

# **CA17-0005 Public Hearing**

Ordinance 23-171- Chapter 23- Zoning,  
Article 5, Division 9, 10, 11- Off-Street  
Parking, Loading and Stacking

September 26, 2017

Board of Supervisors

# Recommendation

- At Public Hearing on May 17, 2017, the Spotsylvania County Planning Commission recommended approval of CA17-0005: Ordinance No. 23-171- Off-Street Parking, Stacking and Loading (vote 7-0).
- Staff recommends that the Board of Supervisors approve CA17-0005: Ordinance No 23-171- Off Street Parking, Stacking and Loading.

# Zoning Review & Update

- The impetus for ongoing review and update efforts within the Zoning Ordinance is driven by Vision Strategy A.5 of the 2013 Spotsylvania County Comprehensive Plan. This is a Comprehensive Plan Implementation Item.

# Common Amendments

- Clarify vague references such as “the board” or “the design standards”;
- Procedural clarifications;
- Correct Planning Director references to apply to Zoning Administrator;
- Capitalization referencing County permits, forms, position titles for consistency with ongoing cleanup effort;
- Update code to reflect related amendments approved elsewhere;
- Renumber, alphabetize for formatting.

# Division 9- Off-Street Parking

- Sec. 23-5.9.1, Applicability- clarify “P district” reference and update zoning references acknowledging Mixed Use (MU) modifications;
- Sec. 23-5.9.2, General provisions- remove stacking space dimensions and parking lot lighting requirements as misplaced in (i) and (j);
- Expand parking lot lighting hours by an hour prior to business open and after close;
- Remove complicated parking area requirements for residential subdivisions in Sec. 23-5.9.2(r);

# Subsection 23-5.9.2(r)

- Parking Subsection (r) was added to the Zoning Ordinance in 2007 to address overcrowding;
- Overcrowding complaints received by the Zoning Enforcement staff have declined since the real estate crash of 2007 and 2008;
- The ordinance addresses a possible symptom of overcrowding;
- Subsection (r) is very restrictive in limiting the usable area of an owner's property for parking;
- The Zoning office does not believe Subsection (r) has been cited in cases of overcrowding since its adoption in 2007;

# Subsection 23-5.9.2(r)

- As a result, the Subsection has not had value as initially intended;
- Subsection (r) could have use as an enforcement tool if the County were to receive a complaint about a lot filled with vehicles in the front yard of a home;
- Subsection (r) could result in the unintended consequence of driving excess parked vehicles into the cul-de-sac and street side parking which could generate other travel way complaints;

## Subsection 23-5.9.2(r)

- The County is without the authority to pass an ordinance regulating parking on secondary roads unless further authority is granted by the General Assembly;
- The County does not have the authority to enforce either parking or inoperative vehicles on them;
- Subsection (r) for onsite parking would require specific complaints in order to investigate and generate enforcement actions;
- Constant monitoring and enforcement of residential lots under 20,000 square feet throughout the County is otherwise impractical considering limited enforcement resources;
- Amendment will not remove protections against inoperable vehicles or untagged vehicles on lots located elsewhere in Sec. 12-20, Sec. 12-21 Motor Vehicles and Traffic.



# Division 9- Off-Street Parking

- Add minimum parking standards for a number of unique existing or newly added uses where no standard presently exists;
- Amend (reduce, alter, or increase) minimum parking requirements as proposed;
- Revise, relocate, remove parking spaces table notes as proposed;
  - Remove Note 6 that requires a parking study when proposed parking exceeds the minimum by more than twenty (20) percent;
- Sec. 23-5.9.4, Parking Geometrics Standards- relocated geometrics standards from Design Standards Manual Article 5.

# Division 10- Off-Street Loading

- Sec. 23-5.10.1, Applicability- clarify and update zoning references acknowledging Mixed Use (MU) modifications;
- Sec. 23-5.10.2, General provisions- remove lighting requirements in (g) identified as misplaced and unnecessary;
- Sect. 23-5.10.2, Removes maximum loading space standards in (k)
- Add life, health, safety amendment to avoid conflict between loading spaces and traffic circulation in new (k);
- Sec. 23-5.10.4, Off-street loading- Add Industrial/ Flex to Industry Type I,II, III requirements and Public Schools with Private Schools.

# Division 11- Off-Street Stacking

- Sec. 23-5.11.2, General provisions, remove lighting requirements in (7) identified as misplaced and unnecessary;
- Add life, health, safety amendment to avoid conflict between loading spaces and traffic circulation;
- Sec. 23-5.11.3, Minimum required space, amend carwash stacking requirement to apply to all principle carwash facilities;
- Add specific stacking requirement for fuel pumps and private/public schools;
- Relocate “all other uses” standard to table.