

At a meeting of the Spotsylvania County Board of Supervisors held on September 26, 2017 on a motion by \_\_\_\_\_, seconded by \_\_\_\_\_ and passed \_\_\_\_\_, the Board adopts the following ordinance:

AN ORDINANCE No. 23-171

CA17-0005: Off-Street Parking, Stacking and Loading

To amend County Code Chapter 23, Article 5- General Development Standards as part of an ongoing effort to review and update the Spotsylvania County Zoning Ordinances. Proposed amendments include: Division 23-5.9 Off-Street Parking; Division 23-5.10 Off-Street Loading; Division 23-5.11 Off-Street Stacking. Amendments are intended to: update and clarify various County Code references pertaining to off-street parking, loading and stacking including correcting assignment of interpretation and enforcement functions, and; revise off-street parking and stacking standards to include an expanded list of uses and attempt to reduce parking minimum requirements where appropriate.

PUBLIC HEARING: September 26, 2017

**WHEREAS**, staff has reviewed the Code Amendments and recommends approval as stated in the Executive Summary dated September 26, 2017; and

**WHEREAS**, the Planning Commission public hearing, duly advertised in a local newspaper for a period of two weeks was held on May 17, 2017, and interested citizens were offered the opportunity to be heard, and a motion was made and seconded to recommend approval of the Zoning Ordinance Amendments, with a vote of 7-0; and

**WHEREAS**, the Spotsylvania County Board of Supervisors' public hearing, duly advertised in a local newspaper for a period of two weeks, was held on September 26, 2017, and interested citizens were offered the opportunity to be heard; and

**WHEREAS**, good zoning practice and general welfare are served by approval of the Code Amendments.

NOW, THEREFORE, THE BOARD OF SUPERVISORS FOR THE COUNTY OF SPOTSYLVANIA HEREBY

ORDAINS:

§ 1. That Chapter 23, Article 5, Division 9 be and hereby is **amended** and reordained as

follows:

## DIVISION 9. - OFF-STREET PARKING

### Sec. 23-5.9.1. - Applicability.

All structures built and all uses established hereafter shall provide accessory off-street parking in accordance with the following regulations; provided however, in a Planned Development Commercial (PDC) or Planned Development Housing (PDH) zoning district, the provisions of this division shall have general application as determined by the ~~director~~ Zoning Administrator and such modifications provided for in Mixed Use (MU), Sec. 23-6.28.6.

(Ord. No. 23-66, 10-24-95)

### Sec. 23-5.9.2. - General provisions.

- (a) All required off-street parking spaces shall be located on the same lot as the structure or use to which they are accessory or on a lot contiguous thereto which has the same zoning classification and is under the same ownership; provided that where there are practical difficulties or if the public safety and/or public convenience would be better served by the location other than on the same lot or on a contiguous lot with the use to which it is accessory, the ~~board~~ Board of Supervisors, acting upon a specific application, may authorize such alternative location subject to the following conditions:
  - (1) Such required space shall be located on land in the same ownership as that of the land on which is located the use to which such space is accessory or, in the case of the cooperative provision of parking spaces, as provided in ~~paragraph~~ Paragraph 3(c) below, in the ownership of at least one of the participants in the combination, and
  - (2) Such required space shall be located within five hundred (500) feet walking distance of a building entrance to the use that such space services.
- (b) When required by the provisions of the Virginia Uniform Statewide Building Code (VUSBC), off-street parking spaces and related access aisles and accessibility routes for handicapped persons shall be provided in accordance with the VUSBC. The number of parking spaces for the handicapped shall be included in the required number of parking spaces. Each such parking space shall be identified by an above grade sign indicating parking for the handicapped only and conforming ~~with to~~ the design and content specifications of the ~~director of planning~~ VUSBC and the Spotsylvania County Design Standards Manual (DSM).
- (c) Required off-street parking spaces may be provided cooperatively for two (2) or more uses, subject to arrangements that will assure the permanent availability of such spaces to meet joint-use demand based on required parking as established in the off-street parking table in Sec. Sec. 23-5.9.3.- Minimum required parking spaces. ~~the satisfaction of the director of planning.~~ The amount of such combined space shall equal the sum of the amounts required for the separate uses, except that the ~~board~~ Zoning Administrator may reduce the total number of parking spaces required by strict application of said requirements when it can be determined that the same spaces may adequately serve two (2) or more uses by reason of the hours of operation of such uses.
- (d) Except as may be qualified elsewhere in this ~~chapter~~ Chapter, off-street parking spaces that are located on the ground and are open to the sky may be located in any required yard but not nearer to any front lot line than ten (10) feet.

Except as may be qualified elsewhere in this ~~chapter~~ Chapter, parking structures and carports shall be subject to the minimum yard requirements applicable in the zoning district in which located; except

parking structures that are completely underground may be located in any required yard, but not closer than one (1) foot to any lot line.

- (e) All off-street parking facilities shall be used solely for the parking of vehicles in operating condition by patrons, occupants or employees of the use to which such parking is accessory.

No motor vehicle repair work except emergency service shall be permitted in association with any required off-street parking facilities.

- (f) All off-street parking spaces shall be provided with safe and convenient access to a street. If any such space is located contiguous to a street, the street side thereof shall be curbed, and ingress and egress shall be provided only through driveway openings through the curb of such dimension, location and construction as may be approved by the ~~director of planning~~ Zoning Administrator considering the DSM, Article 5.
- (g) All off-street parking areas, including aisles and driveways, except those required for single-family detached dwellings, shall be constructed and maintained with a dustless surface.

In accordance with the terms of the Code of Virginia, Sec. 15.2-2286(4), the director of planning ~~Zoning Administrator~~ may approve a modification or waiver of this requirement, ~~based on the scope, nature, or location of the proposed development or use.~~ Such off-street parking areas, including aisles and driveways, shall be constructed, and maintained in good condition at all times, ~~in accordance with standards approved by the director of planning.~~

- (h) All off-street parking spaces and areas shall comply with the geometric design standards presented in ~~the design standards~~ Sec. 23-5.9.4, Parking Geometrics Standards.

(i) All parking spaces, except those provided for and on the same lot with single-family detached and attached dwellings, shall be clearly marked and constructed in accordance with VUSBC. ~~shall be subject to the approval of the director of planning.~~ This marking shall be accomplished by means of paint striping or in the case of gravel lots through the use of fixed curb stops. Any proposal to re-designate parking space delineations ~~which that~~ changes the existing space size, configuration or number, shall require the submission to and approval by the ~~director of planning~~ Zoning Administrator of a plan certified by an engineer or land surveyor authorized by the ~~State Commonwealth of Virginia~~ to practice as such. Such plan shall show all off-street parking, related driveways, loading spaces and walkways, indicating type of surfacing, size, angle of stalls, width of aisles and a specific schedule showing the number of parking spaces provided and the number required by the provisions of this article. No plan shall be approved which reduces the number of parking spaces below the minimum number required by this ~~article~~ Article.

~~(i) All required stacking spaces shall be a minimum of eighteen (18) feet in length. In addition, the geometric design of the stacking aisle(s), including but not limited to the radius and width of the travel aisle, shall be subject to the approval of the director of planning.~~

~~(j) All lighting fixtures used to illuminate off-street parking areas shall be designed to minimize glare.~~

(j) Such areas ~~Parking areas~~ shall not be lighted at any time other than during the same hours that the use to which the parking is appurtenant is open for business, and up to an hour prior to opening and an hour following closing, except for necessary security lighting.

- (k) Parking spaces required on an employee/person basis in the sections that follow shall be based on the maximum number of employees/persons on duty or residing, or both, on the premises at any one time.

(l) Where a given use or building contains a combination of uses as set forth in the following sections, parking shall be provided on the basis of the sum of the required spaces for each use or in accordance with ~~a~~ Article 5, ~~d~~ Division 9, ~~s~~ Section 2, ~~p~~ Paragraph (c).

- (m) If there is uncertainty with respect to the amount of parking spaces required by the provisions of this ~~chapter~~ Chapter as a result of an indefiniteness as to the proposed use of a building or of land, the maximum requirement for the ~~general~~ similar type of use that is involved shall govern.

- (n) Where the required number of parking spaces is not set forth for a particular use in the following sections, and where there is no similar general type of use listed, the ~~z~~Zoning ~~a~~Administrator shall determine the basis of the number of spaces to be provided.
- (o) The ~~planning commission~~ Zoning Administrator may reduce the total number of parking ~~and/or stacking~~ spaces required by the strict application of the provisions of this division when it has been conclusively demonstrated that circumstances, site design or location do not warrant the number of spaces required and that such reduction will not adversely affect pedestrian or vehicular circulation on the site or on any abutting street.
- (p) Tractor-trailer trucks and refrigerated trucks shall not be permitted to park in approved subdivisions in the ~~r~~Residential (1) and Residential (2) districts, except when actually making pickups or deliveries.
- (q) Any vehicle located at a dwelling, single-family must be registered with the ~~e~~Commissioner of ~~r~~Revenue to the physical address of the dwelling, single-family as required by ~~e~~Chapter 12, ~~a~~Article II, vehicle registration fee of the Code of Spotsylvania County.
- ~~(r) On lots of twenty thousand (20,000) square feet or less, or in residential subdivisions with four (4) or more lots in which ten (10) percent or more of the lots have a lot size of twenty thousand (20,000) square feet or less, the on-site exterior parking of motor vehicles must be within a parking area. For the purposes of this section:~~
- ~~(i) A parking area shall be an area with a surface of gravel, asphalt or concrete, not exceeding an aggregate area of two hundred (200) square feet per passenger vehicle parked, up to a maximum allowed parking area of fifteen (15) percent of the total square footage of the lot or two thousand five hundred (2,500) square feet per lot, which ever is less.~~
- ~~(ii) A parking area shall be limited to that area between the centerline of the front of the dwelling, single family, to one (1) of the front corners and the public right-of-way (or a private road) and along the side of the dwelling, single family, which is adjacent to and contiguous with the parking in front of the dwelling, single family, detached.~~
- ~~However, this limitation shall not apply where all of the parking is provided in the rear of the dwelling, single family, and accessed by an alley. The zoning administrator shall have the authority to approve a variance to allow for a circular driveway, which leaves a pervious area of mulch, grass or like material between the circular driveway and the public right-of-way.~~
- ~~(iii) A parking area for vehicles shall not apply to vehicles in operable condition: (a) licensed as antique vehicles and displaying an antique tag, (b) any vehicle registered to a member of the family and parked at the residence for not more than ninety (90) days during any twelve-month period or (c) any vehicle parked at the residence for not more than fourteen (14) days during any twelve-month period.~~

(Ord. No. 23-66, 10-24-95; Ord. No. 23-73, 8-12-97; Ord. No. 23-119, 9-11-07; Ord. No. 23-123, 12-11-07)

Sec. 23-5.9.3. - Minimum ~~required~~ Required parking ~~Parking spaces~~ Spaces.

| Uses                               | Parking requirement<br>(Area references are to gross floor area (gfa) unless otherwise indicated)                    |
|------------------------------------|--|
| <u>Agriculture (i.e., Farming)</u> | <u>Exempt</u>  |
| Airport, Public or Private         | 1 <del>space</del> <u>ace</u> per employee on the largest shift, plus 1 <del>space</del> <u>ace</u> for each vehicle |

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|   | used in connection with the facility, plus sufficient space to accommodate the largest number of <u>airport customers' / travellers'</u> vehicles that may be expected at any one time  |
| <del>Fire Service or Rescue Squad</del>                   | <del>Adequate space to accommodate all motor vehicles operated in connection with such use and 2 addnl. parking spaces per each such vehicle</del>  |
| Amusement Arcade  | 4 <u>spaces</u> per 1,000 sq. ft. <u>of gfa</u>   |
| <u>Auction Establishment</u>                              | <u>1 space per employee on maximum shift plus 1 space per company vehicle operating on the premises plus 1 space per 200 sq ft of customer service area</u>   |
| <u>Bed and Breakfast I, II</u>                            | <u>1 space per guest room plus dwelling, single-family detached standard</u>  |
| Billiard & Pool Halls                                     | 4 <u>spaces</u> per 1,000 sq. ft. <u>of gfa</u>   |
| Bowling Alleys  | 4 <u>spaces</u> per lane plus 1 <u>space</u> per employee   |
| <u>Brewery, winery, cidery, distillery</u>                | <u>1 space for every 500 sq. ft. of production or office area plus 1 space per 225 sq. ft. area dedicated to accessory tasting rooms, restaurants, or retail sales, plus 1 space for every 4 seats or 60 sq ft of assembly area dedicated to commercial hall use if applicable.</u> |
| Bus Terminals and Train Stations                          | 1 <u>space</u> per 4 seats in the terminal  |
| Business Service and Supply Service Est <u>ablishment</u> | 1 <u>space</u> <del>for per</del> 300 sq. ft. of gfa  |
| Campgrounds, Recreation Trailer Camp, Summer Camp         | 1 <u>space</u> per employee during peak employment shift  |
| Car Wash  | 3 <u>space</u> per bay/stall plus 1 <u>space</u> per employee for self service or full service establishment  |
| Child Care Center   | 1 <u>space</u> per teacher/employee plus 1 <u>space</u> for each 12 children  |

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| Place of Worship  | <del>1 sp per 4 seats in the principal place of worship or one space per 200 sq. ft. gfa designed for a use other than services whichever is greater. See Note 3</del>  |
| Civic, Social Service and or Fraternal Facilities                                   | 1 <u>space</u> per four (4) fixed seats or per 75 sq. ft. of area of assembly, whichever is greater   |
| Clinics, Medical and Dental   | 1 <u>space</u> <del>for eaper</del> 200 sq. ft. of gfa  |
| College or University   | Based on a review by the <del>director of planning</del> <u>Zoning Administrator</u> of each proposal ( <u>See Note 43</u> ) 1 <u>space</u> per employee during peak employment shift + .5 <u>spaces</u> per student of driving age |
| <u>Contractor's offices and shops</u>   | <u>1 space per employee assigned to work onsite plus one space per facility vehicle parked onsite</u>   |
| Convenience Store   | 5 <u>spaces</u> per 1,000 sq. ft. gfa. <del>a</del> At no time less than ten (10) <u>spaces</u>   |
| Correctional Facility   | 1 <u>space</u> per 2 employees on the maximum shift. ( <u>See Note 43</u> )   |
| Country Club  | 1 <u>space</u> per 300 sq. ft. of <del>area gfa</del> within closed bldgs. plus one <u>space</u> for every 3 people the outdoor facilities are designed to accommodate when used to the maximum capacity                            |
| Cultural Center, Museum or Similar Activity   | 1 <u>space</u> per 300 sq. ft. of gfa   |
| Dormitory, Fraternity or Sorority House, or Other Residence Hall located off Campus | 1 <u>space</u> per 2 <del>sleeping accommodations</del> <u>beds</u> based on the occupancy loads of the <del>bldg building</del> ; plus 1 <u>space</u> for each employee, manager or resident manager                               |
| <del>Financial Institution with Drive-In</del>                                      | <del>1 sp per 250 sq. ft. of gross floor area for customer service, lobby and teller area plus one sp per employee on the largest shift</del>   |
| Dwelling, Multiple-family   | 1.6 <u>spaces</u> per unit  |
| Dwelling, Single-family Attached  | 2 <u>spaces</u> per unit, however only 1 such <u>space</u> must have convenient access to the dwelling unit   |
| Dwelling, Single-family   | 2 <u>spaces</u> per unit, provided that only 1 such <u>space</u> must have convenient   |

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| Detached                                  | access to a street   |
| Eating Establishment, Carry out/Fast Food | 1.25 spaces per 100 sq. ft. gfa  |
| Eating Establishment                      | 1.5 sp per 200 sq. ft. gfa   |
| Farms                                     | Exempt   |
| Feed Mill                                 | 1 space per employee on largest shift plus 1 space per company vehicle operating on the premises plus 1 space per 300 sq ft of customer service area   |
| Financial Institution                     | 1 space per 250 sq. ft. of gfa <del>of gross floor area</del> for customer service <del>area</del> ; (including lobby and teller area); plus 1 space per employee on the largest shift   |
| Fire Service or Rescue Squad              | Adequate space to accommodate all motor vehicles operated in connection with such use plus 2 additional parking spaces per each such vehicle   |
| Funeral Home                              | 1 space per 100 sq. ft. of gfa excluding storage and work areas; 25 space minimum  |
| Furniture, Appliance or Carpet Store      | 1 sp per <del>500</del> 750 sq. ft. of gfa, plus 1 space for each employee on the largest shift  |
| Garden Center                             | Enclosed Retail Area—One (1) space per each two hundred fifty (250) square feet of retail sales. Greenhouse Sales Area—One (1) space per two hundred fifty (250) square feet. Exterior Sales Area—One (1) space per each five thousand (5,000) square feet of exterior nursery sales area. |
| Golf, Miniature                           | 2 spaces for each hole   |
| Golf Course                               | 1 space per 300 sq. ft. of gfa within closed bldgs. plus 1 space for every 3 persons that the outdoor facilities are designed to accommodate when used to the maximum capacity   |
| Golf Driving Range                        | 1 space per tee plus 1 space <del>per</del> for every 2 employees on the largest shift   |

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| <u>Greenhouses, Commercial</u>  | <u>See Note 5</u>  |
| Heavy Equipment and Specialized Vehicle Sale, Rental and Services<br><u>Establishment</u> | 1 <u>space</u> per 500 sq. ft. of enclosed sales, rental and office floor area plus 1 <u>space</u> per 2,500 sq. ft. of open sales/rental display lot area plus 2 <u>spaces</u> per service bay  |
| Hospitals   | 1.5 <u>spaces</u> per patient bed plus 1 <u>space</u> for each staff doctor plus 1 <u>space</u> per 2 other employees  |
| Hotels or Motels  | 1 <u>space</u> per room or suite for rent plus 1 <u>space</u> per 4 seats of meeting room capacity plus 1 <u>space</u> per 250 sq. ft. of restaurant, lounge or entertainment facility plus 1 <u>space</u> for each 2 employees on the maximum shift |
| Indoor Athletic Facility<br><u>(Gymnasium)</u>  | 1 <u>space</u> for every 50 sq. ft. of floor area devoted to aerobics, weightlifting, or similar activities plus 1 <u>space</u> per 500 sq. ft. of indoor tennis or racquetball court or similar recreation facilities                               |
| Indoor Recreation Facility, Commercial  | 5 <u>spaces</u> per 1,000 sq. ft. gfa  |
| Industry Types I, II, III,<br><u>Industrial/ Flex, Abattoir</u>                           | 1 <u>space</u> per 1,000 sq. ft. gfa plus 1 <u>space</u> per 400 sq. ft. of accessory office area or 1 <u>space</u> per 2 employees on the largest shift whichever is less   |
| Kennel  | 1 <u>space</u> per 500 sq. ft. of gfa including runs   |
| Library   | 10 <u>spaces</u> per the first 1,000 sq. ft. of gfa plus 1 <u>space</u> for each 300 sq. ft. in excess of 1,000 sq. ft.  |
| Live Entertainment, <u>indoor</u>   | 1 <u>space</u> per 75 sq. ft. gfa  |
| <u>Manufactured Home</u>  | <u>1.5 spaces per unit</u>   |
| <u>Manufactured Home Parks</u>  | <u>1.5 spaces per unit plus 1 space per 5 units for guest parking</u>  |
| Marinas, Docks and Boating Facilities, Commercial   | <del>Not less than</del> 1 <u>space</u> for every 2 boat slips; at least 10% of the spaces must be large enough to accommodate vehicles with trailers  |
| Medical Care Facility   | 1 <u>space</u> per 2 patient beds plus 1 <u>space</u> per employee on largest shift  |



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| Mini Warehousing Establishment-   | <del>3.2.1.25</del> spaces per 1,000 sq. ft. of gfa of office space associated with the use plus 1 space per employee and 2 spaces for a resident manager. The width of travel aisles for vehicular access and loading and unloading shall be based on the standard width of a two-way driving aisle whose dimensions are established in the Design Standards Manual, Article 5 subject to the approval of the director of planning |
| Manufactured Home   | 1.5 spaces per unit   |
| Manufactured Home Parks   | 1.5 sp per MH plus 1 per 5 units for guest parking  |
| Nursing Home, Assisted Living or Congregate Living Facilities or Other Age Restricted Housing | 1 space per 3 residents plus 1 space for each employee on largest shift   |
| Office (unless otherwise provided for in this section)  | 1 space per 300 sq. ft. gfa- (See Note 1)   |
| Open Air Market   | 1 space per 1,000 sq. ft. of sales area   |
| Outdoor Recreation Facility   | 30 spaces per athletic field or 1 space per 1,500 sq. ft. of usable recreational space  |
| Personal Service Establishment  | 1 space per 250 275 sq. ft. of gfa  |
| Place of Worship  | 1 space per 3 seats in the principal place of worship or 1 space per 200 sq. ft. gfa, whichever is greater. (See Note 4)  |
| <del>Private School:</del>  |   |
| <del>(a)</del> Public or Private Elementary, Middle, Junior High School                       | <del>(a)</del> 1.5 spaces per classroom   |
| <del>(b)</del> Public or Private Senior High School   | <del>(b)</del> 1 space per classroom plus 1 space per 6 students  |
| Public Utility  | 1 space per 2 employees on <del>major</del> largest shift plus 1 space per company  |

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|   | vehicle normally stored on the premises   |
| Repair Service<br>Establishment   | 1 space per 300 sq. ft. of gfa plus 1 space per employee on the largest shift   |
| Retail Sales Establishment<br>except Furniture, Appliance<br>or Carpet Store  | 1 space per 225 250 sq. ft. of gfa  |
| Rooming/ Boarding House   | 1 space per bedroom   |
| Scientific Research and<br>Development<br>Establishment-                      | 1 space per 400 sq. ft. of gfa  |
| Service Stations-Fuel<br>Dispensing facility                                  | 2 spaces per service bay plus 1 space per employee, but never less than 5 spaces  |
| Shopping Center   | A. 100,000 sq. ft. of gfa or less — 4.5 spaces per 1,000 sq. ft. of gfa   |
|   | B. <del>more than</del> 100,000 sq. ft. <del>but or — to 400,000 sq. ft. of gfa —</del> Standard A<br>(above) plus 4.3 spaces per additional 1,000 sq. ft. of gfa above 100,000<br>sq. ft. (See Note 2)                 |
|   | <del>C. 400,000 sq. ft. of gfa — 4 sp per 1,000 sq. ft. of gfa (See Note 2)</del>   |
| Theater, Auditorium, <del>or</del><br>Stadium, Live<br>entertainment, outdoor | 1 space per 3 seats   |
| Vehicle Light Service<br>Establishment-                                       | 1 space per 200 sq. ft. of gfa plus 2 spaces per service bay plus 1 space per employee  |
| Vehicle Major Service<br>Establishment-                                       | 2 spaces per service bay plus 1 space per employee  |
| Vehicle Sale, Rental and<br>Ancillary Service<br>Establishment-               | 1 space per 500 sq. ft. of enclosed sales/rental floor area, plus 1 space per 2,500 sq. ft. of open sales/rental display lot area, plus 2 spaces per service bay plus 1 space per employee but never less than 5 spaces |

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| Veterinary Hospitals  | 1 space per 100 sq. ft. of gfa exclusive of that area to house animals  |
| Warehousing, Storage Yard, Lumber and Bldg. Material Yard, Motor Freight Terminal or Junk Yard  | 1 space per 2 employees on <del>major</del> largest shift plus 1 space per 5,000 sq. ft. of area devoted to storage (whether inside or outside) |
| Wayside Stand, <u>Offsite</u>   | 1 space per 100 sq. ft. of sales, display area, <u>but never less than 3 spaces minimum</u>   |
| Wholesale Trade <u>Establishment-</u>   | 1 space per 4,000 sq. ft. of gfa for the wholesale operation plus 1 space per 400 sq. ft. of accessory office space                             |
| <u>Wineries</u>   | <u>See Note 5</u>   |
| <u>Note 1:</u><br>Where more than one (1) office bldg. is located on a lot, the parking requirements shall be based on the gfa of each building individually and not on the total gross floor area of all buildings on the lot. For purposes of this provision, buildings connected by structures such as atriums, awnings, breezeways, carports, garages, party walls or plazas shall not be deemed to be one (1) building but rather a collection of multiple buildings depending on how many are connected in such a way.  |   |
| <u>Note 2:</u><br>The Shopping Center off-street parking requirement set forth in the Minimum Required Parking Spaces Table above shall be applicable to all uses in a shopping center, except the area occupied by theaters with more than two thousand (2,000) seats. An additional three-tenths (.3) space shall be provided for each seat above two thousand (2,000) seats. The Zoning Administrator may reduce the overall required parking requirements by the percentage of gross floor area of the enclosed pedestrian walkway, excluding any area within the enclosed pedestrian walkway that is leased. |   |
| <u>Note 3:</u><br>Alternative Standards may be accepted as determined by the Zoning Administrator based on a review of each proposal to include such factors as: the number of spaces required to accommodate employees; public use vehicles anticipated to be on-site that can be used for auxiliary parking in times of peak demand. In no instance, however shall the number of spaces required for government office use be less than that required herein for general office use.  |   |
| <u>Note 4:</u><br>The number of spaces required may be reduced by up to fifty (50) percent if the use is located within five hundred (500) feet of any public parking lot or any commercial parking lot where sufficient spaces are available by permission of the owners without charge, during the time of service to make up the additional spaces required.   |   |

~~Note \_\_\_\_\_ 1:  
Where more than one (1) office bld. is located on a lot, the parking requirements shall be based on the gfa of each building individually and not on the total gross floor area of all buildings on the lot. For purposes of this provision, buildings connected by structures such as atriums, awnings, breezeways, earports, garages, party walls or plazas shall not be deemed to be one (1) building.~~

~~Note \_\_\_\_\_ 2:  
The off street parking requirement set forth above shall be applicable to all uses in a shopping center, except the area occupied by theaters with more than two thousand (2,000) seats, an additional three-tenths (.3) space shall be provided for each seat above two thousand (2,000) seats. The zoning administrator may reduce the overall required parking requirements by the percentage of gross floor area of the enclosed pedestrian walkway, excluding any area within the enclosed pedestrian walkway that is leased.~~

~~Note \_\_\_\_\_ 3:  
The number of spaces required may be reduced by up to fifty (50) percent if the use is located within five hundred (500) feet of any public parking lot or any commercial parking lot where sufficient spaces are available by permission of the owners without charge, during the time of service to make up the additional spaces required.~~

~~Note \_\_\_\_\_ 4:  
As determined by the director of planning, based on a review of each proposal to include such factors as the number of spaces required to accommodate employees, public use vehicles anticipated to be on-site that can be used for auxiliary parking in times of peak demand. In no instance, however shall the number of spaces required for government office used be less than that required herein for general office use.~~

~~Note \_\_\_\_\_ 5:  
A. Enclosed Retail Area One (1) space per each two hundred fifty (250) square feet of retail sales.~~

~~B. Greenhouse Sales Area One (1) space per two hundred fifty (250) square feet.~~

~~C. Exterior Sales Area One (1) space per each five thousand (5,000) square feet of exterior nursery sales area.~~

~~Note \_\_\_\_\_ 6:  
Generally, if an applicant is proposing a number of parking spaces that is twenty (20) percent (applicable to developments of less than five thousand (5,000) square feet of floor area) or ten (10) percent (applicable to developments that exceed five thousand and one (5,001) square feet of floor area), or more in variance to the minimum parking requirement, a waiver shall generally not be approved. A parking study, in lieu of a waiver, shall be submitted to support more or less parking for a proposed use. A Transportation Engineer or Planner with previous experience in preparing parking studies shall prepare and certify the alternative parking study. Study parameters should be discussed with the assigned case manager of the Planning Department at a scoping meeting prior to preparation of the study. The contents of the parking study should generally include a statement of the problem, proposed methodology, and an examination of similar localized variables such as: use, floor area, site and building characteristics, and the local market. Upon receipt of the alternative parking study and any modifications made thereto based upon staff review, the parking study shall be used as the source authority for determining the acceptable number of parking spaces to be depicted on an approved general development plan or site plan.~~

Sec. 23-5.9.4. . Parking Geometrics Standards:

(a) Parallel Parking Spaces: There shall be 3 major layouts for off-street parking.

| Table: Parallel Parking Dimensions |             |                        |                    |
|------------------------------------|-------------|------------------------|--------------------|
| Direction of Parking               | Stand Width |                        | Aisle Width (feet) |
|                                    | (feet)      | Depth of Stalls (feet) |                    |
| One-way aisle (one-sided parking)  | 8.5         | 22                     | 12                 |
| One-way aisle (two-sided parking)  | 8.5         | 22                     | 15                 |
| Two-way aisle (two-sided parking)  | 8.5         | 22                     | 20                 |

(b) Universal Size Parking Dimensions: Required off-street parking shall be consistent with the following Universal Size Parking Dimensions below:

| Table: Universal Size Parking Dimensions |  |                               |                             |                             |
|--|--|-------------------------------|-----------------------------|-----------------------------|
| Parking Angle                            | Depth of Stalls  |                               |                             |                             |
|  | Stall Width (feet)   | Perpendicular to Aisle (feet) | One-Way Aisle Width (feet)* | Two-way Aisle Width (feet)* |
| 45°                                      | 8.5  | 19                            | 15.5                        | 18                          |
| 60°                                      | 8.5  | 20                            | 17                          | 19                          |
| 90°                                      | 8.5  | 18**                          | 23                          | 23                          |
| *  | Where required, fire lanes shall have a minimum width of 20' and a maximum width of 24'.   |                               |                             |                             |
| **                                       | This dimension may be reduced by up to 1.5' where the Zoning Administrator determines that adequate "head in" overhang exists exclusive of required planting or screening requirements, and sidewalks. |                               |                             |                             |

(Ord. No. 23-66, 10-24-95; Ord. No. 23-72, 4-22-97; Ord. No. 23-73, 8-12-97; Ord. No. 23-109, 12-14-04)

§ 3. That Chapter 23, Article 5, Division 10 be and are hereby **amended** and reordained as follows:

DIVISION 10. - OFF-STREET LOADING

Sec. 23-5.10.1. - Applicability.

All structures built and all uses established hereafter shall provide accessory off-street loading spaces in accordance with the following regulations; provided, however, in a Planned Development Commercial (PDC), Planned Development Housing (PDH), Mixed Use (MU), Village (V) district, the provisions of this ~~division~~ Division shall have general application as determined by the ~~director of planning~~ Zoning Administrator.

(Ord. No. 23-66, 10-24-95)

Sec. 23-5.10.2. - General provisions.

- (a) All required off-street loading spaces shall be located on the same lot as the use served; provided that the ~~director of planning~~ Zoning Administrator may waive such location requirement in those instances where the provisions of ~~p~~Paragraph 2(b) are satisfied.
- (b) Required off-street loading spaces may be provided cooperatively for two or more uses, subject to a private scheduling agreement between the two parties ~~arrangements~~ that will assure the permanent availability of such spaces for each individual use, to the satisfaction of the director of planning. If the required number of off-street loading spaces is not the same for both uses, the use requiring the greater number of spaces shall control.
- (c) No loading space or berth shall be located in a required front yard.
- (d) All off-street loading space shall be provided with safe and convenient access to a street. If any such space is located contiguous to a street, the street side thereof shall be curbed, and ingress and egress shall be provided only through driveway openings through the curb of such dimension, location and construction as may be approved by the ~~director of planning~~ Zoning Administrator in accordance with the VUSBC and the Spotsylvania County Design Standards Manual (DSM). ~~design standards.~~
- (e) All off-street loading areas, including aisles and driveways, shall be constructed and maintained with a dustless surface, ~~in accordance with the design standards.~~  
In accordance with the terms of the Code of Virginia, Sec. 15.2-2286(4), ~~The director of planning~~ Zoning Administrator may approve a modification or waiver of this requirement on a temporary basis for a period not to exceed two (2) years. During any such period of modification or waiver, ~~Such~~ off-street loading areas, including aisles and driveways, shall be constructed, graveled and maintained in good condition at all times. ~~in accordance with standards approved by the director of planning.~~
- (f) All required off-street loading ~~areas~~ spaces shall ~~comply with such geometric design standards as may be defined by the director of planning, but in no event shall the required dimensions be~~ no less than fifteen (15) feet wide, twenty-five (25) feet long and fifteen (15) feet high, except that where one (1) such loading space has been provided, any additional loading space lying alongside, contiguous to, and not separated from such first loading space need not be wider than twelve (12) feet.
- ~~(g) All lighting fixtures used to illuminate off-street loading areas shall be designed to minimize glare.~~
- ~~(h)~~ Where a given use or building contains a combination of uses as set forth in the following section, loading facilities shall be provided on the basis of the sum of the required spaces for each use.
- ~~(i)~~ If there is uncertainty with respect to the amount of loading space required by the provisions of this division as a result of an indefiniteness as to the proposed use of a building or land, the maximum requirement for the general type of use that is involved shall govern.
- ~~(j)~~ Uses for which off-street loading facilities are required by this ~~division~~ Division, but which are located in buildings that have a gross floor area that is less than the minimum above which off-street loading facilities are required, shall ~~be provided with adequate receiving facilities at minimum of one (1) off-street loading space, as determined by the director of planning.~~

- ~~(k) Notwithstanding the standards set forth in section 23-5.10.4 below, in no instance shall more than five (5) off-street loading spaces be required for a given use or building except as may be determined by the director of planning.~~
- ~~(j) Where the required number of off-street loading spaces is not set forth for a particular use in the following section, and where there is no similar type of use listed, the zZoning aAdministrator shall base the number of spaces to be provided on a similar type of use as established in Sec. 23-5.10.4. determine the number of spaces to be provided.~~
- ~~(k) Loading spaces shall not impede traffic circulation, including bicycle, pedestrian and vehicular.~~

(Ord. No. 23-66, 10-24-95)

Sec. 23-5.10.3. - Minimum required space.

Minimum off-street loading spaces accessory to the uses hereinafter designated in Sec. 23-5.10.4 shall be provided in accordance with the following Off-Street Loading Standards schedule:

Standard A:  
One (1) space for the first five thousand (5,000) square feet of gross floor area, plus one (1) space for each additional thirty thousand (30,000) square feet or major fraction thereof.

Standard B:  
One (1) space for the first ten thousand (10,000) square feet of gross floor area, plus one (1) space for each additional fifteen thousand (15,000) square feet or major fraction thereof.

Standard C:  
One (1) space for the first ten thousand (10,000) square feet of gross floor area, plus one (1) space for each additional twenty thousand (20,000) square feet or major fraction thereof.

Standard D:  
One (1) space for the first ten thousand (10,000) square feet of gross floor area, plus one (1) space for each additional twenty-five thousand (25,000) square feet or major fraction thereof.

Standard E:  
One (1) space for the first ten thousand (10,000) square feet of gross floor area, plus one (1) space for each additional thirty thousand (30,000) square feet or major fraction thereof.

Standard F:  
One (1) space for the first ten thousand (10,000) square feet of gross floor area, plus one (1) space for each additional one hundred thousand (100,000) square feet or major fraction thereof.

Standard G:  
One (1) space for the first twenty-five thousand (25,000) square feet of gross floor area, plus one (1) space for each additional one hundred thousand (100,000) square feet or major fraction thereof.

(Ord. No. 23-66, 10-24-95)

Sec. 23-5.10.4. - Off street loading.

| Uses  | Standards |
|---|-----------|
| Business Service & Supply Service Establishment | C         |
| College or University                           | F         |

|  |   |
|--|---|
| Dwelling, Multiple-family  | G |
| Eating Establishment   | D |
| Financial Institution or Drive-in Bank                                       | C |
| Funeral Chapel, Funeral Home   | F |
| Heavy Equipment & Specialized Vehicle Sale, Rental and Service Establishment | A |
| Hospital   | F |
| Industry, Types I, II, III, <u>Industrial/ Flex</u>                          | A |
| Office   | C |
| Personal Service Establishment   | B |
| Repair Service Establishment   | C |
| Retail Sales Establishment   | B |
| Private/ <u>Public</u> School  | F |
| Scientific Research and Development Establishment                            | C |
| Vehicle Light Service Establishment  | B |
| Vehicle Major Service Establishment  | A |
| Vehicle Sale, Rental and Ancillary Service Establishment                     | A |
| Warehousing Establishment  | A |
| Wholesale Trade Establishment  | E |

(Ord. No. 23-66, 10-24-95)

§ 4. That Chapter 23, Article 5, Division 11 be and are hereby **amended** and reordained as follows:



## DIVISION 11. - OFF-STREET STACKING SPACES

### Sec. 23-5.11.1. - Applicability.

All drive-in uses established hereafter shall provide accessory off-street stacking spaces in accordance with the following regulations.

(Ord. No. 23-66, 10-24-95)

### Sec. 23-5.11.2. - General provisions.

- (1a) All required off-street stacking spaces shall be located on the same lot as the use served; provided that the ~~director of planning~~ Zoning Administrator may waive such location requirement in those instances where the provisions of ~~paragraph~~ Paragraph 2(b) are satisfied.
- (2b) Required off-street stacking spaces may be provided cooperatively for two (2) or more uses, subject to a private scheduling agreement between the two parties arrangements that will assure the permanent availability of such spaces for each individual use, to the satisfaction of the director of planning. ~~If the required number of off-street stacking spaces is not the same for both uses, the use requiring the greater number of spaces shall control.~~
- (3c) No stacking space shall be located in a required front yard.
- (4d) All off-street stacking spaces shall be provided with safe and convenient access to a street. If any such space is located contiguous to a street, the street side thereof shall be curbed, and ingress and egress shall be provided only through driveway openings through the curb of such dimension, location and construction as may be approved by the ~~director of planning~~ Zoning Administrator in accordance with the ~~design standards~~ Spotsylvania County DSM.
- (5e) All off-street stacking areas, including aisles and driveways, shall be constructed and maintained with a dustless surface, ~~in accordance with the design standards.~~  
In accordance with the terms of the Virginia Code Sec. 15.2-2286(4), the director of planning Zoning Administrator may approve a modification or waiver of this requirement on a temporary basis for a period not to exceed two (2) years. During any such period of modification or waiver, such off-street stacking areas, including aisles and driveways, shall be constructed, graveled and maintained in good condition at all times, in accordance with standards approved by the director of planning.
- (6f) All off-street stacking areas shall ~~comply with such geometric design standards as may be defined by the director of planning, but in no event shall the required dimensions~~ be no less than nine (9) feet wide and eleven (11) feet long.
- (7) ~~All lighting fixtures used to illuminate off-street stacking areas shall be designed to minimize glare.~~
- (8g) If there is uncertainty with respect to the amount of stacking space required by the provisions of this division as a result of an indefiniteness as to the proposed use of a building or land, the maximum requirement for the ~~general similar~~ type of use that is involved shall govern.
- (h) Required stacking spaces shall not impede, conflict or block pedestrian access to any public entrance of a building and shall not impede, conflict or block traffic circulation, including bicycle, pedestrian and vehicular.

(Ord. No. 23-66, 10-24-95)

Sec. 23-5.11.3. - Minimum required space.

Minimum off-street stacking spaces accessory to the uses hereinafter designated shall be provided in accordance with the following schedule:

|           |  |  |
|-----------|--|--|
| A.        | Carwash, <del>Automated</del> -Principal Use                     | Ten (10) stacking spaces per bay   |
|           | Carwash, Accessory Use   | Three (3) stacking spaces per bay  |
| B.        | Eating Establishment, Carry-out/Fast food (with drive-in window) | Eight (8) stacking spaces of which three (3) have to be prior to ordering station (including car placing the order). |
| C.        | Financial Institution with Drive-In                              | Five (5) stacking spaces for first window and two (2) stacking spaces for each additional window.                    |
| <u>D.</u> | <u>Fuel Pumps</u>  | <u>1 per pump, plus 1 stacking space for vehicular queuing at each pump</u>  |
| <u>E.</u> | <u>Private/ Public Schools (Onsite AM/PM Drop-off, Pick-up)</u>  | <u>Based on school specific assessment to accommodate stacking 100% onsite.</u>                                      |
| <u>F.</u> | <u>All other uses</u>  | <u>Four (4) stacking spaces of which one must be prior to ordering station.</u>                                      |

~~For uses requiring direct vehicle access which results in vehicles waiting in line not listed above a minimum of four (4) stacking spaces of which one has to be prior to ordering station shall be required. Stacking spaces shall not impede traffic circulation.~~

(Ord. No. 23-66, 10-24-95)

§ 5. This ordinance shall be in force and effect upon adoption.