

(To: Display Advertising (Classified Section))

Please run the following ad on **Tuesday, June 13, 2017 and Tuesday, June 20, 2017** in the **Zoom Section Free Lance Star**. with the usual format: bold border; county seal; 2 columns wide; underline as shown; larger, darker print for underlined portions. (Ref. P O # 9518)

## **PUBLIC NOTICE**

The Spotsylvania County Board of Supervisors will hold public hearings at 6:00 p.m. on Thursday, June 27, 2017, in the Board of Supervisors Meeting Room in the R. E. Holbert Memorial Building, 9104 Courthouse Road, Spotsylvania, Va. 22553, to consider the following:

### **Amendment:**

**CA17-0004: Spotsylvania County Planning Commission, Ordinance No. 23-170:** Proposed amendments to the Code of the County of Spotsylvania (“Code”), Chapter 23, Article 9- Enforcement as follows:

Amendments to Chapter 23, Article 9- Substantively no deviations from current Zoning Enforcement practices have been proposed as part of this proposal. Legal clarifications have been added to accurately portray enforcement functions. To be consistent with other Code Sections the draft also adds capitalizations where: County Code references have been made; County forms or County Permits are referenced; County position titles such as the Zoning Administrator are referenced. In Sec. 23-9.1.1, Enforcement responsibilities (a), Zoning Administration and Enforcement functions have been clarified to include designees of the Zoning Administrator. In Sec. 23-9.1.1, Enforcement responsibilities (d), prohibition of Building Permit issuance has been replaced by prohibition of Zoning Permit issuance where a violation to the Zoning Ordinance has been issued has been corrected. Interpretation and enforcement of the Zoning Ordinance is the responsibility of the Zoning Administrator or his or her designees. Zoning therefore has responsibility over issuance of Zoning Permits, not Building Permits. The proposed amendment reflects this correction. Sec. 23-9.1.3- Injunctive relief and other civil remedies strikes reference to “attempted violations” being abated by injunction or other legal proceeding as an actual violation of the Zoning Ordinance needs to occur to warrant enforcement action.

**CA17-0005: Spotsylvania County Planning Commission, Ordinance No. 23-171:** Proposed amendments to the Code of the County of Spotsylvania (“Code”), Chapter 23- Zoning, Article 5, Division 9- Off-Street Parking, Division 10- Off-Street Loading, Division 11- Off-Street Stacking, as follows:

### **Chapter 23, Article 5: Division 9- Off-Street Parking**

Sec. 23-5.9.1- Applicability. This clarifies reference to “P district” to specifically identify the zoning districts including Planned Development Commercial (PDC) and Planned Development Housing (PDH). The Mixed Use (MU) Zoning District has also been added as reference in this Section, acknowledging off-street parking modifications provided in the Mixed Use Zoning District Sec. 23-6.28.6- Parking. Sec. 23-5.9.1 was last updated in 1995. The Mixed Use District was added to the Zoning ordinance in 2012 and includes parking modifications not generally available in other zoning districts. An update is necessary to reflect Code amendments since 1995 that impact the Off-Street Parking standards.

Sec. 23-5.9.2- General provisions. This clarifies vague references made to unspecified boards and sources of standards and corrects enforcement responsibilities, replacing references to the Director of Planning with

the Zoning Administrator. To be consistent with other Code sections the proposal adds capitalization when the County Codes, County Forms, County Permits, County position titles such as the Zoning Administrator, the Commonwealth are referenced. The stacking space dimensions requirements presently located in Sec. 23-5.9.2(i) is proposed to be removed as misplaced, letting Division 11- Off-Street Stacking located elsewhere in the Code address stacking. Lighting requirements in Sec. 23-5.9.2(j) have also been proposed for removal as misplaced and unnecessary, letting Sec. 23-5.12- Outdoor Lighting address outdoor lighting. The proposal would expand allowable lighting hours in the newly assigned (j) to include up to an hour prior to opening and following closing in consideration of employees and deliveries. Lastly, with the support of the Zoning office, Subsection (r) pertaining to onsite parking upon residential lots of 20,000 sq. ft. or less is proposed to be removed from the Section.

Sec. 23-5.9.3- Minimum Required Parking Spaces. Amendments are intended to alphabetize identified uses for which minimum parking is specified. Standards are drafted for clarity of interpretation and consistency. The proposal adds complementary minimum parking standards for uses recently added to the zoning ordinance as well as a number of long established uses that had not previously had specifically assigned parking standards. Newly listed or long established uses for which specific minimum parking standards have been added include: Auction Establishment; Bed and Breakfast I, II; Contractor's Office and Shops; Feed Mill; Appliance Store (added to Furniture or Carpet Store); Industrial/ Flex, Abattoir (added to Industry Types I, II, III); Brewery, Winery, Cidery, Distillery; Rooming/ Boarding House; Live Entertainment, Outdoor. The proposal seeks to reduce minimum required parking standards where appropriate to reduce excessive parking areas and provide the opportunity to reduce development costs associated with parking. Specific instances where minimum parking standards are proposed to be reduced include: Furniture, Appliance or Carpet Store; Personal Service Establishment; Retail Sales Establishment; Shopping Center. An increase in parking is proposed for Place of Worship. The change results from recent amendments to the Mixed Use Zoning District ordinance for Places of Worship, supported and approved by the Board of Supervisors on January 13, 2015 associated with Code Amendment Case #CA14-0005. The effect is a consistent standard of 1 space per 3 seats in the principal place of worship or one space per 200 sq. ft. gross floor area ("gfa"), whichever is greater, replacing 1 space per 4 seats in the principle place of worship or one space per 200 sq. ft. gfa designed for a use other than services whichever is greater. As proposed, minimum parking standards for eating establishment, carry out/ fast food have also increased slightly from 1 space per 100 sq ft gfa to 1.25 spaces per 100 sq ft gfa. Parking standards for Private Schools remain constant, however the standard is proposed to also include Public Schools as they had not been specified with a minimum standard. The proposal relocates Minimum Required Parking Spaces Table Notes 1, 2, 3 and 4 within the table, with a clarification to Note 3 (formerly Note 4). Note 5 established minimum parking standards for Greenhouses, Commercial. The standard is proposed to be relocated into the minimum required parking table for Garden Centers, a term that replaced Greenhouses, Commercial in a prior Zoning update that occurred recently. To be consistent with the format of all other required minimum parking spaces, Garden Center requirements are best located in the Table as proposed. Staff has proposed striking Note 6. Note 6 would have required submission of a parking study in instances where parking exceeds the minimum requirements by specified percentages depending on the size of the development. The result leaves the decision and costs associated with exceeding the minimum parking standard up to the applicant/ developer having weighed the cost and benefit of added investment. Additionally, other project requirements that may require site area such as street buffer, transitional screening, stormwater management, internal and peripheral parking lot landscaping, building and sidewalks, open space, points of access and drive aisles, etc. act to rein in the extent to which many sites could be over-parked. The effect of the proposed removal of Note 6 is reduction of added project scrutiny during review.

Sec. 23-5.9.4- Parking Geometrics Standards. This is a new Section within the Off-Street Parking Ordinance that establishes parking stall and access aisle standards for parking lots. Though the standards are new to appear in Article 9, Off-Street Parking, the standards themselves have been sourced directly from the

Spotsylvania County Design Standards Manual, Article 5- Streets, Parking and Driveways. Staff proposes to relocate the standards to the Zoning ordinance and ultimately remove them from the Design Standards Manual with an update to that document in the future.

### **Chapter 23, Article 5: Division 10- Off-Street Loading**

Sec. 23-5.10.1- Applicability. For consistency with ongoing Code update efforts the proposal adds capitalization when County Codes are referenced. Proposed amendments also correct enforcement responsibilities by replacing reference to the Director of Planning with the Zoning Administrator. Proposed amendment enhances reference to “P district” to clarify and specifically identify applicable zoning districts that include Planned Development Commercial (PDC) and Planned Development Housing (PDH). The Mixed Use (MU) Zoning district has also been added as reference in this Section, acknowledging off-street parking modifications provided in the Mixed Use Zoning District located in Sec. 23-6.28.6- Parking. Sec. 23-5.10.1 was last updated in 1995.

Sec. 23-5.10.2- General provisions. For consistency with ongoing Code update efforts the proposal adds capitalization when County Codes, position titles such as the Zoning Administrator are referenced. Proposed amendments also correct enforcement responsibilities by replacing reference to the Director of Planning with the Zoning Administrator. Lighting requirements in (g) are proposed for removal as misplaced and unnecessary, letting 23-5.12- Outdoor Lighting address outdoor lighting. Staff proposes a life, health and safety amendment by adding (l) to avoid conflicts between the planning, design and function of loading spaces in relation to traffic circulation.

Sec. 23-5.10.4- Off- Street Loading. The use Industrial/ Flex is proposed to be added to Loading Standards already in place for industry Types I, II, III. Loading space standards for Private Schools is proposed to be expanded to also apply to Public Schools.

### **Chapter 23, Article 5: Division 11- Off-Street Stacking**

Sec. 23-5.11.2- General provisions. For consistency with ongoing Code update efforts the proposal adds capitalization when County Codes, County position titles such as the Zoning Administrator are referenced. Proposed amendments also correct enforcement responsibilities by replacing reference to the Director of Planning with the Zoning Administrator. Lighting requirements in (7) are proposed for removal as misplaced and unnecessary, letting 23-5.12- Outdoor Lighting address outdoor lighting. Staff proposes a life, health and safety amendment by adding (8) to avoid conflicts between the planning, design and function of stacking spaces in relation to traffic circulation and public access to buildings.

Sec. 23-5.11.3- Minimum required space. This proposal would amend carwash stacking space standard to apply to all principle use carwash facilities instead of just automated ones. New stacking space standards are proposed to be added for fuel pumps and private/ public schools. A standalone standard for “all other uses” has been incorporated into the minimum required space table so that standards are consistently located there.

Persons interested may appear and present their views at the public hearing described above. Any public hearing cases, including any ordinances as applicable, are on file and available in the Planning offices, located at 9019 Old Battlefield Blvd, 3<sup>rd</sup> Floor, Spotsylvania, Virginia 22553, and may be inspected between 8:00 a.m. and 4:30 p.m., Monday through Friday. The Board of Supervisors encourages the participation of all interested county citizens. For those with special needs, please notify the Office of the County Administrator of any accommodations you may require at least five days before the meeting you

wish to attend.

By the Spotsylvania County Board of Supervisors

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