

Spotsylvania County Planning Commission

Holbert Building Board Room, 9104 Courthouse Road, Spotsylvania VA 22553

MINUTES: May17, 2017

Call to Order: Mr. Newhouse called the meeting to order at 7:00 p.m.

Members Present:

Mary Lee Carter	Lee Hill
C. Douglas Barnes	Berkeley
Gregg Newhouse	Chancellor
Richard Thompson	Courtland
C. Travis Bullock	Battlefield
Howard Smith	Livingston
Michael Medina	Salem

Staff Present:

Paulette Mann, Planning Commission Secretary
Wanda Parrish, AICP, Director of Planning
Alexandra Spaulding, Senior Assistant County Attorney
B. Leon Hughes, AICP, Assistant Director of Planning
Kimberly Pomatto, CZA, Planner II
Jacob Pastwik, AICP, Planner III
Rick Roberson, Deputy Zoning Administrator

Announcements: There were no announcements.

Review & Approval of minutes:

Motion and vote: Ms. Carter made a motion, seconded by Mr. Bullock to approve the minutes of May 3, 2017. The motion passed 7-0.

Unfinished Business: None

Public Hearing(s):

Mr. Newhouse opened the public hearing.

Rezoning(s):

R16-0007 Gramm & Bethard, LLC and Fields Investments, LLC (Safford Auto) (Ordinance No. RO16-0007): Request a rezoning of 3.3469 acres from Residential 1 (R-1) to Commercial 3 (C-3) with proffers to allow for a general purpose commercial and a commercial off-street parking lot for new car inventory as a special use on 2.8774 acres via a concurrent Special Use application (SUP16-0010). The current plan is to use the property to operate Commuter Express, Inc., a van-pool and van rental business. The properties are located at 10823 and 10827 Courthouse Road which are located along the south side of Courthouse Road (Route

amendment. The motion passed 7-0.

Amendment:

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.

Mr. Newhouse opened the public hearing.

Mr. Pastwik presented the case. He stated that the common amendments are the following:

- Clarify vague references such as “the board” or “the design standards”;
- 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.

In 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 23-5.0.3(r) includes the following amendments:

- After review, Subsection 23-5.9.2(r) proposed to be removed from the ordinance;
- 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;
- 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;
- 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 Amendments

- 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;
- Sec. 23-5.9.4, Parking Geometrics Standards- relocated geometrics standards from Design Standards Manual Article 5.
- 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;

- Add life, health, safety amendment to avoid conflict between loading spaces and traffic circulation;
- Sec. 23-5.10.4, Off-street loading- Add Industrial/ Flex to Industry Type I,II, III requirements and Public Schools with Private Schools.

Mr. Pastwik also discussed Fire Lanes:

- State Code and the Spotsylvania County Design Standards Manual set up the framework for required fire lanes.
- Building fronts with main public access points are the favored locations for fire lane placements;
- Building or shopping center sides and rears often have minimal points of access if any, and rear doors are typically reserved for private access or locked;
- Convenience of access for life, health, and safety outweighs convenience of access for loading and unloading, customer pick-ups;
- County FREM staff point to fire hose access as well as height limitations with ladders if need be.
- In FREM's experience, many private shopping centers prefer fire lanes across their frontages to prevent vehicle loading and stacking across their frontage;
- Simply, shifting loading areas away from the immediate building front avoids front door blockage or chaos;
- Many private developments do not want to devote resources to "policing" their front doors and the County lacks resources to monitor each and every site to assure loading areas along building fronts would flow properly.

In reviewing 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.

Staff recommends that the Planning Commission approve CA17-0005: Ordinance No 23-171- Off Street Parking, Stacking, and Loading.

Mr. Smith inquired if the County has the authority to adopt the roads to allow traffic enforcement.

Mr. Barnes stated that the homeowners that live on that private road have to agree and petition the Board of Supervisors.

Ms. Parrish stated that the road must meet VDOT standards to be accepted into the state system. She stated that she believes the section of the ordinance that Mr. Smith is referring to does not fall into land use, rather law enforcement.

Mr. Roberson discussed industrial parks and that the parking enforcement issues stops at the right of way in industrial zoned properties.

Ms. Spaulding stated that she cannot speak off hand about parking enforcement issue on secondary roads and/or private roads. She stated that she would have to do some research.

Mr. Barnes inquired about the fire lane across the full frontage of buildings.

Mr. Pastwik stated that this comment comes from Fire Admin/Safety as part of the technical review committee

Mr. Newhouse stated that he has concerns about on street stacking, for example, at the Starbucks at Harrison Crossing.

Speaking in favor or opposition: None

Mr. Newhouse closed the public hearing.

Motion and vote: Mr. Barnes made a motion, seconded by Mr. Thompson to approve the amendment. The motion passed 7-0.

Mr. Newhouse thanked staff for their hard work.

Worksession(s):

New Business: None

Public Comment: None

Adjournment:

Motion and vote: Ms. Carter made a motion, seconded by Mr. Thompson to adjourn. The motion passed 7-0.

The meeting adjourned at about 8:30 p.m.

Paulette Mann

Commission Secretary

June 7, 2017

Date approved