



DCSM/Zoning Ordinance Advisory Committee

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| J. Wayne Barrett | Jonelle Cameron |
| Steve Mitchell | Jim Kreider |
| Jacob Giovia | John McBride |
| Michael Kitchen | Robert Sweeney |
| Carl Willis | Carmella Patrick |
| Mitchell Rachlis | Samantha Kearney |
| Emily McKeown | Erik Spencer |
| Paul Johnson | Rick Canizales |
| Jeff Warner | David McGettigan |
| Channing Blackwell | Tom Smith |
| Joe McClellan | Mandi Spina |

MINUTES

**Development Services Building
Conference Room 202A/B**

**October 26, 2023
Regular Meeting**

In Attendance: Wayne Barrett, Steve Mitchell, Jacob Giovia, Mike Kitchen, Carl Willis, Emily McKeown, Paul Johnson, Jeff Warner, Joe McClellan, Jonelle Cameron, Jim Krieder, John McBride, Carmela Patrick, Erik Spencer, Samatha Kearney, Rick Canizales, David McGettigan, Mandi Spina. Staff members from DDS - Fadeley, Transportation – Barrett, Belita, and Planning – Hipski.

- 1. Call to Order 2:00 p.m.**
- 2. Roll Call: Quorum present**
- 3. Approve the agenda for the October 26, 2023 meeting as presented – APPROVED by Quorum.**
- 4. Approval of Minutes from July 27, 2023: No minutes presented. Will be presented at January 2024 regular meeting.**
- 5. Zoning Text Amendments**
 - Industrial Parking ZTA**

Bryce Barrett: Presentation

The BOCS directed staff to initiate a Zoning Text Amendment (ZTA) on December 7, 2021. This directive was based on feedback from the development community to expand options for off-site parking associated with primary uses in industrial districts. The Zoning Ordinance currently only permits off-site parking when located directly adjacent to or abutting the primary use. The Planning Office initiated Zoning Text Amendment #DPA2023-00006, Industrial Parking on September 20, 2022. An adjacent jurisdiction's provision for commercial parking was provided. Stafford County: Fleet parking - off-site parking and storage of more than five (5) operable vehicles, other than automobiles, which are used in the daily operations of a business or, the parking and storage of more than one vehicle with a gross vehicle weight in excess of ten

thousand (10,000) pounds. This does not include parking and storage of farm vehicles, construction equipment, or similar devices not licensed to operate on state roads.

Options for moving forward were presented: 1. Expand the existing definition of off-site parking; 2. Create a new definition/use "Fleet Parking."

The proposed Zoning Text Amendment will amend the zoning ordinance to add a new "Fleet Parking" use with the following provisions:

- Require an SUP.
- Be associated with a primary use.
- Will be allowed within the M-1, Heavy Industrial, and M-2, Light Industrial, zoning districts.
- Include general provisions related to access, lighting, and signage.

Discussion of the presentation followed with a question as to why a SUP would be required. Barrett responded saying that it would mitigate the impacts. J McClellan said he did not agree with it because the draft said one vehicle, way too few, and asked if companies are going to be in violation. Barrett said one or more vehicles, a dedicated parking lot where commercial vehicles can be stored onsite. J McBride asked are there too many hoops to jump through? Barret replied the intent is to not make businesses non-conforming. Alex Stanley explained that the definition specifies offsite, where a principal use is linked to another principal use and staff will evaluate the language to be sure it's written clearly. J McClellan asked if vehicles parked on property that is not the primary business site would be considered illegal and Stanley responded saying most likely they would be non-conforming.

6. Update on Drive-through and Curb-side pick up

Hipski: Presentation

Background: In its 2015 ruling in *Reed*, the U.S. Supreme Court held that when a municipality regulates signs based on the message, the regulations are content-based presumptively unconstitutional, and unlikely to survive the judicial test of strict scrutiny.

Process:

- September 20, 2022 – BOCS initiates Zoning Amendment
- July 27, 2023 – DORAC Discussion
- September 20, 2023 – Planning Commission Work Session
- October 26, 2023 – DORAC Update

Primary Discussion Points with the Planning Commission:

- Definitions- Drive-in; Drive-up; curbside parking

- Required parking balance- How do we know we are leaving enough spaces for regular use?
- Standardized Sign design- Similar to handicapped signage; details; square footage.
- Location- Consider site operations and potential traffic conflicts.

Current Zoning Ordinance Definitions:

Restaurant, drive-in/drive-up, or drive-through: A restaurant or carry-out restaurant dispensing prepared food or drinks ready for consumption at the time of sale-where the customers are either served in, or have product delivered to, their vehicles, or at a drive-through window. For the purpose of this Ordinance, a restaurant, drive-in/drive-up, or drive-through shall also be deemed a drive-in facility.

Sign, drive-in shall mean any signage allocated along a drive-through lane or installed on accessory structures associated with a drive-in facility, such as, but not limited to, order confirmation units and height bars, that is oriented toward the customer or user of a drive-in facility.

Discussion:

- How would this be regulated? The property owner would apply for a minor site development plan. It could also be marked on a SUP concept plan.
- There was a discussion point concerning the current existing drive-throughs that developed during the pandemic.
- There was a discussion about how this first began with restaurants, and they are very popular.
- There was a discussion about not parking in the delineated Fire Lane. At first, the discussion was to ban using the fire lane; however, it was pointed out that since drivers cannot leave their cars in the drive-up, they would be able to drive out of the way.
- There was a discussion about whether to vote on the Zoning Text Amendment or not. It was determined staff will forward the revised document for a Special Meeting in November.

7. Update on Sign Ordinance

Hipski: Presentation

Process:

- September 20, 2022 – BOCS initiates Zoning Amendment
- July 27, 2023 – DORAC Discussion
- September 20, 2023 – Planning Commission Work Session
- October 26, 2023 – DORAC Update
- November 29, 2023- Planning Commission Public Hearing

Discussion:

- The duration time for sale/rent or lease should be one year.
- For single-family residential the language should be 6 square feet.
- How do you handle the required construction and building permitting signs that are required to be posted?
- The signage should be sized so that it would accommodate a typical piece of plywood (8'X4') up to 64 square feet.

8. DCSM Section 600 Outline

Belita: Transportation and its consultants are looking at the document in its entirety. The consultancy was awarded to Dewberry this summer. The intent is that the process will take about a year to complete, and the plan is to come back in January with solid text. This gives the board more time to review and get comments.

Mark Brewer (Dewberry): Dewberry is roughly a third way through the review of section 600 with a more global look at the section. Discussions are underway about the guiding principles of the documents and looking at the section overall to see what standards can be consolidated and what new standards need to be added. We plan to update and expand the roadway classification and are looking closely at the mobility and housing chapters of the Comprehensive plan. Also, looking to better align county standards with VDOT standards and ways to help streamline the approval process. We're reviewing multimodal transportation, promoting biking, and walking, as opposed to driving, and focusing on the environment and tree growth areas. We'd like to include hyperlinks to external references, reorganize the document, remove redundant references, and limit changes to section and detail numbers. Chris Jennings said we are coordinating with a few different groups to get input. On Wednesday we presented to the CDC to get their input as well.

Belita said we're focusing on the draft and are about 20% complete. We will be back at the January meeting to get comments from the committee. We are expecting to have a final draft in late spring and to the Planning Commission and the County Board of Supervisors by Summer 2024. P. Johnson mentioned the bike lanes are not well maintained.

9. Discussion on a revision of the Committee by-laws and a request to add a member to the Committee

Fadeley: Revision to the by-laws has been made to include the changes requested at the July committee meeting. The by-laws are being presented today for further consideration. Discussion about the by-laws continued with a request for a few changes and to bring it back to the committee in January.

Fadeley: A request from Tom Blazer to add a new member to the committee. The current ordinance includes a 26th-member position in the ordinance. The members elected to not include another member since the position was not identified in the ordinance.

The discussion continued about the current by-laws which include two positions for the Chamber of Commerce. After member discussion, a motion was made that there would only be one member position for the Chamber of Commerce. A vote was taken, and the motion passed on an 8-3 roll call.

10. Discussion on the draft Virtual Participation Policy.

Fadeley: Discussion on the draft Virtual Participation Policy ensued with most members of the opinion that the policy is overreaching based on the committee being an advisory-only committee. The policy will be revised and brought back to the committee for further consideration.

10. Agency Time

- **Planning**

New Community Development Planner introduced – Yolanda Hipski.

Planning has over 20 initiated ZTAs to process. A special meeting will be called to discuss four of the Zoning Text Amendments.

A work session with the Planning Commission was held last night to review and discuss the ADU draft text. Planning is working with consultants and stakeholders to look at ways to improve the ordinance. It will be before DORAC, but probably not before the end of the year.

- **Transportation**

Nothing to add.

- **Fire**

A request to initiate updates to Section 300 (Fire) of the DCSM is to go before the board on 11/28/2023.

- **Environmental**

Nothing to report.

- **Parks**

Nothing to report.

- **Development Services**

Reorganization: Zoning Administration and the Records Management Office are now under DDS reporting to Mandi Spina.

The Data Center working group has been working on updates to Section 800 of the DCSM – buffers. A request to initiate updates goes to the County Board of Supervisors on 12/5/2023.

12. Any other business

No other business.

13. Next Regular Meeting – Thursday, January 25, 2024, at 2:00 p.m. to 4:00 p.m.

14. Meeting adjourned – 3:54 p.m.