110	\$ 23,916	\$ 24,073	\$ 26,723	

Organization	Account Code	Munis Code	FY 2019 Adopted	FY 2020 Adopted	FY 2021 Original Recommended	FY 2021 Revised Recommended
GWRC Unsheltered Homeless Initiative	4-100-081200-7020	10081200-470180	\$ 10,000	\$ 10,000	\$ 10,000	
Germanna Community College	4-100-068100-5654	10068150-456540	\$ 44,291	\$ 9,291	\$ 9,291	
Germanna Community College (Center for Advanced Technology)	4-100-068100-5654	10068150-456540	\$ 25,000	\$ 25,000	\$ 25,000	
Rapp. Area Community Services Board	4-100-052500-5620	10052500-456200	\$ 272,529	\$ 286,306	\$ 286,306	
Rappahannock Area Office on Youth (Chaplin Youth Center)	4-100-053521-5672	10053600-456720	\$ 79,731	\$ 88,951	\$ 94,176	
Rappahannock Health District	4-100-051100-5610	10051100-456100	\$ 414,280	\$ 414,280	\$ 414,280	
Stafford Regional Airport Authority	4-100-081200-7014	10082400-470160	\$ 21,430	\$ 21,430	\$ 21,430	
Tri-City / County Soil & Water	4-100-082400-5640	10082400-456400	\$ 2,000	\$ 2,000	\$ 2,000	
VA Ext. Office/Master Gardeners	4-100-053521-5682	10053600-456820	\$ 5,000	\$ 5,000	\$ 5,000	
TOTAL			\$ 2,199,167	\$ 2,350,166	\$ 2,460,776	
Agencies (Serving the City)						
Fredericksburg Area Museum	4-100-072200-5649	10072200-456490	\$ 95,975	\$ 95,975	\$ 95,975	
Fredericksburg Rescue Squad	4-100-032300-5648	10032300-456480	\$ 200,000	\$ 200,000	\$ 200,000	
Sister Cities	4-100-053521-5686	10053600-456860	\$ 3,000	\$ 2,500	\$ 2,500	
Heritage Festival Committee	4-100-081200-7006	10081200-470060	\$ 15,500	\$ 18,000	\$ 18,000	
Main Street	4-100-081200-7019	10081200-470170	\$ 75,000	\$ 75,000	\$ 75,000	
J&DR Court Services Unit (CSU)	4-100-021910-7003	10021910-470030	\$ 116,478	\$ 118,274	\$ 118,274	
TOTAL			\$ 505,953	\$ 509,749	\$ 509,749	
TOTAL GENERAL FUND						
			\$ 3,025,263	\$ 3,182,974	\$ 3,297,493	
<i>Maintenance for the Downtown Branch Library is now included in the Public Facilities budget.</i>						
CITY GRANTS FUND						
Rebuilding Together	4-210-081607-5643		\$ 5,000	\$ 5,000		
TOTAL REQUESTS						
			\$ 3,030,263	\$ 3,187,974		

OTHER PAYMENTS

Juvenile Detention Center	4-100-033200-7004	\$ 467,000	\$ 413,236
Rappahannock Regional Jail	4-100-033200-7007	\$ 3,120,000	\$ 4,021,235
Caroline County - Judicial Legal Assistant	4-100-021100-3840		
e-Cirmpact (Stafford County)	4-100-012110-3840	\$ 1,500	\$ 1,500



CITY OF FREDERICKSBURG, VIRGINIA
CITY COUNCIL
MINUTES
Council Chambers, 715 Princess Anne Street
Fredericksburg, Virginia 22401

ITEM #9B

HON. MARY KATHERINE GREENLAW, MAYOR
HON. WILLIAM C. WITHERS, JR., VICE -MAYOR, WARD TWO
HON. KERRY P. DEVINE, AT-LARGE
HON. MATTHEW J. KELLY, AT-LARGE
HON. JASON N. GRAHAM, WARD ONE
HON. DR. TIMOTHY P. DUFFY, WARD THREE
HON. CHARLIE L. FRYE, JR., WARD FOUR

Council Work Session
May 26, 2020

Potential Economic Development Authority City Business Grant
Fiscal Year 2021 Budget Discussion

The Council of the City of Fredericksburg, Virginia held a work session on Tuesday, May 26, 2020, beginning at 5:30 p.m. using electronic communication through GoToMeeting pursuant to and in compliance with the City Council Ordinance 20-05, an ordinance to address Continuity of City Government during the pendency of a pandemic disaster.

Council Present. Mayor Mary Katherine Greenlaw, Presiding. Vice-Mayor William C. Withers, Jr., Councilors Timothy P. Duffy, Charlie L. Frye, Jr., Jason N. Graham and Matthew J. Kelly.

Council Absent. Kerry P. Devine, out of town visiting sick mother.

Also Present. City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, City Attorney Kathleen A. Dooley, Budget Manager Brenna Erford, Director of Economic Development Bill Freehling and Clerk of Council Tonya B. Lacey.

Others Present. M. Beth Black, Economic Development Chair.

Disclosures. Councilor Duffy disclosed that he was a principal at James Monroe High School but he could participate fairly, objectively and in the public interest.

Councilor Frye disclosed that his spouse was an assistant principal in the Fredericksburg City Schools but he could participate fairly, objectively and in the public interest.

Potential Economic Development Authority City Business Grant. Mr. Freehling said the EDA and the City were looking to do more to help businesses. The purpose of this meeting was to get ideas on this new program. The first step was the EDA holding a meeting to put together a committee to talk about the next steps. The committee included three EDA members and three members of the business community. The EDA's share of the funding would come from the EDA's available funds and the City's share would come from the \$2.5 million that was allocated to the City from the CARES Act.

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EDA Chairwoman Black said the committee consisted of herself, EDA members Suzy Stone and Lee Murray and the members of the community consisted of Mike Adams, Developer; Michele Mansori, Activist with several non-profits and George Snead, Attorney.

EDA Chairwomen Black said they would get input from the community and she feels like it would be a success.

City Manager Baroody asked the Council for their reaction to using some of the CARES funding in this manner.

Councilor Kelly expressed the importance of the City maintaining its tax base but he said the City needed to be careful how it uses the money since it has laid off employees and reduced in other areas of the budget. He said the City needed to take an indebt look and see where the needs were and he asked what the City's role would be in the funding being released or in deriving a process for the distribution of the funds.

Councilor Graham said he would like more information on the CARES Act funding. He would like to know other areas the money could be used because there may be other areas of the community that it could help.

Councilor Frye said he would like to see how beauty and barbershops could be helped because they had to completely shut down whereas restaurants were able to stay open.

EDA Chairwoman Black said the money would be specifically for the business community. She said nothing was enough for the businesses right now, because everyone was trying to save their businesses but that does not mean the EDA did not do its best in the first round of business grants. She agreed with Councilor Frye that there were many businesses down on one knee and she's hopeful this Committee would be able to help.

Mr. Freehling said they were in the brainstorming phase and they did not have all the answers but they must start talking to see how it could be done.

Mayor Greenlaw said this was a way of supporting and protecting the City's future revenues and she said they must look at other options as well.

EDA Chairwoman Black said they plan to try and help the entire City and she was hopeful this Committee could do that.

Mr. Baroody informed the Council that he had signed the document to drawdown the \$2.5 million and it came with several pages listing what it could be used for including business assistance. Vice-Mayor Wither said he did not need to see it because he was sure staff would use the money where it needed to be used. Mr. Whitley said they were preparing a briefing on what they plan to spend the CARES funding on at the June 9 meeting.

ITEM #9B

Vice-Mayor Withers thanked Ms. Black and the EDA for taking on this task and he looked forward to their recommendations. Mayor Greenlaw echoed those comments

Budget Discussion Fiscal Year 2021.

Fiscal Year 2020 Update. Mr. Whitley presented a PowerPoint presentation and he gave an update on the 2020 budget stating that the real estate tax deadline was May 15 and the payments were in the system. He seemed sure that the City would meet the Fiscal Year 2020 budget estimate for real estate tax. Mr. Whitley reported that sales taxes were declining but the first nine months receipts were above the forecasted level and the City would likely meet the Fiscal Year 2020 budget estimate for sales tax. There were still shortfalls for meals and lodging taxes. The personal property taxes were unknown but were likely to see a tremendous shortfall. Mr. Whitley said after evaluating this information and the year-to-date revenue the revised revenue shortfall range was between \$3 and \$6 million, but likely closer to \$3 million.

Outside Agencies. Mr. Whitley noted that they were recommending level funding for many of the outside agencies but they proposed to reduce three agencies and remove them from funding and they were the Rappahannock United Way Volunteer Services Program, the SPCA, and the Master Gardner's. He said they have been great partners but for various reasons they recommend removing them. Staff also recommend restoring level funding to Rappahannock Emergency Medical Services and reduce the Fredericksburg Regional Alliance (FRA) to level funding. Mr. Whitley said they were also recommending giving the Central Rappahannock Regional Library \$1,363,835 which is \$100,000 less than the FY20 adopted level. He said GWRC, Germanna Community College, RACSB, Office on Youth and the Health Department were all receiving level funding. Mr. Whitley said they were recommending reducing the Rescue Squad by \$100,000 because they have other resources available to them. The Fredericksburg Area Museum would also receive a reduction from \$95,975 to \$85,000 and the Heritage Festival would be eliminated but they were looking for substitutes. These recommendation took the budget from \$3,297,493 to \$2.9 million.

Correctional Institutions. Mr. Whitley stated that they were revising the recommendation on regional correctional institutions in accordance with neighbors and authority commissions. The recommendation for the Rappahannock Regional Jail was \$3,595,162 down from \$3,780,000 and the Juvenile Center would go from \$427,493 to \$400,790.

Fiscal Year 2021. Ms. Erford presented the major changes in the Fiscal Year 2021 budget which included eliminating funding for the recommended new positions, eliminating funding for the four percent pay increase for all staff, reduction in funding for capital projects, reduction in funding for Fredericksburg City Schools and a reduction in funding for the debt service.

ITEM #9B

Ms. Erford said the forecasted revenue on March 10 was \$99,655,725 and as of May 26 budget ad that was reduced to \$90,093,175.

Ms. Erford stated that there were no recommended increase to real estate or other tax rates and a recommended fee increase would be delayed for water, sewer as well as no new fee for recycling.

Mr. Baroody noted that they were putting the brakes on FY20 and adjusting FY2021 while looking out to the future. He said FY 2021 would be constrained and the City must tighten up on the budget during these times. He has asked staff to reduce \$5.6 million use of fund balance for next fiscal year and cut it in half because we are in a recession and we must act like it. Mr. Baroody said there were lot of things to accomplish in the near future Pond D, school capacity, wastewater, and salary restraints. He said the City must stay competitive. He stressed that the City wants to maintain its bond rating.

Councilor Graham expressed his concern for cutting the library but giving level funding to an agency like the FRA. He said we are in a recession and this isn't the time to be looking for new businesses. He said he would rather spend the money on people and businesses that are here instead of focusing on growth.

Mr. Whitley said he would be happy to add this as a Council proposition.

Councilor Kelly asked Mr. Whitley how comfortable he was with the \$10 million reduction in revenues and Mr. Whitley said this was unprecedented times and he feels the estimates are as solid as they can get given what they know today.

Mr. Kelly expressed his concern with all the deferral of fee increases and he said we need to let the outside agencies know that, future budgets would not look the same so they should look for other sources of funding in the next budget. He also suggested the City and schools start looking at ways to save by combining services.

Councilor Frye said he would like to hear from the outside agencies what they are doing to reduce their costs. He wants to know how they are being responsible and cutting back during this pandemic. Councilor Frye stated that this was money that the City could be using to fund those employees that were furloughed.

Vice-Mayor Withers said he does not disagree that the City needed to check on the outside agencies but we asked the Council to keep in mind that these agencies serve citizens at a fraction of the cost.

Mayor Greenlaw said it is when times are difficult, that is when agencies are needed the most and she said Legal Aid was a good example of that.

ITEM #9B

Councilor Duffy agreed with Mayor Greenlaw and said that is the reason it is important not to cut those agencies. He said the City must find a way to make the City functional during the next couple of years. He was appreciative of the forward thinking of the City Manager and staff.

Mayor Greenlaw asked if the furlough would remain in place during the FY21 budget and Mr. Baroody said they do as well as the salary reductions.

Adjournment. There being no further business to come before the Council at this time. Mayor Greenlaw declared the session officially adjourned at 6:39 p.m.

**Tonya B. Lacey
Clerk of Council
City of Fredericksburg**

City Budget Update

May 26, 2020

Agenda

- FY 2020 Brief Update
- FY 2021 – Budget Public Hearing
 - Changes between March 10 Recommended Budget & Today
 - Expenditure Discussion
 - Revenue Discussion
- FY 2021 Discussion and Next Steps

FY 2020 Budget Update

- Real estate tax deadline was May 15 - payments are in the system.
 - Will very likely meet FY 2020 budget estimate for real estate tax
- Sales taxes are declining but first nine months receipts were above forecast level – will likely meet FY 2020 budget estimate for sales tax
- Meals tax and Lodging taxes – still seeing shortfalls for these revenues
- Personal Property – spring billing is an unknown but not likely to see a tremendous shortfall
- Evaluating this information and YTD revenue – revised revenue shortfall range of \$3 to \$6 million – and likely closer to \$3 million.

FY 2021 Budget

- Public Hearing Edition – General Fund \$95.7 million
- Hear public comments for this meeting and then through June 9, 2020.
- Staff is continuing to work and update the final budget resolution

FY 2021 Budget

- Additional Changes in Expenditures from March 10
 - Outside Agency Recommendations - review

FY 2021 Budget

- Major Changes in Expenditures from March 10
 - Eliminate Funding for Recommended New Positions
 - Eliminate Funding for 4% Pay increase for Staff for all positions – October
 - Reduce Funding for capital projects
 - Reduced Funding for FCPS
 - Reduce Funding for debt service

FY 2021 Budget

- Changes to March 10 Revenue Forecast (Excludes use of Fund Balance)
- Overall Revenue March 10 - \$99,655,725
- Overall Revenue May 26 Budget Ad - \$90,093,175
 - Real Estate (\$1.3 million reduction)
 - Personal Property (\$1.215 million reduction)
 - Sales Tax (\$1.9 million reduction)
 - Business License (\$742,500 reduction)
 - Recreation Fees (\$210,000 reduction)
 - Amusement Tax (\$140,000 reduction)
 - Meals Tax (\$950,000 reduction)
 - Lodging Tax (\$300,000 reduction)

FY 2021 Budget

- Revenues continued
 - Current consensus is that we are entering into a recession
- Other revenue notes
 - No increase recommended to real estate tax
 - No increase recommended to other tax rates
 - Recommended fee increases would be delayed – water & sewer and a new fee for recycling - January

FY 2021 – Summary & Conclusion

- FY 2021 will be constrained
- Additional need to prepare for future cycles
 - Budget advertisement - \$5.6 million use of fund balance
 - Structural changes will be recommended to reduce City Government somewhat – either suspending or eliminating certain levels of service
- Discussion
- Thank you

PARTNER AGENCY RECOMMENDATIONS

CITY MANAGER WORKING PAPER

May 21, 2020

The City Manager's Recommended Budget for FY 2021 was released on March 10, 2020. Almost immediately after the release of the budget, the City was engulfed in a global, lethal pandemic that created a need for an economic shutdown. The FY 2021 budget needs to be reduced at this point by an estimated \$8 to \$10 million.

The City will need to reduce some, and eliminate other, partner agency funding to meet these budgetary challenges.

The attached table outlines a plan to reduce the funding, compared to the City Manager's original Recommended Budget of March 10, 2020, by \$361,994.

The RRJ and the Rappahannock Juvenile Center are also shown below, for reference.

The following constitutes a description of the recommendation, and a rationale.

Community Partners

Organization	FY 2020 Adopted	FY 2021 Original Recommended	FY 2021 New Recommended	Rationale
Boys & Girls Club	\$24,230	\$24,230	\$24,230	Level Funding Recommended
DisAbility Resource Center	\$21,025	\$21,025	\$21,025	Level Funding Recommended
Empower House	\$14,350	\$14,350	\$14,350	Level Funding Recommended
Fredericksburg Regional Alliance	\$17,763	\$30,088	\$17,763	Continue to split with the EDA based on level funding
Fredericksburg Regional Food Bank	\$5,000	\$5,000	\$5,000	Level Funding Recommended
Healthy Families Rappahannock Area	\$9,000	\$9,000	\$9,000	Level Funding Recommended
Legal Aid Works	\$29,380	\$29,380	\$29,380	Level Funding Recommended
Loisanne's Hope House	\$18,660	\$18,660	\$18,660	Level Funding Recommended
Senior Visitors – Mental Health Assoc.	\$12,215	\$12,215	\$12,215	Level Funding Recommended
Micah Ministries	\$22,000	\$22,000	\$22,000	Level Funding Recommended

Organization	FY 2020 Adopted	FY 2021 Original Recommended	FY 2021 New Recommended	Rationale
Moss Free Clinic	\$12,000	\$12,000	\$12,000	Level Funding Recommended
Rappahannock Area on Aging	\$7,880	\$7,880	\$7,880	Level Funding Recommended
Rappahannock Big Brothers Big Sisters	\$10,000	\$10,000	\$10,000	Level Funding Recommended
Rappahannock Court Appointed Special Advocates	\$8,000	\$8,000	\$8,000	Level Funding
Rappahannock Council Against Sexual Assault	\$4,140	\$4,140	\$4,140	Level Funding
Rappahannock EMS Council	\$8,416	\$0	\$8,416	Error in budget recommendation – recommend level funding
Rappahannock River Basin Commission	\$1,000	\$1,000	\$1,000	Level Funding
RUW – Volunteer Services	\$3,000	\$3,000	\$0	Difficult but City employees greatly assist RUW in a variety of ways
Safe Harbor	\$5,000	\$5,000	\$5,000	Level Funding
SPCA	\$10,000	\$10,000	\$0	City is investing heavily in partnership with Spotsylvania and long-term & valuable partnership with SPCA needs to be suspended this year
Thurman Brisben Center	\$80,000	\$80,000	\$80,000	Level Funding
Total – Community Partners	\$323,059	\$326,968	\$310,059	

Regional Governmental

Organization	FY 2020 Adopted	FY 2021 Original Recommended	FY 2021 New Recommended	Rationale
CRRL	\$1,463,835	\$1,566,570	\$1,363,835	\$100,000 Reduction from FY 2020 Funding
GWRC	\$24,073	\$26,723	\$24,073	Level Funding & Consistent with Stafford & Spotsy
GWRC Unsheltered	\$10,000	\$10,000	\$10,000	Recommend Level Funding
Germanna	\$9,291	\$9,291	\$9,291	Level Funding
Germanna CAT	\$25,000	\$25,000	\$25,000	Level Funding – Prior Agreement with City
RACSB	\$286,306	\$286,306	\$286,306	Level Funding
Office on Youth	\$88,951	\$94,176	\$88,951	Level Funding – Regional
Health Dept.	\$414,280	\$414,280	\$414,280	Level Funding
Stafford Airport	\$21,430	\$21,430	\$21,430	Level Funding – Regional Agreement
Tri-County S&W	\$2,000	\$2,000	\$2,000	Level Funding
Master Gardners	\$5,000	\$5,000	\$0	Difficult but recommend that this support be suspended for the year
Total	\$2,350,166	\$2,460,776	\$2,245,166	

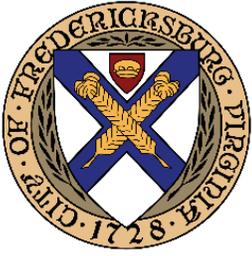
Agencies Serving the City

Organization	FY 2020 Adopted	FY 2021 Original Recommended	FY 2021 Revised Recommended	Rationale
FAM	\$95,975	\$95,975	\$85,000	Difficult recommendation
Rescue Squad	\$200,000	\$200,000	\$100,000	Other sources of revenue are available
Sister Cities	\$2,500	\$2,500	\$2,000	Reduce but not eliminate
Heritage Festival	\$18,000	\$18,000	\$0	Future event at Multi-purpose stadium?
Main Street	\$75,000	\$75,000	\$75,000	Level funding
J&DR CSU	\$118,274	\$118,274	\$118,274	Level funding
Total	\$509,749	\$509,749	\$380,274	

Total	\$3,182,974	\$3,297,493	\$2,935,499	
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Regional Correctional Institutions

Organization	FY 2020 Adopted	FY 2021 Original Recommended	FY 2021 New Recommended	Rationale
Rappahannock Regional Jail	\$4,021,235	\$3,780,000	\$3,595,162	Authority Revised
Rappahannock Juvenile Center	\$413,236	\$427,493	\$400,790	Commission Revised



CITY OF FREDERICKSBURG, VIRGINIA
CITY COUNCIL
MINUTES

Council Chambers, 715 Princess Anne Street
Fredericksburg, Virginia 22401

HON. MARY KATHERINE GREENLAW, MAYOR
HON. CHARLIE L. FRYE, JR., VICE -MAYOR, WARD FOUR
HON. KERRY P. DEVINE, AT-LARGE
HON. MATTHEW J. KELLY, AT-LARGE
HON. JASON N. GRAHAM, WARD ONE
HON. WILLIAM C. WITHERS, JR., WARD TWO
HON. DR. TIMOTHY P. DUFFY, WARD THREE

August 11, 2020

The Council of the City of Fredericksburg, Virginia, held a regular session on Tuesday, August 11, 2020, beginning at 7:30 p.m. using electronic communication through GoToMeeting pursuant to and in compliance with the City Council Ordinance 20-05, an ordinance to address Continuity of City Government during the pendency of a pandemic disaster.

City Council Present. Mayor Mary Katherine Greenlaw. Vice-Mayor Charlie L. Frye, Jr., Council members Kerry P. Devine, Dr. Timothy P. Duffy, Jason N. Graham, Matthew J. Kelly and William C. Withers, Jr..

Also Present. City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Assistant City Attorney Dori Martin, Community Planning and Building Services Director Charles Johnston, Senior Planner Michael Craig, Zoning Administrator James Newman, Budget Manager Brenna Erford, Fire Chief Mike Jones, Economic Development Director Bill Freehling, Business Development Manager Angela Freeman, Transportation Administrator Erik Nelson, Finance Director Robyn Shugart and Clerk of Council Tonya B. Lacey.

Opening Prayer and Pledge of Allegiance. Council was led in prayer by Councilor Matthew J. Kelly followed by the Pledge of Allegiance led by Mayor Mary Katherine Greenlaw.

Coronavirus (COVID-19) Update (D20-__). Chief Mike Jones reported that things were flattening out a bit. In the last two week, there were about 375 cases in the health district an average of 46 new cases a day. The number of patients in the hospital had dropped with an average of 20 people in the hospital. He reported that seven of the 92 ventilators in the region were in use. There were 7 deaths over the last couple weeks and a total of four deaths in the City since the beginning of COVID and they were all in long care facilities. There have been 24 outbreaks in the region many in long term care facilities.

Statewide there were about 1300 patients per day in the hospital and 124 have been released in the last couple of weeks. The Intensive Care Unit occupancy is about 79 percent, but that was for all patients, not just COVID.

Economic Development Director Freehling reported that businesses were doing their best to navigate COVID-19. He said they were starting to see improved activity like people walking downtown and several restaurants said they have had good weekend activity. Hotels' have reported an increase in stays. Restaurant week will begin on August 14 and it will include curbside this year. Mr. Freehling noted that the Visitor Center was now open, trolley tours have resumed and grants have been disbursed. He said they were in talks with the Meridian Group about a small marketing campaign.

Main Street received funding and they are receiving a grant for \$25,000 from the Commonwealth to help make downtown streetscape improvements. Mr. Freehling also reported that he downtown projects were making great progress. He said the City was not out of the woods but making great progress.

Consent Agenda Accepted for Transmittal as Recommended (D20-__ thru D20-__). Councilor Kelly pulled item 5B off the consent agenda for discussion.

Councilor Kelly moved approval of the City Manager's consent agenda as amended; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly, Withers. Nays (0).

- Resolution 20-61, Appointing Sarah Reid to the Rappahannock Area Youth Services Group Home Commission (D20-__).
- Resolution 20-62, Confirming the Declaration of Local Emergency for Tropical Storm Isaias and Declaring the End of the Emergency (D20-__).
- Transmittal of Boards and Commission Minutes
 - Board of Zoning Appeals – September 16, 2019 (D20-__).
 - Board of Zoning Appeals – October 21, 2019 (D20-__).
 - Economic Development Authority – June 8, 2020 (D20-__).
 - Fredericksburg Clean and Green Commission – June 1, 2020 (D20-__).
 - Public Transit Advisory Board – June 3, 2020 (D20-__).

Resolution 20-63, Supporting the Submission of Smart Scale Applications to the Virginia Department of Transportation (D20-__).

Councilor Kelly pulled this item off to discuss what happened at the Fredericksburg Area Metropolitan Policy Organization (FAMPO) meeting. He explained that at the meeting there were several projects voted on for Spotsylvania, Stafford and Fredericksburg. Motions were made for each the Spotsylvania and the Stafford projects which a member from the City seconded the projects and they passed unanimously. The City's Gateway project was the last item and it was voted down. They said it was not a viable project and it competed with their projects. Councilor Kelly said this has never happened before and he suggested the City have conversations on what its relationship would be with FAMPO in the future.

Councilor Graham said the level of disrespect was shocking and he was looking forward to conversations regarding FAMPO.

Councilor Kelly explained that Smart Scale projects go through a long process and the Counties have known for months about the Gateway project but this was the first they have heard of any issues with the project.

Mr. Baroody said there has been hundreds of hours spent on this project and he said the City was well positioned and it would win this project.

Councilor Kelly made a motion to approve Resolution 20-63, supporting the submission of Smart Scale Applications to the Virginia Department of Transportation; motion was seconded by Councilor Graham and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly, Withers. Nays (0).

Citizen Comment. The following comments were submitted to be read during the citizen comment portion of this evening's meeting.

Alexanna Hengy (D20-__), 2412 Lafayette Boulevard, urged the Council to vote against PERF as the independent company to do the external review of the police actions from May 31 through the first week of June. She also asked the City to have the charges dropped for the non-violent curfew offenders. Finally, she asked the city to investigate broader racial inequity in the City. See **D20-__** for more information.

Jared Crooks (D20-__), 907 Caroline Street, expressed his support for how the Police handled the protesters and he also requested larger trash cans in the downtown so the Benny's pizza boxes can fit in them. See **D20-__** for more information.

Joni Wilson (D20-__), 609 Stuart Street, stated that after listening to the Tara Durant call the dispatchers were ill-informed and the police were disorganized. See **D20-__** for more information.

Stephen LaMonica (D20-__), 5124 Pecan Drive, 22407, stated that after listening to the Tara Durant call the dispatchers were ill-informed and the police were disorganized. See **D20-__** for more information.

Julian Stebbins-Sharpless (D20-__), 1613 Sunken Road, submitted a list of names that he said was in support of the Police Executive Research Forums (PERF) adding Professor Lopez a Criminal Justice Law Professor at Georgetown. He said the committee lacked any civil rights or criminal justice expertise. See **D20-__** for more information.

Tamar Franklin (D20-__), 22401, questioned why the City would allow the beer festival to be held during the pandemic but not allow the City pool to open for the kids See **D20-__** for more information.

Brian Stelmok (D20-__), 1117 Wright Court, spoke against the special exception for the accessory dwelling unit at 1306 Graham Drive and he was concerned that if it was approved it could set the City up for lawsuits in the future. See **D20-__** for more information.

Meredith Beckett (D20-__), College Heights Civic Association, spoke in support of the Cowan Station project but she urged the Council to approve it with the one trailhead at Payne Street. See **D20-__** for more information.

Susanna Finn (D20-__), 1514 Payne Street, spoke in support of the two trailheads and she said everything in the planning documents, council priorities and the general ethos of being supported creating links for recreation and equity. See **D20-__** for more information.

Kenneth Gantt (D20-__), 1204 Graham Drive, spoke about the ADU application for 1306 Graham Drive. He did not speak for or against the application he stated that she was owed her due process. See **D20-__** for more information.

David Jackson (D20-__), 601 Hanson Avenue, spoke in support of allowing the ADU at 1306 Graham Drive. He urged the City to approve the special exception to allow the ADU. See **D20-__** for more information.

Levin Howard (D20-__), 6121 North Danford Street, 22407, spoke of his disappointment with the actions taken by the Mayor and City Council regarding the protest. He said the Council's job was to move the City forward and he said the protest must stop. See **D20-__** for more information.

Bob Straight (D20-__), 5 South Pointe Lane, 22405, volunteer with the Fredericksburg Chapter of Virginia Organizing. He spoke of his concern with the lack of Affordable housing for the working poor families in Fredericksburg. He said there needed to be more housing that did not cost more than thirty percent of a working poor family's income. See **D20-__** for more information.

Council Agenda Presented. The following items were presented to Council for discussion.

7A. Telling a More Complete Story – Vice- Mayor Frye

7B. Hazel Hill – Fair Housing Issues – Vice- Mayor Frye

7C. Census 2020 – Councilor Duffy

7D. Affordable Housing – Councilor Frye

7E. Scenic River Designation – Councilor Devine

7F. Racial Equity Plan Update – Mayor Greenlaw

Telling a More Complete Story. Vice-Mayor Frye gave citizens a heads up for an item coming up on the agenda regarding “telling a more complete story”.

Hazel Hill – Fair Housing Issues. Vice-Mayor Frye stated that he had been receiving calls from concerned residents at Hazel Hill about long standing issues and he wanted everyone to know there were resources to help. He noted that Legal Aid Works, HUD and the City could help although the City may be limited in what it could do. Councilor Frye also noted that Congressman Rob Wittman had been contacted and he was going to contact HUD.

Census 2020. Councilor Duffy urged citizens to ask others if they had completed their Census and if not encourage them to do so. He noted how important it was and that the deadline was September 30.

Councilor Devine suggested that while schools were opening virtually this could be a good way to outreach through the schools as parents are coming to pick up items for their students.

Affordable Housing. Vice-Mayor Frye noted that the City was already addressing affordable housing and he urged citizens from other jurisdictions to see what their local government was doing about affordable housing.

Scenic River Designation. Councilor Devine shared that the City Manager had written a letter from the City supporting the Friends of the Rappahannock’s goal of designating a Lower Rappahannock River as a State Scenic River similar to the Upper Rappahannock River. This was the 50th year of State Scenic River Designation. The designation would identify and protect rivers and streams with outstanding scenic and

recreational historic and natural characteristics. The letter was a transmittal to say the City was in support of looking into it and if it was pursued by the State there would be further action by the Council.

Racial Equity Plan Update. Mr. Baroody reported that staff was working hard on the Equity Plan and he wanted to give an update. He said there would be regular updates moving forward. He reported that Angela Freeman would be taken away from Economic Development & Tourism for the remainder of this fiscal year and have her in the role of Diversity Equity and Economic Advancement Officer. Ms. Freeman would be helping to advance the Equity Plan while helping the City move forward on projects such as the Slave Auction Block, interpretation of the auction block, interpretation of the Charles and William Street site, update of website, brochures and tourism film to tell a more complete story of our history, specifically the African American Story.

Ms. Freeman stated that she was humbled to participate in this and to play a role in this conversation. She provided an update of the Racial Equity Plan – Phase. The overall goal of the Plan was to develop and implement a transformative plan to address racial inequity and discrimination in the City.

Goal A – To ensure safety of the demonstrators and the public is the main priority. The update for Goal A was that the City had experienced peaceful and lawful demonstrations over the last few weeks. Ms. Freeman reported that on August 10 a group of demonstrators unlawfully marched in the street, took over several intersections for about an hour and a half. Several were charged and released on summons.

Goal B – Developing a communications plan in cooperation with public, businesses, city staff and City Council. The update for Goal B was that the Police Department held an

educational event at the end of July. There were approximately 60 attendees and the police presented information on their accreditation from the Commission on Accreditation for Law Enforcement Agencies. They briefed the public on the special training for officers and complaint procedures were reviewed and shared with the public. There are plans to have more virtual educational opportunities. The Police department has been proactively seeking opportunities to reach out to the press about current efforts to recruit, vet and train officers. In addition, work had begun to create a specific racial equity webpage on the City's website.

GOAL C – Assess law enforcements response to demonstrations and to identify criminal justice reform proposals. Preliminary reports from the Police department's internal investigation were released on August 6. Mayor Greenlaw executed an agreement for services with Police Executive Research Forums (PERF) and they were planning a series of meetings with stakeholders which were scheduled to take place August 25 through August 27. She stated that review of the documentation had already begun and preliminary findings are expected in November and a final report would be expected six to eight months later.

The Police department has implemented new procedures in their Response to Resistance Policy to include, the duty to intervene and a show of deadly force reporting. Officers are required to use the Use of Force reports for any incident that require striking, kicking, take down, physical control or any pain compliance techniques regardless of whether there was an injury or not. The Policy was updated and provided to all sworn officers. In addition, the Police department has been researching best practices recommendations and sample policies from the International Association of Chief of Police.

Goal D – Community Engagement. Ms. Freeman updated that the work was continuing from the Citizen Advisory Panel (CAP). CAP would be adopting a new Charter

and expanding membership from six to ten members. The new members would include a member between the ages of 18-30. The Police Department was accepting applications. In addition, they were developing a community contacts resource database. She said a survey was being developed and the intent was to reach out to Boards and Commissions to get insight from those groups to share with City Council in preparation for the October retreat.

Goal E – Addressing racial inequity through strategic planning and goal setting. The taskforce would be pulling together data to include up-to-date census and ACS data as well as unique data to the City. Some of the work includes advancing the improvements and interpretation at Charles and William Streets the former location of the slave auction block, the interpretation of the slave auction block at the museum and supporting the revision of some of the marketing materials. Other priority projects that have emerged are the development of the Civil Rights Trail and the Canal Street Wharf Park.

Mayor said this was a large and ambitious task but staff had broken it down into doable task. She thanked Ms. Freeman for leading the efforts and she thanked Mr. Baroody for realizing we needed this position.

Adoption of Minutes. Councilor Kelly moved approval of the June 23, 2020 Regular session, the July 1, 2020 Special Session, July14, 2020 Public Hearing and Regular Session minutes; motion was seconded by Councilor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly, Withers. Nays (0).

Resolution 20-64, Failed, Granting a Special Exception for an Accessory Dwelling Unit Located at 1306 Graham Drive (D20-__). After staff presentation Councilor Graham asked if this was called and accessory dwelling unit

(ADU) because of the characteristics of the basement and the new outlet and that outlet was characterizing the basement as an ADU under the current code. Mr. Newman said it was and he explained that having a living space, a kitchen and a bathroom makes it an ADU.

Councilor Withers asked if the application was approved would it be a precedence for allowing an ADU in a basement in the future. Ms. Dooley stated that it would depend on the details of the new applications compared to this application and whether they were reasonably similar or substantially different. Mr. Withers asked what would determine if the applicant's mother would be the only person staying and Mr. Newman said there was a condition and if there was any violation the outlet would be removed. Councilor Withers asked if her mother could live in the space, if this request was not approved, and Mr. Newman said there was nothing stopping her from living there if the application was not approved.

Councilor Kelly said there had been lots of conversations about this and there were issues with affordability. He said he was concerned that a lifestyle choice has been turned into a special exception and they were supposed to be significant or beneficial to the City. He said Idlewild was also concerned about this.

Councilor Devine agreed with Councilors Withers and Kelly. She said there needed to be discussions on ADU's and the City needed to figure this out before it starts approving applications such as this. She said she does not see this case as a special exception.

Councilor Duffy said there was great value in providing multi-generational housing. He said the City needed to develop a policy it could grow with. He said it's hard to say no to a project that would show so little impact but it adds urgency to the need to have a discussion on this.

Vice-Mayor Frye said he did not see an issue with this but he understood the implications that could come from it.

Mayor Greenlaw said she had trouble considering an in-law suite an ADU and in this particular instance it is protected by the special exception but she said she would have a hard time denying this application.

Councilor Graham noted that having a multi-generational home in the City was going to be imperative. He said multi-generational housing was going to need to be part of the ADU discussions in the future. He said housing economics should not be allowed to tear families apart.

Councilor Withers stated that when you allow multi-generational housing, it does away with the single-family neighborhoods.

Councilor Graham made a motion to approve Resolution 20-64, granting a special exception for an accessory dwelling unit located at 1306 Graham Drive; motion was seconded by Councilor Duffy and failed by the following recorded votes. Ayes (3). Councilors Greenlaw, Frye and Graham. Nays (4). Councilors Devine, Duffy, Kelly and Withers.

Resolution 20-65, Approved, Amending the Comprehensive Plan to Update Chapter 11 Small Planning Area 5B and the Future Land Use Map for General Commercial Use (D20-__). After a brief staff presentation Councilor Kelly said he would support one trailhead and he asked the applicant if they could use the funding toward another trail.

Mr. Hicks explained that it was a good idea but he said it was a little late for this project but he was interested in redirecting the funds to the bank trails. He said he would like to continue the conversation but would not like to add that to the current project.

Ms. Dooley stated that the proffer statements have been firmed up and the resolutions were ready for approval and ready for City Council action.

Councilor Duffy said he was supportive of one trailhead and did not want to hold up the project in order to tie funds to another trail project.

Councilor Devine was also in support of one trailhead but she noted for the future there was a fund for public trails.

Councilor Frye commended the applicant for engaging the community.

Councilor Duffy made a motion to approve Resolution 20-65, amending the Comprehensive Plan to update Chapter 11 Small Planning Area 5B and the Future Land Use Map for general commercial use; motion was seconded by Councilor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

Ordinance 20-14, First Read Approved, Rezoning Approximately 9.37 Acres of Land Along U.S. Route 1 from Commercial-Transitional, Residential-Mobile Home, and R-4 Residential to Commercial-Highway Conditional (D20-__). Councilor Kelly made a motion to approved Ordinance 20-14 on first read, rezoning approximately 9.37 acres of land along U.S. Route 1 from Commercial-Transitional, Residential-Mobile Home, and R-4 Residential to Commercial-Highway Conditional with one trailhead; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

Ordinance 20-14, Second Read Approved, Rezoning Approximately 9.37 Acres of Land Along U.S. Route 1 from Commercial-Transitional, Residential-Mobile Home, and R-4 Residential to Commercial-Highway Conditional (D20-__). Councilor Duffy made a motion to approved Ordinance 20-14 on second read, rezoning approximately 9.37 acres of land along U.S. Route 1 from Commercial-Transitional, Residential-Mobile Home, and R-4 Residential to Commercial-Highway Conditional with one trailhead; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

Ordinance 20-15, First Read Approved, Authorizing the Vacation and Quit-Claim of 1.52 Acres of Right-of-Way to JFH-Fredericksburg II, LLC, for the Cowan Station Development (D20-__). Councilor Kelly made a motion to approved Ordinance 20-15 on first read, authorizing the vacation and quit-claim of 1.52 acres of right-of-way to JFH-Fredericksburg II, LLC, for the Cowan Station Development; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

Ordinance 20-15, Second Read Approved, Authorizing the Vacation and Quit-Claim of 1.52 Acres of Right-of-Way to JFH-Fredericksburg II, LLC, for the Cowan Station Development (D20-__). Councilor Kelly made a motion to approved Ordinance 20-15 on second read, authorizing the vacation and quit-claim

of 1.52 acres of right-of-way to JFH-Fredericksburg II, LLC, for the Cowan Station Development; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

Resolution 20-66, First Read Approved, Amending the Fiscal Year 2020 Budget in the School Capital Fund for the Purchase of Additional School Buses (D20-__). Councilor Duffy disclosed that he was a Principal at James Monroe High School but he could participate fairly, objectively and in the public interest. Councilor Frye disclosed that his spouse was an Assistant Principal for Fredericksburg City School but he could participate fairly, objectively and in the public interest.

Councilor Graham made a motion to approved Resolution 20-66 on first read, amending the Fiscal Year 2020 budget in the School Capital Fund for the purchase of additional school buses; motion was seconded by Councilor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

Resolution 20-66, Second Read Approved, Amending the Fiscal Year 2020 Budget in the School Capital Fund for the Purchase of Additional School Buses (D20-__). Councilor Devine made a motion to approved Resolution 20-66 on second read, amending the Fiscal Year 2020 budget in the School Capital Fund for the purchase of additional school buses; motion was seconded by Councilor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

Resolution 20-67, First Read Approved, Amending the Fiscal Year 2021 Budget to Appropriate Funds for “Telling Our Story” (D20-__). Staff reported that these funds would be used to make improvements and interpret the intersection of Charles and William Streets, provide assistant to the Fredericksburg Area Museum to interpret and display the auction block and revise marketing material, signage and tourism film. Other work to be considered is the development of a Civil Rights Trail and interpretive signs at Canal Street Wharf Park telling the story of John DeBaptiste

Councilor Graham made a motion to approved Resolution 20-67 on first read, amending the Fiscal Year 2021 budget to appropriate funds for “Telling Our Story”; motion was seconded by Vice-Mayor Frye and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

Resolution 20-68, Approved, City’s Legislative Priorities for the General Assembly Special Session (D20-__). After staff presentation Councilor Kelly noted that George Washington Regional Commission (GRWC) had voted to endorsing the effort to ask the General Assembly to return recordation fees to localities at their previous allocations beginning immediately in fiscal year 2021. He asked if this could be added to the City’s resolution and Ms. Martin said she would take a look at it and mirror it in this resolution.

Councilor Graham made a motion to approve Resolution 20-68, City’s Legislative priorities for the General Assembly Special Session as amended to include the wording from the resolution passed by GWRC on recordation fees; motion was seconded by Councilor

Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

Resolution 20-69, First Read Approved, Resolution of the City Council of the City of Fredericksburg, Authorizing the Issuance and Sale of its General Obligation Refunding Bond, Series 2020B in an Aggregate Principal Amount Not to Exceed \$3,685,000, and the Execution and Delivery of Certain Documents Prepared in Connection Therewith.

After staff presentation Councilor Devine made a motion to approve Resolution 20-69 on first read, authorizing the issuance and sale of its General Obligation Refunding Bond, Series 2020B in an aggregate principal amount not to exceed \$3,685,000, and the execution and delivery of certain documents prepared in connection therewith; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

Resolution 20-69, Second Read Approved, Resolution of the City Council of the City of Fredericksburg, Authorizing the Issuance and Sale of its General Obligation Refunding Bond, Series 2020B in an Aggregate Principal Amount Not to Exceed \$3,685,000, and the Execution and Delivery of Certain Documents Prepared in Connection Therewith.

Councilor Devine made a motion to approve Resolution 20-69 on second read, authorizing the issuance and sale of its General Obligation Refunding Bond, Series 2020B in an aggregate principal amount not to exceed \$3,685,000, and the execution and delivery of certain

documents prepared in connection therewith; motion was seconded by Councilor Graham and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

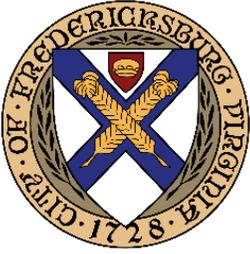
City Manager’s Report and Council Calendar (D20-__ thru D20-__). City Manager Baroody directed the Council’s attention to the Manager’s Update: Summer Restaurant Week, Rappahannock Regional Landfill Fee-Free Storm Debris, Love Scrub 2 Success, “Ask the Mayor” Video Series, Chatham Bridge Closure, Citizen Advisory Panel Expanding, Second Community Outreach Event, Upcoming Council Meetings, Census 2020, COVID-19 (Coronavirus), The Fredericksburg Visitor Center, Second Camp@Home Program a Big Success, Fredericksburg Nationals Stadium Featured in Virginia Parks and Recreation Magazine, Building and Property Maintenance Stats and Fred Focus.

Adjournment. There being no further business to come before the Council at this time, Mayor Greenlaw declared the meeting officially adjourned at 9:59 a.m.

Mary Katherine Greenlaw, Mayor

Tonya B. Lacey, Clerk of Council, MMC

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CITY OF FREDERICKSBURG, VIRGINIA
CITY COUNCIL

MINUTES

Council Chambers, 715 Princess Anne Street
Fredericksburg, Virginia 22401

HON. MARY KATHERINE GREENLAW, MAYOR
HON. CHARLIE L. FRYE, JR., VICE -MAYOR, WARD FOUR
HON. KERRY P. DEVINE, AT-LARGE
HON. MATTHEW J. KELLY, AT-LARGE
HON. JASON N. GRAHAM, WARD ONE
HON. WILLIAM C. WITHERS, JR., WARD TWO
HON. DR. TIMOTHY P. DUFFY, WARD THREE

August 25, 2020

The Council of the City of Fredericksburg, Virginia, held a public hearing on Tuesday, August 25, 2020, beginning at 7:38 p.m. using electronic communication through GoToMeeting pursuant to and in compliance with the City Council Ordinance 20-05, an ordinance to address Continuity of City Government during the pendency of a pandemic disaster.

City Council Present. Mayor Mary Katherine Greenlaw. Vice-Mayor Charlie L. Frye, Jr., Council members Kerry P. Devine, Dr. Timothy P. Duffy, Jason N. Graham, Matthew J. Kelly and William C. Withers, Jr.

Also Present. City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Assistant City Attorney Dori Martin, Community Planning and Building Services Director Charles Johnston, Senior Planner Michael Craig, Fire Chief Mike Jones, Director of Parks, Recreation and Special Events Jane Shelhorse and Clerk of Council Tonya B. Lacey.

Notice of Public Hearings (D20-__ thru D20-__). The Clerk read the notice of the public hearings as they appeared in the local newspaper, the purpose being to solicit citizen input.

Ordinance Authorizing the Conveyance of a Parcel of Land Containing Approximately 1.95 Acres in Celebrate Virginia South to

Celebrate Virginia South, LLC as Provided for in the September 5, 2008

Deed of Gift of the Parcel to the City (D20-___). no speakers. Fire Chief Jones

reported that in 2005 they identified sites in the City and in 2008 they entered into an agreement between the City and Celebrate Virginia South on a parcel of land that was 1.95 acres on Gordon W. Shelton Boulevard. In 2008, there was an economic downturn that forced the City to delay actions for several years.

In 2017, the City did a Fire Feasibility Study with Manitou Consultants. In the report they did not recommend that site for a third station. They recommended a site somewhere along Cowan Boulevard east of Interstate 95 or on Fall Hill Avenue in the vicinity where Gateway Boulevard extended may go through or at Wicklow Drive.

In 2018, the 10 year deed of gift expired to construct a public safety building on the site and owners of Celebrate Virginia asked to have the site conveyed back to them.

Resolution Approving an Amendment to the 2015 Comprehensive Plan to Amend Chapter 4, “Public Services, Public Facilities, and Preserved Open Space,” Chapter 10, “Land Use,” and Chapter 11, "Planning Areas," to Adopt a New Small Area Plan for Planning Area 7

Downtown (D20-___). 1 speaker. Community Development Planner Ms. Finn

presented a PowerPoint presentation and she discussed the land use and zoning, implementation of neighborhood commercial residential (NCR), walkable urban places, William Street corridor, Lafayette Boulevard corridor, Sophia Street corridor, implementation – Bankside Trail, implementation – Canal Street Wharf, Train Station district, open space – uplands, access and mobility – pedestrian, access and mobility – bicycle

trail, implementations – Dixon Park Connector, access and mobility – vehicle and access and mobility – mass transit.

Rebecca Hamner, 138 Caroline Street, stated that their committee had participated throughout the small area planning process for Area 7 and they commented at the Planning Commission public hearings. Ms. Hamner added that their suggestions were taken seriously. She asked the Council to make sure the three provisions that addressed their concerns were approved: Page 11(7)-14, “Formalize the City owned parcel adjacent to the Janney-Marshall Building (called Trestle Park by nearby residents) as a City park.”; Page 11(7)-14, “Regarding the section of the green space north of the concrete wall...the green space and its healthy tree canopy were assets that should be maintained for now, and as much as possible in the future Train Station expansion.”; Page 11(7)-29, “Work with the community to develop a focused Train Station Area infrastructure plan. Set a short term and long term implementation strategy.”

Mayor Greenlaw closed the public hearing but noted that the public comments will be accepted through September 8.

Mayor Greenlaw realized she had not closed the public hearing to the Ordinance authorizing the conveyance of a parcel of land containing approximately 1.95 acres in Celebrate Virginia South to Celebrate Virginia South, LLC as provided for in the September 5, 2008 Deed of Gift of the parcel to the City and she did so at this time but noted that comments would be accepted through September 8, 2020.

The Creative Maker District Located Generally Along US Route 1, Fall Hill Avenue, and Princess Anne Street in Planning Area 6 north of the Rappahannock Canal:

1. Ordinance Amending the Unified Development Ordinance to Add the Creative Maker District, and Consolidating Form-Based Regulations in a New Appendix 72-A.

2. Ordinance Rezoning Approximately 78 Acres of Land Located in Planning Area 6, Designated as Transect T-4M or T-5M, to the Creative Maker District as Recommended in the Small Area Plan for Area 6; and Adopting Transect Maps and Frontage Maps for the District.

(D20-__). 1 speaker. Senior Planner Mr. Craig presented a PowerPoint presentation and he discussed what the Creative Maker District is, Smart growth and residential density, Citizen voice in the development process, form based code and transitional zones, open space, adaptive reuse, and next steps.

Councilor Graham expressed his concern with density and whether it goes far enough to allow for middle housing. He wanted to be sure those who would be working in the maker district could afford to live in the district. Mr. Craig stated that the twelve units per acre could allow for the more affordable housing but he said special use permits could be used to allow for many different housing patterns. The ordinance would allow for housing creativity, it would not allow for the area to be overbuilt, out of scale, out of character but they are trying to get out the current model on ratio between land area and unit which exacerbates housing affordability crisis. Mr. Craig explained that they were trying to strike a balance for appropriate affordability, density and economic sustainability.

Tracy Marino, 430 Hunter Street, expressed the Canal Quarter Neighborhood Association concurrence of the amendment to add the Creative Maker District to the

Unified Development Ordinance and consolidating the form-based regulations. They were also concerned with the lack of density caps on special use permits. The association was also concurred with the adoption of the transect maps and frontage maps for the district.

Mayor Greenlaw closed the public hearing but noted that public comments will be accepted through September 8.

Ordinance Amending the Unified Development Ordinance to Amend Off-Street Parking Regulations. Community Planning and Building Director Mr. Johnston presented a PowerPoint and he discussed why there was a need for the change, Comprehensive Plan Guidance, community involvement, Smart Code Model, Smart Code Transects, minimum off-street parking ratios, what this change would do, shared parking factor, required number of spaces, Downtown Parking District and change bicycle parking standards.

Councilor Graham expressed concern that there was a slight increase in the parking for multi-family and single family attached and he asked if could be that could be decreased and Mr. Johnston explained that there have been issues with a shortage of parking in townhome areas.

Councilor Withers said he would prefer to stay with the recommendation of the Planning Commission and the planning staff.

Mayor Greenlaw closed the public hearing but noted that public comments will be accepted through September 8.

Ordinance 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 Duplex,

Single-Family Attached, and Multi-Family Dwellings. Senior Planner Mr. Craig stated that 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. The single-family attached definition also includes some Missing Middle Housing like “garden court dwellings, patio houses, zero-lot-line dwellings, and townhouses.” It does not include triplexes and quadplexes, which are common attached housing arrangements in the City.

The proposed changes would not impact the level of residential use in the City. 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.

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 text amendment would 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 on separate parcels arranged as townhomes are Single-Family Attached; Five or more units on a single parcel is a multifamily use.

The change would clarify that triplexes and quadplexes would be permitted within the C-T zoning district. Under the existing and proposed regulations infill housing would still require half an acre to construct four residential units.

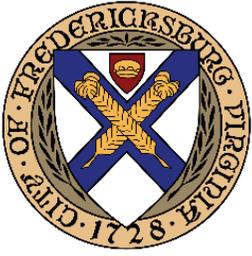
Finally, the changes would sharpen the rules for infill development. The City's zoning ordinance should be set up so that infill development along corridors and in new form based code districts can replicate the City's successful variety of housing.

Mayor Greenlaw closed the public hearing but noted that public comments will be accepted through September 8.

Adjourned. There being no more speakers to come before the Council at this time, Mayor Greenlaw declared the hearing officially adjourned at 8:37 p.m.

Mary Katherine Greenlaw, Mayor

Tonya B. Lacey, Clerk of Council, CMC



CITY OF FREDERICKSBURG, VIRGINIA
CITY COUNCIL
MINUTES

Council Chambers, 715 Princess Anne Street
Fredericksburg, Virginia 22401

HON. MARY KATHERINE GREENLAW, MAYOR
HON. CHARLIE L. FRYE, JR., VICE -MAYOR, WARD FOUR
HON. KERRY P. DEVINE, AT-LARGE
HON. MATTHEW J. KELLY, AT-LARGE
HON. JASON N. GRAHAM, WARD ONE
HON. WILLIAM C. WITHERS, JR., WARD TWO
HON. DR. TIMOTHY P. DUFFY, WARD THREE

August 25, 2020

The Council of the City of Fredericksburg, Virginia, held a regular session on Tuesday, August 25, 2020, beginning at 7:30 p.m. using electronic communication through GoToMeeting pursuant to and in compliance with the City Council Ordinance 20-05, an ordinance to address Continuity of City Government during the pendency of a pandemic disaster.

City Council Present. Mayor Mary Katherine Greenlaw. Vice-Mayor Charlie L. Frye, Jr., Council members Kerry P. Devine, Dr. Timothy P. Duffy, Jason N. Graham, Matthew J. Kelly and William C. Withers, Jr..

Also Present. City Manager Timothy J. Baroody, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Assistant City Attorney Dori Martin, Community Planning and Building Services Director Charles Johnston, Senior Planner Michael Craig, Fire Chief Mike Jones, Director of Parks, Recreation and Special Events Jane Shelhorse and Clerk of Council Tonya B. Lacey.

Opening Prayer and Pledge of Allegiance. Council was led in prayer by Vice-Mayor Charlie Frye, Jr. followed by the Pledge of Allegiance led by Mayor Mary Katherine Greenlaw.

Coronavirus (COVID-19) Update (D20-__). Chief Mike Jones reported that the numbers were starting to flatten in the last couple of weeks. There were three deaths

but the positivity rate was 7.3 percent and trending downward. The State's positivity rate was 6.8 percent and testing had increased by 150 test per day. Hospital availability was good with no surges. There were about 37 new cases per day and three new hospital cases per day. Throughout the state there were about 1300 people released from the hospital.

First Responder's Day Proclamation. Mayor Greenlaw reported that she, Vice-Mayor Frye and City Manager Baroody had attending the First Responders Breakfast and the City was well represented. She was pleased to announce that Detective Melanie Schafer had received the Excellence in Criminal Investigation Award.

Mayor Greenlaw read a proclamation encouraging all citizens to take time out to show first responders and their families how much they value their sacrifice and service to our communities and she proclaimed August 25 as First Responder's Day

Consent Agenda Accepted for Transmittal as Recommended (D20-__ thru D20-__). Councilor Graham moved approval of the City Manager's consent agenda; motion was seconded by Councilor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly, Withers. Nays (0).

- Resolution 20-67, Second Read, Amending the Fiscal Year 2021 Budget to Appropriate Funds for "Telling Our Story"
- Transmittal of Boards and Commission Minutes
 - Board of Social Services – June 4, 2020
 - Economic Development Authority – July 13, 2020
 - Recreation Commission – February 20, 2020

Public Hearing. The regular session was recessed in order to conduct scheduled public hearings and immediately reconvened upon their conclusion.

Citizen Comment. The following comments were submitted to be read during the citizen comment portion of this evening's meeting.

Eric Bonds (D20-__), 437 Hanson Avenue, informed the Council that the cost of transitioning to renewable energy had decreased. He stated that using Power Purchase Agreements was an easy way to reduce cost for the city and reduce the City's carbon footprint. Mr. Bond also requested the Council, during its fall retreat, take steps to fulfill the goals of the resolution and identify a clear timeline. See **D20-__** for more information.

Council Agenda Presented. The following items were presented to Council for discussion.

7A. Women's Suffrage Event – Mayor Greenlaw

7B. Census Update – Councilor Duffy

7C. Murder Free Fredericksburg – Councilor Frye

Women's Suffrage Event. Mayor Greenlaw announced that there would be an event held on the steps of City Hall to celebrate the 100th Anniversary of the ratification of the 19th Amendment giving women the right to vote. The Women's Club of Fredericksburg was sponsoring the event and the Mayor would read a proclamation.

Census Update (D20-__). Councilor Duffy asked Ms. Finn to give an update on the Census. Ms. Finn reported that to date, 64.1% of Fredericksburg households had responded to the Census. At the last decennial, 65.1% of households responded to the 2010 census. The final deadline to respond is September 30. Enumerators began door-to-door

activities to follow up with non-responsive households in mid-August. UMW apartments were incorrectly identified as independent housing units not as group quarters. The effect this has on the overall response rate was minimal

The Complete Count Committee had several events and in-person activities planned for March and April that were unfortunately cancelled due to the pandemic. Reaching the historically undercounted populations through mainstream channels had been challenging. In response, the CCC undertook targeted engagement efforts to attempt to reach these households in addition to broad community awareness initiatives. These efforts recently included: Distribution of FXBG Counts postcards to apartment complexes; Census chalk activity packets and coloring books delivered through the school meal program; FXBG Counts signs along trails, in parks, and on key corridors; Census reminders on DSS phone calls and distribution of materials for home visits and distribution of census materials through Library pickups. Upcoming efforts will include: Press release and social media posts informing the community about visiting enumerators and reminding about the census deadline; Email reminders to UMW students and FCPS families and Claim your space, census movie night in Dixon Park with census takers present.

Murder Free Fredericksburg. Councilor Frye reported that there had not been any murders in the City for 2020 but there had been a couple of shootings. He reminded the public of the gun give back program.

Rappahannock Area Community Services Board (D20-__). Council Graham moved to appoint Kenneth Lapin to the Rappahannock Area Community Services Board to complete the remaining months of Ms. Tina Sears appointment and a full term appointment; motion was seconded by Councilor Duffy and passed by the following

recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

Resolution 20-70, Approved, Authorizing the City Manager to Accept Two Deeds of Gift for Outdoor Sculptures (D20-__). After staff presentation Councilor Devine made a motion to approve Resolution 20-70, authorizing the City Manager to accept two Deeds of Gift for outdoor sculptures; motion was seconded by Councilor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

City Manager's Report and Council Calendar (D20-__ thru D20-__). City Manager Baroody directed the Council's attention to the Manager's Update: Summer Restaurant Week, Children's Art Show, Ask the Mayor Video Series, Chatham Bridge Closure, Upcoming Council Meetings, Census 2020, Covid-19 (Coronavirus), The Fredericksburg Visitor Center, Drive In Bingo, New Fire Truck, CARES Act Funding in Action and Fred Focus

Adjournment. There being no further business to come before the Council at this time, Mayor Greenlaw declared the meeting officially adjourned at 8:59 p.m.

Mary Katherine Greenlaw, Mayor

Tonya B. Lacey, Clerk of Council, MMC

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Fredericksburg Public Schools

210 Ferdinand Street
Fredericksburg, Virginia 22401-5819
Telephone: (540) 372-1130
Fax: (540) 372-1111

August 18, 2020

Mrs. Tonya Lacey
Clerk of Council
City of Fredericksburg
715 Princess Anne Street
Fredericksburg, Virginia 22401

Dear Mrs. Lacey:

At a regular meeting on August 3, 2020, the Fredericksburg City School Board voted unanimously to recommend the appointment of Dr. Matthew Eberhardt to fill the unexpired four-year term of Dr. John Russ as the School Board's representative on the Fredericksburg Recreation Commission. The term will be effective for the period of August 4, 2020 through June 30, 2023. Please submit this recommendation to the Fredericksburg City Council for action.

Thank you for your assistance.

Sincerely,

Deborah B. Wright
Clerk of the Board

dbw

cc: Dr. Matthew Eberhardt



MEMORANDUM

TO: Timothy J. Baroody, City Manager
FROM: Brenda T. Martin, Special Assistant to the City Manager
DATE: September 3, 2020 (for the September 8 Council Meeting)
SUBJECT: **Authorizing the Conveyance of a Parcel of Land in Celebrate Virginia South**

ISSUE

Shall the City Council convey the gift of land from Celebrate Virginia South, LLC back to them?

RECOMMENDATION

Yes. Since the City does not plan to construct a new Fire Station at that location staff recommends returning the land back to Celebrate Virginia South, LLC the original owner. A public hearing was held on August 25 with no comments from the public. It is now presented for first reading and second reading.

No Changes from August 20, 2020 Memo

DISCUSSION

The City acquired a parcel of land containing approximately 1.95 acres in Celebrate Virginia South by Deed of Gift dated September 5, 2008, from Celebrate Virginia South, LLC (“Celebrate”). This parcel is identified in the City’s Geographic Information System as GPIN 7769-59-8455 (Celebrate Property.) The terms of the Deed of Gift were that the parcel shall be used by the City for municipal purposes only and shall revert to Celebrate if the City does not construct and operate a public safety substation on the property within ten years after the date of the deed. The Deed of Gift further provided that if the Celebrate Property reverts to Celebrate as provided above, the City shall promptly execute reasonable instruments confirming the same. In 2008, the City planned to use the parcel to construct a new “Fire Station 3.” The City has not constructed a public safety substation on the Celebrate Property or developed it in any manner whatsoever, and more than 10 years have passed since the parcel was donated to the City via the Deed of Gift. Accordingly, the former owners wish to regain possession of the property. See attached letter.

The City’s Comprehensive Plan provides, in Chapter 4, “Public Services, Public Facilities, and Preserved Open Space,” an initiative number 5 to “provide a new Fire Station 3 on the west side of Interstate-95.” In the fall of 2017, the City retained the services of Manitou, Inc. to conduct a Fire Station Feasibility Study on behalf of the Fire Department. Working closely with city staff, the Manitou project team conduct an analysis of both the current fire station locations and alternative

sites, identified by the city as potential locations of additional stations or for the relocation of current facilities. In January 2018, Manitou, Inc. presented its findings and final report with a presentation before City Council. After exploring 12 scenarios, the fire station site on Gordon W. Shelton Blvd. was determined not to be an optimal location for an additional fire station due to its remoteness and location along a dead end street. Even with the completion of a loop that finalizes Gordon W. Shelton Blvd. with Carl D. Silver Parkway, the site would still offer less in the way of optimum location for a fire station.

Manitou, Inc. found that a station location on Cowan Blvd. near the Gateway Blvd extension would be more efficient in providing coverage to Central Park as well as to City locations on Plank Road, Route 1 and the Downtown Historic District. A station location on Fall Hill Avenue near Wicklow Drive would also be a secondary consideration if the extension of Gateway Blvd. through to Fall Hill Avenue was achieved. With these two options providing better coverage for our fire suppression and emergency medical service operations, it is staff's recommendation that the site on Gordon W. Shelton Blvd. no longer be considered for a fire station and that the terms of the Deed of Gift's reversion clause be carried out.

FISCAL IMPACT

None noted.

Attachments: Ordinance
Letter from Silver Companies
Deed of Gift



August 25, 2020
Regular Meeting
Ordinance No. 20-__

MOTION:

SECOND:

RE: Authorizing the Conveyance of a Parcel of Land Containing Approximately 1.95 Acres in Celebrate Virginia South to Celebrate Virginia South, LLC as Provided for in the September 5, 2008 Deed of Gift of the Parcel to the City

ACTION: APPROVED: Ayes: 0; Nays: 0

FIRST READ: _____ **SECOND READ:** _____

Sec. I Introduction.

The City acquired a parcel of land containing approximately 1.95 acres in Celebrate Virginia South by Deed of Gift dated September 5, 2008, from Celebrate Virginia South, LLC (“Celebrate”). This parcel is identified in the City’s Geographic Information System as GPIN 7769-59-8455 (Celebrate Property.) The terms of the Deed of Gift were that the parcel shall be used by the City for municipal purposes only and shall revert to Celebrate if the City does not construct and operate a public safety substation on the property within ten years after the date of the deed. The Deed of Gift further provided that if the Celebrate Property reverts to Celebrate as provided above, the City shall promptly execute reasonable instruments confirming the same. In 2008, the City planned to use the parcel to construct a new “Fire Station 3.”

The City’s Comprehensive Plan provides, in Chapter 4, “Public Services, Public Facilities, and Preserved Open Space,” an initiative number 5 to “provide a new Fire Station 3 on the west side of Interstate-95.” However, the City hired Manitou Incorporated to study a Fire Station Feasibility Study on behalf of the Fredericksburg Fire Department. The December 2017 Final Report, entitled, “Fire Station Feasibility Study” recommended that the City formally adopt a plan to construct a Fire Station at a site on Cowan Blvd. corridor near Gateway Blvd. extension or near Fall Hill Avenue near Wicklow Drive if the Cowan Blvd. corridor is not feasible and secure funds for its design. With respect to the Celebrate Property, the report concluded that “its location is on a remote and single entry street and is not considered suitable for deployment of fire and EMS services in the western section of the City.”

The City has not constructed a public safety substation on the Celebrate Property or developed it in any manner whatsoever, and more than 10 years have passed since the parcel was donated to the City via the Deed of Gift. Accordingly, the time has come to convey the parcel back to Celebrate Virginia South, LLC.

Sec. II. Authorizing conveyance.

The City Manager is hereby authorized and directed to execute a deed of gift conveying the Celebrate Property to Celebrate Virginia South, LLC to Celebrate Virginia, LLC, in accordance with the terms of the September 5, 2008 Deed of Gift to the City, subject to the review and approval as to form by the City Attorney.

Sec. III. Effective date.

This ordinance becomes 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 September 8, 2020 at which a quorum was present and voted.

Tonya B. Lacey, CMC
Clerk of Council



RECEIVED

JUL - 9 2020

CITY MANAGER'S OFFICE
CITY OF FREDERICKSBURG VA

VIA HAND DELIVERY

June 25, 2020

Tim Baroody, City Manager
City of Fredericksburg, Virginia
715 Princess Anne Street
Fredericksburg, VA 22401

RE: 1.5 -acre parcel, GPIN # 7769-59-8455

Dear Mr. Baroody:

Inasmuch as the City has determined not to use the parcel referenced above in Celebrate Virginia South off Gordon W Shelton Boulevard for a public safety (fire) substation facility, this letter is to officially request that the City return title of said parcel to us.

As you recall, the parcel was conveyed to the City with stipulations that the property be limited to municipal purposes only. It also stipulated that the property shall revert to us if the City did not construct and operate a public safety substation on the site within ten years from the date of conveyance. That deadline was extended on several occasions by us to allow the City to study the site and to determine the best place for such a facility. Ultimately, the City decided not to build a public safety facility at that location. As such, we respectfully request that the city take the necessary steps to convey the subject parcel back to us as soon as is possible.

We have several interesting ideas that we are considering for development of this parcel and would like to advance those ideas as soon as you convey title back to us.

Thank you for your attention to this matter.

Sincerely,

Larry D. Silver

BOCA RATON OFFICES

1001 EAST TELECOM DRIVE, BOCA RATON, FL 33431
PH: 561.981.5252 Fx: 561.981.5253

METRO WASHINGTON, D.C. OFFICES

1201 CENTRAL PARK BLVD., FREDERICKSBURG, VA 22401
PH: 540.786.1405 Fx: 540.786.1406

COMMONWEALTH OF VIRGINIA



OFFICIAL RECEIPT
FREDERICKSBURG CITY CIRCUIT COURT
DEED RECEIPT

DATE: 09/08/08 TIME: 09:01:49 ACCOUNT: 630CLR080002054 RECEIPT: 08000007114
CASHIER: JAF REG: BA13 TYPE: DG PAYMENT: FULL PAYMENT
INSTRUMENT : 080002054 BOOK: PAGE: RECORDED: 09/08/08 AT 09:01
GRANTOR: CELEBRATE VIRGINIA SOUTH, L.L.C. EX: N LOC: CI
GRANTEE: CITY OF FREDERICKSBURG, VIRGINIA EX: N PCT: 100%
AND ADDRESS : 615 PRINCESS ANNE STREET FREDERICKSBURG, VA. 22401
RECEIVED OF : LTIC DATE OF DEED: 09/04/08

CHECK: \$67.00 1089700610
DESCRIPTION 1: 1.766 ACRES AND 1.957 ACRES PAGES: 8 O/P 0
2: BATCH RECEIPT: 080002054 THRU 080002055 NAMES: 0
CONSIDERATION: .00 A/VAL: .00 MAP: 312-A-P4B AND 312-2-
PIN:

30: DEEDS	29.00	145	VSLF	3.00
312 TRANSFER FEES	2.00	106	TECHNOLOGY TRST FND	10.00
635 VOF FEE	2.00			
			TENDERED :	57.00
			AMOUNT PAID:	42.00
			CHANGE ART :	21.00

CLERK OF COURT: SHARRON S. MITCHELL

COMMONWEALTH OF VIRGINIA



OFFICIAL RECEIPT
FREDERICKSBURG CITY CIRCUIT COURT
DEED RECEIPT

DATE: 09/08/08 TIME: 09:06:41 ACCOUNT: 630CLR080002055 RECEIPT: 08000007115
CASHIER: JAF REG: BA13 TYPE: AMEND PAYMENT: FULL PAYMENT
INSTRUMENT : 080002055 BOOK: PAGE: RECORDED: 09/08/08 AT 09:06
GRANTOR: CELEBRATE VIRGINIA SOUTH, L.L.C. EX: N LOC: CI
GRANTEE: CVAS 2, LLC EX: N PCT: 100X
AND ADDRESS : 1201 CENTRAL PARK BLVD, FREDERICKSBURG, VA. 22401
RECEIVED OF : LTIC DATE OF DEED: 09/04/08
CASH: \$21.00
DESCRIPTION 1: 1.766 ACRES AND 1.957 ACRES PAGES: 5 0/P 0
2: NAMES: 0
CONSIDERATION: .00 A/VAL: .00 MAP: 312-A-P4B AND 312-2-
PIN:
301 DEEDS 14.50 145 VSLF 1.50
106 TECHNOLOGY TRST FND 5.00
TENDERED : 21.00
AMOUNT PAID: 21.00
CHANGE AMT : .00

CLERK OF COURT: SHARRON S. MITCHELL

Instrument Control Number

[Empty box for Instrument Control Number]

Commonwealth of Virginia Land Record Instruments Cover Sheet - Form A

[ILS VLR Cover Sheet Agent 1.0.66]

T
A
X

E
X
E
M
P
T

C
O
R
P

Date of Instrument: [9/4/2008]

Instrument Type: [DG]

Number of Parcels [1]

Number of Pages [9]

City County [City Of Fredericksburg] (Box for Deed Stamp Only)

First and Second Grantors

Last Name	First Name	Middle Name or Initial	Suffix
[Celebrate Virginia South]	[[[
[City of Fredericksburg, V]	[[[

First and Second Grantees

Last Name	First Name	Middle Name or Initial	Suffix
[City of Fredericksburg, V]	[[[
[Celebrate virginia South,]	[[[

Grantee Address (Name) [City of Fredericksburg, Virginia]
 (Address 1) [615 Princess Anne Street]
 (Address 2) []
 (City, State, Zip) [Fredericksburg] [VA] [22401]

Consideration [0.00] Existing Debt [0.00] Assumption Balance [0.00]

Prior Instr. Recorded at: City County [] Percent. in this Juris. [100]

Book [] Page [] Instr. No []

Parcel Identification No (PIN) []

Tax Map Num. (If different than PIN) [312-A-P4B and 312-2-P1C]

Short Property Description [1.766 acres and 1.957 acres]

[]

Current Property Address (Address 1) []

(Address 2) []

(City, State, Zip) [] [] []

Instrument Prepared by [Karen C. Fagelson, Esq.]

Recording Paid for by [LTIC]

Return Recording to (Name) [LandAmerica]

(Address 1) [804 Charles Street]

(Address 2) []

(City, State, Zip) [Fredericksburg] [VA] [22401]

Customer Case ID [] [] []

Return To:
LandAmerica
804 Charles Street
Fredericksburg, VA 22401



Prepared by and After Recording Return to:
Karen C. Fagelson, Esquire
3110 Fairview Park Drive, Suite 1400
Falls Church, Virginia 22042

Tax Map Number: 312-A-P4B
Tax Map Number: 312-2-P1C
Consideration \$0

Celebrate Address: 1201 Central Park Blvd.
Fredericksburg, VA 22401

City Address: 615 Princess Anne St.
P.O. Box 7447
Fredericksburg, VA 22404

Exempt from Recordation and Transfer Taxes pursuant
to Virginia Code §58.1-811 (D)

DEED OF GIFT

THIS DEED OF GIFT, dated as of the 5th day of September, 2008, by and between the CITY OF FREDERICKSBURG, VIRGINIA, a municipal corporation (the "City") (to be indexed as "Grantor" and "Grantee") and CELEBRATE VIRGINIA SOUTH L.L.C., a Virginia limited liability company ("Celebrate") (to be indexed as "Grantor" and "Grantee") recites and provides as follows:

RECITALS:

R-1. The City is the owner of that certain parcel of land situate, lying, and being in the City of Fredericksburg, Virginia, and more particularly described on Exhibit A attached hereto and incorporated herein by reference (the "City Property").

R-2. Celebrate is the owner of that certain parcel of land situate, lying, and being in the City of Fredericksburg, Virginia, and more particularly described on Exhibit B attached hereto and incorporated herein by reference (the "Celebrate Property").

R-3. The City acquired the City Property for municipal purposes from Celebrate pursuant to that certain Deed of Gift dated May 16, 2006 and recorded among the land records of the City of Fredericksburg as instrument number 060001672.

R-4. Upon further study, Celebrate and the City have determined that the City Property presents impediments to the efficient ingress and egress of emergency vehicles such as fire trucks. Celebrate has identified the Celebrate Property as an alternative site for the City's use.

R-5. The City is authorized to exchange its interest in the City Property pursuant to the Fredericksburg City Council Ordinance No. 08-23 and Section 15.2-1102 of the Code of Virginia 1950, as amended. Celebrate is authorized to exchange its interest in the Celebrate Property.

Pursuant to the foregoing authorizations, for, and in consideration of the grants and conveyances in fee simple as set forth herein contained, the City and Celebrate enter into the following Deed of Gift.

1. For no consideration, the City, subject to such easements, conditions, and restrictions of record as may affect the City Property or any part thereof, hereby grants, bargains, sells and conveys with Special Warranty unto Celebrate all of the City Property as described on Exhibit A attached hereto and made a part hereof.

2. For no consideration, Celebrate, subject to such easements, conditions and restrictions of record as may affect the Celebrate Property or any part thereof, hereby grants, bargains, sells and conveys with Special Warranty unto the City, all of the Celebrate Property as described on Exhibit B attached hereto and made a part hereof.

3. City and Celebrate covenant that they have not done or suffered to be done any act, matter or thing whatsoever to encumber the property hereby conveyed, they will warrant specially the land hereby conveyed and that they will execute such further assurances of said land as may be requisite or necessary.

4. Pursuant to the terms of the Celebrate Virginia South Agreement dated September 13, 2005, as amended, the Celebrate Property shall be used by the City for municipal purposes only and shall revert to Celebrate if the City does not construct and operate a public safety substation on the Celebrate Property within ten (10) years after the date of this Deed. In the event the Celebrate Property reverts to Celebrate as provided above, the City shall promptly execute reasonable instruments confirming the same.

5. Pursuant to Section 14 of the Declaration of Covenants, Restrictions and Agreements for Celebrate Virginia South, Fredericksburg, Virginia, dated December 12, 2005

and recorded among the land records as instrument no. 05 0004784 ("City Declaration"), Celebrate, as declarant under the City Declaration, agrees that Section 6 of the City Declaration regarding the Interchange Fee shall not apply to the Celebrate Property for so long as the Celebrate Property is held for or used by the City for municipal purposes.

IN WITNESS WHEREOF, the City has caused its name to be subscribed hereunto by its City Manager and its corporate seal to be hereto affixed, all as duly authorized and set forth in the Recitals hereof and Celebrate has caused its name to be signed hereunto by its duly authorized officer or manager.

[SIGNATURES ON NEXT PAGES]

EXHIBIT A

Description of City Property

PROPERTY DESCRIPTION

All that certain lot, piece or parcel of land, together with all improvements thereon, situate, lying and being in the City of Fredericksburg, Virginia, containing 1.766 acres, more or less, as shown on plat entitled "Plat of Subdivision Parcel 1C being a Portion of the Lands of Celebrate Virginia South, L.L.C." made by Greenhorne & O'Mara, Inc. dated October 10, 2005, last revised December 22, 2005, and recorded in the Clerk's Office of the Circuit Court of the City of Fredericksburg, Virginia recorded in Plat Book 14, pages 37-38.

BEING the same property conveyed unto City of Fredericksburg, Virginia by Deed from Celebrate Virginia South, L.L.C. dated May 16, 2006, recorded at 060001672, Office of the Clerk of the Circuit Court of the City of Fredericksburg, Virginia.

EXHIBIT B

Description of Celebrate Property

Property Description

All that certain lot, piece or parcel of land, together with all improvements thereon, situate, lying and being in City of Fredericksburg, Virginia, and known, numbered and designated as Parcel P4B containing 1.957 acres, more or less, of Celebrate Virginia South, as shown on subdivision plat entitled "Plat of Subdivision and Right-of-Way Dedication on Tax Map 312-A-P4 in Celebrate Virginia South City of Fredericksburg, Virginia," made by D&D Surveyors, dated May 28, 2008 last revised July 11, 2008, and recorded in the Clerk's Office of the Circuit Court of the City of Fredericksburg, Virginia, in .

Being a portion of the same property conveyed to Central Park II, LLC by the following Deeds:

-Deed from Bragg Road Limited Partnership; MH/Fredericksburg Associates/Peter K. Yeskel and Pauline Wechsler, Trustees for Westgage Joint Venture dated April 21, 1998, filed for record in Deed Book 309 page 789, Office of the Clerk of the Circuit Court of the City of Fredericksburg, Virginia.

-Deed from Bragg Road Limited Partnership; et als, dated April 21, 1998, recorded in Deed Book 309, page 804, Office of the Clerk of the Circuit Court of the City of Fredericksburg, Virginia.

Confirmation and Correction dated December 5, 2000 recorded in Deed Book 344 page 356.



AGREEMENT FOR EXCHANGE OF LAND

This is an Agreement for the Exchange of Land by and between the CITY OF FREDERICKSBURG, VIRGINIA, (the "City") and CELEBRATE VIRGINIA SOUTH, LLC ("South"), made this 5th day of September, 2008.

RECITALS

- A. City and South entered into an Agreement dated September 13, 2005 (the "Side Agreement") in which South pledged to convey to City a 1.5 acre parcel of land within the Celebrate Virginia South Community Development Authority District (the "District"), for municipal purposes.
- B. South conveyed to City a 1.766 acre parcel within the District by Deed of Gift dated May 16, 2006, recorded in the land records of the Clerk of the Circuit Court of the City of Fredericksburg as Instrument No. 060001672 ("Fall Hill Avenue Parcel").
- C. Upon further study, South and the City have determined that the Fall Hill Avenue Parcel presents impediments to the efficient ingress and egress of emergency vehicles such as fire trucks.
- D. South has identified an alternative 1.86 useable acre site for the City's use, (the "Alternative Site"), located on a planned future public street which will

intersect with Carl D. Silver Parkway at a signalized intersection, as shown on a plat entitled "Plat of Subdivision and Right-of-Way Dedication," by D&D Surveyors, Inc., dated May 28, 2008, revised July 11, 2008 file number 111-0018 (the "Plat"), attached hereto as Exhibit A and incorporated herein by reference.

- E. The City and South agree that the exchange of the Fall Hill Avenue Parcel for the Alternative Site is desirable, upon the terms and conditions contained herein.

AGREEMENT

NOW THEREFORE, in consideration of the Recitals stated above, the parties hereto agree as follows:

1. The City and South agree to exchange the Fall Hill Avenue Parcel and the Alternative Site.
2. The consideration for each conveyance is the fulfillment of the mutual promises contained herein, without any further cash payment or purchase price.
3. The City's obligations are expressly conditioned upon the satisfaction of each of the following conditions in the sole determination of the City:
 - 3.1. City approval of a subdivision plat creating the Alternative Site in substantial accordance with the Plat.
 - 3.2. Receipt of a Phase I Environmental Assessment and Report (Phase I Report) conducted and prepared by an environmental engineering and inspection company selected by the City at South's reasonable expense and such other environmental testing and reports as may be reasonably required by City or recommended in the Phase I Report.
 - 3.3. Receipt of a satisfactory soil report prepared by a geotechnical company selected by the City at South's reasonable expense, which report shall address soil types encountered, soil bearing capacity and any unusual conditions detrimental to construction, if any.

- 3.4. Receipt of a satisfactory title commitment with all unacceptable title exceptions, encumbrances, and conditions (as determined pursuant to Section 6) as deemed by City removed or cured at South's reasonable cost pursuant to Section 7.
- 3.5. Amendment of Paragraph 21 of the Side Agreement to extend the City's time to construct and operate the public safety substation to ten (10) years after the date of closing of this Exchange.
4. South's obligations are expressly conditioned upon the satisfaction of each of the following conditions, in the sole determination of South:
 - 4.1. City approval of a subdivision plat creating the Alternative Site in substantial accordance with the Plat.
 - 4.2. Receipt of a satisfactory title commitment with all unacceptable title exceptions, encumbrances, and conditions (as determined pursuant to Section 5) as deemed by South removed or cured at City's reasonable cost pursuant to Section 7.
5. City agrees to convey the Fall Hill Avenue Parcel to South by special warranty deed, free and clear of all encumbrances, tenancies, and liens (for taxes or otherwise), except as may be otherwise provided in this Agreement, subject to applicable easements and restrictive covenants of record not adversely affecting the use of the Fall Hill Avenue Parcel for any purpose or rendering the title unmarketable.
6. South agrees to convey the Alternative Site to City by special warranty deed, free and clear of all encumbrances, tenancies, and liens (for taxes or otherwise), except as may be otherwise provided in this Agreement, subject to applicable easements and restrictive covenants of record not adversely affecting the use of the Alternative Site parcel for any purpose or rendering the title unmarketable.
7. If a defect or non-permitted encumbrance is found that is of such character that it can be cured by legal action within a reasonable time not to exceed 60 days, each party will, at its expense, promptly take action as is necessary to cure the defect. If the defect cannot be cured within this time, the other party will have the option of terminating this Agreement or waiving the defect and proceeding to Closing.
8. Possession of each parcel will be delivered at Closing.
9. Closing will be made at the offices of the City Attorney, 710 Princess Anne Street, Fredericksburg, Virginia, within 60 days of the date of this Agreement, unless extended by written agreement of the parties. Time is of the essence of this Agreement.
10. South agrees to pay the expenses of preparing the Deed of Exchange and any recordation tax or other state and local taxes and fees applicable to the exchange as the Grantor or Grantee; provided, however, that City shall cooperate with South in

connection with obtaining any exemptions set forth in Section 58.1-811 of the Code of Virginia (1950), as amended.

11. Each party represents and warrants as of the date of this Agreement and as of the date of Closing, for the parcel it will convey to the other party ("the Property"), that:
 - 11.1. It has the right, title, and authority to enter into this Agreement and to perform its obligations hereunder;
 - 11.2. The entry and performance of this Agreement will not breach any other agreement with any other party or create a violation of any applicable law, rule or regulation.
 - 11.3. To the best of its officers' and directors' knowledge, the Property fully complies with federal, state, and local environmental laws, regulations, and requirements;
 - 11.4. No Hazardous Substance (as defined in Section 11.16), asbestos, asbestos containing material, or polychlorinated biphenyls (PCBs) are being manufactured, treated, stored, sold, or disposed on the Property.
 - 11.5. After diligent inquiry, it has no knowledge of or reason to believe there exists on the Property any soil, surface water, groundwater, or structural or other Contamination (as defined in Section 11.16) or threat of such Contamination.
 - 11.6. After diligent inquiry, it has no knowledge of or reason to believe there exists on property adjacent to the Property any Contamination of, or threat of Contamination to, soil, surface water, groundwater, or otherwise;
 - 11.7. After diligent inquiry, it has no knowledge of or reason to believe that the Property has been used as a burn pit or fill site.
 - 11.8. To the best of its and its officer's and directors' knowledge, no environmental liens, restrictions, notifications, or conditions regarding the release, treatment, storage, or disposal of Hazardous Substances or Petroleum Products have been claimed or threatened relating to the Property.
 - 11.9. At all times during its ownership of the Property, the Property has been used by it and other occupants, if any, only as vacant land.
 - 11.10. After diligent inquiry, it has no knowledge of any notice, claim, or assertion by anyone that there are any underground storage tanks on the Property.
 - 11.11. After diligent inquiry it has no knowledge of any past or present administrative proceedings, past or present litigation, or any notices, claims,

or assertions of a violation of any environmental, health, or safety law or regulation affecting the Property.

- 11.12. There are no existing boundary, water, or drainage disputes of which it has any knowledge.
- 11.13. There are no actions or proceedings threatened against it to condemn all or any part of the Property.
- 11.14. The Property is properly zoned and permitted for the other party's intended use. No restrictive covenant will interfere with the City's intended use of the Alternative Site for municipal purposes.
- 11.15. To the best of its knowledge, after diligent inquiry, the Property and all improvements located on it are in compliance with all applicable federal, state, and local laws, rules, and regulations.
- 11.16. As used herein, the terms "Hazardous Substance" means any hazardous substance or material or petroleum product regulated by federal, state, or local law, ordinance or regulation applicable to the Property (collectively, "Hazardous Substances"). "Contamination" means the presence of Hazardous Substances at the Property that requires remediation or cleanup under federal, state or local laws, ordinances or regulations applicable to the Property.

12. South agrees to perform the following work:

- 12.1. Attached hereto as Exhibit B and incorporated herein by reference is the Conceptual Grading Plan for the Alternative Site. Within ninety (90) days after Closing, South shall submit a final grading plan for the Alternative Site (which shall be in substantial conformance to the Conceptual Grading Plan) to City for approval, such approval not to be unreasonably withheld, delayed or conditioned and to be deemed given if the City does not respond within ten (10) days after receipt. Comments on the final grading plan submission shall not result in material variations from the Conceptual Grading Plan. The final grading plan, as approved by the City in accordance with the terms of this Agreement, is the "Grading Plan".

South will grade the Alternative Site, at its expense, to within +/- 6" of final grade in accordance with Grading Plan. South's work shall include all erosion control required for the grading of the site and geotechnical testing necessary to confirm that a bearing pressure of not less than 2,500 lbs/square foot has been achieved within the proposed building pad area.

South will employ a mutually acceptable geotechnical engineering company to inspect the grading work at reasonable intervals ("Engineer"). The parties agree that ECS Mid-Atlantic, LLC is acceptable as the Engineer. If unsuitable

soils are encountered in the course of the grading work and the presence of such soils would have a material adverse impact upon the construction and use of the Alternative Site for a public safety substation, then South shall remove or mitigate such soils in accordance with the recommendations of the Engineer.

South will commence site work within ninety (90) days after the City's approval of the Grading Plan and shall complete such work within one hundred twenty (120) days after commencement. Site work shall be deemed complete when it is approved by City inspectors as in conformance (+/- 6") with the approved Grading Plan.

- 12.2. South shall construct the public future road and utilities which abut the Alternative Site as shown on Exhibit A and as described on Exhibit A-1, so that there is road and utility connection between the Alternative Site and Carl D. Silver Parkway. The public road improvements shall include the installation of a signalized intersection at the new public access road and Carl D. Silver Parkway. South agrees that road and utility construction will be complete in time for the City to move in to its completed facility.
- 12.3. South shall provide stormwater quality and quantity management off site so long as the City's ordinance so permits, and construct off site stormwater management facilities to handle stormwater from the Alternative Site.
- 12.4. South shall install emergency enunciators at all signalized intersections between the Alternative Site and Fall Hill Avenue, including the following intersections, prior to the date upon which the City issues the Certificate of Occupancy for its facility on the Alternative Site:
 - 12.4.1. Gordon W. Shelton Boulevard and Carl D. Silver Parkway;
 - 12.4.2. Gordon W. Shelton Boulevard and Fall Hill Avenue;
 - 12.4.3. Carl D. Silver Parkway and Fall Hill Avenue/Bragg Road; and
 - 12.4.4. Public Access Road shown on Exhibit A and Carl D. Silver Parkway.
13. After Closing, the Alternative Site shall be exempt from any and all existing or future special taxes, fees and assessments, including property owner association fees and assessments, special tax district assessments, or Community Development Authority tax assessments. South agrees to adopt or amend any and all instruments as may be necessary to implement this provision. The parties shall prorate taxes and District assessments as of the date of closing.
14. The provisions in this Agreement will be true as of the date of this Agreement and as of the date of Closing and Section 12 will survive the Closing.
15. The following provisions apply in the case of default:

- 15.1. If the exchange of land contemplated by this Agreement is not consummated because of City's or South's default, the non-defaulting party may elect to terminate this Agreement or seek and obtain specific performance of this Agreement.
- 15.2. If either party defaults under this Agreement, the defaulting party will be liable for any expenses, including reasonable attorney fees, incurred by the non-defaulting party in connection with the enforcement of its rights under this Agreement.
- 15.3. If South defaults under Section 12 of this Agreement, it will be liable to the City for any expenses, including reasonable attorney fees, engineering fees, and materials and labor costs, incurred by the City in connection with the performance of South's obligations set forth therein.
16. This Agreement constitutes the entire agreement of the parties and will supersede the terms and conditions of all prior written and oral agreements, if any, concerning the matters it covers. This Agreement may not be modified except by an agreement in writing signed by the parties.
17. Failure to insist upon strict compliance with any of the terms, covenants, or conditions hereof will not be deemed a waiver of the term, covenant, or condition, nor will any waiver or relinquishment of any right or power at any one time or more times be deemed a waiver or relinquishment of the right or power at any other time or times.
18. This Agreement will be construed in its entirety and will not be divisible.
19. This Agreement is to be construed in accordance with the laws of the Commonwealth of Virginia. Any litigation under this Agreement shall be brought in a court of competent jurisdiction in the City of Fredericksburg.
20. This Agreement will be binding upon and the obligations and benefits hereof will accrue to the parties hereto, their heirs, personal representatives, successors, and assigns.
21. Facsimile signatures will be considered original signatures for the purpose of execution and enforcement of the rights delineated in this Agreement.
22. The Fredericksburg City Council authorized the City Manager to execute this Agreement on behalf of the City at its regular meeting pursuant to Ordinance 08-23, adopted June 24, 2008.

[SIGNATURES ON FOLLOWING PAGE]

CITY OF FREDERICKSBURG, VIRGINIA

By: *Phillip L. Rodenberg*
Phillip L. Rodenberg, City Manager

Approved as to form:

Kathleen Dooley
Kathleen Dooley, City Attorney

CELEBRATE VIRGINIA SOUTH L.L.C.

By: **Silver CP II, LLC, Its Manager**

By: _____
B. Judson Honaker, Jr., Manager

CITY OF FREDERICKSBURG, VIRGINIA

By: _____
Phillip L. Rodenberg, City Manager

Approved as to form:

Kathleen Dooley, City Attorney

CELEBRATE VIRGINIA SOUTH L.L.C.

By: **Silver CP II, LLC, Its Manager**

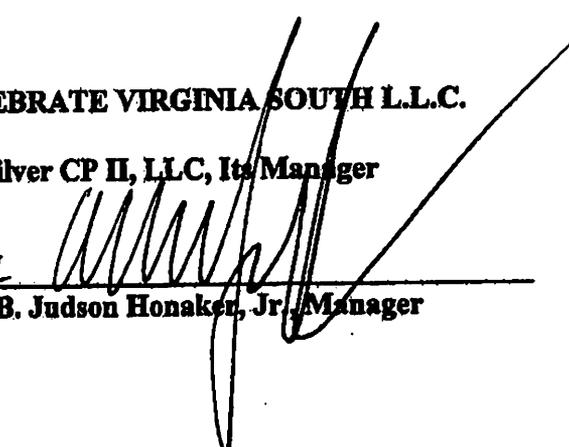
By:  _____
B. Judson Honaker, Jr., Manager

EXHIBIT A
ALTERNATIVE SITE PLAT



Established 1941

May 27, 2008

Mr. Bassam Amin
City of Fredericksburg
P. O. Box 7447
Fredericksburg, VA 22404-7447

RE: Agreement of Exchange of Land by and between
The City of Fredericksburg and Celebrate Virginia South, LLC

Dear Bassam,

The purpose of this letter is to confirm our discussion on May 14, 2008 with Ray Ocel regarding the construction of a public street serving the new City of Fredericksburg fire station parcel within Celebrate Virginia South. Celebrate Virginia South, LLC ("Celebrate") will construct the street in accordance with the exhibit attached to the referenced agreement to City of Fredericksburg standards with the following exceptions:

1. Celebrate will not install street lights along the roadway. Celebrate agrees to install site lights within Celebrate's adjacent parcel that shall be designed to provide an adequate level of illumination for 1/2 of the roadway. These site lights shall be installed at the time of the development of Celebrate's adjacent parcel. The City shall install site lights for the other 1/2 of the roadway as part of its development of the fire station parcel.
2. Celebrate will not install sidewalk within the public right-of-way. Celebrate agrees to install a 5' wide sidewalk along the street within a public access easement on Celebrate's adjacent parcel at the time of the development of Celebrate's adjacent parcel.

Please confirm that the City accepts these conditions as stated above.

Sincerely,



Chris Hornung, P.E.
Vice President
Planning & Engineering

Cc: Scott Little, Karen Fagelson, Jud Honaker, Ray Ocel

BOCA RATON OFFICES

1001 EAST TELECOM DRIVE, BOCA RATON, FL 33431
PH: 561.981.5252 FX: 561.981.5253

METRO WASHINGTON, D.C. OFFICES

1201 CENTRAL PARK BLVD., FREDERICKSBURG, VA 22401
PH: 540.786.1405 FX: 540.786.1406

**OWNERS CONSENT & DEDICATION
TAX MAP 312-A-PARCEL P4**

FROM ALL PART OF THESE PARCELS, THAT THE DIMENSIONS OF LAND CONTAINED IN THESE PARCELS AS SHOWN ON THIS MAP OF SUBDIVISION AND RIGHT-OF-WAY DEDICATION ON THE MAP 312-A-P4 IN CELEBRATE VIRGINIA SOUTH AS APPROVED BY THE CITY OF FREDERICKSBURG, VIRGINIA IS EXCEPTED FROM THE CITY OF FREDERICKSBURG, VIRGINIA AND MAY BE LEFT TO REMAIN. ACCORDING WITH THE ORDINANCE OF THE LEGISLATURE OF VIRGINIA, PARCELS ARE NOT TO BE DIVIDED INTO LOTS, BLOCKS OR GROUPS OF LOTS OR GROUPS OF PARCELS, UNLESS THE CITY OF FREDERICKSBURG, VIRGINIA HAS FIRST APPROVED THE SAME.

FOR CELEBRATE VIRGINIA SOUTH, LLC
200 CENTRAL PARK BOULEVARD
FREDERICKSBURG, VIRGINIA, 22401

BY: **BRUCE B. JORDAN**, J.R., PRESIDENT

DATE

NOTARY CERTIFICATE

STATE OF _____ TO-WIT,
CITY/COUNTY OF _____
THE FOREGOING INSTRUMENT HAS ACCURATELY SIGNED BY **BRUCE B. JORDAN**, PRESIDENT, OWNER OF **CELEBRATE VIRGINIA SOUTH, LLC**.
THIS _____ DAY OF _____ 200A.
BY: _____ DEPOSED AT _____ (COUNTY) _____
NOTARY PUBLIC
PRINTED NAME _____

CHESAPEAKE BAY PRESERVATION ACT

THIS IS AN OVERLAY DISTRICT FOR THE CITY OF FREDERICKSBURG AND THE PARCELS DESCRIBED WITHIN THIS PLAT LIES WITHIN THE OVERLAY DISTRICT AND DOES NOT CONTAIN ANY FEATURES WITHIN THE CHESAPEAKE BAY PRESERVATION AREA OVERLAY DISTRICT.

PROPERTY CORNER MONUMENTATION

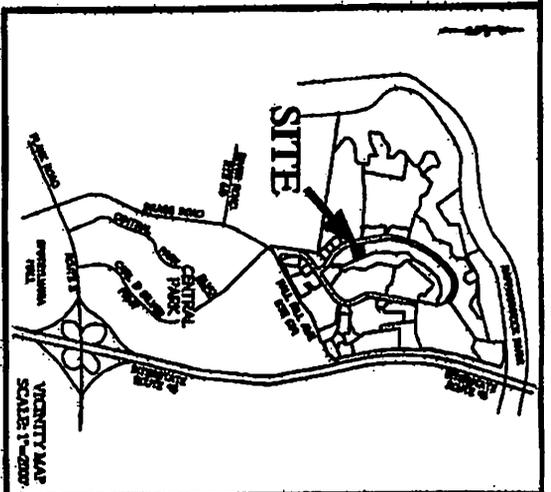
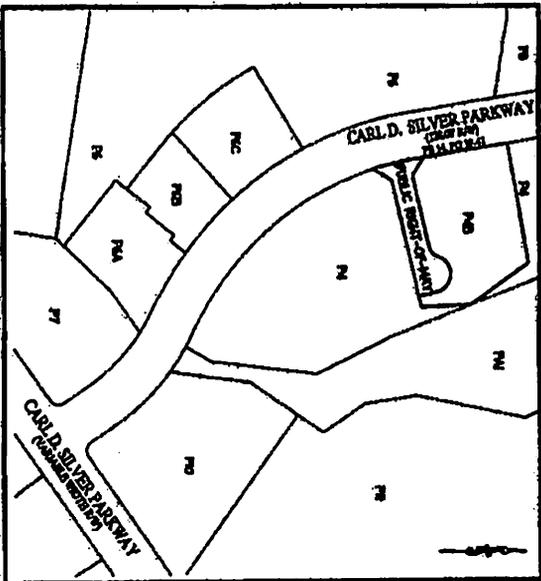
THESE MONUMENTS ARE TO BE SET (AND) AT ALL LOT CORNERS AND OWNERS IN ORDER AND DISTANCE MARKS THE PROPERTY OF ALL CORNERS OF ALL LOTS AND MONUMENTS TO BE SET WITHIN THE DISTRICTS OF THE CITY OF FREDERICKSBURG, VIRGINIA.

CERTIFICATE OF APPROVAL

THIS PLAT SHOWS THE PLAN OF SUBDIVISION AND RIGHT-OF-WAY DEDICATION OF THE MAP 312-A-P4 IN CELEBRATE VIRGINIA SOUTH AS APPROVED BY THE CITY OF FREDERICKSBURG, VIRGINIA AND MAY BE LEFT TO REMAIN.

CITY TOWNSHIP _____ DATE _____
CITY ENGINEER _____ DATE _____
CITY COMMISSIONER _____ DATE _____

**KEY MAP
SCALE 1"=600'**



**SURVEYORS CERTIFICATE
& CERTIFICATE OF TITLE**

I, **ANTHONY R. DENT**, A PLAT LICENSED LAND SURVEYOR IN THE COMMONWEALTH OF VIRGINIA, DO HEREBY CERTIFY THAT THE SURVEY AND MONUMENTATION SHOWN ON THIS PLAT OF THE PARCELS, BLOCKS AND GROUPS OF LOTS IN THE CITY OF CELEBRATE VIRGINIA SOUTH, LLC BY **BRUCE B. JORDAN**, PRESIDENT OF CELEBRATE VIRGINIA SOUTH, LLC, HAS BEEN ACCURATELY SURVEYED AND CONVEYED TO THE CITY OF FREDERICKSBURG, VIRGINIA, AND THAT THE DIMENSIONS OF THE LAND SHOWN ON THIS PLAT ARE ACCURATELY SURVEYED AND CONVEYED TO THE CITY OF FREDERICKSBURG, VIRGINIA.

**PLAT OF
SUBDIVISION
AND
RIGHT-OF-WAY DEDICATION**

ON
TAX MAP 312-A-P4

CELEBRATE VIRGINIA SOUTH
CITY OF FREDERICKSBURG, VIRGINIA

OWNER
CELEBRATE VIRGINIA
SOUTH, LLC
200 CENTRAL PARK BLVD.
FREDERICKSBURG, VA 22401
(540-751-4000)

DEVELOPER
THE SILVER COMPANIES
200 CENTRAL PARK BLVD.
FREDERICKSBURG, VA 22401
(540-751-4000)

Block	Lot	Area (sq. ft.)	Area (ac.)
1	1	10,000	0.23
1	2	10,000	0.23
1	3	10,000	0.23
1	4	10,000	0.23
1	5	10,000	0.23
1	6	10,000	0.23
1	7	10,000	0.23

APPROVED BY THE CITY OF FREDERICKSBURG, VIRGINIA

APPROVED BY THE CITY OF FREDERICKSBURG, VIRGINIA

NOTES

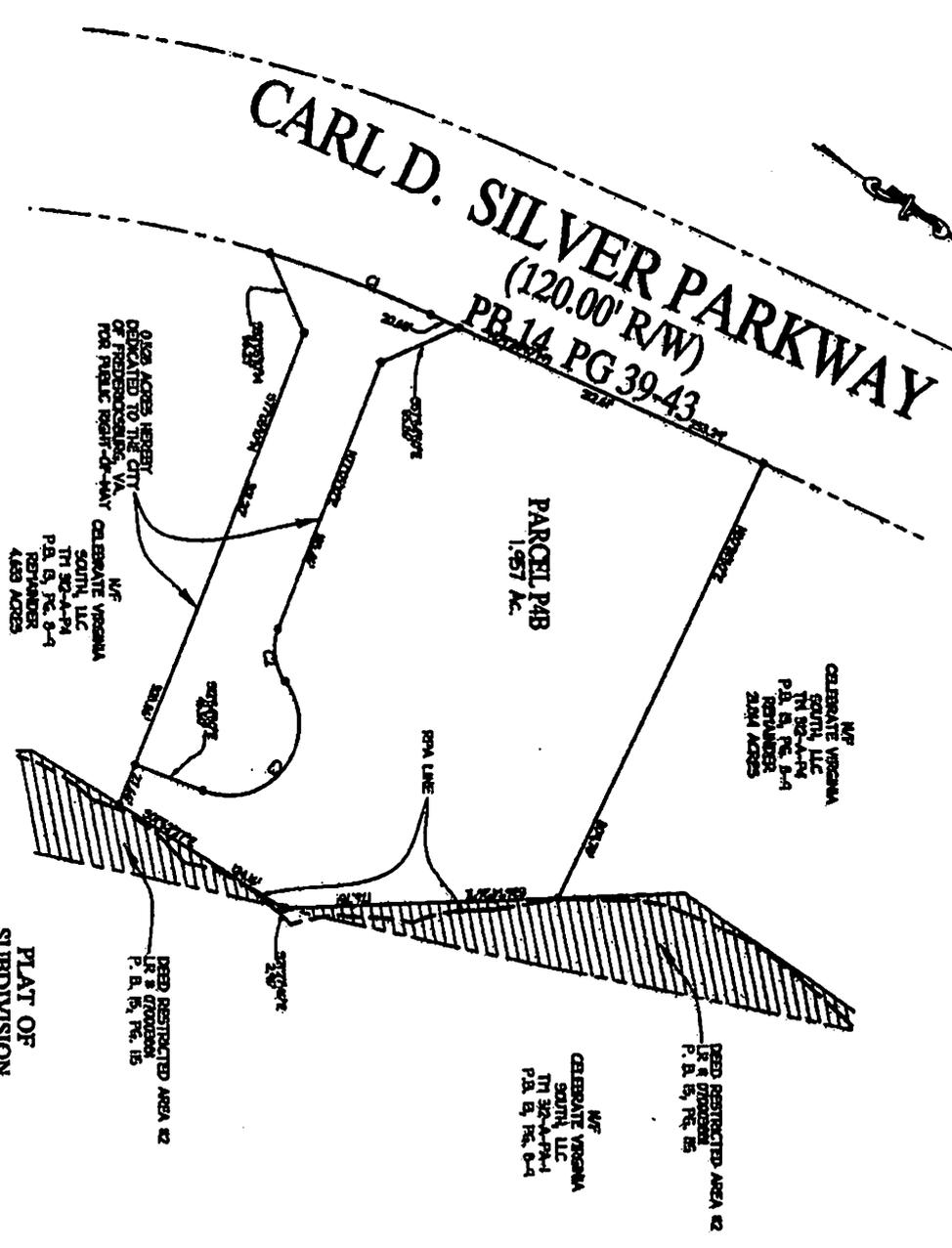
1. TITLE REPORT NOT FORWARDED SUBJECTS AND/OR RIGHTS-OF-WAY NOT EXIST.
2. THE PROPERTY SHOWN HEREON IS LOCATED IN THE CITY OF FREDERICKSBURG, VIRGINIA.
3. THE PROPERTY IS SUBJECT TO THE PLAT LIES WITHIN PLAT 14, PG 39-43, AS PER PLAT INSTRUMENT NO. 111-2841, DATED 08/14/2012, AS PER PLAT INSTRUMENT NO. 111-2841, DATED 08/14/2012, AS PER PLAT INSTRUMENT NO. 111-2841, DATED 08/14/2012.
4. THE PLAT IS SUBJECT TO THE PLAT LIES WITHIN PLAT 14, PG 39-43, AS PER PLAT INSTRUMENT NO. 111-2841, DATED 08/14/2012, AS PER PLAT INSTRUMENT NO. 111-2841, DATED 08/14/2012.
5. SOURCE OF PROPERTY: PLAT BOOK 14, PAGE 39-43.

AREA TABLE

302-A-14 BERTL	= 20.04 AC.
302-A-14 BERTL	= 4.03 AC.
302-A-14 BERTL	= 1.93 AC.
TOTAL	= 26.00 AC.

CURVE	NUMBER	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
1	1	100.00	100.00	0.00	0.00	0.00
2	2	100.00	100.00	0.00	0.00	0.00
3	3	100.00	100.00	0.00	0.00	0.00

CURVE TABLE



PLAT OF
RIGHT-OF-WAY DEDICATION
AND
SUBDIVISION
ON
TAX MAP 312-A-14
IN
CELEBRATE VIRGINIA SOUTH
CITY OF FREDERICKSBURG, VIRGINIA

Prepared by	Checked by	Reviewed by	DATE
DAVID L. BARN	DAVID L. BARN	DAVID L. BARN	08/14/2012
Drawn by	Checked by	Reviewed by	DATE
DAVID L. BARN	DAVID L. BARN	DAVID L. BARN	08/14/2012
Scale	2 of 2		

DBD
Design Group, Inc.
 1000 EAST BROADWAY, SUITE 100
 FREDERICKSBURG, VA 22401
 (541) 325-1111
 www.dbddesign.com



EXHIBIT B
CONCEPTUAL GRADING PLAN



ECS MID-ATLANTIC, LLC

Geotechnical • Construction Materials • Environmental • Cultural Resources

August 21, 2008

Mr. Scott Little
The Silver Companies
1201 Carl D. Silver Parkway
Fredericksburg, Virginia 22401

ECS Job No. 05:5082-A

Reference: Highly Plastic Clay and Silt (MH/CH) Soils, Fire Station, Celebrate Virginia South Development, City of Fredericksburg, Virginia

Dear Mr. Little:

This letter is a follow up to our meeting with the City of Fredericksburg on August 19, 2008. As noted in our Geotechnical Report dated July 14, 2008 highly plastic SILT and CLAY (MH/CH) was encountered in three of our borings.

- Boring B-2 from approximately EL 253' to 256'
- Boring B-5 from approximately EL 252' to 254'
- Boring B-7 from approximately EL 248' to 252'

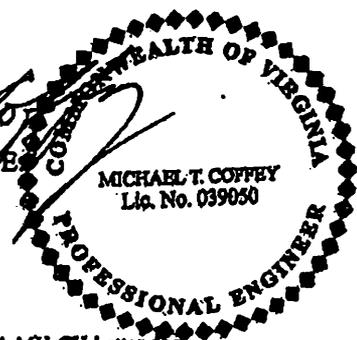
At this time, site grading plans have not been produced but it is expected that the site will have a finished grade ranging from approximately EL. 254' near the roadway frontage and grade down to approximately EL. 250' at the back of the parcel. Based on this, the MH/CH soils encountered in borings B-2 and B-5 will be likely be removed during grading operations. Additional undercuts may be required to remove all of the MH/CH encountered in boring B-7 and at other areas of the site. These highly plastic soils encountered within the cut areas should not be used as fill within 2 feet of parking lot subgrade or within 4 feet of building foundations. Per our discussions, ECS will be onsite during grading operations to identify these soils for undercut and replacement per the geotechnical report.

If there are any questions regarding the information and geotechnical recommendations contained in this report, please do not hesitate to contact us.

Respectfully,
ECS Mid-Atlantic, LLC

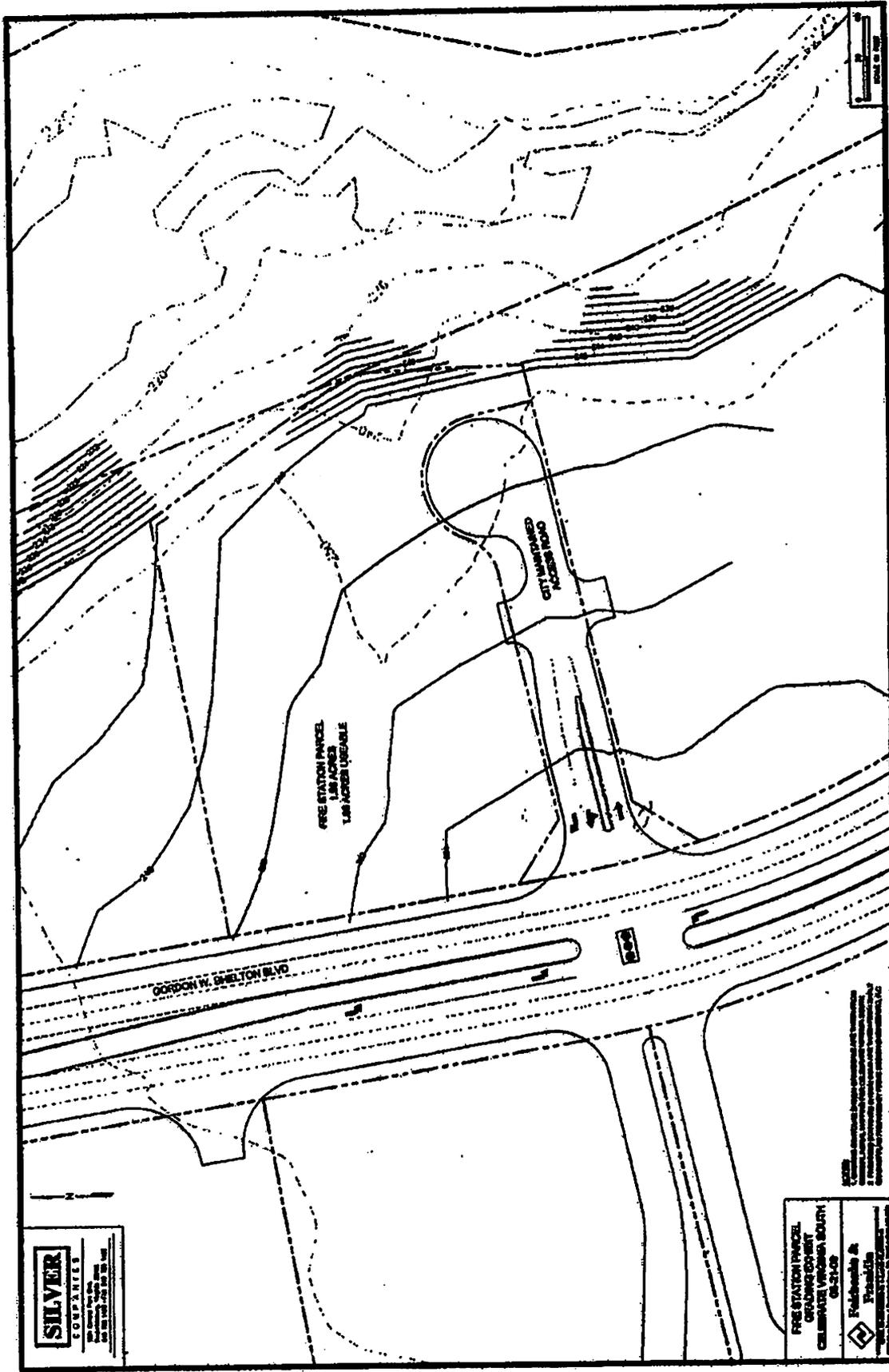
William T. Griffith, III
William T. Griffith, III
Project Geologist

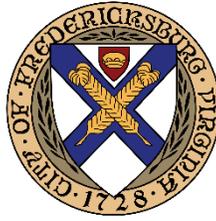
Michael T. Coffey, P.E.
Michael T. Coffey, P.E.
Principal Engineer



CC: Chris Hornung - The Silver Companies
Attachment: Firestation Parcel Grading Exhibit

WTG:\slm I:\Geotechnical\Reports\5000-5999\5082-A Fire Station @ Celebrate Va South\5082-A MH-CH Letter.doc





MEMORANDUM

Calcutta

TO: Timothy J Baroody, City Manager
FROM: Susanna Finn, Community Development Planner
DATE: September 1, 2020 (for September 8 Council meeting)
RE: Area 7 Small Area Plan

ISSUE

The City of Fredericksburg seeks to amend its Comprehensive Plan to adopt the new small area plan for Planning Area 7 in Chapter 11 and update Chapter 10 to include transect designations in the General Land Use Plan and Chapter 4 to incorporate new City parks.

RECOMMENDATION

Approve the Area 7 small area plan including changes to Chapter 11, Chapter 10, and Chapter 4 of the City's 2015 Comprehensive Plan.

CITY COUNCIL PUBLIC HEARING

On August 25, City council held a public hearing at which one comment was received. The Trestle Park Committee expressed support for the plan particularly for items related to the park and train station area. No additional comments have been received in the interim.

(The remainder of this staff report is unchanged from August 25th.)

PLANNING COMMISSION PUBLIC HEARING AND RECOMMENDATION

The City Council initiated the Area 7 amendments on January 28th and forwarded the matter to the Planning Commission. A public hearing was opened on February 26th. At this meeting, several persons spoke regarding the automobile traffic and the conversion of one-way streets. Several people spoke in support of the formalization of the green space near the train station called Trestle Park, against the addition of bathrooms for community use near the train station, and some spoke against the expansion of the train station facility at all and instead called for the re-use of the privately owned former train station. One neighborhood resident offered support for the renovation of the train station including restroom facilities. Several persons commented on the plan's recognition and protection of historic resources and environmental and open spaces. Planning Commissioners discussed the amendments and how the comments could be incorporated.

The Planning Commission Train Station Committee met on May 8th to discuss the neighborhood's comments about the Train Station Area and how to best address the needs of the adjacent neighborhood while balancing the needs for expanded multi-modal service. To address these concerns, the amendments outlined the need to work with the community for a comprehensive train station infrastructure plan. A work session was held with the Planning Commission on May 13th to continue these discussions.

When the hearing was resumed on June 24th, public comment and Planning Commissioner discussion again focused on the train station area and the logistics and benefits of one-way/two-way street conversions. After this meeting, Trestle Park was added to the parks inventory. To address concerns about traffic, it was more clearly stated that any conversion would need to first carefully study any impacts to neighborhoods. After discussion at the July 8th meeting, the Planning Commission voted 6-0 to recommend approval of the amendments for Area 7 to the City Council.

Since that time, the Recreation Commission met to discuss the formalization of two City-owned parcels into formal Parks. At their July meeting, they voted to recommend the adoption of Trestle Park and the Canal Street Wharf into the City park system. As such, these areas have been added to the “Parks and Recreation Inventory” and “City-Owned Property for Future Parks” tables of Chapter 4, respectively.

AMENDMENTS OVERVIEW

The Area 7 small area planning process began in July of 2018. Staff worked with Streetsense, a planning consulting firm, to carry out an intensive planning process and created a report and final recommendations for Small Area 7. These proposed Comprehensive Plan amendments incorporate the findings from this small area plan report including public feedback acquired through community meetings, the five-day charrette, an analysis of existing land use patterns, and a market study for expected development and redevelopment in the area. Staff met with City Council, Planning Commission, and other stakeholders of Area 7 while transforming the report into amendments. These amendments have been discussed at five work sessions with the Planning Commission and four additional meetings of the created Train Station Committee to ensure that all needed planning was incorporated into the amendments.

These amendments are to Chapter 4, Chapter 10, and Chapter 11 of the 2015 Comprehensive Plan and will formally adopt the new small area plan for Planning Area 7. Completing the Area Plan for Small Area 7 advances Council Priority 2. In addition, both the general land use plan chapter as well as the Small Area Plan for Area 7 advance several other City Council Vision priorities.

- Protect existing neighborhoods by updating zoning to reflect neighborhood patterns. Where supported by the neighborhoods, pattern books and conservation districts could be applied to reflect the architectural integrity of the area. *(Priority 14, Neighborhood Livability);*
- Eliminate the non-conforming status of missing middle housing types recognizing their role neighborhood livability allowing for appropriate incremental growth to support all stages of living. *(Priority 14, Neighborhood Livability)*
- Incorporate Pathways Plan in Area 7 to link the uplands open space network and walkable urban places. *(Priority 12, Multi-Modal Connectivity);*
- Expand the Train Station creating a multi-modal hub that supports both out-commuters and visitors to the area. *(Priority 16, Train Station Improvements)*
- Develop the maker districts in Area 7 solidifying the Princess Anne Street commercial corridor and Wolfe St area as a unified district to spur redevelopment with a mixture of innovative, creative, and maker as well as residential uses. *(Priority 14, Neighborhood Livability);*
- Identify opportunities to simplify and improve regulations to ensure that zoning supports the development envisioned *(Priority 14, Neighborhood Livability);*
- Ensure parking is strategically placed and accessible to accommodate need without sacrificing the built urban fabric. *(Priority 3, Parking Supply)*

The amendments include the addition of transects related to Small Area 7 in Chapter 10 and the Small Area Plan for Area 7. This plan is heavily focused on upgrade strategies implemented through capital improvements designed to build on Area 7's role as downtown, not just for the City, but for the Region. The plan also conceptualizes and guides the direction for future development in this area by establishing guiding principles for future land use decisions that create opportunity for the adoption of form based code elements into the Unified Development Ordinance (UDO). Adoption of the amendments is not the end of the small area planning process for Area 7, but instead the beginning of the implementation outlined within the plan to fulfill the vision for the area.

Attachments:

Proposed Amendments

Resolution

February 26, 2020 Planning Commission Minutes

June 24, 2020 Draft Planning Commission Minutes

July 8, 2020 Draft Planning Commission Minutes

The City's extensive parks and land holdings have significant recreational benefits, but many of these properties also contain historic resources that merit recognition and protection. The Rappahannock valley has been marked by human activity for thousands of years. The landscape is replete with aboriginal settlement sites and hunting camps, water-powered industries, canals and locks, the scars of gold mining, road traces, military entrenchments from the Civil War, and river crossings. These extensive resources show the evolution of the Rappahannock valley from a wilderness, to an industrial corridor, to a battleground, to a somewhat remote recreational corridor.

TABLE 4-6 FREDERICKSBURG PARKS AND RECREATION INVENTORY

PARK FACILITY	ACREAGE	USES
Alum Springs Park	34.0	Picnic areas, trails, playground, shelter, restrooms, multi-use trail, benches
Canal Path	6.0	Multi-use trail, benches
City Dock	4.0	Boat ramp, dock, fishing
Cobblestone Park	10.0	Natural area, walking trail
Cossey Botanical Park	6.0	Open space, gardens, fishing
Dixon Park	49.0	Swimming pool, playing fields, trail
Dog Park	0.5	Off leash area
Hurkamp Park	2.0	Fountain, benches, Farmers Market
Memorial Park	7.5	Tennis courts, basketball court, playground, picnic table
Maury Park	4.0	Playground, basketball court, picnic tables, benches
Mary Washington Monument	4.0	Memorial Gordon cemetery, open space
Motts Landing	3.0	Boat launch, fishing
Motts Reservoir	877, including 160 acre lake, (20 acres in park use)	Boat rental, picnic areas, fishing, nature center
Old Mill Park	50.0	Playground, playing fields, shelters, canoe launch, restrooms
Powhatan Park	1.5	Playground, benches
Snowden Ball Park	10.0	Baseball fields
Snowden Playground Park	4.0	Playground, basketball courts
Sunshine Park	13.0	Baseball fields, learning center
Thornton Cemetery	0.1	Historic cemetery
Trestle Park	.25	Open space
Washington Avenue Mall	2.6	Semi-formal open space
Roadside Park (Route 1)	0.5	Highway picnic areas
Trail Networks		Canal Path, Heritage Trail, VCR Trail, Smith Run trail, etc.
W.L. Harris Park	2.0	Basketball courts, shelter, playground, benches.
Riverfront Park	3.0	Open space, picnic areas, restrooms.
Total Acreage	1,093 (233 acres usable)	

Note: The Community Center at 408 Canal Street is not shown on this table. It is noted in Table 4-1 as Parks and Public Facilities Administration.

TABLE 4-7 CITY-OWNED PROPERTY FOR FUTURE PARKS

RESOURCE	ACREAGE	PLANNED USE
Canal Street Wharf	.50	Historic site, open space, and water access
Natural area on Fall Hill	56.9	Open space, picnicking, pathways along river bluffs
Zig-Zag Trenches (Civil War)	4.758	Historic site
Smith Run Battle Site	11.0	Historic site

The City, in partnership with the National Park Service, conducted a reconnaissance survey of the historic resources on the City's upriver lands. The final report is called *Historic Resources Along the Rappahannock and Rapidan Rivers* (1997). The Planning staff also maintains extensive records on historic resources within the City limits.

ADDITIONAL RECREATIONAL NEEDS

The National Recreation and Park Association and the Commonwealth of Virginia have both developed a measure of what types of recreational facilities should be available to a local population. The type and number of recreational assets considered to be suitable for a city the size of Fredericksburg is shown in Table 4-8. The City's population of slightly more than 25,000 residents and this table shows what is still needed. The recommended golf course is not a City goal because there are already numerous golf courses nearby. The big item of need is a new recreation center. The current center was constructed as a temporary building in the 1940s. The new recreation center is proposed to be constructed at Dixon Park.

Every few years, the Commonwealth of Virginia examines the state's recreational needs and revises its Virginia Outdoors Plan, which details specific recreation activities by region. This plan also estimates demand and then de-

termines the degree to which resources are available. The Outdoors Plan considers both public and private lands and facilities.

The latest Outdoors Plan was released in 2013 and this document makes clear that the Planning District has an abundance of water and open space resources. In addition to the City's extensive riparian lands along the Rappahannock River, there are three state parks within the region and a fourth one that is proposed to become a park, as follows:

- Caledon, 2,587 acres in King George County
- Lake Anna, 3,127 acres in Spotsylvania County
- Widewater, 1,067 acres in Stafford County
- Crow's Nest, 1,100 acres in Stafford County (proposed)

There are also two Wildlife Management Areas within the region, as follows:

- Mattaponi, 2,500 acres in Caroline County
- Land's End, 462 acres in King George County

TABLE 4-8 RECREATION STANDARDS

ACTIVITY	NUMBER OF FACILITIES PER NUMBER OF RESIDENTS	EXISTING CITY SCHOOLS	STILL NEEDED
Baseball	1 per 5,000	4/2	0
Basketball	1 per 5,000	5/6 (5 indoor)	0
Bicycle/foot trails	2 miles per 1,000	See note	(See note)
Recreation Center with gym and pool	1 per 25,000	1 pool, 1 gym, 1 rec center (obsolete)	New rec. center at Dixon Park
Football	1 per 20,000	0/3	0

CHAPTER 10: LAND USE PLAN GENERAL GUIDE

OVERVIEW

LAND USE PLAN AND REVITALIZATION

This Comprehensive Plan designates 10 areas for small area plans, to more effectively evaluate specific conditions and to make clear recommendations for land use within the City of Fredericksburg. In this manner, the general land use principles described in this Plan can be translated into clear policies. Most of the City’s small areas are designated as revitalization areas as defined in Virginia Code 15.2-2303.4, as having:

Significant structure age, which indicates that revitalization is necessary with structural improvement or replacement. A property may be well maintained in terms of cleanliness and security, however the physical elements of buildings (including, roofs, windows, doors, heating/ventilation/air conditioning facilities) have a functional life span and require periodic replacement.

A low percentage of vacant residential parcels, which shows that most residential development will be in the form of redevelopment/revitalization. However, vacant commercial areas are typically adjacent to existing commercial projects and have a low-intensity suburban character. This would also indicate the potential for revitalization.

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.

In addition, these areas are served by mass transit, include mixed use development as an allowed land use, and are planned to allow for a commercial density of at least 3.0 Floor Area Ratio in a portion thereof.

AREA PLANNING

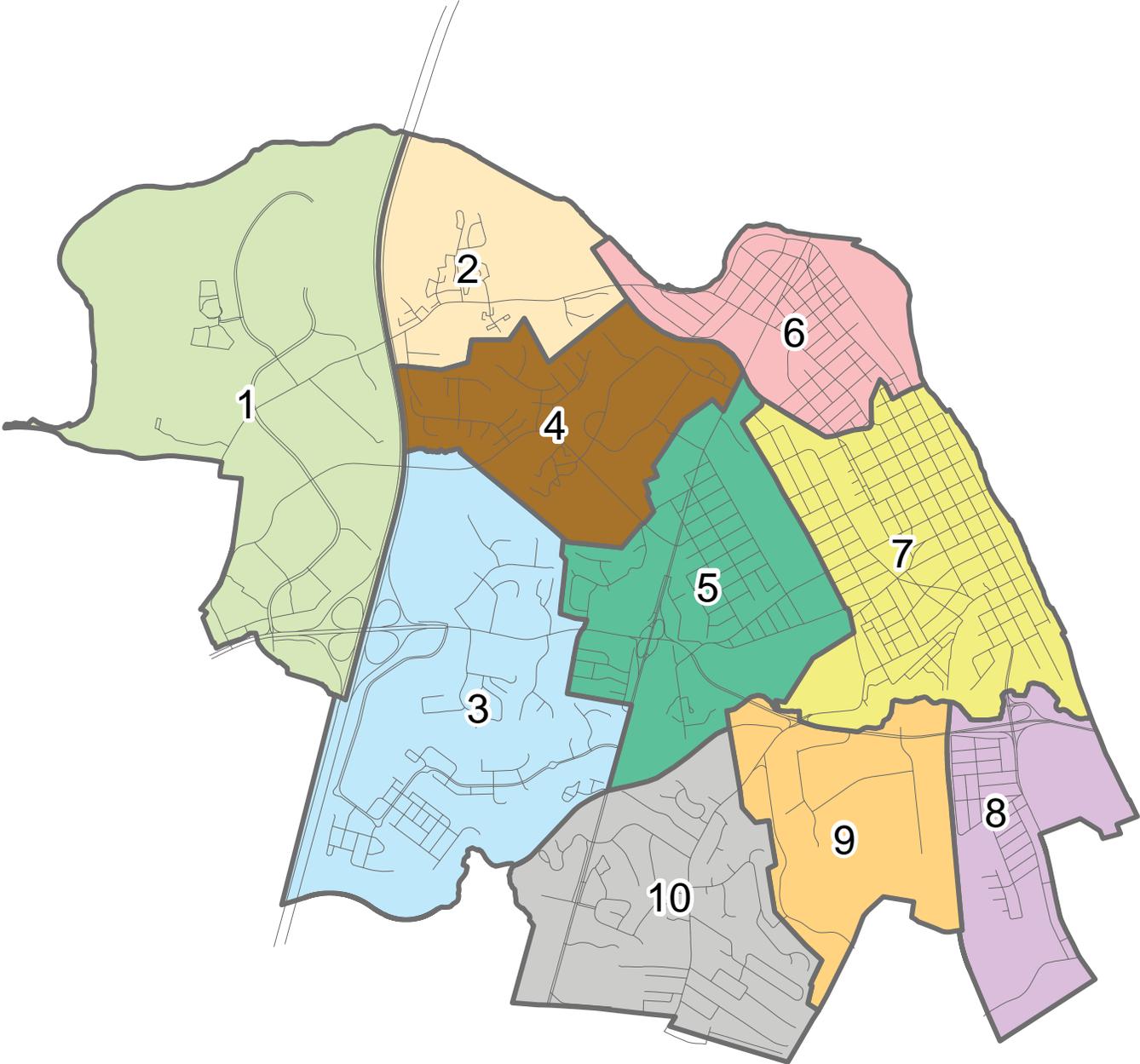
Full-scale small area plans look in detail at the neighborhood specific issues regarding land use, access and mobility, environmental and open space resources, historic resources, and evaluates the appropriateness for revitalization. These small area plans create a thorough understanding of land use patterns, transportation, and community services. These plans help to understand community networks both within these neighborhoods and their connectivity to the City as a whole. As the small area plans are completed, the Comprehensive Plan will be updated to reflect this progress.

The schedule for this planning process is as follows with adoption of completed plans to follow:

- 2017 Area 3 - Route 3 (adopted 10.24.2017) and Area 6 (adopted 2.12.2019- Princess Anne Street/Route 1 (north)
- 2018 Area 7 - Downtown
- 2020 Area 1 - Celebrate Virginia/Central Park, Area 2 - Fall Hill Avenue, and
- 2020 Area 10 - Lafayette Boulevard/Route 1(south)
- 2021 Area 5 - University/Route 1(central),
- 2022 Area 8 - Dixon St./Mayfield,
- 2023 Area 4 - Hospital/Cowan Boulevard
- 2024 Area 9 - Braehead/National Park,

PART III

MAP 13 PLANNING AREAS



TRANSECTS AS PLANNING TOOL

The small area plans use the concept of “Transects” in forming policy. Transects are a framework that represents the character of our physical environment. It is based upon an organizing tool used originally by ecologists to explain the material progression of habitats from the ocean to the mountains. Within the context of human settlement, Transects are a framework that identifies a range of habitats, from the most natural to the most urban.

These categories include standards that encourage diversity. The forms and uses found within these transects overlap reflecting the gradation of human communities. Transects integrate environmental and zoning methodologies, to support both social habitats and natural ones. Transects zones help to codify similarities in the built environment and direct more seamless transitions from one zone to another.

Each segment in the transect, lends itself to the creation of zoning categories. Transects are most useful for navigating the interconnectedness of use and form. The addition of form based planning elements to the Unified Development Ordinance, UDO, will, in combination with land use zoning districts, implement the Transect designations in Fredericksburg.

TRANSECTS IN FREDERICKSBURG

On the following pages, each Transect is identified by its specific traits of Character, Building Types, Frontages, Commercial Activity, Pedestrian Activity, Building Height, and type of Public Space, as well as the most appropriate Uses within each Transect Zone. These are the elements that are most responsible for the delivery of neighborhood character and move beyond the assumption that meeting the quantitative requirements of land use and zoning are enough to deliver a healthy human environment.

The Transect ideal is calibrated specifically to Fredericksburg’s small area plans. Each Transect is defined on the following pages. Specific details concerning appropriateness, transitions, and the gradation of form should always defer to the protection and support of the neighborhoods.

As of 2020, four neighborhoods have undergone intensive small area planning efforts. As planning continues, the remainder of the City will be added to the General Land Use Map with transect designations.

DESCRIPTIVE AND PRESCRIPTIVE

The use of a Transect based land use designation is both descriptive of current development patterns and prescriptive of desired future development. Where appropriate, the Transect designation is protective of established neighborhoods with rules regarding form that preserve the character. This prevents change in development by describing and aligning with existing patterns. The Transect tool is also used to prescribe areas for desired future development and redevelopment. Transects are established to be permissive and incentivizing to this type of endeavor. Today, property within Fredericksburg is largely built, with a few notable exceptions. While describing these locally-specific Transects, the parameters are also predictive; they prescribe the size, type and character of future infill and redevelopment efforts that will occur through the process of revitalization within these areas.

HOW TO APPLY THE TRANSECTS

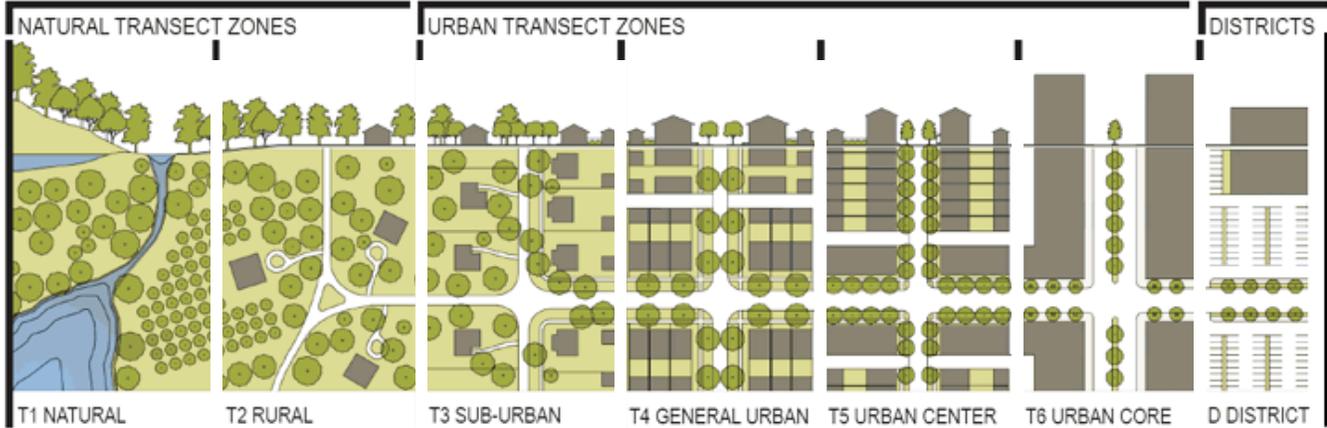
The Transect Map is a depiction of the City divided into zones identified by their character, scale, and land use. Consulting this map is the “first step” in evaluating the appropriateness of future projects. These transect designations will specifically bolster supplementary toolkits and regulations as it suits specific neighborhood revitalization opportunities. The small area plans also highlight key details of the transects form based design as it affects specific neighborhoods.

Over the next few years, the following chapter will be amended to include an in depth analysis for each of the 10 small areas within the City recognizing the opportunities for each and identifying existing historic resources, open space and environmental resources, and addressing issues relating to access and mobility.

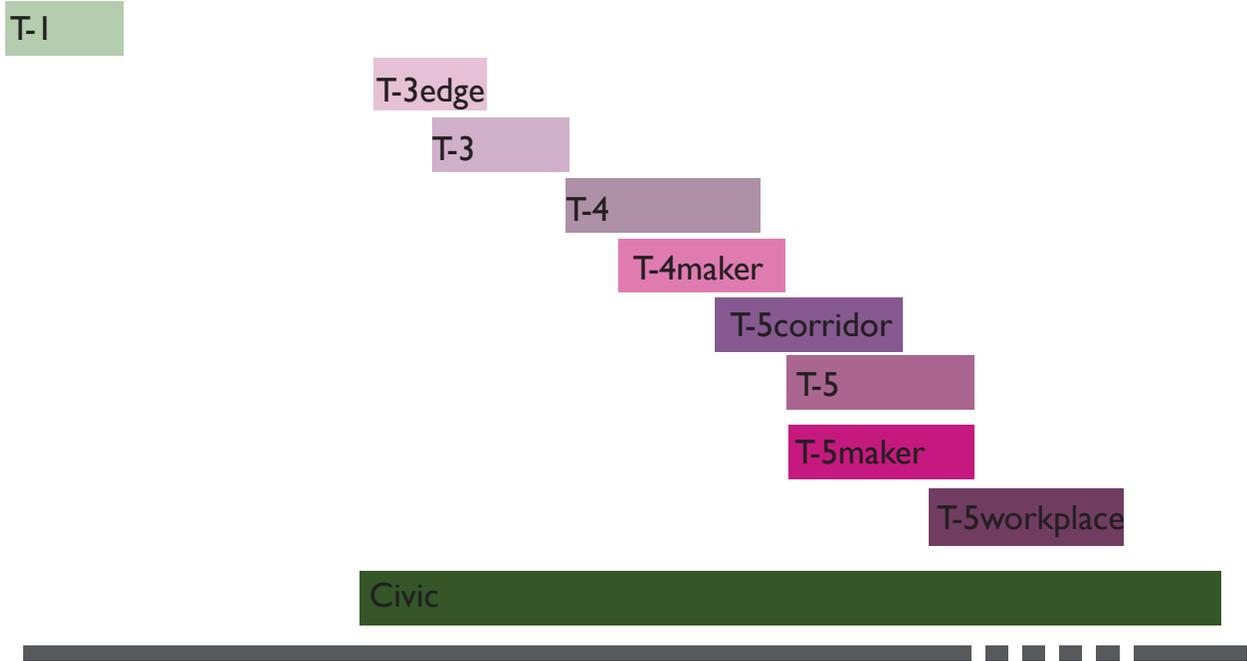
TRANSECT ZONES

THE TRANSECT:

RURAL |||||TRANSECT |||||URBAN



CALIBRATED TRANSECT ZONES IN FREDERICKSBURG TO DATE



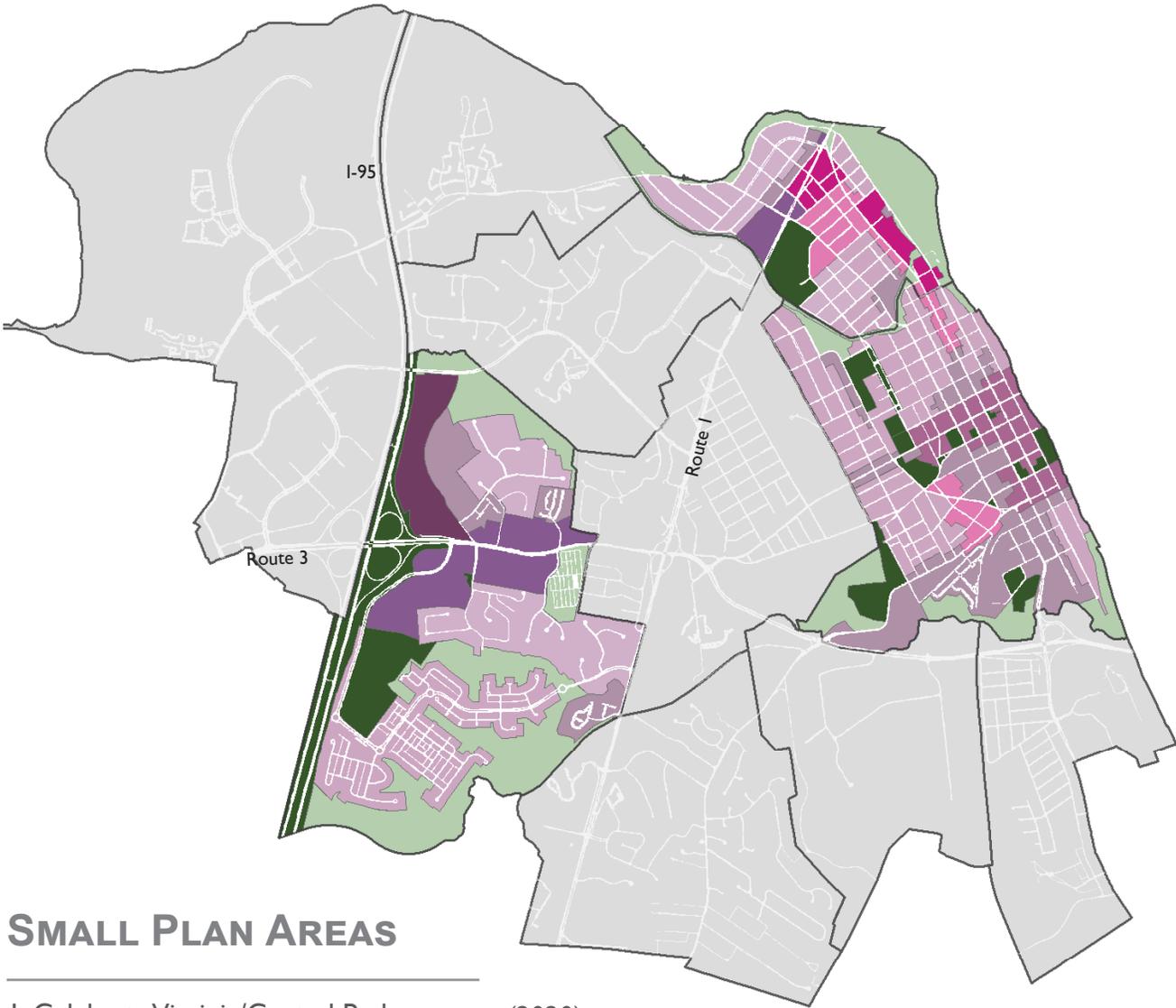
LAND USE

GENERAL LAND USE MAP KEY

Transects

- T-1 - Preserved Open Space
- T-3e - Sub-Urban Edge
- T-3 - Sub-Urban
- T-4 - General Urban
- T-4m - Maker
- T-5m - Maker
- T-5 - Urban Core
- T-5c - Area Core
- T-5w - Area Core Workplace
- Civic

PART III



SMALL PLAN AREAS

- 1. Celebrate Virginia/Central Park (2020)
- 2. Fall Hill (2020)
- 3. Plank Road/Route 3 (2017)
- 4. Hospital/Cowan Boulevard (2023)
- 5. University/Route 1 (central) (2021)
- 6. Princess Anne Street/Route 1 (north) (2017)
- 7. Downtown (2018)
- 8. Dixon Street/Mayfield (2022)
- 9. Braehead/National Park (2024)
- 10. Lafayette Boulevard/Route 1 (south) (2020)

TRANSECT ZONES

TRANSECT ZONES - BY BUILDING TYPE MATRIX

The Transect tool below diagrams how the Transect is applied to residential housing types and commercial buildings.

The generalized zone definitions below describe their typical urban character, calibrated to the particular conditions of Fredericksburg: settlement pattern and density, residential makeup (form and type), thoroughfare types, and forms of open spaces. In addition, Civic Zones and T-1 (Natural) Zones are used to describe land use patterns, but are not included in this table, as they do not permit residential/commercial uses.

T-3E

Sub-Urban-Edge Zone consists of low density residential areas with single family detached homes. Planting is a significant component of this zone, in a combination of regular and naturalistic. Setbacks are relatively deep. Blocks are regular shaped and reflect the terrain. Most streets have curbs and sidewalks, and roads wind to incorporate topography and landmarks.

T-3

Sub-Urban Zone consists of primarily low-to-medium-density residential areas with some opportunity for semi-detached and supplementary commercial activity; corner stores or live/work homes. Planting is a combination of regular and naturalistic. Setbacks are moderate and regular. Blocks are regular shaped. Most streets have curbs and sidewalks.

T-4

General-Urban Zone consists of medium density in a vertical and horizontal mix of uses. May consist of a wide range of building types: detached, semi-detached, and attached houses, small apartment buildings, as well as mixed use buildings and commercial structures. Setbacks and landscaping are variable. A tighter network of streets with curbs and sidewalks define medium-sized blocks.

T-4M

General-Urban Maker Zone consists of medium density residential uses, including multi-family, mixed use, attached, multi-unit, and single family homes where appropriate, mixed with commercial and production spaces. Landscaping and setbacks focus on creating a walkable network of blocks with enhanced pedestrian facility concentrated in designated nodes of neighborhood activity.

T-5M

Core-Maker Zone consists of a higher density diverse mix of uses including mixed use, multi family, commercial, and production spaces designed around the existing building fabric and infrastructure. Blocks and setbacks along the corridor are irregular with landscaping, building enclosures, and pedestrian enhancements concentrated within designated nodes. Third spaces throughout the area unify the district.

T-5

Urban Core consists of a high density of both a horizontal and vertical mix of uses to accommodate retail, office, a variety of housing types. Emphasis in this transect is on defining the public realm with building facades. Form and architectural compatibility should control the intensity of use.

T-5c

Core-Corridor Zone consists of higher density mixed uses to accommodate retail, offices, attached and multifamily housing, as well as typically auto-oriented commercial uses. Access and visibility are paramount to tenant success, but careful consideration must also be paid to the pedestrian environment. Blocks reflect an urban character with regular street trees and plazas.

T-5w

Core-Workplace Zone consists of a higher density office environment, with retail and/or service and a residential mix of uses. Access and visibility are paramount to tenant success, but careful consideration must also be paid to the pedestrian environment.

PART III



**SINGLE-FAMILY
DETACHED
DWELLING**

Stand alone structures containing one housing unit with front, side, and rear yards, generally fronting on a street.



**SEMI-
DETACHED
DWELLING**

Takes the form of a single family detached dwelling with front, rear, and side yards, generally fronting on a street or open space, 2-4 unit buildings, typified as in-law suites, duplexes, triplexes, and quadplexes and may have associated out-buildings with accessory dwelling units.



**SINGLE-FAMILY
ATTACHED**

Townhomes and in line structures, each unit with its own entrance fronting on streets and open space generally with only front and rear yards with side yards on end units. and may have variation in design and form.



**APARTMENT
BUILDING**

5 or more units in a single structure. Generally common entrance for all units. Usually fronts on a street or open space.



**MIXED-USE
BUILDING**

Typically offers some type of retail, office, or civic frontage with office, hotel, or residences above. Mixed use buildings have minimal side yards and higher requirements for forming a street wall.



**COMMERCIAL
BUILDING**

Office, retail, or production functions.

LAND USE

THE TRANSECTS

T-1 PRESERVED OPEN SPACE TRANSECT ZONE

This T-1 Zone consists of open space and is focused on the protection of currently preserved or planned open space. Large scale changes of use are not intended or encouraged. Improvements are focused on enhancing the public access, enjoyment and utilization of these naturalistic spaces or to offer public services. This transect is often expressed through a public recreational open space and environmental (PROSE) zoning district.

CHARACTER Natural environment, naturalistic plantings

BUILDING TYPE Limited out-buildings permitted.

FRONTAGE Varies.

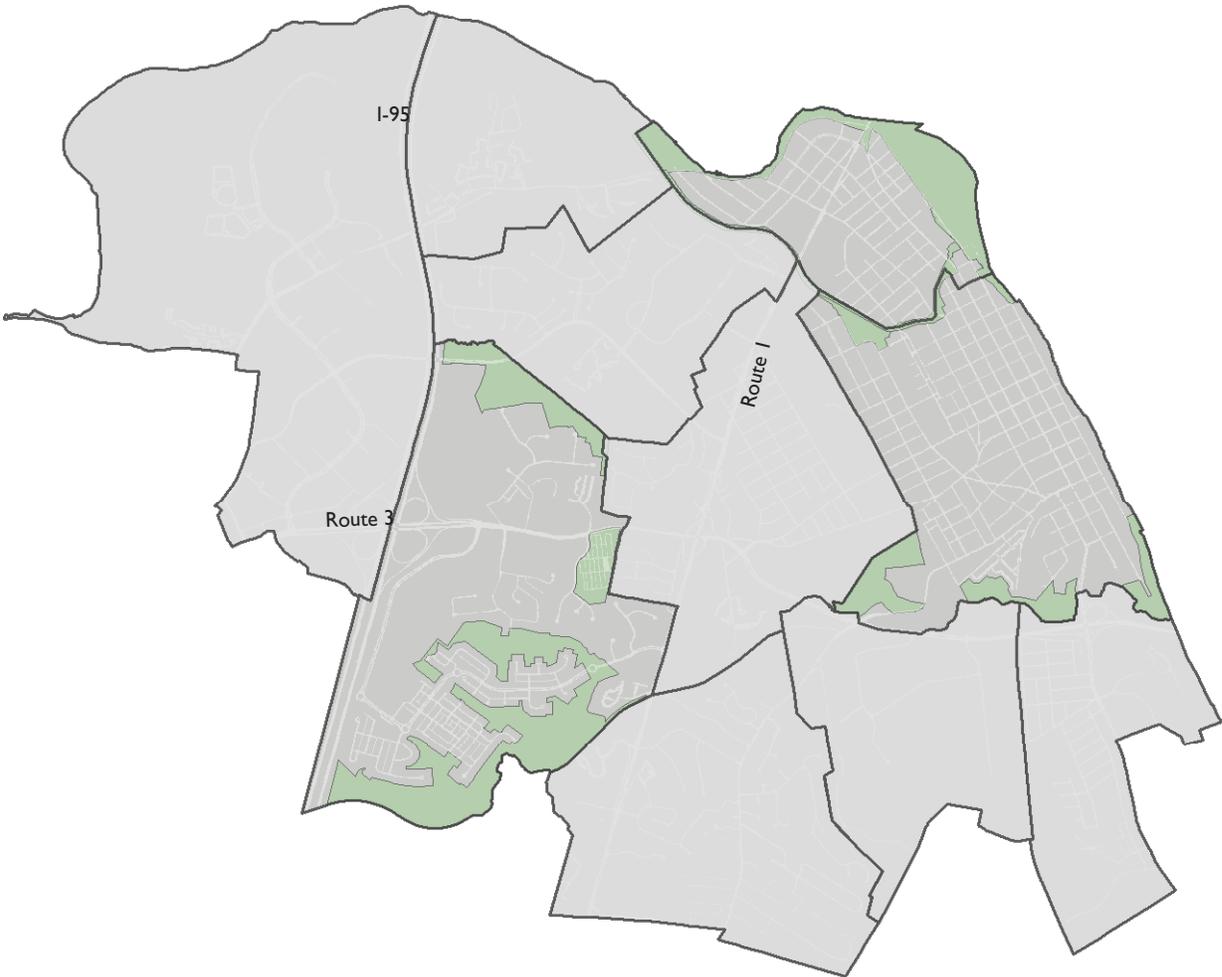
COMMERCIAL ACTIVITY None.

PEDESTRIAN ACTIVITY Moderate.

BUILDING HEIGHT 1-3

PUBLIC SPACE Parks, greenways, historic cemeteries.

USE Active and Passive Recreation Only.



T-3E SUB-URBAN EDGE TRANSECT ZONE

This T-3e Zone consists of single family homes. The T-3e Zone designation is focused on the protection of current neighborhood stability. Large scale changes are not intended or encouraged. Limited future infill and reconstruction is allowed, but only in like kind. Improvements are focused on enhancing connectivity to other zones and in ensuring appropriate - and compatible in scale - transitions to more intense zones. This transect is characterized as 2-4 units per acre with up to .3 commercial Floor Area Ratio. This transect is typically expressed through the R-2 and R-4 zoning districts.

CHARACTER Subdivisions; sub-urban residential communities.

BUILDING TYPE Single Family detached buildings with limited out-buildings permitted.

FRONTAGE Varies; typically generous setbacks and front yards.

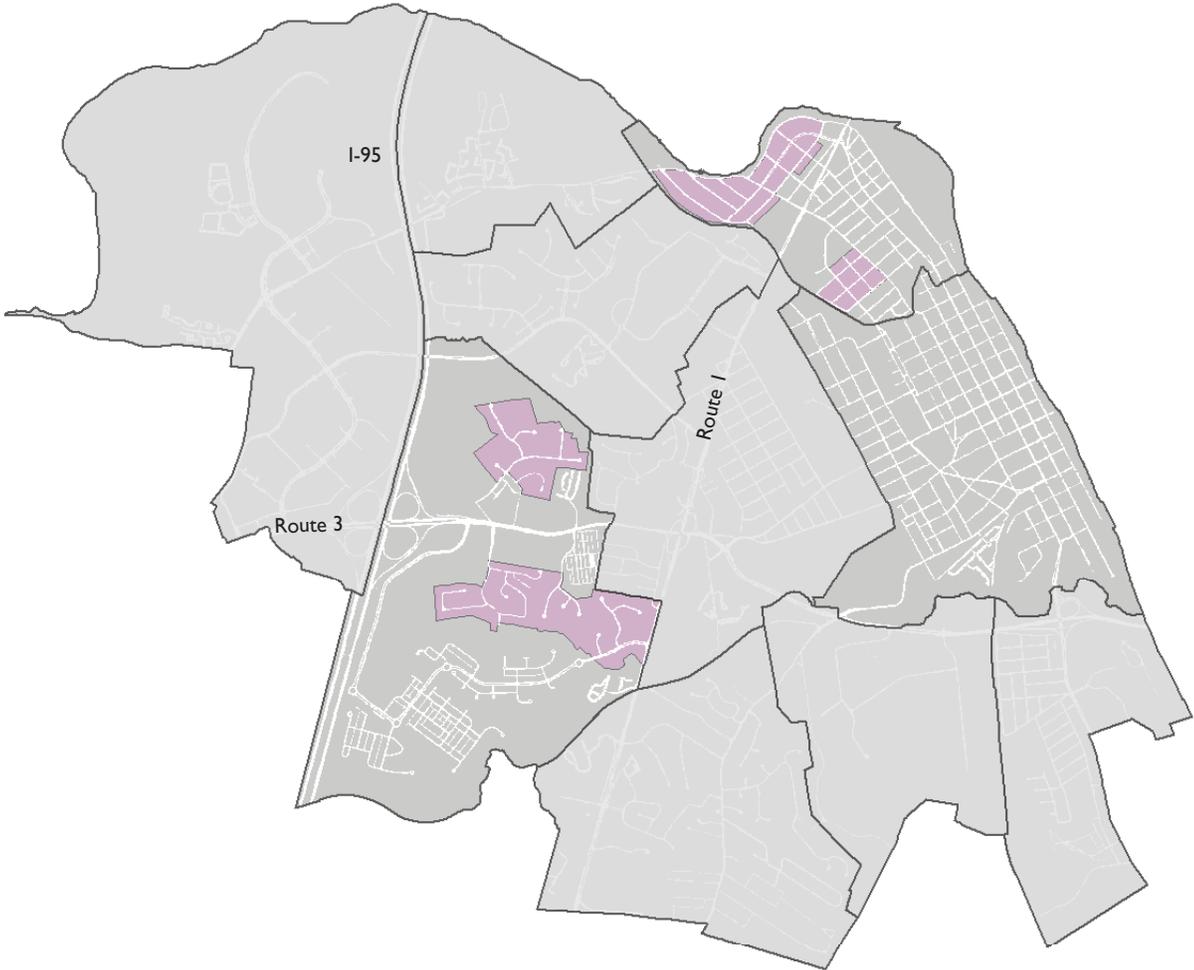
COMMERCIAL ACTIVITY None.

PEDESTRIAN ACTIVITY Low to moderate.

BUILDING HEIGHT 1 -2.5 story maximum.

PUBLIC SPACE Schoolyards, Parks and Greenways.

USE Residential Only.



LAND USE

T-3 SUB-URBAN TRANSECT ZONE

This T-3 Zone currently consists of a mix of single family homes and townhouses, with a scattering of cluster homes compatible in scale to single family homes, and very limited ground floor commercial use. Infill and redevelopment opportunities are limited to the intended mix of types listed below. Improvements are focused on enhancing connectivity to other zones and in ensuring appropriate transitions to more intense zones. This transect is characterized as with up to 4-8 units per acre and up to .5 commercial Floor Area Ratio. This transect is often expressed through the R-4, R-8, and PD-R zoning districts.

CHARACTER Mixed house types in sub-urban neighborhoods with an emphasis on single family homes.

BUILDING TYPE Single-family detached, semi-detached, and attached homes and live/work units may also be appropriate if consistent with neighborhood patterns.

FRONTAGE Typically modest setbacks – often including front yards and occupied by porches.

COMMERCIAL ACTIVITY Minimal.

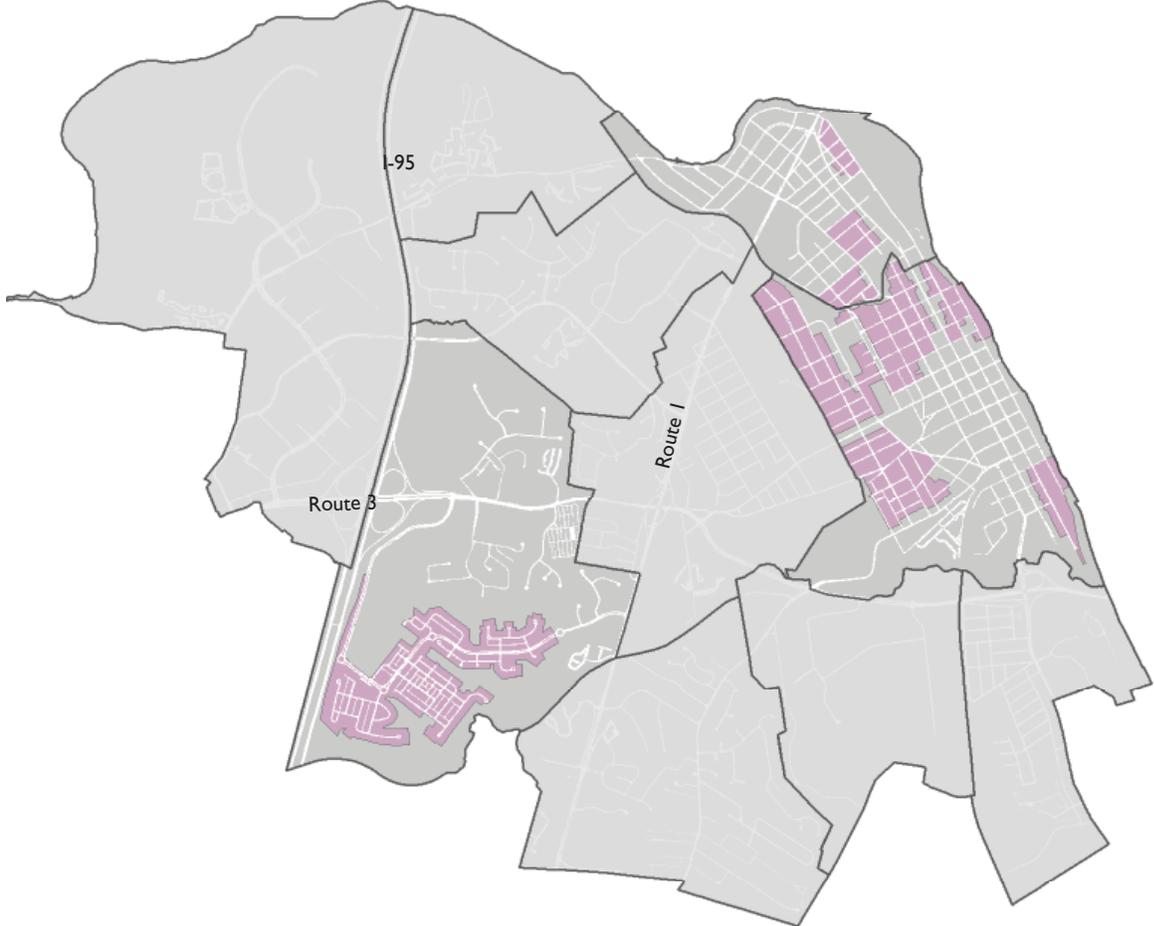
PEDESTRIAN ACTIVITY Moderate.

BUILDING HEIGHT 1-3 story maximum.

PUBLIC SPACE Schoolyards, Parks, Greens, Squares, Trails and Playgrounds

USE Predominantly Residential.

*Home occupation office, live/work retail where approved by underlying zone.



T-4 GENERAL-URBAN TRANSECT ZONE

T-4 zones exist with a horizontal mix of uses ranging from commercial property types, to attached and multi-family residential buildings. Mixed use developments are also appropriate in this zone. Improvements are focused on encouraging development, infill, and redevelopment in a sustainable, integrated, and walkable pattern. This transect is characterized as up to 8-16 units per acre with a commercial Floor Area Ratio of up to .5 to 1.0. This transect is often expressed through the R-8, R-12, PD-R, CT, CH, and PD-MU zoning districts.

CHARACTER Generous mix of uses at the ground level, mostly residential above and adjacent in an urban form.

BUILDING TYPE Commercial buildings, attached and multifamily residential buildings, and multi-story mixed-use buildings permitted.

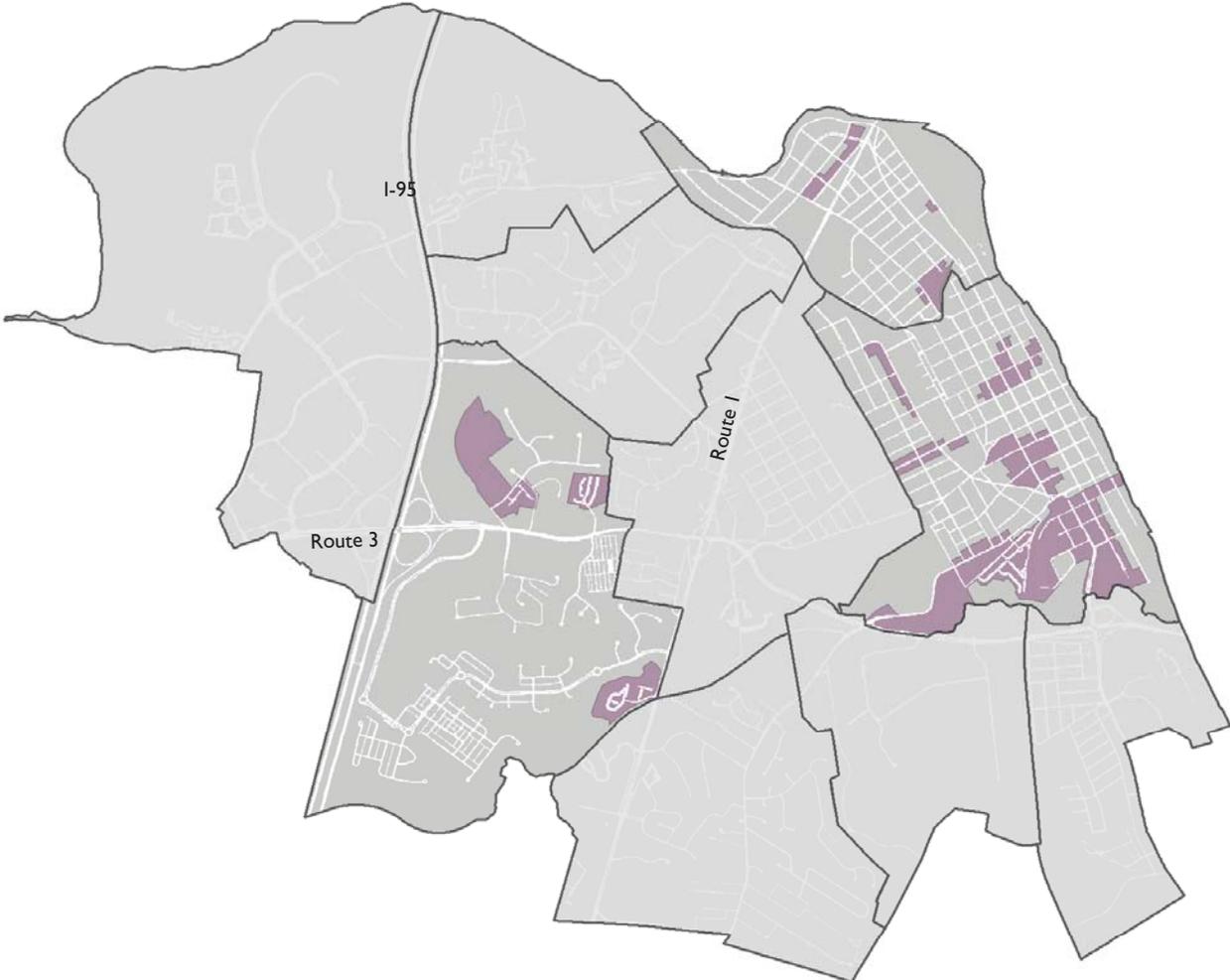
FRONTAGE No setbacks required - buildings should shape public realm.

COMMERCIAL ACTIVITY Medium to High.

PEDESTRIAN ACTIVITY Medium to High

BUILDING HEIGHT 1-3 stories with 4 stories appropriate under special review; taller buildings transitioning to lower buildings at borders of the T-3e zone. Buildings immediately adjacent to T-3e zones should be of a compatible height to existing neighborhood structures.

PUBLIC SPACE Streets, Squares, Greens, and Plazas.



LAND USE

T-4M GENERAL-URBAN MAKER TRANSECT ZONE

T-4 maker zones are designed to foster the new creative and urban production economy by providing opportunities for individuals to grow both workplace and homestead designed around existing neighborhood heritage. These areas are encouraged to grow through infill and redevelopment in a sustainable, integrated, and walkable pattern. These areas contain a healthy mix of uses including residential forms of all scales as well as commercial and production buildings. These buildings, and the infrastructure necessary to support their redevelopment, are an integral part of the character of the neighborhood. Incentives for preserving the existing building stock and for creating affordable and workforce housing are encouraged. This may be achieved through a transfer of development rights program to be explored further within the small area plans. These areas are defined by corridors to facilitate industrial activity, nodes designed around pedestrian comfort, and third spaces to foster public activity. This transect is characterized as up to 8-16 units per acre with higher densities possible under special review and with a commercial Floor Area Ratio of 1.0 to 1.5. This transect is often expressed through the Creator Maker zoning district.

CHARACTER Development of varying forms to support creative uses, vibrant walkable nodes for pedestrian activity, and third spaces for public activity. Development is designed around existing historic fabric to set the form and supports the infrastructure and architecture necessary to facilitate maker uses .

BUILDING TYPE Residential buildings of varying forms as well as multi-story mixed-use and commercial buildings permitted along with production facilities with infrastructure to support maker uses. Reuse of existing building stock is encouraged at all opportunities.

FRONTAGE Buildings are encouraged to shape the public realm within designated nodes but may vary along corridors with specific building placement respecting sight lines to contributing buildings.

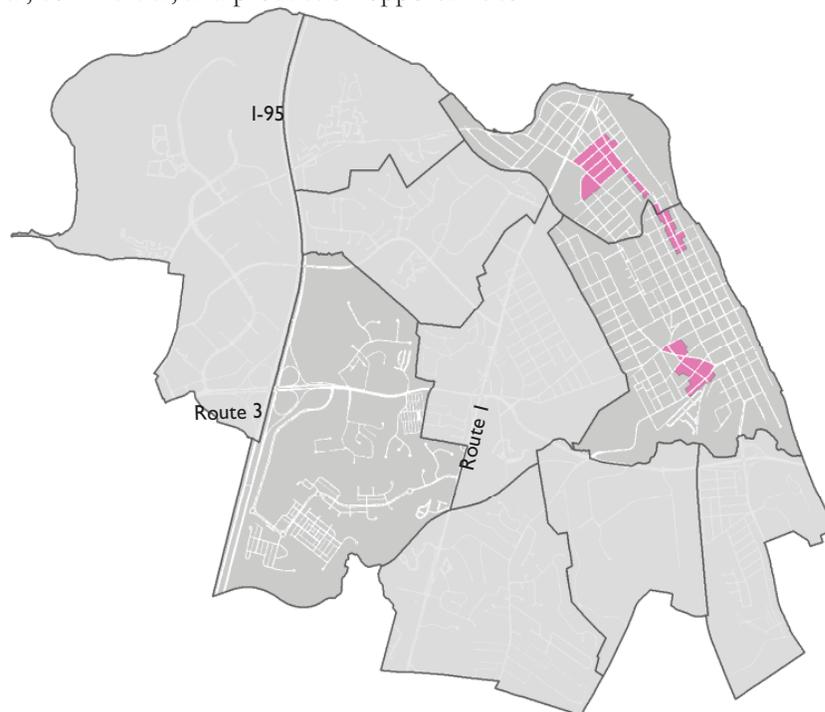
COMMERCIAL ACTIVITY High - Production and Sales

PEDESTRIAN ACTIVITY High

BUILDING HEIGHT 1-3 stories with 4 stories appropriate under special review; with appropriate transitions where areas meet single family detached neighborhoods.

PUBLIC SPACE Squares, greens, parks, and playgrounds.

USE Mixed residential, commercial, and production opportunities.



T-5M AREA CORE MAKER TRANSECT ZONE

T-5 maker zones are designed to foster the new creative and urban production economy by providing opportunities for individuals to grow both workplace and homestead designed around existing neighborhood heritage. These areas are encouraged to grow through infill and redevelopment in a sustainable, integrated, and walkable pattern. These areas contain a healthy mix of uses including residential forms of all scales as well as commercial and production buildings. These buildings, and the infrastructure necessary to support their redevelopment, are an integral part of the character of the neighborhood. Incentives for preserving the existing building stock and for creating affordable and workforce housing are encouraged. This may be achieved through a transfer of development rights program to be explored further within the small area plans. These areas are defined by corridors to facilitate industrial activity, nodes designed around pedestrian comfort, and third spaces to foster public activity. This transect is characterized as up to 12-24 units per acre with higher densities possible under special review and with a commercial Floor Area Ratio of 1.0 to 3.0. This transect is often expressed through a Maker zoning district.

CHARACTER Development of varying forms to support creative uses, vibrant walkable nodes for pedestrian activity, and third spaces for public activity. Development is designed around existing historic fabric to set the form and supports the infrastructure and architecture necessary to facilitate maker uses.

BUILDING TYPE Residential buildings of varying forms as well as multi-story mixed-use and commercial buildings permitted along with production facilities with infrastructure to support maker uses. Reuse of existing building stock is encouraged at all opportunities.

FRONTAGE Buildings are encouraged to shape the public realm within designated nodes but may vary along corridors with specific building placement respecting sight lines to contributing buildings.

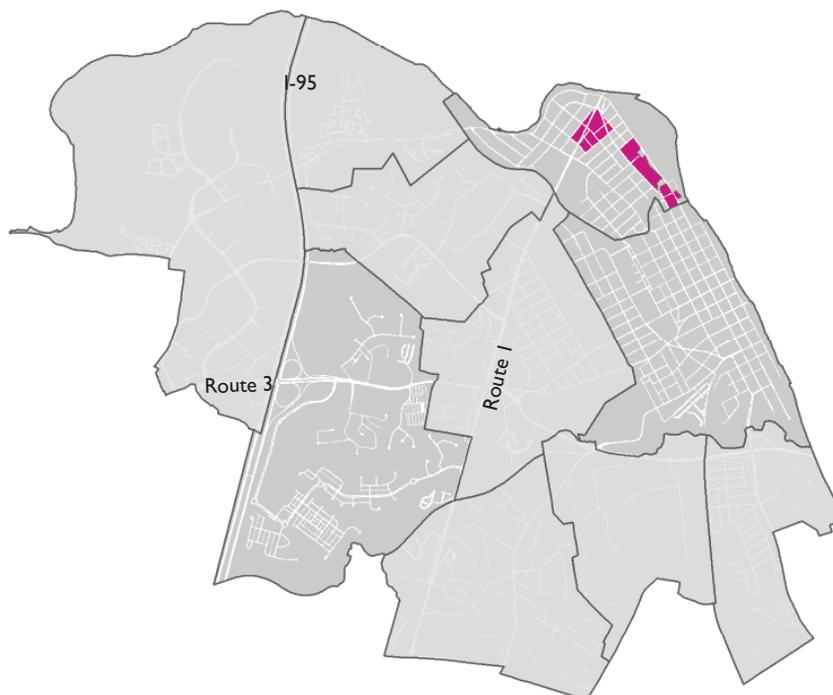
COMMERCIAL ACTIVITY High - Production and Sales.

PEDESTRIAN ACTIVITY High

BUILDING HEIGHT 1-4 stories with 5 possible under special review; with appropriate transitions where areas meet single family detached neighborhoods.

PUBLIC SPACE Courtyards, Plazas, Roof Gardens, and Squares

USE Mixed residential, commercial, and production opportunities.



T-5c AREA-CORE CORRIDOR TRANSECT ZONE

This T-5c Zone currently includes typically auto-oriented commercial uses but is appropriate for redevelopment due to its major corridor access and the availability of mass transit. Redevelopment will create a sustainable and urban development pattern that may include upgraded commercial uses, higher density multi-family development and single family attached homes to buffer adjoining single-family neighborhoods, as appropriate. This evolution must include improvements to access and mobility, especially at corridors, appropriate transitions, and improvements to the entry sequences along arterials. Here, access and visibility are paramount to tenant success, but careful consideration must also be paid to the pedestrian environment. Properties in this zone are likely to remain in their current state in the near term with interim improvements encouraged. This transect is characterized as up to 12 -20 units per acre with a commercial Floor Area Ratio of up to 1.0 to 3.0 as appropriate with adjoining land uses and within a redevelopment scenario. This transect is often expressed through the R-12, PD-R, PD-MU, and CH zoning districts.

CHARACTER Vibrant, walkable and concentrated retail and commercial ground plane with potential for housing above creating a healthy mix of uses in an integrated urban form.

BUILDING TYPE Mixed, single-use and multi-use buildings; commercial, retail and residential.

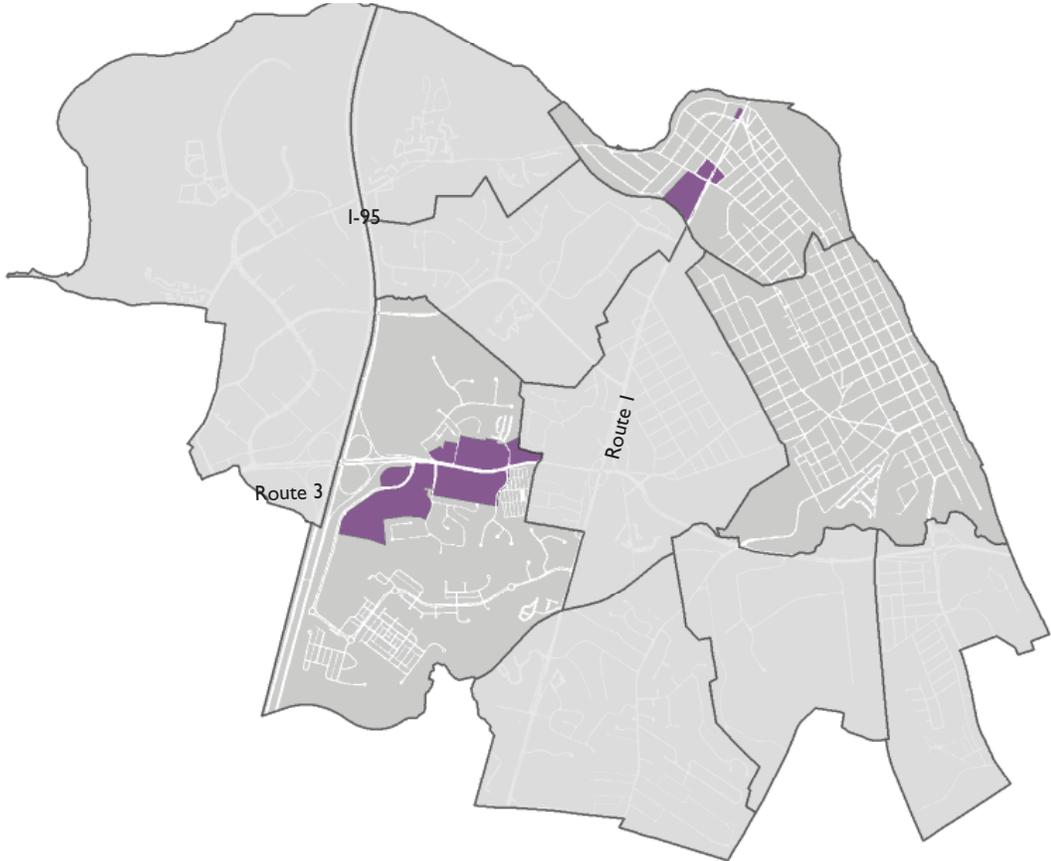
FRONTAGE Varies.

COMMERCIAL ACTIVITY High.

BUILDING HEIGHT 2-5 stories; with taller buildings transitioning to lower buildings at borders of the T-3e zone. Buildings immediately adjacent to T-3e zones should be of a compatible height to existing neighborhood structures.

PUBLIC SPACE Streets, courtyards, plazas, and roof gardens.

USE Mixed-use, commercial, and residential



PART III

T-5w AREA-CORE WORKPLACE TRANSECT ZONE

T-5w transect areas are large parcels suitable for primarily commercial workplace uses with large scale development with a mix of uses, and focused, high density commercial activity. This transect is characterized as a commercial Floor Area Ratio of up to 1.0 to 3.0 and up to 12-30 units per acre. This transect is often expressed through the PD-C, PD-MC, and CH zoning districts.

CHARACTER Predominately commercial with some mixed use and residential opportunities. Strong expectation for cohesive character.

BUILDING TYPE Commercial, retail and residential with Mixed, single-use and multi-use buildings

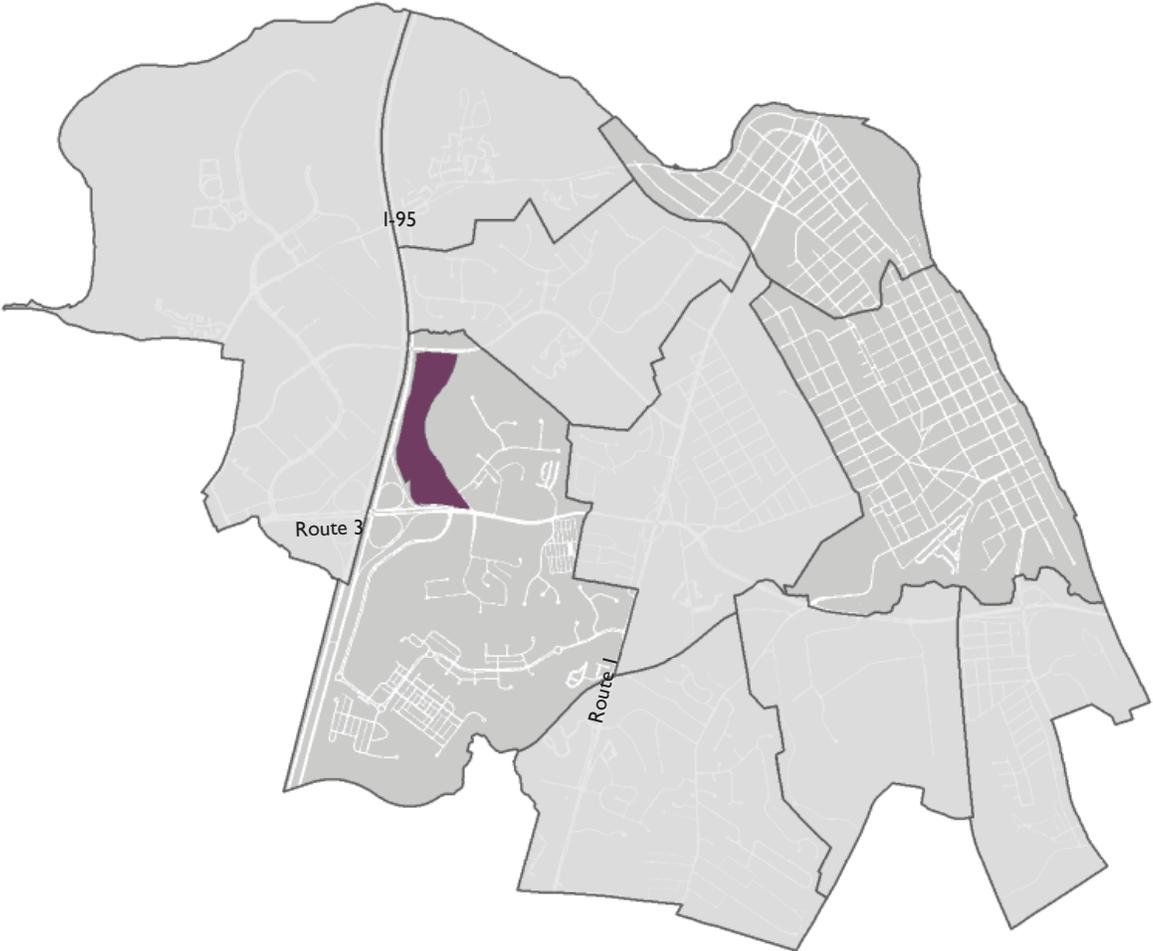
FRONTAGE Varies.

COMMERCIAL ACTIVITY Workplace, with additional service and retail for direct support of tenant.

BUILDING HEIGHT 4-8 stories.

PUBLIC SPACE Parks, plazas, courtyards, and roof gardens.

USE Predominately commercial workplace with up to 10% of total gross square footage for residential permitted. The correct metric will be determined at time of General Development Plan.



T-5 URBAN TRANSECT ZONE

The T-5 transect identifies Fredericksburg’s downtown commercial core. The core contains a healthy mix of horizontal and vertically mixed-use buildings and densely developed blocks. Setbacks are minimal, defined by the blockface, and enhanced by landscaping where appropriate. The T-5 transect has continuously busy sidewalks and a variety of housing opportunities. The Retail Priority Area is the heart of historic Fredericksburg’s commercial legacy. The Priority Area is designated within T-5 to identify the blocks where targeted efforts to promote and retain true retail frontage should occur.

The form of development should control the intensity of use in this transect. The T-5 Transect is characterized by up to 36 units per acre by-right with higher densities possible under special review. A commercial floor area ration (FAR) of up to 3.0 is appropriate. This transect zone should be expressed through the Commercial Downtown Zoning District.

CHARACTER Vibrant and walkable because of concentrated retail and commercial ground plane. Housing and variety will further enhance viability and commercial activity.

BUILDING TYPE Re-used buildings; Mixed single-use and multi-use buildings; commercial, retail, and residential.

FRONTAGE Setbacks are minimal, defined by the blockface, and enhanced by landscaping where appropriate.

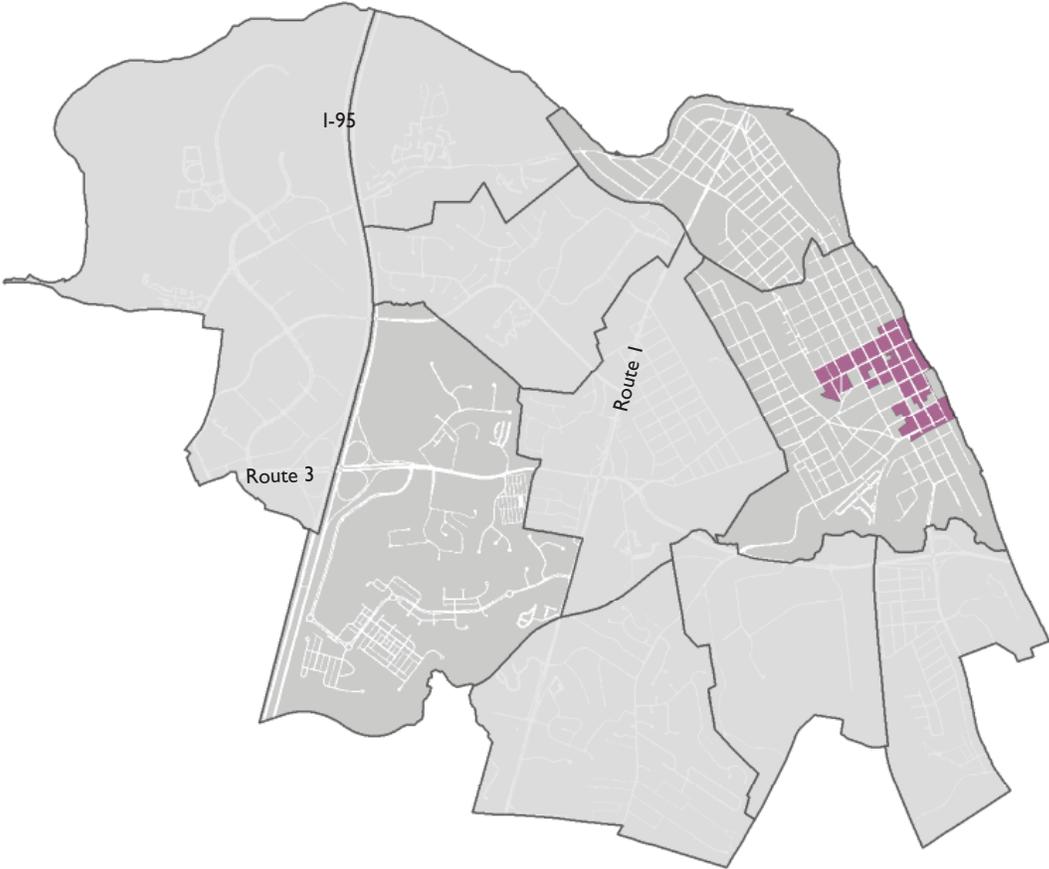
PEDESTRIAN ACTIVITY High.

COMMERCIAL ACTIVITY High.

BUILDING HEIGHT 2-4 stories.

PUBLIC SPACE Streets, courtyards, plazas, squares, and roof gardens.

USE Residential, cultural, entertainment, and mixed-use but predominantly commercial on the ground floor.



PART III

CIVIC TRANSECT ZONE

The Civic Zone consists of public spaces and civic structures. The Civic Zone designation is focused on recognizing sites that include public institutional uses. Large scale changes are not intended or encouraged. Limited future infill and reconstruction is allowed, but only in like kind. Improvements should focus on enhancing connectivity to other zones. This transect is expressed through the Public, Institutional and Open Space zoning district.

CHARACTER Civic institutional uses of varying scaled and building types.

BUILDING TYPE Civic.

FRONTAGE Varies.

COMMERCIAL ACTIVITY None.

PEDESTRIAN ACTIVITY Moderate.

BUILDING HEIGHT 1-3 story maximum.

PUBLIC SPACE Schoolyards, Parks and Squares.

USE Civic use only; public activities.



LAND USE

SPECIAL DISTRICTS

In some areas additional special districts were required to adequately describe the desired form of future development. These districts are areas with unique function, disposition, or configuration that does not conform to the baseline transect zones and therefore requires a unique designation to reflect these specifics. These details will be explored in the respective small area plans.



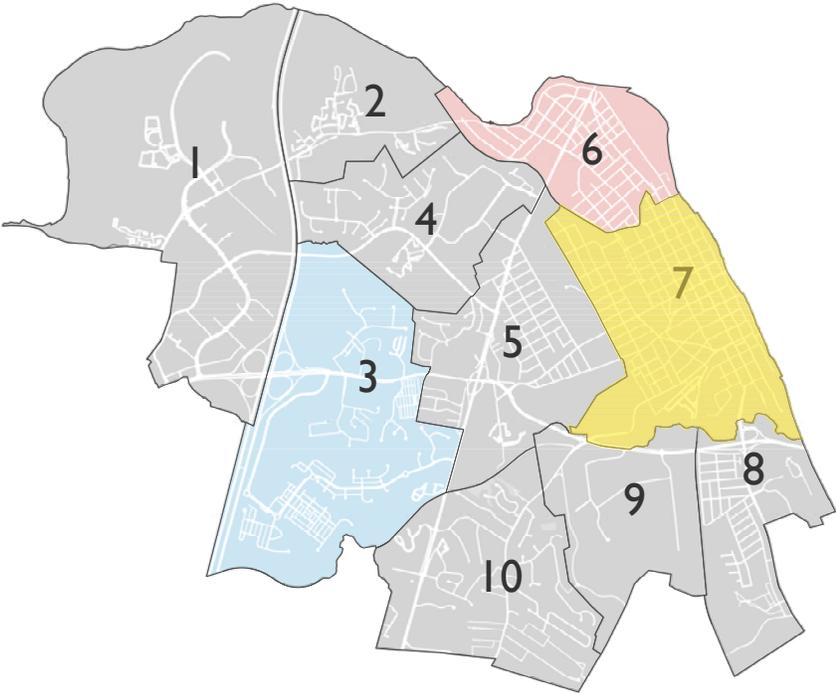
CHAPTER 11 -PLANNING AREAS

BACKGROUND

The Land Use Plan incorporates ten planning areas, to more readily address specific conditions and to make clear recommendations for each area. Each of these areas is focused around major corridors within the City and the residential neighborhoods that support them. Each area has a distinct and identifiable character with varying land use objectives. Specific area plans are able to more effectively implement the goals, policies, and initiatives in this Comprehensive Plan. As the area plan process progresses, area plans will be updated to incorporate transect and form based analysis.

The planning areas and the year devoted to their review are identified here.

- 1. Celebrate Virginia/Central Park (2020)
- 2. Fall Hill (2020)
- 3. Plank Road/Route 3 (2017)
- 4. Hospital/Cowan Boulevard (2023)
- 5. University/Route 1 (central) (2021)
- 6. Princess Anne Street/Route 1 (north) (2017)
- 7. Downtown (2018)
- 8. Dixon Street/Mayfield (2022)
- 9. Braehead/National Park (2024)
- 10. Lafayette Boulevard/Route 1 (south) (2020)



LAND USE

LAND USE PLANNING AREA 7: DOWNTOWN

GENERAL CHARACTER

Planning area 7 includes the historic City Core, adjacent residential neighborhoods, and several distinct commercial areas on key entrance corridors. This planning area is the oldest part of the City. The historic buildings and streetscapes create walkable urban fabric that lends great value to the City as a whole. These assets are irreplaceable and foster an integrated community that meets all daily needs in a sustainable fashion.

Area 7 serves not only as the downtown for the City but for the entire region. To that end, the planning for the small area has been done with three levels of users in mind: residents of area 7, local visitors, and out-of-town tourists.

Area 7 is diverse in many aspects. Available transportation infrastructure allows people to walk, bike, ride the train, or use vehicles. The area accommodates many land use markets including varying scales of commercial, office, retail, industrial and production uses. The full spectrum of residential opportunities are integrated throughout the area and supports all stages of living while providing meaningful housing choice.

The wealth of open spaces enmeshed throughout area 7 are invaluable resources for the community. The Rappahannock riverfront synergizes with the Downtown core. Area 7 also contains a series of plazas, pedestrian improvements, and civic spaces ranging from small parks and plazas to the Fredericksburg National Battlefield. Together, this open space network links the Heritage Canal Path and the Virginia Central Railway Trail. Area 7 encompasses natural spaces including Hazel Run and City owned acreage at the stream's confluence with the Rappahannock River.

THE CHALLENGES

- The riverfront area is disconnected, overgrown with invasive species, and is primarily used for car storage and is therefore underutilized.
- Pedestrian, bicycle, and transit networks, while strong, require upgrade and extension to complete the network.
- Demolition by neglect affects many historic properties due to several forces including disinterest in reinvestment despite the economic return of a well preserved structure as well as the expense and challenge of maintaining a historic property to a high standard.
- Businesses face a changing market environment and must adapt to the next generation of economic evolution. Existing regulations prove challenging for small scale entrepreneurs to create modern businesses and should be simplified wherever possible.
- The current patchwork of zoning districts constrains healthy adaptive reuse in the core, contributes to incompatible development in surrounding areas, and increases legal and regulatory pressure to demolish existing structures.
- Current parking regulations prioritize inefficient car storage over meaningful placemaking, leading to large swaths of asphalt disrupting urban character and applying pressure to demolish structures to provide parking.
- Residential neighborhoods in Area 7 have strong form, unique architectural character, and a diverse mix of affordable housing types. New development adjacent to these neighborhoods may create conflicts between commercial and residential land uses.
- Existing one-way-pair-traffic patterns were designed to move cars quickly through the City, which creates volume and speed issues negatively impacting residential areas and smaller commercial corridors.
- Fredericksburg's unique urban amenities, parks, farmer's market, and open spaces draw local and regional users as well as national visitors. These assets must be upgraded to enhance the City's quality of life and to enhance the visitor's tourism experience.

THE OPPORTUNITIES

- Activate the riverfront creating a unified cultural and recreational corridor on the east side and an urban edge on the west side of Sophia Street.
- Prioritize the human scale by expanding bicycle and pedestrian corridors, increasing pedestrian streetscapes and nodes, and facilitating the East Coast Greenway for bicycles across the Chatham Bridge and through Downtown.
- Accommodate the expansion and upgrade of the City’s train station as a transportation hub and welcome center for tourists and travelers. Work with rail and transit stakeholders to establish the railway station area with opportunities for multimodal integration and provide additional parking for rail users with direct access from the Route 3 Dixon interchange.
- Protect historic resources through careful adaptive reuse of existing buildings and appropriate new construction. Support redevelopment that respects historic form and embraces architectural creativity in accordance with the Historic District guidelines.
- Encourage Area 7’s commercial land use to evolve. Expand Creative Maker Districts along north Princess Anne Street and in the Jackson Warehouse District. Work with Fredericksburg Virginia’s Main Street to develop an appropriate mix of businesses that keep downtown a viable urban center.
- Identify emerging walkable urban spaces (including the proposed Creative Maker Districts as well as those on William Street, Lafayette Boulevard and around the Train Station) and right size zoning and development standards to nurture appropriate infill and incremental growth. Where appropriate, evolve zoning districts to incorporate the best of density and form based codes. Use these codes to protect established residential neighborhoods from commercial development, through transitional uses and design standards that minimize adverse impacts.
- Modify existing parking requirements to implement the SmartCode standards calibrated for the City to balance the need for car storage with a strong building envelope and meaningful open space.
- Promote residential and mixed-use development in corridors and the downtown core. Protect the existing variety of “missing middle” housing types within neighborhoods. Evaluate an Accessory Dwelling Unit ordinance that permits existing neighborhoods to evolve to meet the changing housing needs. Evaluate the conversion of a portion of one-way streets back into two-way streets to slow traffic through neighborhoods increasing pedestrian safety and comfort while maintaining traffic flow and on-street parking.
- The public realm should be upgraded and new opportunities to activate the riverfront, link and expand the uplands open spaces, and maximize the use of civic spaces should be explored and funded.

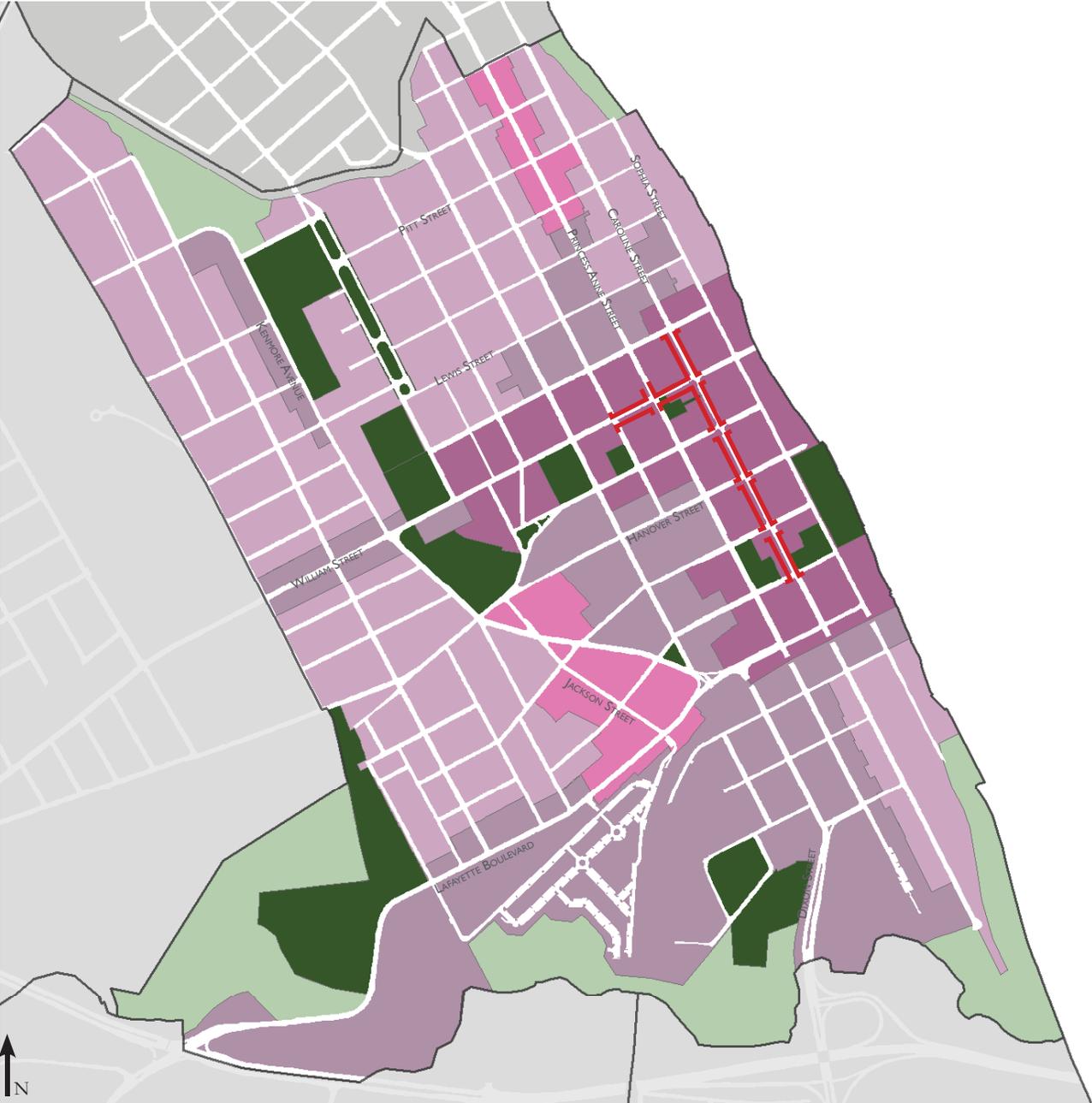
MARKET ANALYSIS

Area 7 has unique urban fabric, which creates the opportunity for destination oriented and experiential non-residential uses. The historic core should be a “retail priority area” and the vibrant collection of food and beverage service establishments should be encouraged to expand. Area 7 has a unique office market where older buildings are renovated for sole proprietorships. Their prevalence is an indication that the office market in Area 7 has the potential to expand, especially by providing professional and flex office space near the municipal office core. Targeted enabling legalization of maker / light production uses will encourage the adaptive reuse of character structures originally designed to suit those uses. Hotel and historic lodging opportunities are present in Area 7, especially adjacent to the historic core. Residential housing, especially infill projects compatible with the surrounding fabric, are an important way to stabilize historic structures and the aging corridors leading to the historic core. The existing stock of missing middle housing prevalent in Area 7 should be protected and used as a template for compatible, sustainable infill. Bringing these structures into a conforming status will allow for their continuation of use and form.

TRANSECT MAP

The transect map illustrates the zones used to identify current settlement and commerce patterns and to direct new development, infill development, or redevelopment within Area 7. This was developed after studying the existing and anticipating the future built environment. Area 7, which is served by public transportation, includes opportunities for revitalization with integrated mixed-use and some areas for higher density development.

Area 7 consists of six standard transect zones.



KEY

T-1	T-3	T-4	T-4m	T-5	Civic	Retail Priority Area
± 86 acres	± 260 acres	± 195 acres	± 33 acres	± 82 acres	± 45 acres	

PART III

CIVIC Within Area 7, the civic transect consists of public spaces and civic structures. This designation is focused on recognizing sites that include public institutions where large scale changes are not intended or encouraged. Improvements should focus on integrating these assets to and through their adjoining neighborhoods to serve as community assets. Improvements to these areas should include upgrades to Market Square and expansion of Executive Plaza as an accessible community resource with pedestrian oriented seating, interactive elements, and the ability to accommodate innovative voting. The Farmers Market should be able to expand to an all season venue within the Fredericksburg Rescue Squad should they ever relocate from their William Street location. Reuse of the Renwick Courthouse and other publicly held assets into private facilities of community use may be allowed as conditions change.

T-1 (PRESERVED OPEN SPACE) Environmentally sensitive areas, natural parks and fields, the canal, and the floodway outside of the core downtown are categorized as T-1. Large scale changes of use are not intended or encouraged. Improvements are focused on enhancing the public access, enjoyment and utilization of these naturalistic spaces or to offer public services. The floodway should be protected as a natural resource.

T-3 (SUB-URBAN) The neighborhoods surrounding the Downtown are categorized as T-3. These neighborhoods have a tight network of connected streets of primarily small lot single family detached housing with a strong mix of residential types. Existing densities routinely exceed the existing zoning. Current densities in the T-3 neighborhoods range from 4 to 20 units an acre. These neighborhoods are well established and walkable. Missing middle housing types are prevalent throughout these areas and the mixture of these forms create a cohesive neighborhood for all stages of living. Allowing accessory dwelling units is one option to continue this pattern of appropriate incremental growth. The building mix in the T-3 Zone are compatible in form and scale to single family homes with some ground floor commercial use in some areas. Infill housing should reflect this pattern. Much of these areas were designed around alleys and reclaiming and maintaining these resources will continue to support the neighborhood. One-way-pairs through these neighborhoods lead to increased speeds and pedestrian discomfort. Their reversal to two-way should be considered to improve neighborhood livability. Improvements are focused on enhancing connectivity to other zones and in ensuring appropriate transitions to more intense zones. With support from the majority of residents, the creation of a neighborhood pattern books or character/conservation districts should be explored to permit neighborhood residents to craft their own regulations to ensure surrounding infill development is architecturally compatible.

T-4 (GENERAL-URBAN) This T-4 Zone currently consists of a range of uses including commercial, mixed-density residential, and some vertical mixed-use. In Area 7, T-4 areas are typically found on key corridors leading to and from the downtown with more intense use patterns. Improvements in these areas should focus on encouraging infill and redevelopment to conform to a sustainable, integrated and walkable pattern. The pedestrian realm should be maximized and, where feasible, existing asphalt may be converted into streetscapes and formal open spaces. Current zoning in these areas could potentially create development in conflict with the surrounding neighborhoods. The Commercial Downtown zoning district should shrink and the patchwork of other districts in these areas should be simplified to allow a cohesive mix of uses. A new form based, mixed-use zoning district should be developed to regulate the appropriate scale and mass of infill development. This new district should be compatible with the surrounding neighborhoods, which have an existing residential density of between 4 and 20 units per acre.

T-4M (GENERAL-URBAN-MAKER) T-4M Zones consist of a horizontal mix of uses, with a range of commercial property types, and mixed-density residential. The existing Canal Quarter is an extension of the Maker District located north of the Rappahannock Canal in Neighborhood Area 6 and should be extended down Princess Anne Street. The District consists of small-to-medium scale businesses next to and interspersed among smaller single family homes within this corridor. The Wolfe Street Warehouse District is made up of historic structures originally designed for warehouse and production uses. A variety of the buildings within the T-4M are historic or designed for the incorporation of machinery, and the adaptive reuse of these structures is a priority. The pedestrian realm in the T-4M zones should be maximized and, where feasible, existing asphalt may be converted into streetscapes and formal open spaces. More discussion can be found in the discussion on walkable urban places on the following pages.

T-5 (AREA CORE) The T-5 Zone identifies Fredericksburg's Downtown commercial core. The core contains a healthy mix of horizontal and vertically mixed-use buildings, densely developed blocks, continuously busy sidewalks, and a variety of housing opportunities. Setbacks are minimal, defined by the blockface, and enhanced by appropriate landscaping. The Retail Priority Area is the heart of historic Fredericksburg's commercial legacy. The Priority Area is designated within T-5 to identify the blocks where targeted efforts to promote and retain true retail frontage should occur. The pedestrian realm should be maximized and, where feasible, existing asphalt may be converted into streetscapes and formal open spaces. Within the T-5 transect and the Old and Historic Fredericksburg Overlay District, evaluate the elimination of artificial density caps to permit historic development patterns to control the intensity of use to ensure that historic resources have ample opportunity for functional adaptive re-use.

WALKABLE URBAN PLACES

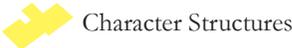
In addition to the Downtown core, Lafayette Boulevard, Jackson-Wolfe Maker District, Train Station District, William Street Corridor, Princess Anne Street extension of the Canal Quarter Maker District, and the Sophia Street Corridor, are accessible by foot and have the unique potential for increased pedestrian activity. These areas contain established patterns of development that grew organically out of their placement at the intersection of neighborhoods and historic transportation corridors. They contain the type of fabric that envelopes the pedestrian, creates an unique and accessible civic realm and attracts residents as well as tourists. Their location gives them commercial viability and their adjacency to modern open spaces gives them the unique ability to absorb residential density while maintaining livability. They are built around a strong pedestrian network with plenty of public infrastructure including on-street parking. These conditions make them desirable areas for incremental upgrade, which will be a step towards a more sustainable future.

General Policies: Strategies to upgrade the placemaking in these districts should focus on the adaptive reuse of historic buildings and fabric. The prioritization of the human over the automobile scale, and the restoration of public third spaces. In certain areas character structures that are emblematic of the history of an area and retain their integrity have been identified.

Infill: The adaptive reuse of existing buildings should be prioritized especially where key structures are identified as typifying the character of the area. Infill development is encouraged. Infill should create a cohesive building envelope and should focus on form and quality of development. Infill buildings illustrated in this document are intended to identify a desirable and compatible level of infill that may occur in these areas.

Access and Mobility: Converting excess and / or disruptive car storage and asphalt areas to plazas and outdoor seating should be encouraged without requiring additional parking for those areas. In this effort, reorienting or consolidating vehicular access patterns to utilize alleys to access parking in the rear of buildings where feasible will create a more unified street-front that is ultimately safer for pedestrian and driver and may, in some cases, add on-street parking spaces. Safe crossings at key intersections to link these places with other amenities is key.

Parking: In all of these areas, parking standards should be right sized to appropriately balance parking demand and vehicle circulation to permit the pedestrian realm to be larger than areas dedicated to automobile circulation and storage. These areas should be included in opportunities for expanding the public parking supply. At the same time, shared or public opportunities to expand centrally located parking should be investigated. The parking strategies called for within this area plan to evolve transportation and transit are particularly relevant within Area 7.



Character Structures



Infill Building



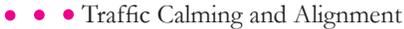
Third Spaces



Alley Repair



Improved Pedestrian Crossing



Traffic Calming and Alignment



Frontage Repair



Vehicle Entrance / Exit

Six walkable urban places within Area 7 are identified as below.

Locations Legend:



William Street Corridor



Lafayette Boulevard



Sophia Street Corridor



Jackson - Wolfe Maker District



Canal Quarter Maker District



Train Station District



LAND USE

WILLIAM STREET CORRIDOR



PART III

- William Street Corridor
- Potential Infill Building
- Improved Pedestrian Crossing
- Frontage Repair
- Alley Repair
- Third Spaces
- Vehicular Entrance/Exit
- Traffic calming and alignment

William Street between Sunken Road and Kenmore Avenue is a key walkable corridor connecting the University of Mary Washington to the Downtown and currently exists with a mix of uses. A planned University of Mary Washington performing arts center at Sunken and William, if built, would add an additional anchor.

POLICIES FOR STREETScape AND INFILL

The adaptive reuse of existing buildings should be prioritized. Infill development is encouraged where it may create a cohesive building envelope. The focus should be form and quality of development rather than standard zoning bulk measurements. Along the streetscape, entrances should be consolidated to restore the frontage. This new frontage should provide a continuous sidewalk with pedestrian scaled street lights and street trees.

POLICIES FOR CARS

The access patterns along William Street should be reconfigured to better separate the pedestrian and vehicle realms. Intersection improvements capable of eliminating the need for turning lanes should be added to William Street's intersections with Littlepage and Kenmore Streets. Turning lanes could then be replaced with on-street parking. Access to and from parking areas should be reoriented to existing alleys. The alleys should be restored where need be. Residential uses adjacent to the alley should be permitted to add taller fencing, walls, or other improvements to serve as a transition to the alleys.

LAFAYETTE BOULEVARD CORRIDOR



- Lafayette Boulevard Corridor
- New/Improved Pedestrian Crossing
- Frontage Repair
- Vehicular Entrance/Exit
- Enhanced Trail Connection
- Pedestrian/Cyclist Passage
- Identify Trail Connection
- Potential Infill Building

LAND USE

POLICIES FOR INFILL

The Lafayette Street corridor is a mixture of zoning districts including Light Industrial, Commercial Highway, Commercial Transitional Office, and Residential-2 and is also the subject to a Design Overlay district. The existing base zoning standards conflict with the character goals of the Overlay district. The different zoning districts should be consolidated into a neighborhood commercial oriented set of form-based regulations, that both support and appropriately transition to the surrounding neighborhoods while creating a welcoming corridor to the historic downtown. The district should adhere to the goals established for T-4 zones in Area 7.

POLICIES FOR STREETSCAPES

The Lafayette Boulevard corridor would benefit from improved pedestrian infrastructure. The addition of concentrated crossing areas along the Boulevard would improve the corridor's safety and usability. These crosswalks should align with key destinations, including the FRED bus stops, and connections to the VCR trail across Lafayette, the Battlefield Visitor Center, Willis, Weedon, and Jackson Streets. These connections would provide convenient and desired routes as well as access to uses on the north side of the street. Establishing continuous curbs where possible by reducing the number and width of curb cuts that cross the sidewalks, will also increase safety and provide additional on-street parking areas.

SOPHIA STREET CORRIDOR

Sophia Street is the link between the historic riverfront and central business where the urban core meets the riverfront. It should operate as a recreation corridor linking parks and river amenities in a cohesive fashion that serves both residents and visitors alike.

URBAN EDGE POLICIES

The west side of Sophia Street constitutes the urban edge, while the east side of the street, between Hanover and Wolfe Streets is being developed as Riverfront Park. Continuous sidewalks and pedestrian street lighting should be added to weave the fabric of the existing core together with the Riverfront park and planned Riverfront Activation. Brick sidewalks and pedestrian-scaled lighting should be completed along the west side of the street. The east side of the street should contain a planting strip with street trees in addition to the sidewalk.

Sophia Street has low areas in the floodplain and floodway. As the border between the River and the Downtown core, Infill and redevelopment should transition to the riverfront, be environmentally resilient, and be compatible and sensitive to its historic context.

RIVERFRONT CORRIDOR POLICIES

The activation of Sophia Street begins is a multi-level set of interactive opportunities along the Downtown waterfront. Once there, visitors will be greeted with framed views to the Rappahannock, programmed open spaces, and a handful of ways to engage the water itself. Sophia Street should be the center for program and activity on the Riverfront. Programs involving street closures currently held on Caroline or Princess Anne Street should take place on Sophia Street. Installing and maintaining native plants on the riverfront ensure health of the river and should be maintained. Selective clearing within the beacon ‘view zone’ could emphasize the visual connection to the waters’ edge.

Light beacons placed along the waterside of Sophia cap key perpendicular streets and create a large-scale sculptural lighting feature along the waterfront that invites the community to engage with the waterfront. These beacons should be visible both along and across the river. The beacons should be coordinated with the City’s branding efforts to tie the City together visually and also to orient visitors.

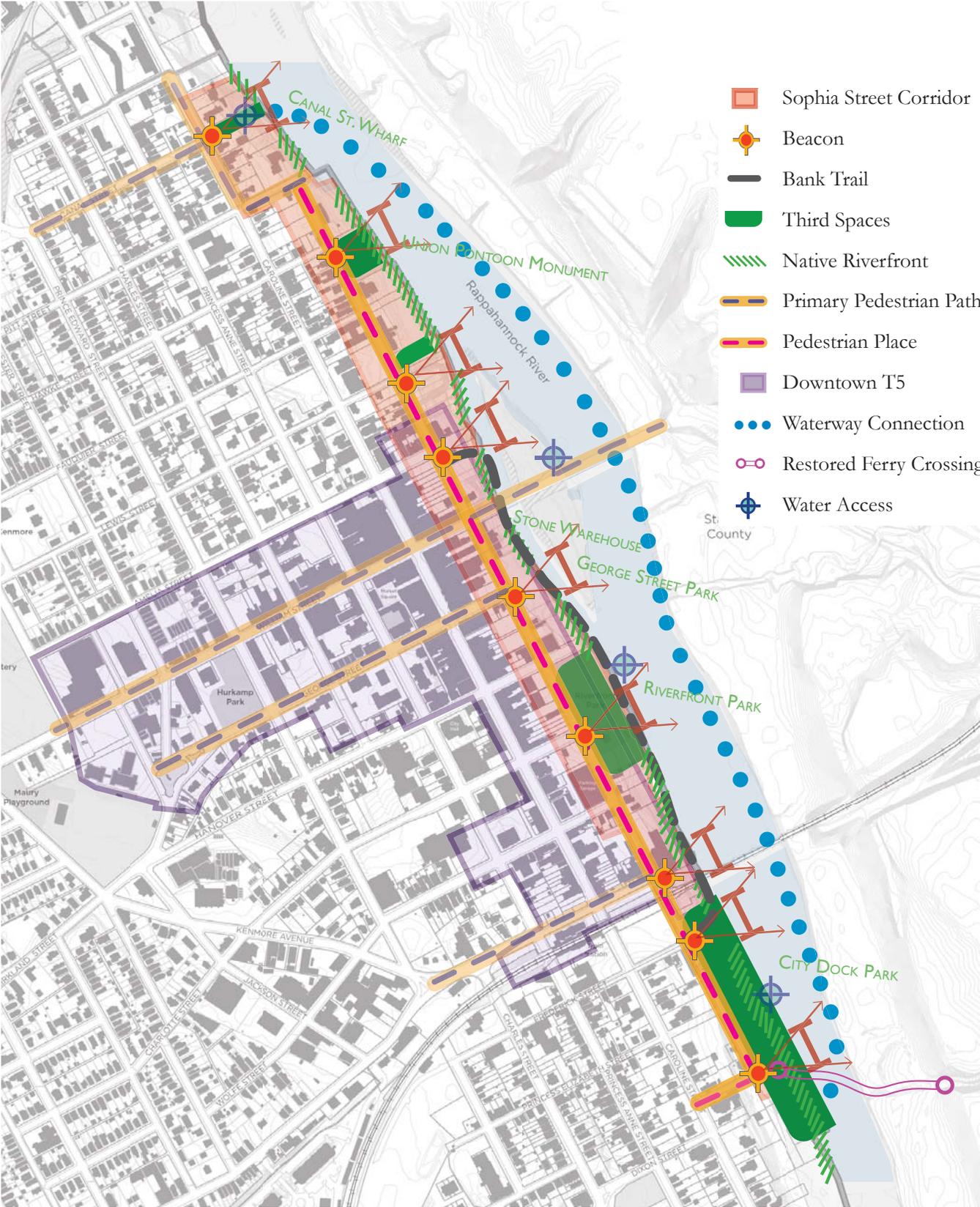
A bank trail will provide a low-profile but highly impactful experience along the length of Downtown and serve as the path for the East Coast Greenway into and through Downtown. This path will mainly run along the water’s edge from Amelia Street to Frederick Street, connected in places on the top of the slope. Trail-heads should serve as an integrated naturalized play area.

Providing more access, both physically and visually, to the Riverfront will enhance the Riverfront experience and allow the community to take advantage of the asset that is the river. The historic Canal Street wharf should be formalized as a City park, but interim improvements should ensure safe pedestrian access through the site to access the riverfront.

City Dock Park, restoring the historic ferry crossing connecting to Ferry Farm, and creating an access location on Scotts Island will integrate newly provided and updated water-use access into the river activation strategy.

This incremental approach builds upon a base of the City’s existing infrastructure (road framework, sidewalks, bridges, city parks), provides easy access, and draws residents, visitors, and community members .

PART III

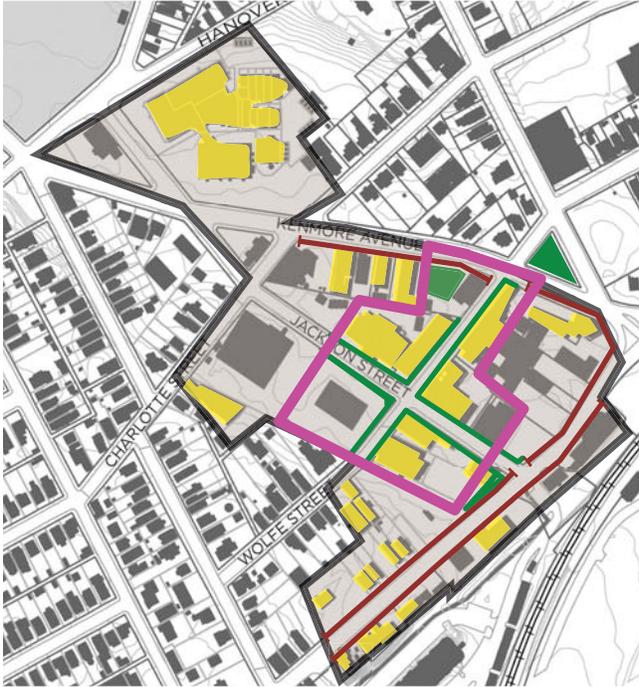


LAND USE

CANAL QUARTER AND WOLFE ST WAREHOUSE DISTRICT

CANAL QUARTER MAKER DISTRICT

WOLFE ST WAREHOUSE DISTRICT



CANAL QUARTER MAKER DISTRICT - TDR



-  Wolfe Street Warehouse District
-  Canal Quarter District
-  Character Structure
-  Third Spaces
-  Node
-  T4M TDR Sending Parcels (3.9 acres)
-  Frontage Repair

PART III

WHY EXPAND AND CREATE A NEW CREATIVE MAKER DISTRICT?

The Canal Quarter extension presents an opportunity to create a unified district along Princess Anne Street north of the Downtown core. Between Area 6 and Area 7, this District has a unique history and a diversity of urban fabric that can accommodate a variety of uses and building forms. The Wolfe St Warehouse District is a distinctive location within the historic Downtown core. Expanding the maker district concepts to these areas is part of a larger strategy to permit aging commercial areas to develop into a new creative/urban production economy. To encourage this evolution, appropriate incentive programs should be explored including a targeted property acquisition program, facade grants, small business loans, and an expansion of the arts and cultural district. Existing buildings within these areas are specifically suited for creative maker and light industrial uses. When combined with residential and commercial uses, these properties have a unique potential for more productive land use.

NODES AND THIRD-SPACES

The form of any future maker district will thrive when built around its existing character. Within concentrated nodes existing buildings shape the public realm and uniform public improvements would enhance the pedestrian environment. Permitting reduced or shared parking options will enable parks, playgrounds, squares, greens, plazas, roof gardens, and courtyards, to evolve out of existing asphalt and car storage to create places for people. New plazas and outdoor seating areas should not require additional parking. The conversion of these areas should not be mandated, but rather encouraged as a means to generate the type of unifying nodes of human scaled activity that are currently missing from the corridor.

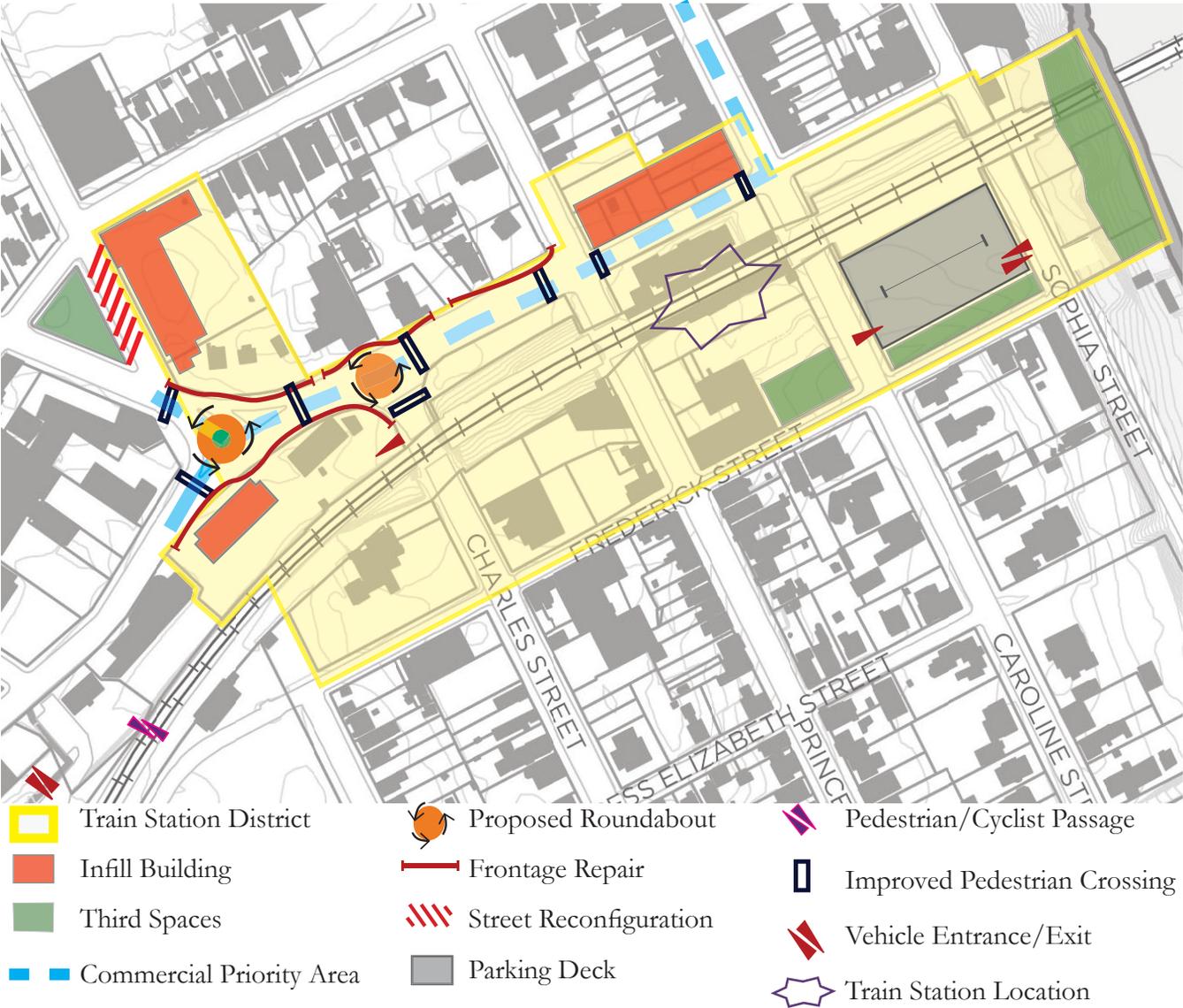
HISTORIC RESOURCES

60 structures have been identified as contributing to the character of these two districts. These all date to a period of significance for the neighborhood linked to the area's boom at the expansion of the highway system in the mid-20th century. Several policies should be explored to incentivize the preservation of these structures.

Within the Canal Quarter (the extension of the Maker District identified in the Area 6 Plan from the Rappahannock Canal south to the 1300 block of Princess Anne Street), the preservation of these structures should be encouraged by expanding the transfer of development rights program listed in the Area 6 Small Area Plan. The Transfer of Development Rights program would permit the sale and transfer of development rights from a sending parcel in exchange for permanent preservation of a designated "character structure" on that parcel. The rights may then be transferred to the adjacent receiving areas in Area 6. Due to the small and narrow lot patterns, the Canal Quarter south of the Canal should only send development rights to the receiving areas designated within Area 6.

In both the Canal Quarter and the Wolfe St Warehouse Districts, policy amendments should lower the hurdles inherent for the adaptive reuse of defined character structures. flexibility in use and development standards through the implementation of a Creative Maker District will support the retention of character structures in this area. Applying the historic structure parking exemption to designated buildings will eliminate legal and regulatory pressure to demolish existing structures for additional car storage. Flexibility in residential density limits is one appropriate strategy for the preservation and rehabilitation of designated historic structures. Sight-line setbacks and preservation plans should be deployed in conjunction with increases in residential density to ensure the structures continue to contribute to their architecturally unique urban fabric.

TRAIN STATION DISTRICT



PART III

THE TRAIN STATION AREA

The train station is an important asset, and the addition of a new third track will bring new activity to the growing station. The expansion of the train station and upgrades to its network systems are discussed on page 11(7)-25. This section focuses on the future land use in the Train Station Area. The Train Station Area was a component of the 1991 Railroad Station Area Plan. That Plan has guided the land use in the Train Station Area over the last thirty years and has been updated here to reflect the evolution of the Downtown and use of the Train Station as a regional transit hub.

POLICIES FOR LAND USE AND INFILL

The 1991 Plan envisioned parking lots in the Railroad Station Area being transformed. At that time, the Railroad Station Overlay District was applied to encourage residential and office infill in an appropriate urban form.

The Railroad Station Overlay District has since been modified and is incompatible with recent adaptive reuse projects, including the renovation of the Kenmore Coffee Warehouse and Janney-Marshall Building. These properties were removed from the Overlay in order to facilitate the adaptive reuse of the historic structures. The mix of zoning and overlay districts within the area should be replaced by a new form based code (neighborhood commercial and residential) that will permit compatible infill while serving as an appropriate transition in intensity from the Downtown to the adjacent neighborhoods.

The mixed use development ratios currently included in the zoning ordinance for this area are unrealistic as exemplified by their numbers in the last two developments. More appropriate standards and densities are needed to support development and adaptive reuse in the area. Commercial use should be prioritized along Lafayette Blvd. on the ground floor to support train passengers and create street vibrancy connecting the area to the downtown and nearby maker district.

Most of the land in the Train Station Area is dedicated to automobile storage and circulation. 55% of the 9 acres of private land within the Train Station Area is asphalt. Lafayette Blvd. is between four and five lanes and lacks pedestrian crossings at key intersections. Sidewalks are lacking and are interrupted by wide vehicular entrances. Surface parking in the area is under occupied but accounts for double the amount of building floor area and meaningful open space combined.

This area is most suited for sustainable multi-modal living but is out of balance. The train station's connection to the Downtown and visitors' views upon arrival are hindered by the predominance of vacant parcels and parking lots immediately surrounding the train station. The engineering and design focus in the Train Station Area should shift to better balance automobile infrastructure with buildings and meaningful open space.

Public spaces, third-places, and other meaningful open spaces should be prioritized where they provide stronger connections to the Downtown:

Consolidate and eliminate vehicle entrances where viable.

Ensure that new roundabouts at Kenmore and Charles Streets enhance circulation and safety while safeguarding pedestrian comfort to travel along and cross Lafayette Blvd.

Extend brick sidewalks and pedestrian street lights from the Downtown through the Train Station Area on Princess Anne, Caroline, and Sophia Streets as detailed in the Upgrade Pedestrian Corridor section of the Area 7 Plan.

Formalize the City owned parcel adjacent to the Janney-Marshall Building (called Trestle Park by nearby residents) as a City park. Regarding the section of green space north of the concrete wall, adjacent to the access lanes and parking, flexibility may be needed for a future new and expanded Train Station and access lanes. However, the green space and its healthy tree canopy are an asset that should be maintained for now, and as much as possible in the future Train Station expansion.

Preserve areas along the river for future incorporation into the Bankside Trail proposed in the Expand Bicycle Corridors section of the Area 7 Plan.

Connect the Triangle Park between Prince Edward Street and Kenmore Avenue to the City fabric.

Infill development should be a priority in the Train Station area.

Along Lafayette Boulevard, mixed use buildings should be permitted to expand the Downtown building envelope. New structures on Prince Edward Street should be compatible with the neighborhood on Wolfe Street and appropriately transition to historic structures on Lafayette Blvd.

Conduct a feasibility study for acquisition and renovation of the 1910 train station for passenger use.

To support infill on existing parking lots, develop parking policies for a more efficient use of land:

Prioritize a new parking deck between Caroline, Sophia, and Frederick Streets should support local residents daily needs, office development within the Train Station Area, and commuter parking. The deck should be sensitive in design to the neighborhood.

Implement programs to permit existing asphalt to be more efficiently used as described in the Evolve Motorized Transportation and Transit section of this Plan.

Right size parking and development standards as described in the Evolve Motorized Transportation and Transit section of this Plan.

HISTORIC RESOURCES

Historic properties within Area 7 are celebrated, but a variety of methods should be used to recognize these additional resources and increase access to tools for their preservation. Additional strategies recommended include:

Adaptive Reuse: A substantial amount of historic structures integral to the city's historic character are located outside the local Old and Historic Fredericksburg District overlay. The adaptive reuse of these buildings is encouraged by transect-based policies, especially in the T-5, T-4M transects, and in the William Street, Princess Anne Street, and Lafayette Boulevard corridors. The reuse of historic structures should be incentivized through increased residential density and transfer of development rights, where appropriate.

Form-Based Design: Within the T-5 transect, there is a conflict between existing historic patterns of development and modern density-based zoning. Historic buildings often exceed required density rules rendering them non-conforming under current codes. The form of the building as regulated by the Architectural Review Board should manage the intensity of the land use rather than an artificial density number. Along Lafayette Boulevard and Princess Anne Street, design guidelines should evolve into form based codes to more clearly require infill development and redevelopment to fit into established architectural and development patterns. Additional form-based design components should be developed for the T-4M zone focusing on character-defining features and form.

Historic Property Maintenance: In order to reduce the incidence of demolition-by-neglect, property maintenance enforcement should be focused on Downtown historic structures to ensure that these highly significant places are not lost. Additionally, use of the Virginia Rehabilitation Code encourages building-specific solutions during adaptive reuse projects to help buildings come back into use rather than remain vacant. Re-staffing the City's Rental Inspection Program will also counter-act demolition by neglect. Expansion of the City's rehabilitation tax exemption program could facilitate residential and commercial renovation projects. Expanding the offerings for façade grants and building loans will assist owners in completing necessary maintenance and repairs.

District Recognition: This planning area includes the Old and Historic Fredericksburg District (OHFD) and many other areas of historic importance. The western boundary of the Historic district includes properties on both sides of Prince Edward Street.

National Register District: The existing National Register District was established in 1971 and the local Old and Historic Fredericksburg Overlay District was established in 1972. National Register District designation provides for recognition of historic character and the use of incentives for rehabilitation. It is not a regulatory tool. The National Register District is proposed to be expanded to create access to Federal and State tax incentives for property owners.

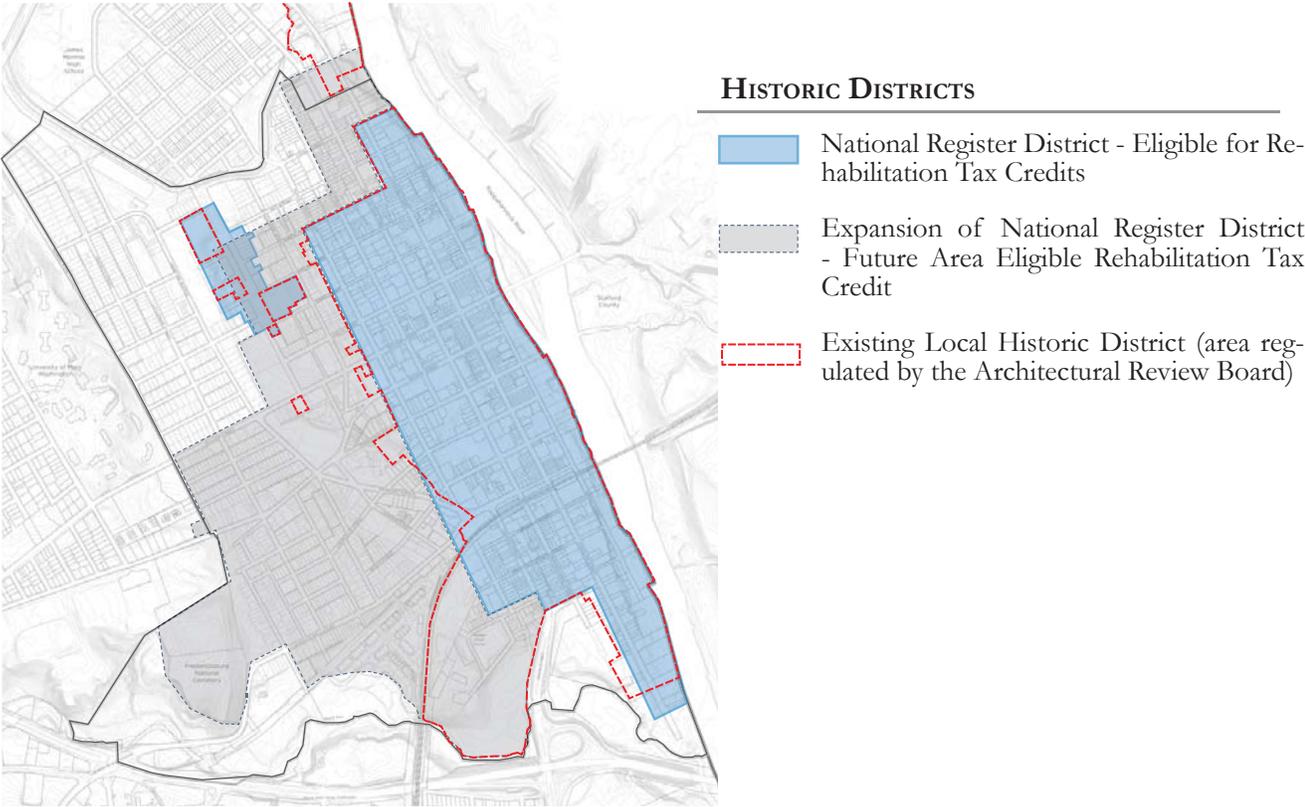
Local Old and Historic Fredericksburg District: The local OHFD encompasses the historic downtown core and several other notable sites. These include the Fredericksburg Gun Factory site, Original Walker-Grant School, Stearns House, and the commercial core and surrounding neighborhood. The western boundary of the Historic includes properties on both sides of Prince Edward Street.

Neighborhood Districts: With neighborhood support, conservation districts and pattern books can be created and implemented in neighborhood areas to encourage the use of best practices in preservation design.

Historic Corridors: Properties on the Lafayette Boulevard, William Street, and Princess Anne Street corridors should be added to the local inventory of historic structures to make them eligible for incentives when being adaptively reused.

TABLE 11-32 HISTORIC RESOURCES IN PLANNING AREA 7

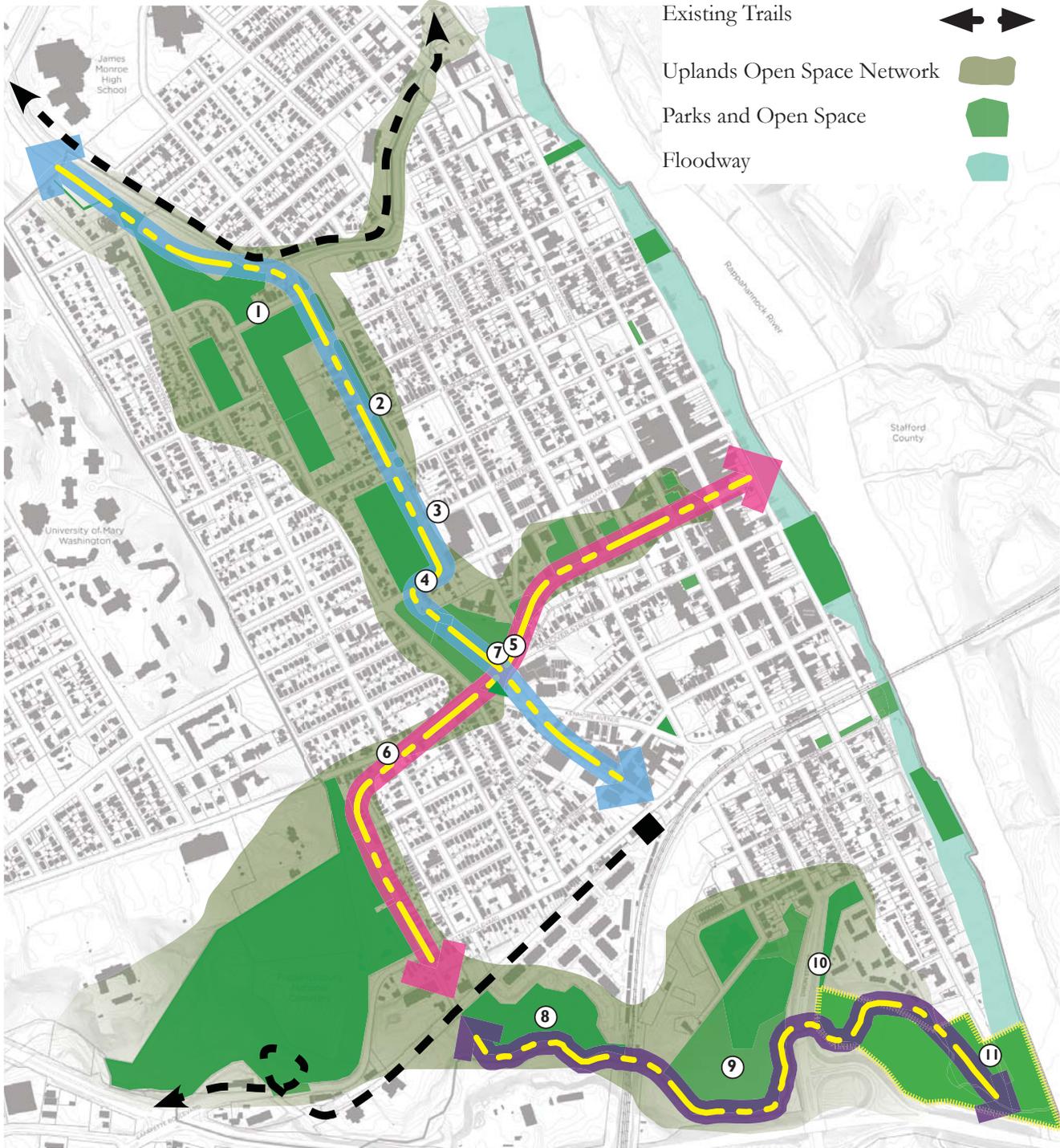
SITE NAME	PERIOD OF SIGNIFICANCE	DESCRIPTION	OWNERSHIP
Historic Fredericksburg National Register District	Historic continuum, 1728 to present	Downtown business district, neighborhoods, cemeteries	Private and City
Fredericksburg and Spotsylvania National Military Park	Civil War	National Cemetery, Sunken Road, battlefield terrain	Federal
Washington Avenue Historic District (1200-1500 blocks)	Late 19th- early 20th century	Residential neighborhood with distinctive public mall and monuments	Private and City
Maury School	Built 1919, expanded 1929 and 1936	Former school, now condominiums	Private
Stratton House	Built 1855	Brick house on Littlepage Street, battlefield landmark	Private
Rowe House	Built 1828	Brick house on Hanover Street, battlefield landmark	Private
Wolfe Street Warehouse District	Late 19th - early 20th century warehouses	Collection of warehouses and industrial buildings	Private
Virginia Central Railway	Civil War, Reconstruction	Historic railway bed with trail	City
Lafayette Blvd. Corridor	Late 19th - early 20th Century	Cohesively designed neighborhood of folk Victorian houses	Private



LAND USE

ENHANCE THE UPLANDS OPEN SPACE NETWORK

Area 7 contains a diverse collection of open spaces that are upland from the Riverfront. The Uplands Open Space Network is primarily used by City residents who walk or bike to these spaces from their homes as well as residents of the region who come to the City to utilize the large urban parks, recreational trail system, and unique open spaces that are unavailable outside the City’s unique fabric. Linking the separate open spaces together through soft improvements, art, monumentation, a naming strategy, or a path will elevate the whole system into a sizable entity. Identifying opportunities to expand the Network ensures that as the City grows, so do its open spaces and recreational opportunities.



PART III

Linking the Uplands Open Space Network: Washington Avenue, Memorial Park, Maury Park and third spaces through the Jackson + Wolfe Warehouse Maker District create a green link from the Heritage Trail Canal Path to the VCR Trail. This link should be enhanced by:



- ① Evaluating opportunities for formalized gathering spaces, accommodations (like electrical services) for future events, upgraded seating, and more complex play / climbing structures in Memorial Park and the Cossey Botanical Park area. Explore stabilization and improvements to the Mary Washington Monument
- ② Adding corridor lighting along the Washington Avenue Mall to make it a safer lit corridor.
- ③ Implementing the Fredericksburg Cemetery Sidewalks, listed on page 134 of the Pathways Plan, to add brick sidewalks, enhanced tree planting, and wooden barriers along the cemetery wall between Lewis Street and William Street.
- ④ Improve the northern William Street sidewalk between Kenmore and Washington Avenue for pedestrian safety.

Expanding the George Street Walk: The George Street Walk connects the riverfront, Hurkamp Park, the Farmer's Market, and the War Memorial and should be extended to the Fredericksburg Battlefield.



- ⑤ Excess paved areas within the right-of-way (i.e. the triangular intersections of George and Hanover and Hanover and Littlepage) should be converted to public plazas with hardscape and landscaping. The City owned triangle at the intersection of Hanover and Kenmore should also be utilized for public purposes.
- ⑥ Historical interpretation and public art should be strategically incorporated into the route. These aspects inform visitors along their journey, and provide residents with places for respite and meet-up locations along the walk.
- ⑦ The entrance to Maury Stadium along George Street should be upgraded, well lit, and incorporated into the Walk.

Expanding the Uplands Open Space Network: A new Hazel Run Trail should connect the southern end of Caroline Street into the Virginia Central Railway Trail and into the Fredericksburg National Cemetery through Willis Street. Environmental constraints and water quality standards may require this trail to remain natural.



- ⑧ The Cobblestone Park should be upgraded to be more visible from the Virginia Central Railroad Trail. Upgrades to the park should make it a safer more open environment where feasible.
- ⑨ The open spaces adjacent to the Walker Grant Center should be upgraded for better utilization. Space exists to expand existing recreational and community programs at the Center in addition to upgraded play areas, community gardens, event spaces, or formal amenities like a dog park.
- ⑩ The Downtown Greens community garden should be linked to the Walker Grant Center and Hazel Run Trail as a “gateway” to the Hazel Run Trail and Park (discussed below).
- ⑪ A Hazel Run Park should be established along the City owned acreage at the southern end of Caroline Street adjacent to the Rappahannock River. The park should emphasize its natural, waterfront setting and include naturalized play elements combined with passive-entertainment options. This would connect downtown open space amenities and Dixon Park.

Phase 1 - Brick Sidewalk and Streetlight Expansion: The expansion of brick sidewalks and street lighting in Downtown would complete the network of pedestrian-focused streetscape improvements. Filling the identified gaps would create a cohesive experience for visitors and residents alike.

- ① Grant funds should be pursued to fill in existing gaps in the T-5 brick sidewalk and pedestrian street light network. Procurement and engineering should occur as soon as feasible.

Phase 2 - Brick Sidewalk and Streetlight Expansion: Streetscape upgrades should occur around the edges of the T-5 transect and in adjacent emerging walkable urban places to bind existing building envelopes together and connect on-street pedestrian activity. These improvements should be implemented as private redevelopment occurs. The City may also consider pursuing grant funding or capital improvements funding to make the upgrades as part of an expansion of public infrastructure.

- ② The Liberty Place and William Square Blocks contain two significant redevelopment sites. The plans for these redevelopments should include brick sidewalks and pedestrian scaled lighting along all adjacent front-ages.
- ③ The south western portion of T-5 (including Princess Anne Street from Charlotte Street south to Dixon Street) and the blocks within the Train Station Area are primary pedestrian areas connecting the Downtown to adjacent urban fabric. The area consists of a patch work of brick and concrete sidewalks and includes several potential redevelopment sites. Brick sidewalks, street trees, and pedestrian scaled lighting should be added to make this area a cohesive, safe, and lit corridor for pedestrians.

Corridor Lighting Expansion: Area 7 contains a near complete sidewalk network and an intricate network of bicycle infrastructure. However, few sidewalks or paths are sufficiently lit for nighttime use outside of the central Downtown core. People otherwise inclined to walk or bike will choose driving into Downtown at night because they feel safer. Key pedestrian and bike routes should be lit for safe evening travel. Due to the nature of this type of infrastructure, the City may consider pursuing grant funding or capital improvements planning to make the upgrades as part of an expansion of public infrastructure:

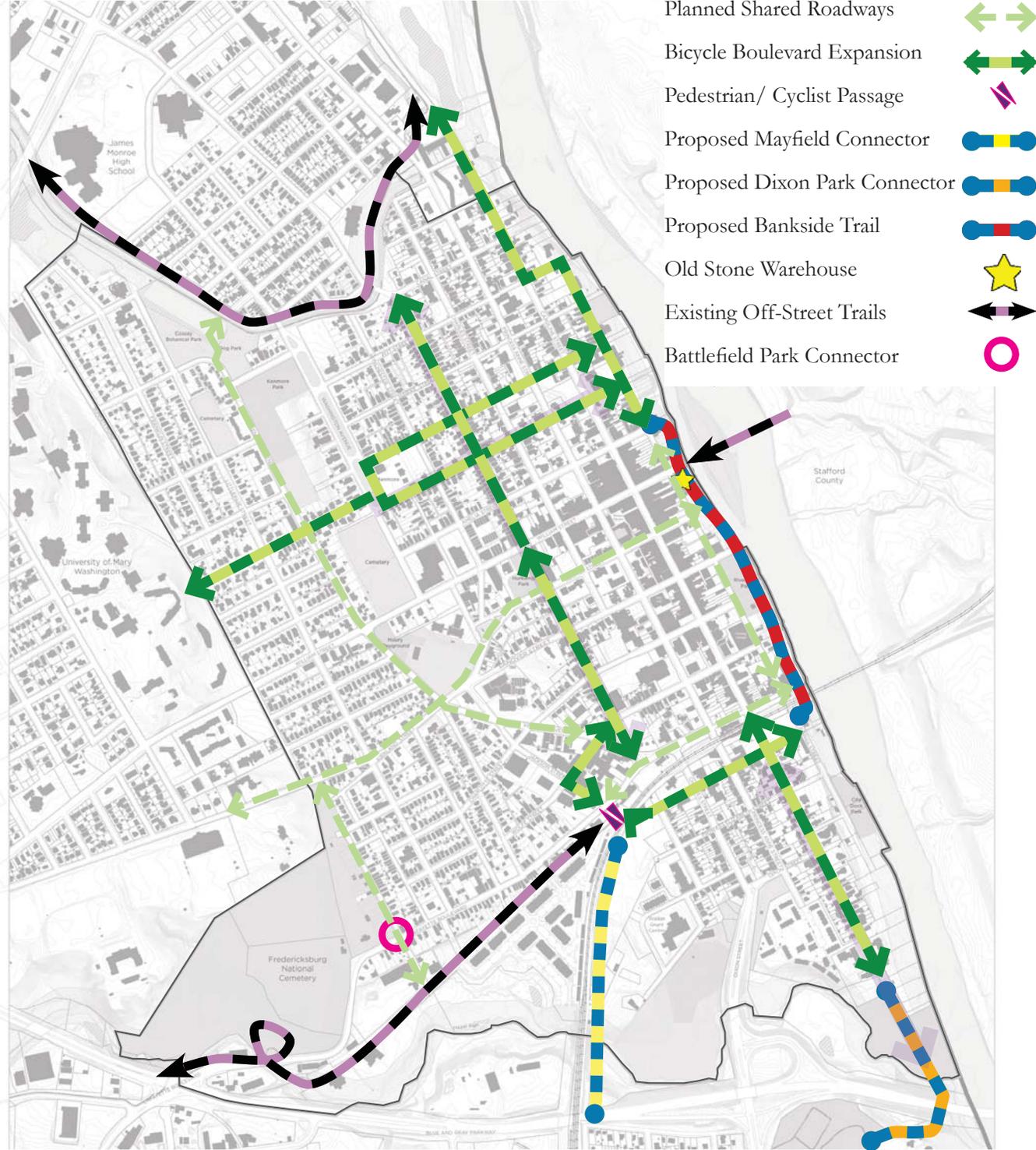
- ④ William Street is the primary east/west pedestrian connection between the University of Mary Washington and the Downtown. The road experiences heavy walking traffic. Pedestrian lighting should continue west of Prince Edward, on to the planning area boundary.
- ⑤ Princess Anne Street is the primary access to Downtown from the north and south. Pedestrian lighting should illuminate its length through Area 7. In addition to the improvements listed in #3 above, pedestrian lighting should be a priority on the road length north of William Street.
- ⑥ Hanover Street is an important extension of the George Street Walk to the northern entry to the Battlefield. Improvements include pedestrian lighting from War Memorial Park down to the battlefield and on (outside Area 7) through the University of Mary Washington campus.
- ⑦ Cornell Street, Lewis Street, and Fauquier Street are envisioned in the Pathways Plan as a bicycle boulevard connecting the University with the Downtown. Pedestrian lighting should be added along Lewis Street where pedestrian traffic between Kenmore, Washington Avenue, and the Rappahannock Library is likely to join in with cyclists.
- ⑧ North Caroline Street and Sophia Street should be upgraded to a bicycle boulevard connecting the Bank Trail to the Heritage Trail along the Riverfront. Pedestrian lighting should be added to the route.
- ⑨ Jackson Street, Lafayette Boulevard, and Frederick Streets are corridors carrying bicycle and pedestrian traffic from neighborhoods through walkable urban places, and into the core Downtown. Pedestrian lighting should be added to these routes.

Pedestrian Activity Areas: Area 7 contains several emerging walkable urban places that need appropriately scaled infrastructure to maintain a vibrant pedestrian atmosphere. As regulatory codes for these places are modified, consideration should be given to permitting wide sidewalks, requiring street trees, and incorporating appropriately scaled street lights. These areas are discussed in more detail in each focus area.

Ongoing evaluation of the Pedestrian Environment: Evaluation of the pedestrian realm for needed safety improvements should be a continuing effort for corridors and crossings in Area 7.

EXPAND BICYCLE CORRIDORS

The City’s trail and pathways network provides a robust bikeable network ready for its next upgrade. The network provides functional transportation alternatives for residents, recreational opportunities for the regional population, and opportunities for historical interpretation and connection to cultural resources for the locals and tourists alike.



PART III

Expand the Off-Street Trail Network : The City's off-street trail network approaches the Downtown Core, but is in need of expansion. The following improvements will create the next generation of links in the City's off-street trail network, and will provide an opportunity to connect more areas of the City.



The Mayfield Connector along the Railroad will link the Mayfield, Airport, and Canterbury neighborhoods to the Downtown core. The project is envisioned by the Pathways Plan to be constructed in conjunction with the construction of a potential access road from State Route 3 to the Virginia Railway Express parking lots.



The Dixon Park Connector is a proposed 2,500 linear foot multi-use trail starting in the Downtown at the south end of Caroline Street and tying into the existing Dixon Park trail network. The trail provides an opportunity to route a significant portion of the East Coast Greenway through the City on off-street trails, provides inter-neighborhood connectivity and opens up new sections of the City's riverfront for exploration and enjoyment by residents, recreators, and tourists alike.



The Bankside Trail is a proposed off-street 3,250 linear foot shared use trail starting at Amelia Street and ending at Frederick Street. The trail will tie into the proposed Chatham Bridge Trail and provides a substantial opportunity for historical interpretation and adaptive reuse of the City owned Old Stone Warehouse at 923 Sophia Street. Implementing the trail requires easement acquisition from property owners along the route. This would serve as the off-road desired route for the East Coast Greenway.

Expand Bicycle Boulevards : Bicycle boulevards are bicycle routes on streets that have a relatively low volume of vehicular traffic, which allows bicycles to have some level of on-street travel priority. Bicycle Boulevards are designated by signs and pavement markings, well-lit intersections marked on all approaches by high visibility crosswalks, and strategically deployed traffic calming. Bicycle boulevards should provide connections to the proposed Bankside Trail, the Canal Path, the Heritage Trail, and the Virginia Central Railway Trail.



Cornell Street, Lewis Street, and Fauquier Street are envisioned in the Pathways Plan as a bicycle boulevard connecting the University with the Downtown.

Prince Edward Street provides a link between the Canal Path and the VCR Trail. Prince Edward Street and Jackson Street connect to Frederick Street through a proposed railroad tunnel toward the Riverfront, City Dock Park, Sophia Street and the proposed Bank Trail.

North Caroline Street and Sophia Street should be upgraded to a bicycle boulevard connecting the Bank Trail to the Heritage Trail along the Riverfront. The boulevard continues south along Caroline Street to connect to the Dixon Park Connector.

Implement Shared Roadways : Shared roadways and Bicycle Boulevards are components of the City's Pathways Plan approved in 2018. Shared roadways are used when there is insufficient right-of-way for any type of separate bicycle lane and are designated by Sharrows.



The Kenmore Connector is proposed to be a bicycle route along Kenmore Avenue to link the VCR Trail and the Heritage Trail Canal Path.

Hanover and George Street are proposed as an East-West Connector in the Pathways Plan.

Lafayette Boulevard east of Jackson Street is proposed as a connection between the VCR Trail and Sophia Street in the Pathways Plan.

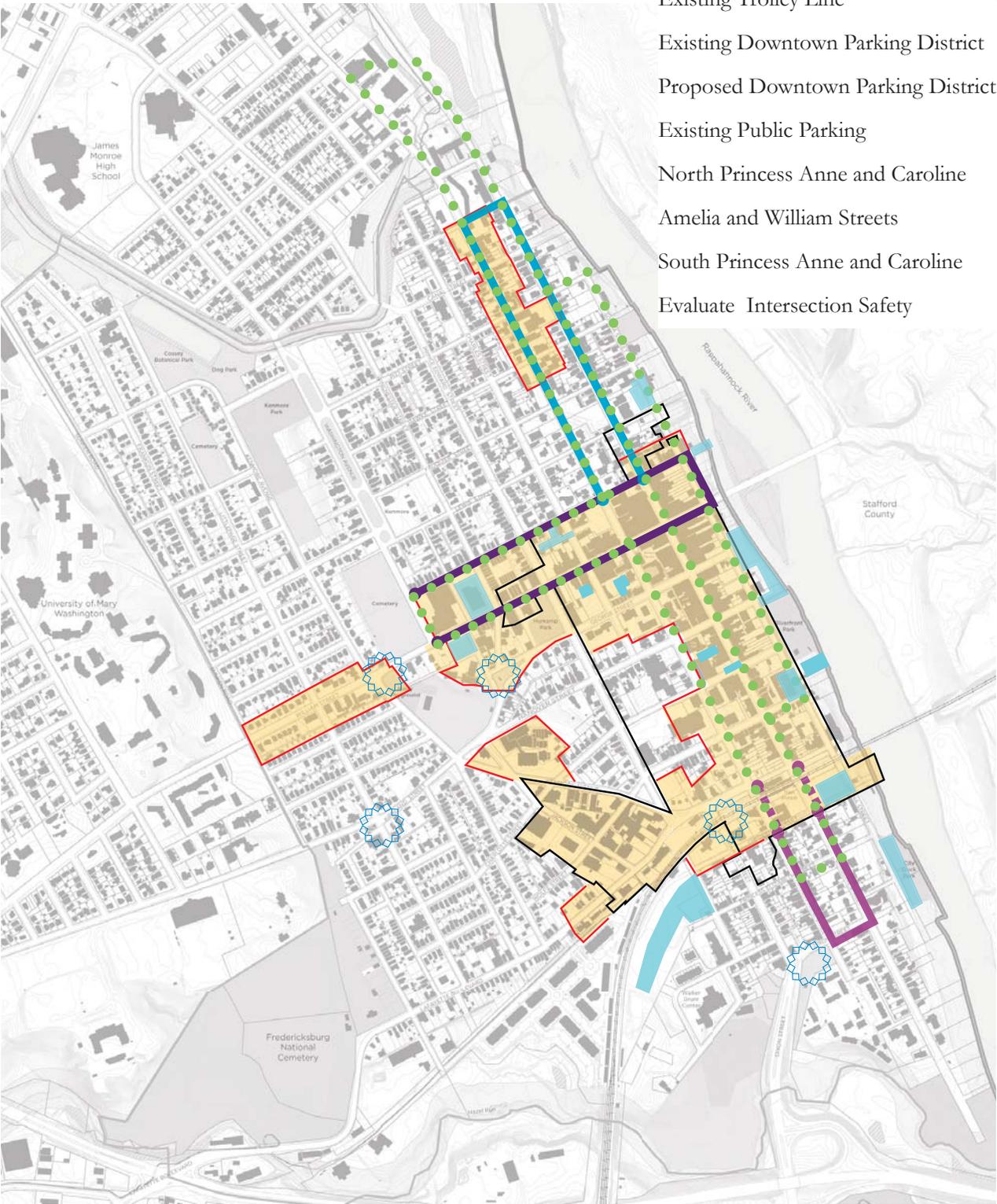
The Battlefield Park Connector consists of intersection improvements at Willis Street and Lafayette Boulevard needed to link the VCR Trail to the Battlefield.

East Coast Greenway: The East Coast Greenway is the urban cycling version of the Appalachian Trail, heavily focused on cyclists. Along its route from Maine to Florida, the Greenway will cross the Rappahannock River on the Chatham Bridge and continue on to Spotsylvania County.

The greenway is designated to travel along Sophia Street to Rocky Lane and out Dixon Street. Dixon Street should be investigated for potential improvement as a bikeway. As future trails are developed, the greenway should be re-designated along the Bankside and Dixon Park Connection Trails.

EVOLVE MOTORIZED TRANSPORTATION

Mobility in Area 7 is a system of transit, vehicular, pedestrian, and bicycle users working together. Improvements to motorized systems aim to create a functional integrated multi-modal network that ensures safety for pedestrian and driver alike. Refinement of transit, trolley, and parking strategies provide meaningful transportation choice while linking users with key destinations.



PART III

Convert One-Way Pairs to Two-Way Streets: In the 1960s, several of Fredericksburg's main streets were converted to one-way pairs with limited stop movements to facilitate through traffic. Today, by-pass highways have reduced the need to funnel traffic through the City. However, the remaining system continues to foster high speeds through residential areas and along the William Street corridor. The conversion of paired, one-way streets back into two-way streets should be pursued to improve pedestrian safety and preserve the character of Downtown by slowing traffic particularly in residential areas, and to improve accessibility to homes and businesses. These streets were built as two-way streets and remain two-way outside of the Downtown core. Increasing safety and decreasing speed is paramount to walkability and economic viability within the Downtown core. The City should pursue an engineering study to plan appropriate improvements, develop a pavement markings plan, and provide a cost estimate to implement the traffic conversion. Particular attention should be paid to the effects traffic pattern changes may have on parking, visibility, and speed. This study should evaluate the potential to remove access to Princess Anne Street from Dixon Street.

Transit: Enhance Fred Transit service to provide increased frequency and longer service hours to improve access to the Downtown core without increasing the need for parking.

Existing Trolley Line: Make the Downtown trolley a permanent circulator and create a marketing campaign to increase ridership and connect Downtown visitors to parking facilities and attractions. Increase the frequency of operations to weekends in the spring and fall, coordinate to provide service during major Downtown events, and advertise its availability to visitors. Limiting the stops to outer destinations will ensure access and limit wait times, which is a problem during popular events.

Connect the Downtown and Parking: Facilitate use of existing Downtown parking through measures to advertise and market access, availability, and location. Branding or naming the city's publicly available lots will help the public identify and utilize the lots. Initiate a Fredericksburg parking website and app to provide real-time availability and pricing.

Parking Regulatory Strategies: Consider adoption of alternate methods to regulate parking within the core and deploy these strategies in the T-4, T-4M, and T-5 Transects to ensure that parking is strategically placed, accessible, and supports other modes of transportation.

Modify existing parking requirements to adhere to the SmartCode transect based standards as calibrated for the City of Fredericksburg.

Modify the existing method of calculating shared parking to implement the SmartCode "Shared Parking Factor" as the appropriate calculation for shared parking.

Right-size design standards related to parking circulation and driveway areas and prioritize the pedestrian realm over the vehicular realm.

Creatively expand the public parking supply: increasing total curb length (reduce/consolidate driveways) to add on-street parking and explore strategic acquisition of existing large parking lots for public use.

Expand the Downtown Parking District to include Area 7's the William Street walkable urban place and the Creative Maker Districts. Permit the fee-in-lieu purchase of parking spaces for the second 50% of spaces required within the District, but increase the required rate for that second 50%. Expand the use of the funds to transit and bicycle infrastructure as well as structured parking.

Develop a Downtown Parking Bank where public and private spaces may be leased akin to a shared use parking plan to make most efficient use of existing asphalt.

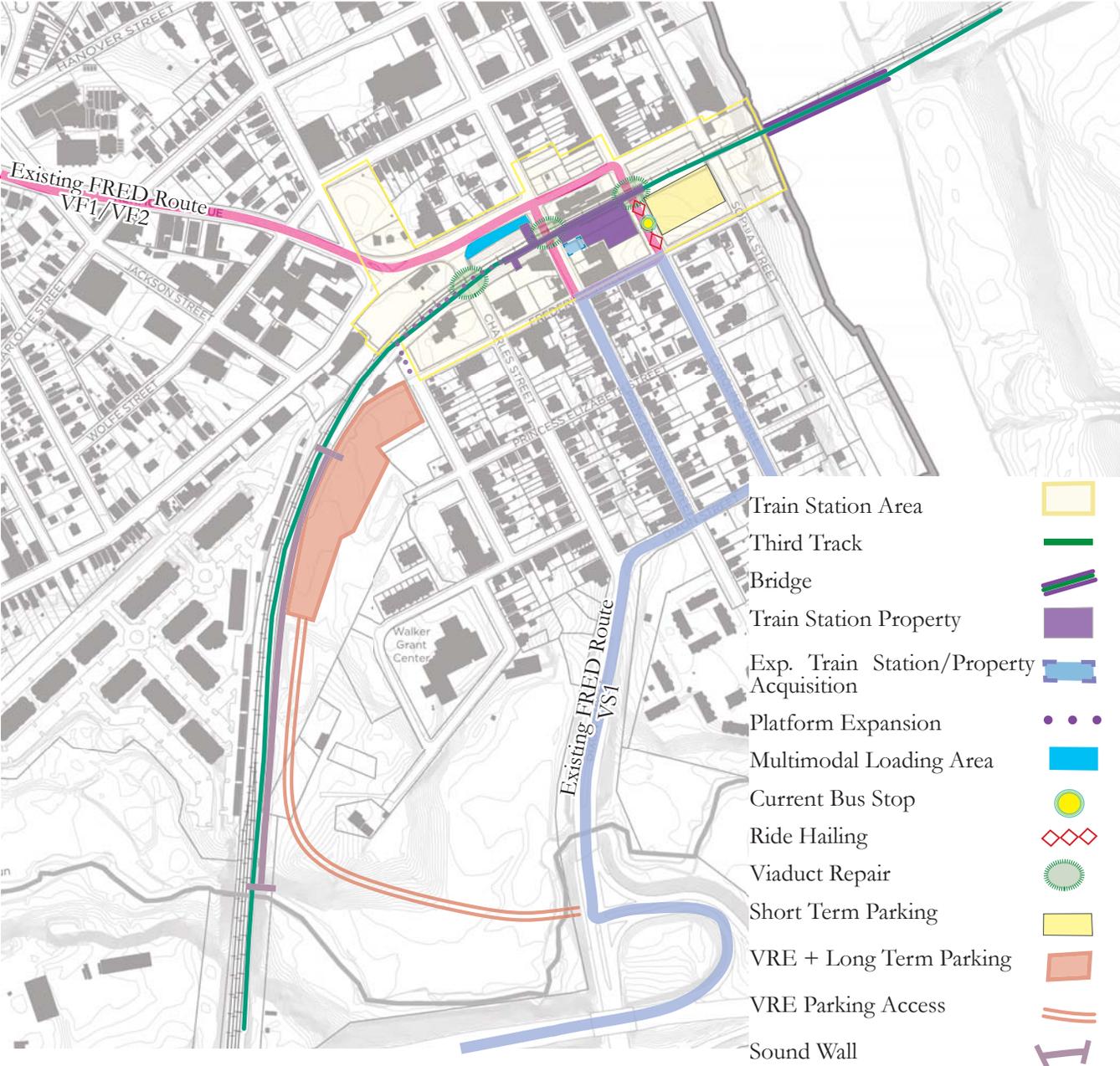
Make outdoor seating areas that provide meaningful urban plazas that enhance the walkable environment from parking requirements.

Continue to monitor the supply of parking and explore other opportunities for expanding the public parking supply.

Loading and Delivery: Evaluate the effectiveness of existing loading and delivery on William, Amelia, Caroline, and Princess Anne Street. Develop a system wide approach to handling loading and delivery as needs and technology evolve.

EXPAND THE TRAIN STATION AND THE RAIL SYSTEM

The City’s Train Station served as a critical regional transportation center since before the Civil War and witnesses a large volume of freight traffic (CSX Railroad), intercity passenger traffic (Amtrak), and commuter traffic (Virginia Railway Express). It has grown considerably since the Railroad Station Area Plan in 1991 which conservatively estimated that ridership could reach 371 daily commuters at full operation. 900 daily commuters now depart from the station every day. VRE is embarking on a series of short term (2020-2025) and long term (2025–2040) improvements in the corridor that will increase daily ridership to 25,000 by 2025, an increase from the 19,000 daily statewide ridership of today. The proposed long term improvements, including an additional rail bridge across the Potomac River, four tracks from the Potomac to Alexandria, and the addition of a third track along the corridor between Richmond and Alexandria will accommodate a daily ridership up to 43,000 by 2040. According to Virginia’s Statewide Rail Plan the Fredericksburg Train Station handles 120,275 inter-city rail boardings and alightings annually, which is the fourth most in the Commonwealth (behind Richmond, Lorton, Alexandria, and Charlottesville). Those passengers ride on one of the 13 to 14 Amtrak trains stopping in the City on a daily basis. Virginia’s Statewide Rail Plan estimates that annual inter-city passenger boardings and alightings at Fredericksburg’s Train Station will increase by 44% to 170,496 by 2040.



PART III

Train Station Expansion: The City's Train Station will experience a significant increase in usage over the upcoming years for both short-term commuter trips on the Virginia Railway Express and long-term inter-city passenger trips. This will require an expansion of the Train Station itself and improvements to the infrastructure around the station. Improvements must be coordinated with the City's transit and transportation systems. This growth will include the construction of a third track through the City and construction of a new rail bridge across the Rappahannock River. This should occur within the existing CSX owned right-of-way. The City Council supported the location of the third track in October, 2017 with comment on upgrades to both the station and rails. Previous planning has considered relocating the train station to nearby blocks, but this is disadvantageous for both the City and train riders. The City should work with VRE, CSX, and Amtrak to ensure the following are incorporated into the construction of the third track and expansion of the Train Station:

Maintain the station's location between Princess Anne and Caroline Streets to preserve the station's connection to the main commercial streets, provide for the best circulation pattern, and take advantage of existing infrastructure.

Refurbish the viaducts at track level, by removing the track ballast, repairing the concrete, and installing a weatherproof membrane that will preclude water intrusion and subsequent damage from freeze-thaw cycles.

Construct two sound walls, the first approximately 1,500 feet long on the east side of the tracks opposite an existing sound wall on the west side of the tracks, and the second approximately 4,000 feet long along Railroad Avenue, from the Blue and Gray Parkway to the Fair Grounds.

Provide for grade separated pedestrian access from existing rail parking areas on the west side of Charles Street to the existing or any extended rail passenger platform.

Ensure a new rail passenger station and related parking structure are compatible with their historic downtown setting and that the station includes restrooms and visitor orientation space.

Acquire property along the south edge of the station to enable the best redesign of the new station and its access.

Enhance access to the station for persons with disabilities.

Incorporate lighting and audio visual system improvements into new construction or expansion of the station.

Multi-Modal Station Access: Upgrade access to and around the station starting with transit service. There are currently three dedicated FRED Transit routes that serve the train station with a combined average monthly ridership of 1,000 trips. FRED Transit and FAMPO are currently undertaking a study to provide more integrated service to the Train Station to include ridership and lessen parking demand in proximity to the train station. Better integrating transit with the Train Station will lead to a more sustainable transportation system over time.

Create a multi-modal access point along Lafayette Boulevard suitable for use by FRED Transit vehicles.

Create a pedestrian link with appropriate signage from the multi-modal access point directly to the Train Station's platforms.

Support regional efforts to improve the overall transit system serving the train station. Specifically, support the integration of satellite parking lots into the transit system, adding additional routes leading to the train station, and decreasing headways for service.

Create a dedicated waiting area to ride hailing vehicles in the vicinity of the Train Station.

Provide for expanded bike storage at the City's Train Station.

Create a new pedestrian / bicycle tunnel under the tracks at the west end of Frederick Street to enable cyclists coming off the east end of the VCR trail to access the waterfront and the Train Station without competing with car and bus traffic.

Train Station Parking: In the near term, the majority of riders will continue to access the station by personal automobile. An increase in centralized publicly-accessible parking should be pursued where appropriate. According to FAMPO studies, current train parking is at 95% capacity, including overflow lots. To ensure more efficient circulation of vehicles and minimizing through trips within neighborhoods the following policies should be followed:

Work with VRE to construct new structured parking between Sophia and Caroline Streets. To ensure an efficient use of the parking supply pricing should accommodate short-term daytime parking needs of VRE riders and should be a source of shared parking for City residents, visitors to the Downtown and waterfront, and should be used to support office and residential development in the Train Station Area.

Develop a new parking garage on the existing VRE parking lots. Create an agreement with VRE to permit long term parking associated with inter-city passenger rail trips within the garage.

Build a new direct access to the VRE parking lots from the Blue and Grey Parkway and Route 2 in conjunction with the construction of the deck

Tourism: The train station is an asset to the City and Downtown not just for residents to travel but for out-of-town tourists to visit the City. Modifications are needed to make this station a fully accessible resource for visitors.

Install pedestrian oriented signage and wayfinding to provide a welcoming experience and direct those arriving by train.

Evaluate opportunities to partner with Amtrak to staff the station to both sell tickets and operate as tourism support.

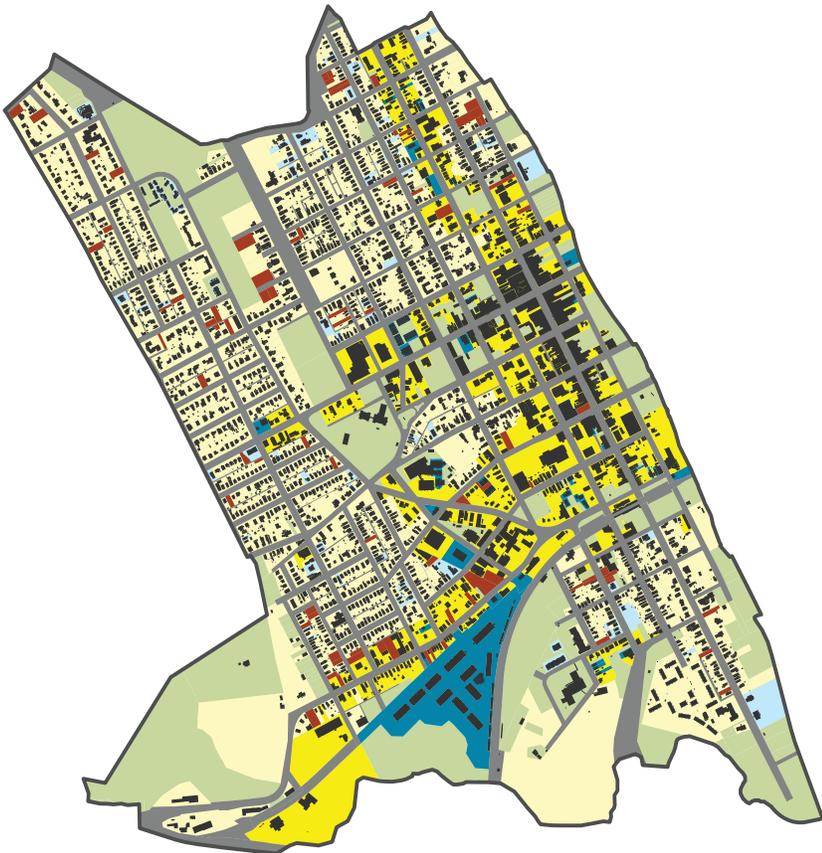
Work with Economic Development and Tourism to encourage visitors by train and to market the City for riders traveling along the rail corridor.

REVITALIZATION

This section of the City is designated as a revitalization area that encompasses mass transit, includes and provides for mixed use development, and allows for a density of 36 units per acre and 3.0 floor area ratio in commercially zoned areas. Commercial density, higher than allowed by-right, should be allowed only as a Special Use and when any negative impacts of such additional density are addressed, such as traffic and parking congestion and the massing and scale of the project. In this small area, downtown commercial zoning allows 3.0 floor area ration by right, however commercial zoning currently established along Lafayette Boulevard could allow such higher density as a special use. This area along Lafayette Boulevard is adjacent to single family development. Impacts on these residential areas should be carefully considered before a special use permit is approved for higher commercial density. 89% of the Area 7's residential structures and 85% of its commercial structures were built before 1980. Once structures reach an age of 30 to 40 years, their mechanical systems, roofing systems, and other structural elements are need of updating or replacement, an indicator of the need for revitalization. Further, approximately 4% of lots in the residential portion of this area are vacant. With limited other vacant residential land in the area, virtually all new development will be through the revitalization of existing units.

Small Area Plan - Downtown Revitalization Analysis Area 7

- Commercial Pre 1980 - 85% of existing structures
- Commercial Post 1980 - 15% of existing structures
- Residential Pre 1980 - 89% of existing structures
- Residential Post 1980 - 11% of existing structures
- Vacant Parcels - 4% of residential parcels



LAND USE

IMPLEMENTATION

INFRASTRUCTURE

- Evaluate the conversion of portions of the one-way Princess Anne Street and Caroline Street and Amelia Street and William Street pairs to two-way traffic.
- Expand the trolley circulator to better connect the City's Walkable Urban Places with public parking.
- Expand the off-street shared path network by constructing the Bankside Trail and the Dixon Park Connector.
- Develop a new roadway connection from the Blue and Gray Parkway to the Virginia Railway Express parking lots and build the Mayfield Connector shared use path as part of the project.
- Expand the City's brick sidewalk and streetscape improvement programs to better connect the Downtown with the Train Station District and the Sophia Street Corridor through grants or capital funds.
- Expand pedestrian lighting along major pedestrian corridors through grants or capital funds.
- Evaluate the potential for an expanded network of bicycle boulevards on City streets. Where feasible, design and construct improvements. Implement the shared roadways listed for Area 7 in the Pathways Plan.
- Explore the expansion of transit service to and a transit center at the Train Station to create shorter headways between transit trips.
- Work with the community to develop a focused Train Station Area infrastructure plan. Set a short term and long term implementation strategy.

REGULATIONS

- Establish a maker district to spur adaptive reuse within the Canal Quarter and Jackson + Wolfe Warehouse areas. Rezone the area to a maker zoning to merge existing corridor design guidelines, and new form based elements to support the vision of the district.
- Develop a Transfer of Development Rights program to incentivize the preservation of character structures.
- Evaluate the size and functionality of the Commercial Downtown zoning district by evolving the existing density based rules where they contradict the historic pattern of development and shrinking the district where appropriate and
- Right size development standards in the Walkable Urban Places to better balance the pedestrian realm with the requirements for automobile infrastructure.
- Evaluate incentive programs to improve the creation and expansion of creative businesses within Area 6 including targeted building acquisition, facade grants, small business loans, and the expansion of the arts and cultural district.
- Develop a form based Neighborhood Commercial and Residential zoning district to regularize the existing patchwork zoning in corridors and to serve as an appropriate transition in form between more intense areas and residential areas.
- Rezone publicly held land and preserved open space categorized as Civic or T-1 to a public, recreational, open space, and environmental (PROSE) zoning district.
- Evaluate existing ordinances to ensure they adequately protect the City's existing stock of non-conforming missing middle housing and evaluate an Accessory Dwelling Units ordinance to ensure City neighborhoods can continue to evolve to meet modern housing needs.

PUBLIC FACILITIES

-  Expand the George Street Walk and evaluate the conversion of irregular intersections along the walk to pedestrian plazas.
-  Link uplands open-spaces.
-  Establish a Hazel Run Nature Trail and Park.

 Immediate

 Ongoing

 As Resources Permit

LAND USE



September 8, 2020
Regular Meeting
Resolution No. 20-__

MOTION:

SECOND:

RE: **Recommending an Amendment to the 2015 Comprehensive Plan to Amend Chapter 4, "Public Services, Public Facilities, and Preserved Open Space", Chapter 10, "Land Use," and Chapter 11, "Planning Areas," to Adopt a New Small Area Plan for Planning Area 7**

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

Comprehensive plans have been described as perhaps the single most important land use control device available to local governments to guide ultimate decision-making in land use matters. Comprehensive plans are general programs for the physical development of the locality, intended to provide advance planning effectively and fairly to meet the purposes for which land use ordinances may be adopted. Comprehensive plans are implemented through the capital improvements program, the subdivision ordinance, the zoning district map, the zoning ordinance, and the economic development strategic plan. The plan controls the general or approximate location, character, and extent of each public facility or utility feature shown thereon. Comprehensive plans are so important that each Virginia locality is required to adopt one, and to review it every five years.

City Council adopted the most-recent Fredericksburg Comprehensive Plan in 2015. The Plan includes a Part III, "Land Use," that is divided into two chapters. Chapter 10 describes the Land Use Plan generally, and Chapter 11 establishes the future land use plan for ten planning areas that, in the aggregate, cover the entire land area of the City.

Upon adoption of the Comprehensive Plan on September 8, 2015, the City Council articulated a desire to perform a series of in-depth studies of the ten planning areas. City Council identified the completion of small area plans for the entire City as Priority #2 in its Vision, Future Desired States, and Priorities, adopted April 11, 2017.

The City Council hired Streetsense, a planning advisor, to study Planning Area 7, to conduct community meetings, and to present its findings and recommendations to the Fredericksburg Planning Commission and City Council. Streetsense completed this work, and the Planning Commission, City Council, and City staff have studied their report. The proposed amendments to the 2015 Comprehensive Plan are an outgrowth of the Streetsense report.

City Code §72-22.2 and Code of Virginia §15.2-2229 require amendments to a comprehensive plan to be recommended, approved, and adopted, respectively, as required by §15.2-2204. The governing body may prepare an amendment and refer it to the planning commission for public hearing within 60 days or such longer time frame as may be specified. In acting on any amendments to the plan, the governing body shall act within 90 days of the local planning commission's recommending resolution.

The City Council resolved to initiate amendments of the 2015 Comprehensive Plan to adopt a new small area plan for Planning Area 7, by Resolution 20-02 on January 28, 2020. The proposed

amendments are described in an exhibit entitled “Comprehensive Plan Amendments, Part II, Chapter 10 and Chapter 11, Planning Area 7,” dated February 26, 2020. A public hearing was held at the Planning Commission on the 26th of February and held open. Due to the Covid-19 pandemic emergency and electronic meeting procedures the public hearing was resumed on the 24th of June and the item continued until the 8th of July. At that meeting, the Planning Commission voted to recommend approval of the Area 7 small area plan amendments.

City Council finds that the adoption of the Area 7 Small Area Plan will advance the purpose of the 2015 Comprehensive Plan in guiding and accomplishing a coordinated, adjusted and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the inhabitants, including the elderly and persons with disabilities.

Therefore, the City Council hereby resolves:

- Map 14 within Chapter 10, the General Land Use Plan Map is amended to add Transect designations for Planning Area 7;
- Chapter 10 is amended to add and describe the T-5 transect, that is appropriate for Planning Area 7;
- Chapter 11, “Land Use Planning Area 7: Downtown is amended to adopt a small area plan for this area;
- The foregoing amendments are set forth in the exhibit entitled “Comprehensive Plan Amendments, Part II, Chapter 4, Part III, Chapter 10 and Chapter 11, Planning Area 7,” dated September 8, 2020 as submitted for approval.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

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 Resolution No. 20- duly adopted at a meeting of the City Council meeting held September 8, 2020 at which a quorum was present and voted.

Tonya B. Lacey, MMC
Clerk of Council



**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 out of town on business.

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 that 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 that 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 landowners seeking to redevelop their properties. He discussed the William Street walkable corridor and changes suggested to reconfigure it 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 to indicate that the Executive Center needs to be more accessible to make voting by the handicapped 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 make 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 that questioned 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 that is 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 were built 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, such as stop lights, that were a part of that earlier 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: He spoke about 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 that viable alternatives are to resurrect the old 1910 Train Station, to put the bike storage racks in the City lot between Caroline Street and Sophia Street, and possibly to 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: She spoke regarding the desire of Darbytown 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. Hanmer 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: She expressed 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 restoring the old 1910 Train Station and make an adaptive reuse of the building.

Frank Widic, 119 Caroline Street: He 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 be included in all future plans for their area in order to preserve Trestle Park.

Linda Coker, 308 Caroline Street: She 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: She expressed opposition to opening the 200-400 blocks of Princess Anne Street to two-way traffic. She said she thought this would 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: She spoke in opposition to public restrooms and bike storage racks being located by Trestle Park. She said she believed the solution would be to employ stand-alone toilets, put the bike storage racks in the City lot, and [undertake] adaptive reuse of the old 1910 Train Station.

Amy Olney, 601 Amelia Street: She expressed 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: He spoke in opposition to the proposal of putting public restrooms in the Train Station area.

Ann Little, 726 William Street: She indicated her support for 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: He expressed support for the City's proposed amendments to the Area 7 plan. He discussed the three best areas of the plan making this plan "river-friendly" through: (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 historic and environmentally sensitive areas; and (3) elimination of artificial density caps within the T-5 transect zone in the historic district to encourage sustainable growth.

Matt Kelly, 1309 Hanover Street: He 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 indicated that this is not a City project, it is a state/federal project and funded by them.

Rupert Farley, 1305 Caroline Street: He expressed his support for the 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, as he would instead recommend increasing densities to permit more sustainable living; and the plans for beacons on the riverfront.

Jon Gerlach, 809 Charlotte Street: He 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 should be stricken from the draft Area 7 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 were 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.

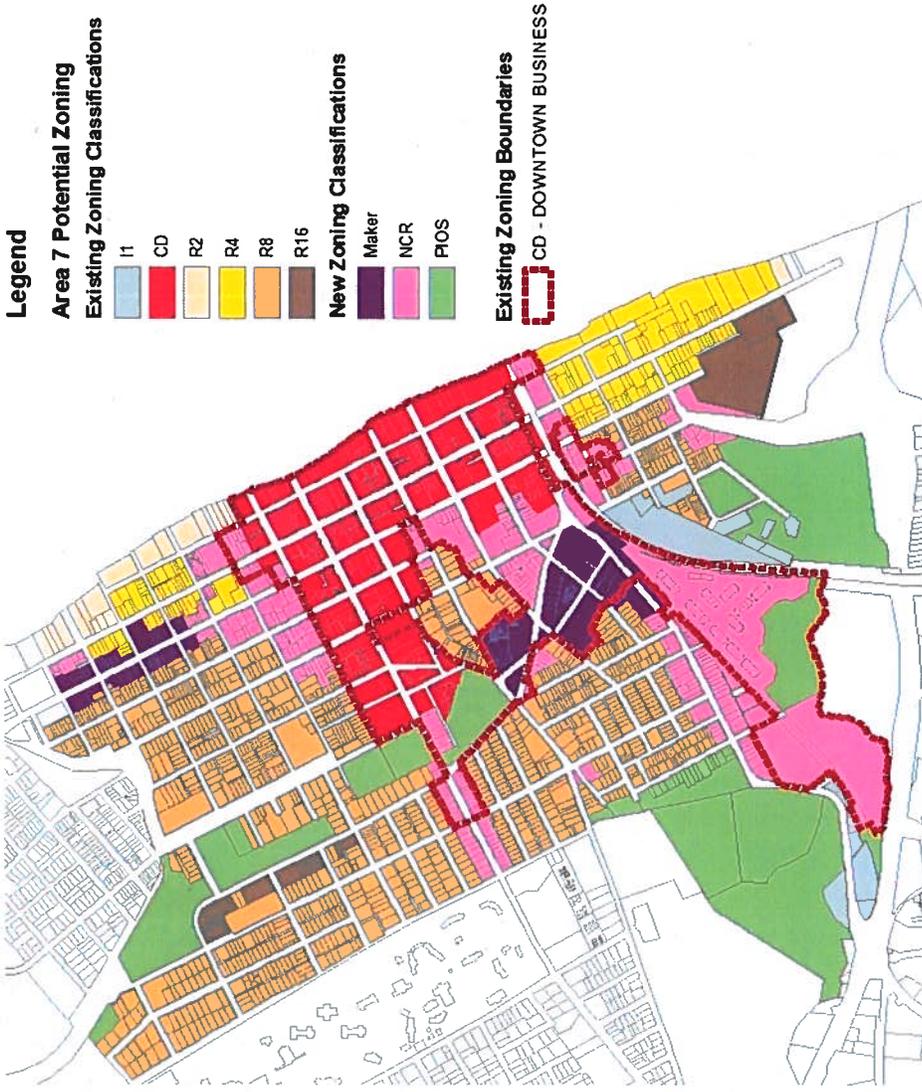


Rene Rodriguez, Chairman

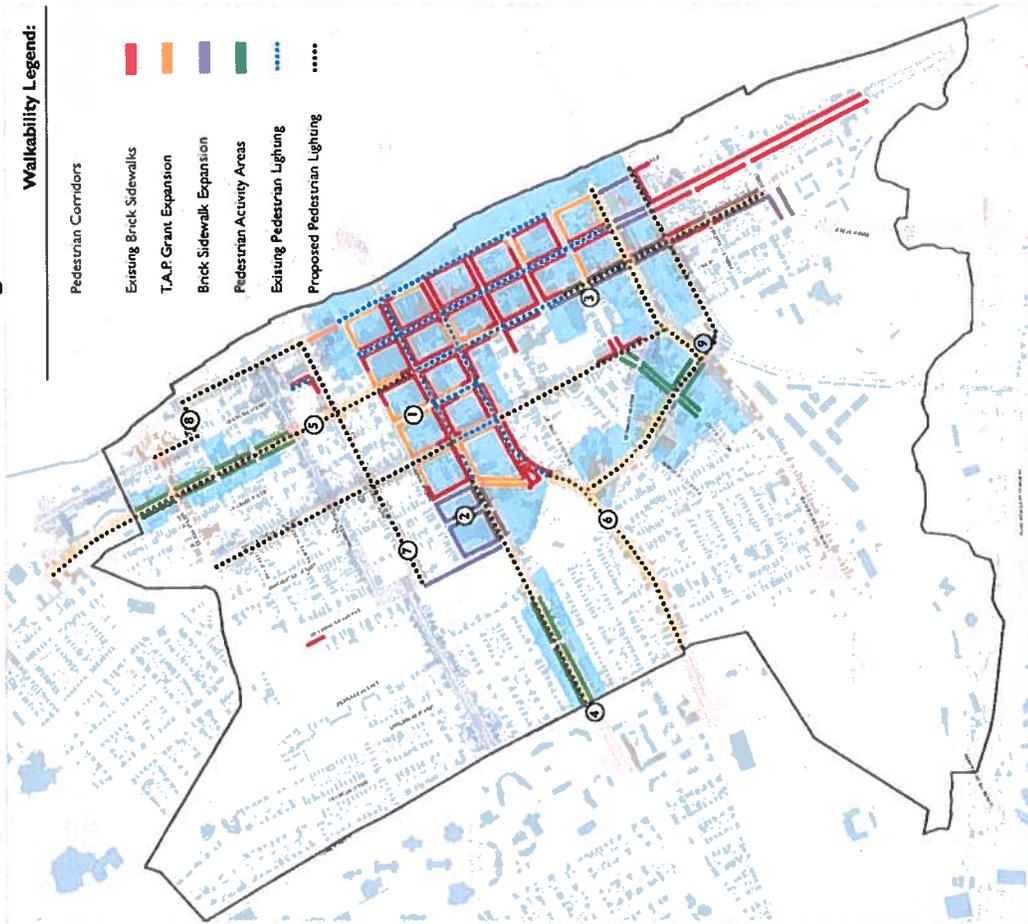
Area 7 – Small Area Plan



Land Use and Zoning



Access and Mobility - Pedestrian



- **Streetscape Expansion:**

T.A.P. Grant expansion
Princess Anne Street / Train Station Area connection for brick sidewalks and pedestrian lighting

Funding sources include grants as well as general fund

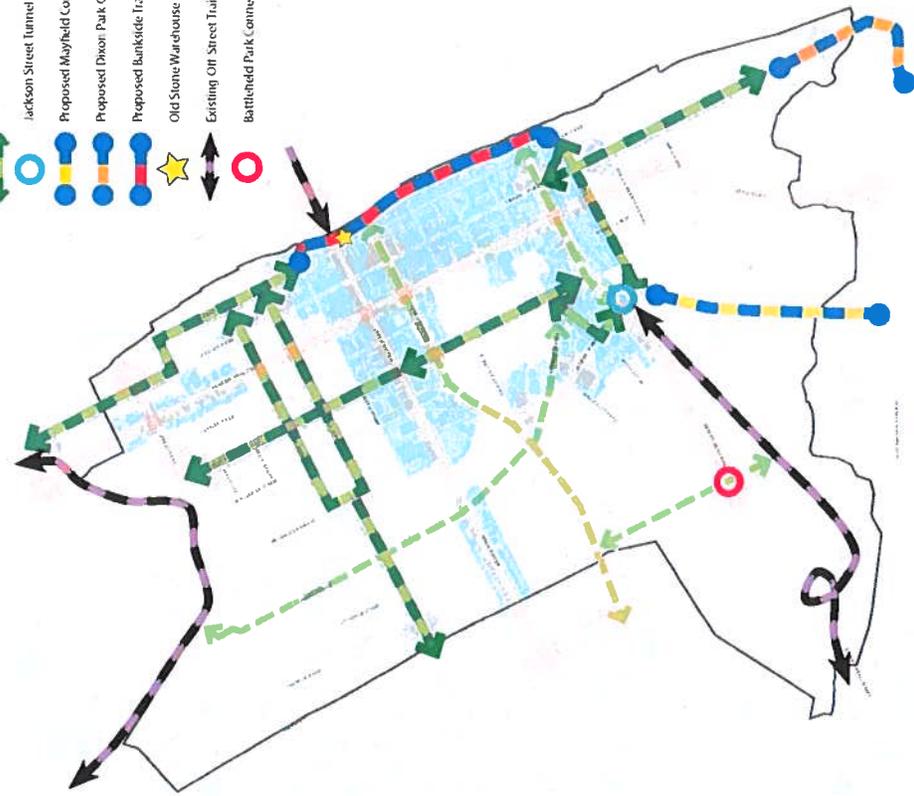
- **Pedestrian Corridor Lighting Expansion:**

William Street west
Princess Anne Street north
Hanover Street west
Lewis Street bicycle
North Caroline Street and Sophia Street
Jackson Street, Lafayette Boulevard, and Frederick Streets
Funding sources include grants as well as general fund

Access and Mobility – Bicycle and Trail

Bicycle Corridor Legend:

- Planned Shared Roadways
- Bicycle Boulevard Expansion
- Jackson Street Tunnel
- Proposed Mayfield Connector
- Proposed Dixon Park Connector
- Proposed Bankside Trail
- Old Stone Warehouse
- Existing Off-Street Trails
- Battledfield Park Connector



- **Off-Street Trails:**

- Mayfield Connector
- Dixon Park Connector
- Bankside Trail

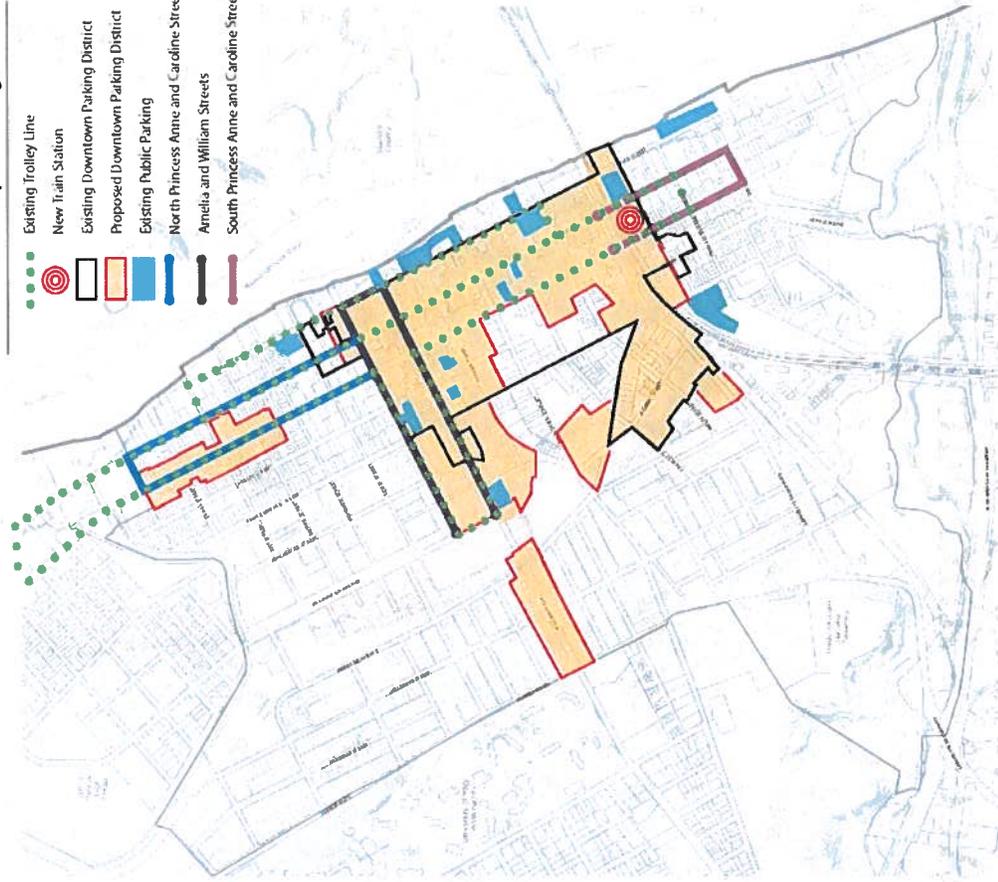
Funding sources include grants as well as general fund

- **Expand Bicycle Boulevards**

Pursue engineering study to plan appropriate improvements, develop a pavement markings plan, and provide a cost estimate to implement the proposed boulevards
Funding from general fund

Access and Mobility - Vehicle

Motorized Transportation Legend:



- **One-Way Traffic Conversion:**

Pursue engineering study to plan appropriate improvements, develop a pavement markings plan, and provide a cost estimate to implement traffic conversion
 Funding from the general fund

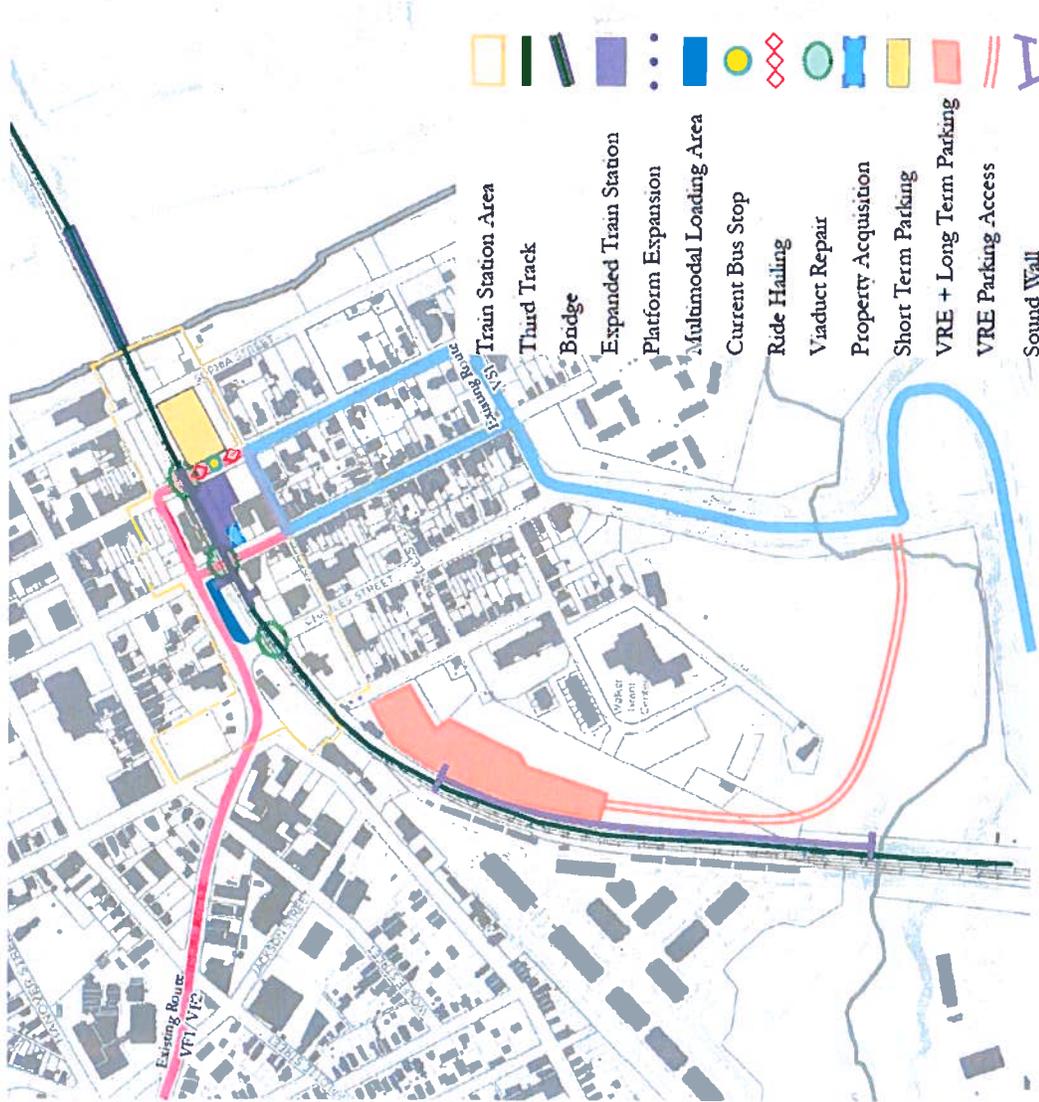
- **Trolley Line Service Expansion:**

Regularize trolley service as a permanent circulator to connect Downtown visitors to parking facilities and attractions. Increase frequency of operations to weekends in the spring and fall, provide service during major events, and advertise availability to visitors.
 Funding from the general fund

- **Expand the Downtown Parking District:**

Expand the Downtown Parking District to include emerging walkable urban places. Permit fee-in-lieu purchase of parking spaces for the second 50% of spaces required within the District, but increase the required rate for that second 50%. Expand the use of funds to transit as well as structured parking.

Access and Mobility - Mass Transit



- **Train Station Expansion:**

- Maintain current location for circulation.
- Refurbish viaducts
- Construct sound walls for neighborhood protection
- Grade separated pedestrian access to parking areas
- Ensuring architectural compatibility
- Enhanced ADA access, lighting, and sound equipment.

- **Multi-Modal Station Access:**

- Multi-Modal station access point with pedestrian link
- Transit system improvement and coordination
- Ride hailing areas
- Bike storage and pedestrian/bicycle tunnel to link to VCR trail

- **Train Station Parking:**

- Short-term structured parking
- Long-term structured parking
- Long-term parking access

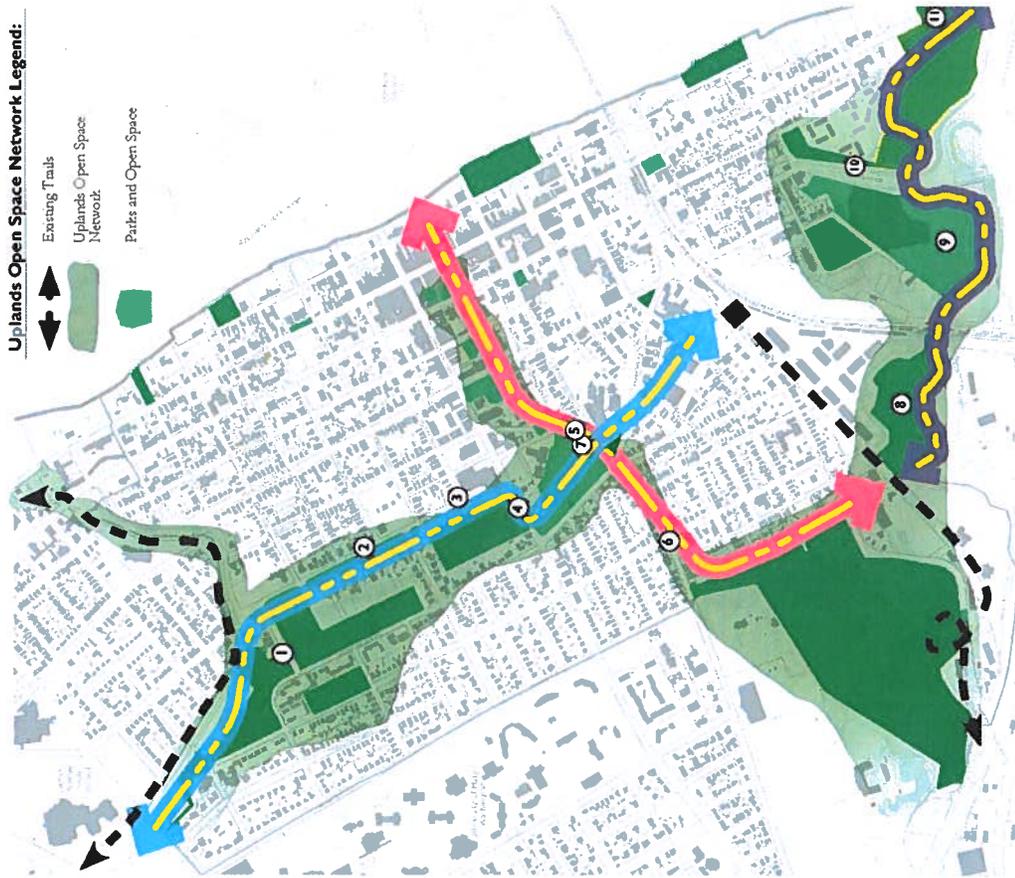
Walkable Urban Places

- Locations Legend:**
- Lafayette Boulevard
 - William Street Corridor
 - Sophia Street Corridor
 - Train Station District
 - Jackson - Wolfe Maker District
 - Canal Quarter Maker District



<h2>General Policies</h2>	 Character Structures
<h2>Infill</h2>	 Infill Building
<h2>Access and Mobility</h2> <h2>Parking Calibration</h2>	<div style="display: flex; flex-direction: column; gap: 10px;"> <div style="display: flex; align-items: center;">  Third Spaces </div> <div style="display: flex; align-items: center;">  Alley Repair </div> <div style="display: flex; align-items: center;">  Improved Pedestrian Crossing </div> <div style="display: flex; align-items: center;">  Traffic Calming and Alignment </div> <div style="display: flex; align-items: center;">  Frontage Repair </div> <div style="display: flex; align-items: center;">  Vehicle Entrance / Exit </div> </div>

Open Space - Uplands



Uplands Open Space Network Legend:

- Existing Trails
- Uplands Open Space Network
- Parks and Open Space

Linking the Uplands Open Space Network

Washington Avenue, Memorial Park, Maury Park and third spaces through the Jackson + Wolfe Warehouse Maker District are create a green link from the Canal Path to the VCR Trail. This link should be enhanced by:

- 1 Evaluate opportunities for formalized gathering spaces, accommodations (like electrical services) for future events, upgraded seating, and more complex play / climbing structures in Memorial Park and the Cossey Botanical Park area.
- 2 Adding lighting along the Washington Avenue Mall will make it a safer lit corridor.
- 3 Implementing the Fredericksburg Cemetery Sidewalks, listed on page 134 of the Pathways Plan, to add brick sidewalks, enhanced tree planting, and wooden barriers along the cemetery wall between Lewis Street and William Street.
- 4 Improve the northern William Street sidewalk between Kenmore and Washington Avenue for pedestrian safety.



Expanding the George Street Walk: The George Street Walk connects the riverfront to Hurkamp Park and the Farmer's Market to the War Memorial and should be extended to the Fredericksburg Battlefield.

- 5 Excess paved areas within the right-of-way (i.e. the triangular intersections of George and Hanover and Hanover and Littlepage) should be converted to public plazas with hardscape and landscaping. The City owned triangle at the intersection of Hanover and Kenmore should also be utilized for public purposes.



- 6 Historically interpretation and public art should be strategically incorporated into the route. These aspects inform visitors along their journey, and provide residents with places for respite and meet-up locations along the walk.

- 7 The entrance to Maury Stadium along George Street should be upgraded and incorporated into the Walk.

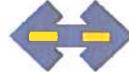
Expanding the Uplands Open Space Network: A new Hazel Run Trail should connect the southern end of Caroline Street into the Virginia Central Railway Trail and into the Fredericksburg National Cemetery through Willis Street. Environmental constraints and water quality standards may require this trail to remain natural.

- 8 The Cobblestone Park should be upgraded to be more visible from the Virginia Central Railroad Trail. Upgrades to the park should make it a safer more open environment where feasible.

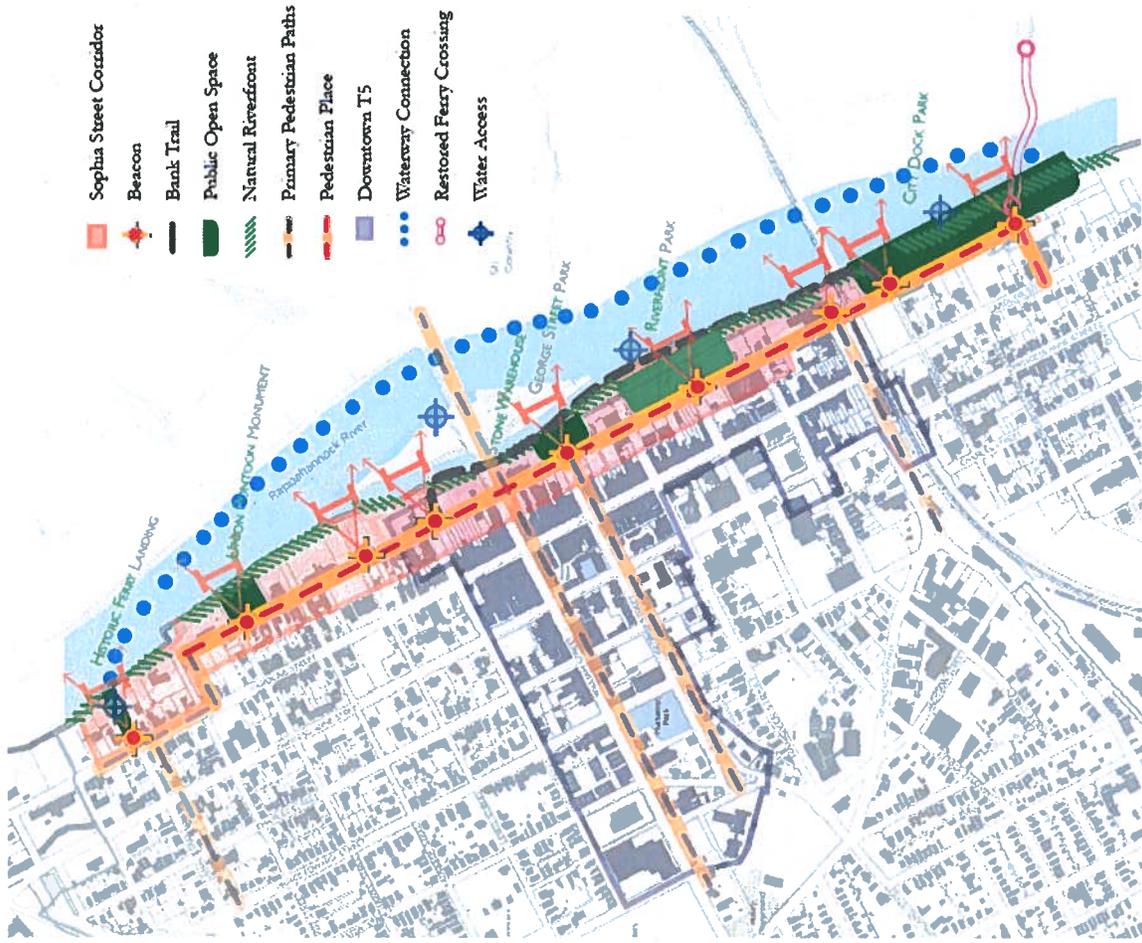
- 9 The open spaces adjacent to the Walker Grant Center should be upgraded for better utilization. Space exists for to expand existing recreational and community programs at the Center in addition to upgraded play areas, community gardens, event spaces, or formal amenities like a dog park.

- 10 The Downtown Greens community garden should be linked to the Walker Grant Center and Hazel Run Trail as a "gateway" to the Hazel Run Trail and Park (discussed below).

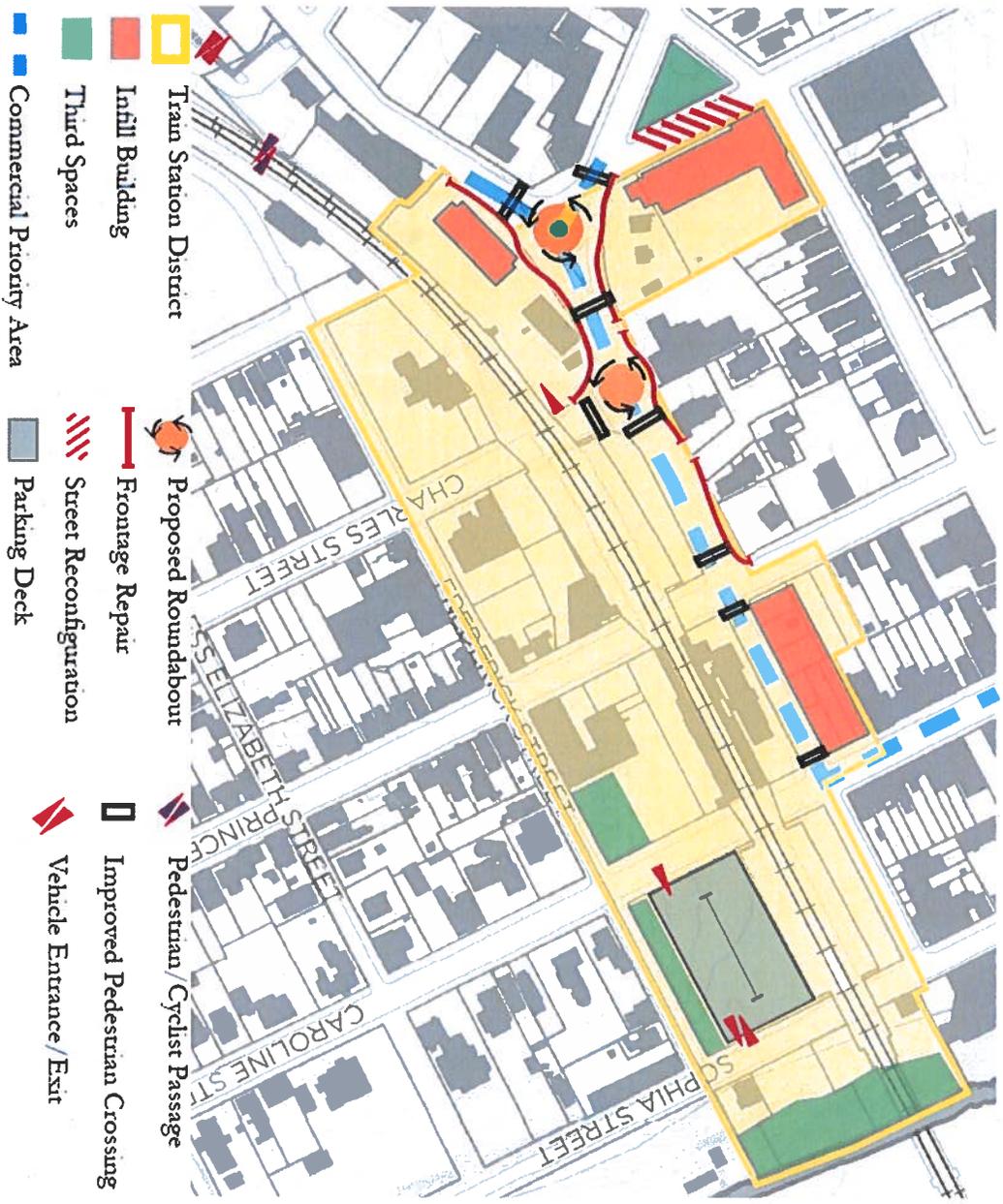
- 11 A Hazel Run Park should be established along the City owned acreage at the southern end of Caroline Street adjacent to the Rappahannock River. The park should emphasize its natural, waterfront setting and include naturalized play elements combined with passive entertainment options.



Open Space - Riverfront



TRAIN STATION DISTRICT



11(7)30 - Develop a focused Train Station Area infrastructure plan. Set a short-term and long-term implementation strategy.

11(7)15 Formalize the City-owned parcel adjacent to the Janney-Marshall Building as a City open space. The park may also include bathrooms and bike parking for the expanded train station.

ATTACHMENT B

TALKING POINTS ON TRESTLE PARK City of Fredericksburg Planning Commission Meeting February 26, 2020

Chairman and members of the City Planning Commission, I am Rebecca Hanmer, and I live at 138 Caroline Street. Thank you for the chance to speak on behalf of myself and my neighbor who could not attend tonight, Sallie Daiger at 134 Caroline Street. In the final Area 7 Small Area Plan, we urge you again to preserve Trestle Park as a city park, that is, all of the green space at the train station.

We worry that our Darbytown neighborhood is jeopardized by the piecemeal planning process for development in the train station area. A new train station toilet and bike storage building is proposed in the draft Small Area 7 Plan, which would take a substantial part of the green space we call Trestle Park. There is no clear link to future plans for constructing a third rail and a new train station, which would certainly have toilets and bike storage facilities.

First, we vigorously oppose taking part of the scarce and valuable public green space for a toilet building. There are other options for providing toilets and bike storage in the near-term that do not require constructing a new building and its access sidewalks, that would consume less space, and that could be installed on already-paved land near sewer connections. These options need to be explored. We urge the Planning Commission to rethink building on Trestle Park, as the green space is a precious asset that once lost, is lost forever.

I am one of the Darbytown residents and other citizens who filed the petition with the City in October 2018, to urge permanent protection of Trestle Park as a city park. You know that this green space was planted in 2011-2013 by Tree Fredericksburg with thriving trees and shrubs, and is now well maintained by the Department of Parks, Recreation & Events. It is a lovely, welcoming haven for residents and for visitors who come to the City by train. In fact, you can say that Trestle Park is Fredericksburg's front garden for those who arrive on the train.

We submitted the Trestle Park petition in 2018 with more than 140 signatures, including almost unanimous support from Lower Caroline Street residents. In August 2019, I spoke at your meeting on adaptive reuse of the Janney-Marshall building. By then, we had about 200 signatures on the Trestle Park petition. I urged you to support permanent protection of Trestle Park, and gave you a copy of the petition and the revised signature pages.

We were quite hopeful that our petition would be effective, until a few weeks ago. That is when we learned about the proposal in the draft Area 7 plan to put the toilet and bike storage building on the green space. Last week, the Darbytown Civic Association had a meeting to discuss the draft plan. We thank Mr. Johnston, Mr. Nelson and Mr. Craig for speaking with us. While the draft plan protects part of the green space - beyond the concrete wall - we disagree that the green space on the north side of the wall is unworthy of protection. This looks like path-of-least-resistance planning, and we are resisting for the sake of this small green haven.

At the Darbytown meeting, more area residents signed the petition to preserve Trestle Park, and I am giving you tonight the petition with the new signature pages.

Darbytown residents organized last week's meeting, and invited City officials to come. You did not reach out to our civic association in developing your train station plan, even though we live on the doorstep of the train station, and the proposals being discussed for train station expansion will have a profound effect on our neighborhood. There needs to be a better process for major developments such as this. The neighborhood civic associations should be both informed and consulted before the formal public hearings.

There is a tension - a seeming disconnect - between the current Area 7 planning process, and future train station expansion. We read about the major decisions by the State and CSX. Although the third rail and associated train station developments may be in the 10-15 year future, it was clear from our meeting last week that Darbytown residents want the Small Area plan process and planning for future train station expansion to be brought together. And, the neighborhood wants to be part of the thinking and planning.

Thank you for your attention. Here is the Trestle Park petition with the updated signature pages.

Submitted by:
Rebecca W. Hanmer
138 Caroline Street
Fredericksburg, VA 22401



PETITION

WE, the undersigned residents of Lower Caroline and Princess Anne Streets, residents of the Darbytown neighborhood, and residents from throughout Fredericksburg...

DO hereby petition the City of Fredericksburg to designate and protect the Green Space bounded by Frederick Street, Caroline Street and the Train Station as a park.

THIS lovely Green Space is already a park to us – to the mothers with small children who play there, to the neighbors who walk their pets there, and to City residents who pass it twice each day as they commute by train. The space was planted, from 2011 through 2013, with a diverse collection of trees and shrubs by Tree Fredericksburg, assisted by a grant from the Virginia Department of Forestry and in cooperation with the City’s Departments of Public Works and Parks, Recreation & Events (Parks & Recreation). The trees and shrubs are exceptionally healthy. The invasive plants have been removed and controlled, and Parks & Recreation maintains the space in an open and park-like condition that is an asset to the neighborhood and a haven for all who visit.

FOR visitors arriving at the Train Station, this Green Space is a gracious hello to the City. The need for this park can only increase as the number of train visitors grows and the surrounding area is further developed. Many of the undersigned are ready and willing to help the City keep this park beautiful and well-maintained.

WE urge the Mayor and the City Council to give this lovely Green Space the park protection it merits. The City might name this little gem “Trestle Park.”

(Petition presented to the Mayor and City Council of Fredericksburg in October 2018)

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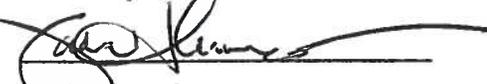
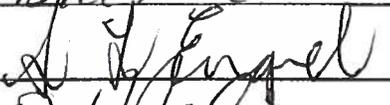
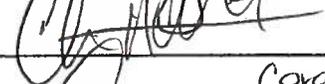
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2339472

Cathryn A. Eckles

From: Pete Morelewicz <pete.morelewicz@gmail.com>
Sent: Tuesday, February 25, 2020 1:29 PM
To: Cathryn A. Eckles
Subject: [EXTERNAL] a public comment for Feb. 26th Planning Commission meeting

Dear Chairman and members of the planning commission,

Thanks for considering my input on the Area 7 plan. I am a resident of Darbytown and my comments are specific to the proposed restroom facilities adjacent to the train station and Trestle Park. Though there is vocal resistance by some in Darbytown, I can unequivocally say that the opposition is far from monolithic in the neighborhood.

I have spoken with several families who support building restrooms for the convenience of both travelers and residents. Some of the families I spoke with have young children and can benefit from having facilities close by when their children suddenly have to go. For those with very young kids — both residents and train travelers alike — there is no private space in which to change a diaper.

Of course, it's not just kids who need a restroom. Anyone who regularly walks under the train trestle has no doubt experienced the sometimes bracing, often piquant odor of urine. Just because there is no proper bathroom, that doesn't mean someone isn't going to relieve themselves. Some oppose the restrooms because they feel it'll make the station look unsightly. But *not* having a restroom makes the station even less attractive.

Since the proposal calls for it to be located within the floodplain, I would advocate for as green a solution as possible for the restroom: a compact footprint, a living roof, and pervious paving where possible. Lastly, something in keeping with the aesthetic of the neighborhood would be appreciated.

Given the economic generator that the station is, its overall lack of facilities is quite staggering. I know there is a lot of overlapping jurisdictional entanglements, but perhaps just some upgraded wayfinding signage, a place to store bikes, and a comfortable sitting area could be a start. Some folks locate to Fredericksburg because of its proximity to the rail line. Making upgrades like a restroom will make it even more of an attractive feature of living here, including to the residents of the neighborhood.

Thanks for considering my comments.

Sincerely,
Pete Morelewicz
222 Princess Anne St.

ATTACHMENT D

February 25, 2020

I want to offer my support for two elements of the New Small Area Plan for Planning Area 7 with regard to 1) streetlight expansion and 2) removal of one-way streets.

1) I am in favor of installing pedestrian-scaled lighting on Princess Anne Street in the Darbytown neighborhood and encourage the city to move forward on this. Page 11(7)-20

The current tall and very bright street lights seem inappropriate and out of scale for a fairly narrow residential street, especially given the historic nature of the area.

2) I am in favor of the recommendation to convert portions of the one-way Princess Anne and Caroline Streets in the Darbytown neighborhood into two-way streets. Pages 11(7)-24 and 11(7)-29

It would help reduce traffic speed, reduce large-truck traffic on Princess Anne due to the perceived narrowing of the street, and be less confusing to the many drivers who mistakenly drive the wrong way on these streets. It would also be safer for pedestrians walking opposite the traffic flow who are sometimes unseen by drivers turning onto or crossing a one-way street and focused only on traffic from one direction.

Thank you for your consideration.

Denise Malczewski
220 Princess Anne St.

Free Lance-Star

Pg. A6

Feb. 16, 2020

LETTERS TO THE EDITOR

Planning Commission set dangerous precedent

A Planning Commission that doesn't plan. That was my take-away from the City of Fredericksburg Planning Commission meeting held on Feb. 12.

I attended the meeting to voice my opposition to the amendment to the Planned Development-Commercial District (PD-C) that would permit additional residential development in Celebration Virginia South. The amendment ended up passing 3-1, with James Pates being the only commissioner to vote no, and Rene Rodriguez, Kenneth Gantt and Thomas O'Toole voting in favor of the developers.

I was opposed to the amendment because the last thing Fredericksburg needs is more residential housing units. A few others and I spoke against the amendment for reasons ranging from crumbling infrastructure and road improvements being a priority to insufficient utilities, emergency services and schools not being configured into the discussion.

Lack of affordable housing was brought up to the commissioners, and

for the sake of saving face, they added that 5 percent of the residential units must be dedicated to affordable housing. But they don't even have a concrete definition of what affordable housing means.

The kicker of the night was when another public speaker brought up the fact that the Planning Commission does not have a strategic plan in place to mitigate the amount of growth that the city can handle.

I know corruption when I see it, and the decisions that are being made by the Planning Commission are nothing short of corrupt! Their tyrannical and greed-driven decisions are destroying Fredericksburg.

The Planning Commission ultimately decided to set the precedent to allow special use permits to override maxed-out residential permits. So the next time you try to leave your driveway but can't get out of the parking lot, you can thank Commissioners Rodriguez, Gantt, and O'Toole!

Caryn Prasse
Spotsylvania

inclined to consider extending the
dline again, and any court chal-
ge will eventually wind up in the
reme Court. Without Ginsburg
board, the chances of the 1972 ERA
oming part of the Constitution ap-
r to be slim to none.

onically enough, Ginsburg's ma-
y opinion in the 1996 case, United
es v. Virginia—in which the court
d that the then all-male Virginia
itary Institute violated the equal
ection clause of the Constitution
ot admitting women, and that “a
y seeking to uphold government
on based on sex must establish
xceedingly persuasive justifica-
' for the classification”—already
eves most of what the ERA sought
o back in the 1970s when it was
introduced.

id it does so without dismantling
egal protections women currently
y, such as Title IX and not sub-
ng them to a military draft.

l. Jennifer Carroll-Foy, D-Wood-
ge, a VMI graduate and patron of
/irginia bill to ratify the ERA, said
“women are fed up, and we're now
ositions of power.” But that's also
gument why the ERA is no longer



**CITY OF FREDERICKSBURG
PLANNING COMMISSION MINUTES
June 24, 2020
7:30 p.m.
ELECTRONIC MEETING / COUNCIL CHAMBERS, CITY HALL**

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/0rubqpyj78>

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

MEMBERS

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

CITY STAFF

Chuck Johnston, Director, Planning and Building Dept. (live)
Mike Craig, Senior Planner (live)
James Newman, Zoning Administrator (live)
Susanna Finn, Community Dev. Planner (live)
Cathy Eckles, Administrative Assistant (live)

ALSO PRESENT

Terry Coley, ADU Applicant (live)
Jeh Hicks, Cowan Station Applicant (live)

1. CALL TO ORDER

This meeting was held live and electronically by "Go to Meeting" application, pursuant to City Council Ord. 20-05, An Ordinance to Address Continuity of City Government during the Pendency of a Pandemic Disaster.

Members of the public were invited to attend in person with social distancing practices and masks required or access this meeting by public access television Cox Channel 84, Verizon Channel 42, online at www.regionalwebtv.com/fredcc, or Facebook live at www.facebook.com/FXBGgov.

Chairman Rodriguez called the meeting to order at 7:30 p.m. and explained electronic meeting procedures.

2. PLEDGE OF ALLEGIANCE

3. DETERMINATION OF A QUORUM

All members were present except Jim Pates.

4. APPROVAL OF AGENDA

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

Motion passed 6-0-1

5. APPROVAL OF MINUTES

- June 17, 2020

Mr. Durham motioned to approve the minutes as submitted. Mr. Hornung seconded.

Motion passed 6-0-1

6. DECLARATION OF CONFLICT OF INTEREST

Mr. Gantt stated he had a conflict with 8A, Special Exception request regarding an Accessory Dwelling Unit at 1306 Graham Drive, as he is a nearby property owner and president of the community’s homeowners’ association.

7. PUBLIC HEARING

A. Area 7 Small Area Downtown 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.

Ms. Finn reviewed the staff report showing what has changed since the February 26, 2020 presentation to the Commissioners, with a power point presentation (Att. 1) and noted this would be held open until the Commissioner’s July 8, 2020 meeting.

Chairman Rodriguez opened the public hearing and Ms. Finn read in the public comment letters received from the following:

- Mo Deadman, 214 Princess Anne Street (Att. 2);
- Debra Joseph 331 Princess Anne Street (Att. 3);
- Joseph Caliri and 217 Princess Anne Street (Att. 4);
- Maureen & Frank Widic 119 Caroline Street
- Paula & Ed Sandtner, 132 Caroline Street
- Rebecca Hanmer and 138 Caroline Street
- Carl & Anne Little 726 William Street (Att. 5).

There being no public speakers, Chairman Rodriguez closed the public hearing.

Mr. Hornung asked for clarification on the conversion of one-way streets. Ms. Finn stated that the proposed text enables an engineering study to analyze the impact of converting some one-way streets to two-way. Any decision would not be settled until after such study. One of the main aspects to be evaluated would be parking on converted streets.

Mr. Gantt questioned the city-owned train station parking lot being shared. Mr. Craig noted that on page 11(7)-27 the vision is to build a structure that is used 24 hours a day. Based on funding sources, other entities like VRE may have some control over the availability of some of the parking spaces. This will be worked out further in the train station master plan.

Mr. Durham asked about street speeds and if the plan was for the converted 2-way streets to still have parking on both sides of the street. Ms. Finn stated that parking would, generally, remain on both sides and the experience is that 2-way streets actually slow down drivers.

Mr. Durham noted the Darbytown residents request to formally name Trestle Park and in the Comprehensive Plan where “parks” and “open spaces” are mentioned that there is not much differentiation. He asked if the difference is that “open spaces” are maintained by public works and parks

are maintained by parks and recreation. Ms. Finn is unclear on that but will get clarification to help the Commissioners make a determination if it should be formally designated.

Mr. Gantt asked if the studies regarding speed are available to the public. Mr. Craig said the Fredericksburg Police Department (FPD) has cataloged numerous speed study reports which he believes are available to the public. Mr. Craig discussed the format of the engineering study that would analyze a conversion of traffic patterns.

Mr. Durham asked about pg. 4-9 and 4-10, Tables 4-6 and 4-7, of the Comprehensive Plan, regarding parks and open spaces, and questioned what modifications would be made to Table 4-7 based on the proposed changes to the Trestle Park land use designation. Ms. Finn noted that it will be updated. Mr. Durham stressed that language is important as to whether it is designated as an open space or a park and will need to be updated throughout the Comprehensive Plan since it is essentially being evaluated for a future park which goes to the desire of the Darbytown residents.

There being no further discussion, Chairman Rodriguez held this matter open until the July 8, 2020 meeting.

- B. UDOTA2020-02 Creative Maker District - The City of Fredericksburg** proposes to amend the Unified Development Ordinance to establish a new zoning district entitled “the Creative Maker District”.
- C. RZ2020-02 – The City of Fredericksburg** proposes to amend the Zoning Map to change the existing zoning of about 78 acres of land to the Creative Maker Zoning District.

Mr. Craig reviewed the staff report for these two items with a power point presentation (Att. 6). Mr. Craig noted a public hearing was held on March 11, 2020, but the vote was postponed due to an advertising error and then Commission meetings were suspended due to the COVID-19 outbreak. Mr. Craig said that this public hearing will be held open until July 8, 2020 to allow opportunity for additional public comments. He said that the Commissioner’s should recommend approval to City Council of both matters.

Chairman Rodriguez opened the public hearing and Mr. Craig read in the public comment letters received from the following:

Simon Watts	824 Caroline St., #B	(Att. 7); and
Sabina Weitzman	913 Marye Street	(Att. 8).

There being no public speakers, Chairman Rodriguez closed the public hearing.

Mr. Durham asked whether the text amendment creating the Creative Maker District would apply only in Area 6, or whether it could apply in Area 7. Mr. Craig said yes, the amendment would create a district in City Code that can be applied through rezoning to specific parcels. RZ2020-02 applies specifically to the 78 acres of land shown in the presentation. The Area 7 plan contemplates two additional maker districts: a continuation of this district south along Princess Anne Street and the Wolfe Warehouse District. Approving the Comprehensive Plan amendments in Area 7 will not apply this zoning designation, it only sets the vision and foundation.

8. UNFINISHED BUSINESS

- A. Terry Coley** requests a Special Exception from City Code §72-42.5, Table of Common Accessory Uses, for an ‘Accessory Dwelling Unit’ at 1306 Graham Drive. SE2020-02

Mr. Newman noted he had a few updates and that the Applicant wished to speak. Mr. Newman stated that a question was raised at the previous meeting as to whether the addition of a kitchen would pose any further fire or safety hazard. Mr. Newman said the Building Official observed that the structure is already rated for

residential use. The addition of the ADU is not changing the use and all required permits have been pulled with the work being up to Code. Mr. Newman stated the Applicant has volunteered a set of proffers (Att. 9), which he read into the record.

Chairman Rodriguez asked what work has already been done. Mr. Newman deferred to the Applicant.

Applicant Terry Coley addressed some of the issues raised stating that in February 2020 she attempted to pull permits to add a range within her second kitchen but was advised by Building she would have to work through the Zoning office first. Ms. Coley stated she has followed all directives in order to create a separate independent living space for her mother. She upgraded the appliances, put in a washer/dryer, renovated the bathroom, and had the entire basement repainted. Ms. Coley stated that she volunteered the eight conditions in her Agreement to alleviate some of the concerns that have risen in public comments.

Chairman Rodriguez asked about the kitchenette and Applicant noted that was there when she bought the home.

Chairman Rodriguez opened the public hearing and Mr. Newman read in the public comment letters received from the following:

Angela Jones	1201 Ellis Avenue	(Att. 10);
Dan Guy Fowlkes	1003 Hoke Lane	(Att. 11);
Anne Timpano	1118 Innis Drive	(Att. 12);
Elizabeth LeDoux	1202 Wright Court	(Att. 13);
Jeff Ely	1412 Brigadier Drive	(Att. 14);
Wycessa Small	1200 Graham Drive	(Att. 15);
Thomas Mon	1210 Walker Drive	(Att. 16);
Tom O'Brien	1112 Taylor Street	(Att. 17);
Janet Marshall Watkins	1206 Walker Drive	(Att. 18);
Erin Palko	1018 Wright Court	(Att. 19);
Belinda Watkins	2148 Idlewild Boulevard	(Att. 20);
LaToya Gronhoff	1858 Idlewild Boulevard	(Att 21); and
Troy Widgren	1603 Gayle Terrace	(Att. 22).

In addition, the following members of the public spoke:

Bryan Stelmok, 1117 Wright Court, spoke in opposition of the request as he believes it is a larger issue regarding allowing ADUs in the City. Mr. Stelmok believes the current definition of family is wholly inadequate and it is too difficult to enforce. He noted he is still concerned about the fire/safety issue even though the Building Official states it is safe.

Graham Gronhoff, 1858 Idlewild Boulevard, spoke in support of Ms. Coley's request. He stated that the chief concern of many is that a precedent will be set by allowing this exception and that single family homes will become multi-family homes leading to a decline in the quality of the neighborhood. He believes those concerns are unwarranted as approval for any ADUs will still require HOA approval. The majority of the concerns voiced have stated that they believe Ms. Coley just wants to profit off the modifications but he believes these are baseless accusations and not a valid reason for denial.

Debra Jean Zbrzeznj, 1403 Graham Drive, spoke in opposition of the request. She believes that Ms. Coley's mother moving in is not the reason to deny this request but that single-family homes should remain just that and she is concerned about the future of the Village of Idlewild and the City if ADUs are allowed. Ms. Zbrzeznj further discussed her concerns with overcrowding, parking, and overuse of the HOA amenities all leading to a decrease in home values.

Chairman Rodriguez closed the public hearing.

Mr. Slominski questioned staff's ability to regulate and enforce the family definition and have they found any violators in Idlewild. Mr. Newman stated that to date he has received no complaints from Idlewild, but explained the procedures when a violation is brought to the City's attention. Mr. Craig noted that the most powerful tool the City uses is that when a violation of overcrowding is substantiated, the penalty is \$7,500.

Mr. Slominski questioned how often contractors will do work without pulling permits and how is that discovered by the City. Mr. Craig noted that often when work is done to create a full second unit in a property it often leads to conditions of overcrowding. If the City discovers work was done this way, the work would have to be removed.

Chairman Rodriguez questioned Ms. Coley's statement about meeting with City Council. Mr. Newman stated he assumed it meant she spoke at a general public comment portion of a City Council meeting. No scheduled meetings have been held between City Council and Ms. Coley. He asked if the current situation warrants Ms. Coley's mother moving in with no special exception granted. Mr. Newman said yes.

Mr. Durham commended Ms. Coley for going through the rigorous Special Exception process and that the addition of the stove provides Ms. Coley and her mother the way to maintain separate independent living together.

Mr. O'Toole moved to recommend to City Council that they deny the Special Exception due to the character of this neighborhood being single-family and the definition of family stating ".....living and cooking together". Chairman Rodriguez seconded. Mr. Hornung stated he would be voting against the motion as he feels this request will not impact density in the development. He feels the City should be encouraging this type of cohabitation and hopes that staff can look at the current ordinance and find that distinction that allows that to occur but also protects against some of the concerns raised by citizens. Mr. Slominski noted he will also vote against the motion. Chairman Rodriguez noted he will be voting for this motion as he believes this exception does not meet the burden.

Motion failed 3-2-1 (abstained)-1 (absent).

Mr. Durham moved to recommend to the City Council approval of the Special Exception of an Accessory Dwelling Unit at 1306 Graham Drive with staff's conditions. He also noted that staff should engage with Ms. Coley regarding her proffered conditions to see which ones should be forwarded to City Council. Mr. Slominski seconded. Mr. O'Toole noted he would be voting for denial of the motion based on his previous stated reasons. He stated that if a condition could be added that if the mother left the home, the stove could be removed, he would be in favor but the Special Exception runs with the property and that can't be done so he is against the motion.

Chairman Rodriguez questioned Mr. Durham about adding a condition to the motion to remove the boarder exemption but Mr. Durham disagreed. Mr. Slominski asked for clarification as to whether what Chairman Rodriguez is proposing is even doable. Mr. Johnston stated it is not legally supportable and the definition of the family cannot be split. Discussion ensued regarding the differentiation

Motion passed 3-2-1 (abstained)-1 (absent).

B. JFH - Fredericksburg II, LLC requests amendments to the Comprehensive Plan for sub-planning area 5B and the Future Land Use Map to permit a commercial office park on the eastern side of the intersection of U.S. Route 1 and Spotsylvania Avenue between Rappahannock Avenue to the east, U.S. Route 1 to the west, and the Brent Street right-of-way to the south. CPA2020-02

C. JFH – Fredericksburg II, LLC requests:

1. A rezoning from Residential Mobile Home, Residential 4, and Commercial / Transitional Office to Commercial Highway with proffered Conditions of 50 Geographic Parcel Identification Numbers (GPINs) generally located on the eastern side of the intersection of U.S. Route 1 and Spotsylvania Avenue between Rappahannock Avenue to the east, U.S. Route 1 to the west, and the Brent Street right-of-way to the south. RZ2020-03
2. A determination that the vacation of a portion of the Spotsylvania Avenue and Dandridge Street rights-of-way and the rededication of new public right-of-way for a realigned Spotsylvania Avenue is in conformance with the Comprehensive Plan. VAC2020-01

Mr. Craig reviewed the staff report and a power point presentation (Att. 23) and recommended that the Commissioner’s recommend approval to City Council.

Mr. Durham asked whether the two trails were previously located at Dandridge Street and Brent Street. Mr. Craig stated the trails were located at Brent Street and Payne Street since the formal submission of the application, but previous renditions may have shown alternate trail locations.

Chairman Rodriguez asked about the purpose of the trails and what connectivity they would provide. Mr. Craig stated that integrating new development into the transportation system should be done with multiple links in a network. Mr. Craig stated that the use of two trails enhances the walkability to this development. Discussion ensued regarding the connection and distance between the trails.

The Applicant, JFH Fredericksburg II, LLC, represented by its Director of Community Relations, Jeh Hicks, was present and spoke in promotion of the connection of the trails.

Chairman Rodriguez opened the public hearing and Mr. Craig read in the public comment letters received from the following:

Meghann Cotter	1222 Brent Street	(Att. 24);
Meredith Beckett	President, College Heights Civic Association	(Att. 25); and
Rea Mandarino	1105 Nolan Street	(Att. 26).

In addition, the following member of the public spoke:

Dennis Lister, 1108 Rappahannock Avenue, spoke in favor of the project but in requested that the Brent Street trail be relocated. Mr. Lister further discussed various options the College Heights Civic Association feel are better options for the trail.

Mr. Durham noted his reservations about the potential impact of the Brent Street trail reducing existing tree canopy. He recommended shifting the Brent Street Trail to Dandridge Street or reducing the plan to one trail on Payne Street and that Applicant be mindful and remove as little existing tree canopy as possible. Chairman Rodriguez agreed with Mr. Durham. Mr. Craig noted the City recommends keeping two connections to maximize the efficiency of the transportation network and stated that shifting the trail to Dandridge Street would maintain a sufficient level of connectivity while lessening the environmental impact of the trail.

Mr. Hornung motioned to recommend approval of CPA2020-02 to City Council. Mr. Gantt seconded.
Motion passed 6-0-1.

Mr. Hornung motioned to recommend approval of RZ2020-03 to City Council with the recommendation of the relocation of the Brent Street trail to Dandridge Street. Mr. Durham seconded.

Motion passed 6-0-1.

Mr. Hornung motioned to determine that VAC2020-01 vacating Spotsylvania Avenue and Dandridge Street right-of-ways is in accordance with the 2015 Comprehensive Plan. As part of that determination, he sought consensus for a recommendation that the valuation of the public improvements the Applicant would provide in re-aligning and substantially improving Spotsylvania Avenue offset the value of the net 0.85 acres of right-of-way to be deeded to the Applicant. Chairman Rodriguez stated this was previously discussed on June 17, 2020, and the Commissioners agreed to recommend to Council that Applicant not be charged for the abandonment of the right-of-way given the extent of the public street improvements the applicant is proposing to make. Mr. Durham seconded.

Motion passed 6-0-1.

9. GENERAL PUBLIC COMMENT

None.

10. OTHER BUSINESS

A. Planning Commissioner Comments

Mr. Durham reviewed the City Council's discussion on June 23, 2020 regarding eliminating the City's historic effects of systemic racism and other related items. Mr. Durham requested staff start thinking about ways the Commissioners can address this issue by evaluating whether there are other parts that can be addressed and make some positive impact change.

B. Planning Director Comments

Mr. Johnston stated on June 23, 2020, Council approved the GreenChip Special Exceptions and Special Use Permit; delayed the implementation of the Archeological Ordinance for one year; approved the Sign Ordinance amendments and the transportation Comprehensive Plan amendments. Mr. Johnston noted that Council has indicated that it wishes to address the affordable housing issue from a regional perspective in cooperation with neighboring jurisdictions. The Regional Commission has secured state funding for consultants to develop an affordable housing plan. Mr. Johnston discussed the renaming of streets and places and that the State is also looking into addressing this topic.

11. ADJOURNMENT

There being no further items to be discussed, the Planning Commission meeting adjourned at 10:08 p.m.

Next meeting is July 8, 2020.

Rene Rodriguez, Chairman



**CITY OF FREDERICKSBURG
PLANNING COMMISSION MINUTES**

July 8, 2020

7:30 p.m.

ELECTRONIC MEETING / COUNCIL CHAMBERS, CITY HALL

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/pp4zrozwpz>

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MEMBERS

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

CITY STAFF

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

1. CALL TO ORDER

This meeting was held live and electronically by "Go to Meeting" application, pursuant to City Council Ord. 20-05, An Ordinance to Address Continuity of City Government during the Pendency of a Pandemic Disaster.

Members of the public were invited to attend in person with social distancing practices and masks required or access this meeting by public access television Cox Channel 84, Verizon Channel 42, online at www.regionalwebtv.com/fredcc, or Facebook live at www.facebook.com/FXBGgov.

Chairman Rodriguez called the meeting to order at 7:30 p.m. and explained electronic meeting procedures.

2. PLEDGE OF ALLEGIANCE

3. DETERMINATION OF A QUORUM

All members were present except Tom O'Toole.

4. APPROVAL OF AGENDA

Mr. Gantt moved for approval of the agenda as submitted. Mr. Durham seconded.

Motion passed 6-0-1

5. DECLARATION OF CONFLICT OF INTEREST

None.

6. UNFINISHED BUSINESS (continuation of Public Hearing from June 24, 2020)

- A. Area 7 Small Area Downtown 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 Downtown Small Area Plan.

Ms. Finn reviewed a power point presentation (Att. 1) showing what was changed in the proposed Downtown Plan since the June 24, 2020 presentation to the Commission.

Mr. Durham noted the addition of proposed Trestle Park at the corner of Caroline and Frederick Streets to Table 4-7 City-Owned property for Future Parks and asked how to add future parks, specifically in Area 2. He was specifically focused on the land donated to the City for open space approximately 4 years ago and possibilities in Area 1, wherein there may be some open space that needs to be designated. He said that he wants to be sure the City will be using Table 4-7, Future Parks, to designate any potential future park or open space areas. Ms. Finn said that the City modified this table for Trestle Park based on his recommendation from the last Commission meeting and will check into any other possibilities.

Chairman Rodriguez opened the public hearing and Ms. Finn read in the public comment letter received from:

Rebecca Hanmer 138 Caroline Street (Att. 2)

There being no public speakers, Chairman Rodriguez closed the public hearing.

Mr. Gantt motioned to recommend approval of the Comprehensive Plan Amendments for the Downtown Small Area Plan. Chairman Rodriguez seconded. Mr. Durham commended staff for the tireless work done in the last two years. Mr. Pates said, although he is supporting the motion, he does not agree with Trestle Park as open space and believes this area is intrinsically tied to the development of the new train station.

Motion passed 6-0-1.

- B. UDOTA2020-02 Creative Maker District - The City of Fredericksburg** proposes to amend the Unified Development Ordinance to establish a new zoning district entitled “the Creative Maker District”.

- C. RZ2020-02 – The City of Fredericksburg** proposes to amend the Zoning Map to change the existing zoning of about 78 acres of land to the Creative Maker Zoning District.

Mr. Craig reviewed the staff report for Items 6B and 6C jointly with a power point presentation (Att. 3). Mr. Craig stated the commercial Floor Area Ratio (FAR) maximum was modified from 0.70 to 0.75 for a more logical incremental scale relative to other commercial zoning districts.

Mr. Hornung said in light of the critical public comments about reduced residential density, would staff refresh the Commissioners about the proposed changes. Mr. Craig summarized that density would change as follows:

CT – currently 12 units per acre by right, changed to 8 and 12 units per acre by right, depending on location;
CH – currently 12 units per acre by right with no change; and
R30 – currently 30 units per acre by right, changing to 12 units per acre by right;

Mr. Craig said that these changes reduce on paper the net number of units permitted by right by 114. This is balanced by providing for no automatic limit to residential units allowed through the Special Use Permit process. Structuring residential density in this way sets a by-right limit at or below neighborhood residential levels yet permits creative housing proposals that would be dense enough to meet

environmental and economic development goals as they could create a walkable vibrant core. Mr. Craig noted there are other performance standards in place to keep the density in check. Mr. Durham clarified that the types of developments that will come through are likely to be a variety of types, densities, and sizes, no inundation of only really large developments.

Chairman Rodriguez opened the public hearing and Mr. Craig read in the public comment letters received from the following:

Will Macintosh	905 Mortimer Avenue	(Att. 4);
Alexanna Hengy	2412 Lafayette Boulevard	(Att. 5);
Sean Imanian	no address given	(Att. 6); and
Rupert Farley	1305 Caroline Street	(Att. 7).

Adam Lynch, 1108 Sophia Street, spoke against the residential density limits in the Creative Maker District stating that even if this district is built out to its full capacity, the proposed residential downsizing will ensure less units per acre than in Bunker Hill and that environmentally friendly missing middle housing cannot be constructed under these density limits. He feels that this proposal will take a growing area in a growing city and saddle it with limits, which will underutilize a promising urban area. Mr. Lynch further noted that this proposed text amendment will not only apply to Area 6 but is a blueprint for future maker districts as it creates two new zoning classes, with primary input from homeowners in a single area of the City. Mr. Lynch believes the special use permit process built into the proposal places disproportionate power in the hands of an organization that has a vested interest in suppressing housing supplies and that creating a precedent setting zoning code under the influence of a small cross section of one neighborhood discourages new growth. Mr. Lynch believes there is also another dynamic at play in that this proposal was developed with only input from a neighborhood comprised mostly of older, financially stable homeowners and that to develop a maker district vision that truly reflects the will of the people, the City needs to seek out Fredericksburg residents of all backgrounds and all neighborhoods to be sure the City includes affordable housing opportunities.

There being no further public speakers, Chairman Rodriguez closed the public hearing.

Chairman Rodriguez noted that he actively worked with the Canal Quarter group and disputed Mr. Lynch's notion that the group was not diverse.

Mr. Durham believes that the goals he has heard staff talk about seeking to create and the goals in the citizen comments mirror each other and asked Mr. Craig to comment on that dynamic. Mr. Craig said the core issue with any zoning district is how to handle residential growth and the City developed a strategy for urban infill. The urban infill strategy, permitting residential density to be set on a project basis by special use permit, can be followed with potential changes to the Commercial Downtown zoning district where there is such a disparity between units per acre on the ground. The elimination of the suburban artificial maximum "caps" will legalize creative housing proposals on a variety of lot sizes in place of the current suburban dynamic superimposed on urban settings where artificial "caps" create market and legal pressure that results in a limited residential marketplace comprised of either large lot single family homes or acres of land being consolidated by heavily capitalized firms for garden apartment complexes.

The balanced approach in the Creative Maker District permits residents to have a voice in the development process. The process permits the City to be ambitious, to meet climate goals, and to be environmentally sustainable, permitting infill residential development at a scale that can absorb the growth in places where it does the most good. Mr. Craig said that the City has kept Area 6 as a mixed use district, kept the by-right residential levels relatively stable, structured the area as a creative and inclusive marketplace, and provided the form-based code to limit building heights, widths, and footprints, which is the critical way to control the intensity.

Mr. Durham said that the primary goal of this zoning district process is not to establish residential developments, but to encourage mixed use, adaptive reuse, and to allow different sorts of uses than what

is currently used in order to have more creative approaches to attract entrepreneurial types into this area. Mr. Craig agreed.

Mr. Gantt motioned to recommend approval to City Council of UDOTA2020-02 creating the Creative Maker District and consolidating form-based regulations. Mr. Durham seconded. Mr. Pates said that he disagrees with the public comment about the characterization of his neighborhood. He also said that he plans to vote against the recommendation. He disagrees with the opposition to the residential limits from people who are claiming the City is promoting suburban sprawl. Mr. Pates stated his opposition to this is because there are no caps on residential density through the special use permit process.

Chairman Rodriguez said he would be supporting this proposal as he has been working with the very diverse Canal Quarter group throughout the process.

Motion passed 5-1-1.

Mr. Durham motioned to recommend approval to City Council of RZ2020-02 to amend the Zoning Map to change the existing zoning of about 78 acres of land to the Creative Maker Zoning District. Mr. Slominski seconded.

Motion passed 5-1-1.

7. GENERAL PUBLIC COMMENT

None.

8. OTHER BUSINESS

A. Area 1 and 2 Small Area Plan Concept Preview

Mr. Craig and Ms. Finn did a general review of Area 1 Celebrate Virginia / Central Park and Area 2 Fall Hill Small Area Plans with a power point presentation (Att. 8) noting that these items will be discussed at the Commissioner's August 12, 2020 meeting with reports from Streetsense (on Area 1) and City staff (on Area 2).

B. Next Phase UDO Text Amendments

1. Transfer of Development Rights
2. Industrial Use / Performance Standard Review
3. Planned Development – Mixed Use Ordinance Revisions
4. Conservation District Overlay / Neighborhood Infill
5. Area 7 Text and Zoning Map Amendment

Mr. Craig did a general review of the upcoming Planning Commission work seasons.

C. Planning Commissioner Comments

Mr. Pates noted his displeasure of the Commissioner's motion to recommend approval of SE2020-02 to City Council as he still feels there is nothing special about it. Mr. Pates believes an Accessory Dwelling Unit should have a more distinctive definition and should only apply to separate buildings, not changing the interior of a single family home.

Mr. Durham said the George Washington Regional Commission has created a survey regarding housing affordability and would like to have it more broadly advertised. Ms. Finn said she had forwarded the survey to the City Manager's Office and the Public Information Officer for posting.

D. Planning Director Comments

Mr. Johnston noted that Council will discuss the ADU Special Exception and Cowan Station Comprehensive Plan amendments, rezoning, and street vacations at its upcoming July 14, 2020 meeting. The August 12 Commissioner's meeting will primarily be a working session with a transmittal of the Area 1 (Central Park/Celebrate) and 2 (Fall Hill) Plans as a joint work session with City Council. The timing and format of the meeting is yet to be determined.

Mr. Johnston discussed that Streetsense's Area 1 ideas may differ from staff. Staff will transmit Streetsense's report, following up at a subsequent meeting with alternatives and options. He noted Streetsense's base premises were that commercial and retail development is shrinking, while the potential for residential is growing.

The Downtown Plan and the Creative Maker District and rezoning will be discussed with Council at a work session on August 11 and then a public hearing on August 25, along with the Parking Ordinance amendments.

Mr. Gantt asked about the comparison between Streetsense's views and the City's alternate plans and why the need for two meetings. Mr. Johnston said that it is appropriate to present all of Streetsense's information, but after the Commission has had a chance to absorb this, to then present the alternate concepts.

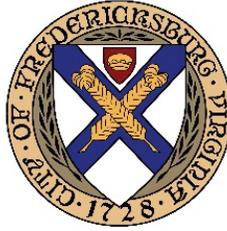
Mr. Pates asked if the Commissioners will have any chance to talk and question Streetsense about their report. Mr. Johnston said their staff should be available electronically.

9. ADJOURNMENT

There being no further items to be discussed, the Planning Commission meeting adjourned at 8:49 p.m.

Next meeting is August 12, 2020.

Rene Rodriguez, Chairman



MEMORANDUM

TO: Timothy J. Baroody, City Manager
FROM: Mike Craig, Senior Planner
DATE: September 1, 2020 (for the September 8 City Council public hearing)
RE: The UDO Text Amendment and Rezoning for the Creative Maker zoning district

ISSUE

Should the Unified Development Ordinance be amended to include the Creative Maker Zoning District and should an amendment to the zoning map apply the zoning district to 78 +/- acres of land within Area 6 in the north Princess Anne and Route 1 corridors?

RECOMMENDATION

The City Council should:

- **Approve the proposed Unified Development Ordinance Text Amendment** creating the Creative Maker zoning district and consolidating form based regulations in a new Appendix.
- **Approve the zoning map amendment** rezoning approximately 78 acres of land located in Planning Area 6, designating transects, and adopting frontage maps to implement the Creative Maker zoning district.

CITY COUNCIL PUBLIC HEARING

The City Council held a public hearing on this item on August 25 at which one public comment was received. The Canal Quarter Neighborhood Association supported the creation of the Creative Maker District, but expressed some concern about the special use permit process for residential density. Discussion during the meeting focused on the type and affordability of housing that could be proposed in the new zoning district. No additional public comment has been received in the interim.

(The remainder of this staff report is unchanged from August 25th.)

PLANNING COMMISSION PUBLIC HEARINGS AND RECOMMENDATION

The Planning Commission held a public hearing on the proposed Creative Maker District on March 11th at which three citizens spoke. One, representing the Canal Quarter Neighborhood Association, expressed a desire for open space, accessibility and ageing in place, adaptive reuse of historic structures, and concerns about higher residential density (permitted in the proposal by special use permit). Another, representing Friends of the Rappahannock, expressed concerns that the zoning ordinance needed to encourage higher residential densities than are proposed to foster Smart Growth in the community. The third asked whether this ordinance would change the conforming status of automotive service businesses, which permitted by-right on the parcels currently zoned Commercial Highway and as a special use under the proposed Creative Maker District. The five main discussion points from the public hearing were: 1) Smart Growth and residential density, 2) citizen participation in the development process, 3) the form based code and use / transitional zones, 4) open space, and 5) encouraging adaptive reuse of structures. Due to an advertising error, the public hearing was held open until the next public hearing, which was subsequently delayed to the COVID-19 epidemic.

The Planning Commission held a work session on this item on May 13th. Revised concepts based on dialogue from the March 11th meeting were introduced. A conceptual project was walked through to identify how the code would function once adopted. Discussion included enhancing the description of Activity Nodes and other specific tools identified in adopted Small Area Plans, open-space requirements, Optional Forms of Development, and residential density.

The Planning Commission's delayed public hearing on these items was held on June 24th. Two public comments were submitted prior to the hearing and were read into the record. Both comments supported the adoption of the Creative Maker District. Four additional public comments were received prior to the July 8th meeting, each of which stated that the district needed increased by-right residential density to fight automobile dependency, climate change and other environmental impacts, enhance economic development on the Princess Anne Corridor, and provide efficient City services. Five topics resulted from the discussion at the March 11 public hearing including a discussion on the development of the residential density levels. Additionally, a "Code Analysis" is included as an appendix to this memo identifying the differences between the proposed Creative Maker District and existing zoning.

After discussion, the Planning Commission voted 5 to 1 (with one member absent) to recommend approval of the Creative Maker District and its application within Area 6 to the City Council.

SMART GROWTH AND RESIDENTIAL DENSITY

The Creative Maker District, as envisioned in the Comprehensive Plan, takes a balanced approach to providing a sustainable level of land use within one of the City's prime urban cores, while protecting adjacent neighborhoods. Smart Growth¹ is one of the main land use strategies for a more sustainable City. Permitting Smart Growth within the existing urban fabric is the key to several City and Community goals:

- Efficient provision of City services;
- Reduce urban sprawl leading to less impervious surface per resident and pollutants into the Rappahannock River;
- Make viable walk / bike-ability;
- Provide sufficient density for transit service (the last two being critical to fight fossil fuel dependence and climate change);
- Provide a local residential market, which is critical for the commercial core to evolve from a driving dependent (often drive-thru based!) economy to a commercial services for both the walking and driving customer.

Adjacent neighborhoods want to have a voice in development on the edge of their neighborhood. Typical neighborhood concerns involve impacts like localized traffic issues, school capacity, and the character of adjacent development. The Creative Maker District strikes a balance between these two concepts through the use of by-right residential limits set lower than currently permitted and a special use permit process for increased levels of density where appropriate.

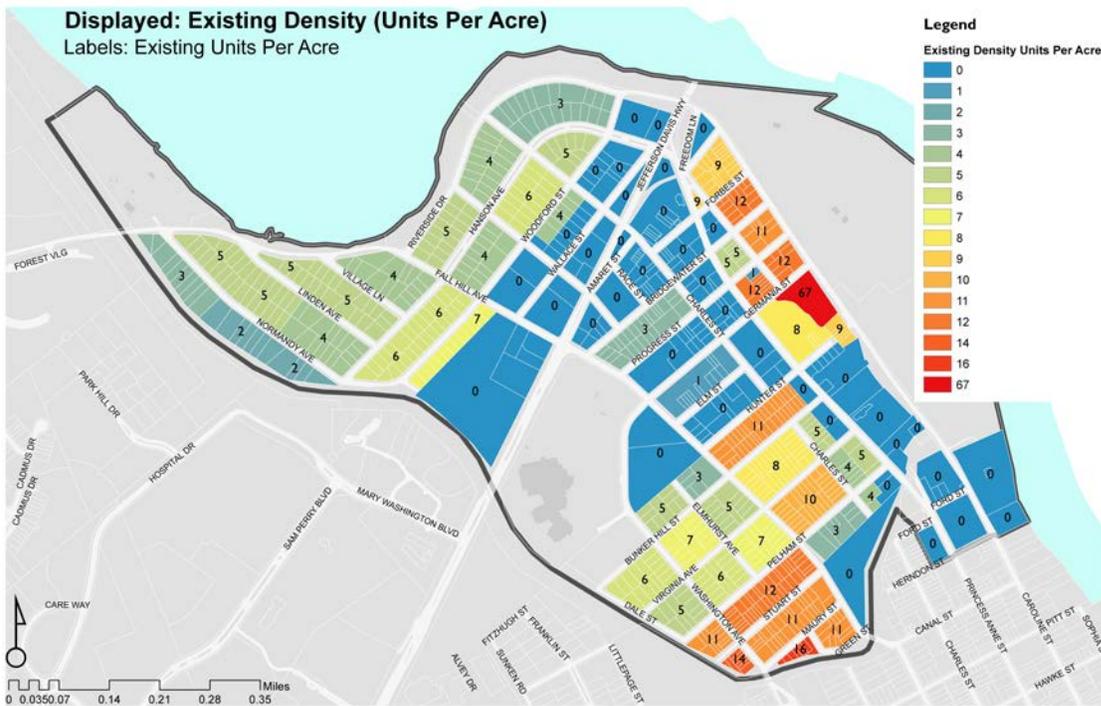
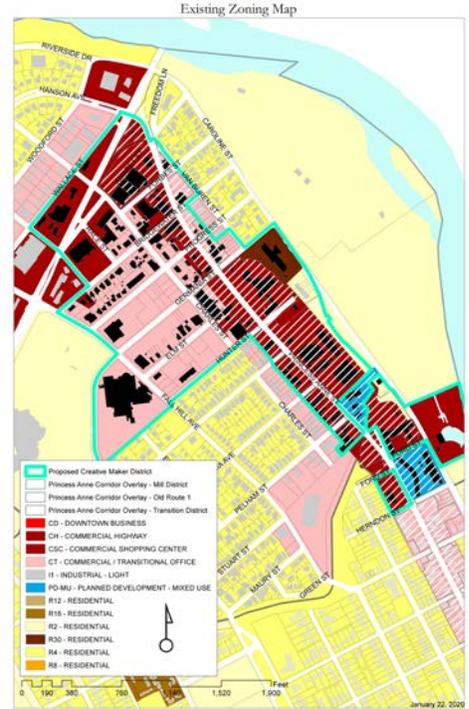
¹ Smart growth encourages a mix of building types and uses, diverse housing and transportation options, development within existing urban areas, and community engagement. For an overview of Smart Growth see: <https://smartgrowthamerica.org/our-vision/what-is-smart-growth/>

1. *By-right residential use*

The set density level in the Creative Maker District reduces the amount of residential units permitted by-right by 114 units; it is set at or below the existing zoning categories in place now:

By-right General Residential Density Permitted	
Commercial Highway	12 units per acre
Commercial Transitional - Mixed Use	12 units per acre
Planned Development – Mixed Use	30 units per acre
Residential 30	30 units per acre
Creative Maker District - T-4M*	8 units per acre
Creative Maker District - T-5M*	12 units per acre

The by-right densities are comparable to the existing density of the surrounding neighborhoods, which range from 3 to 18 units per acre.



2. *Permitting Smart Growth and citizen participation in the development process:*

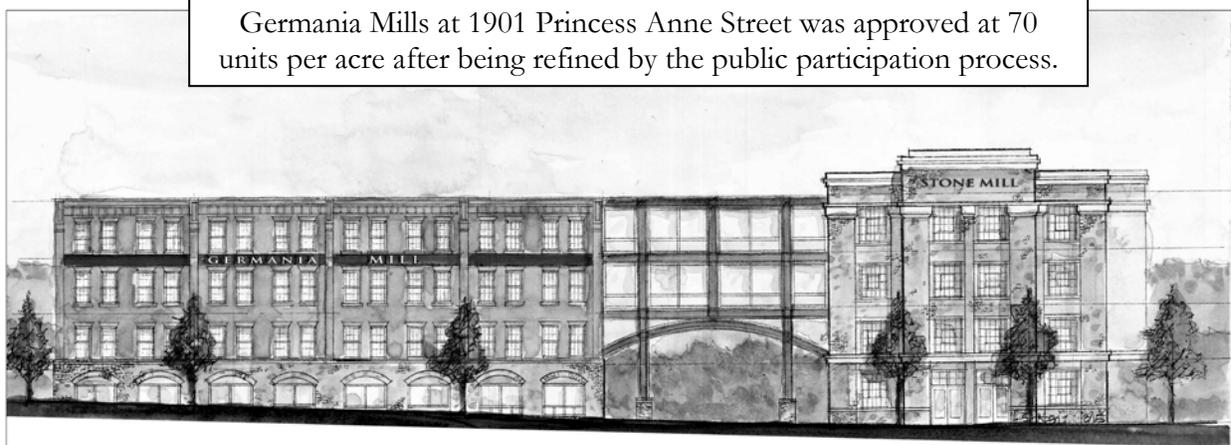
The Creative Maker District permits increased levels of residential and non-residential only after a special use permit process with opportunities for public comment at the Planning Commission and City Council. This process provides for the opportunity to accommodate smart growth within the Creative Maker District. Desirable development forms span the spectrum of use type and density:



Bunker Hill Street is 11 units per acre.



The Idlewild block between Patrick Street, Wilcox Ave, and Ellis Ave has 32 units, a central open space and alleys and is 16 units per acre.



Germania Mills at 1901 Princess Anne Street was approved at 70 units per acre after being refined by the public participation process.

Through the special use permit process an applicant may apply for a variety of residential use types including townhomes or apartments. The special use permit process includes several layers of review criteria to ensure that increased use adhere to City goals and mitigate potential impacts. In addition to the form based code, § 2-1.A.iii includes the following criteria to evaluate special use permits:

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

Special use permits are to be approved in conformance with the Comprehensive Plan. Pages 11(6)7 and 11(6)8 of the Area 6 Small Area Plan set out a specific vision for the Creative Maker District. The

vision emphasizes the use of meaningful open spaces to tie the district together and even shows larger green spaces that should be deployed in strategic places as the district redevelops.

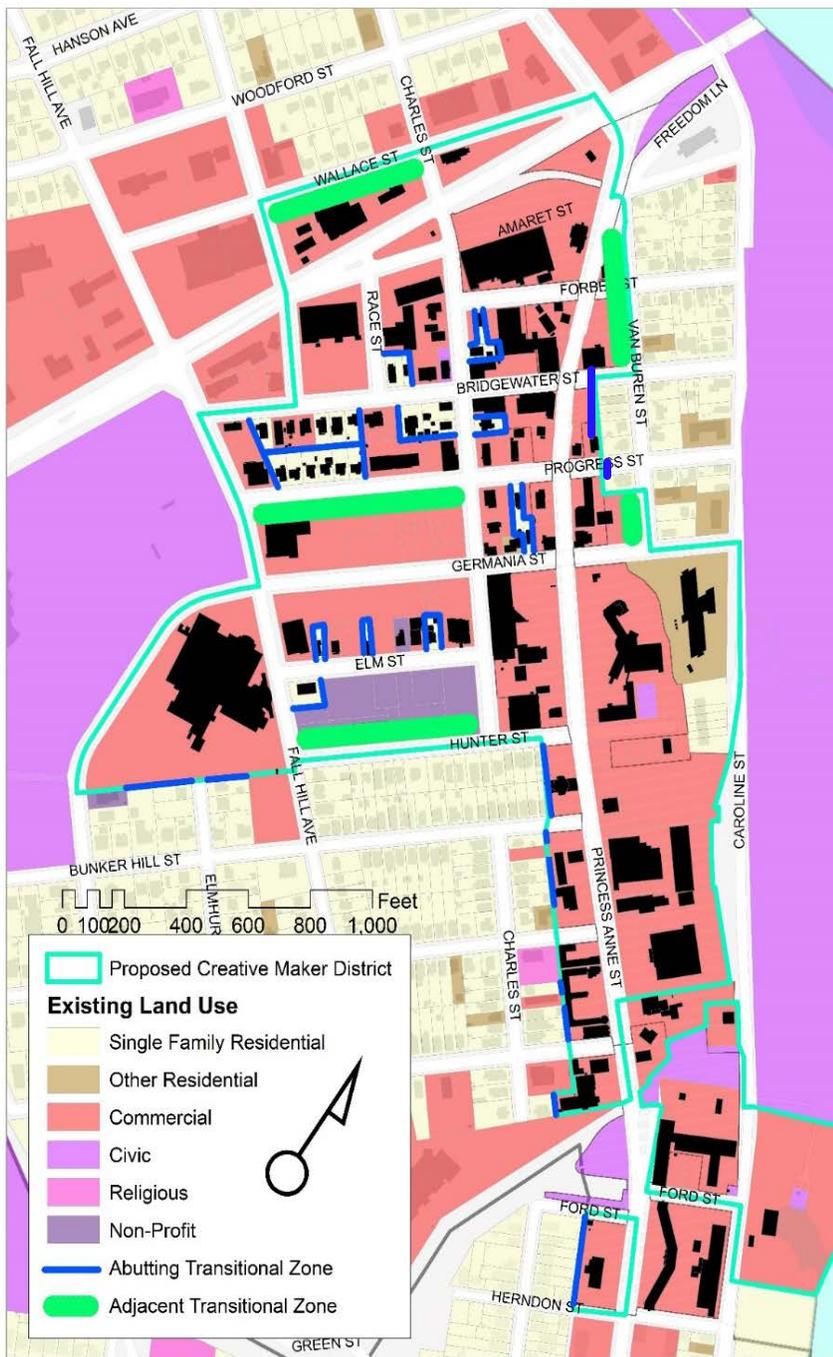
MAP 24 AREA 6 NODES, CORRIDORS, AND THIRD SPACES



Additionally, special use permits are reviewed in accordance with § 72-22.6.D(2). This section states that a proposed project is to mitigate potential adverse impacts caused by traffic, noise, light, discouragement of economic development, community facilities, affordable housing, school facilities, historic districts, and due to the mass and scaling of a project. While the form based code discussed in the next section ensures that any proposed project's mass and scale be compatible with surrounding fabric, other conditions such as cash contributions to offset school impacts or enhanced pedestrian facilities along a high traffic corridor may be appropriate if a project is proposed to exceed the capacity of the facilities in place.

Other Smart Growth elements will be the subject of future discussions with the Planning Commission. A Transfer of Development Rights program is being worked on that would permit development rights to be severed, sold, and shifted to nearby properties to incentivize the preservation of character defining structures. An affordable housing ordinance will also be suggested in the future that may permit higher densities where a certain style and degree of affordable housing is provided. While these concepts would encourage Smart Growth in this area of the City, the policies are not currently a part of this proposal as they are complex and require careful thought.

FORM BASED CODE AND TRANSITIONAL ZONES:



Currently, the urban core proposed to become the Creative Maker District contains predominantly non-residential use. There are some pockets of single family home use and the district is adjacent to neighborhoods with a predominant amount of single family uses. The Creative Maker District utilizes a Form Based Code², which adds standards to the zoning ordinance to ensure that any future development is compatible in form and scale to adjacent neighborhoods. The form based code achieves this through urban fabric, frontage, and building type standards that require a harmonious public realm and compatible building form.

Transitional Zones are built into the ordinance to add additional protection to single family residential uses. These zones are deployed both where a proposed development abuts a single family home (meaning the property lines touch) and where a development is adjacent to (across the street from) a block face where 75% of the structures are single family homes, wherever those uses may occur. The adjacent map shows where the two types of transitional zones are likely to occur.

Development within the transitional zones must adhere to the Building Type 4 Standards (§ 6-4 in the proposed Code). The following diagram shows the elements that are deployed to ensure adequate protection of adjacent single family uses from commercial uses:

² A form-based code is a land development regulation that fosters predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. For an overview of Form Based Codes see: <https://formbasedcodes.org/definition/>

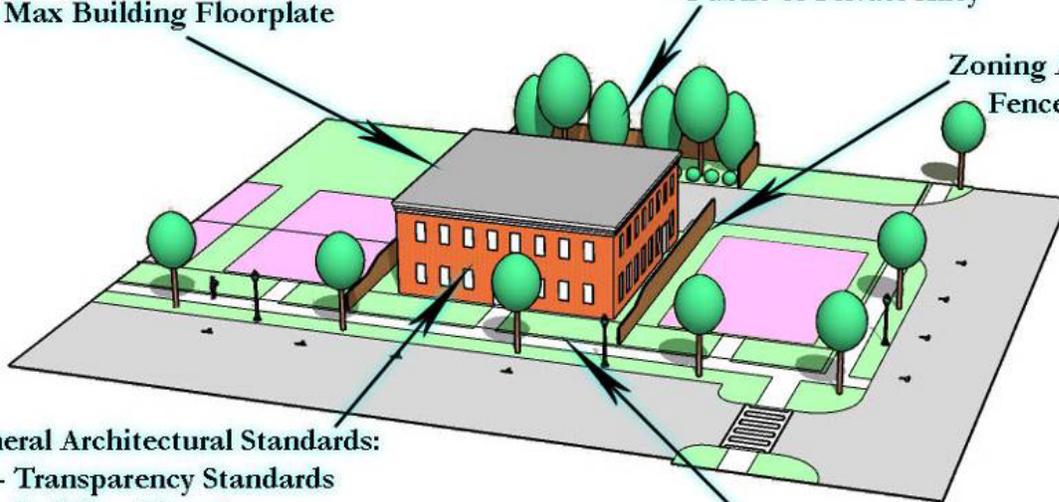
Transitional Building Type Standards:

- Max Building Width
- Reduced Building Height
- Max Building Floorplate

Enhanced Setback:

- Type D Buffer
- Public or Private Alley

Zoning Administrator Fence Provision



General Architectural Standards:

- Transparency Standards
- Building Elevation
- Permitted Materials
- Equipment Screening

Public and Private Frontage Controls

Use types like “warehouse” and “light manufacturing” were discussed during the meeting. Here are the definitions of each use:

Light Manufacturing: The mechanical transformation of predominantly previously prepared materials into new products, including assembly of component parts and the creation of products for sale to the wholesale or retail markets or directly to consumers. Such uses are wholly confined within an enclosed building, do not include processing of hazardous gases and chemicals, and do not emit noxious noise, smoke, vapors, fumes, dust, glare, odor, or vibration. Examples include, but are not limited to, production or repair of small machines or electronic parts and equipment; woodworking and cabinet building; publishing and lithography; computer design and development; research, development, testing facilities and laboratories; apparel production; sign making; assembly of prefabricated parts; manufacture of electric, electronic, or optical instruments or devices; manufacture and assembly of artificial limbs, dentures, hearing aids, and surgical instruments; manufacture, processing, and packing of food products, including a production brewery producing up to 30,000 barrels of beer annually; cosmetics; and manufacturing of components, jewelry, clothing, trimming decorations, and any similar item.

Warehouse: A use engaged in distribution or storage of manufactured products, supplies, and equipment.

By definition, the external impact of these uses on adjacent properties are to be minimal. In addition the form based code regulates maximum building width and floorplate. See the § 5-1.1.B Frontage Map (page 1) of the form based code for frontage locations:

Frontage / Location	Max. Building Width	Max. Building Floorplate
Frontage B / US Route 1	150 feet	N/A
Frontage C / Central Princess Anne Street	100 feet	25,000 square feet
Frontage D / Princess Anne Street Nodes	100 feet	25,000 square feet
Frontage E / Other Areas	100 feet	25,000 square feet
Transitional Zones	50 feet	6,000 square feet

Certain impactful commercial uses --- outdoor storage, drive-throughs, alcohol sales --- will require a special use permit within the T-4M transect. The T-4M transect is deployed in all blocks abutting single family uses that are outside the district.

PRIORITIZING MEANINGFUL OPEN SPACE:

The Creative Maker District requires 25% of the lot area to be open space. Here is a comparison to other comparable zoning districts:

General Open Space Required	
Commercial Highway - Residential	25%
Commercial Highway - Non-Residential	15%
Commercial Transitional - Residential	25%
Commercial Transitional - Non-Residential	20%
Commercial Downtown	0%
Creative Maker District	25%

The Creative Maker District prioritizes meaningful Formal Open Space where it is deployed as part of the social fabric of the community. If a Formal Open Space is provided, then the total lot area required to be dedicated to open space is 12.5%. A Formal Open Space must meet the following standards, which ensure it serves as a meaningful place:

- Type --- Plaza, Playground, Square, or Courtyard as defined in the Unified Development Ordinance.
- Adjacency --- 25% of the perimeter of the formal open space must adjoin the street frontage.
- Shape --- The minimum width and length of the Formal Open Space is 15 feet. The maximum width to length ratio is 1:2.
- Landscaping --- the Formal Open Space shall be landscaped to the maximum extent possible given its proposed function.

The open space provisions within the City Code were reviewed after the March 11 public hearing. Currently, UDO §72-51.5.A(1)(a)[7] states that: “Urban features: plazas, fountains, roof gardens, atriums, and pedestrian seating areas in the C-D and planned development districts” are counted towards the on-site open space requirements. A modification to the proposed zoning text was made so that these areas will also count towards the open space requirements in the Creative Maker District.

ENCOURAGING ADAPTIVE REUSE:

The Creative Maker District was designed around 34 Character Structures. These structures were identified by Planning staff, reviewed by the Planning Commission, and ultimately designated for listing on a Local Inventory of Historic Places by the Architectural Review Board. The Creative Maker District incentivizes their preservation by:

- Providing for the types of uses (including light manufacturing) that are attractive marketable uses for the buildings as many were built for this purpose;
- Providing for flexible frontage standards to eliminate zoning ordinance conflicts with the adaptive reuse of these buildings; and
- Including their preservation as a performance standard for increased density by special use permit.

Walkability and enhancing the pedestrian environment is a clear goal in the district. Curb extensions are identified as an improvement that will make a stronger pedestrian environment. However, mandating public frontage improvements is a potential source of complication and could be cost prohibitive improvement for smaller business owners. A clarification to § 5 of the Creative Maker District Form Based Code Frontage standards is proposed to clarify the rules about curb extensions (bulb outs) and to specify that in the T-4M and T-5M transects they are only required where identified in the Small Area Plans and only where there is an increase in use that justifies the improvement..

Non-conforming site conditions were identified as a potential source of complication for a modification of an existing non-character defining structure. An amendment to § 72-66.1 Non-Conforming Site Conditions is proposed to include public and private frontage components in the list items that must be brought up to standard as non-conforming structures are expanded. The purpose of this amendment is to clearly set the expectation for improvements to a site when the reuse of a building is proposed.

The Creative Maker District will encourage entrepreneurship and create a land use market that is accessible to small and first time business owners. Strong non-conforming rules are a critical piece of any zoning ordinance aiming to limit the risk exposure of small investors looking to renovate an existing structure to create their own business. Well calibrated form based provisions are required to ensure that small business owners can build new businesses within the existing lot pattern. The proposed modifications strengthen the vision for what will be required of someone making an investment in this corridor.

CONCLUSION

There are several community goals that the proposed Creative Maker District balances. These include providing the legal market for Smart Growth, providing citizens with a voice in the development process, clear guidelines and expectations for future growth for all parties, a land use market that is accessible to small businesses and entrepreneurs, and the encouragement of adaptive reuse of existing buildings. These values are reflected in the structure of the Creative Maker District and the proposed amendments resulting from the March 11 discussion.

The Creative Maker District text amendment and rezoning implement a significant portion of the Area 6 Small Area Plan. Implementing the Creative Maker District will permit the next economic evolution of the core commercial areas within Area 6.

The City Council should:

- **Approve** the Unified Development Ordinance that creates the Creative Maker District and consolidates form-based regulations in a new Appendix 72-A.
- **Approve** the rezoning of 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.

ATTACHMENTS

1. Code Analysis
2. Draft Ordinance Establishing the Creative Maker Zoning District
3. Form Based Code Appendix dated July 8, 2020
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		
Table 72-40.2: Use Table								
"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			Creative Maker
Residential Use								
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
Institutional Uses								
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	<i>S</i>	§ 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>	§ 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	P	<i>P</i>	
	Park, Playground, or Plaza	S	P	P	P	P	<i>P</i>	
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>	§ 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>	§ 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	.	.	.	.	.	.	§ 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>	§ 72-41.3B
Alcoholic Beverage Production	Local Brewery	.	.	.	S	S	.	§ 72-41.3B
	Local Distillery	.	.	.	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	.	.	.	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	\$ 72-41.3Q
	Pharmacy	.	S	S	P	P	P	P	S
	Plant Nursery	.	.	.	S	P	P	P	
	Repair Service Establishment	.	.	P	P	P	P	P	\$ 72-41.3R
	Retail Sales Establishment	.	S	S	P	P	P	P	
	Shopping Center	.	.	.	P	P	P	P	\$ 72-41.3T
Tattoo/Piercing Establishment	.	.	.	P	P	P	S	\$ 72-41.3V	
Seasonal Event	All	.	.	.	.	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	P	\$ 72-41.3E
	Automobile Towing and Impoundment	.	.	.	.	.	.	S	
	Car Wash	.	.	.	P	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	
Industrial Uses									
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
Warehousing and Storage	Manufacturing, Light	.	.	.	.	.	P	P	
	Bulk Storage	.	.	.	.	.	.	.
	Outdoor Storage	.	.	.	.	.	S	S	\$ 72-41.4D
	Self-Service Storage	.	.	.	.	S	.	P	
	Freight Terminal	.	.	.	.	.	S	S	
Waste-Related	Warehouse	.	.	.	.	.	P	P	\$ 72-41.4F
	Incinerator	.	.	.	.	.	.	.
Wholesale Sales	Recycling Center	.	.	.	.	.	.	.	\$ 72-41.4E
	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.

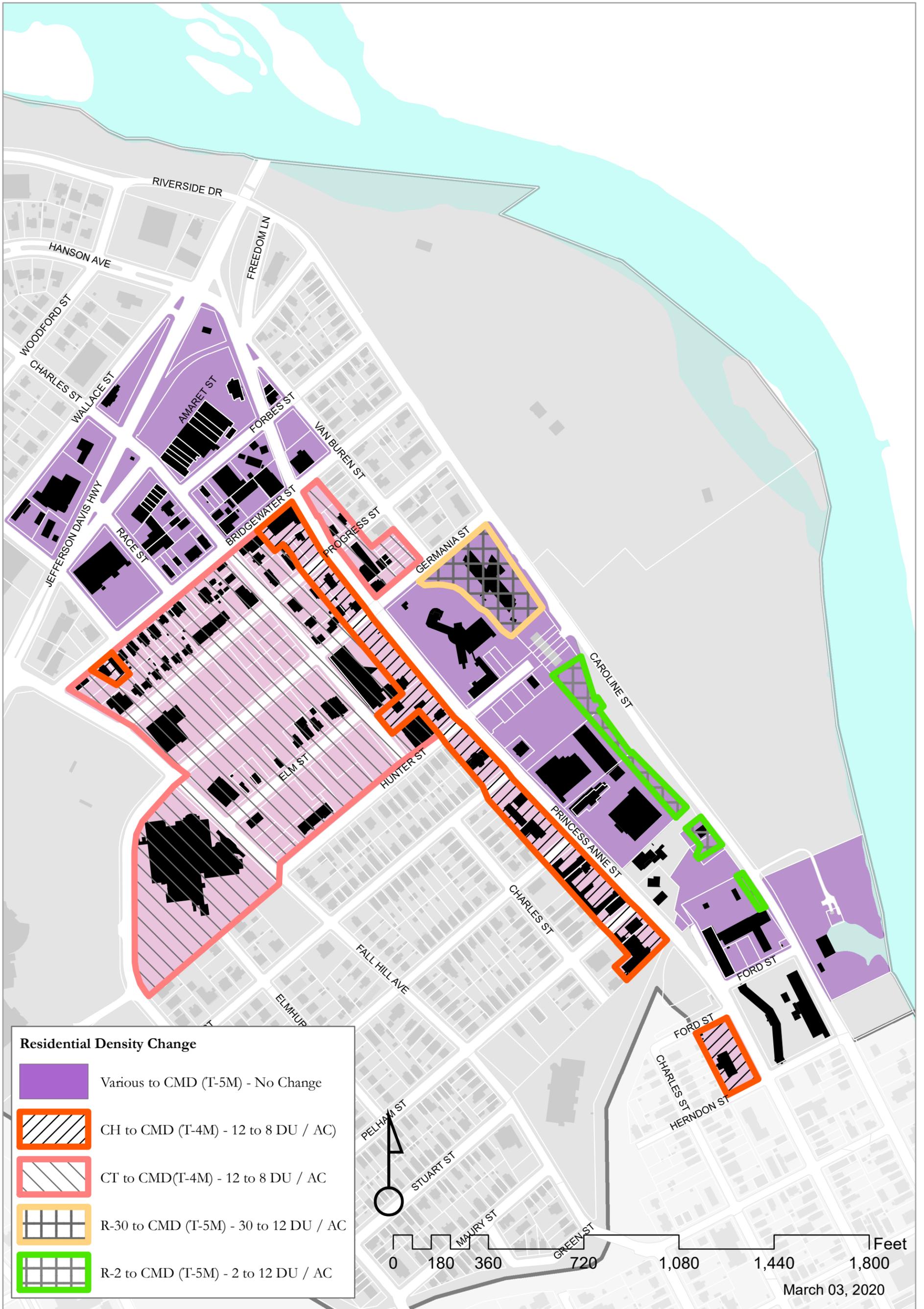
Applications for a special use permit will be reviewed with the existing criteria set out in § 72-22.6 of the UDO. These criteria ensure that any impacts on adjacent properties are mitigated. The ordinance includes additional criteria that reflect certain City values that may also be used to evaluate 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 0.75. 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.

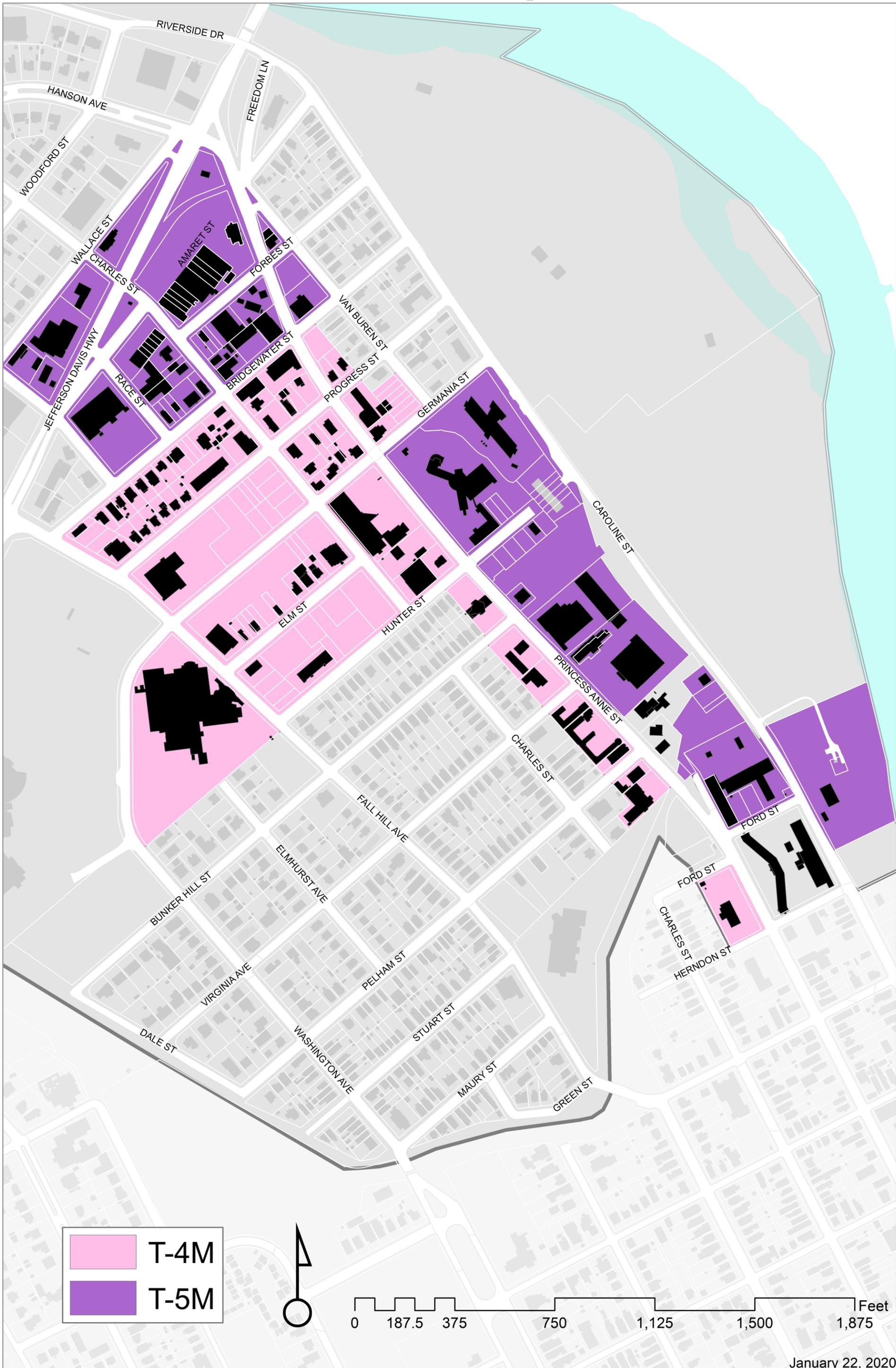
- Building Types. Building Type standards control the placement, orientation, mass, scale, and activation of the buildings on a site. These standards consist of three elements:
 - o Building Placement and Orientation includes lot standards and orientation standards to ensure that buildings have sufficient 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 over-ride 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.

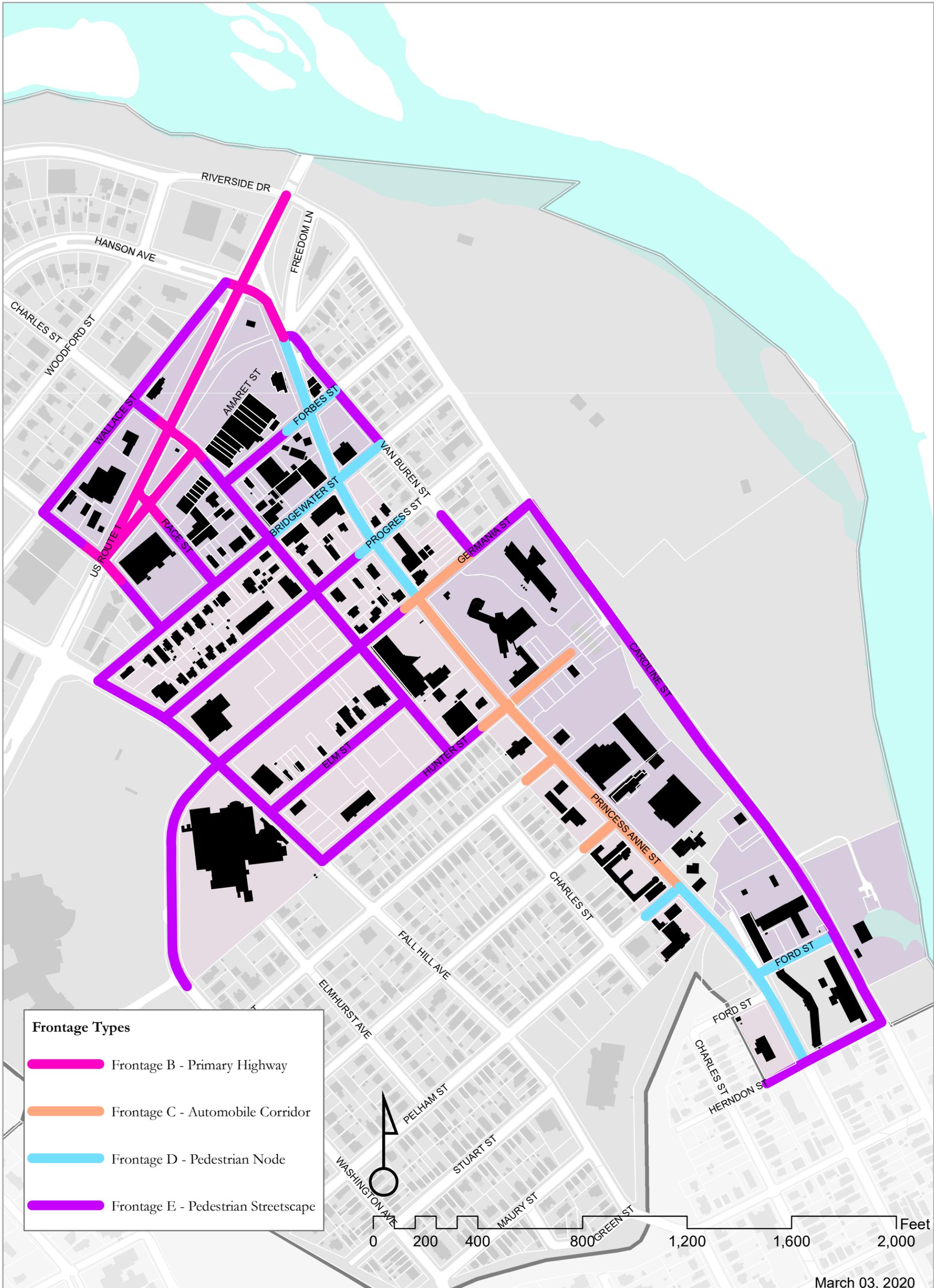
- Optional Forms of Development. Optional Forms of Development provide flexibility to the standards within the form based code. Optional Forms are prescribed with a purpose, option, and design guideline and are approvable if the option meets those criteria. These standards ensure that if an applicant 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

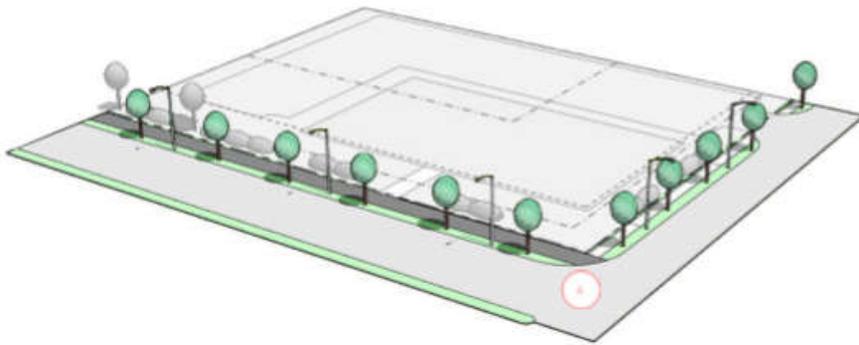


T-4M and T-5M Frontage Map Small Area 6

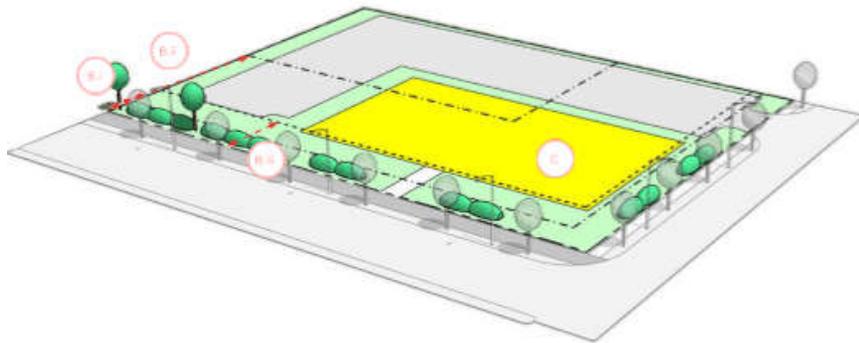


FRONTAGE B – PRIMARY HIGHWAY

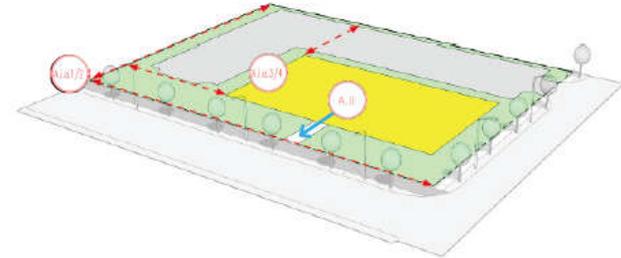
Frontage B Public Component:



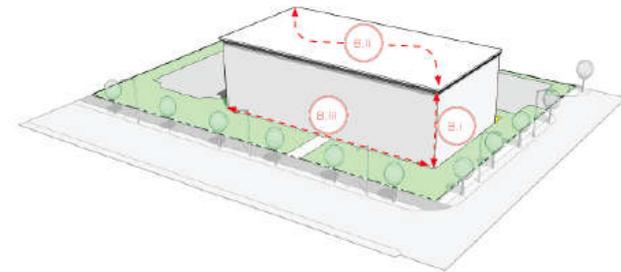
Frontage B Private Component and Building Type Permitted:



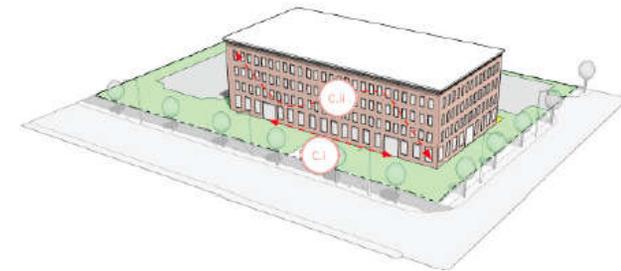
Building Type 1 Building Placement and Orientation:



Building Type 1 Mass and Scale:

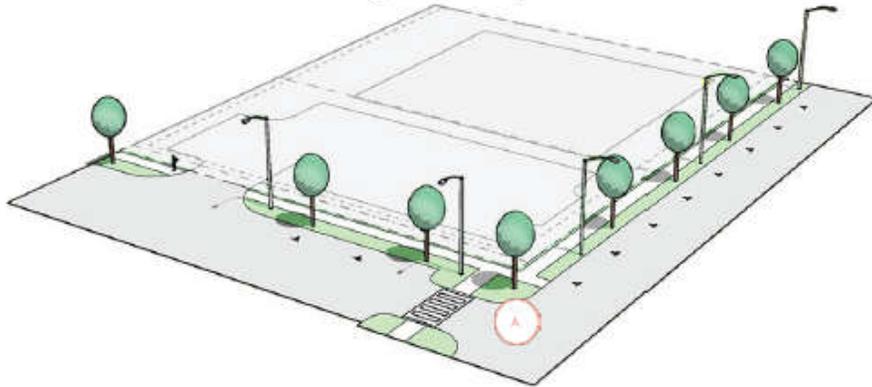


Building Type 1 Facade Activation:

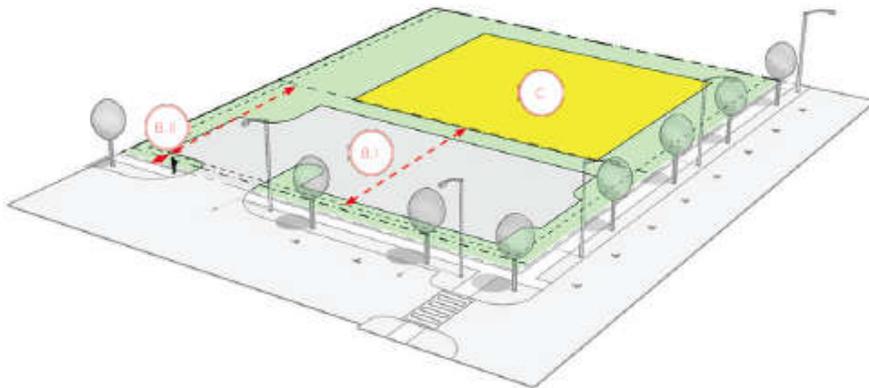


FRONTAGE C – AUTOMOBILE CORRIDOR

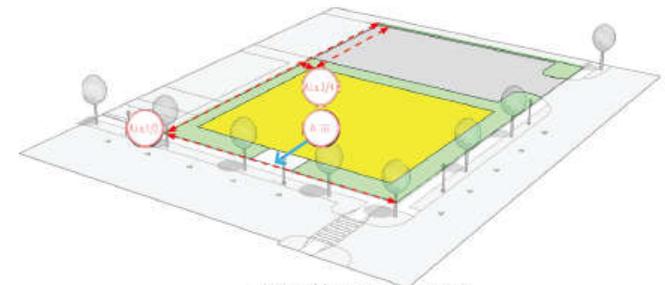
Frontage C Public Component:



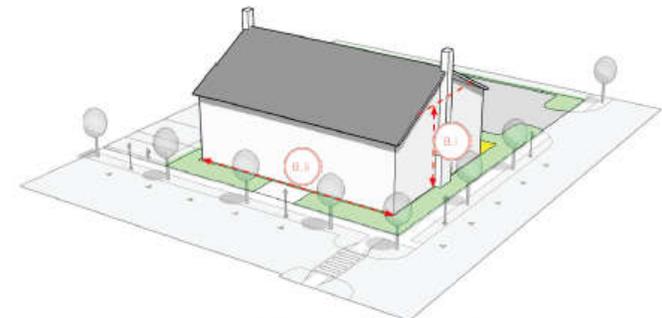
Frontage C Private Component and Building Type Permitted:



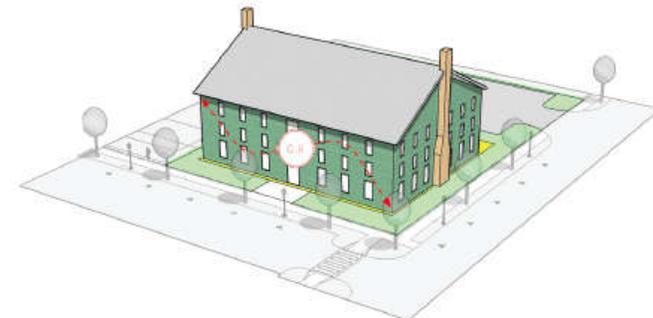
Building Type 2 Building Placement and Orientation:



Building Type 2 Mass and Scale:

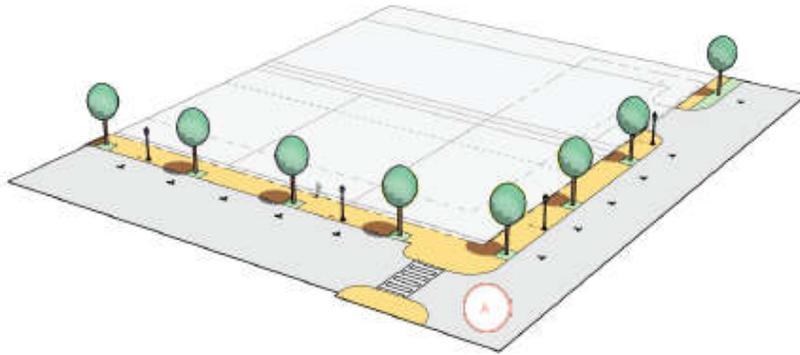


Building Type 2 Facade Activation:

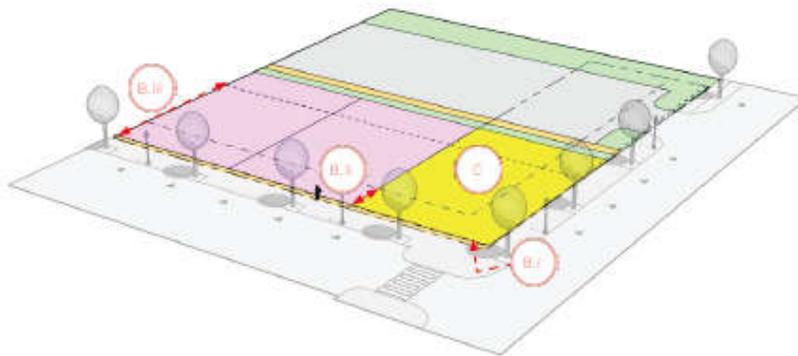


FRONTAGE D – PEDESTRIAN NODE

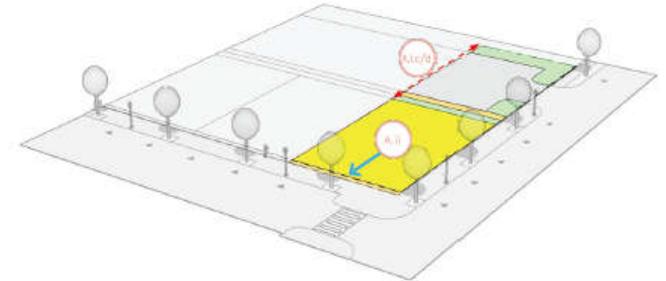
Frontage D Public Component:



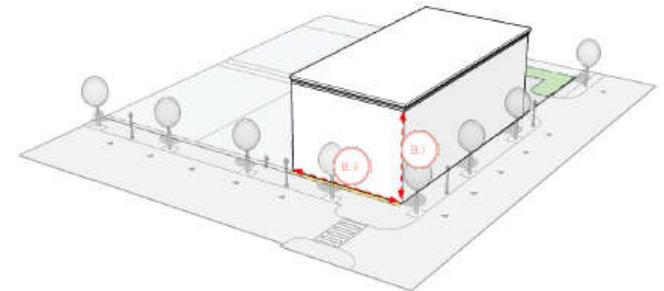
Frontage D Private Component and Building Type Permitted:



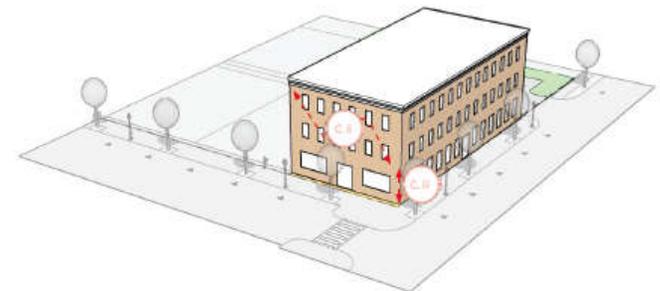
Building Type 3 Building Placement and Orientation:



Building Type 3 Mass and Scale:

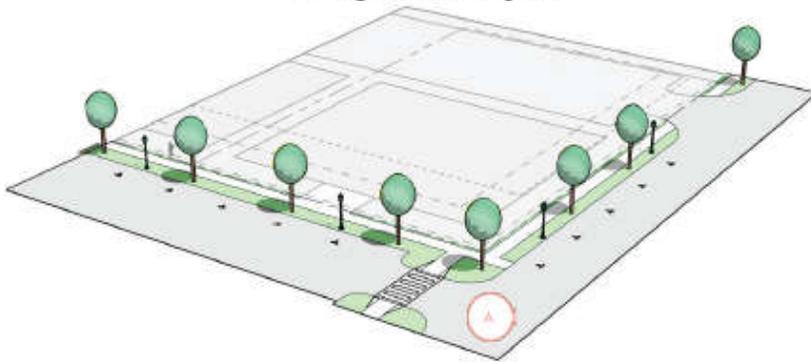


Building Type 3 Facade Activation:

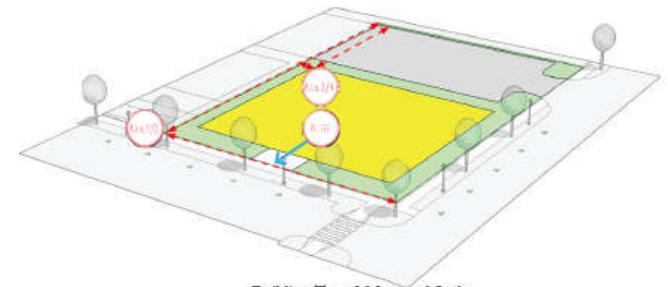


FRONTAGE E – PEDESTRIAN STREETScape

Frontage E Public Component:



Building Type 2 Building Placement and Orientation:



Building Type 2 Mass and Scale:

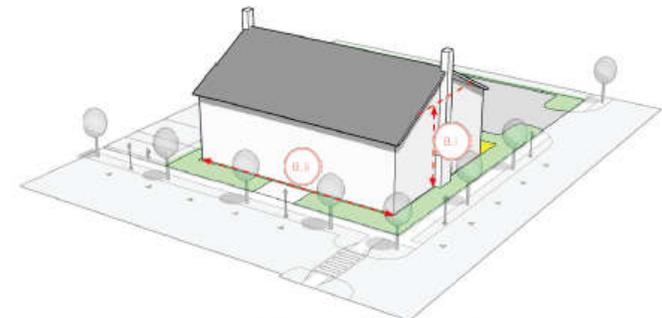
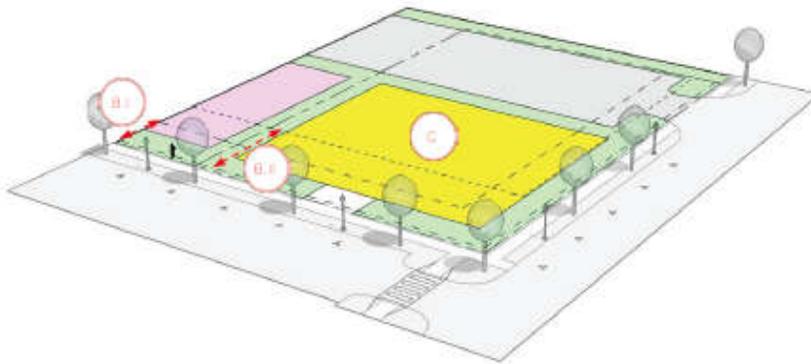
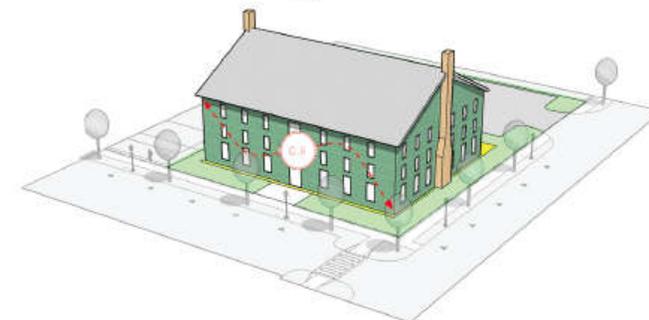


Figure E Private Component and Building Type Permitted:



Building Type 2 Facade Activation:

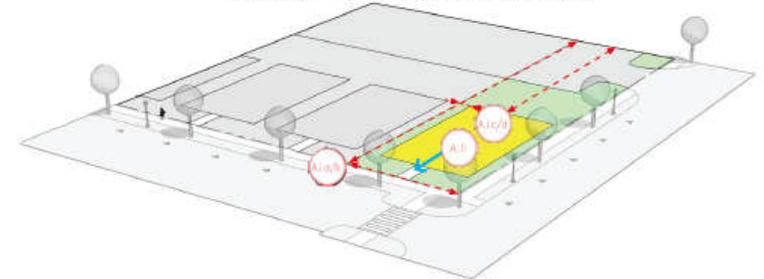


TRANSITIONAL ZONE

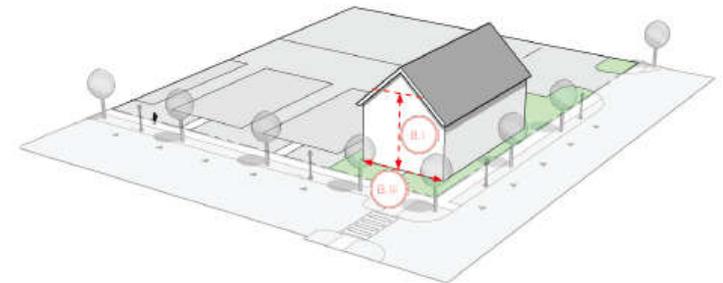
Only building type permitted in Transitional Zone.

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.

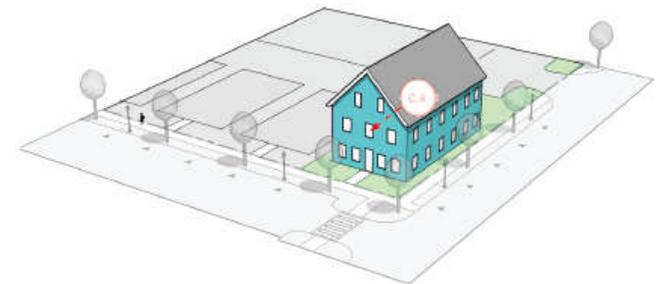
Building Type 4 Building Placement and Orientation:



Building Type 4 Mass and Scale:



Building Type 4 Facade Activation:



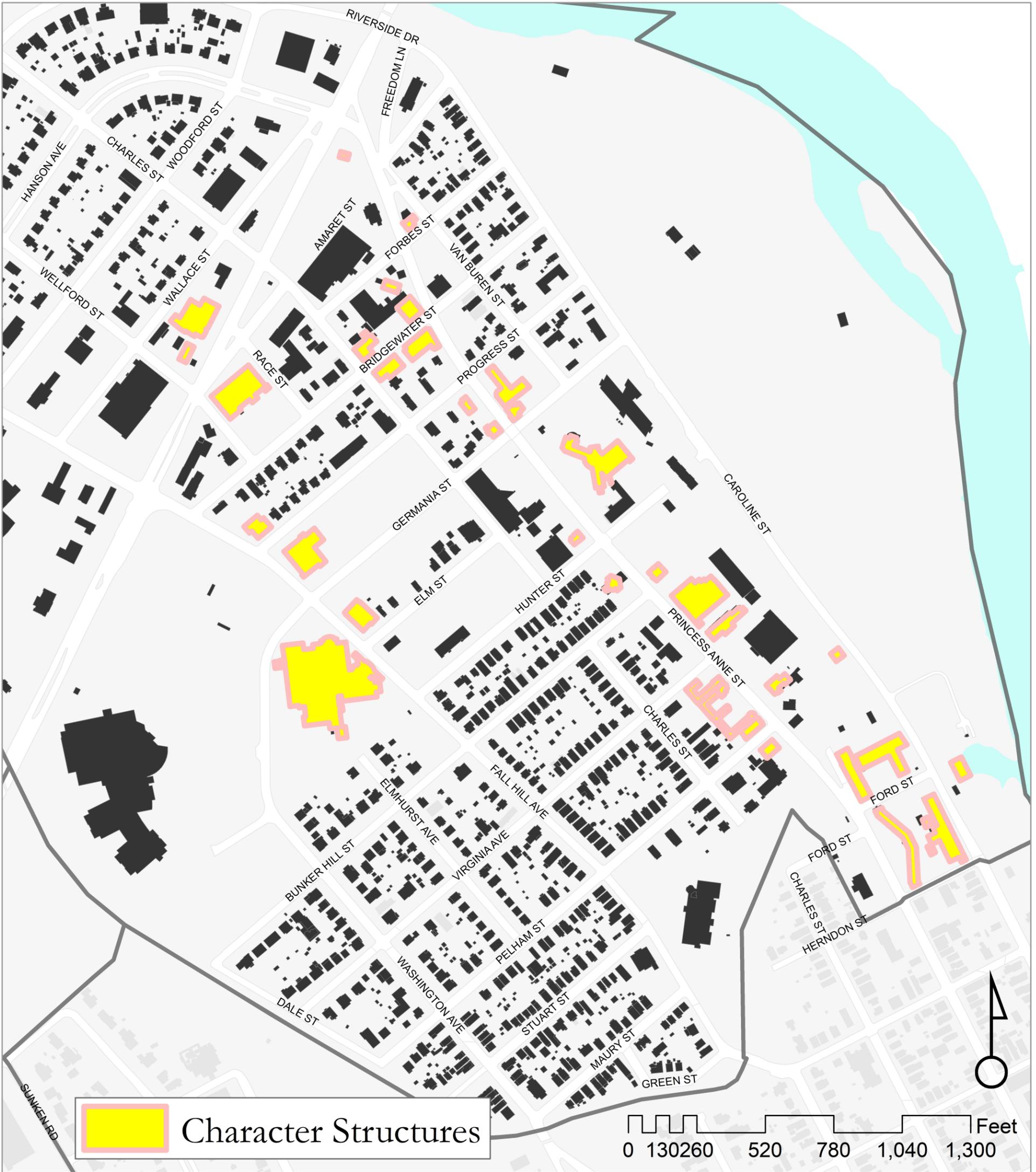
V. CHARACTER STRUCTURES

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 19th and early 20th 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 20th 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”.

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



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.



September 8, 2020
Regular Meeting
Ordinance No. 20-__

MOTION:

SECOND:

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 to add the italicized language and delete the language shown in strikethrough 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 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 to G and H, respectively.]

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 72-34.6.D(3) Princess Anne Street Corridor is amended by adding the italicized language and deleting the language shown in strikethrough as follows:
(3) Princess Anne Street Corridor. The Princess Anne Street Corridor Subdistrict shall include all lands beginning at the intersection of ~~Jefferson Davis Highway (U.S. Route 1 Bypass)~~ *Pelham Street* and Princess Anne Street and running along Princess Anne Street in a southerly direction to its intersection with Fauquier Street, *excluding any properties within the Creative Maker District.* The district shall include those properties that are contiguous to Princess Anne Street being more particularly described on that portion of the Official Zoning Map of the City consisting of a map entitled "City of Fredericksburg, Virginia, Official Zoning Overlay Map, Princess Anne Street Gateway Overlay Corridor."
8. **Section 72-35, “Form-Based Regulations,”** is hereby repealed.
9. **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>
Residential Use		
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	•

Institutional Uses		
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>
Commercial Uses		
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>
Industrial Uses		
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>

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

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

11. **Section 72-51.5 “Open Space Standards,”** is amended to add the italicized language as follows:

A.(1)(a)[7] Urban features: plazas, fountains, roof gardens, atriums, and pedestrian seating/activity areas in the C-D, *the Creative Maker District*, and planned development districts.

12. **Section 72-52.2, “Vehicular ingress/egress (driveways),”** is amended to add the italicized language 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).

13. **Table §72-55.4D, “Buffer Type Application,”** is amended to add the italicized language 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; 12; PD-R	R-16; R-30; PD-MU	C-T; C-D CM T-4M <i>Transect</i>	C-SC; PD-C; PD-MC	C-H; I-1; CM T-5M <i>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.

[3] *Form Based Codes. The Frontage and Transitional Zone standards shall be used in place of buffer standards within the primary and secondary front yard of lots subject to an adopted Form Based Code.*

14. Section 72-56.2: “Height standards,” is amended to add the italicized language 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	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.

<i>Creative Maker</i>		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.

15. Section 72-56.4, "Fence materials," is amended to add the italicized language 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.*

16. Section 72-59.4, "Prohibited signs," is amended to add the italicized language 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.]

17. Section 72-59.6, "Sign regulations by type of sign: building-mounted and freestanding," is amended to add a new subsection C 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, "Creative Maker Districts," is added.]

C. Creative Maker Districts.

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

<i>Building-Mounted Signs</i>	
<i>Zoning District</i>	<i>Creative Maker District</i>
<i>Maximum area</i>	<p>1.5 square feet of signage per linear foot of building front (up to 250 or 25% of the total building mounted signage allowed, whichever is greater square feet per building side) and</p> <p>Additional 0.25 square feet of signage per linear foot of building front for buildings with three or more stories</p> <p><i>Residential Buildings:</i></p> <p>0.5 square feet of signage per linear foot of building front (up to 50 square feet)</p>
<i>Illumination</i>	Yes
<i>Maximum projection</i>	42 inches from wall
<i>Minimum clearance if projecting more than 6 inches</i>	8 feet above pedestrian travel way, 15 feet above vehicle travel path
<i>Other</i>	Each building containing a commercial use in CM-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>
<i>Maximum Number</i>		
<i>Per parcel per street frontage</i>	1	1
<i>Per gasoline sales use</i>	1	1
<i>Per major entrance to an office park or retail center</i>	1	1
<i>Per major entrance to a shopping center</i>	1	1
<i>Per major entrance to a neighborhood</i>	1	1
<i>Flagpole per parcel</i>	1	1
<i>Maximum Sign Area (square feet)*</i>		

	<i>Maker Frontage B-C</i>	<i>Maker Frontage D-E</i>
<i>For each sign adjacent to a public street right-of-way > 70 feet</i>	100	40
<i>For each sign adjacent to a public street right-of-way ≤ 70 feet</i>	75**	30**
<i>For gasoline sales uses</i>	25	25
<i>For major entrances listed above, adjacent to a public street right-of-way > 70 feet</i>	100	60
<i>For major entrances listed above, adjacent to a public street right-of-way ≤ 70 feet</i>	75	40
<i>*flag area counts toward maximum sign area.</i>		
<i>** signs painted on the building façade in the Maker District may exceed this sign area in conjunction with § 72-59.6.C.3.</i>		
Maximum Height (feet)***		
<i>General</i>	20	10
<i>For major entrances listed above, adjacent to a public street right-of-way > 70 feet</i>	20	10
<i>For major entrances listed above, adjacent to a public street right-of-way ≤ 70 feet</i>	20	8
<i>*** permitted flagpole height is equal to maximum permitted building height as defined by Article III.</i>		
Illumination		
<i>For each sign adjacent to a public street right-of-way > 70 feet</i>	Yes	Yes
<i>For each sign adjacent to a public street right-of-way ≤ 70 feet</i>	Yes	Yes
Other		
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 hear 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.

18. City code section 72-66 “Nonconforming Site Conditions,” is amended to add the italicized language as follows:

§ 72-66.1 “Additional requirements for changes to nonconforming uses, buildings, and structures.” As part of any change in a nonconforming use, and as part of any alteration, addition or expansion of a nonconforming building or structure, a property owner shall be required to bring the following site conditions into conformity with the requirements of this chapter: off-street parking, landscaping, perimeter buffer, screening, stormwater management, *public frontage elements*, *private frontage elements*, and signage.

A. Off-street parking, landscaping, perimeter buffers, signage and screening.

- (1) Expansion of 50% or Less of Gross Square Footage Over Five Years Expansions in any continuous five-year period, which result in a 50% or less increase in the gross square footage of the existing structure (measured at the beginning of the five-year period), require that a corresponding percentage of the off-street parking, landscaping, perimeter buffer, screening, *public frontage elements*, *private frontage elements* and stormwater management standards of this chapter be installed or upgraded on the site, until the site achieves 100% compliance.

(For example, if the addition is 25% of the area of the existing structure and the site contains only 50% of the required landscaping, 25% of the required landscaping for the entire site must be provided, thereby bringing the landscaping on the site to 75% of the total required.)

- Existing landscaping on the site shall be retained or replaced but shall not count toward the required percentage of new landscaping.
- (2) Expansion of greater than 50% of gross square footage over five years. Expansions over any continuous five-year period, which result in a greater than 50% increase of the gross square footage of the existing structure (measured at the beginning of the five-year period), require the entire property to meet all of the off-street parking, landscaping, perimeter buffer, screening, *public frontage elements*, *private frontage elements* and signage standards of this chapter.
- B. Physically constrained properties- comply to maximum extent practicable. Lands that are physically constrained (due to limited size, topography, or other environmental considerations) from complying with these provisions shall comply, to the maximum extent practicable, as determined by the Zoning Administrator.
19. 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 September 8, 2020 at which a quorum was present and voted.

Tonya B. Lacey, MMC
Clerk of Council



September 8, 2020
Regular Meeting
Ordinance No. 20 -__

MOTION:

SECOND:

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 September 8, 2020, at which a quorum was present and voted.

Tonya B. Lacey, MMC
Clerk of Council

UNIFIED DEVELOPMENT ORDINANCE
APPENDIX 1

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

July 8, 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.

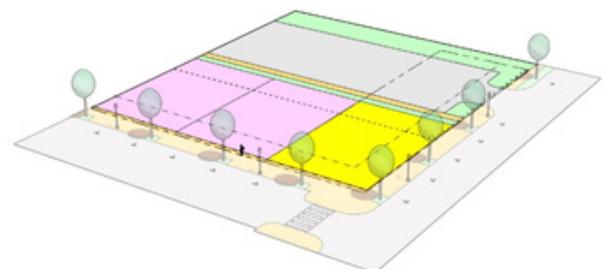
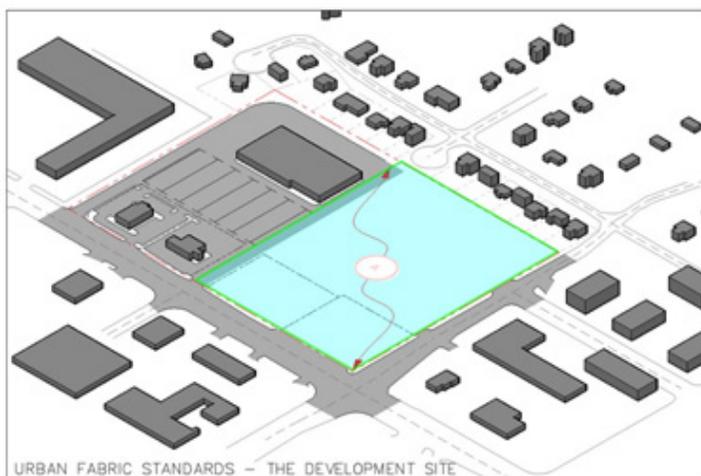
Transect designations are the organizing principle for the City's form-based regulations. The "transect" is a graphic representation of the prescribed character, intensity and physical forms allowed in a specific area. Transects represent the spectrum of intensity and complexity of form and use. Form-based 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:



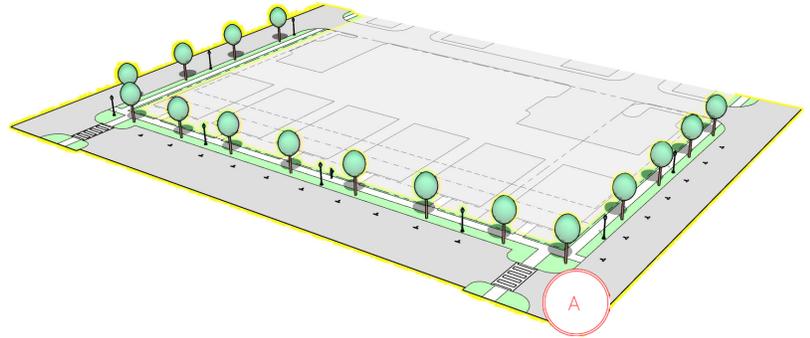
FRONTAGE STANDARDS AND FRONTAGE MAP

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:

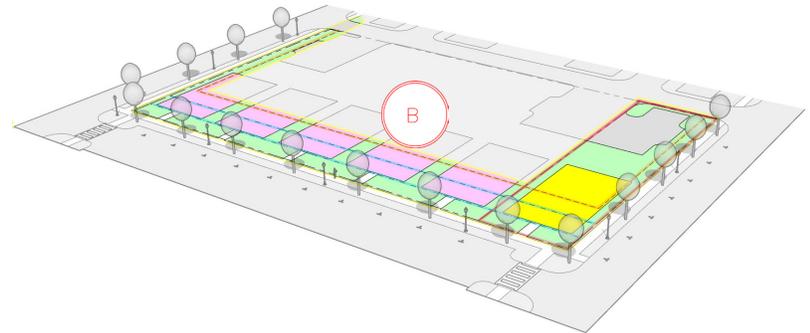
A

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”).



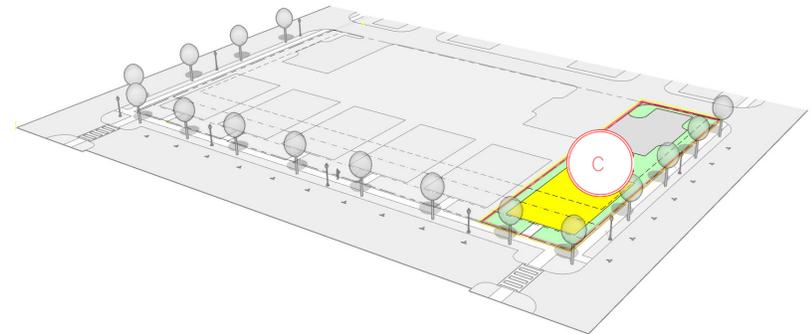
B

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.



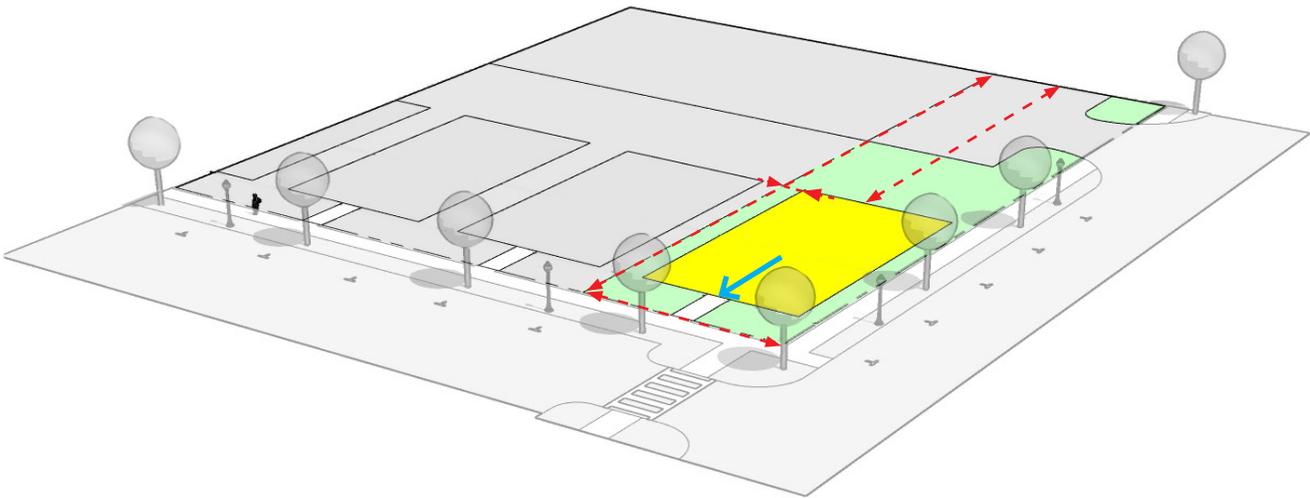
3. Frontage components work in conjunction with the City's Small Area Plans. Specifically, the Small Area Plans identify areas where higher pedestrian activity will occur when use is increased. Activity Nodes, improved pedestrian crossings, frontage repair and other tools are defined features identified in the Plans. When frontage elements reference these tools or areas they refer to the locations illustrated in the maps within the Small Area Plans.

BUILDING PLACEMENT AND TYPE STANDARDS

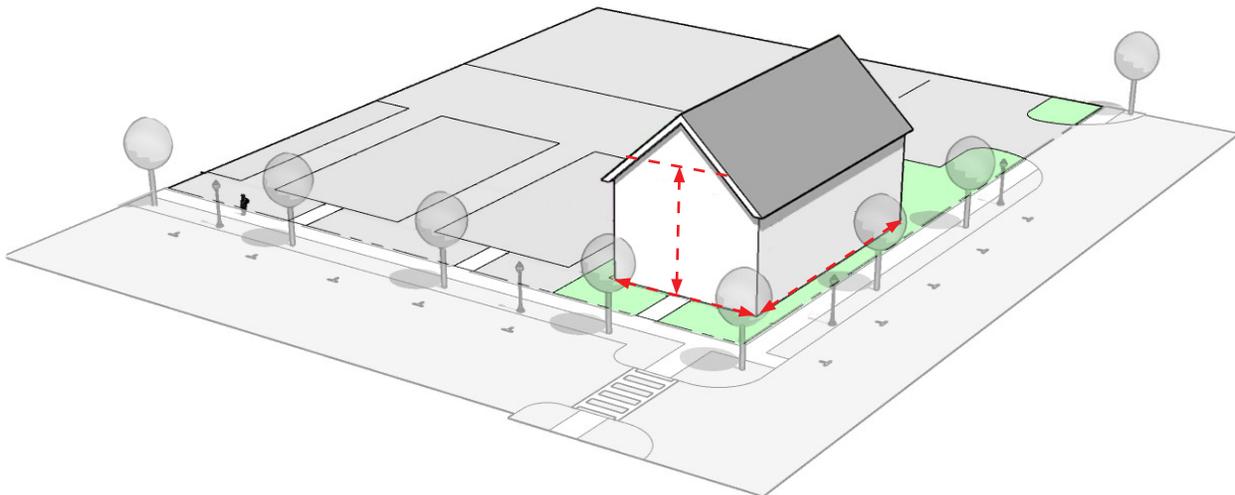
1. Building Types are assigned by Frontage Type. The only Building Type permitted within a lot is that permitted within its assigned Frontage. Additionally, Building Type 4 is the only Building Type permitted within any Transitional Zone required by the Urban Fabric Standards

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.

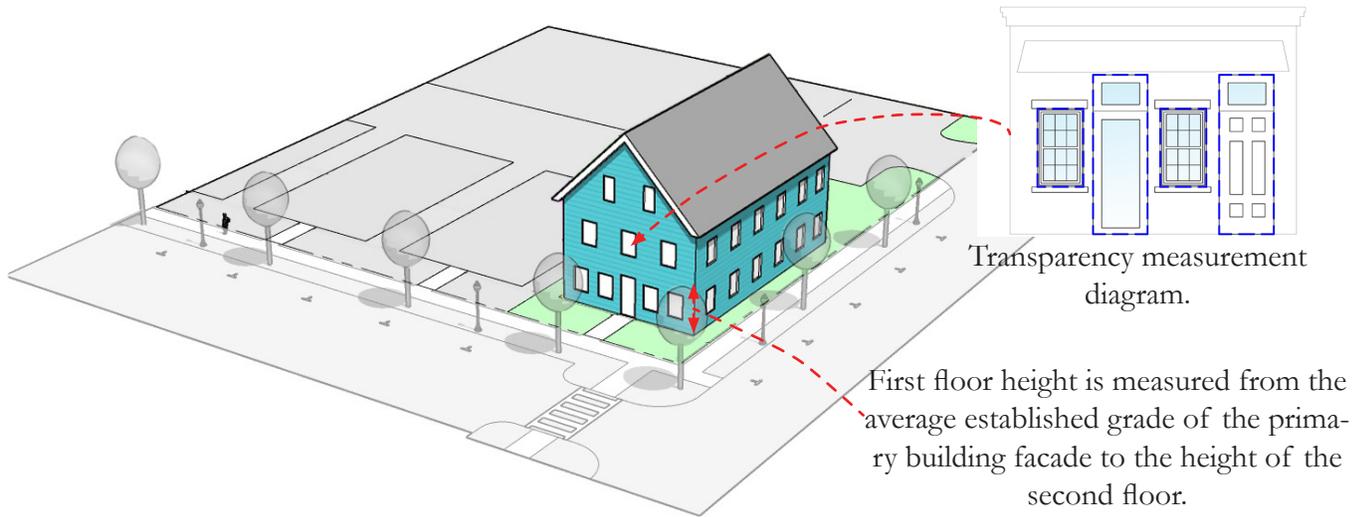


- b. Building Mass and Scale standards regulate the shape of the building. Mass and Scale Standards set the maximum height, floorplate, and width of the building. Any building width criteria shall measure each single-family attached building individually.



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 facade 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	0.75 by right	0.75 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



Figure 2:

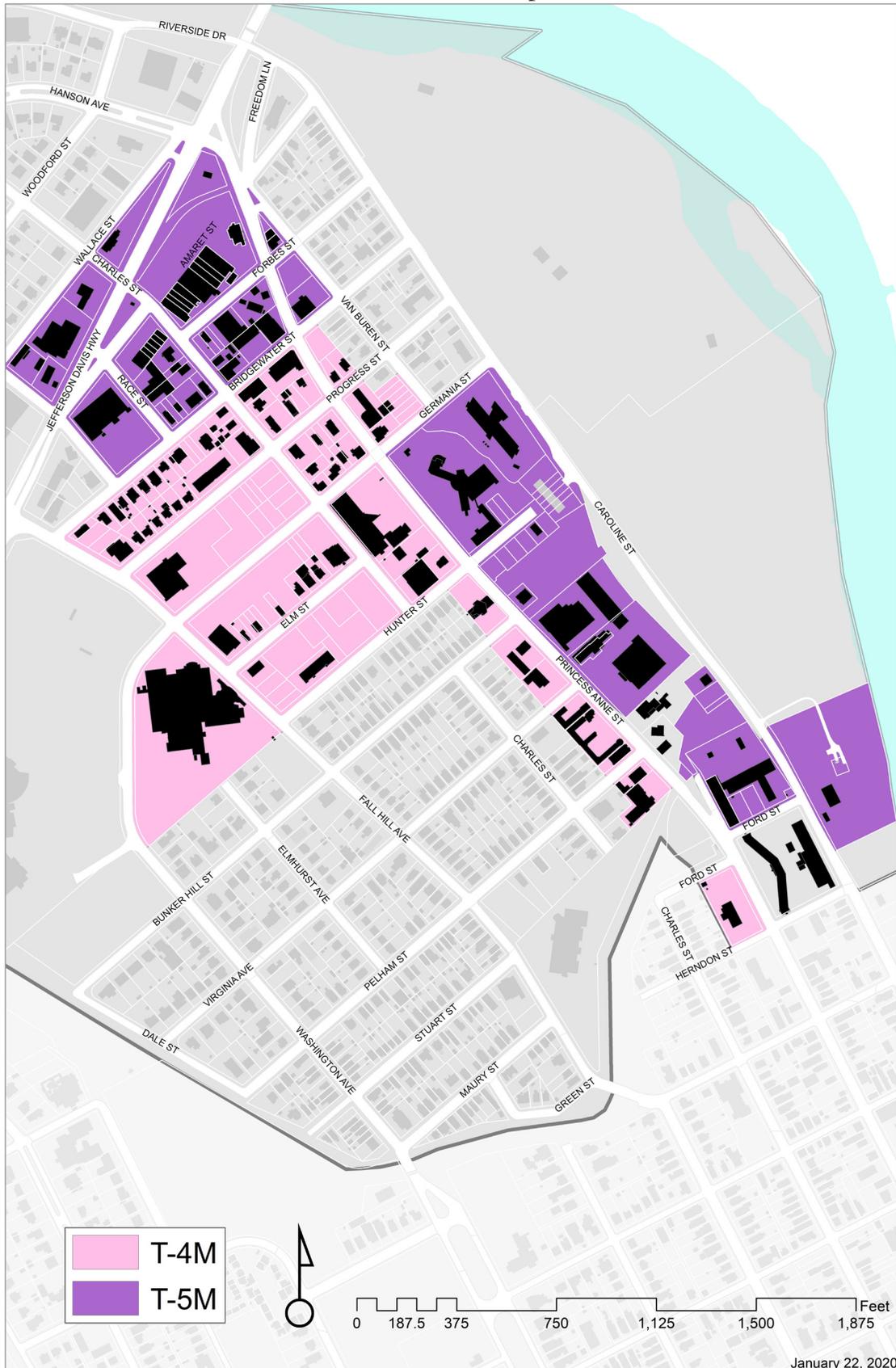
T-5C Transect Map Small Area 3



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



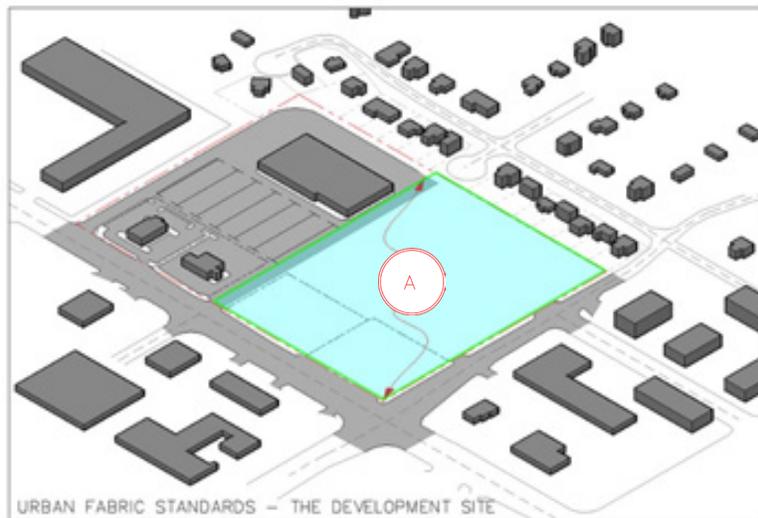
CHAPTER 4: URBAN FABRIC STANDARDS

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.

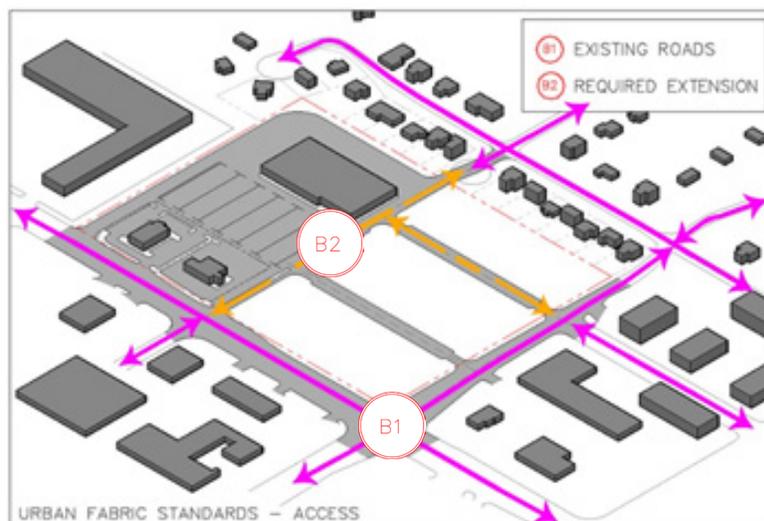
4-1. Development site. The development site shall include all the land, buildings, and structures both existing and proposed, used to calculate the total residential density, use mix, or floor area ratio calculations for a development.

A. Site Plan required; Applicable law.

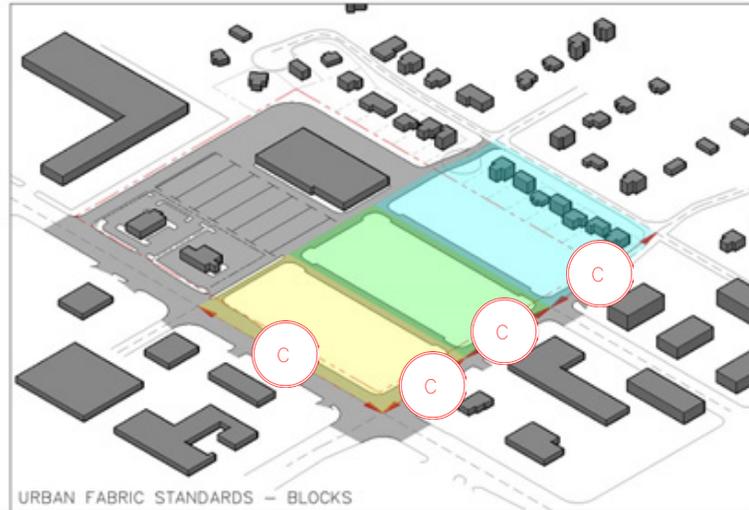
- i. The entire development site shall be shown on an approved site plan in accordance with § 72-26.1 (Commercial and Residential Site Development Plans).
- ii. All land, buildings, site elements, and other features of the development site (i.e., land or buildings used for density or use-mix calculations) 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.

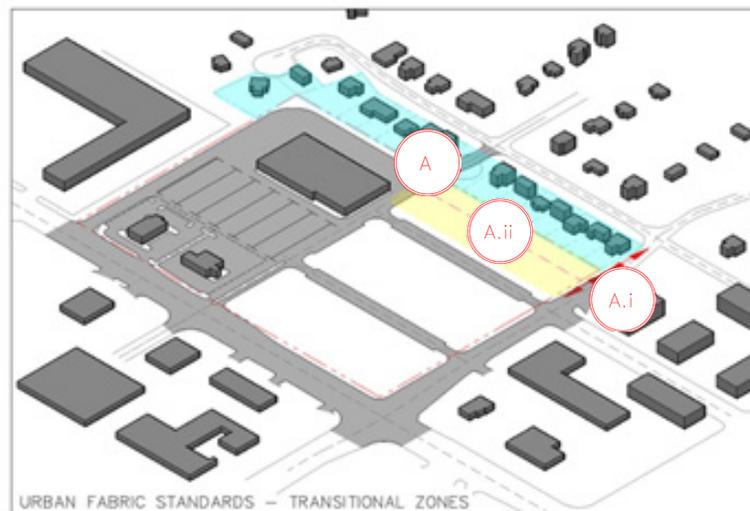


C. Establishment of blocks. In the T-5C and T-5M transects, the entire development site, including all non-residential uses shall be organized into blocks meeting the standards in § 72-51.2.



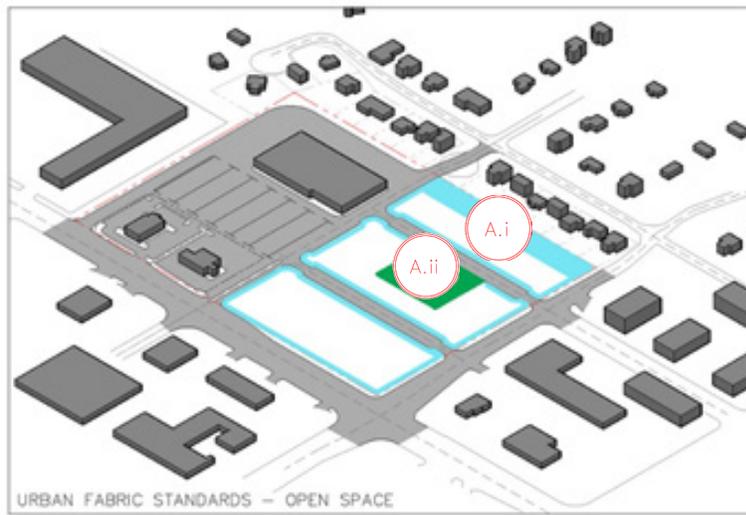
4-2 Transitional Zones –

- 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.



i. General open space: 25% of the site shall be general open space meeting the standards of § 72-51.5.	
ii. Formal Open Space: 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.

i. General Open Space: 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.	
ii. Formal Open Space Option: 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

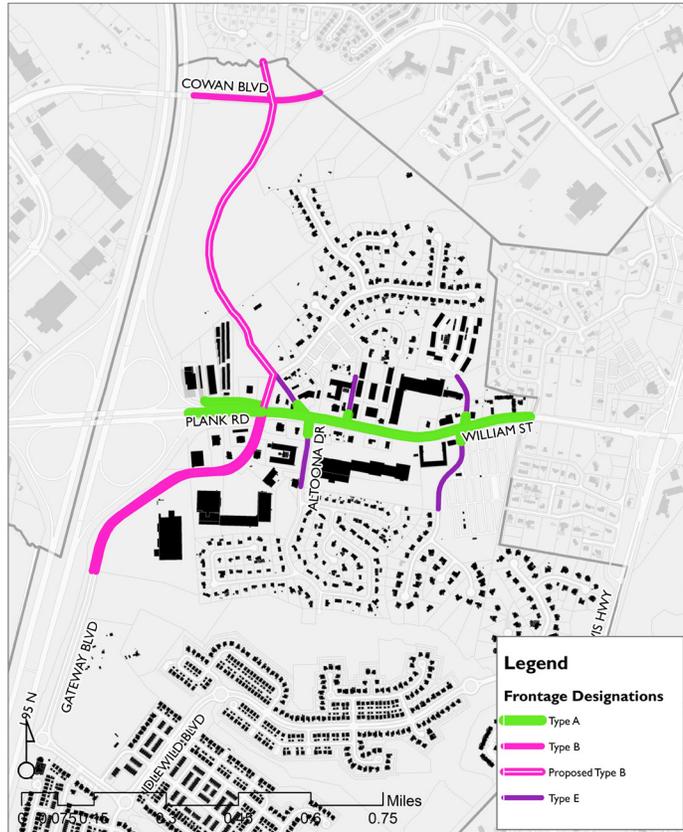
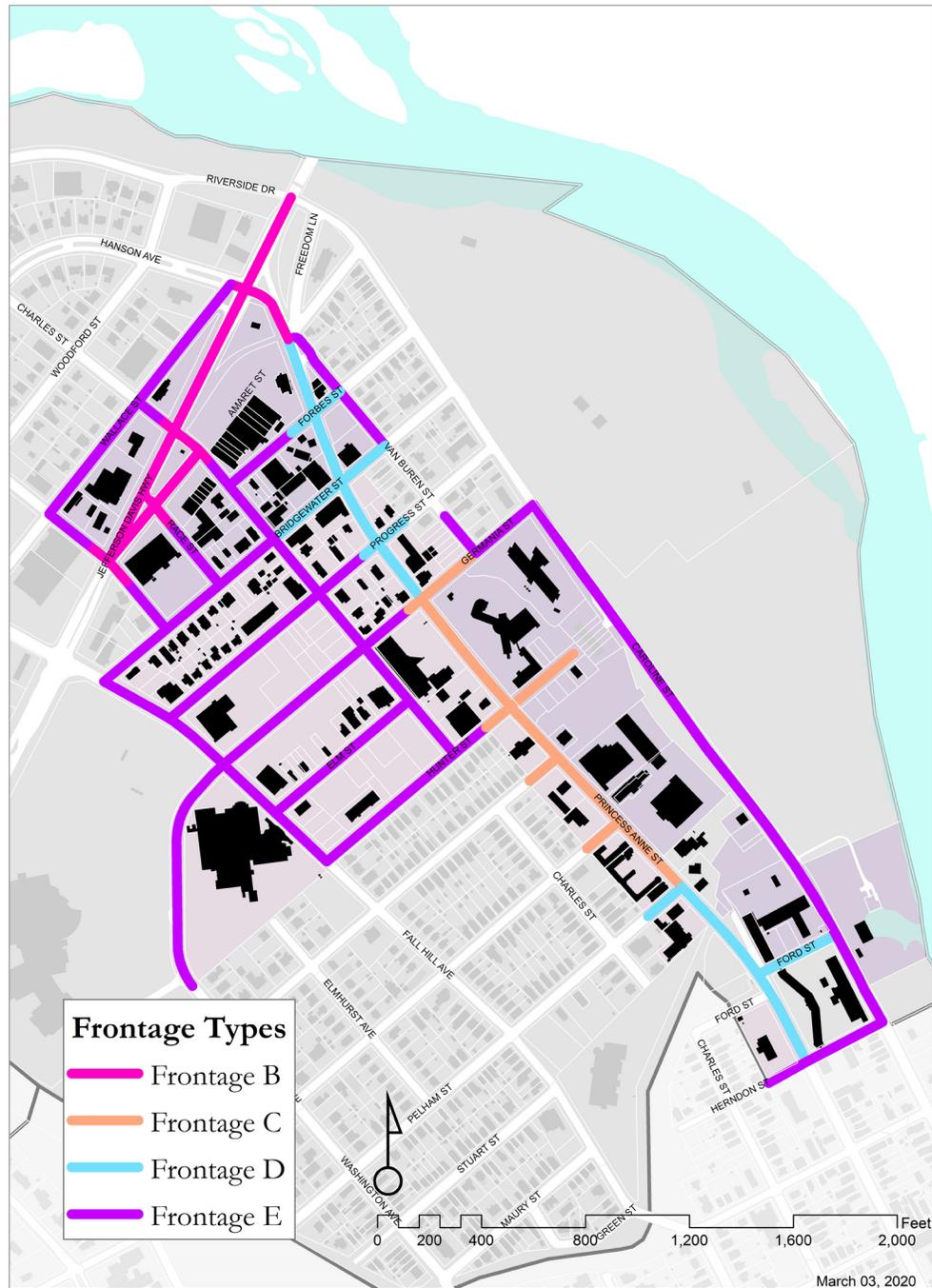


Figure 5:
T-5C Frontage Map Small Area 6



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

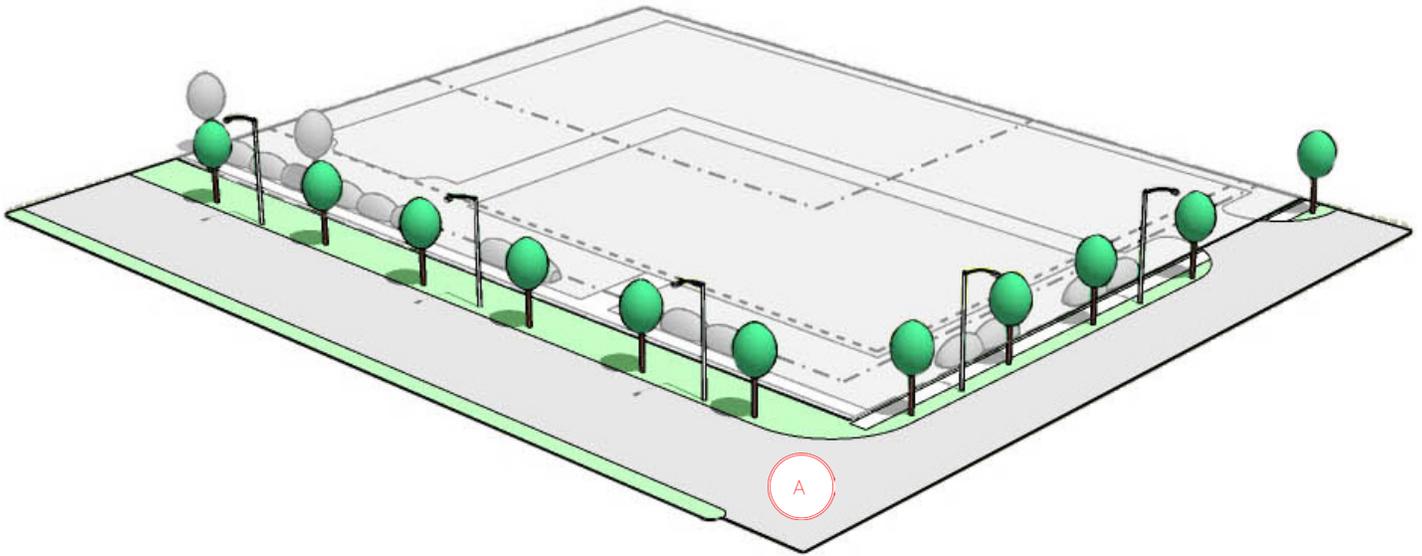


- C. New Frontages. The Zoning Administrator may designate Frontages where new or extended streets not designated on the preceding maps are created in accordance with the following:
- i. Frontage Type D - The Zoning Administrator shall designate the new street Frontage Type D where the proposed uses 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.

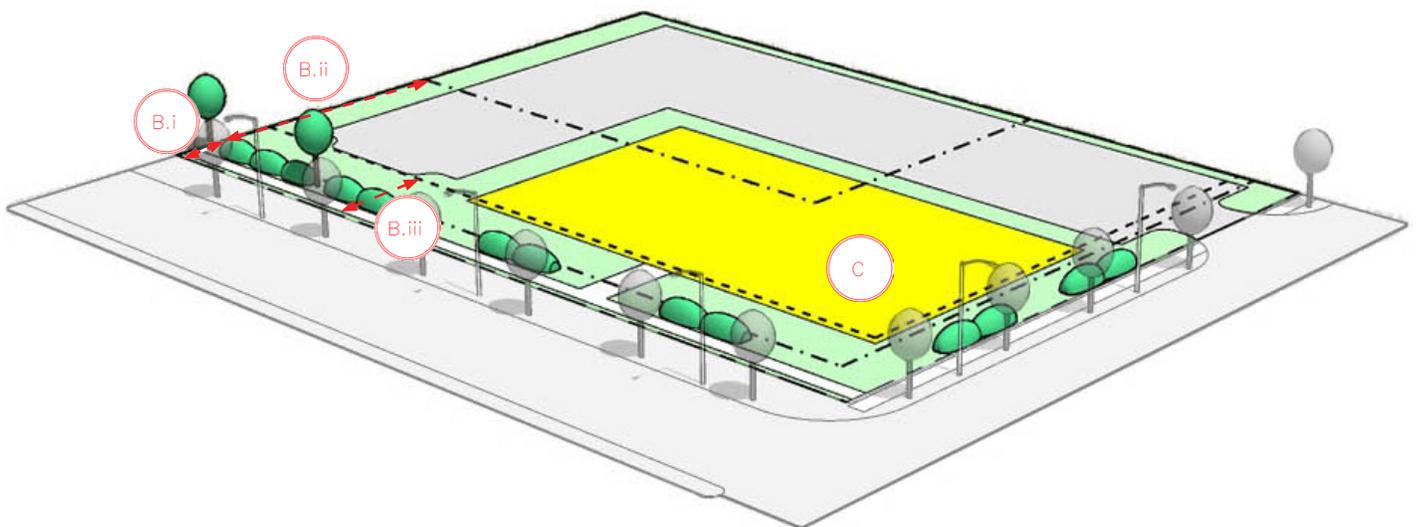
5-2. FRONTAGE A

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.

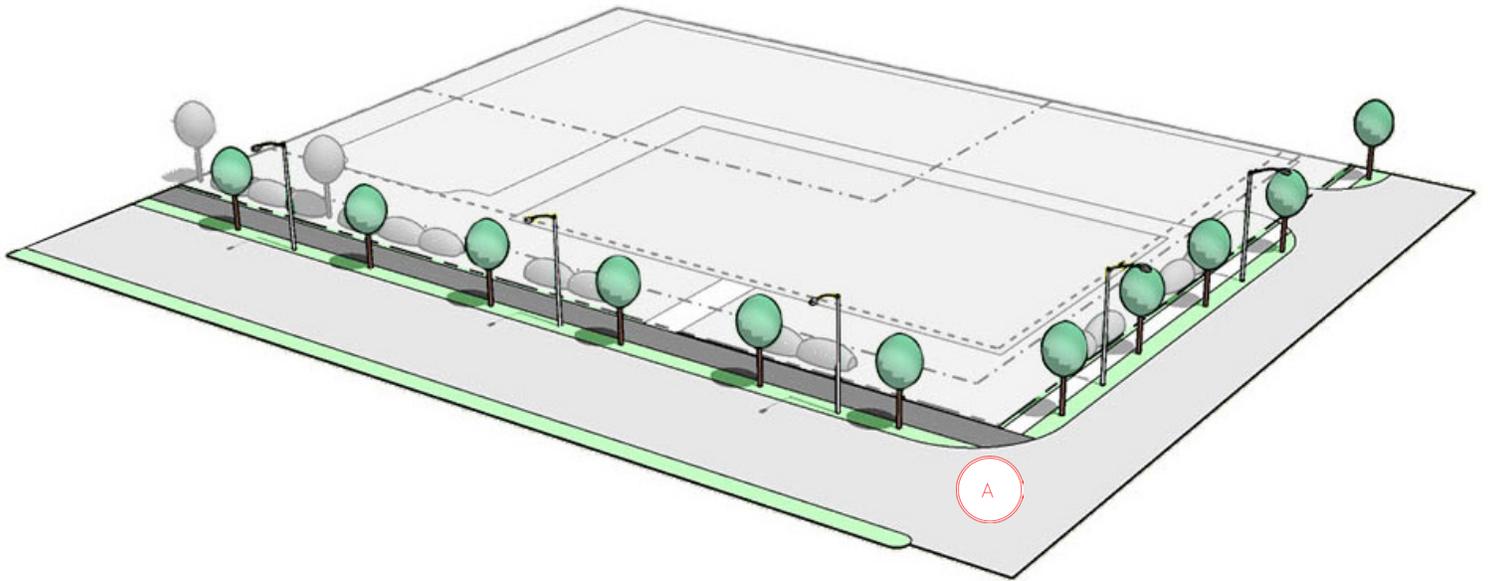
C. Building Type Permitted:

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.

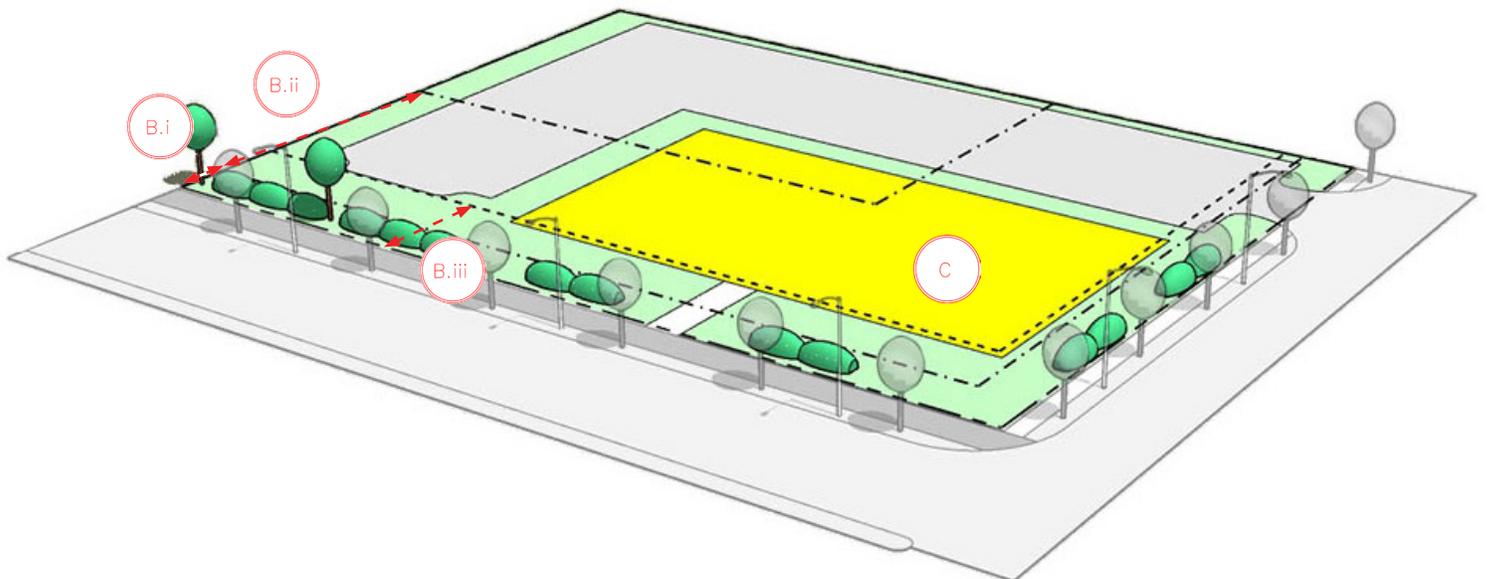
5.3. FRONTAGE B

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.

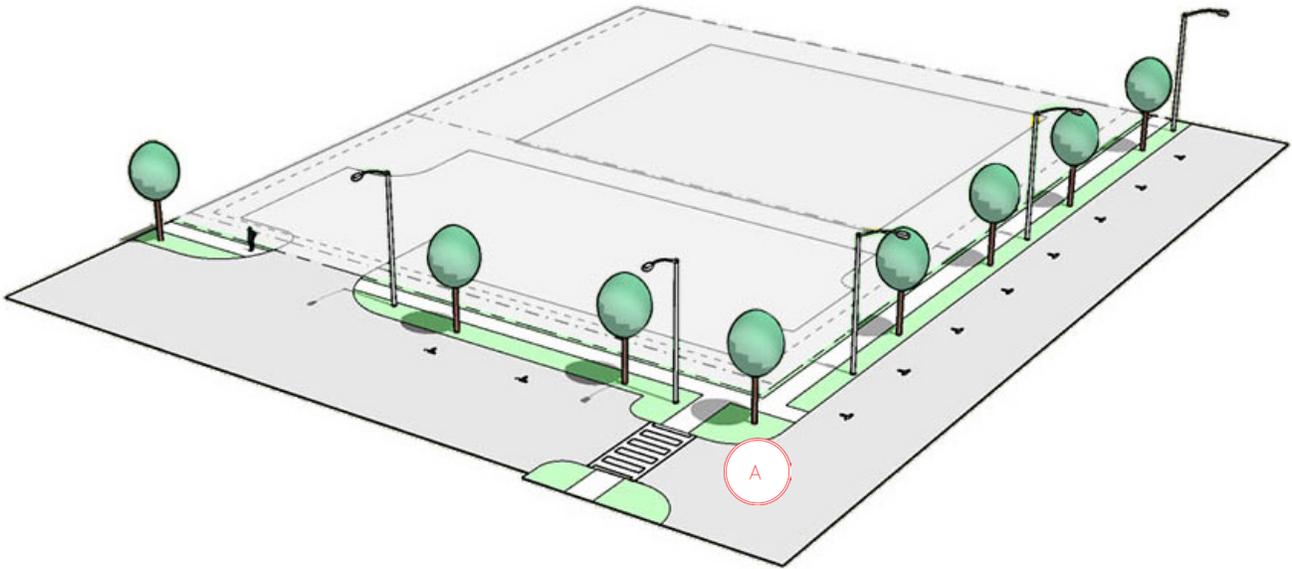
C. Building Type Permitted:

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.

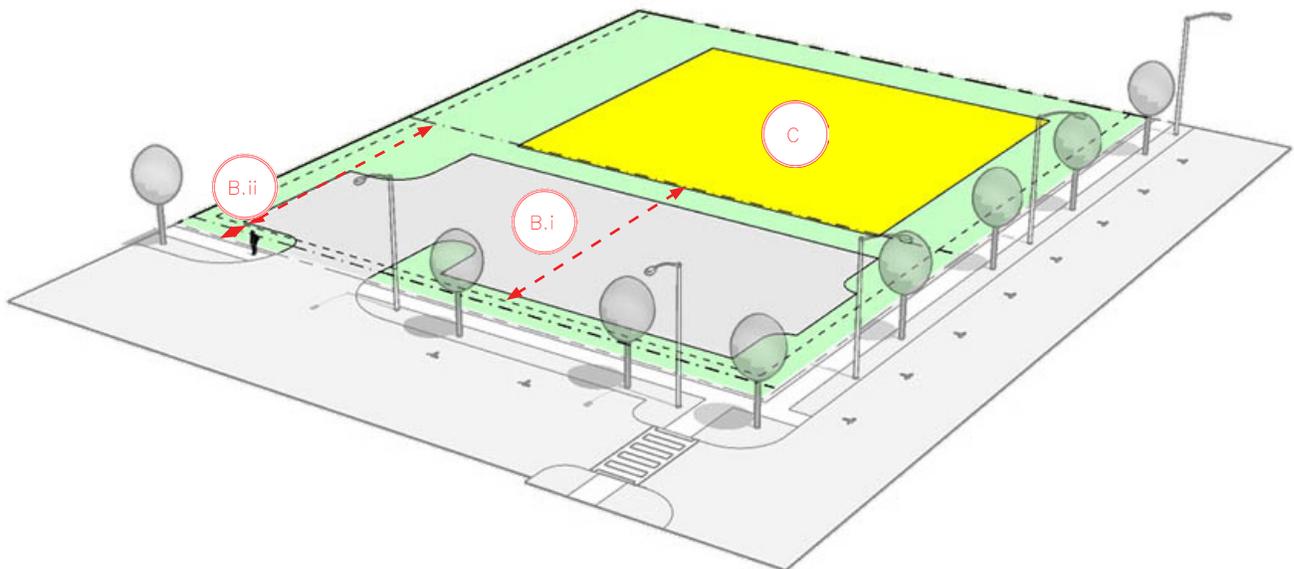
5.4 FRONTAGE C

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.
		f. Curb extensions (bulb outs) to be required at intersections in the T-5C.
		g. Curb extensions (bulb outs) to be required along the most prominent frontage in the T-4M and T-5M where: <ul style="list-style-type: none"> • There is an increase in the number of residential units or an increase in non-residential square footage; • The improvement is warranted under § 72-66; and • The lot is within an activity node, abutting a bicycle boulevard, or other improved pedestrian crossing in a Small Area Plan.

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.

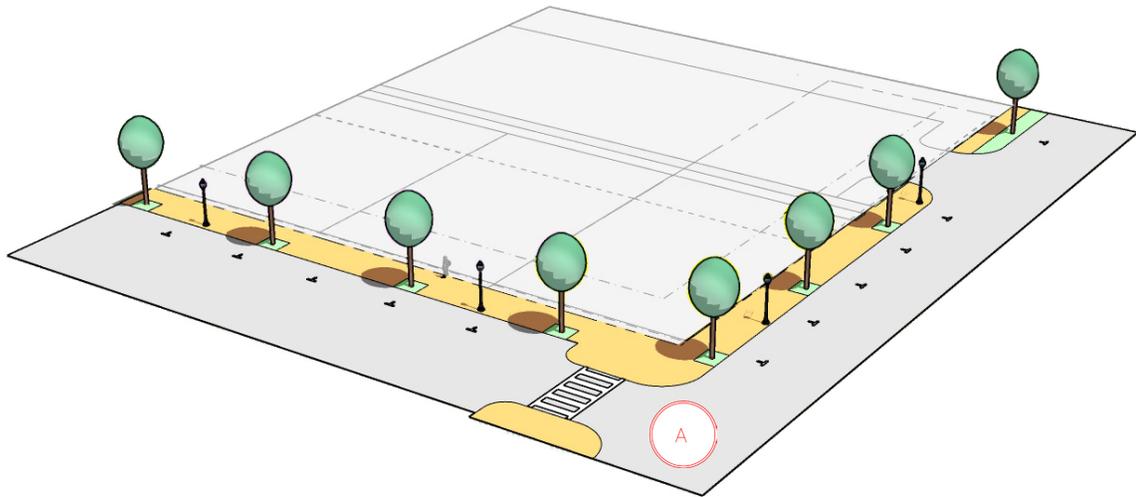
C. Building Type Permitted:

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.

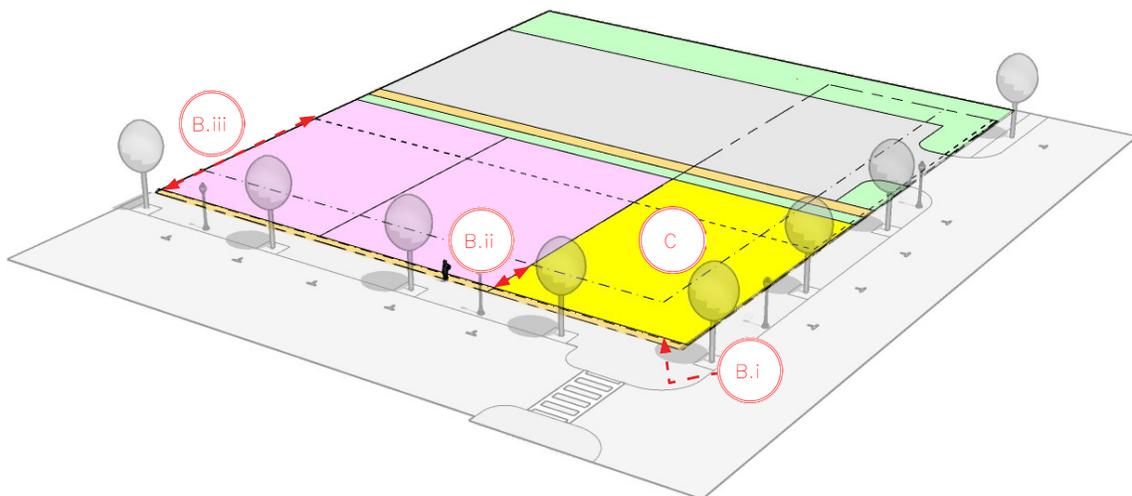
5-5. FRONTAGE D

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:

<div style="border: 1px solid red; border-radius: 50%; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">A</div>	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. Curb extensions (bulb outs) to be required at intersections in the T-5C.	
	g. Curb extensions (bulb outs) to be required along the most prominent frontage in the T-4M and T-5M where: <ul style="list-style-type: none"> • There is an increase in the number of residential units or an increase in non-residential square footage; • The improvement is warranted under § 72-66; and • The lot is within an activity node, abutting a bicycle boulevard, or other improved pedestrian crossing in a Small Area Plan. 	

B. Private Component:

<div style="border: 1px solid red; border-radius: 50%; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">B.i</div>	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.	
<div style="border: 1px solid red; border-radius: 50%; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">B.ii</div>	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.
<div style="border: 1px solid red; border-radius: 50%; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">B.iii</div>	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:

<div style="border: 1px solid red; border-radius: 50%; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center; margin: 0 auto;">C</div>	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:

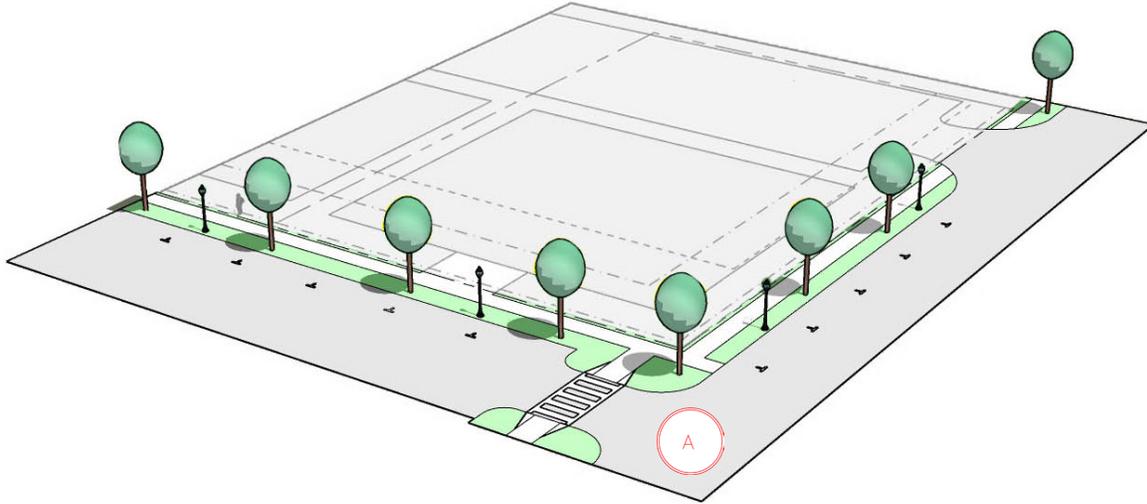
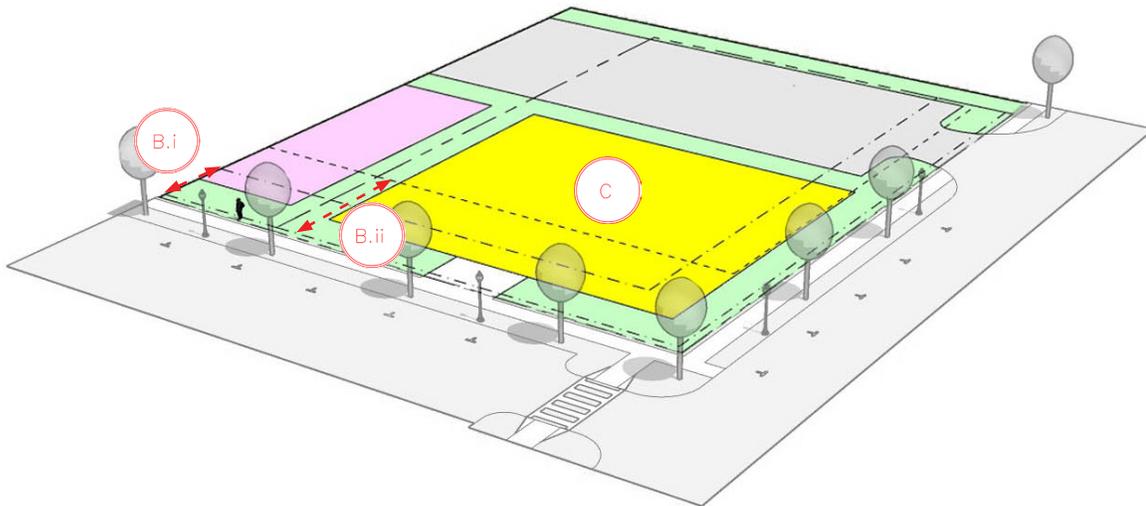


Figure E Private Component and Building Type Permitted:



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. Curb extensions (bulb outs) to be required at intersections in the T-5C.
		g. Curb extensions (bulb outs) to be required along the most prominent frontage in the T-4M and T-5M where: <ul style="list-style-type: none"> • There is an increase in the number of residential units or an increase in non-residential square footage; • The improvement is warranted under § 72-66; and • The lot is within an activity node, abutting a bicycle boulevard, or other improved pedestrian crossing in a Small Area Plan.

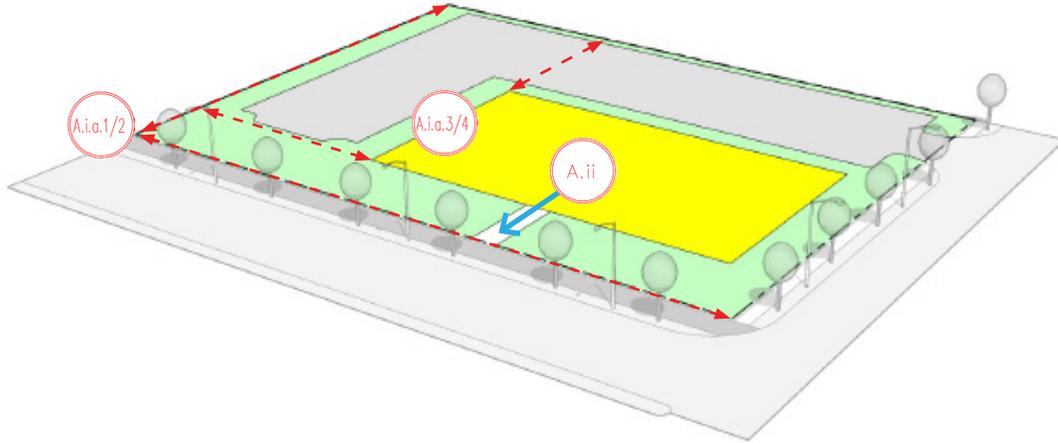
B. Private Component:

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.

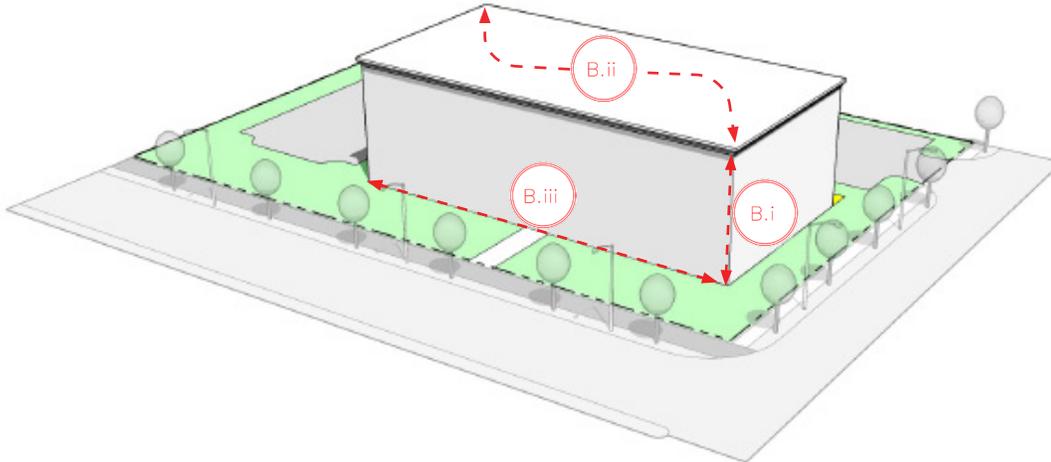
C. Building Type Permitted:

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.

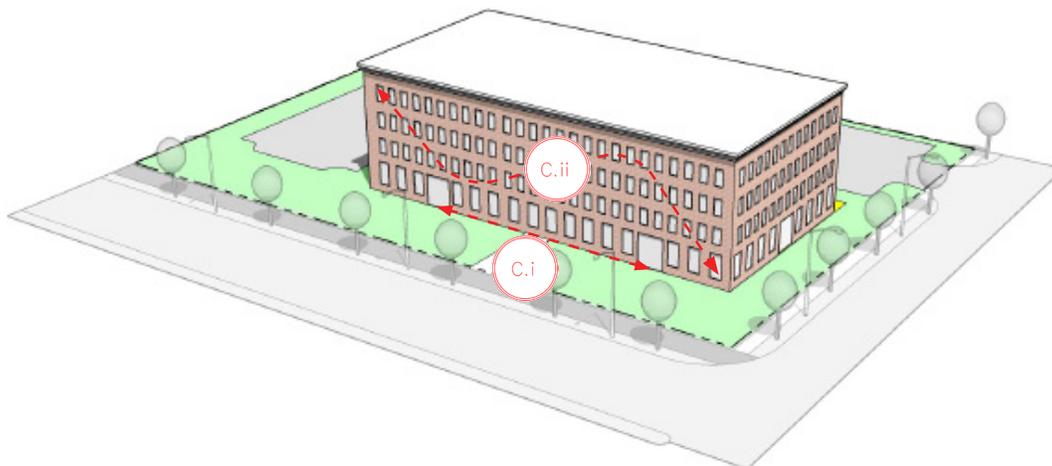
Building Type 1 Building Placement and Orientation:



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>

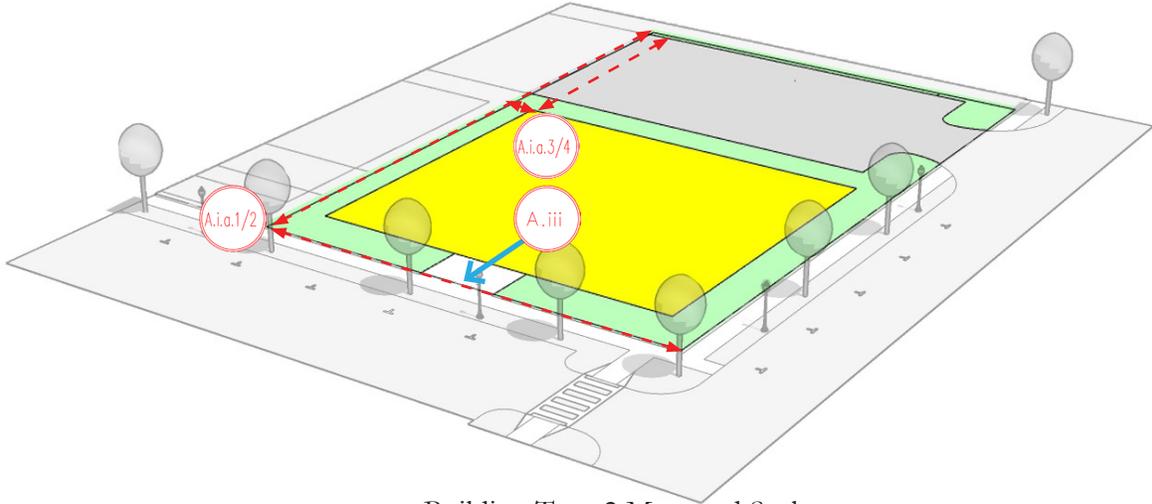
B. Mass and Scale:

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.

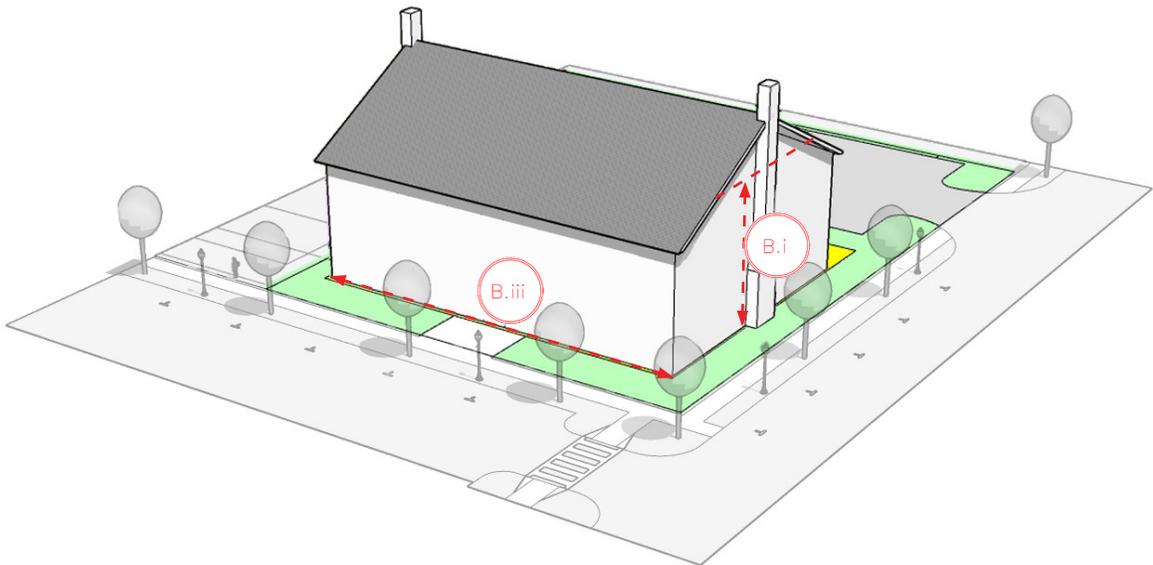
C. Facade Activation:

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

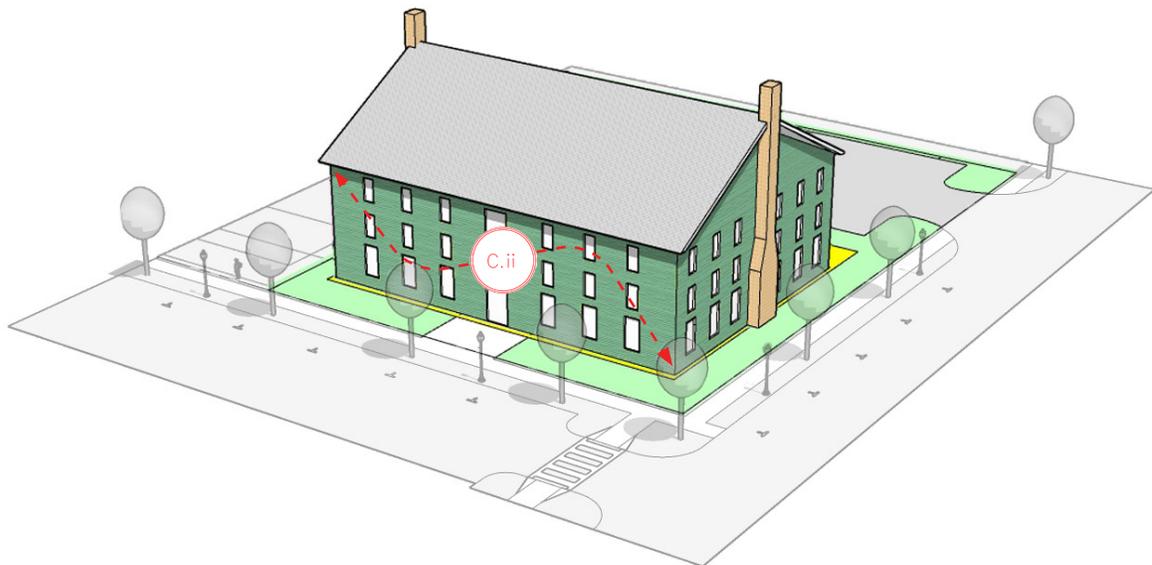
Building Type 2 Building Placement and Orientation:



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:
		4. Rear Setbacks:
		In accordance with the R-8 bulk regulations
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.

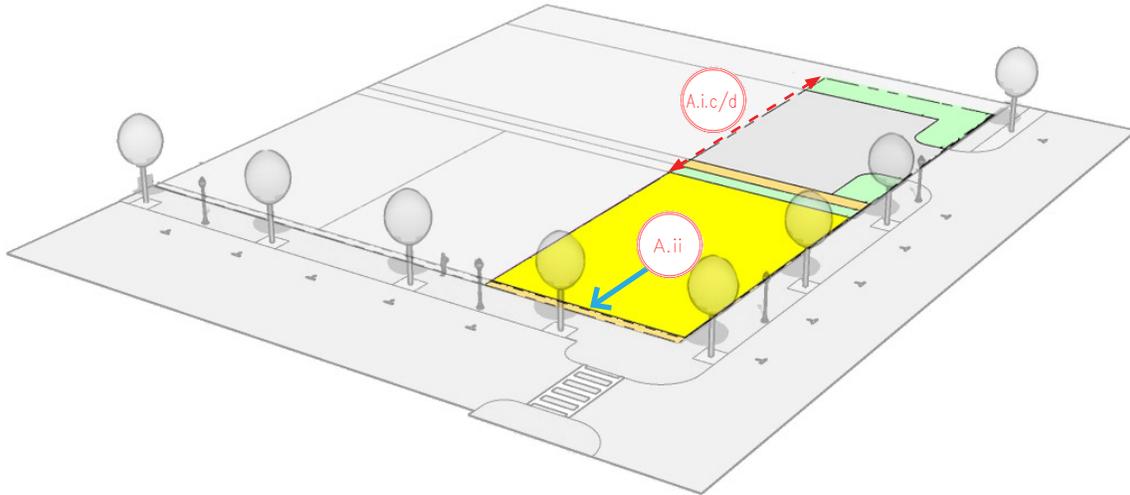
B. Mass and Scale:

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.

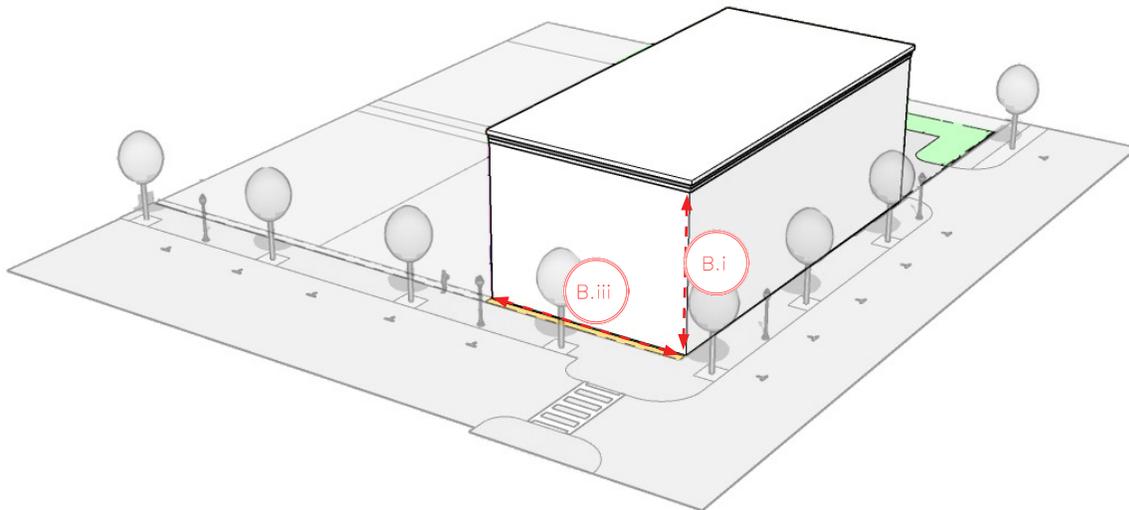
C. Facade Activation:

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

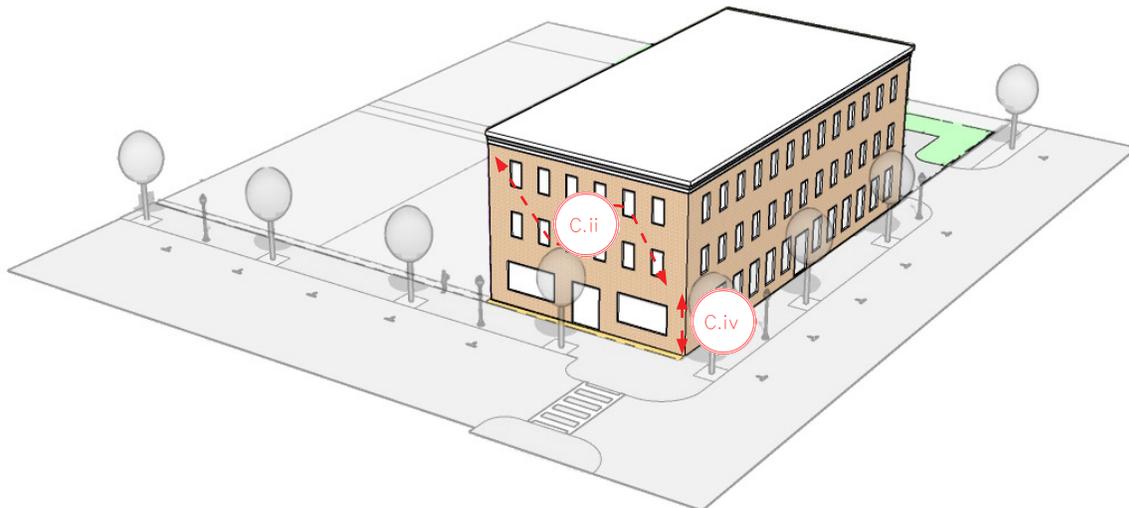
Building Type 3 Building Placement and Orientation:



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.

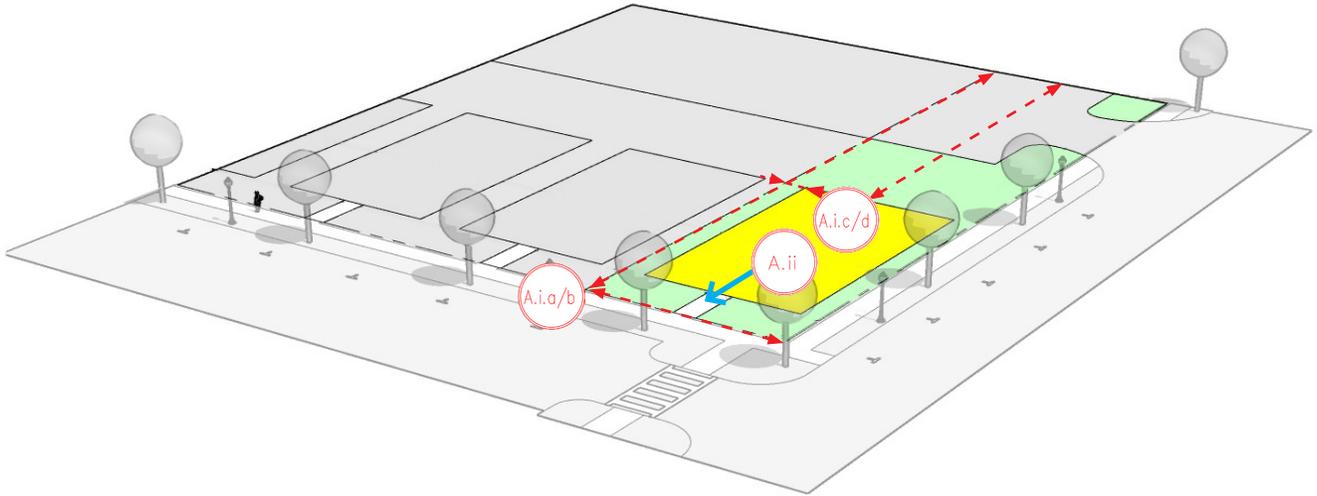
B. Mass and Scale:

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.

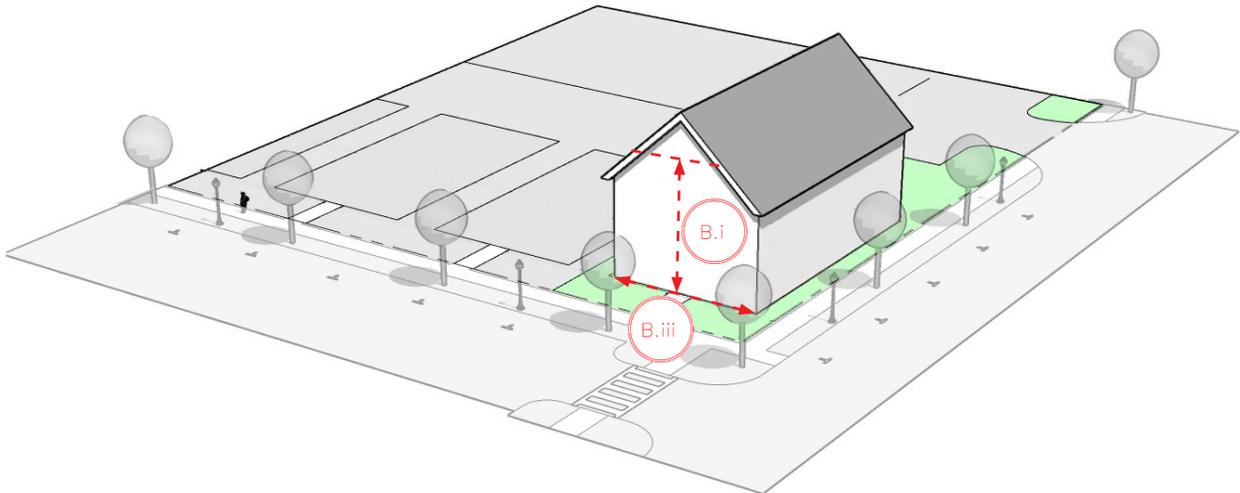
C. Facade Activation:

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'

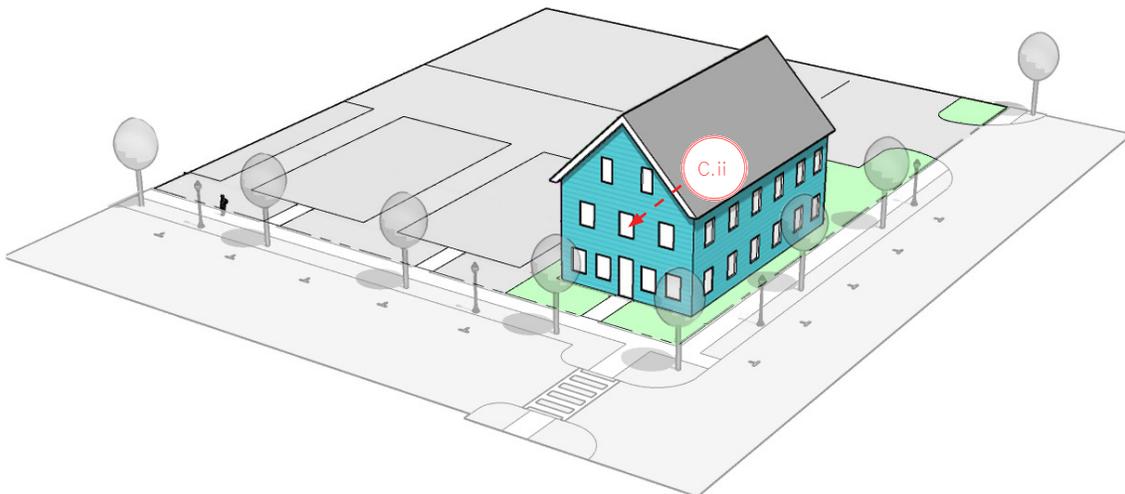
Building Type 4 Building Placement and Orientation:



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.
		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).
	A.i.c/d	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.

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

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, landscape area, 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



**CITY OF FREDERICKSBURG
PLANNING COMMISSION MINUTES
June 24, 2020
7:30 p.m.
ELECTRONIC MEETING / COUNCIL CHAMBERS, CITY HALL**

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/0rubqpyj78>

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

MEMBERS

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

CITY STAFF

Chuck Johnston, Director, Planning and Building Dept. (live)
Mike Craig, Senior Planner (live)
James Newman, Zoning Administrator (live)
Susanna Finn, Community Dev. Planner (live)
Cathy Eckles, Administrative Assistant (live)

ALSO PRESENT

Terry Coley, ADU Applicant (live)
Jeh Hicks, Cowan Station Applicant (live)

1. CALL TO ORDER

This meeting was held live and electronically by "Go to Meeting" application, pursuant to City Council Ord. 20-05, An Ordinance to Address Continuity of City Government during the Pendency of a Pandemic Disaster.

Members of the public were invited to attend in person with social distancing practices and masks required or access this meeting by public access television Cox Channel 84, Verizon Channel 42, online at www.regionalwebtv.com/fredcc, or Facebook live at www.facebook.com/FXBGgov.

Chairman Rodriguez called the meeting to order at 7:30 p.m. and explained electronic meeting procedures.

2. PLEDGE OF ALLEGIANCE

3. DETERMINATION OF A QUORUM

All members were present except Jim Pates.

4. APPROVAL OF AGENDA

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

Motion passed 6-0-1

5. APPROVAL OF MINUTES

- June 17, 2020

Mr. Durham motioned to approve the minutes as submitted. Mr. Hornung seconded.

Motion passed 6-0-1

6. DECLARATION OF CONFLICT OF INTEREST

Mr. Gantt stated he had a conflict with 8A, Special Exception request regarding an Accessory Dwelling Unit at 1306 Graham Drive, as he is a nearby property owner and president of the community’s homeowners’ association.

7. PUBLIC HEARING

A. Area 7 Small Area Downtown 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.

Ms. Finn reviewed the staff report showing what has changed since the February 26, 2020 presentation to the Commissioners, with a power point presentation (Att. 1) and noted this would be held open until the Commissioner’s July 8, 2020 meeting.

Chairman Rodriguez opened the public hearing and Ms. Finn read in the public comment letters received from the following:

- Mo Deadman, 214 Princess Anne Street (Att. 2);
- Debra Joseph 331 Princess Anne Street (Att. 3);
- Joseph Caliri and 217 Princess Anne Street (Att. 4);
- Maureen & Frank Widic 119 Caroline Street
- Paula & Ed Sandtner, 132 Caroline Street
- Rebecca Hanmer and 138 Caroline Street
- Carl & Anne Little 726 William Street (Att. 5).

There being no public speakers, Chairman Rodriguez closed the public hearing.

Mr. Hornung asked for clarification on the conversion of one-way streets. Ms. Finn stated that the proposed text enables an engineering study to analyze the impact of converting some one-way streets to two-way. Any decision would not be settled until after such study. One of the main aspects to be evaluated would be parking on converted streets.

Mr. Gantt questioned the city-owned train station parking lot being shared. Mr. Craig noted that on page 11(7)-27 the vision is to build a structure that is used 24 hours a day. Based on funding sources, other entities like VRE may have some control over the availability of some of the parking spaces. This will be worked out further in the train station master plan.

Mr. Durham asked about street speeds and if the plan was for the converted 2-way streets to still have parking on both sides of the street. Ms. Finn stated that parking would, generally, remain on both sides and the experience is that 2-way streets actually slow down drivers.

Mr. Durham noted the Darbytown residents request to formally name Trestle Park and in the Comprehensive Plan where “parks” and “open spaces” are mentioned that there is not much differentiation. He asked if the difference is that “open spaces” are maintained by public works and parks

are maintained by parks and recreation. Ms. Finn is unclear on that but will get clarification to help the Commissioners make a determination if it should be formally designated.

Mr. Gantt asked if the studies regarding speed are available to the public. Mr. Craig said the Fredericksburg Police Department (FPD) has cataloged numerous speed study reports which he believes are available to the public. Mr. Craig discussed the format of the engineering study that would analyze a conversion of traffic patterns.

Mr. Durham asked about pg. 4-9 and 4-10, Tables 4-6 and 4-7, of the Comprehensive Plan, regarding parks and open spaces, and questioned what modifications would be made to Table 4-7 based on the proposed changes to the Trestle Park land use designation. Ms. Finn noted that it will be updated. Mr. Durham stressed that language is important as to whether it is designated as an open space or a park and will need to be updated throughout the Comprehensive Plan since it is essentially being evaluated for a future park which goes to the desire of the Darbytown residents.

There being no further discussion, Chairman Rodriguez held this matter open until the July 8, 2020 meeting.

B. UDOTA2020-02 Creative Maker District - The City of Fredericksburg proposes to amend the Unified Development Ordinance to establish a new zoning district entitled “the Creative Maker District”.

C. RZ2020-02 – The City of Fredericksburg proposes to amend the Zoning Map to change the existing zoning of about 78 acres of land to the Creative Maker Zoning District.

Mr. Craig reviewed the staff report for these two items with a power point presentation (Att. 6). Mr. Craig noted a public hearing was held on March 11, 2020, but the vote was postponed due to an advertising error and then Commission meetings were suspended due to the COVID-19 outbreak. Mr. Craig said that this public hearing will be held open until July 8, 2020 to allow opportunity for additional public comments. He said that the Commissioner’s should recommend approval to City Council of both matters.

Chairman Rodriguez opened the public hearing and Mr. Craig read in the public comment letters received from the following:

Simon Watts	824 Caroline St., #B	(Att. 7); and
Sabina Weitzman	913 Marye Street	(Att. 8).

There being no public speakers, Chairman Rodriguez closed the public hearing.

Mr. Durham asked whether the text amendment creating the Creative Maker District would apply only in Area 6, or whether it could apply in Area 7. Mr. Craig said yes, the amendment would create a district in City Code that can be applied through rezoning to specific parcels. RZ2020-02 applies specifically to the 78 acres of land shown in the presentation. The Area 7 plan contemplates two additional maker districts: a continuation of this district south along Princess Anne Street and the Wolfe Warehouse District. Approving the Comprehensive Plan amendments in Area 7 will not apply this zoning designation, it only sets the vision and foundation.

8. UNFINISHED BUSINESS

A. Terry Coley requests a Special Exception from City Code §72-42.5, Table of Common Accessory Uses, for an ‘Accessory Dwelling Unit’ at 1306 Graham Drive. SE2020-02

Mr. Newman noted he had a few updates and that the Applicant wished to speak. Mr. Newman stated that a question was raised at the previous meeting as to whether the addition of a kitchen would pose any further fire or safety hazard. Mr. Newman said the Building Official observed that the structure is already rated for

residential use. The addition of the ADU is not changing the use and all required permits have been pulled with the work being up to Code. Mr. Newman stated the Applicant has volunteered a set of proffers (Att. 9), which he read into the record.

Chairman Rodriguez asked what work has already been done. Mr. Newman deferred to the Applicant.

Applicant Terry Coley addressed some of the issues raised stating that in February 2020 she attempted to pull permits to add a range within her second kitchen but was advised by Building she would have to work through the Zoning office first. Ms. Coley stated she has followed all directives in order to create a separate independent living space for her mother. She upgraded the appliances, put in a washer/dryer, renovated the bathroom, and had the entire basement repainted. Ms. Coley stated that she volunteered the eight conditions in her Agreement to alleviate some of the concerns that have risen in public comments.

Chairman Rodriguez asked about the kitchenette and Applicant noted that was there when she bought the home.

Chairman Rodriguez opened the public hearing and Mr. Newman read in the public comment letters received from the following:

Angela Jones	1201 Ellis Avenue	(Att. 10);
Dan Guy Fowlkes	1003 Hoke Lane	(Att. 11);
Anne Timpano	1118 Innis Drive	(Att. 12);
Elizabeth LeDoux	1202 Wright Court	(Att. 13);
Jeff Ely	1412 Brigadier Drive	(Att. 14);
Wycessa Small	1200 Graham Drive	(Att. 15);
Thomas Mon	1210 Walker Drive	(Att. 16);
Tom O'Brien	1112 Taylor Street	(Att. 17);
Janet Marshall Watkins	1206 Walker Drive	(Att. 18);
Erin Palko	1018 Wright Court	(Att. 19);
Belinda Watkins	2148 Idlewild Boulevard	(Att. 20);
LaToya Gronhoff	1858 Idlewild Boulevard	(Att 21); and
Troy Widgren	1603 Gayle Terrace	(Att. 22).

In addition, the following members of the public spoke:

Bryan Stelmok, 1117 Wright Court, spoke in opposition of the request as he believes it is a larger issue regarding allowing ADUs in the City. Mr. Stelmok believes the current definition of family is wholly inadequate and it is too difficult to enforce. He noted he is still concerned about the fire/safety issue even though the Building Official states it is safe.

Graham Gronhoff, 1858 Idlewild Boulevard, spoke in support of Ms. Coley's request. He stated that the chief concern of many is that a precedent will be set by allowing this exception and that single family homes will become multi-family homes leading to a decline in the quality of the neighborhood. He believes those concerns are unwarranted as approval for any ADUs will still require HOA approval. The majority of the concerns voiced have stated that they believe Ms. Coley just wants to profit off the modifications but he believes these are baseless accusations and not a valid reason for denial.

Debra Jean Zbrzeznj, 1403 Graham Drive, spoke in opposition of the request. She believes that Ms. Coley's mother moving in is not the reason to deny this request but that single-family homes should remain just that and she is concerned about the future of the Village of Idlewild and the City if ADUs are allowed. Ms. Zbrzeznj further discussed her concerns with overcrowding, parking, and overuse of the HOA amenities all leading to a decrease in home values.

Chairman Rodriguez closed the public hearing.

Mr. Slominski questioned staff's ability to regulate and enforce the family definition and have they found any violators in Idlewild. Mr. Newman stated that to date he has received no complaints from Idlewild, but explained the procedures when a violation is brought to the City's attention. Mr. Craig noted that the most powerful tool the City uses is that when a violation of overcrowding is substantiated, the penalty is \$7,500.

Mr. Slominski questioned how often contractors will do work without pulling permits and how is that discovered by the City. Mr. Craig noted that often when work is done to create a full second unit in a property it often leads to conditions of overcrowding. If the City discovers work was done this way, the work would have to be removed.

Chairman Rodriguez questioned Ms. Coley's statement about meeting with City Council. Mr. Newman stated he assumed it meant she spoke at a general public comment portion of a City Council meeting. No scheduled meetings have been held between City Council and Ms. Coley. He asked if the current situation warrants Ms. Coley's mother moving in with no special exception granted. Mr. Newman said yes.

Mr. Durham commended Ms. Coley for going through the rigorous Special Exception process and that the addition of the stove provides Ms. Coley and her mother the way to maintain separate independent living together.

Mr. O'Toole moved to recommend to City Council that they deny the Special Exception due to the character of this neighborhood being single-family and the definition of family stating ".....living and cooking together". Chairman Rodriguez seconded. Mr. Hornung stated he would be voting against the motion as he feels this request will not impact density in the development. He feels the City should be encouraging this type of cohabitation and hopes that staff can look at the current ordinance and find that distinction that allows that to occur but also protects against some of the concerns raised by citizens. Mr. Slominski noted he will also vote against the motion. Chairman Rodriguez noted he will be voting for this motion as he believes this exception does not meet the burden.

Motion failed 3-2-1 (abstained)-1 (absent).

Mr. Durham moved to recommend to the City Council approval of the Special Exception of an Accessory Dwelling Unit at 1306 Graham Drive with staff's conditions. He also noted that staff should engage with Ms. Coley regarding her proffered conditions to see which ones should be forwarded to City Council. Mr. Slominski seconded. Mr. O'Toole noted he would be voting for denial of the motion based on his previous stated reasons. He stated that if a condition could be added that if the mother left the home, the stove could be removed, he would be in favor but the Special Exception runs with the property and that can't be done so he is against the motion.

Chairman Rodriguez questioned Mr. Durham about adding a condition to the motion to remove the boarder exemption but Mr. Durham disagreed. Mr. Slominski asked for clarification as to whether what Chairman Rodriguez is proposing is even doable. Mr. Johnston stated it is not legally supportable and the definition of the family cannot be split. Discussion ensued regarding the differentiation

Motion passed 3-2-1 (abstained)-1 (absent).

B. JFH - Fredericksburg II, LLC requests amendments to the Comprehensive Plan for sub-planning area 5B and the Future Land Use Map to permit a commercial office park on the eastern side of the intersection of U.S. Route 1 and Spotsylvania Avenue between Rappahannock Avenue to the east, U.S. Route 1 to the west, and the Brent Street right-of-way to the south. CPA2020-02

C. JFH – Fredericksburg II, LLC requests:

1. A rezoning from Residential Mobile Home, Residential 4, and Commercial / Transitional Office to Commercial Highway with proffered Conditions of 50 Geographic Parcel Identification Numbers (GPINs) generally located on the eastern side of the intersection of U.S. Route 1 and Spotsylvania Avenue between Rappahannock Avenue to the east, U.S. Route 1 to the west, and the Brent Street right-of-way to the south. RZ2020-03
2. A determination that the vacation of a portion of the Spotsylvania Avenue and Dandridge Street rights-of-way and the rededication of new public right-of-way for a realigned Spotsylvania Avenue is in conformance with the Comprehensive Plan. VAC2020-01

Mr. Craig reviewed the staff report and a power point presentation (Att. 23) and recommended that the Commissioner’s recommend approval to City Council.

Mr. Durham asked whether the two trails were previously located at Dandridge Street and Brent Street. Mr. Craig stated the trails were located at Brent Street and Payne Street since the formal submission of the application, but previous renditions may have shown alternate trail locations.

Chairman Rodriguez asked about the purpose of the trails and what connectivity they would provide. Mr. Craig stated that integrating new development into the transportation system should be done with multiple links in a network. Mr. Craig stated that the use of two trails enhances the walkability to this development. Discussion ensued regarding the connection and distance between the trails.

The Applicant, JFH Fredericksburg II, LLC, represented by its Director of Community Relations, Jeh Hicks, was present and spoke in promotion of the connection of the trails.

Chairman Rodriguez opened the public hearing and Mr. Craig read in the public comment letters received from the following:

Meghann Cotter	1222 Brent Street	(Att. 24);
Meredith Beckett	President, College Heights Civic Association	(Att. 25); and
Rea Mandarino	1105 Nolan Street	(Att. 26).

In addition, the following member of the public spoke:

Dennis Lister, 1108 Rappahannock Avenue, spoke in favor of the project but in requested that the Brent Street trail be relocated. Mr. Lister further discussed various options the College Heights Civic Association feel are better options for the trail.

Mr. Durham noted his reservations about the potential impact of the Brent Street trail reducing existing tree canopy. He recommended shifting the Brent Street Trail to Dandridge Street or reducing the plan to one trail on Payne Street and that Applicant be mindful and remove as little existing tree canopy as possible. Chairman Rodriguez agreed with Mr. Durham. Mr. Craig noted the City recommends keeping two connections to maximize the efficiency of the transportation network and stated that shifting the trail to Dandridge Street would maintain a sufficient level of connectivity while lessening the environmental impact of the trail.

Mr. Hornung motioned to recommend approval of CPA2020-02 to City Council. Mr. Gantt seconded.
Motion passed 6-0-1.

Mr. Hornung motioned to recommend approval of RZ2020-03 to City Council with the recommendation of the relocation of the Brent Street trail to Dandridge Street. Mr. Durham seconded.

Motion passed 6-0-1.

Mr. Hornung motioned to determine that VAC2020-01 vacating Spotsylvania Avenue and Dandridge Street right-of-ways is in accordance with the 2015 Comprehensive Plan. As part of that determination, he sought consensus for a recommendation that the valuation of the public improvements the Applicant would provide in re-aligning and substantially improving Spotsylvania Avenue offset the value of the net 0.85 acres of right-of-way to be deeded to the Applicant. Chairman Rodriguez stated this was previously discussed on June 17, 2020, and the Commissioners agreed to recommend to Council that Applicant not be charged for the abandonment of the right-of-way given the extent of the public street improvements the applicant is proposing to make. Mr. Durham seconded.

Motion passed 6-0-1.

9. GENERAL PUBLIC COMMENT

None.

10. OTHER BUSINESS

A. Planning Commissioner Comments

Mr. Durham reviewed the City Council's discussion on June 23, 2020 regarding eliminating the City's historic effects of systemic racism and other related items. Mr. Durham requested staff start thinking about ways the Commissioners can address this issue by evaluating whether there are other parts that can be addressed and make some positive impact change.

B. Planning Director Comments

Mr. Johnston stated on June 23, 2020, Council approved the GreenChip Special Exceptions and Special Use Permit; delayed the implementation of the Archeological Ordinance for one year; approved the Sign Ordinance amendments and the transportation Comprehensive Plan amendments. Mr. Johnston noted that Council has indicated that it wishes to address the affordable housing issue from a regional perspective in cooperation with neighboring jurisdictions. The Regional Commission has secured state funding for consultants to develop an affordable housing plan. Mr. Johnston discussed the renaming of streets and places and that the State is also looking into addressing this topic.

11. ADJOURNMENT

There being no further items to be discussed, the Planning Commission meeting adjourned at 10:08 p.m.

Next meeting is July 8, 2020.

Rene Rodriguez, Chairman



**CITY OF FREDERICKSBURG
PLANNING COMMISSION MINUTES**

July 8, 2020

7:30 p.m.

ELECTRONIC MEETING / COUNCIL CHAMBERS, CITY HALL

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MEMBERS

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

CITY STAFF

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

1. CALL TO ORDER

This meeting was held live and electronically by "Go to Meeting" application, pursuant to City Council Ord. 20-05, An Ordinance to Address Continuity of City Government during the Pendency of a Pandemic Disaster.

Members of the public were invited to attend in person with social distancing practices and masks required or access this meeting by public access television Cox Channel 84, Verizon Channel 42, online at www.regionalwebtv.com/fredcc, or Facebook live at www.facebook.com/FXBGgov.

Chairman Rodriguez called the meeting to order at 7:30 p.m. and explained electronic meeting procedures.

2. PLEDGE OF ALLEGIANCE

3. DETERMINATION OF A QUORUM

All members were present except Tom O'Toole.

4. APPROVAL OF AGENDA

Mr. Gantt moved for approval of the agenda as submitted. Mr. Durham seconded.

Motion passed 6-0-1

5. DECLARATION OF CONFLICT OF INTEREST

None.

6. UNFINISHED BUSINESS (continuation of Public Hearing from June 24, 2020)

- A. Area 7 Small Area Downtown 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 Downtown Small Area Plan.

Ms. Finn reviewed a power point presentation (Att. 1) showing what was changed in the proposed Downtown Plan since the June 24, 2020 presentation to the Commission.

Mr. Durham noted the addition of proposed Trestle Park at the corner of Caroline and Frederick Streets to Table 4-7 City-Owned property for Future Parks and asked how to add future parks, specifically in Area 2. He was specifically focused on the land donated to the City for open space approximately 4 years ago and possibilities in Area 1, wherein there may be some open space that needs to be designated. He said that he wants to be sure the City will be using Table 4-7, Future Parks, to designate any potential future park or open space areas. Ms. Finn said that the City modified this table for Trestle Park based on his recommendation from the last Commission meeting and will check into any other possibilities.

Chairman Rodriguez opened the public hearing and Ms. Finn read in the public comment letter received from:

Rebecca Hanmer 138 Caroline Street (Att. 2)

There being no public speakers, Chairman Rodriguez closed the public hearing.

Mr. Gantt motioned to recommend approval of the Comprehensive Plan Amendments for the Downtown Small Area Plan. Chairman Rodriguez seconded. Mr. Durham commended staff for the tireless work done in the last two years. Mr. Pates said, although he is supporting the motion, he does not agree with Trestle Park as open space and believes this area is intrinsically tied to the development of the new train station.

Motion passed 6-0-1.

- B. UDOTA2020-02 Creative Maker District - The City of Fredericksburg** proposes to amend the Unified Development Ordinance to establish a new zoning district entitled “the Creative Maker District”.

- C. RZ2020-02 – The City of Fredericksburg** proposes to amend the Zoning Map to change the existing zoning of about 78 acres of land to the Creative Maker Zoning District.

Mr. Craig reviewed the staff report for Items 6B and 6C jointly with a power point presentation (Att. 3). Mr. Craig stated the commercial Floor Area Ratio (FAR) maximum was modified from 0.70 to 0.75 for a more logical incremental scale relative to other commercial zoning districts.

Mr. Hornung said in light of the critical public comments about reduced residential density, would staff refresh the Commissioners about the proposed changes. Mr. Craig summarized that density would change as follows:

CT – currently 12 units per acre by right, changed to 8 and 12 units per acre by right, depending on location;
CH – currently 12 units per acre by right with no change; and
R30 – currently 30 units per acre by right, changing to 12 units per acre by right;

Mr. Craig said that these changes reduce on paper the net number of units permitted by right by 114. This is balanced by providing for no automatic limit to residential units allowed through the Special Use Permit process. Structuring residential density in this way sets a by-right limit at or below neighborhood residential levels yet permits creative housing proposals that would be dense enough to meet

environmental and economic development goals as they could create a walkable vibrant core. Mr. Craig noted there are other performance standards in place to keep the density in check. Mr. Durham clarified that the types of developments that will come through are likely to be a variety of types, densities, and sizes, no inundation of only really large developments.

Chairman Rodriguez opened the public hearing and Mr. Craig read in the public comment letters received from the following:

Will Macintosh	905 Mortimer Avenue	(Att. 4);
Alexanna Hengy	2412 Lafayette Boulevard	(Att. 5);
Sean Imanian	no address given	(Att. 6); and
Rupert Farley	1305 Caroline Street	(Att. 7).

Adam Lynch, 1108 Sophia Street, spoke against the residential density limits in the Creative Maker District stating that even if this district is built out to its full capacity, the proposed residential downsizing will ensure less units per acre than in Bunker Hill and that environmentally friendly missing middle housing cannot be constructed under these density limits. He feels that this proposal will take a growing area in a growing city and saddle it with limits, which will underutilize a promising urban area. Mr. Lynch further noted that this proposed text amendment will not only apply to Area 6 but is a blueprint for future maker districts as it creates two new zoning classes, with primary input from homeowners in a single area of the City. Mr. Lynch believes the special use permit process built into the proposal places disproportionate power in the hands of an organization that has a vested interest in suppressing housing supplies and that creating a precedent setting zoning code under the influence of a small cross section of one neighborhood discourages new growth. Mr. Lynch believes there is also another dynamic at play in that this proposal was developed with only input from a neighborhood comprised mostly of older, financially stable homeowners and that to develop a maker district vision that truly reflects the will of the people, the City needs to seek out Fredericksburg residents of all backgrounds and all neighborhoods to be sure the City includes affordable housing opportunities.

There being no further public speakers, Chairman Rodriguez closed the public hearing.

Chairman Rodriguez noted that he actively worked with the Canal Quarter group and disputed Mr. Lynch's notion that the group was not diverse.

Mr. Durham believes that the goals he has heard staff talk about seeking to create and the goals in the citizen comments mirror each other and asked Mr. Craig to comment on that dynamic. Mr. Craig said the core issue with any zoning district is how to handle residential growth and the City developed a strategy for urban infill. The urban infill strategy, permitting residential density to be set on a project basis by special use permit, can be followed with potential changes to the Commercial Downtown zoning district where there is such a disparity between units per acre on the ground. The elimination of the suburban artificial maximum "caps" will legalize creative housing proposals on a variety of lot sizes in place of the current suburban dynamic superimposed on urban settings where artificial "caps" create market and legal pressure that results in a limited residential marketplace comprised of either large lot single family homes or acres of land being consolidated by heavily capitalized firms for garden apartment complexes.

The balanced approach in the Creative Maker District permits residents to have a voice in the development process. The process permits the City to be ambitious, to meet climate goals, and to be environmentally sustainable, permitting infill residential development at a scale that can absorb the growth in places where it does the most good. Mr. Craig said that the City has kept Area 6 as a mixed use district, kept the by-right residential levels relatively stable, structured the area as a creative and inclusive marketplace, and provided the form-based code to limit building heights, widths, and footprints, which is the critical way to control the intensity.

Mr. Durham said that the primary goal of this zoning district process is not to establish residential developments, but to encourage mixed use, adaptive reuse, and to allow different sorts of uses than what

is currently used in order to have more creative approaches to attract entrepreneurial types into this area. Mr. Craig agreed.

Mr. Gantt motioned to recommend approval to City Council of UDOTA2020-02 creating the Creative Maker District and consolidating form-based regulations. Mr. Durham seconded. Mr. Pates said that he disagrees with the public comment about the characterization of his neighborhood. He also said that he plans to vote against the recommendation. He disagrees with the opposition to the residential limits from people who are claiming the City is promoting suburban sprawl. Mr. Pates stated his opposition to this is because there are no caps on residential density through the special use permit process.

Chairman Rodriguez said he would be supporting this proposal as he has been working with the very diverse Canal Quarter group throughout the process.

Motion passed 5-1-1.

Mr. Durham motioned to recommend approval to City Council of RZ2020-02 to amend the Zoning Map to change the existing zoning of about 78 acres of land to the Creative Maker Zoning District. Mr. Slominski seconded.

Motion passed 5-1-1.

7. GENERAL PUBLIC COMMENT

None.

8. OTHER BUSINESS

A. Area 1 and 2 Small Area Plan Concept Preview

Mr. Craig and Ms. Finn did a general review of Area 1 Celebrate Virginia / Central Park and Area 2 Fall Hill Small Area Plans with a power point presentation (Att. 8) noting that these items will be discussed at the Commissioner's August 12, 2020 meeting with reports from Streetsense (on Area 1) and City staff (on Area 2).

B. Next Phase UDO Text Amendments

1. Transfer of Development Rights
2. Industrial Use / Performance Standard Review
3. Planned Development – Mixed Use Ordinance Revisions
4. Conservation District Overlay / Neighborhood Infill
5. Area 7 Text and Zoning Map Amendment

Mr. Craig did a general review of the upcoming Planning Commission work seasons.

C. Planning Commissioner Comments

Mr. Pates noted his displeasure of the Commissioner's motion to recommend approval of SE2020-02 to City Council as he still feels there is nothing special about it. Mr. Pates believes an Accessory Dwelling Unit should have a more distinctive definition and should only apply to separate buildings, not changing the interior of a single family home.

Mr. Durham said the George Washington Regional Commission has created a survey regarding housing affordability and would like to have it more broadly advertised. Ms. Finn said she had forwarded the survey to the City Manager's Office and the Public Information Officer for posting.

D. Planning Director Comments

Mr. Johnston noted that Council will discuss the ADU Special Exception and Cowan Station Comprehensive Plan amendments, rezoning, and street vacations at its upcoming July 14, 2020 meeting. The August 12 Commissioner's meeting will primarily be a working session with a transmittal of the Area 1 (Central Park/Celebrate) and 2 (Fall Hill) Plans as a joint work session with City Council. The timing and format of the meeting is yet to be determined.

Mr. Johnston discussed that Streetsense's Area 1 ideas may differ from staff. Staff will transmit Streetsense's report, following up at a subsequent meeting with alternatives and options. He noted Streetsense's base premises were that commercial and retail development is shrinking, while the potential for residential is growing.

The Downtown Plan and the Creative Maker District and rezoning will be discussed with Council at a work session on August 11 and then a public hearing on August 25, along with the Parking Ordinance amendments.

Mr. Gantt asked about the comparison between Streetsense's views and the City's alternate plans and why the need for two meetings. Mr. Johnston said that it is appropriate to present all of Streetsense's information, but after the Commission has had a chance to absorb this, to then present the alternate concepts.

Mr. Pates asked if the Commissioners will have any chance to talk and question Streetsense about its report. Mr. Johnston said their staff should be available electronically.

9. ADJOURNMENT

There being no further items to be discussed, the Planning Commission meeting adjourned at 8:49 p.m.

Next meeting is August 12, 2020.

Rene Rodriguez, Chairman



MEMORANDUM

Johnston

TO: Tim Baroody, City Manager
FROM: Chuck Johnston, Community Planning & Building Director;
Mike Craig, Senior Planner
DATE: 2020 September 1 for the September 8 City Council Meeting
SUBJECT: Parking Regulation Text Amendments to the Unified Development Ordinance,
Section 72-53.1

Issue

Should the Unified Development Ordinance be amended to recalibrate parking regulations?

Recommendation

Approve the proposed Unified Development Ordinance Text Amendment.

City Council Public Hearing

The City Council held a public hearing on this item on August 25th at which no public comment was received. Discussion at the meeting focused on residential parking standards. No additional comment has been received in the interim.

Planning Commission Action

After a public hearing on March 11, the Planning Commission unanimously (1 absent) voted to recommend the amendments to the Unified Development Ordinance to recalibrate the City's parking standards. Two residents spoke in favor of the changes. One of the speakers also encouraged a review of bicycle parking standards. The Commission recommendation included making such changes.

Subsequent to the March 11 meeting, the proposed text was modified to include the SmartCode standard for the minimum number of required bicycle parking spaces (requiring bicycle spaces as a ratio to the number of vehicles spaces replacing a per square foot/unit standard for all uses). As more fully described below, the SmartCode has been the foundation text for all the proposed changes to the number of required spaces. Also included were more detailed bicycle facility design standards, taken from standards develop by Arlington County and the City of Alexandria.

In addition, editorial adjustments have been made.

- Section 82.7, Rules of Measurement; Parking Space Computation, is shifted to Section 53.1 so that all parking standards are in one UDO section for ease of reference. Portions of 82.7 that are redundant or inconsistent with the current provisions of 53.1 are deleted.
- The proposed text allowing a payment instead of providing spaces in the Downtown area was reworded to be clearer.
- Proposed text for parking requirements was modified to be internally consistent with existing text and standards.

Background

A reduction and recalibration of the City's parking regulations are proposed to implement policies in the City's Comprehensive Plan to encourage quality development/redevelopment Downtown and in Planned Development areas. The 2017 Walker Parking Action Plan encourages efficient parking supply. The changes also incorporate into the proposed Creative Maker Zoning District. The amendments 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. The "SmartCode" (with some calibration) is proposed as the benchmark for parking requirements for the City. The primary impact would be in the Downtown area, the new Creative Maker District, and in Planned Development projects, where commercial standards would be lower, multi-family residential would be higher, and an automatic shared use calculation applied to mixed use, providing a more balanced parking standards. 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 is attached.

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 or will be 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 20th 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” (parking pages 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 includes transitional areas between these cores as well as historic corridors with mixed use and density adjoining lower density residential areas. T-3 is applied to the City’s residential neighborhood 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 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 require more parking than is 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 the desired character as a walkable community with an appropriate balance of parking:

- a 33% reduction for office uses and 12% reduction for retail in Downtown/Mixed-Use areas,
- an approximate 12% reduction for office and use of a lower standard for larger retail uses outside Downtown/Mixed-Use areas,
- elimination of parking for small commercial 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.
- application 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 is proposed for all spaces, with higher rates 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 are proposed to include support of transit/shuttle services as well as bicycle facilities, with the district, which is restyled as the Downtown Parking/*Transit/Bicycle* District. Further, expansion of the Downtown Parking/*Transit/Bicycle* District is proposed to include the proposed additional walkable urban places in the Downtown Plan, as shown in the Downtown Small Area Plan (see attached map).

Information Sessions

Per the request of Council, these proposed text amendments were presented to 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. The City Council should approve this amendment.

Attachments

1. Draft Ordinance Amending the City's Parking Standards
2. Planning Commission meeting Minutes: 2020 March 11
3. Brief Parking History of the City
4. SmartCode Vehicle Parking Calculations
5. SmartCode Bicycle Parking standards



September 8, 2020
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 reduce and recalibrate the City's parking regulations to implement policies in the City's Comprehensive Plan and the 2017 Walker Parking Action Plan, in order to encourage quality development and redevelopment.

The City Council adopted a resolution to initiate this text amendment at its meeting on February 11, 2020. The Planning Commission held its public hearing on the amendment on March 11, 2020, after which it voted to recommend the amendment to the City Council. The City Council held its public hearing on this amendment on August 25, 2020.

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," and Section 72-82.7, "Rules of Measurement, Parking space computation" 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(C), "Off-street parking requirements":
 - (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; *and*
 - (f) *The first 1500 square feet of Commercial 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.*

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.

3. Spaces meeting only the dimensional requirements for compact cars ~~or motorcycles~~ ~~are not~~ *may be* credited for compliance with *up to 10%* of the minimum number of parking space standards in this table. *Spaces meeting only the dimensional requirements for motorcycles may be credited for compliance with up to 5% of the minimum number of parking space standards in this table.*
4. *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 functions 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		1	OFFICE
RETAIL	1.4	1.1	RETAIL
	1.2	1.7	
	1.3	1	
	1.2	1.3	
	1	1	

[1] *A Shared Parking Factor for two functions in a development is divided into the sum of the parking required for the two uses to produce the effective parking required.*

[2] *The lowest factor shall be used when there are three or more functions.*

[3] *Uses in the Institutional and Commercial Use Classifications in Table 72-53.1C(2), but not shown as functions in the Shared Parking Factor Table, shall be considered as a Retail function.*

[4] *A Shared Parking Factor shall not be applied when any one of the four functions constitute more than 75% of square footage of a development.*

[5] *A Shared Parking Factor shall not be applied when parking spaces are assigned to specific dwelling units or non-residential uses.*

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)
Residential use classification		
Household living	Dwelling, duplex	1.5 per DU
	Dwelling, live/work	1 per DU
	Dwelling, mobile home	2 per DU
	Dwelling, multi-family	1.5 1.75 per DU + 1 per every 5 units; 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	1.5 1.75 per DU + 1 per every 5 units; 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	0.5 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
Institutional use classification		
Community services	Art center and related facilities	1 per every 300 335 sf
	Community center	1 per every 300 335 sf
	Cultural facility	1 per every 300 335 sf
	Library	1 per every 300 335 sf
	Museum	1 per every 500 sf
	Social service delivery	1 per every 300 335 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	10 + 1 per classroom
	School, middle	10 + 1 per classroom
	School, high school	1 per every 300 sf
	Vocational or trade school	1 per every 300 sf
Government facilities	Courthouse	65 per courtroom 1 per every 6 seats in each courtroom
	Government facility	1 per every 600 sf
	Government office	1 per every 300 335 sf; 1 per every 500 sf in the C-D, C-M, or Planned Development zoning districts
	Post office	1 per every 200 250 sf
Health care facilities	Hospital	1 per every 3 inpatient beds
	Medical laboratory	1 per every 400 sf
	Medical treatment facility	1 per every 300 335 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)

Use category	Use type	Minimum number of parking spaces (sf = gross square feet of floor or use area)
	Cemetery, columbaria, mausoleum	See §72-53.1C(3)
	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 <i>per</i> every additional 6,000 sf
	Small data center	1 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
Commercial use classification		
Adult entertainment		1 per every 300 sf
Animal care	Animal grooming	1 per every 300 sf; <i>1 per every 335 sf in the C-D, C-M, or Planned Development zoning districts</i>
	Animal shelter/kennel	1 per every 300 sf; <i>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)
	Veterinary clinic	1 per every 300 sf; <i>1 per every 335 sf in the C-D, C-M, or Planned Development zoning districts</i>
Eating establishments	Bakery	1 per every 240 sf
	Restaurant, fast-food	1 per every 100 sf
	Restaurant, with indoor or outdoor seating	1 per every 180 sf, <i>no spaces required for outdoor seating</i>
	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 300 335 sf; <i>1 per every 500 sf in the C-D, C-M, or Planned Development Zoning Districts</i>
	Medical and dental	1 per every 300 sf; <i>1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts</i>
Parking, commercial	Parking lot	None
Recreation, Indoor	Fitness center	1 per every 300 sf; <i>1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts</i>
	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; <i>1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts</i>
Retail sales and services	Auction house	1 per every 300 sf; <i>1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts</i>
	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 300 335 sf; <i>1 per every 500 sf in the C-D, C-M, or Planned Development Zoning Districts</i>
	Funeral home	1 per 4 seats in main assembly room
	Gasoline sales	1 per every 300 sf
	Grocery store	1 per every 300 sf; <i>1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts</i> 60,000 sf to 100,000 sf: <i>1 per every 400 sf</i> >100,000 sf: <i>1 per every 450 sf</i>
	Historic dependency limited office retail	1 per every 300 335 sf; <i>1 per every 500 sf in the C-D, C-M, or Planned Development Zoning Districts</i>
	Laundromat	1 per every 300 sf; <i>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)
	Lumber/building materials	1 per every 300 sf
	Open-air market	See 72-53.1C(3)
	Personal services establishment	1 per every 300 sf; <i>1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts</i>
	Pharmacy	1 per every 200 250 sf
	Plant nursery	1 per every 500 sf
	Repair establishment	1 per every 300 sf; <i>1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts</i>
	Retail sales establishments, <i>including groups of two or more commercial uses</i>	<60,000 sf: 1 per every 300 sf; <i>1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts</i> 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 <i>See Retail sales establishments</i>
	Tattoo parlor/body piercing establishment	1 per every 300 sf; <i>1 per every 335 sf in the C-D, C-M, or Planned Development Zoning Districts</i>
Seasonal events	All	See 72-53.1C(3)
Vehicle Sales and Service	Automobile sales or rentals	1 per every 300 500 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

Use category	Use type	Minimum number of parking spaces (sf = gross square feet of floor or use area)
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
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. Parking space computation.

- (1) Fractions. When computation of the number of required parking spaces results in a fraction, the fraction shall be rounded up to the next whole number.*
- (2) Seat-based standards. Where the minimum number of off-street parking spaces is based on the number of seats, all computations shall be based on the design capacity of the areas used for seating. The applicant shall specify the anticipated maximum number of seats or maximum seating capacity for the proposed use and shall include calculations based on standards set forth in the Virginia Uniform Statewide Building Code, as may be applicable.*
- (3) Floor-area based standards. Where the minimum number of off-street parking spaces is based on gross square feet of floor area, the square footage shall not include outdoor display or use area.*
- (4) Driveways used to satisfy requirements. For single-family detached and duplex dwellings, driveways may be used to satisfy minimum off-street parking standards, provided sufficient space is available to satisfy the standards of this section and this chapter.*

~~D.~~ *E. 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 72-53.1D(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 72-53.1D(4), “Location,” is not amended.]

D. F. 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~~ *greater* 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~~ 600 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 front or corner side 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 *the greater of 33%* of the entire *primary* front ~~and/or corner side~~ *secondary front* yard area or *350 square feet*.
 3. *Nothing in this subsection shall be construed to limit the size of the vehicular use area located beyond the primary front or secondary front yard area.*

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

4. 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.D, 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:~~
- B. *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.
- A. ~~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(s), composition of tenants, anticipated rate of parking turnover, and 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 ~~dDowntown pParking, Transit, and Bicycle dDistrict~~ through the payment of a standard amount established by City Council per *required* parking space.

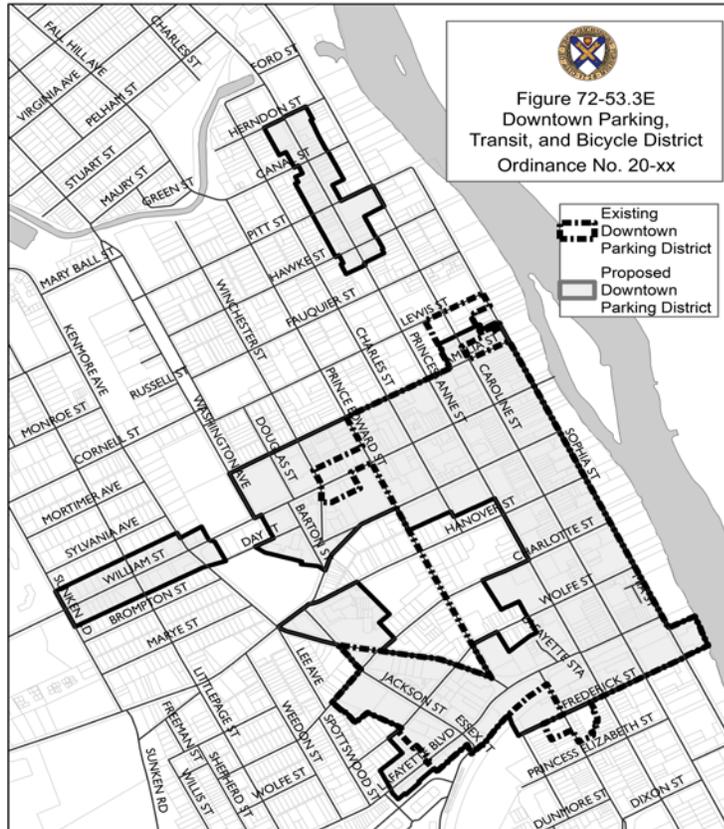
<i>Incremental payment amount</i>	0 to 50% of total required parking spaces	<i>For each additional parking space from 51% to 70% of requirement</i>	<i>For each additional parking space from 71% to 85% of requirement</i>	<i>For each additional parking space from 86% to 100% of requirement</i>
<i>Amount of payment</i>	Standard amount (established in Planning Fee Schedule [link])	<i>2x standard amount</i>	<i>3x standard amount</i>	<i>4x standard amount</i>

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,”]

Figure 72-53.3E Downtown Parking, Transit, and Bicycle District



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 20 ~~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 uses of up to 30,000 square feet in size may share bicycle parking facilities in accordance with this section.~~

A. General standards.

1. *Location.*

- a. 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;
- b. *Bicycle parking facilities shall have an improved pedestrian access to the primary building entrance;*
- c. *Facilities may be located within required open space or landscaped areas;*
- d. *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 10 *required off-street parking spaces for vehicles.* ~~30 residential dwelling units and/or every 5,000 square feet of nonresidential floor area.~~

3. *Bicycle parking facilities shall be surfaced in accordance with section 72-53.1D(1)(c)[1].*

- B. Bicycle rack required. Bicycle parking facilities shall incorporate a rack or other similar device intended for the storage of bicycles. *The rack element shall:*

1. *Be located on and anchored to a solid, immovable stall surface and installed vertically plumb in two planes;*
 2. *Be in 'Inverted U' type or equivalent, which supports the bicycle upright by its frame in two places;*
 3. *Be at least 18 inches wide and 33 inches tall when installed; be uniformly aligned and evenly spaced; be centered in a 'design stall' with a minimum dimension of 36 inches by 72 inches; and be at least 24 inches from any wall or other obstruction.*
 4. *Not result in a tripping hazard*
 5. *Prevent the bicycle from tipping over;*
 6. *Enable the frame or both wheels to be secured;*
 7. *Support bicycles without a diamond-shaped frame;*
 8. *Allow a U-lock to lock one wheel and a frame tube of an upright bicycle; and*
 9. *Resist being cut or detached using hand tools.*
- ~~C. Shared bicycle parking. Nonresidential 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.~~

Section 72-82.7 is repealed.

SEC. III. Effective Date.

This ordinance is effective immediately. However, any application submitted and accepted as complete before the date of adoption of this ordinance, but still awaiting final action as of that date, shall be reviewed and decided in accordance with the regulations in effect when the application was accepted. To the extent such an application is approved and proposes development that does not comply with this ordinance, the subsequent development, although permitted, shall be lawfully nonconforming and subject to the provisions of Article 72-6, Nonconformities.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

Approved as to form:

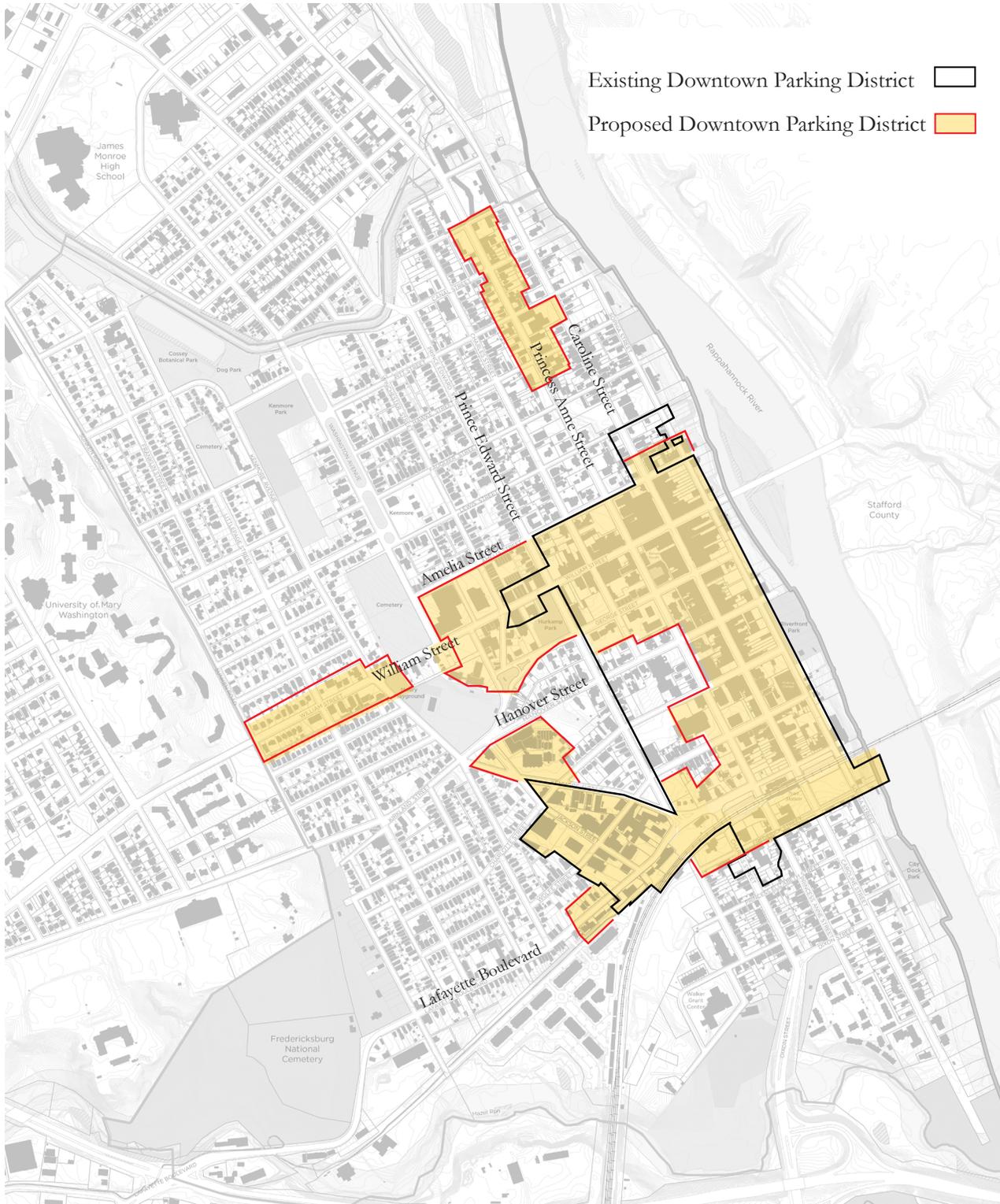
Kathleen Dooley, City Attorney

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 September 8, 2020 at which a quorum was present and voted.

Tonya B. Lacey, MMC
Clerk of Council

PART III

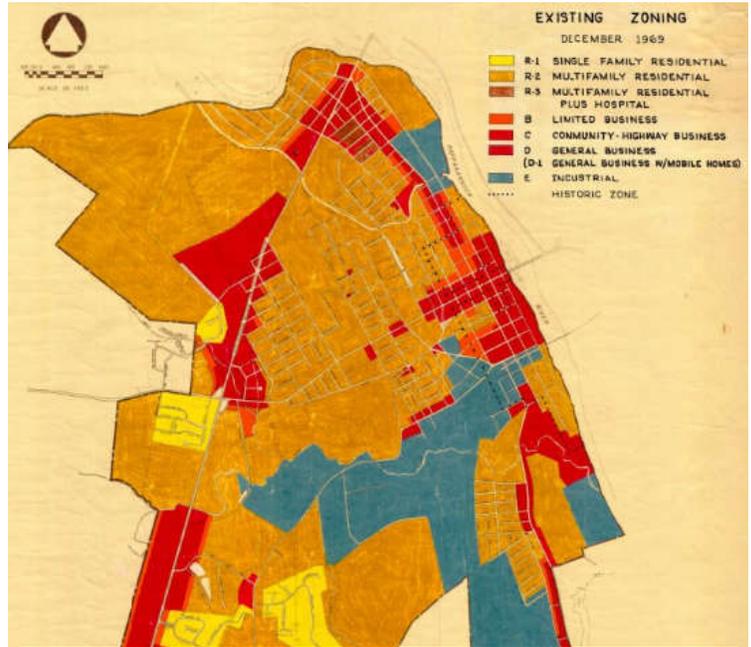


A HISTORY OF PARKING IN THE CITY OF FREDERICKSBURG

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 1969 Zoning Map. “Limited Business” is a transitional district at the edges of the “C” and “D” districts colored red.

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 follows. 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
TOTAL				481	43

¹ 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 asphalt². 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.

² 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.

Downtown Parking Fund - Revenue and Capital Projects				
	Year	Project	Total Pk Sp	Payment
Revenue	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
Total			71	\$ 461,504
Projects	2016	Charles Street Parking Lot	46	\$ 538,129
Total			46	\$ 538,129³

EMERGING WALKABLE URBAN PLACES: PARKING AND URBAN FABRIC

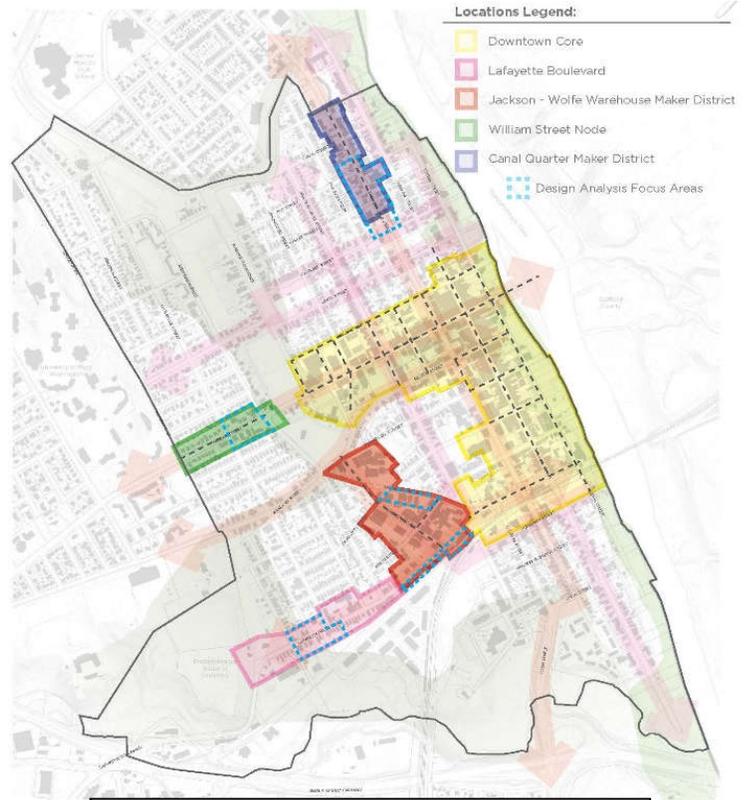
The William Street Node, Canal Quarter Maker District, Jackson + Wolfe Warehouse District, and to a lesser extent Lafayette Boulevard City are walkable urban places within Area 7 in addition to the Downtown core. A design analysis was completed for these areas as part of the Area 7 Small Area process. 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.

³ 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.



The City's Walkable Urban Places and the Design Analysis focus areas.



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.

- calculated as that provided (1) within the Lot (2) along the parking lane corresponding to the Lot Frontage, and (3) by purchase or lease from a Civic Parking Reserve within the Pedestrian Shed, if available.
- b. The actual parking may be adjusted upward according to the Shared Parking Factor of Table 11 to determine the Effective Parking. The Shared Parking Factor is available for any two Functions within any pair of adjacent Blocks.
 - c. Based on the Effective Parking available, the Density of the projected Function may be determined according to Table 10.
 - d. Within the overlay area of a Transit Oriented Development (TOD) the Effective Parking may be further adjusted upward by 30%.
 - e. The total Density within each Transect Zone shall not exceed that specified by an approved Regulating Plan based on Article 3 or Article 4.
 - f. Accessory Units do not count toward Density calculations.
 - g. Liner Buildings less than 30 feet deep and no more than two Stories shall be exempt from parking requirements.

5.10 PARKING LOCATION STANDARDS

5.10.1 GENERAL TO ZONES T2, T3, T4, T5, T6

- a. Parking shall be accessed by Rear Alleys or Rear Lanes, when such are available on the Regulating Plan.
- b. Open parking areas shall be masked from the Frontage by a Building or Streetscreen.
- c. For buildings on B-Grids, open parking areas may be allowed unmasked on the Frontage by Warrant, except for corner lots at intersections with the A-Grid.

5.10.2 SPECIFIC TO ZONES T2, T3

- a. Open parking areas shall be located at the second and third Lot Layers, except that Driveways, drop-offs and unpaved parking areas may be located at the first Lot Layer. (Table 17d)
- b. Garages shall be located at the third Layer except that side- or rear-entry types may be allowed in the first or second Layer by Warrant.

5.10.3 SPECIFIC TO ZONES T3, T4

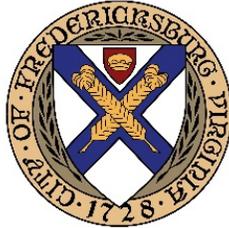
- a. Driveways at Frontages shall be no wider than 10 feet in the first Layer. (Table 3B.f)

5.10.4 SPECIFIC TO ZONE T4

- a. All parking areas and garages shall be located at the second or third Layer. (Table 17d)

5.10.5 SPECIFIC TO ZONES T5, T6

- a. All parking lots, garages, and Parking Structures shall be located at the second or third Layer. (Table 17d)
- b. Vehicular entrances to parking lots, garages, and Parking Structures shall be no wider than 24 feet at the Frontage. (Table 3B.f)
- c. Pedestrian exits from all parking lots, garages, and Parking Structures shall be directly to a Frontage Line (i.e., not directly into a building) except underground levels which may be exited by pedestrians directly into a building.
- d. Parking Structures on the A-Grid shall have Liner Buildings lining the first and second Stories.
- e. A minimum of one bicycle rack place shall be provided within the Public or Private Frontage for every ten vehicular parking spaces.



ITEM #11E

MEMORANDUM

TO: Tim Baroody, City Manager
FROM: Mike Craig, Senior Planner
DATE: September 1, 2020 (for the September 8 Council meeting)
RE: A Unified Development Ordinance Text Amendment to the residential type definitions

ISSUE

Should the City Council approve a Unified Development Ordinance Text Amendment clarifying the City's residential use definitions and standards?

RECOMMENDATION

Approve the proposed Unified Development Ordinance Text Amendment.

CITY COUNCIL PUBLIC HEARING

The City Council held a public hearing on this item on August 25 at which no public comment was received. No additional comment has been received in the interim.

PLANNING COMMISSION PUBLIC HEARING AND RECOMMENDATION

The Planning Commission held a public hearing on this item on March 11 at which no one spoke. After discussion, the Planning Commission recommended approval of the proposed text amendment to the City Council 6 – 0 (with one member absent).

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. However, the single-family attached definition also includes some Missing Middle Housing like “garden court dwellings, patio houses, zero-lot-line dwellings, and townhouses.” It does not include triplexes and quadplexes, which are common attached housing arrangements in the City.

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.

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.



PROPOSED 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 on separate parcels 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 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 sustainable historical patterns of growth.

During the City Council initiation of this ordinance, 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 change was not advertised, but will be considered as neighborhood housing issues continue to be examined.

CONCLUSION

The proposed amendments to the City's residential use definitions and use standards will help preserve the City's valuable stock of existing Missing Middle 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 City Council should approve the UDO Text Amendment.

ATTACHMENTS

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



September 8, 2020
Regular Meeting
Ordinance No. 20-__

MOTION:

SECOND:

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 Duplex, Single-Family Attached, and Multi-Family Dwellings

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 February 11, 2020. The Planning Commission held its public hearing on the amendment on March 11, after which it voted to recommend the amendment to the City Council. The City Council held its public hearing on this amendment on August 25, 2020.

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 1/2 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 September 8, 2020 at which a quorum was present and voted.

Tonya B. Lacey, MMC
Clerk of Council



MEMORANDUM

TO: Mayor Greenlaw and Members of City Council
FROM: Timothy J. Baroody, City Manager
DATE: September 1, 2020 (for September 8 Council meeting)
SUBJECT: City Manager's Update

Highlights of major activities and other notable developments:



Space Jam Movie Night – On Friday, September 11 from 6:30 p.m. – 9 p.m. at Dixon Park, 1300 Dixon Street, join your friends for a FREE movie night and ability to complete the 2020 census. Gates open at 6:30 p.m. and movie starts at 7:30 p.m. Face masks/coverings are required while in common areas (restrooms, food truck area, walking to seats, etc.). Spaces will be marked for families/groups to promote social distancing.

Brought to you by Fredericksburg Parks, Recreation and Events, City of Fredericksburg and US Census.

For more information or questions call 540-372-1086.

Voting in the City – Citizens are encouraged to apply now to receive their absentee ballots by mail for the November 3, 2020 Presidential Election. Voting by mail is the safest way to cast your vote during the COVID-19 pandemic. All voters are qualified to vote by mail, but must submit an application requesting a ballot. Registered voters of any City or County in Virginia can apply online via the Virginia Department of Elections here: <https://vote.elections.virginia.gov/VoterInformation>. Fredericksburg residents should check the Fredericksburg Voter Registration webpage for election applications, deadlines, and other information here: <https://www.fredericksburgva.gov/534/Voter-Registration-and-Elections>. Ballots will be mailed out the week of September 14th, giving voters between 45-50 days to receive and return their ballots. The deadline to request a ballot is October 23rd at 5:00 p.m. Voters are encouraged to act now.



Caring.com ranks Fredericksburg as #2 best place to live in the country for seniors. According to their recent survey, Fredericksburg ranked second nationally (trailing only San Francisco) and first in Virginia on Caring.com's rankings of the best U.S. cities for seniors. [Read more here](#)



Public Sculptures – Fredericksburg City Council voted at last week's meeting to authorize the City Manager to accept two sculptures into the City's public art inventory. The two donated works are "Three Musketeers" by Michael Bednar and "Re: Aman" by Anthony Heinz May. Both of these sculptures were installed in October 2019 as part of the Fredericksburg Arts Commission's Public Sculpture Program. Since 2016, the Fredericksburg Arts Commission has selected six self-supporting, outdoor public sculptures to be displayed in prominent locations in Fredericksburg for eleven months. Funding for the current installation October 2019 through September 2020 was provided by the



Fredericksburg Economic Development Authority, Mary Washington Healthcare, and Rappahannock Development Group. Photo credit: Robert Martin

Read

more:

<https://www.fredericksburgva.gov/CivicAlerts.aspx?AID=1048>



“Ask the Mayor” Video Series – We are pleased to share the sixth episode of the “Ask the Mayor”

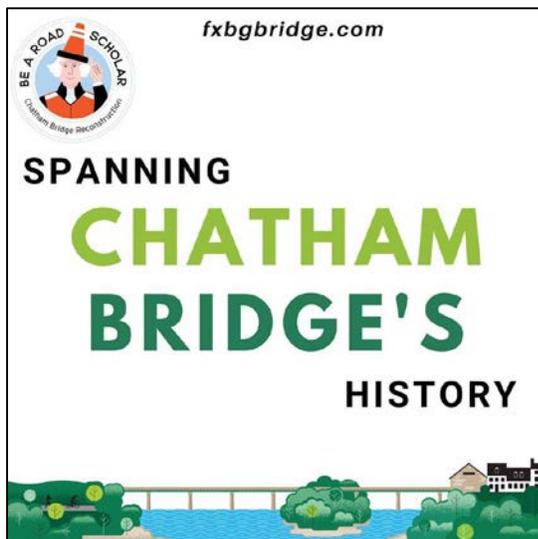
video: <https://youtu.be/Y0rOsnvpFD0>

In this episode, Mayor Greenlaw is joined by Fredericksburg’s Community Development Planner Susanna Finn to answer questions about completing the census. Plus she highlights some recent events in the city.

Census funding determines distribution for funds in health programs like Medicare and Medicaid, funding for the schools including the lunch program, other social and housing programs like the city’s home repair program through the Community Block Grant and more.

Census statistics are used to determine the number of seats each state holds in the U.S. House of Representatives. They also determine how we draw our ward districts in the City, and they inform how billions of dollars in federal funds will be allocated by state, local and federal lawmakers annually for the next 10 years. It is estimated that every person counted in the Census will bring \$20,000 to our community. Complete your census online at <https://2020census.gov> or by calling 1-844-330-2020.

Each week Mayor Greenlaw will be sharing timely updates on what is happening in Fredericksburg and taking questions from the public. Our revolutionary spirit is stronger than ever and we look forward to continuing to see an active and vibrant downtown. #lovefxbg



Chatham Bridge Closure – The bridge closed on **June 22 and will stay closed through October 2021** for major improvements. The Department of Economic Development and Tourism is proud to present the weekly social media series, Spanning Chatham Bridge’s History, every Thursday. As our Chatham Bridge undergoes construction, we’re taking a look back on the history of the bridge, and its prominence in downtown Fredericksburg throughout generations. This week’s edition: after the Civil War ended, J. Horace Lacy sold his home, Chatham Manor, to the Watson family, eventually leading to the ownership of Oliver Watson Jr. in the 1880s. Watson was a local figure in Fredericksburg and was elected as

one of the ten vice presidents of the local Agricultural Fair Association. He was also one of four owners of The Rappahannock Light Power Company which was chartered in 1887 to light over thirty downtown Fredericksburg street lights.

Oliver Watson Jr. hosted a number of lavish events and races at Chatham Manor, including a horse race on July 5, 1886, that utilized over a mile of circular track on the grounds. Over a thousand spectators crossed the bridge to attend Watson's horse race. Thus, the Chatham Bridge connected the downtown community to events at Chatham Manor, and oftentimes was advertised in local newspapers as such. This photograph depicting the view west across the Chatham Bridge was taken in 1886, the same year as the famed horse race.

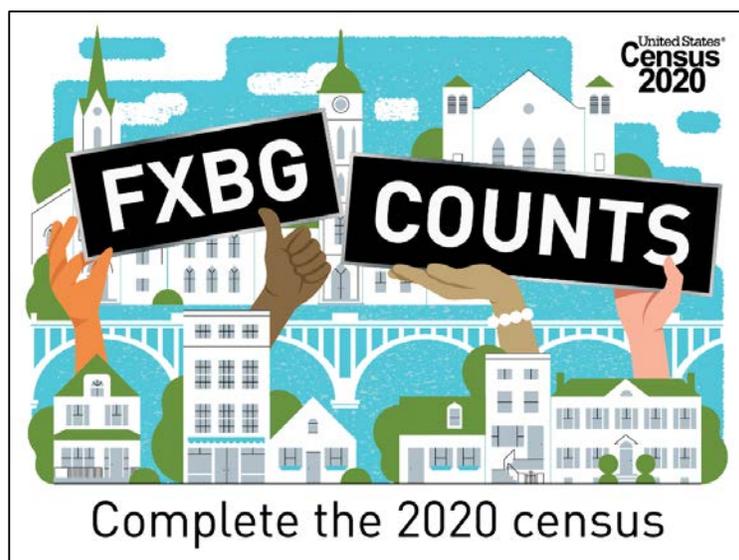
Stay updated: www.virginiadot.org and at www.fxbgbridge.com

Upcoming Council Meetings – All council meetings will be held virtually until further notice. The public is encouraged to access the meetings through the broadcast on Cox Channel 84 and Verizon Channel 42. The meetings can also be viewed on www.regionalwebtv.com/fredcc or accessed through Facebook at www.facebook.com/FXBGgov.

Citizens who wish to participate in the public comment period are able to send their comments in writing by (1) dropping them in the Deposit Box at City Hall, (2) U.S. Mail, (3) through a form on our website <https://www.fredericksburgva.gov/677/Public-Comment> or (4) emailed to the Clerk of Council. Comments must be received at least four hours in advance of the meeting – *for example, comments will be accepted until 1:30 p.m. on nights with a 5:30 p.m. work session.* The comments will be read out loud during the public comment portion of the City Council meeting. The standard rules apply to public comments: the person must identify himself or herself by name and address, including zip code, limit his or her remarks to **3 minutes** or less (read aloud), and address a topic of City business. Public comments are limited to a **total of 40 minutes**, with priority for comments from City residence or businesses. All written comments will be submitted to the council members. See www.fredericksburgva.gov for more details or call (540) 372-1010.

Census 2020 – Census takers have begun visiting City households who have not yet responded to the Census, as the U.S. Census Bureau begins enumeration activities nationwide. The goal of the 2020 Census is to count everyone who lived in the United States on April 1, 2020 (Census Day).

“So far, 65% percent of Fredericksburg households have responded to the Census,” states Susanna Finn, Fredericksburg’s Community Development Planner.



“Completing the census ensures our City will receive the funding

we need for valuable community services like educational and housing programs. This is important for our whole community and we need every household counted. Responding online is easy, safe, and confidential and I hope everyone will visit 2020census.gov.”

Households can still respond now online at 2020census.gov, by phone at 844-330-2020, or by completing and mailing back the paper questionnaire they received. Households can respond online or by phone in one of 13 [languages](#) and find assistance in many more. Households that respond on their own will not be visited by a Census worker.

COVID-19 (Coronavirus) – Information will continue to be provided in written updates shared through our website and social media platforms. See www.fredericksburgva.gov for full details. Stay vigilant and practice social distancing, wear a mask in public settings, and frequent hand washing.

Also stay updated in the following ways: follow the [Virginia Department of Health for updates](#), be notified when we make City Government related updates on this page by subscribing to the ["Fredericksburg News" News Flash](#), subscribe to FredericksburgAlert.com for announcements for City Government, City Schools and also any changes in trash pickups, traffic, events and more.

Drive In Bingo – The Department of Parks, Recreation and Events is planning two exciting events in one day! On September 9th they will have Drive In Senior BINGO in the morning and Drive In Family BINGO in the evening. We will have prizes for both. The Senior BINGO will be at 10 a.m. and is free admission. The Family BINGO will be at 6:30 p.m. and the cost is \$5 per player. Participants will remain in their vehicles during the event and numbers will be called through their radios. Register online at <https://www.fredericksburgva.gov/363/Parks-Recreation-Events> or call (540) 372-1086.

New Event Announced – The Department of Parks, Recreation and Event is excited to announce “Wind Down Wednesdays” on **September 16, 23, 30 at Memorial Park from 6:00-8:00 p.m.** These free, family friendly concerts will be open to the public. A designated concert area on the Mary Ball Street side of the park behind the tennis courts will be marked for social distancing and will accommodate 250 people. Masks will be required to enter into the concert area. Park patrons will still be allowed to enjoy the park, outside the designated area. Karen Jonas will kick off the series on September 16, followed by Spanglish on the 23rd, and Darcy Dawn wraps up the month and the series on September 30th. Parking for the event will be in the First Christian Church parking lot on Washington Avenue. Attendees must bring their own chairs or blankets for seating, and may bring their own picnics, but no alcohol of any kind is permitted in the park.

CARES Act Funding in Action – The City set aside \$200,000 in CARES Act funding for assistance to individuals in the community and has partnered with the Rappahannock United Way to help Fredericksburg individuals and families who have been directly affected by COVID-19 pay their rent or mortgage. To qualify for City-funded assistance, applicants must live in the City; have a lease, mortgage or proof of landlord-tenant agreement; have suffered a loss of income due to COVID-19;

have a rent or mortgage payment that is at or below Fair Market Rent; and must be at or below 80% Area Median Income. In the City, Area Median Income varies based on how many people reside in a household. For example, the maximum income for a one-person household is \$55,750, and the maximum income for a four-person household is \$79,600. If you or someone you know needs assistance, please visit <https://www.rappahannockunitedway.org/get-help/individual/housingassistance/> or call Rappahannock United Way at 540-373-0041 (Monday - Friday, 8:00AM - 4:30PM).



Christmas Parade 2020 - The Parks, Recreation and Events Department is pleased to announce that at this time they are moving forward in planning the 2020 Christmas Parade in Fredericksburg on December 5 at 5:30 p.m. They are working closely with all City departments to format the parade in such a way that health and safety for our participants and the community are top priority.

With that, they have redesigned the traditional parade to a **Reverse Parade** format. **Floats will be stationed along Gordon W. Shelton Boulevard and attendees will drive by.** Still free to attendees, it will be similar to a drive-thru light display. This reverse parade format will allow for spacing between parade entries and no direct contact with the public.

The theme this year is **“Light Up the Season!”** Let’s brighten the night and everyone’s spirits as we keep this tradition alive! Registration begins on September 10th and runs through October 15th or until our limit of 80 spots is filled, whichever comes first. Organizations and businesses are encouraged to register early. The cost is \$50 for commercial entry, \$25 for non-profit entry, and free to Veterans Groups, school organizations and first responders. More information can be found on the parade’s webpage <https://www.fredericksburgchristmasparade.com>

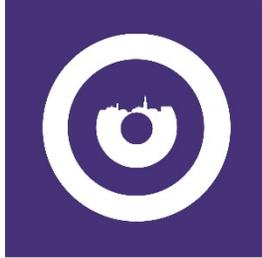
Staff is excited about the new reverse parade this year, and think it will be a great way to spread some holiday cheer.



100th Anniversary of the Passage of the 19th Amendment Celebrated on Steps of City Hall – August 26th marked the 100th Anniversary of the 19th Amendment to the Constitution giving women the right to vote. Members of the Woman's Club of Fredericksburg organized a celebration ceremony held on the steps of City Hall on August 26th.

Attendees dressed in period costumes and gathered at the Fredericksburg United

Methodist Church and marched to the steps of City Hall for the ceremony. The celebration included Mayor Mary Katherine Greenlaw, City School Superintendent Dr. Marci Catlett, Germanna President Dr. Janet Gullickson, and Stafford Board of Supervisors Chairman Meg Bohmke.



Fred Focus

Fred Focus – The [Fredericksburg Department of Economic Development and Tourism](#) is pleased to bring you Fred Focus, a weekly e-newsletter that goes out every Thursday and keeps you up-to-date on Fredericksburg business and tourism information and events. This week's [edition](#).



CITY COUNCIL MEETINGS & EVENTS CALENDAR

City Hall Council Chambers, 715 Princess Anne Street, Fredericksburg, VA 22401

9/8/20	5:30 p.m.	Work Session <ul style="list-style-type: none"> • Proposed Unified Development Ordinance Text Amendments to the Commercial Downtown Zoning District • Economic Development Update 	Virtual
	7:30 p.m.	Regular Session	
9/22/20	5:30 p.m.	Work Session	Virtual
	7:30 p.m.	Regular Session	Virtual
9/23/20	6:30 p.m.	Joint Work Session with Planning Commission on Area Plans 1 and 2	Virtual
10/13/20	5:30 p.m.	Work Session	Virtual
	7:30 p.m.	Regular Session	
10/27/20	5:30 p.m.	Work Session	Virtual
	7:30 p.m.	Regular Session	
11/10/20	5:30 p.m.	Work Session	Virtual
	7:30 p.m.	Regular Session	

Future Work Session Topics: Economic Development Incentives, Action on UDO Text Amendment from 2018: Paying Taxes at Approval Instead of Application, and New FEMA Flood Plain Maps.

September 3 at 11 a.m.

