



**SPOTSYLVANIA COUNTY PLANNING COMMISSION MEETING
AGENDA
July 7, 2021 - 7:00 PM**

Call to Order

Pledge of Allegiance

Determination of a Quorum

Announcements

- Planning Update

Review and Approval of Minutes

- Review & Approval of Draft Minutes from June 16, 2021

Unfinished Business

Public Hearings

- CA21-0002 Section 14-10 Camping Code Amendment

Public Comment

New Business

Adjournment

By Order of the Spotsylvania County Planning Commission: The Planning Commission reserves the right to amend this agenda on the day of the meeting. The Commission encourages the participation of all county citizens. For those with special needs, please notify the Planning Department Office of any accommodation required five days prior to the meeting you wish to attend.

Spotsylvania County
Planning Commission
Executive Summary

 **Print**

Meeting Date: July 7, 2021

Title: Planning Update

Type: No Action (Information Only)

Agenda Title: Planning Update

Recommendation:

Summary:

Committee/Commission Summary:

Review Date: Status:

Financial Impact:

Staff Contacts: B. Leon Hughes, AICP, Director of Planning and Zoning

Legal Counsel:

Additional Background/Other

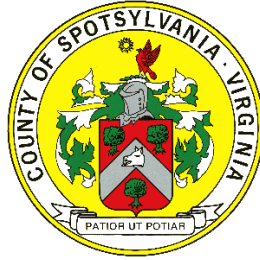
Considerations:

Consequence of Denial/Inaction:

ATTACHMENTS:

Name:	Description:	Type:
 Combined_PC_and_Monthly_Report_July_7_2021_(002).pdf	Planning Update	Backup Material

Board of Supervisors
DEBORAH H. FRAZIER
BARRY K. JETT
KEVIN W. MARSHALL
TIMOTHY J. MCLAUGHLIN
DAVID ROSS
GARY F. SKINNER
CHRIS YAKABOUSKI



Department of Planning & Zoning

B. LEON HUGHES, AICP
Director

9019 OLD BATTLEFIELD BLVD., STE 320
SPOTSYLVANIA, VA 22553
(540) 507-7434

PLANNING UPDATE

July 7, 2021

UPCOMING PLANNING COMMISSION MEETINGS:

Wednesday July 21, 2021 Work Session Meeting 5:00 pm Merchant Square Building:

R20-0013 Porchlight Commons, **Battlefield District**, C-2 to R-8 60 age restricted TH

Wednesday July 21, 2021 Planning Commission Meeting 7:00 pm Holbert Building:

SUP21-0001 Capital Auto, **Battlefield District**, Vehicle Sales

COMMUNITY MEETINGS

We have asked applicants to engage citizens using alternative methods. Several applicants are sending notices and setting up web pages that allow citizens to submit comments in response to the notices.

NEW PUBLIC HEARING CASES

R21-0011 Linwood Estates, **Chancellor District**, RU to PDH-4 64 sfd homes

NEW PRELIMINARY PLATS

None

OTHER UPDATES

S-Power

Site Plans:

ST21-0006 an amendment to the approved Phase 4 Site Plan

ST21-0017 an amendment to the approved Phase 5 Site Plan

Compliance Items:

N/A

Technical Review Committee Meeting July 8, 2021 in Person and via WebEx:

9:15 PRE21-0028 Ruffins Reserve, TMs# 38-A-7 & 8 Lee Hill District

Technical Review Committee Meeting July 15, 2021 in Person and via WebEx:

9:15 ST21-0032 Hospital Blvd. Infrastructure Plan TM#36-2-2 Lee Hill & Berkeley Districts

Technical Review Committee Meeting July 22, 2021 in Person and via WebEx:

TBD

Spotsylvania County Planning Department Public Hearing Cases Status Report

Application #	Lead Staff	Applicant	Project Name	Tax Map #	Address	Description	Proffer Law	Application Complete	Status	Voting District
COMPREHENSIVE PLAN & CODE AMENDMENTS										
CPA17-0002	Jacob	Spotsylvania County Planning Commission	Comprehensive Plan Update	Multiple	Multiple	5 year review and update to the Comprehensive Plan per Code of VA	N/A	N/A	PC Authorization to initiate Public hearing 4/21/2021	Countywide
CA21-0002	Kimberly	Spotsylvania County Board of Supervisors	Camping Amendment	N/A	N/A	Amendment of County Code 14-10 to allow camping on private property	N/A	N/A	PC public hearing scheduled on 7/07/2021	Countywide
CA21-0003	Jacob	Spotsylvania County Board of Supervisors	DSM Streets and Parking Amendments	N/A	N/A	Amendment of County Code Sections 23-5 and 23-6 to improve street design standards to accommodate large vehicles.	N/A	N/A	PC recommended approval 6-0 on 6/16/2021. BOS public hearing scheduled on 7/27/2021.	Countywide
REZONINGS & PROFFER AMENDMENTS										
R15-0006	Leon	David L. Hunter	The Towns at Point Seanna	69-5-B & 69-5-A5	4900 Corsair Terrace	Rezoning of approx. 47 acres from Resort Commercial (RC) and Resort Residential (RR) to Planned Development Housing 2 (PDH-2) for 81 townhouses.	Pre-7/2016	5/29/2015 (Applicant has consented to time extension)	BOS hearing TBD. PC recommended Denial 7-0 on 6/17/20	Livingston
R18-0001	Leon	2600 SCR, LLC	2600 Acqua	23-A-49, 23-A-49B & 23-A-42	2618 & 2622 Salem Church Rd	Rezoning of 20.77 acres from Commercial 2 (C-2) & Residential 1 (R-1) to Mixed Use 4 (MU-4) for a multifamily residential community with 12,000 sf commercial.	2016	1/24/2018 (Applicant has consented to time extension)	Under Review	Courtland
R19-0003	Shannon	USGGB, LLC	Noah's Landing	24-A-64	East side Lafayette Blvd. at end of Marshall Drive and Normandy Ct	Rezoning of 18.5 acres from Residential 1 (R-1) to Planned Development Housing 8 (PDH-8) for 49 single family detached lots and 53 single family attached lots.	2016	8/31/2021 extension to 1/30/2022	Under Review	Battlefield
R19-0007	Brad	Tricord Homes Inc	Village at Crossroads Station	37-A-48, 49, 50, 52, 52A, 53, 54, 55	South of Rt. 17 between Crossroads Parkway and Thornton Rolling Road	Rezoning request for approximately 115 acres from Rural (Ru), Industrial 1 (I-1), and Commercial 3 (C-3) to Mixed Use (MU-2, MU-3, and MU-4) for 770 single family attached and detached and multifamily residential units.	2016	6/17/2019 (Extension granted)	Under Review	Berkeley
R19-0009	Shannon	Rappahannock Devt. Group, LLC and Sheri L. Kornegay	Lafayette Commons	24-A-49A, 24-A-57, 24-A-59, 24-A-60, 24-A-61, 24-A-62	111 Wakeview Dr., 3103 Lafayette Blvd., and 4 unaddressed properties	Rezoning request for approximately 27.5 acres from Residential 1 (R-1) to Mixed Use 2 & 3 (MU-2 & MU-3) for development of 217 single family attached units and up to 15,257 square feet of commercial space.	2016	8/31/2021 extension to 1/30/22	Under Review	Battlefield
R19-0012	Shannon	Chancellorsville Investment Co, LLC	Legends of Chancellorsville Proffer Amendment	9-A-107	North Side Rt. 3, west of Elys Ford Rd	Proffer amendment to R14-0006 to change building material requirements.	2019	8/31/2021 extension to 1/30/22	Under Review	Chancellor

KEY: TRC - Technical Review Committee meeting
PC - Planning Commission
BOS - Board of Supervisors

Spotsylvania County Planning Department Public Hearing Cases Status Report

Application #	Lead Staff	Applicant	Project Name	Tax Map #	Address	Description	Proffer Law	Application Complete	Status	Voting District
R19-0014	Shannon	Patricia P. Preston / Ceres Harrisonland, LLC	Hazel Run Glen	23-A-64A	5430 Harrison Rd	Rezoning of approximately 58.1 acres from Residential 1 (R-1) to Planned Development Housing 2 (PDH-2) for 110 single family homes.	2019	Extension to 3/31/2021 (Extension to 8/2/2021)	BOS Approved on 6/22/2021	Courtland
R20-0002	Shannon	International Development of Virginia LLC	Jackson Village Proffer Amendment	36-2-1, 35-A-88, 49-A-101, 35-4-1A	East side Jefferson Davis Hwy, south of Cosner's Corner	Amend proffers for Mixed Use zoned Jackson Village to allow 594 residential condominium units to be built as apartments instead.	2019	9/30/2021 extension to 1/30/22	Under Review	Lee Hill
R20-0008	Shannon	Rappahannock Devt. Group, Linda Curtis and Leigh Ann Curtis-Chapman	Saddle Creek	22-A-103,22-11-4B,22-11-5	11501 & 11513 Piedmont Dr.,6020 Harrison Rd	Rezoning of 47.9 acres from Residential 1 (R-1) to Planned Development Housing-3 (PDH-3) for 103 single-family detached units.	2019	7/8/2021 extension to 8/30/21	PC recommended approval 6-0 on 06/16/2021. BOS public hearing scheduled 07/27/2021	Salem
R20-0010	Brad	Luck Development	Ni Village	16 Parcels	0 River Run Parkway	Rezoning of 16 parcels totaling 323 acres from PDC, RU, I-2& VC to Mixed Use 3 (MU3) & Mixed Use 4 (MU4) for the development of SFA, SFD, MF residential and commercial uses allowed in the MU3 & MU4 districts.	2019	1/8/2021	Under Review	Berkeley
R20-0012	Shannon	Courthouse Green Development, LLC	Courthouse Reserves	47-A-63,64,70B,73,A10 & 47-4-A	0 Pool Drive	Rezoning of six parcels totaling 24.2 acres from Commercial 2 (C-2) and Residential 2 (R-2) to Residential 8 (R-8) for the development of 156 SFA homes.	2019	10/19/2020	Under Review	Livingston
R20-0013	Shannon	CeresMinRoad, LLC	Porchlight Commons	36-A-150,151 & 154	4517 Mine Road	Rezoning of three parcels totaling 8.4 acres from Commercial 2 (C-2) to Residential 8 (R-8) for the development of 60 age-restricted townhomes.	2019	9/23/2020	PC public hearing scheduled on 7/21/2021	Battlefield
R20-0014	Brad	LID, LLC & IWG Thornburg, LLC	Thornburg Village	63-12-C,D,E & 27;63-A-32,33 & 37	6306 Jefferson Davis Hwy.	Rezoning of six parcels totaling 98.3 acres from Agricultural 2 (A-2) and Commercial 3 (C-3) to Planned Development Housing 5 (PDH-5) and Commercial 3 (C-3) for the development of 162 single family detached and 212 single family attached units.	2019	12/11/2020	Under Review	Berkeley
R20-0015	Brad	Thornburg, LLC	Thornburg Commons	63-A-35 & 35C	0 Morris Road	Rezoning of two parcels totaling 59 acres from Agricultural 2(A-2) to Planned Development Housing 5 (PDH-5) for the development of 157 single family detached and 62 single family attached units.	2019	12/11/2020	Under Review	Berkeley
R21-0001	Brad	Jarrell Properties	Germanna Terrace	36-A-15	9919 Glenwood Drive	Rezoning of 35 acres from Commercial 3(C-3) and Residential 2(R-2) to Residential 12(R-12) for 320 MF units and 86 SFA units.	2019	TBD	Under Review	Lee Hill
R21-0002	Brad	Wajdi Abi Faraj	Tidewater Auto Service	25B-1-7	11325 Tidewater Trail	Rezoning of 0.57 acres from Residential 2 (R-2) to Commercial 3(C-3).	2019	3/10/2021	Under Review	Lee Hill
R21-0003	Brad	John Pendleton	Pendleton	35-A-32	9608 Leavells Road	Rezoning of 3.217 acres from RU to R-3 for 2 SFD units.	2019	3/30/2021	Under Review	Battlefield

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Spotsylvania County Planning Department Public Hearing Cases Status Report

Application #	Lead Staff	Applicant	Project Name	Tax Map #	Address	Description	Proffer Law	Application Complete	Status	Voting District
R21-0004	Wanda	Board of Supervisors	Zoning for New Spotsy/Orange Properties	Multiple	Multiple	Establishment of zoning on parcels or portions of parcels that are now in Spotsylvania as the result of the jurisdictional boundary adjustment.	2019	4/6/2021	Approved 5/25/2021	Livingston & Chancellor
R21-0006	Shannon	TFO Wellesley Joint Venture, LLC	Broaddus Development Project	64-A-8B	0 Mudd Tavern Road	Rezoning of Tax Parcel 64-A-8 (Broaddus Property) from Agricultural 2 (A-2) to Industrial 2 (I-2) which totals 82 acres with 78.74 acres in Spotsylvania and a 3.26 acre portion in Caroline County for the development of an industrial park. This is a concurrent application for the rezoning of 116 acres in Caroline County from Rural Preservation (RP) to M-1 Industrial.	2019	4/21/2021	Under Review	Berkeley
R21-0007	Shannon	Fairchild Manor, LLC	Fairchild Property	47-6-2 & 47-6-1A	8601 Courthouse Road & 7204 Massaponax Church Road	Rezoning request for two parcels 14 acres from RU to MU-2 for 37 Single family detached and 18 single family attached units at the corner of Courthouse and Massaponax Church Roads.	2019	4/29/2021	Under Review	Berkeley
R21-0008	Brad	SES Properties, LLC	Staples Reserve	50-A-115	3736 Massaponax Church Road	Rezoning of 2 parcels totaling 42.98 acres from RU to PDH-2 for the development of 85 SFDs. Project is located on the east side of Massaponax Church Road (Route 608) approx. 0.26 miles north of intersection with Summit Crossing Road (Route 668).	2019	5/3/2021	Under Review	Berkeley
R21-0009	Brad	All American Mobility LLC	All American Mobility	35-A-119	10726 Courthouse Road	Rezoning of 2.36 acres from Residential 1 (R-1) to Commercial 2 (C-2) for a retail use.	2019	6/29/2021	Under Review	Courtland
R21-0010	Brad	Vakos Companies	Spotsylvania Courthouse Village	47-A-1,2,3,3A,46A,59,59A & 47-8-1	Brock Road and Robert E. Lee Drive	Rezoning of 9 parcels totaling of 20.52 acres from C-1, C-2 & RU to Mixed Use 3(MU-3) and Mixed Use 4(MU-4) for the development of 47 SFA units, 55 MF units and a total of 40,250 sq. ft. of retail space.	2019	TBD	Under Review	Livingston
R21-0011	Brad	Old Plank Partners LLC	Linwood Estates	21-10-1 & 2	7611 & 7613 Old Plank Road	Rezoning of 27 acres from Rural(RU) to Planned Development Housing (PDH-4) for the development of 64 SFD homes.	2019	TBD	Under Review	Chancellor
SPECIAL USE PERMITS										
SUP18-0010	Leon	Zakia Walizada	Vertex Auto Sales and Repair	23-A-144R	112 Pegram Ln	Special Use Permit to allow vehicle sales on a parcel less than 2 acres in the Commercial 3 (C-3) zoning district.	N/A	7/20/2018 (applicant has consented to a time extension)	Under Review	Courtland

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Spotsylvania County Planning Department Public Hearing Cases Status Report

Application #	Lead Staff	Applicant	Project Name	Tax Map #	Address	Description	Proffer Law	Application Complete	Status	Voting District
SUP21-0001	Brad	Capital Auto, LLC	Capital Auto Car Sales	36-17-A3	4714 Mine Road	Special Use Permit to allow vehicle sales on a parcel less than 2 acres in the Commercial 3 (C-3) zoning district.	N/A	3/16/2021	Under Review	Battlefield
SUP21-0002	Shannon	Cellco Partnership	Cellco/Verizon	64-A-3	3800 Guinea Station Rd	Special Use Permit to allow a 199' cell tower	N/A	3/15/2021	PC recommended approval 6-0 on 06/16/2021. BOS public hearing scheduled on 07/27/2021.	Berkeley
SUP21-0004	Brad	Gary Wiseman	Platinum Auto Sales	24C-8-B	98 Fleming Street	Special Use Permit to allow vehicle sales on a parcel less than 2 acres in the Commercial 3 (C-3) zoning district.	N/A	4/8/2021	Under Review	Battlefield
SUP21-0005	Shannon	Trey Wills	Four Seasons RV Park	53-A-1 & 1B	16736 Days Bridge Road	Special Use Permit to allow the development of a 300 lot recreational vehicle campground resort on two parcels totaling 135 acres.	N/A	5/25/2021	Under Review	Livingston
SUP21-0006	TBD	HHH Holdings, LLC	Sheetz	35-13-3	0 Spotsylvania Pkwy	Special Use Permit to allow 12 fuel dispensing stations with a convenience store on 2.83 acres of an 8 acre parcel zoned Commercial-2 (C-2).	N/A	TBD	Under Review	Battlefield

Proffer Law

Key:

Pre 7/2016 - Proffer Guidelines in effect

2016 - Strict Proffer Law

2019 - New Proffer Law

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Spotsylvania County
Planning Commission
Executive Summary

 **Print**

Meeting Date: July 7, 2021
Title: Review & Approval of Draft Minutes from June 16, 2021

Type: Action
Agenda Title: Review & Approval of Draft Minutes from June 16, 2021
Recommendation: Approval
Summary:
Committee/Commission Summary:
Review Date: Status:
Financial Impact:
Staff Contacts: Paulette Mann, Commission Secretary
Legal Counsel:
Additional Background/Other
Considerations:
Consequence of Denial/Inaction:

ATTACHMENTS:

Name:	Description:	Type:
 pcwsmin21_0616.docx	Draft Worksession Minutes from June 16, 2021	Minutes
 pcmin21_0616.docx	Draft Regular Meeting Minutes from June 16, 2021	Minutes

Spotsylvania County Planning Commission Worksession

DRAFT

Code Compliance Conference Room, 9019 Old Battlefield Blvd, Suite 320, Spotsylvania VA 22553

MINUTES: June 16, 2021

Call to Order: Ms. Maddox called the meeting to order at 5:00 p.m.

Members Present:

Jennifer Maddox	Berkeley
Richard Thompson	Courtland
Dr. Raymond Bell	Salem
Jacob Lane	Livingston
Gerald Childress	Chancellor
Mary Lee Carter	Lee Hill

Members Absent: Travis Bullock Battlefield

Staff Present:

Paulette Mann, Planning Commission Secretary
B. Leon Hughes, AICP, Director of Planning & Zoning
Shannon Fennell, Planner III
Alexandra Spaulding, Senior Assistant County Attorney
Chris Vinson, County Attorney's Office Intern
Wanda Parrish, AICP, Asst. County Administrator – CDG
Kimberly Pomatto, CZA, Deputy Planning Director
Brad Robinson, CZA, Planner II

Worksession(s):

SUP21-0001 Urgan &Uzair, LLC (Capital Auto)

Mr. Robinson presented the worksession. He explained that the applicant requests a special use to allow vehicle sale, rental, and ancillary service establishment (small scale) on a parcel consisting of approximately 1.67 acres zoned Commercial 3 (C-3). The parcel is addressed as 4714 Mine Road and is located on the south side of Mine Road (Route 636) approximately 534 feet east of the Jefferson Davis Highway (Route 1) and Mine Road (Route 636) intersection. The parcel is located in the Primary Development Boundary and the Primary Highway Corridor Overlay District. The property is designated for Commercial Land Use on the Future Land Use Map of the Comprehensive Plan. Tax Parcel 36-17-A3. Battlefield Voting District.

He displayed the proposed GDP.

Mr. Thompson inquired if there would be any mechanic services provided on site.

Mr. Robinson stated no service would occur on the site.

Mr. Childress inquired if staff knows of any other interest in the building.

Mr. Robinson stated no.

Ms. Carter informed the Commission that Mr. Bullock has been in contact with the applicant.

Mr. Childress stated that the only issue he has is whether the county needs another used car dealership.

Mr. Thompson inquired how many dealerships the applicant currently has.

Mr. Childress stated he believes two or three.

Ms. Maddox stated that the proposal is far better than others they have seen.

Ms. Carter stated that she doesn't want to see any auto repairs or painting of cars on site.

Mr. Childress stated that because of the redevelopment that is occurring in that corridor due to the VA Clinic coming, he feels this to be prime real estate and would love to see some other than a car dealership.

Mr. Hughes discussed that staff does discourage car dealerships down Route 208 because they are out of character.

There was a brief discussion about the proposed improvements to the I-95 interchange.

CA21-0002 Section 14-10 Camping Code Amendment

Ms. Pomatto thanked Mr. Thompson and Mr. Lane for challenging staff to come back with a better product. It's been decided to allow state regulations to be what they are and the county back out.

Mr. Thompson thanked Ms. Pomatto.

She explained that the limit to the number of camping days permitted remains and that they would need to get a temporary pump and haul with VDH.

Ms. Pomatto stated that this hearing will be scheduled for the first meeting in July.

Other Discussion:

Mr. Hughes explained that FAAR sent the County their growth and housing action plan for 2021. He explained that there are opportunities for partnership regarding policy making. He detailed the report and stated that it provides some really good information. He encouraged the Commission

to read it.

There was a brief discussion on affordable housing and vegetation setbacks.

Ms. Carter inquired about the lighted sign on the corner of Brock and Route 208. She wanted to know how it was permitted in the historic district.

Mr. Hughes explained that the village is not part of the historic district.

Ms. Pomatto explained that the sign was permitted at that size due to the size of the village development. The code does restrict the movement of the slides as they transition

The meeting adjourned at 6:30 p.m.

Spotsylvania County Planning Commission

DRAFT

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

MINUTES: June 16, 2021

Call to Order: Ms. Maddox called the meeting to order at 7:00 p.m.

Members Present:

Mary Lee Carter	Lee Hill
Jennifer Maddox	Berkeley
Richard Thompson	Courtland
Dr. Raymond Bell	Salem
Jacob Lane	Livingston
Gerald Childress	Chancellor
Travis Bullock	Battlefield

Members Absent: Jacob Lane Livingston

Staff Present:

Paulette Mann, Planning Commission Secretary
B. Leon Hughes, AICP, Director of Planning & Zoning
Kimberly Pomatto, CZA, Deputy Director of Planning & Zoning
Alexandra Spaulding, Senior Assistant County Attorney
Brad Robinson, CZA, Planner II
Shannon Fennell, Planner III
Jacob Pastwik, AICP, Planner III
Phil Sullivan, Deputy Fire Marshal

Announcements: Mr. Hughes updated the Commission on upcoming cases, what's on the TRC agendas and community meetings.

Review and approval of minutes

Motion and vote: On a motion by Mr. Thompson seconded by Mr. Childress, the Commission voted to approve the minutes of May 19, 2021.

VOTE:

Ayes: 6 Dr. Bell, Ms. Carter, Mr. Bullock, Ms. Maddox, Mr. Thompson and Mr. Childress
Nays: 0
Absent: 0
Abstain: 0

Unfinished Business: None

Rezoning

R20-0008 Linda C. Curtis and Leigh Ann Curtis-Chapman (Rappahannock Development Group, LLC): Requests a rezoning of three (3) parcels consisting of approximately 48.42 acres from Residential 1 (R-1) to Planned Development Housing 3 (PDH-3) with proffers for the development of 101 single family detached dwelling units. The properties are located on the south side of Piedmont Drive (Route 673) approximately 0.4 miles from its intersection with Harrison Road (Route 620). The properties are addressed as 11501 Piedmont Drive, 11513 Piedmont Drive, and 6020 Harrison Road. The properties are located within the Primary Development Boundary. The properties are designated for Low Density Residential on the Future Land Use Map of the Comprehensive Plan. Tax parcels 22 (A) 103, 22 (11) 4B, 22 (11) 5. Salem Voting District.

Ms. Fennell presented the case. The applicant proposes to rezone the subject parcels from Residential 1 District (R-1) to the Planned Development Housing 3 District (PDH-3) with proffers. If approved, the applicant will develop 101 single-family detached homes, with a density of 2 dwelling units per acre. Staff notes that the density proposed with the Saddle Creek development is marginally less than the density of adjacent existing subdivisions.

The project will be served by a public road network, as all subdivision streets will be public and connect to Piedmont Drive and Huntington Meadows Lane both of which are public right of ways and maintained by VDOT. Initial entrance designs included a left turn lane in to the property on Piedmont; however, concerns were raised regarding the close proximity to the Piedmont Drive and Chancellor Park Drive intersection and potential safety concerns lead the applicant to investigate the possibility of incorporating what is currently Banks Lane into the development as the primary access off Piedmont Drive with a traffic signal. Upon further study it was determined by VDOT that that conceptual intersection did not meet VDOT's signal warrants. As a result, the entrance design is a one lane roundabout, adjoining the entrance at Piedmont Drive Opposite Chancellor Park Drive in the hopes of mitigating this development's impact on the County's transportation facilities and its neighbors. As proposed the roundabout would significantly improve the existing traffic conditions decreasing the Levels of Service (LOS) from D and E for northbound left/right turning movements and southbound left turning movements (respectively) to and overall LOS B during the AM peak and LOS A during the PM peak. A variable width of right of way must be dedicated along Piedmont Drive to provide for the proposed road improvements. Upon further review of the proposed improvements and a title report for Banks Lane, it was discovered by the applicant that there was no evidence of any fee simple conveyance of the approximately 670-foot private road known as Banks Lane. Therefore, in order to construct the roundabout as proposed and dedicate to VDOT for acceptance into the Commonwealth's Secondary Highway System, the applicant requests the County to condemn the area currently known as Banks Lane and as identified on the proffered exhibits.

Should the Board of Supervisors approve the rezoning and decide to condemn Banks Lane the roundabout improvement will serve as a public facility and mitigate the proposal's impact on the County's transportation facilities and its neighbors. The roundabout will serve as the primary entrance for the Saddle Creek development and seven (7) other existing residential properties. If the rezoning is approved, the applicant will enter into an agreement with the County regarding the

potential condemnation. The draft agreement is incorporated by reference in the applicant's proffer statement and identifies terms and conditions related to the potential condemnation process.

Based on County projections the development will generate an estimated 210 new residents (above the by-right use) with 40 being school-aged children at full build out (18 elementary school students, 9 middle school students, and 13 high school students). The new students from the development will attend Battlefield Elementary, Chancellor Middle and Chancellor High Schools. As of October 1, 2020 and current school district boundaries, there is existing capacity in the elementary and high schools to accommodate the projected students. Currently, Chancellor Middle School has capacity for 7 additional students, and the projected 9 middle school students will cause enrollment to exceed capacity by 2 students. Currently, there are no Capital Improvement projects for the Chancellor Middle School; however, to mitigate the projected impact the applicant has offered a cash contribution of \$130,000.13 towards a future school expansion project.

Ms. Fennell discussed the following findings:

In Favor:

- A.** The proposal is consistent with the intent of the Primary Development Boundary by having more intense development occur within the Primary Development Boundary.
- B.** The proposal is consistent with the Comprehensive Plan with respect to the Guiding Principles and Policies of Spotsylvania County of being a family friendly community, and comports with the idea of contributing to the mix of units in support of a growing diverse housing stock to accommodate housing needs for all stages of life.
- C.** The density as proposed with the Saddle Creek development is less than the density of adjacent existing subdivisions, Battlefield Green, Dominion Green, Huntington Meadows, Jackson Meadows, Willow Pond and Chancellor Park (sections 1-3) as the densities of these developments range from 2.2 dwelling units per acre to 3.0 dwelling units per acre.
- D.** The proposed development also integrates quality open space into the design in excess of zoning district requirements, while incorporating and protecting environmentally sensitive features.
- E.** The County's Fiscal Impact model projects a net positive annual fiscal benefit at build out.
- F.** The applicant has proffered \$138,531.60 in cash contributions to mitigate the impacts of the development on public safety and schools.
- G.** The applicant has proffered aggregate sum of \$56,024.04 towards the VDOT Safe Routes to School Program for sidewalks along Chancellor Park Drive which will improve pedestrian safety.
- H.** The applicant will provide pedestrian connectivity throughout the site connecting Piedmont Drive, Scott Drive, Huntington Meadows Lane and Harrison Road; the proposed 10-foot paved multi-use trail from Scott Drive to Harrison Road will be dedicated to the County as a future connection point to the VCR Trail.
- I.** The applicant will construct a roundabout at the Piedmont Drive/Chancellor Park Drive/Saddle Creek Drive intersection, which will mitigate not only the project's

impacts to the County's Transportation network but also address existing traffic safety concerns at the Piedmont/Chancellor intersection.

- J.** The applicant will connect to Huntington Meadows Lane, using the existing interparcel connection; this will allow traffic to reach Leavells Road without utilizing the Piedmont Drive/Harrison Road intersection or the Harrison Road/Salem Church Road/Leavells Road intersections.
- K.** The applicant has proffered \$200,000 to mitigate impacts of this development on the Harrison Road, Salem Church and Leavells Road intersection

Against:

- A.** The development will contribute to some additional traffic at the Harrison Road/Salem Church Road/Leavells Road intersection which could temporarily degrade LOS at the intersection from existing before the \$6.1 Million Smart Scale project is completed in 2026.
- B.** The projected population for the Saddle Creek development will have an impact on the County's Recreational Facilities; however, no mitigation for parks and recreation impacts have been proposed.

The Comprehensive Plan Guiding Principles and Policies support a diverse housing inventory that can accommodate the housing needs for all stages of life. This diversity includes small to larger single family homes as part of this inventory. This projects comports with this goal by providing housing on smaller lots to provide a compact, walkable residential community. This project is within the Primary Development Boundary and consistent with respect to the proposed density and parcel sizes of adjacent existing subdivisions. The proposed development also integrates quality open space into the design in excess of zoning district requirements, and provides pedestrian connectivity throughout the site and to adjacent subdivisions. The County's FIA model projects a net positive annual fiscal benefit at build out of the project. The applicant has proffered cash contributions totaling \$394,555.64 to mitigate the development's impacts on public safety, transportation and schools. The project's transportation improvements include the dedication of off-site right of way, the construction of a roundabout at the Piedmont/Chancellor Park Drive/Saddle Creek Drive intersection, right away along Piedmont Drive, and a cash contribution toward the Salem Church Rd, Leavells Rd, and Harrison Rd intersection, which not only assist in mitigating the project's impacts but also assist in addressing existing traffic safety issues. Given the Findings in Favor and reasons noted in the conclusion, Staff recommends approval of the rezoning request with the proffered conditions dated May 28, 2021.

Mr. Thompson asked for clarification about the condemnation of Banks Lane.

Ms. Fennell explained that no one owns Banks Lane and there is no owner of record for the road.

Ms. Maddox opened the public hearing.

Applicant, Charlie Payne: He provided a PowerPoint presentation to the Planning Commission and stated that Banks Lane is not owned by anyone hence the traffic circle and interparcel connection to Huntington Meadows.

Denies Hamilton: She stated that in October she was t-boned by a high school student. She stated she has concerns about additional accidents occurring. Ms. Hamilton stated that crosswalks are great but many people have no regard for pedestrians and suggested big flashing lights like what is near UMW.

Nick Adams: He stated he has concerns about the speed on Piedmont Drive. He alerted folks that you cannot see the flashing school sign unless you are right up on it because of overgrown vegetation. He stated he has concerns about the roundabout because no one knows how to successfully navigate them. He is excited about the trails.

Matthew Misner: He stated he echoes many comments already raised. He expresses his concerns about getting in and out of his driveway. He is in favor of the roundabout.

Jason Aldridge: He advised that he agrees with everything already said but has concerns about construction during rush hour times.

Ms. Mann read letters submitted to her on the case.

Raymond Carney: He has concerns about the number of students this will add, the number of cars, lack of transportation improvements, and affordable housing.

Jacquay Manos: She expressed concerns about the volume of traffic the proposal will create. Additionally, her concerns are about noise, traffic, congestion, car fumes, and accidents.

Earl Smith: He stated that he has major concerns regarding traffic, fumes created carbon monoxide, construction dust and dirt.

Renee LeMay: She raised concerns about traffic, overcrowding at Chancellor High School, and the potential for adding trailers to schools.

Glenn Summers: He expressed her concerns regarding the installation of a traffic circle and the ability to safely navigate during school arrivals, dismissals and special events. He also has concerns about traffic.

Applicant, Charlie Payne: He stated that the development didn't warrant a light and the roundabout is their solution for speed and safer traffic movement. The improvements they are making bring the level of service from a D to a B in the AM peak, and from an E to an A in the PM peak. He stated that he feels the neighbors will be better off with these additions.

Ms. Maddox inquired about the applicant's timeline.

Mr. Payne stated that these would be built and completed within 3-5 years.

Ms. Maddox closed the public hearing.

Motion and vote: Ms. Maddox made a motion, seconded by Mr. Childress to approve the rezoning with proffers dated May 28, 2021. The motion passed 5-1 with Mr. Thompson voting no.

SUP21-0002 - Gilman Land and Timber LLC (Cellco Partnership): Requests a special use permit for a 195-foot monopole communication tower with a 4-foot lightning rod, for a total of 199 feet in height, on an approximately 91.76-acre parcel zoned Rural (RU) District. The property is located on the south side of Guinea Station Road (Route 607) approximately 706 feet east of Flipppo Drive (Route 634) and approximately 1,500 feet west of the Caroline County line. The property is addressed as 3800 Guinea Station Road and identified as Tax Parcel 64-A-3. The property is designated as Rural Residential on the Future Land Use Map of the Comprehensive Plan. Berkeley Voting District.

Ms. Fennell presented the case. The telecommunications facility is proposed in the northernmost section of the approximately 91.76-acre parcel currently zoned Rural (RU) District. The subject parcel is a vacant heavily wooded parcel with a large swamp at the southwest corner and a 200-foot Dominion Power easement running diagonally from the northwestern corner to the southeastern corner. The subject parcel is bordered to the north by single family residential properties in the Nyland Subdivision and Nyland Estates, with the closes residence being approximately 450-feet from the tower. The Nyland Subdivision and Nyland Estates residential lots that are adjacent to the subject parcel are zoned RU and range in size from 1 to 5 acres. To the west the subject parcel is bordered by a large single family detached residential lot and to the east and to the south by large heavily wooded vacant parcels, all zoned RU.

As proposed the 195-foot monopole communication tower will be topped by a 4-foot lightning rod, for a total of 199 feet in height. The Generalized Development Plan (GDP) depicts that the tower will be located within a 2,500 square foot compound that will be constructed approximately 180 feet from the ultimate right of way of Guinea Station Road. A 7-foot tall chain link fence topped with 12 inches of barbed wire as an anti-climbing device is shown surrounding the proposed compound. The site will be accessed through a proposed 12-foot wide private access road from Guinea Station Road (Route 607). The GDP also depicts approximately 0.16 acres (6,970 square feet) to be dedicated for future right of way. The proposed tower is located approximately 356 feet from the eastern property line, approximately 5,703 feet from southern property line, approximately 419 feet from the western property line and approximately 211 feet from the proposed property line (upon dedication of the future right of way) along Guinea Station Road. Based on the images from the balloon test, the top portion of the tower will be visible approximately 1,198 feet east, approximately 1,171 feet northwest, and approximately 3,607 feet south of the site. Guinea Station Road is part of a designated Civil War Trail and is recognized as a Scenic Byway. In an attempt to provide screening at the ground level, protecting the view shed; the applicant shows a 30-foot

street buffer, consisting of existing vegetation, along Guinea Station Road which exceeds the required 15-foot street buffer. In addition to the street buffer which is along the property's frontage, the GDP also depicts a 100-foot vegetation preservation buffer surrounding the proposed lease area and compound which will remain undisturbed and will be allowed to naturally reforest with the exception of the 20-foot wide access road that is also identified on the GDP.

The applicant's GDP depicts the proposed antennas for Verizon located at a height of 192-feet above ground level (AGL) and allows for at least four future co-locations at 180-feet, 170-feet, 160-feet, and 150-feet AGL respectively. The height of the monopole was determined by the applicant to be the lowest possible height that will eliminate current network deficiencies and provide state of the art capacity for its voice and data services. Prior to determining that a new facility was necessary to satisfy its service objective, the applicant considered co-location on a Dominion Virginia Power structure. Verizon determined the facility was not structurally capable of supporting the antenna or equipment and the facility would not enable Verizon to satisfy its service objectives.

Ms. Fennell discussed the following findings:

In Favor:

- The proposal is consistent with the Comprehensive Plan with respect to encouraging the provision of fiber optic cable and other technological infrastructure throughout the Primary Development Boundary, and to the extent feasible, the County as a whole.
- The proposal satisfies all of the Special Use standards of review as established in Sec.23-4.5.7 of the County's Zoning Ordinance.
- The proposal will enhance telecommunication coverage and products available for citizens and tourists.
- The proposal will encourage the retention and expansion of existing rural business operations.
- Proposed right-of-way dedication is favorable for future road improvements.
- Vegetative screening is expected to reduce the immediate visibility of the tower site from ground level when factoring in the 30' vegetative buffer along Guinea Station Road and tree preservation and reforestation in prior cleared areas within the lease area and outside of the actual tower compound. This is a favorable mitigation considering Guinea Station Road as a Civil War Trail, Scenic Byway, and within the Rural Residential land use area.

Against:

- Height of tower will inevitably exceed the height of the natural tree canopy and is expected to be visible from some vantage points generally in close proximity to the site as exhibited by the project renderings resulting from prior balloon flights.

The Planning Commission must review the proposal in accordance with the Code of Virginia, Sec. 15.2-2232 to determine whether the facility's location, character, and extent are substantially in accord with the Comprehensive Plan. Based on staff's analysis, the proposal is substantially in accord with the Comprehensive Plan and staff recommends approval of the request.

Should the Commission find the proposal in substantial accord with the Comprehensive plan and recommend approval, staff recommends the following conditions:

1. The telecommunications tower and compound shall be developed in conformance with the Generalized Development Plan titled “Verizon, Site Name: Claiborne, 3800 Guinea Station Road Fredericksburg, VA 22408, Spotsylvania County” dated April 11, 2019 and last revised, May 10, 2021.
2. The final site design and operation of the facility must be in compliance with all other standards outlined in Sec. 23-7A.4.1 of the Code, except that Sec. 23-7A.4.1.12 is modified to not require the applicant to post a performance bond and Sec. 23-7A.4.1.10 is inapplicable.
3. If the operation of this site causes any interference to surrounding broadcast television receivers, amateur radio operations, or County radio system operations, the owner, applicant or its successors-in-interest shall investigate the complaint, work with the Spotsylvania County Cable TV and Telecommunications Commission to determine remediation, and correct the problem, if it is found to be the fault of one of the tower vendors, within thirty (30) days of receipt of written notice of the interference complaint to the County.
4. The variable width right of way along Guinea Station Road (Route 607), as identified on the GDP, will be dedicated to the County as part of the site plan review and approval process for the telecommunications facility, in accordance with the applicable County requirements and procedures.
5. The 100-foot vegetation preservation buffer as depicted on sheet Z-2 of the GDP will remain undisturbed and will be allowed to naturally reforest with the exception of the 20-foot wide access road as identified on the GDP.

Ms. Maddox opened the public hearing.

Ms. Maddox stated that the balloon test shows a lot and appreciate the pictures.

Applicant, Lisa Murphy: She discussed the proposal and the dense tree cover on the property. The tower will take up only 1% of the entire property. The tower will be 195 feet with a 4 ft. lightning rod and will be unlit.

Mr. Childress noted that the property is owned by a timber company. He inquired whether they plan to timber in the near future.

Ms. Murphy stated that the property has already been timbered and they will be reforesting around the tower.

Speaking if favor or opposition:

Ms. Mann stated that she received one letter in reference to this case.

Mr. & Mrs. Baigis: The letter expressed that they wish to be in partnership with Cellco to extend fiber optic connectivity to their planned homesite. They expressed that all residents impacted by the tower should gain access to high speed land line internet.

Applicant, Lisa Murphy stated that verizon wireless and the land lines are not conncted and they are located 356 feet from the proposed tower. This is not something they could provide to the Baigis family.

Ms. Maddox closed the public hearing.

Ms. Maddox stated that she receives calls all of the time of citizen's hoping for high speed internet.

Motion and vote: Ms. Maddox made a motion, seconded by Ms. Carter to find the request substantailly in accord with the comprehensive plan. The motion passed 6-0.

Motion and vote: Ms. Maddox made a motion, seconded by Ms. Carter to recommend approval of the proposal with the conditions listed below:

1. The telecommunications tower and compound shall be developed in conformance with the Generalized Development Plan titled "Verizon, Site Name: Claiborne, 3800 Guinea Station Road Fredericksburg, VA 22408, Spotsylvania County" dated April 11, 2019 and last revised, May 10, 2021.
2. The final site design and operation of the facility must be in compliance with all other standards outlined in Sec. 23-7A.4.1 of the Code, except that Sec. 23-7A.4.1.12 is modified to not require the applicant to post a performance bond and Sec. 23-7A.4.1.10 is inapplicable.
3. If the operation of this site causes any interference to surrounding broadcast television receivers, amateur radio operations, or County radio system operations, the owner, applicant or its successors-in-interest shall investigate the complaint, work with the Spotsylvania County Cable TV and Telecommunications Commission to determine remediation, and correct the problem, if it is found to be the fault of one of the tower vendors, within thirty (30) days of receipt of written notice of the interference complaint to the County.
4. The variable width right of way along Guinea Station Road (Route 607), as identified on the GDP, will be dedicated to the County as part of the site plan review and approval process for the telecommunications facility, in accordance with the applicable County requirements and procedures.

5. The 100-foot vegetation preservation buffer as depicted on sheet Z-2 of the GDP will remain undisturbed and will be allowed to naturally reforest with the exception of the 20-foot wide access road as identified on the GDP.

The motion passed 6-0.

Amendment:

CA21-0003: Spotsylvania County Planning Commission, Ordinance No. 21-181: Proposed amendments to the Code of the County of Spotsylvania (“Code”), Chapter 23- Zoning, Article 5, Division 9- Off-Street Parking, and Chapter 23-Zoning, Article 6, Mixed Use (MU) District, as follows:

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

Sec. 23-5.9.3- Minimum Required Parking Spaces. Amendments are specific to residential parking standards. For multi-family dwelling units, remove minimum parking standard of 1.6 spaces per unit, replacing it with a per unit, bedroom-count-based, minimum standard as follows: 0-1 bedroom, 1 per unit and 1 visitor space in common area per 5 units; 2 bedrooms, 1.5 per unit and 1 visitor space in common area per 5 units; 3+ bedrooms, 2.0 per unit and 1 visitor space in common area per 5 units. For single family attached dwelling units, amend the current minimum parking standard of 2 spaces per unit, to require 2 onsite spaces per unit, and 1 visitor space in common area per 3 units. Garage or carport spaces cannot be counted toward minimum onsite parking. Amendments result in increased assurance of onsite spaces and provision for additional visitor spaces. For single family detached dwelling units, amend the current minimum parking standard of 2 spaces per unit, to require a minimum of 2 parking spaces per unit, specifying they both be onsite. Garage or carport spaces cannot be counted toward minimum onsite parking.

Chapter 23, Article 6: Division 28- Mixed Use (MU) District

Sec. 23-6.28.6- Parking. Amendments are specific to residential parking standards. For multi-family dwelling units, as a clean-up item to consolidate parking standards into two cells within the minimum parking spaces table. A substantive amendment specific to provision of minimum parking for dwelling, multi-family, units of 0-1 bedrooms removes standard of .75 per unit +1 visitor per 5 units to 1 per unit and 1 visitor per 5 units in common area. Minimum parking standards for 2 bedroom and 3+ bedroom units remain unchanged but specify parking spaces are to be located in common area. For single family attached dwelling units, a new parking standard has been introduced to address the land use and matches standard established in the General Development Standards applicable to other Zoning Districts. As a new standard within the Mixed Use Zoning District, single family attached dwelling units now requires a minimum 2 onsite spaces per unit, and 1 visitor space per 3 units in common area. Garage or carport spaces cannot be counted toward minimum onsite parking. For single family detached dwelling units, the new standard removes reference to “and two family”, and clarifies the minimum parking standard to require a minimum 2 onsite spaces per unit, replacing 2 per unit. Garage or carport spaces cannot be counted toward minimum onsite parking.

Sec. 23-6.28.7- Streets and Blocks. Specific to subsection (a), the text amendment is meant to clarify language to apply to “both new and existing streets” as opposed to “both new streets and existing streetscapes”. Specific to subsection (c) the existing Mixed Use Street Types and Lane Dimensions Table would be removed and replaced to require road configurations better suited to accommodate large vehicles including delivery trucks, moving trucks, and fire, rescue, emergency management equipment. The revised table has been reorganized and font size increased for easier interpretation. Revisions to the aforementioned table include: No parking streets and new alley standard clarify that no parking streets and no parking alleys include no parking signs. Alley standards with no parking require an 18’ travelway; provision for no parking streets with one-way movement include one 18’ lane or two 10’ lanes, replacing standard of one 10’ or two 8’ lanes; two-way movement no parking streets include two 10’ lanes, replacing two 9’ lanes. Yield parking streets are removed. Parking one side parallel street standard specifies need for no parking signs on opposite side of street where parking not intended. Amendments to street standards for parking one side streets include: a single 18’ travel lane for one-way movement with 8’ parallel parking space, replacing one 9’ lane with 7’ parallel parking space. For two lane divided two-way movement to require 16’ travel lanes with 8’ wide parallel parking spaces, replacing 11’ travel lane with 7’ width parallel parking spaces. For streets with parallel parking on both sides and one-way movement, travelway of 18’ with 8’ wide parallel parking spaces on either side of street proposed to replace travelway of 9’ with two 7’ wide parallel parking spaces on either side of street. For streets with diagonal parking in all instances the diagonal space standard would be increased to 20’, replacing 16.5’ to accommodate larger vehicles and reduce travelway intrusion. Parking access standards for connector roads between parking lots remove 10’ wide single lane two-way traffic standard with a one way 12’ lane standard. Two-way movement is accommodated with an existing 24’ wide standard to remain. All other Mixed Use Streets standards remain within the reorganized table format.

Mr. Pastwik presented the case. Planning staff, working with County Fire, Rescue, and Emergency Management (FREM), Transportation and Zoning have drafted proposed changes to the County Zoning ordinance meant to address parking capacity and travel way width concerns raised by FREM recently. These amendments are expected to create easier to navigate neighborhoods for emergency services, citizens, visitors, delivery and moving trucks, and reduce frequency of parking along roads with dimensions that are not conducive or intended for on street parking. County FREM has raised concerns about some of the County Mixed-Use(MU) road standards providing insufficient passable travel ways for emergency vehicles such as ladder trucks compounded by instances of insufficient availability of visitor parking resulting in parking along roads where vehicles ought not be parked. Mr. Phil Sullivan, FREM Division Chief was in attendance and available to provide “on the ground” insight. The proposed amendments are intended to address this two-fold issue. Parking revisions are expected to result in additional parking availability in single family attached communities where provision of adequate parking for visitors has proven to be problematic in some newer developments, particularly those developments zoned Mixed-Use(MU). Off-street parking standards have also been updated for

single family detached and multi-family. Though off-street parking standards for single family attached communities differ by locality, the proposed changes are not vastly different than other localities in Virginia. New Kent County employs a similar standard as proposed. The draft would increase the number of minimum parking spaces for single family attached/townhome communities from 2 spaces per unit, however only 1 such space must have convenient access to the dwelling unit, to 2 onsite spaces per unit, and 1 visitor space per 3 units in common area. Resulting from Planning Commission direction received at the April 21, 2021 Public Hearing Initiation, the draft specifies that garage or carport parking would not be counted toward the minimum parking standard. This change would appear as part of the Mixed Use (MU) parking standard as well as the General Development Standards for all other zoning districts that include single family attached. As part of the draft amendment, staff also proposes creating an equal standard for off-street parking for multi-family developments. At present the County has two separate standards. The first is located in Zoning Chapter 23, Article 5: Division 9- Off-Street Parking with application to all zoning districts where multi-family uses are permitted, except for the Mixed Use(MU) district where a separate standard exists. For Mixed Use(MU), multi-family parking standards are located in Chapter 23, Article 6: Division 28- Mixed Use (MU) District. Under the draft proposal, the multi-family parking standard presently adopted in the Mixed Use (MU) ordinance would also apply under General Development Standards applicable to all other Zoning Districts with multi-family uses. Staff asserts the Mixed Use(MU) standard is more favorable as it is bedroom count based as opposed to a single standard applied to any and all bedroom count projects. Specific details of the proposed amendments are outlined below: DRAFT Ordinance 23-181: Chapter 23, Article 5: Division 9- Off-Street Parking Sec. 23-5.9.3- Minimum Required Parking Spaces. Amendments are specific to residential parking standards. For dwelling, multi-family, remove minimum parking standard of 1.6 spaces per unit, replacing it with a per unit, bedroom-count-based, minimum standard as follows: 0-1 bedroom, 1 per unit and 1 visitor space in common area per 5 units; 2 bedrooms, 1.5 per unit and 1 visitor space in common area per 5 units; 3+ bedrooms, 2.0 per unit and 1 visitor space in common area per 5 units. For dwelling, single family attached, amend the current minimum parking standard of 2 spaces per unit, to require 2 onsite spaces per unit, and 1 visitor space per 3 units in common area, resulting in increased assurance of onsite spaces and provision for additional visitor spaces. For dwelling, single family detached, amend the current minimum parking standard of 2 spaces per unit, to require a minimum of 2 parking spaces per unit, specifying they both be onsite. For both single family detached and attached units, garage and carport spaces cannot be counted toward minimum onsite parking. DRAFT Ordinance 23-181: Chapter 23, Article 6: Division 28- Mixed Use(MU) District. Sec. 23-6.28.6- Parking. Amendments are specific to residential parking standards. For dwelling, multi family, as a clean-up item to consolidate parking standards into two cells within the minimum parking spaces table. A substantive amendment specific to provision of minimum parking for dwelling, multi-family, units of 0-1 bedrooms removes standard of .75 per unit +1 visitor per 5 units to 1 per unit and 1 visitor per 5 units in common area. Minimum parking

standards for 2 bedroom and 3+ bedroom units remain unchanged but specify parking spaces are to be located in common area. For dwelling, single family attached, a new parking standard has been introduced to address the land use and matches a standard established in the General Development Standards applicable to other Zoning Districts. As a new standard within the Mixed Use(MU) Zoning District, dwelling, single family attached now requires a minimum 2 onsite spaces per unit, and 1 visitor space in common area per 3 units. For dwelling, single family detached, the new standard removes reference to “and two family”, and clarifies the minimum parking standard to require a minimum 2 onsite spaces per unit, replacing 2 per unit. For both single family detached and attached units, garage and carport spaces cannot be counted toward minimum onsite parking. Sec. 23-6.28.7- Streets and Blocks. Specific to subsection (a), the text amendment is meant to clarify language to apply to “both new and existing streets” as opposed to “both new streets and existing streetscapes”. Specific to subsection (c) the existing Mixed Use(MU) Street Types and Lane Dimensions Table would be removed and replaced to require road configurations better suited to accommodate large vehicles including delivery trucks, moving trucks, and fire, rescue, emergency management equipment. The revised table has been reorganized and font size increased for easier interpretation. Revisions to the aforementioned table include: No parking streets and new alley standard clarify that no parking streets and no parking alleys include no parking signs. Alley standards with no parking require an 18’ travel way; provision for no parking streets with one-way movement include one 18’ lane or two 10’ lanes, replacing standard of one 10’ or two 8’ lanes; two-way movement no parking streets include two 10’ lanes, replacing two 9’ lanes. Yield parking streets are removed. Parking one side parallel street standard specifies need for no parking signs on opposite side of street where parking not intended. Amendments to street standards for parking one side streets include: a single 18’ travel lane for one-way movement with 8’ parallel parking space, replacing one 9’ lane with 7’ parallel parking space. For two lane divided two-way movement to require 16’ travel lanes with 8’ wide parallel parking spaces, replacing 11’ travel lane with 7’ width parallel parking spaces. For streets with parallel parking on both sides and one-way movement, travel way of 18’ with 8’ wide parallel parking spaces on either side of street proposed to replace travel way of 9’ with two 7’ wide parallel parking spaces on either side of street. For streets with diagonal parking in all instances the diagonal space standard would be increased to 20’, replacing 16.5’ to accommodate larger vehicles and reduce travel way intrusion. Parking access standards for connector roads between parking lots remove 10’ wide single lane two-way traffic standard with a one way 12’ lane standard. Two-way movement is accommodated with an existing 24’ wide standard to remain. All other Mixed Use(MU) Streets standards remain within the reorganized table format.

Staff recommends the Planning Commission approve CA21-0003, Ordinance No. 23-181- Mixed Use Streets and Residential Parking Standards.

Mr. Thompson inquired whether FREM was in agreement with the proposed.

Mr. Pastwik stated yes and Mr. Sullivan agreed.

Mr. Childress inquired if anything could be done regarding existing conditions of developments.

Mr. Sullivan stated that some developments have taken matters into their own hands to make the situation better. He stated that FREM fully endorses what Planning is doing here. He stated that they would be working with the existing developments as they see the issues in the field.

Ms. Carter inquired if the developments are willing to work with staff.

Mr. Sullivan stated yes, so far all have been positive encounters.

Mr. Childress thanked staff for a great job.

Motion and vote: Mr. Thompson made a motion, seconded by Mr. Bell to recommend approval of the amendment of the code. The motion passed 6-0.

Public Comment:

New Business:

Mr. Bullock apologized for missing the worksession portion of the meeting.

Adjournment

Motion and vote: On a motion by Mr. Thompson, seconded by Mr. Childress, the Commission voted to adjourn. The motion passed 6-0.

The meeting adjourned at 9:00 p.m.

Spotsylvania County
Planning Commission
Executive Summary

 [Print](#)

Meeting Date: July 7, 2021

Title: CA21-0002 Section 14-10 Camping Code Amendment

Type: Action, Public Hearing, Ordinance

Agenda Title: CA21-0002 Section 14-10 Camping Code Amendment

Recommendation: The proposed amendment addresses concerns raised by both the Planning Commission and Board of Supervisors; therefore, staff recommends the Planning Commission pass a motion to recommend approval of Ordinance No. 14-18 to the Board of Supervisors.

Summary: Amendments to Chapter 14 Article 1- Offenses and Miscellaneous, Section 10 – Camping and Use or Storage of Camping Equipment include the restructuring of the provision to create a definitions section in 10-14.1 and create a new section 10-14.2 that was the former 10-14.1, and amended as follows:

Chapter 14, Article 1-Section 10- Camping and Use or Storage of Camping Equipment

Section 10-14.1 of the proposed amendment includes the addition of the following defined terms:

Camper means a person or persons camping or utilizing a camping device or camp site for the purposes of camping or temporary occupancy.

Camping or Camping Event means to temporarily occupy a camping device or camp site, with or without a camping device.

Camping Device means any natural or man-made tent, tarp, lean-to, camping trailer, recreational vehicle, or similar device or structure, established or maintained and operated for purposes of temporary occupancy. Camping devices must be in operable condition, inspected and registered by the Virginia Department of Motor Vehicles, if required.

Camping Device Storage means the placement of any camping device in a visible location when it is not actively in use. A stored camping device cannot be occupied or

connected to a septic system. Any device that does not meet both those criteria will be considered occupied and treated accordingly.

Camp Site means any plot of ground used for purposes of temporary occupancy, with or without a camping device, or intended for exclusive occupancy by a camping device(s).

Section 14-10.2 – amends the provisions related to camping within the County to allow property owners, or person(s) authorized by the property owner, to camp on the property owner’s property provided that adequate sewage disposal is provided and any camping event which exceeds fourteen (14) days must obtain a temporary pump and haul permit from the Virginia Department of Health in accordance with the Code of Virginia 12VAC5-610-599.2. All camping events must be in compliance with all applicable state requirements. Sewage disposal into the public sewer system is prohibited. Temporary occupancy of a camping device must be in compliance with all applicable state requirements. Permanent occupancy of a camping device is not permitted. Property owners may store camping devices on their own property provided that any camping device regulated by the Virginia Department of Motor Vehicles is in operable condition, inspected, registered and owned by the property owner where the camping device is stored. Camping is an allowable use in all zoning districts within Spotsylvania County.

Committee/Commission Summary:

Review Date:

Status:

Financial Impact:

N/A

Staff Contacts:

Kimberly Pomatto, Deputy Director of Planning & Zoning

Legal Counsel:

Alexandra Spaulding, Senior Assistant County Attorney

Additional Background/Other
Considerations:

Consequence of Denial/Inaction:

Camping within the County must be accordance with the provisions of Section 14-10 in its current form.

ATTACHMENTS:

Name:	Description:	Type:
Ordinance Form - Camping 6-8-2021 REDLINE.pdf	Draft Ordinance Section 14-10 Camping REDLINE	Ordinance
Ordinance Form - Camping 6-8-2021 CLEAN.pdf	Draft Ordinance Section 14-10 Camping CLEAN	Ordinance

At a meeting of the Spotsylvania County Board of Supervisors held on [REDACTED], 2021 on a motion by [REDACTED], seconded by [REDACTED] and passed [REDACTED], the Board adopts the following ordinance:

AN ORDINANCE No. 14-18

CA21-0002: County Code Amendments – Camping

To amend the Code of Spotsylvania County, Chapter 14 Article 1- Offenses and Miscellaneous, Section 10 – Camping and Use or Storage of Camping Equipment, to allow property owners to camp on their property.

PUBLIC HEARING: [REDACTED], 2021

WHEREAS, staff has reviewed the ordinance amendments and recommends approval as stated in the executive summary dated [REDACTED], 2021 and attached hereto; and

WHEREAS, the Planning Commission held a public hearing on this item on [REDACTED], 2021 and a motion was made and seconded to recommend [REDACTED] of the ordinance amendments, with a vote of [REDACTED]; 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 [REDACTED], 2021, and interested citizens were offered the opportunity to be heard; and

WHEREAS, good zoning practice and general welfare are served by approval of the ordinance amendments.

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

§ 1. That Section 14-10 related to allowed camping within the County is hereby amended and reordained as follows:

Sec. 14-10. - Camping ~~and use or storage of camping equipment.~~

14-10.1 Definitions

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Camper means a person or persons(s) camping or utilizing a camping device or camp site for the purposes of camping or temporary occupancy.

Camping or Camping Event means to temporarily occupy a camping device or camp site, with or without a camping device.

Camping Device means any natural or man-made tent, tarp, lean-to, camping trailer, recreational vehicle, or similar device or structure, established or maintained and operated for purposes of temporary occupancy. Camping devices must be in operable condition, inspected and registered by the Virginia Department of Motor Vehicles, if required

Camping Device Storage means the placement of any camping device in a visible location when it is not actively in use. A stored camping device cannot be occupied or connected to a septic system. Any device that does not meet both those criteria will be considered occupied and treated accordingly.

Camp Site means any plot of ground used for purposes of temporary occupancy, with or without a camping device, or intended for exclusive occupancy by a camping device(s).

14-10.2 Camping and use and storage of camping devices

(a) A property owner, or person(s) authorized by the property owner, may camp on the property owner's property provided that:

(1) Any camping event must provide adequate means of sewage disposal to ensure the protection of ground and surface water and prevent insect attraction, solely determined by the local Virginia Department of Health, and prevent the creation of a nuisance.

(2) Any camping event which exceeds fourteen (14) days within a 60-day period that is not utilizing a permanent, inspected, in-ground sewage disposal method requires that:

i. The property owner/camper(s) obtain a temporary pump and haul permit from the Virginia Department of Health, in accordance with the Code of Virginia 12VAC5-610-599.2.

ii. The holding tank for a temporary pump and haul permit must be watertight and corrosion resistant with capacity to store the projected flow for at least 48 hours.

iii. Holding tanks that are not integral to the unit must be concealed from surrounding properties and/or public view.

(3) The camping event is in compliance with all applicable state requirements.

(b) Sewage disposal from camping events or campsites into the public sewer system is prohibited.

(c) Temporary occupancy of a camping device must be in compliance with all applicable state requirements. Nothing herein shall be construed as permitting permanent occupancy of a camping device.

~~(a) Camping, including but not limited to overnight camping, shall be unlawful within the county except at those state and federal parks with camping facilities, Indian Acres, Wilderness Camping Resorts and other county-approved commercial camping facilities.~~

~~(b) It shall be unlawful for any person to use or store any camper, camping trailer, tent or other device used as shelter when camping on any property within the county. This subsection shall not apply at~~

~~those state and federal parks with camping facilities, Indian Acres, Wilderness Camping Resorts and other county-approved commercial camping facilities, nor shall it apply to the storage of such devices at the primary residence of the owner.~~

- (ed) The zoning administrator shall be the enforcement agent for this section. Nothing herein shall be construed as preventing the sheriff's department or other county or state officials from enforcing this section.
- (d) Nothing in this section shall be construed as repealing, amending or otherwise affecting any zoning ordinance of the county. Camping, as defined herein, is deemed an allowable use in all zoning districts as established in Section 23-6.12.
- (e) A violation of any provision of this section shall constitute a Class 1 misdemeanor.

(Code 1980, § 12-9; Ord. of 7-10-84; Ord. 14-18)

Cross reference— Penalty for Class 1 misdemeanor, § 1-11; development plan for planned camping communities, § 20-32; comfort stations for planned camping communities, § 20-145; water availability connection charges for campsites, §§ 22-71, 22-72; sewer availability and connection charges for campsites, §§ 22-311, 22-312; planned camping communities, § 23-136.

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

At a meeting of the Spotsylvania County Board of Supervisors held on [REDACTED], 2021 on a motion by [REDACTED], seconded by [REDACTED] and passed [REDACTED], the Board adopts the following ordinance:

AN ORDINANCE No. 14-18

CA21-0002: County Code Amendments – Camping

To amend the Code of Spotsylvania County, Chapter 14 Article 1- Offenses and Miscellaneous, Section 10 – Camping and Use or Storage of Camping Equipment, to allow property owners to camp on their property.

PUBLIC HEARING: [REDACTED], 2021

WHEREAS, staff has reviewed the ordinance amendments and recommends approval as stated in the executive summary dated [REDACTED], 2021 and attached hereto; and

WHEREAS, the Planning Commission held a public hearing on this item on [REDACTED], 2021 and a motion was made and seconded to recommend [REDACTED] of the ordinance amendments, with a vote of [REDACTED]; 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 [REDACTED], 2021, and interested citizens were offered the opportunity to be heard; and

WHEREAS, good zoning practice and general welfare are served by approval of the ordinance amendments.

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

§ 1. That Section 14-10 related to allowed camping within the County is hereby amended and reordained as follows:

Sec. 14-10. - Camping

14-10.1 Definitions

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Camper means a person or persons camping or utilizing a camping device or camp site for the purposes of camping or temporary occupancy.

Camping or Camping Event means to temporarily occupy a camping device or camp site, with or without a camping device.

Camping Device means any natural or man-made tent, tarp, lean-to, camping trailer, recreational vehicle, or similar device or structure, established or maintained and operated for purposes of temporary occupancy. Camping devices must be in operable condition, inspected and registered by the Virginia Department of Motor Vehicles, if required

Camping Device Storage means the placement of any camping device in a visible location when it is not actively in use. A stored camping device cannot be occupied or connected to a septic system. Any device that does not meet both those criteria will be considered occupied and treated accordingly.

Camp Site means any plot of ground used for purposes of temporary occupancy, with or without a camping device, or intended for exclusive occupancy by a camping device(s).

14-10.2 Camping and use and storage of camping devices

- (a) A property owner, or person(s) authorized by the property owner, may camp on the property owner's property provided that:
- (1) Any camping event must provide adequate means of sewage disposal to ensure the protection of ground and surface water and prevent insect attraction, solely determined by the local Virginia Department of Health, and prevent the creation of a nuisance.
 - (2) Any camping event which exceeds fourteen (14) days within a 60-day period that is not utilizing a permanent, inspected, in-ground sewage disposal method requires that:
 - i. The property owner/camper(s) obtain a temporary pump and haul permit from the Virginia Department of Health, in accordance with the Code of Virginia 12VAC5-610-599.2.
 - ii. The holding tank for a temporary pump and haul permit must be watertight and corrosion resistant with capacity to store the projected flow for at least 48 hours.
 - iii. Holding tanks that are not integral to the unit must be concealed from surrounding properties and/or public view.
 - (3) The camping event is in compliance with all applicable state requirements.
- (b) Sewage disposal from camping events or campsites into the public sewer system is prohibited.
- (c) Temporary occupancy of a camping device must be in compliance with all applicable state requirements. Nothing herein shall be construed as permitting permanent occupancy of a camping device.
- (d) The zoning administrator shall be the enforcement agent for this section. Nothing herein shall be construed as preventing the sheriff's department or other county or state officials from enforcing this section.
- (d) Nothing in this section shall be construed as repealing, amending or otherwise affecting any zoning ordinance of the county. Camping, as defined herein, is deemed an allowable use in all zoning districts as established in Section 23-6.12.
- (e) A violation of any provision of this section shall constitute a Class 1 misdemeanor.

(Code 1980, § 12-9; Ord. of 7-10-84; Ord. 14-18)

Cross reference— Penalty for Class 1 misdemeanor, § 1-11; development plan for planned camping communities, § 20-32; comfort stations for planned camping communities, § 20-145; water availability connection charges for campsites, §§ 22-71, 22-72; sewer availability and connection charges for campsites, §§ 22-311, 22-312; planned camping communities, § 23-136.

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