



72-34.1. Old and Historic Fredericksburg District.

A. Purpose and intent. The Old and Historic Fredericksburg District (HFD) is established for the purpose of promoting the general welfare, education, and recreational benefit of the public through the recognition of this area of the City as having historic, architectural, and cultural significance. More specifically, the HFD Overlay District is intended to:

- (1) Protect, restore, and preserve the architectural integrity of existing structures in the district;
- (2) Create an atmosphere for compatible growth for the future;
- (3) Prevent the intrusion of environmental influences adverse to the intent of the district;
- (4) Ensure that new structures and uses in the district will be in keeping with the character of the HFD;
- (5) Promote sustainable growth; and
- (6) Recognize, protect, and preserve the abundant evidences of the City's industrial history, including, but not limited to, mill sites, canals, locks, dams, and similar structures located along the Rappahannock River, within the designated HFD.

B. Establishment of the HFD District. Land shall be added to the HFD Overlay District in accordance with the procedure in § 72-23, Map amendments, and this section. The boundaries of the HFD shall include districts, structures, and sites that:

- (1) Are associated with events that have made a significant contribution to the broad patterns of history;
- (2) Are associated with the lives of persons significant in the past;
- (3) Embody the distinctive characteristics of a type, period, or method of construction, represent the work of a master, possess exceptional artistic value, or represent a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Have yielded, or may be likely to yield, information important in prehistory or history.

C. Certificate of appropriateness may be required. The following forms of development, unless specifically exempted in accordance

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with the standards in this chapter, located on lands within the HFD Overlay District shall be required to obtain a certificate of appropriateness, in accordance with the procedures and requirements in § 72-23.1, Certificate of appropriateness: **[Amended 6-11-2019 by Ord. No. 19-24]**

- (1) New construction;
 - (2) Any exterior alteration (except painting) to a principal or accessory building or structure visible from a public right-of-way, not to include alleys, or from public land;
 - (3) Demolition, razing, or removal of any historic landmark, building, or structure;
 - (4) Installation of a new fence or wall; or
 - (5) Installation of a new sign.
- D. Overlay standards applied in addition to other applicable district standards.
- (1) Lands within the HFD Overlay District shall be subject to the standards in this section, the City of Fredericksburg Historic District Handbook, as well as all other applicable base and overlay zoning district standards in Article 72-3, Zoning Districts.
 - (2) For all lots within the HFD, front and side setbacks shall be established by use of the rules for averaging setbacks in § 72-82.4B(2), regardless of the setback requirements of the underlying zoning district or any other overlay district in which the lot is located. **[Added 6-11-2019 by Ord. No. 19-24]**
 - (3) In the event of conflict between the standards in this section and any other applicable section of this chapter or other City regulation, the standards of this section shall apply. The Virginia Uniform Statewide Building Code including Part III the Virginia Maintenance Code shall apply in the event of conflict between its standards and the standards in this section. **[Amended 6-11-2019 by Ord. No. 19-24]**
- E. Components of HFD Overlay District. The HFD Overlay District shall consist of the following components, each of which has a unique character to be considered by the Architectural Review Board (ARB) in making decisions on certificates of appropriateness:

- (1) Downtown Historic District Component. This component shall consist of that contiguous area along the Rappahannock River known generally as the "historic downtown area" and 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, Old and Historic Fredericksburg District Boundary."
- (2) Old Mill Historic District component. This component shall consist of all those lots or parcels of land containing the following historic sites and 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, Downtown Historic District Boundary:"
 - (a) C.W. Wilder; Company Silk Mill/Klotz Throwing Company;
 - (b) Embrey Power Plant;
 - (c) Washington Woolen Mills;
 - (d) City Electric Light Works;
 - (e) Germania Mills;
 - (f) Knox's Mill;
 - (g) Bridgewater Mills;
 - (h) Indian Punch Bowl;
 - (i) Rappahannock Electric Light & Power Co.;
 - (j) 1907 Dam and Gates; and
 - (k) Thornton's Mill.
- (3) Old Walker-Grant Historic District component. This component shall consist of the contiguous area extending generally from Dunmore Street south to Hazel Run and from Dixon Street, at Charles Street, to the CSX Railroad right-of-way, as 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, Old and Historic Fredericksburg District Boundary."
- (4) Individual Historic Sites component. This component shall consist of those parcels of land containing the following historic sites and 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, Old and Historic Fredericksburg District Boundary."

- (a) 720 William Street (Stearns House);
- (b) 1201 Washington Avenue (Kenmore);
- (c) 1302 Washington Avenue;
- (d) 1304 Washington Avenue;
- (e) 1311 Washington Avenue;
- (f) 1500 Washington Avenue;
- (g) 504 Hanover Street (Federal Hill);
- (h) 620 Lewis Street; and
- (i) 3315 Fall Hill Avenue (Fall Hill).

F. Use regulations.

- (1) Uses permitted. Any permitted use, and any use allowed with a special use permit in the underlying zoning district in which land is located shall also be allowed within the HFD.
- (2) Special uses. The following uses shall also be permitted in the HFD, in addition to those authorized within the underlying zoning district, subject to the approval of a special use permit in accordance with § 72-22.6, Special use permits:
 - (a) Historic dependency lodging.
 - [1] No special use permit shall be granted pursuant to this subsection unless the property owner documents that the dependency was constructed before 1865 as a detached dependency; and
 - [2] The use provides at least one off-street parking space per lodging unit.
 - (b) Historic dependency, limited office or retail use.
 - [1] No special use permit shall be granted pursuant to this paragraph unless the property owner documents that the dependency was constructed prior to 1865 as a detached dependency, and that said dependency

has been used previously for commercial office or retail use.

- (3) Special use permit procedure. The ARB may review and make recommendations to the Planning Commission on any application for a special use permit in the HFD.
- (4) Application of Uniform Statewide Building Code standards. Nothing in this chapter shall be construed as preventing the application of the Uniform Statewide Building Code or other applicable ordinances to development in the HFD, subject to the conflict resolution provisions in Subsection D, above. Neither the owner nor the person in charge of an historic landmark, building, or structure shall allow such property to fall into a state of disrepair which may result in the deterioration of any exterior appurtenance or architectural feature so as to produce or tend to produce a detrimental effect upon the character of the HFD within the area of such property. The Zoning Administrator shall notify the Building Maintenance Official of a violation of this section that comes to the Administrator's attention. **[Amended 6-11-2019 by Ord. No. 19-24]**