



## TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, January 09, 2024 at 9:00 AM

### AGENDA

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Possible additions to the agenda and related materials are not set forth herein.

Times set forth are approximate and may be adjusted as necessary.

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#### I. WORKSESSION - 9:00 AM

- [A.](#) Strategic Retreat Goals
- [B.](#) 18 Court Street Building Updates
- C. Agenda Review
- D. Closed Session

#### II. REGULAR MEETING - 6:30 PM

##### A. INVOCATION.

##### B. PLEDGE OF ALLEGIANCE.

##### C. PROCLAMATIONS AND RECOGNITIONS.

- [a.](#) Recognition of Amos Crosgrove
- [b.](#) Recognition of Holiday Decorating Contest winners

##### D. CITIZEN'S TIME.

##### E. APPROVAL OF THE AGENDA.

##### F. PUBLIC HEARINGS.

- [a.](#) **SUP 2023-02 Walmart Amendment:** The Applicant, Wal-Mart, is requesting a Special Use Permit (SUP) Amendment to SUP #10-04 to allow for upgrades to the existing store by implementing the following improvements: 1) expanding the store by approximately 6,151 square feet to accommodate a merchandise pick-up staging area, which will require the relocation of an existing outdoor storage area, 2) re-striping portions of the parking area in order to provide spaces for customers picking up pre-ordered merchandise, and 3) modifying the exterior Store elevations to include an addition and new colors at 700 James Madison Highway.

- b. SUP 23-03 226 E. Lee Street ADU:** The Applicant, Jim and Nell Lawrence, are seeking a Special Use Permit to construct an Accessory Dwelling Unit (ADU) by converting an existing barn into a residence. The 1.3 acre property is zoned R6 (Residential) and is located within the Historic District at 226 E. Lee Street. The Future Land Use Map designates the property in the Old Town Character District as Medium Density.
- c. ZOTA-23-2 - A Zoning Ordinance Text Amendment Regarding Assembly Uses in the Industrial District:** A public hearing for revisions to Zoning Ordinance Article 3, Section 3-4.12 – *Industrial District* to address allowable Assembly uses in the District. The Ordinance currently permits several uses as by-right Permitted Uses where people gather for social, entertainment, cultural, educational and recreational purposes, where these uses are classified as Assembly uses by the Building Code. The Building Code classifies Places of Worship such as churches as an Assembly use, however Places of Worship are not listed as either a Permitted Use or a Permissible Use in the Industrial District. A text amendment to Section 3-4.12 was initiated by Town Council on May 9, 2023. The Planning Commission held a public hearing on November 28, 2023 and recommended approval of "Option A", to allow Assembly uses in the Industrial district with an approval threshold where these uses will require the approval of a Special Use Permit per Zoning Ordinance Section 3-4.12.3 *Permissible Uses* for any Assembly use that exceeds 300 persons and/or is 10,000 square feet or greater in size.

**G. CONSENT AGENDA.**

**H. NEW BUSINESS.**

- a.** Re-Appointment of Local Board of Building Code Appeals Members

**I. UNFINISHED BUSINESS.**

- a.** Appointment of the Town Manager of the Town of Warrenton

**J. TOWN ATTORNEY'S REPORT.**

**K. TOWN MANAGER'S REPORT.**

**L. COUNCILMEMBERS TIME.**

**M. ADJOURNMENT.**



Office of the Town Manager  
Frank Cassidy

**Warrenton Town Council**

Carter Nevill, Mayor  
Heather Sutphin, Ward 1  
William Semple, Ward 2  
Brett Hamby, Ward 3  
James Hartman, Ward 4 Vice Mayor  
Eric Gagnon, Ward 5  
Paul Mooney, At Large  
David McGuire, At Large

Item A.

# **STAFF REPORT**

<b>Council Meeting Date:</b>	January 9 <sup>th</sup> , 2024.
<b>Agenda Title:</b>	Strategic Retreat Goals
<b>Requested Action:</b>	Receive the Information
<b>Department / Agency Lead:</b>	Town Council
<b>Staff Lead:</b>	Frank Cassidy, Town Manager

## **EXECUTIVE SUMMARY**

On Friday, January 26<sup>th</sup>, 2024, the Town Council of the Town of Warrenton will meet at 18 Court Street for a Strategic Retreat at 9:00am. Ms. Jane Dittmar from the Virginia Institute of Government will be facilitating the retreat. Ms. Dittmar will be conducting interviews with the Council to establish discussions and talking points for the Strategic retreat.

## **BACKGROUND**

At the October 10<sup>th</sup>, 2023, Regular Town Council Meeting, the following Goals were identified by the Council as priorities for the Staff to focus on.

### **Resiliency, Financial and Workforce**

### **Preparedness, Technology and Utilities**

### **Affordable Housing**

## **STAFF RECOMMENDATION**

Review the strategic goals laid out from the September 2022 strategic retreat and discuss priorities from Council and Staff for the upcoming year.

## **Service Level/Collaborative Impact**

The strategic goals will allow the Council and direct staff to create the budget within the Council's priorities directly impacting all service levels of the Town and affecting all aspects of Plan Warrenton 2040

**Policy Direction/Warrenton Plan 2040**

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The Strategic Goals impact all aspects of Warrenton Plan 2040.

**Fiscal Impact**

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The Strategic goals will direct how staff will begin to build the Fiscal Year 2025 annual budget.

**Legal Impact**

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No Legal impact has been identified at this time.

**ATTACHMENTS**

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- 1. Warrenton – August 2023 Meeting Follow up.
- 2. Warrenton Fall Council Retreat Report December 2022.
- 3. October 10<sup>th</sup>, 2023, Town Council Regular Meeting Staff Report: Strategic Goals Overview
- 4. Warrenton Plan 2040



# PLAN WARRENTON 2040



# ACKNOWLEDGMENTS

The Town of Warrenton would like to acknowledge the dedication and commitment to the individual citizens, students, teachers, business owners, merchants, property owners, non-profits, and community partners who participated in the process of updating the Comprehensive Plan. In addition, the Town would like to thank Fauquier County, the Rappahannock-Rapidan Regional Commission, and the Virginia Department of Transportation for participating in the planning process. Special thanks to the PATH Foundation for their support of the Complete Streets and Walkability Audit components.

*Town Council*

- Carter Nevill, Mayor
- Renard Carlos, At-Large
- Sean Polster, At-Large
- Heather Sutphin, Ward 1
- William Semple, Ward 2
- Brett Hamby, Ward 3
- James Hartman, Ward 4
- Kevin Carter, Ward 5

*Planning Commission*

- Susan Rae Helander, Chair
- Ali Zarabi, Vice Chair
- Gerald Johnston
- James Lawrence
- Mark Moore
- Ryan Stewart

*Comprehensive Plan Steering Committee*

- Chris Coutts
- Doug Larson
- Jim Lawrence
- John W. McCarthy
- Kirsten Dueck
- Marie E. Washington
- Melanee Montalvo
- Fauquier County Community Development Staff

*Urban Development Area Steering Group*

- Roy Anderson
- Trey Austin
- Merle Fallon
- Susan Helander
- Nick Kalis
- Brian Larson
- Joe Martin
- John McAuliff
- Brian Roeder
- Kevin Roop
- Ryan Stewart
- Walter Story
- Pablo Teodoro
- John Thompson

*Town of Warrenton Staff*

- Brandie Schaeffer, Town Manager
- Whit Robinson, Town Attorney
- Frank Cassidy, Community Development Director
- Denise Harris, Planning Manager
- Rob Walton, Zoning Administrator
- Millie Latack, Preservation Planner
- Kelly Machen, Zoning Planner
- Stephanie Miller, Director of Finance and Human Resources
- Paul Bernard, Assist. Public Works / Public Utilities Director
- Michael Kochis, Chief of Police
- Rodney Woodward, Warrenton Volunteer Fire Company
- Timothy Carter, Deputy Chief of Police
- Edward Tucker, Former Public Works / Public Utilities Director
- Margaret Rice, Former Director Parks and Recreation

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# MAYOR'S MESSAGE 2040

*“We are a sum of our past, we are the hope of our future, all rolled into one, and we can see that every day when we walk down the streets of Warrenton. Whether its in Old Town, or going down to the WARF, or walking the streets in our neighborhoods. It is a genuine, sincere community, and it is defined by the people, and the place where we live.*”

**THIS IS YOUR TOWN,  
THIS IS YOUR NEIGHBORHOOD,  
AND THIS IS YOUR PLAN.”**

**- Mayor Carter Nevill**

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# EXECUTIVE SUMMARY 2040

## Introduction


The Plan Warrenton 2040 was adopted in one of the most challenging years of recent history. The international pandemic of COVID-19 impacted fundamental aspects of personal and community life calling into question how people live, work, go to school, and recreate. It threw into high relief how our communities are designed to support, or fail to support, the needs of a functioning economy through infrastructure and public spaces. Simply, the pandemic exposed our collective community strengths and challenges.

Communities do well if they have the preparedness and flexibility to respond quickly to the changing nature of the environment. Communities who lay the groundwork for strategic investments can weather the many types of unforeseen storms. A comprehensive plan serves its greatest purpose in these instances. Plan Warrenton 2040 begins with recognition of the nexus between planning, economic resiliency, and public health. This plan is built on the premise that the physical, mental, social, and economic health of our community reaches into all aspects of our quality of life. These central themes have already been instilled in our community from the passage of the Healthy Eating Active Lifestyle (HEAL) Resolution by the Town Council in 2015, the Walkability Audit and Complete Streets Guide in 2017, the Fiscal Impact Model of 2019, the Robert Wood Johnson Culture of Health nomination, and the Eva Walker Park Master Plan in 2021.

Plan Warrenton 2040 lays out a vision that enhances these themes and protects the character

of the Town of Warrenton, while it works to anticipate a rapidly changing future due to technological advancements and the prolonged impacts of the pandemic. The plan focuses on the elements of community to maintain a standard of living. Public spaces, a notable goal in previous Comprehensive Plans, are now a necessity for the mental, physical, and social health of our residents. Opening the built environment of the Town's assets and right-of-way is essential for the economic health of our business and food supply. Further necessity of multi-modal, active transportation has become more apparent as people seek a means to safely leave their residences after working from home or learning virtually. The shifting demands on water, sewer, and telecommunications infrastructure become apparent as society begins to reallocate how and where it spends its time. Perhaps most importantly, the design of our community needs to support the needs of all residents and businesses through elements like attainable housing to encourage resident diversity and retention. These elements of community allow Warrenton to positively respond to the needs of its residents, ensuring that even through change we are still Warrenton: a community that deeply cares for all its members.

While no one can yet state with certainty the long-term shifts in behavior the pandemic will have on communities, the goals and objectives remain the same. Plan Warrenton 2040 seeks to capture the community spirit to ensure the Town is the best Warrenton it envisions for itself during the greatest and most trying of times.



# WHO WE ARE

**10,027**


24.4%  
Under the  
Age of 18


**19.0%**

Over the  
Age of 65

**4.5**


SQUARE MILES






**SCHOOLS**

- 2 High
- 4 Middle
- 5 Elementary




**FAUQUIER COUNTY SEAT**

- 3 Courts
- 1 Library
- 1 Hospital



**ACTIVE LIVING**

- 5 Parks
- 1 Rail Trail
- 2 Farmers Market



**BUSINESS**

- 1 Main Street Program
- 1 Local Chamber
- 857 Business Licenses

## WHAT IS A COMPREHENSIVE PLAN?

A Comprehensive Plan is a holistic, aspirational vision to guide future decisions of the Town of Warrenton.

The Code of Virginia §15.2223 states the Comprehensive Plan’s purpose is to guide and accomplish a coordinated, adjusted and harmonious development, keeping in accordance with present and probable future needs and resources, to best promote the health, safety, morals, order, convenience, prosperity and general welfare of the residents, including the elderly and persons with disabilities. The Comprehensive Plan is to be general in nature, in that it designates the general or approximate location, character, and extent of features. Plan Warrenton 2040 serves as the official document tying together community features with the overall vision for its future.

## WHAT IS PLAN WARRENTON 2040?

Plan Warrenton 2040 is the outcome of thoughtful conversations throughout the community. It contains a vision of equity for its residents, a high quality of life for the community, and fiscal vibrancy for the businesses. The vision contains three drivers that serve as the backbone of the seven topical elements.

DRIVERS

### Community Character

*Community Character seeks to preserve and enhance the identity and quality of life in Warrenton as a place for everyone to meet, talk, and be neighborly; as a place that is interconnected, human scaled, and walkable; as a place, historic and new, that combines aesthetic form, development patterns, and amenities that ensure the heritage of the Town is honored for current and future generations.*

### Community Health

*Community Health prioritizes social, physical, environmental, and mental health through policies and equitable investments that promote personal well-being, fiscal strength, and a strong community fabric through a safe, vibrant, and thriving community.*

### Economic & Fiscal Resilience

*Economic and Fiscal Resilience cultivates entrepreneurial opportunities by leveraging community-based assets, in conjunction with integral geographic and regional relationships, to attract high quality investors, creating a resilient multi-faceted fiscal base that provides residents the ability to live and work in the community.*

TOPICAL ELEMENTS

**Jasmine, 17**  
FHS

**Historic Resources**  
Preserve the place making features that continue to give the Town its unique identity, its character, and its feeling of home.

**Grace, 17**  
FHS

**Community Facilities**  
Strategic investments in accessible community facilities improving health and overall quality-of-life for a diverse community.

**Taylor, 11**  
Brumfield

**Housing**  
Preserve established residential neighborhoods, while expanding housing options to ensure inclusive, attainable housing for all ages, incomes, and needs. Create walkable communities with shared open space developments compatible with existing uses in scale and character.

**Olivia, 17**  
FHS

**Open Space, Parks, & Environment**  
Boast a network of open spaces to strengthen community health, protect the natural environment, and maintain the aesthetic and image of Warrenton as a critical element of Town character.

**Morgan, 17**  
FHS

**Transportation & Circulation**  
Strategic investments for a safe, vibrant, and interconnected multi-modal transportation network.

**Nick, 15**  
FHS

**Economic & Fiscal Resilience**  
Encourage a community where people may choose to live and work with a robust economy that cultivates entrepreneurial opportunities for a diverse and talented workforce.

**Kayla, 17**  
FHS

**Land Use & Character Districts**  
Expand amenity options within character districts and existing neighborhoods to improve quality-of-life and maintain community character.

## HOW COMPREHENSIVE PLANS ARE IMPLEMENTED

Plan Warrenton 2040 sets the overall guidance for informed decisions, while the Virginia State Code identifies several methods for implementation of goals and strategies. Comprehensive plans are to be aspirational to communicate an agreed upon future form for the Town. The implementation tools are developed and updated to carry out the goals of the community. Below are a few of these implementation documents.

### ZONING ORDINANCE

Zoning ordinances regulate the use of land within a locality and provide an official zoning map. This document details the allowable uses properties are entitled to utilize, the specifics to how the built environment will be structured (size, height, area, bulk, location, etc), the requisite areas and dimensions of the land and required elements, and identifies how localities may grant changes to these modifications.

### SUBDIVISION ORDINANCE

The purpose of the Subdivision Ordinance is to establish reasonable and desirable subdivision standards and procedures for the Town of Warrenton. These regulations apply to all divisions of land into parcels or adjustments to the boundaries of parcels within the Town. This document incorporates a Public Facilities Manual that applies to all utilities constructed, including transportation, stormwater, water, and sewer.

### HISTORIC DISTRICT GUIDELINES

The Historic District Guidelines provide the framework for consistent decision-making by elaborating upon the Zoning Ordinance's goal to identify, protect and preserve the buildings within historic district boundaries. The Secretary of Interior's Standards for Treatments of Historic Properties, in conjunction with the goals and strategies of the Comprehensive Plan, provide the framework for this important document.

### CAPITAL IMPROVEMENT PLAN

The Capital Improvement Program (CIP) provides for an orderly implementation of short and long range plans for construction of Capital Improvement Projects and Land Acquisition. It further provides for the scheduling of the associated expenditures over a period of many years. The first year of the program represents the proposed Capital Budget for the upcoming fiscal year.

### TOWN CODE

The Town Code is adopted by localities to enable the codification of ordinances. Related to the goals of Comprehensive Plan it enforces licensing, noise, how business is conducted, and a number of items specific to public streets, water, and sewer.

## OTHER DOCUMENTS

While the Comprehensive Plan provides a “high level” set of goals and strategies, more focused efforts produce site, topical, or area specific objectives. For example, the Eva Walker Park Master Plan speaks to the long term improvements envisioned and specific to that public space. The Broadview Safety Improvement Project contains the engineered design to fulfill the Smartscale grant. Roll Out Warrenton and Warm Out Warrenton serve as examples of providing opportunities that seek to support the business community.

## ADOPTION BY REFERENCE

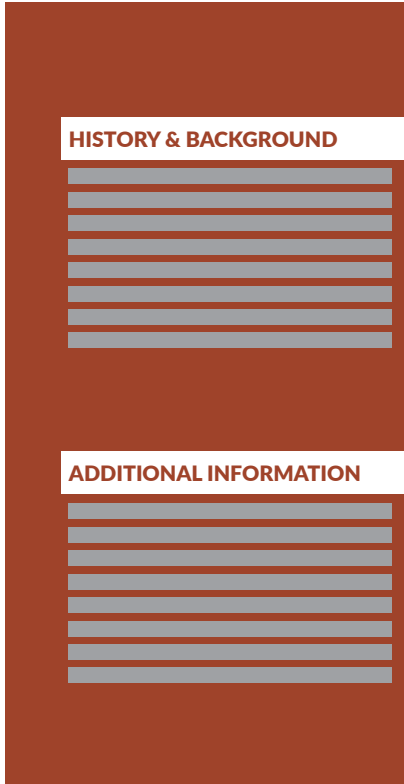
Plan Warrenton 2040 includes the adoption of documents that were previously developed and produced as part of this process or in the same timeframe. Documents adopted by reference into the Comprehensive Plan include:

- Complete Streets Guidance Report (Toole Design Group, September 2017)
- Walkability Audit Report (Toole Design Group, September 2017)
- Urban Development Areas (Town Council Adopted March 13, 2018)
- Plan Warrenton 2040 Background Report
- Demographic and Housing Analysis White Paper (RKG Associates, February 1, 2020)
- Fiscal Sustainability Analysis White Paper (RKG Associates, February 1, 2020)
- Economic Base White Paper (RKG Associates, February 1, 2020)
- Character Districts Design Guide Book Plan Warrenton 2040 Hyperlink
- Density Bonus Recommendations Plan Warrenton 2040 Hyperlink
- Eva Walker Park Master Plan (Town Council Adopted February 9, 2021)



## HOW TO USE THIS PLAN

Decision makers, staff, and the community should look to this document as a guide for important policies and land use decisions. It serves to inform budgeting and Capital Improvement Plans, regulatory documents, and legislative actions. The vision and goals, with the Future Land Use and Transportation maps, serve to coordinate the harmonious development of the Town’s current and future needs to best promote the prosperity and general welfare of all its residents.



### HYPERLINKS

Each section will have a sidebar like this one to the left. The white bars are clickable hyperlinks that will pull up more information for each title subject.

Any words formatted like the example below are also clickable hyperlinks embed in the text for quick references.

### EXAMPLE

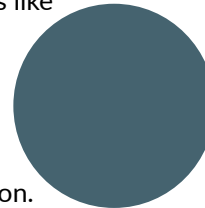
### METRICS

Each section will have a metrics sidebar like below that lists markers to tract progress of Comprehensive Goals with successful implementations in Town.



### ROLLOVERS

If you find a dot that looks like this one, rollover with you mouse for quick information.



## OTHER TOWN PLANS AND RESOURCES

Plan Warrenton 2040 builds upon, and works in conjunction with, many other documents in the Town to support the vision. Throughout this document, hyperlinks are included to allow the reader to do a “deeper dive” into topical areas. Many of these documents are adopted on their own or serve as informational data points that are updated throughout time. They are not adopted in this official plan unless specifically stated. This structure allows for the long-term vision and goals to stay consistent, while the associated regulatory documents, small area plans, and data may be to be updated as needed on short time horizons.

## PUBLIC INPUT

Plan Warrenton 2040 sought out innovative public outreach while also building upon words the community have spoken throughout previous planning efforts. It began with the simple premise that the adults of today hold our Town’s future in trust for our children. Almost 25% of Warrenton’s residents are under the age of 18. Yet, as Planning Magazine wrote “...young people sometimes fly under the radar even though they are a huge part of our communities and have very different needs, perspectives – and tech skills – than their parents and grandparents.” Warrenton decided to correct this in the Student Postcard Project by asking the youth ages 5-18 what they valued today and for the future. The over 1,000 students who participated have different needs and different perspectives, yet the values proved similar to the adults in the community:

- Community Gathering Spots
- Walkability
- Accessibility
- Age Friendly
- Sense of Place

After a reception presenting the voice of the youth, the larger community was invited to contribute to the conversation. The “This is Your Town, Your Neighborhood, Your Plan” video, linked on page 11, encouraged residents and businesses to add their voice to the developing vision and goals. Public outreach was conducted in multiple formats, across multiple groups. Warrentonians provided their unique perspectives by attending meetings, taking surveys, and participating in workshops to help shape the Town’s future. Listening to the whole community, across spectrums of age, income, background, gender, and employment, creates a vision to equitably serve the entire community. Plan Warrenton 2040 seeks to ensure ALL its residents are afforded a high quality of life.

## PUBLIC OUTREACH



more than  
**16,012**  
**INDIVIDUAL ENGAGEMENTS**  
through public meetings, online, and published forms of outreach



equivalent of  
**3,313**  
**HOURS**  
of public comment & response through surveys



**13**  
**PUBLIC MEETINGS**  
including workshops, walkability audits, & the open houses.



**35**  
**PUBLISHED ARTICLES & POSTS**  
written by or for newspapers, electronic media, & the Town Crier.



**OVER 2,058**  
**ONLINE PARTICIPANTS**  
for Virtual Town Hall and Plan Warrenton 2040 website visits.



**OVER 12,288**  
**SOCIAL MEDIA & WEBSITE VIEWS**



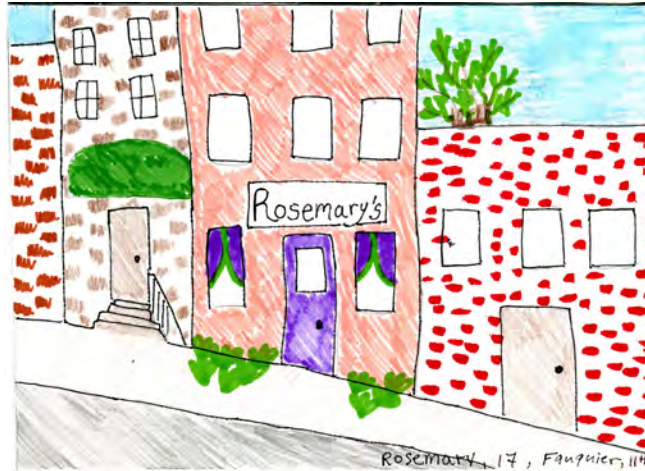
**21**  
**WORKING MEETINGS**  
with the Planning Commission & Town Council work sessions, including those held for the UDAs, and Steering Committee meetings.



**34**  
**COMMUNITY ORGANIZATIONS REACHED**  
including Habitat for Humanity, Rotary Club, Non-Profit Partnership for Community Resources, Old Town Merchants, Adult Day Healthcare Program, Chamber of Commerce, & more!

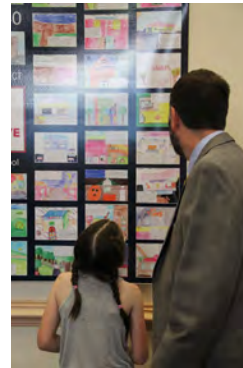
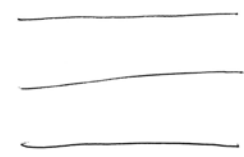
# 2016 STUDENT POSTCARD PROJECT

Students of Warrenton schools were asked to draw the Town now and what they hoped it would look like in 2040. Throughout the document there will be some of these “postcards” of Warrenton with insight on what our youngest residents find important.



2040

Remember the vacant pink building on Culpeper Street I was talking about in 2016? Well, now that building is occupied and it is mine! I now have my donut shop called Rosemary's and it feels great giving back to the community!



## BACKGROUND REPORT

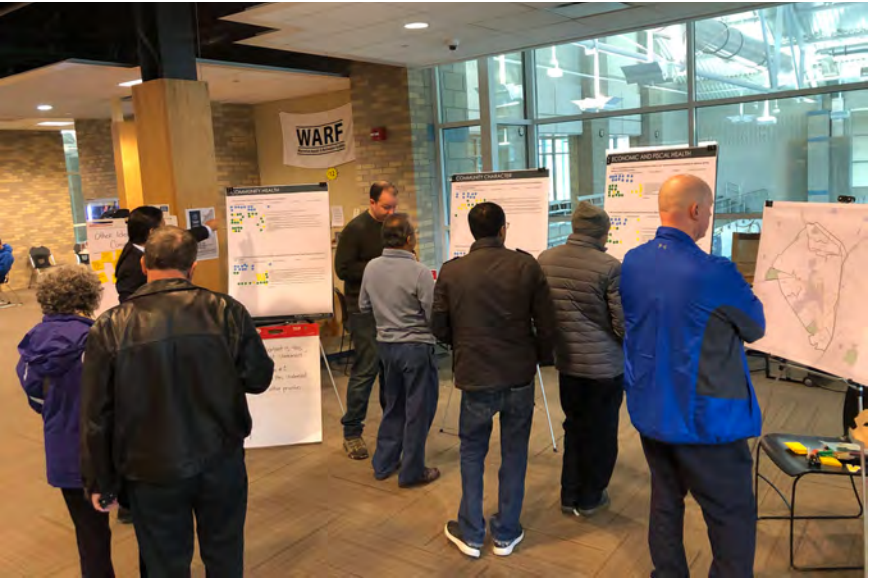
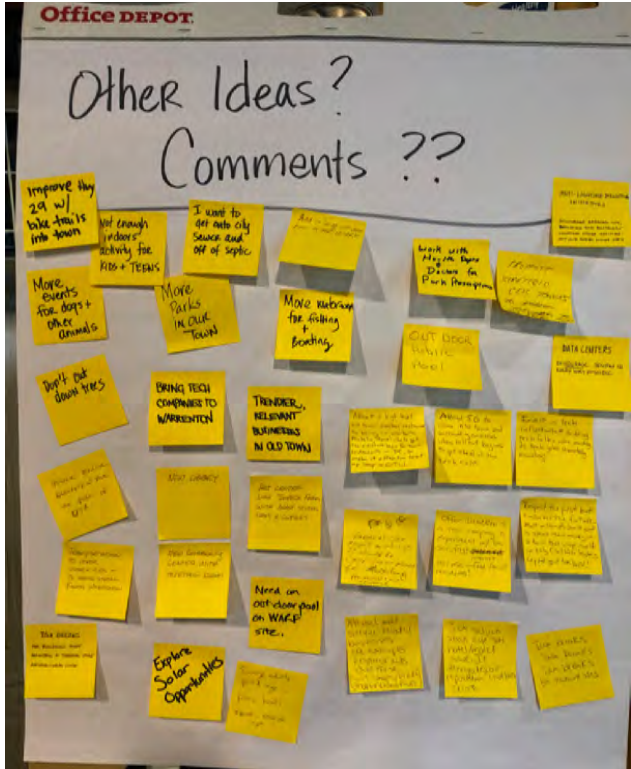
2018 analysis of the 2002 Warrenton Comprehensive Plan and subsequent planning, including an analysis of existing conditions and external influences outside the Town boundaries.

## PUBLIC COMMENT SURVEYS

Response data from a public survey released in 2019 for community input on Town needs and enhancements.

Click here to watch  
**Let Your Voice Be Heard**

Produced for the Town of Warrenton 2040 Comprehensive Plan



## Plan Warrenton 2040 Vision : Your Town, Your Neighborhood, Your Plan

Warrenton in 2040 is a vibrant historic town with a strong sense of place. Families, retirees, students, young people just starting out, professionals, and business entrepreneurs live here because we have great pride in our community character, a healthy community and quality of life, and are economically strong and resilient.

Warrenton in 2040 has great neighborhoods, historic character and charm, community facilities and places to gather that reflect distinct architecture, and human-scaled design and housing options to meet people’s needs at different stages of life.

Warrenton in 2040 is a healthy community with a thriving arts and cultural scene, well designed parks and open spaces for all citizens, access to local foods, interconnected trails, educational options, and nearby wellness services. Our residents enjoy safe streets and the ability to enjoy a 10-minute walk, bike ride or local bus trip to their favorite Town park, shopping area or other destination. Commercial corridors are thriving economically and support a mix of transportation modes designed to make them walkable and accessible.

Our Town is fiscally sound, and we provide a high level of services and public amenities for our citizens and visitors to enjoy.

Warrenton is recognized nationally as one of the best places to live, work and visit in the Virginia Piedmont region.

We are thriving as the county seat of Fauquier, where we have a clustering of jobs in government services, healthcare, education, tourism, non-profits, high-tech and specialty trades. We attract visitors to our Town that enjoy authentic experiences derived from our historic resources, recreational and wellness assets, local art, and local foods. People visit us for a day or stay for the weekend to escape the hustle and bustle of other parts of the region. We are a place where people want to be in 2040 and for a lifetime.



## HISTORIC RESOURCES GOALS



- HR-1: Conserve, reuse, and promote historic resources to enhance the Town’s sense of place and grow the economy.
- HR-2: Preserve the authenticity and tell the stories of historic resources for generations to come through documentation.
- HR-3: Educate the community on the value of historic resources.
- HR-4: Enhance the environment through preservation and sustainability best practices.
- HR-5: Protect the rich histories of existing neighborhoods.
- HR-6: Promote asset-based economic development through historic resources.

## COMMUNITY FACILITIES GOALS



- CF-1: Serve as the central inviting public service center for Town and County residents with a proportionate share of community services provided by other governments, including a fair and reasonable balance in funding sources for community facilities.
- CF-2: Public safety services and policies are viewed as amongst the best in similar Virginia towns for the responsiveness, community trust, and effectiveness.
- CF-3: Green infrastructure and sustainability are incorporated into community facilities to promote energy efficiency and environmental protections.
- CF-4: Ensure healthy, safe, adequate water and wastewater services.
- CF-5: To provide a fiscally responsible infrastructure that maintains a high quality of life for residents, supports current businesses, and attracts new employers with a stable tax structure.
- CF-6: Identify telecommunications facility locations to ensure a broad range of communications services that also respect the character and viewsheds of the Town.

## HOUSING GOALS



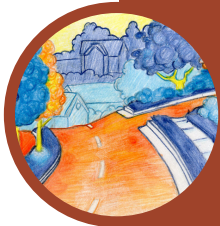
- H-1: Ensure equitable, attainable housing opportunities across residents of all ages, incomes, and abilities by catering to the needs of a diverse community, including young families, professionals early in their careers, essential workforce, and those entering retirement.
- H-2: Character Districts will accommodate a balance of available housing typologies that are compatible to existing neighborhoods in scale, character, and transition.
- H-3: Preserve existing neighborhoods and promote infill that supports the character and heritage of Warrenton.
- H-4: Create regional partnerships to address and enhance attainable housing supply.

## OPEN SPACE, PARKS, & ENVIRONMENT GOALS



- P-1: Preserve, enhance, and protect the environmental, scenic, and natural quality of the Town.
- P-2: The Town of Warrenton’s Parks, Open Space, and Environment serve as key elements to the Town’s public health
- P-3: infrastructure. All Town residents will have the opportunity to access its recreational assets and natural resources, including public spaces and recreational amenities.
- P-4: Create a long-term approach to the development of parks, recreation, and open space in the Town of Warrenton.

## TRANSPORTATION & CIRCULATION GOALS



- T-1: Improve multi-modal capacity and safety that encourages trips by walking, bicycling, and transit.
- T-2: Enhance the traveling experience by creating great streets.
- T-3: Promote livability in the Town by creating great places where residents and visitors feel welcome and safe.
- T-4: Provide an equitable and connected Multi-Modal Network.

## ECONOMIC & FISCAL RESILIENCE GOALS



- E-1: Grow a strong, diversified, and resilient economy that supports residents and businesses alike.
- E-2: Increase the employment base to allow residents to live and work in Warrenton.
- E-3: Promote Warrenton as a cultural, entertainment, and arts center.
- E-4: Support Character Districts as unique mixed-use neighborhood centers.
- E-5: Be proactive in the Town's Economic Development.

## LAND USE & CHARACTER DISTRICTS



- L-1: Organize Land Use According to Character Districts in select areas and protect existing neighborhoods.
- L-2: **Old Town Character District:** The Old Town Character District will include a mix of infill and new mixed-use development that is designed to maintain, preserve, reuse, and renovate Old Town's historic character.
- L-3: **New Town Character District:** The New Town Character District will support the revitalization of the commercial shopping malls with a walkable development pattern that includes a mix of uses, green space and public amenities, as well as provide a location for a major employer.
- L-4: **Health and Wellness Character District:** The Health and Wellness Character District will support and promote a mix of uses that are health related, such as workforce housing, medical and emergency services and aging in-place related uses.
- L-5: **Greenway and Makers District Character District:** The Greenway and Makers District will be promoted as the southern gateway into the Town and maintain the critical linkages between education, civic uses, and the surrounding neighborhoods, as well as the remaining industrial uses located in the Town.
- L-6: **Experience Broadview Character District:** The Experience Broadview Character District will maintain and enhance the existing commercial corridor with mixed use residential nodes to serve as transitions to adjacent neighborhoods.



PLAN WARRENTON 2040

# HISTORIC RESOURCES

“My favorite place in Warrenton is the [Old] Jail Museum. I love historical things. I like hearing what it was like back in the old days.” *Brittan, Age 9*



*Main Street, 2019.*

## Vision

In the 21st Century, Warrenton’s historic fabric will be the place-making feature that continues to give the Town its unique identity, its character, and its feeling of home. Residents and visitors alike will appreciate the unique and distinctive heritage of this place while understanding the Town’s historic fabric is what makes Warrenton, Warrenton.

The Town and property owners will work toward a common goal of preserving the historic built environment for current and future generations, knowing their efforts will strengthen Warrenton’s neighborhoods, complement place-based economic development, encourage local economic growth, promote equity of its residents, and conserve natural resources.

Key aspiration related to vision include:

- Conserve, reuse, and promote historic resources to enhance the Town’s sense of place and grow the economy through economic activity.



# GOALS

## HR-1: Conserve, reuse, and promote historic resources to enhance the Town’s sense of place and grow the economy.

### POLICIES & STRATEGIES

**HR-1.1:** Maintain the Historic District Guidelines to ensure relevant information is available by correlating modern building materials, preservation practices, and other forms of legislation.

**HR-1.2:** Create a Historic Preservation Plan to define the Town’s long-range historic resource goals and implementation standards.

**HR-1.3:** Update the Zoning Ordinance to complement Historic District Guidelines and Preservation Plan.

**HR-1.4:** Reward responsible property owners by streamlining the permitting process.

**HR-1.5:** Incentivize investment of responsible property owners through maintenance programs and tax incentive education.

**HR-1.6:** Explore all viable options to preserve and maintain historic resources, regardless of whether in the Local or National Historic District.

## HR-2: Preserve the authenticity and tell the stories of historic resources for generations to come by thorough documentation.

### POLICIES & STRATEGIES

**HR-2.1:** Maintain an accurate inventory of historic resources that stays current with the Period of Significance and integrates with the Town’s Geographic Information System (GIS).

**HR-2.2:** Update the National Register of Historic Places nomination to align with the local Historic District boundaries.

**HR-2.3:** Identify potential new historic resources that are eligible under the Period of Significance.

## HR-3: Educate the community on the value of historic resources.

### POLICIES & STRATEGIES

**HR-3.1:** Promote the Architectural Review Board as a resource for the entire community to consult on matters of materials, scale, massing for preservation, and new build best practices.

Item A.

### TOWN HISTORY & DEVELOPMENT

Outline of the Town development over 200 years and the background related to policies and information for historic resources.

### WARRENTON HISTORIC DISTRICT

Updated information regarding the formation and development of the National and Local Warrenton Historic Districts, their relation to Town wide resources, and community importance.

### VDHR VCRIS DATABASE

External link to the Virginia Department of Historic Resources VCRIS Database listing all Historic District surveys.

### HISTORIC NEIGHBORHOODS

Descriptions of assessed historic neighborhoods with historic background and images where available.

### HISTORIC RESOURCES

**HR-3.2:** Provide information to the community on federal, state, and local economic incentives available to help finance rehabilitation and restoration.

**HR-3.3:** Raise awareness of cultural and historic resources through awards programs, heritage related signage, events and tours, and training.

## HR-4: Enhance the Environment Through Preservation and Sustainability Best Practices.

### POLICIES & STRATEGIES

**HR-4.1:** Update the Historic District Guidelines and Zoning Ordinance to keep pace with emerging energy saving technologies promoted by the U.S. Secretary of the Interior.

**HR-4.2:** Encourage adaptive reuse of historic buildings to reduce new carbon footprints and resource consumption.

**HR-4.3:** Educate property owners on LEED Certifications when rehabilitating structures.

## HR-5: Protect the Rich Histories of Existing Neighborhoods.

### POLICIES & STRATEGIES

**HR-5.1:** Explore a Historic Gateway Corridor Overlay District.

**HR-5.2:** Creation of new local historic districts in appropriate existing neighborhoods within the period of significance to protect from demolition and provide review for by-right new builds.

**HR-5.3:** Help property owners preserve the historic building stock through maintenance programs.

**HR-5.4:** Ensure all infill is context sensitive and respects the existing character of the surrounding area.

## HR-6: Promote Asset-Based Economic Development Through Historic Resources

### POLICIES & STRATEGIES

**HR-6.1:** Encourage heritage tourism showcasing the Town's unique cultural resources.

**HR-6.2:** Partner with the Town's Main Street organization and other entities to strengthen economic opportunities highlighting the Town's historical, arts, and culinary assets for placemaking events.

**HR-6.3:** Conserve the natural and market-built landscape to encourage investments and job creation in historic resources.

## METRICS

1. The creation of a comprehensive survey, including all parcels with both the National and Local historic significance.
2. Submission of a successful National Register of Historic Places district nomination update or expansion, approved by the Virginia Department of Historic Resources and the National Parks Service.
3. Complete a reconnaissance-level survey of historic-age resources throughout the Town.
4. Town sponsorship of one or more cultural resource training event(s) per year.
5. Review, revise, and amend the Warrenton historic preservation ordinance.
6. Initiate the Historic Gateway Corridor Overlay District through a zoning ordinance.
7. The completion of a stand-alone Historic Preservation Plan.

*Item A.*

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PLAN WARRENTON 2040

# COMMUNITY FACILITIES

“The [police] are important because if something goes wrong, they will be there. Also, in the mornings they give you free breakfast.” *Ashleigh, Age 9*



*Warrenton Volunteer Fire Department, 2019.*

## Vision

In 2040 Warrenton residents and visitors alike benefit from strategic investments in accessible community facilities located throughout the Town that meet the 2040 vision of providing a high quality of life to a diverse community. Community facilities play an important role in a healthy, safe, and connected community. Recognizing Town residents are also County residents, in 2040 County facilities continue to be integrated into the fabric of the Town of Warrenton, providing economic benefits to reinforce the Town’s vibrant small-town appeal, while promoting the Town’s health by connecting assets and building on an economic and fiscal resilience strategy.

Key aspirations related to this vision include:

- Foster high-quality, equitable, and accessible community facilities that meet the Town’s service requirements and support a high quality of life for the community.
- Make responsible and strategic community facility investments that support the Town’s vision for a live/work community, sustaining its fiscal well-being and economic resiliency.
- Promote sustainability in all Town-owned facilities.
- Reinforce the role of County community facilities into the Town fabric
- Promote livability through properly located Town services, schools, libraries, courts, and County administrative functions.
- Support the connection of residential dwellings to public water and sewer.
- Provide a high quality of life to capture economic benefits through diverse businesses, employers, and residences.

# GOALS

**CF-1: Serve as the central, inviting public service center for Town and County residents with a proportionate share of community services provided by other governments, including a fair and reasonable balance in funding sources for community facilities.**

## POLICIES & STRATEGIES

- CF-1.1:** Foster high-quality, equitable, and accessible community facilities that meet the Town’s service requirements and support a high quality of life for the community.
- CF-1.2:** Locate in person customer-serving facilities in high-visibility areas and incorporate design elements that speak to the character of the Town. Use technology and electronic capabilities to promote efficiencies for services.
- CF-1.3:** Ensure that community facilities are accessible to persons in all stages of life and all abilities.
- CF-1.4:** Encourage and strengthen a sense of community and the character of Warrenton through the design and appearance of public facilities.
- CF-1.5:** Encourage the use of community facilities and grounds for community events and public functions.
- CF-1.6:** Provide efficient, right-sized community facilities that meet identified levels of service.
- CF-1.7:** Address space needs in a cohesive partnership with the County, courts, and other agencies.
- CF-1.8:** Emphasize the retention of key economic driving facilities such as, County courts, library, school and administration offices, as well as the Post Office.
- CF-1.9:** Continue to promote Fauquier Hospital and Fauquier County as a contributor to the Health and Wellness Character District.
- CF-1.10:** Implement infrastructure improvements that benefit county-owned community facilities.
- CF-1.11:** Identify synergy between the Town’s and County’s Capital Improvement Programs and the infrastructure priorities in areas that serve Town residents like libraries, schools, and social services.
- CF-1.12:** Encourage schools to retain their presence in Town in walkable, safe, environmentally appropriate locations.

## EXISTING CONDITIONS BACKGROUND

### COMMUNITY FACILITIES (TOWN, COUNTY, & PRIVATE)

Overview of the current facilities owned or provided in the Town boundaries.

### WATER & WASTEWATER

Information on the status of water and wastewater facilities and capacities in and around the Town.

### TELECOMMUNICATIONS & BROADBAND

Capacity and demand analysis for telecommunication in the region.

### CRITICAL FACILITIES (HAZARD MITIGATION)

Emergency services in Town and future needs.

## **CF-2: Public safety services and policies are viewed as amongst the best in similar Virginia towns for the responsiveness, community trust, and effectiveness.**

### **POLICIES & STRATEGIES**

- CF-2.1:** Maintain accepted level of service in terms of staffing and response times.
- CF-2.2:** Incorporate security measures designed to be unobtrusive but affording protection for citizens and users alike at community built and electronic facilities.
- CF-2.3:** Partner with County on their space and operational needs for the Sheriff's Office, Joint Communications, and Fire Rescue and Emergency Management.
- CF-2.4:** Identify and provide new substation and public safety facilities as new development/redevelopment occurs.
- CF-2.5:** Continue cooperative agreements with the County for public safety needs.

## **CF-3: Green infrastructure and sustainability are incorporated into community facilities to promote energy efficiency and environmental protections.**

### **POLICIES & STRATEGIES**

- CF-3.1:** Promote energy efficiency, green infrastructure, pervious surfaces, and healthy building environments in all community facilities and parking lots through a Green Infrastructure and Facilities Program. Leverage green infrastructure and ecosystem services as key economic and health benefits to the Town.
- CF-3.2:** Prioritize energy and water conservation and waste reduction in community facilities.
- CF-3.3:** Promote the use of third-party building certification systems such as Leadership in Energy and Environmental Design (LEED) in the design of public facilities.
- CF-3.4:** Where appropriate, encourage the design of community facilities in a multi-story configuration to reduce building footprints.
- CF-3.5:** Encourage water conservation and adopt new technologies to conserve water in the Town's administrative buildings.
- CF-3.6:** Promote use of native and water-conserving landscaping in the design of community facilities.
- CF-3.7:** All public facilities and utilities should be designed and developed so as to limit environmental degradation and protect the public environment. Safeguard floodplain and environmentally critical areas through the prohibitions against public facility development.
- CF-3.8:** Minimize impervious areas in new developments and future road construction projects, thereby reducing stormwater flows and impacts to the Municipal Separate Storm Sewer System program.

## CF-4: Ensure healthy, safe, adequate water and wastewater services.

### POLICIES & STRATEGIES

**CF-4.1:** Maintain a reliable and sufficient quantity of wastewater treatment capacity and a sufficient quantity and quality of public water supply to meet the needs of expected long term residential and commercial growth.

**CF-4.2:** Meet the future infrastructure needs through careful planning and acquisition of required permits.

**CF-4.3:** Reduce Infiltration and Inflow (I&I) and promote sustainability within the wastewater infrastructure system.

**CF-4.4:** Ensure that the fee/rate structure is consistent with water and wastewater capital works expenditure to ensure financial operating capacity of the public works department.

**CF-4.5:** Evaluate and update the Town of Warrenton – Fauquier County Master Water and Sewer Plan’s Tri-Party Agreement as needed, creating a regional strategy for future needs, and reevaluating the Town boundaries in relationship to its service areas.

**CF-4.6:** Continue installing smart metering systems to identify user demands and optimize the load on the water system.

**CF-4.7:** Explore policies that give credits for development that use water conservation practices and reduce water consumption.

**CF-4.8:** Explore resources to help property owners and promote connection to public water and sewer within the Town boundaries.

## CF-5: To provide a fiscally responsible infrastructure that maintains a high quality of life for residents, supports current businesses, and attracts new employers with a stable tax structure.

### POLICIES & STRATEGIES

**CF-5.1:** Implement robust maintenance schedules on community facilities to extend the life of investments.

**CF-5.2:** Support the Town’s current and future population through the provision of timely and comprehensive community facilities.

## METRICS

1. Development and maintenance of community facilities that meet the needs of the existing and future populations.
2. Increase of community facilities provision consistent with the LOS guidelines.
3. County, court, and school buildings that meet space needs while maintaining a Town address.
4. Construction of sustainable LEED-certified projects.
5. Increase patronage and promote greater user value for community facilities.
6. Invest in walkability improvements, transportation accessibility and linkages.
7. Increase in private developer interest in the Town.
8. Number of households or total population served by water and wastewater facilities.
9. Reduce I&I each year.
10. Number of buildings or developments with water conservation techniques or technologies installed.

**CF-5.3:** Anticipate and provide community resources where needed.

**CF-5.4:** Evaluate broadband to provide reliable high-speed broadband service to customers to attract residents and businesses and support civic, social, and educational purposes.

## **CF-6: Identify telecommunications facility locations to ensure a broad range of communications services that also respect the character and viewsheds of the Town.**

### **POLICIES & STRATEGIES**

**CF-6.1:** Survey and determine potential locations of future telecommunication facilities that address needs.

**CF-6.2:** Locate facilities in a manner that is compatible with adjacent and nearby uses and in conformance with federal, state, and county requirements and procedures for review and approval of such facilities.

**CF-6.3:** Prioritize and encourage wireless network deployment in a manner that protects the Town's historic resources, scenic byways, recreational amenities, visual landscape, natural resources.

**CF-6.4:** Prioritize and encourage the collocation of wireless facilities on any existing buildings or structures, such as the water tower.

**CF-6.5:** Develop new wireless structures only if it can be shown that no alternative location or co-location on existing structure is possible, that there is a justified need for service, and if service cannot be provided in any other way.

The hierarchy of preferred new telecommunication facilities, from most desirable to least, is:

- 1) co-location antenna on existing tower
- 2) co-location antenna on existing buildings or structures not a tower
- 3) non-concealed antenna on existing building or structures not a tower
- 4) concealed support structure
- 5) an un-concealed support structure (prohibit guyed and lattice towers)

**CF-6.6:** New telecommunication structures are prohibited in the Historic District.

## **METRICS**

**11. Develop a plan addressing the telecommunications infrastructure and broadband that meets the needs of the community and preserves community character.**

**12. Implementation of Green Infrastructure and Facilities program.**

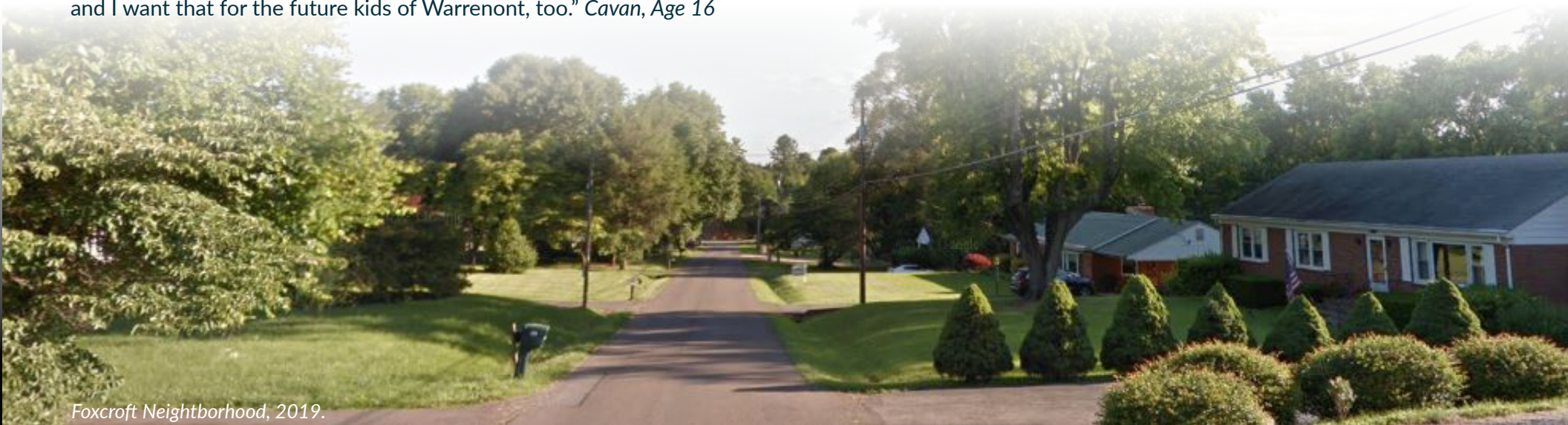


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# PLAN WARRENTON 2040 HOUSING

“I want Warrenton to be like it is today with a few additions [in 25 years]... Warrenton has become a great place for me to grow up and go to school and I want that for the future kids of Warrenont, too.” *Cavan, Age 16*



*Foxcroft Neighborhood, 2019.*

## Vision

In 2040, Warrenton will have inclusive and attainable housing for all ages, incomes, and needs that is compatible with existing Town character to create walkable communities with shared open space and a sense of place.

Existing housing stock is improved and maintained to preserve established residential neighborhoods, while expanding housing options in Character Districts to ensure that the Town supports infill development that contributes to the Town’s small town feeling where neighbors know their neighbors.

Key aspirations related to this vision:

- Allow for housing types that cater to the needs of a diverse community: include young families, professionals early in their careers, essential workforce (e.g. teachers and police officers), and those entering retirement.
- Design new housing developments as walkable interconnected communities with shared open spaces, creating a sense of place.
- Promote Character Districts as the place to accommodate a range of housing typologies. Place an emphasis on physical form of the housing (e.g. number of stories, building profile, and appropriate transitions to adjoining neighborhoods), while protecting the character of existing residential neighborhoods.

# Housing Recommendations

When considering implementation, conventional zoning that separates land uses and measures development intensities by dwelling units per acre (DU/AC) is not compatible with a vision of mixed-use, walkable neighborhoods with a range of housing types. The Character Districts use physical form rather than a separation of uses as the organizing

principal, providing a framework for the implementation of middle-range housing. For each Character District, the number of stories, setbacks, and range of design elements (such as exterior materials, terraces, stoops, awnings, etc.) are articulated to provide the Town with options to ensure its small-town character and friendly street frontages are maintained

Middle-range housing types are similar in form and scale to detached, single-family homes, but with more units, they often vary dramatically in their densities, making them impossible to regulate with a traditional dwellings-per-acre density-based system. For example, four (approximately 750 square foot) bungalow court homes cannot become part of a single-family residential zoning district that allows one 2,400 square foot home on a 10,000 square foot lot. The dwelling units per acre would be significantly higher than what is typically allowed in this zoning district. If the density requirements for a zoning district are revised accordingly, the chances are high that a typical multi-family building will be built. Setting district standards based on form (e.g., height, setbacks) rather than density offers flexibility to achieve the middle-range housing types desired by current and potential future residents. Specific zoning recommendations for middle-range housing types are provided in the Goals and Strategies section of this chapter.

## Missing Middle Housing Options



# GOALS

**H-1: Ensure equitable, attainable housing opportunities across residents of all ages, incomes, and abilities by catering to the needs of a diverse community, including young families, professionals early in their careers, essential workforce, and those entering retirement.**

## POLICIES & STRATEGIES

**H-1.1:** Encourage development of the “Missing Middle” housing types beyond traditional single-family homes, townhouses, and apartments by updating the Zoning Ordinance to create a beneficial mix.

### Accessory Dwelling Unit (Carriage House or ADU)

An accessory structure typically located at the rear of a lot providing space for a small residential unit, home office, or other small commercial or service use. This unit could be above a garage or at ground level.

#### Duplex: Side-by-Side

A small to medium-sized structure that consists of two dwelling units, one next to the other, both of which face and are entered from the street.

#### Duplex: Stacked

A small to medium-sized structure that consists of two dwelling units, one on top of the other, both of which face and are entered from the street.

#### Fourplex

A medium-sized structure that consists of four units: typically, two on the ground floor and two above often with a shared entry.

#### Bungalow Court

A series of small, detached structures providing multiple units arranged to define a shared court that is typically perpendicular to the street. The shared court takes the place of a private rear yard and is an important community-enhancing element.

### Courtyard Apartments

A medium to large-sized structure consisting of multiple side-by-side and/or stacked dwelling units accessed from a courtyard or series of courtyards. Each unit may have its own individual entry or up to three units may share a common entry.

### Townhouse

A small to medium-sized structure consisting of two to eight (usually) attached single-family homes placed side by side.

### Multiplex Apartment

A medium structure that consists of five to 10 side-by-side and/or stacked dwelling units, typically with one shared entry or individual entries along the front.

### Live/Work

A small to medium-sized attached or detached structure consisting of one or two dwelling units above or behind a flexible ground-floor space for residential, service, or retail uses. Both the primary ground-floor flex space and the second unit are owned by one entity.

## EXISTING CONDITIONS & BACKGROUND

## WHAT IS ATTAINABLE HOUSING?

## RANGE OF HOUSING TYPES

Frurther definition for what a range in housing type looks like and how it interacts with the community.

## DEMOGRAPHIC & HOUSING ANALYSIS

White Paper analysis identifying demographic and housing information on the Town.

## ZONING RECOMMENDATIONS

## PREVIOUS STUDIES & TOWN INITIATIVES

## REGIONAL HOUSING STUDY

## DENSITY BONUS RECOMMENDATIONS

- H-1.2:** Create a range of housing types that are compatible to existing neighborhoods in scale and character to attract a more diverse demographic.
- H-1.3:** Encourage the development of workforce housing by revising the existing density bonus program.
- H-1.4:** Expand the Accessory Dwelling Unit (ADU) ordinance by updating the Zoning Ordinance to allow for greater lot coverage for development of detached ADUs (i.e. converted garage or granny unit) and set appropriate square footage maximums.
- H-1.5:** Encourage the use of universal design principles for new construction and home renovations to allow residents to age-in-place.
- H-1.6:** Promote aging in place policies and revise the Zoning Ordinance to facilitate multi-generational residential development.
- H-1.7:** Engage community partners and residents to create a committee to address affordability, optimum percentages of housing typology mix, and design.



## H-2: Character Districts will accommodate a balance of available housing typologies that are compatible to existing neighborhoods in scale, character, and transition.

### POLICIES & STRATEGIES

**H-2.1:** Place an emphasis on physical form of the housing (e.g. number of stories, building profile, and appropriate transitions to adjoining neighborhoods) by updating the Zoning Ordinance, while protecting the character of existing residential neighborhoods.

**H-2.2:** Increase opportunities for multi-family and mixed-use residential development by updating the commercial corridors in the Character Districts to allow for appropriate use and scale transitions into existing neighborhoods.

**H-2.3:** Review the Zoning Ordinance minimum lot size, density requirements, setbacks, parking requirements, and open space requirements to realize opportunities to encourage affordability without sacrificing Warrenton's character and place-based, walkable design.

**H-2.4:** Examine allowing fee waivers and tax exemptions relating to lot and building regulations and the creation of Incentive Housing Zones to offer exemptions to regulations.

## H-3: Preserve existing neighborhoods and promote infill that supports the character and heritage of Warrenton.

### POLICIES & STRATEGIES

**H-3.1:** Encourage property owners for both rentals and owned homes to undertake renovations to modernize and maintain the Town's housing stock.

**H-3.2:** Preserve the existing neighborhoods by maintaining and improving existing housing stock for all income levels through financial incentives.

## METRICS

- 1: Measure the total number of net new housing units by type.
- 2: Net new ADUs created by 2040.
- 3: Net new housing in mid-range housing price point and at varying density levels by 2040.
- 4: Total number of net new housing enabled by total DUs per acre by 2040.
- 5: Percentage of housing at price points affordable to households earning between 60 percent and 120 percent of resident AMI.
- 6: Track the number of new and renovated housing units that include universal design principles.
- 7: Measure the number of properties that have been rehabilitated, retained, and improved.
- 8: Measure the number of renovated housing units.

## H-4: Create regional partnerships to address and enhance attainable housing supply.

### POLICIES & STRATEGIES

- H-4.1:** Engage and expand existing partnerships for the rehabilitation and retention of existing affordable housing.
- H-4.2:** Continue working with non-profit partners to acquire at-risk properties to protect, rehabilitate, and retain affordable housing stock.
- H-4.3:** Partner with Commonwealth, County, and regional stakeholders to provide financing tools to defray costs for construction/renovation of accessory dwelling units.
- H-4.4:** Encourage establishment and participate in a Housing Committee to address affordability on a regional level and the recommended qualifications of established Area Median Income.

# HOUSING QUICK STATS

## WARRENTON



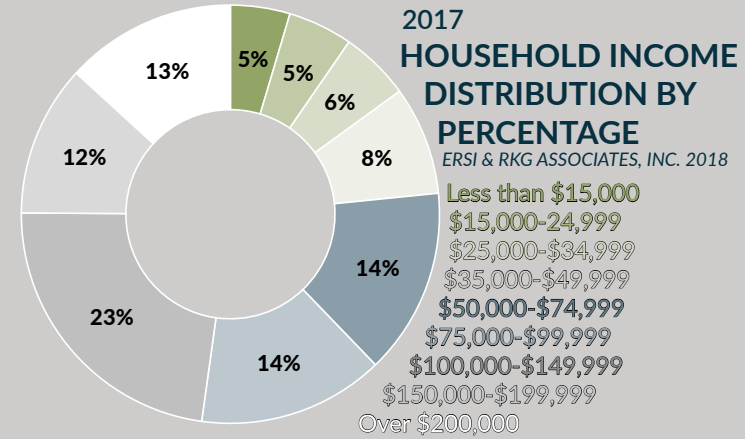
AVERAGE  
**6.2**  
New Construction  
houses built (based on 5-year data)



2017 AVERAGE  
**2.52**  
Household Size

AVERAGE  
**61.7%**  
Owner Occupied Housing Unit  
(based on US Census 2014-2018 data)

**75.3%**  
Single Family  
(attached and detached dwellings)  
46.8% DETACHED  
28.5% ATTACHED  
5.4% 2-4 UNITS  
18.9% 5+ UNITS  
.30% OTHER



## FAUQUIER COUNTY

“Since 1967, the underpinning of the Fauquier County planning goal is to concentrate and guide growth into Service Districts.”  
Fauquier County Comprehensive Plan



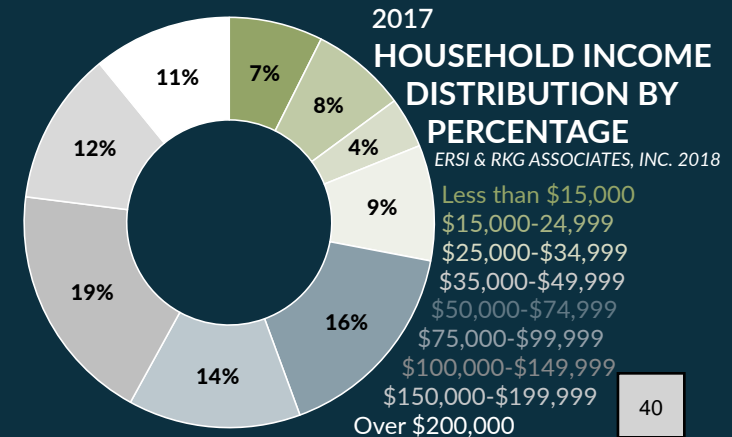
**4.1**  
average new housing permits  
per 1,000 population in Virginia  
(based on 2019 US Census data)

NEW DWELLING PERMITS  
**30%**  
In-Service District

NEW DWELLING PERMITS  
**70%**  
Rural

AVERAGE  
**78.2%**  
Owner Occupied Housing Unit  
(based on US Census 2014-2018 data)

**90%**  
attached and detached single  
family homes in Fauquier County  
59.9% SINGLE FAMILY  
3.5% MULTI FAMILY  
8% GOVERNMENT  
28.6% COMMERCIAL/ INDUSTRIAL







# PLAN WARRENTON 2040

# OPEN SPACE, PARKS, & ENVIRONMENT

“In 25 years I wish to have a garden area where people could plant or pick!...I wonder if maybe this will help our town become a more healthy and clean place.”



**Economic & Fiscal Resilience**

**Community Character**

**Community Health**

Rady Park, 2017.

## Vision

In 2040, Warrenton will boast an accessible network of active and passive open spaces that contribute to the community’s well-being, while protecting the environmental health and unique natural features, to be enjoyed by a diverse mix of residents and visitors. The Town’s open space, parks, trails, and rural buffer are just as much part of the aesthetic and image of the community as Old Town and Main Street, providing an important facet to the Town’s character.

Key aspirations related to this vision:

- Embrace a long term approach to the development of open space, parks and recreation areas, and environment that provides safe, interconnected spaces that reflect the needs and priorities of the residents of the Town.
- Protect and enhance environmental features that honor the natural beauty of the Town’s rolling hills, water features and springs, viewsheds, and native flora and fauna.
- Ensure access to a green space, trail, park, parklet, or pedestrian trail from anywhere within the Town.
- Incorporate green infrastructure and low-impact development into all new facilities.
- Promote a healthy community lifestyle through nature, active mobility, healthy food, and social interactions.
- Recognize that the visitor experience in open space parks is paramount, regardless of the size of the land. The Town will ensure equal consideration will be given throughout the Town for passive and active amenities.
- Aspire for open space access within a 10 minute walk radius.

# GOALS

## P-1: Preserve, enhance, and protect the environmental, scenic, and natural quality of the Town.

### POLICIES & STRATEGIES

- P-1.1:** Create an environmental resources map that includes floodplains, wetlands, perennial streams, steep slopes, soils, Heritage trees, tree cover, and viewsheds. Consider adopting performance measures into the Zoning Ordinance to protect these features.
- P-1.2:** Incorporate green infrastructure and low impact development into new open space and park development and improvements to existing open spaces.
- P-1.3:** Use a nature-based systems approach in development to mitigate stormwater and improve habitat within the Town’s open spaces.
- P-1.4:** Protect and enhance environmental features that honor the natural beauty of the Town’s rolling hills, water features and springs, viewsheds, and native flora and fauna through policies and development regulations.
- P-1.5:** Minimize the loss of existing tree cover and promote the addition of new trees in the development process to realize air, noise, and water quality benefits as well as habitat preservation, reduced stormwater management costs, carbon sequestration, and energy conservation.
- P-1.6:** Review the landscaping requirements and update as necessary to reflect native species and best practices.

### EXISTING CONDITIONS & BACKGROUND

Information regarding elements of the Town’s current environment.

### PARKS FACILITIES & AMENITIES

### OPEN SPACE & NATURAL ENVIRONMENT

### WATERSHEDS & FLOODPLAINS

### SOILS & TYPOLOGY

### CLIMATE

### SOIL MAPPING

Custom Soil Resource Report for the Town of Warrenton.

### WATERS OF WARRENTON

Flood hazard zones and wetlands.

## P-2: The Town of Warrenton’s Parks, Open Space and Environment serve as key elements to the Town’s public health infrastructure.

### POLICIES & STRATEGIES

- P-2.1:** Provide a dynamic system of safe, interconnected spaces for a variety of public uses that promote healthy, active, recreational activities in spaces throughout the Town. These spaces will reflect the culture, ecology, and natural environment of Warrenton.
- P-2.2:** Recognize that the visitor experience in open space parks is paramount, regardless of the size of the land. The Town will ensure equitable consideration will be given throughout the Town for passive and active amenities.
- P-2.3:** Build connectivity improvements for sidewalks, shared roadways, and trails, including improving access and use of the Greenway Trail.
- P-2.4:** Dedicate Capital Improvement Program funding for land acquisition to create new public parks and open space.
- P-2.5:** Increase the number of safe routes for pedestrians, including safe routes to schools and parks, homes, and workplaces. Focus on increasing Walk Scores that rate safe active transportation routes.
- P-2.6:** Promote and support community gardens that will be managed by committed community groups, such as schools, clubs, and neighborhoods.

### CHARACTER DISTRICT PARK DESIGN ELEMENTS

Guidance on elements of open space, parks, and environment tailored to each Character District. (Please see Land Use & Character District for more information on each Character District.)

### EVA WALKER PARK MASTER PLAN

Complete master plan for Eva Walker Park adopted by Town Council on February 9th, 2021.

## METRICS

### P-3: All Town residents will have the opportunity to access its recreational assets and natural resources, including public spaces and recreational amenities.

#### POLICIES & STRATEGIES

- P-3.1:** Ensure a 10-minute walk to a green space, trail, park, parklet, or pedestrian trail from anywhere within the Town per Trust for Public Land and NPRRA guidance.
- P-3.2:** Acquire additional park and recreation spaces throughout the Town in areas that currently do not have these resources within a 10-minute walk (half mile radius).

### P-4: Create a long-term approach to open space and environment, preserving existing trees and parks in the Town of Warrenton.

#### POLICIES & STRATEGIES

- P-4.1:** Create a Town-wide Tree Plan that promotes the health of the community by increasing the total tree canopy of Warrenton's public open spaces and parks through targeted stewardship.
- P-4.2:** Partner with the County to maintain rural buffers around the Town.
- P-4.3:** Develop a System Parks Master Plan for the Town to guide long term investments.

1. Track parks, recreation, and open space success through public engagement surveys
2. Measure increasing percentage of residential units within a half mile of trail, green space, park, or parklet, number of linear feet (LF) of new trails and sidewalks built annually.
3. Measure participation in public events.
4. Measure the percentage of residential units within a half mile of a trail, green space, or parklet, and LF of new trails and sidewalks built annually.
5. Measure the number of new permanent, temporary, or pop-up parks.
6. Measure the total number of green infrastructure projects built over time.
7. Measure LF of improvement, Americans with Disabilities Act (ADA) access, and the number of new light fixtures added annually.
8. Measure square footage of garden space and community.
9. LF of new sidewalk and number of new canopy trees planted for each new or retrofitted residential development frontage.
10. Number of trees maintained and new trees planted.



PLAN WARRENTON 2040

# TRANSPORTATION & CIRCULATION

"I want there to be a quicker road to Prince William County. My dad teaches there and I want him to come home earlier." Tommy, Age 10

*Circuit Rider at the Courthouse, photo courtesy of the PATH Foundation*

## Vision

In 2040, Warrenton residents and businesses benefit from strategic investments in a safe, vibrant, and interconnected multi-modal transportation network. This network promotes a pleasant travel experience for all modes, creates an accessible business environment, and provides a desirable place for a diversity of residents and their employers, all while preserving the Town's character and established neighborhoods.

Key aspirations related to this vision:

- Improve multimodal safety by enacting access management strategies, incorporating bike-friendly policies into new development standards, and deconflicting through-travel and local traffic movements.
- Enhance the traveling experience into and throughout Town by recognizable gateways, implementing complete street typologies, increasing the attractiveness of public transit, and enacting innovative parking strategies to foster greater economic activity.
- Promote livability in the Town by integrating multi-modal, interconnected transportation solutions with land use development in each mixed-use Character District and applying traffic calming techniques that foster and protect non-vehicular street activities in established residential neighborhoods.
- Require linkages and connectivity that reduces dependence on the car for local trips, enlivens commercial areas, and addresses accessibility gaps and barriers currently limiting mobility.

# Strategies for Implementation

Implementing transportation improvements requires many resources. Smaller towns like Warrenton, which own and maintain their roads often seek grant funding to help support projects. Grants are extremely competitive, requiring the Town to work closely with the Virginia Department of Transportation throughout the process. Below is an outline of the most applicable Federal and state grant funds the Town considers for transportation improvements.

## Highway Funding:

Implementation of the recommended improvements will require the successful identification of funding sources. The VDOT SMART SCALE Program is a process that invests in projects that meet the most critical transportation needs in the State. Projects are evaluated based on improvements in certain categories such as congestion and safety. At the corridor level, more specific strategies and operational improvements can be assessed in studies and implemented using a variety of funding sources, including Federal funding streams such as the Surface Transportation Program (STP), National Highway System (NHS) funds, the Congestion Mitigation and Air Quality Improvement (CMAQ) Program, Revenue Sharing, and the Highway Safety Improvement Program (HSIP), as well as through State or local funding or other discretionary funding sources. For larger projects, particularly capacity-adding projects, demand management and operational strategies should also be analyzed for incorporation in the project as part of the project development process.

## Bicycle/Pedestrian Funding:

- The SMART SCALE program is a competitive application process and scores projects based on an objective, outcome-based process. Bicycle and pedestrian improvements are eligible for SMART SCALE funding.

- The Transportation Alternatives (TA) Set-Asides are intended to improve non-motorized transportation, enhance the public's traveling experience, revitalize communities, and improve quality of life. The program requires a 20 percent local match (80 percent Federal).
- The Revenue Sharing Program provides additional funding for use by a county, city, or town to construct or improve the highway systems within such county, city, or town, with statutory limitations on the amount of State funds authorized per locality. The program requires a 50 percent local match (50 percent State) and a portion of the funds must be expended within 1 year of allocation. Sidewalks and shared-use paths are eligible activities under the Revenue Sharing Program.
- The Highway Safety Improvement Program (HSIP)'s Bicycle and Pedestrian Safety Program (BPSP) provides funds for implementing short-term, low-cost bicycle and pedestrian safety projects in Virginia. This initiative is administered by evaluating each project application on a case-by-case basis and does not require a local match.

Currently, most transportation funds programmed by the State are allocated through VDOT's SMART SCALE process. In accordance with SMART SCALE policies, regions of the State are classified into Area Types that each have unique scoring criteria upon which each project will be evaluated. The Town of Warrenton is currently classified as Area Type D, which scores safety and economic benefit above congestion, accessibility, and environmental quality. The recommended prioritization of the proposed projects and pursuits are aligned with VDOT's

Near-Term Recommendations	Type	Cost Low	Cost High
Lee Hwy between Broadview Ave and U.S. 15/17/29 Interchange	Segment	\$ 5.4M	<b>\$9.0M</b>
Broadview Avenue and Roebling Street	Intersection	\$ 7.2M	<b>\$8.5M</b>
Broadview Ave and Lee Hwy	Intersection	\$ 2.0M	<b>\$8.5M</b>
Bear Wallow Rd and Roebling St	Intersection	\$ 3.0M	<b>\$6.5M</b>
Main Street Improvements	Segment	\$ 1.5M	<b>\$2.5M</b>
Walker Street and East Lee	Intersection	\$ 1.4M	<b>\$2.7M</b>
Shirley Ave between Culpeper St and Falmouth St	Segment	\$ 3.3M	<b>\$8.6M</b>
Shirley Ave between Broadview Ave and Culpeper St	Segment	\$ 5.7M	<b>\$9.6M</b>
Shirley Ave and Culpeper St	Intersection	\$ 3.0M	<b>\$6.5M</b>
U.S. 211 and Van Roijen St	Intersection	\$ 2.0M	<b>\$6.5M</b>
Blackwell Rd and Lee Hwy	Intersection	\$ 2.0M	<b>\$3.5M</b>

current SMART SCALE ranking criteria. These projects will have the highest potential to receive State funding based on the scoring system. It should also be noted that the Town has proposed multimodal improvements and transit considerations. Those improvements should be evaluated for incorporation into the proposed traffic projects, as transit and multimodal improvements often increase the chance of funding.

VDOT's policy should continue to be followed and local officials are encouraged to coordinate with VDOT staff to maximize scoring when submitting applications. Other funding sources such as HSIP, grants, partnerships, and local funding should be explored for projects that may not be funded under the SMART SCALE program.

Finally, the table above is attached for projects that should be pursued immediately and could be implemented under the SMART SCALE or Revenue Sharing programs based on the current funding cycles and allowed number of submissions by a jurisdiction.

These priorities may shift over time as data and transportation systems adjust with the community. Partnering with the VDOT allows the Town to pursue funding applications that have the best chance for success to benefit the public. The following pages outline additional proposed projects and the 2040 Transportation Map that works in conjunction with the Complete Streets typology map.

	Proposed Projects	Type	Existing Capacity	Future Capacity	Crash History	Economic Development
1	Shirley Ave and Culpeper St	Intersection	HIGH	HIGH	POOR	SIGNIFICANT BENEFIT
2	Shirley Ave between Culpeper St and Falmouth St	Segment	HIGH	HIGH	POOR	SIGNIFICANT BENEFIT
3	Lee Hwy between Broadview Ave and U.S. 15/17/29 Interchange	Segment	HIGH	HIGH	POOR	SIGNIFICANT BENEFIT
4	Blackwell Rd and Lee Hwy	Intersection	HIGH	HIGH	POOR	SIGNIFICANT BENEFIT
5	Falmouth St between Shirley Ave and Old Meetze	Segment	MODERATE	HIGH	GOOD	POTENTIAL BENEFIT
6	Broadview Ave and Lee Hwy	Intersection	MODERATE	HIGH	POOR	SIGNIFICANT BENEFIT
7	James Madison between Falmouth St and Alwington Blvd	Segment	MODERATE	HIGH	POOR	SIGNIFICANT BENEFIT
8	Shirley Ave between Broadview Ave and Culpeper St	Segment	MODERATE	HIGH	POOR	SIGNIFICANT BENEFIT
9	Bear Wallow Rd and Roebling St	Intersection	MODERATE	MODERATE	POOR	SIGNIFICANT BENEFIT
10	U.S. 211 and Van Roijen St	Intersection	LOW	MODERATE	POOR	SIGNIFICANT BENEFIT
11	Roebling St and Broadview Ave	Intersection	MODERATE	HIGH	OBSERVE	SIGNIFICANT BENEFIT
12	Main Street Improvements	Segment	MODERATE	MODERATE	POOR	POTENTIAL BENEFIT
13	Blackwell Rd between Walker Dr and Lee Hwy	Segment	LOW	MODERATE	OBSERVE	SIGNIFICANT BENEFIT
14	Broadview Ave between Roebling St and U.S. 17	Segment	LOW	MODERATE	OBSERVE	SIGNIFICANT BENEFIT
15	Broadview Ave between Roebling St and Lee Hwy	Segment	LOW	MODERATE	OBSERVE	SIGNIFICANT BENEFIT
16	Falmouth St and Lee St	Intersection	MODERATE	MODERATE	OBSERVE	POTENTIAL BENEFIT
17	Walker Dr and Blackwell Rd	Intersection	LOW	MODERATE	GOOD	SIGNIFICANT BENEFIT
18	Blackwell Rd/ Alexandria Pike between Walker Dr and Main St	Segment	LOW	LOW	GOOD	SIGNIFICANT BENEFIT
19	Walker Dr between Blackwell Rd and Lee St	Segment	LOW	LOW	GOOD	SIGNIFICANT BENEFIT
20	Timber Fence Bypass	Segment	LOW	LOW	GOOD	SIGNIFICANT BENEFIT
21	Southern Bypass	Segment	LOW	LOW	GOOD	SIGNIFICANT BENEFIT
22	North Hill Dr Connection to Winchester St	Segment	LOW	LOW	GOOD	SIGNIFICANT BENEFIT
23	Alexandria Pk between Blackwell Rd and Berm at Walker Dr	Segment	LOW	LOW	GOOD	SIGNIFICANT BENEFIT
24	Moser Rd to Frazier Rd	Segment	LOW	LOW	GOOD	SIGNIFICANT BENEFIT
25	Waterloo St between Broadview Ave and Main St	Segment	LOW	LOW	OBSERVE	POTENTIAL BENEFIT
26	Old Waterloo Rd and Van Roijen St	Intersection	LOW	LOW	POOR	MINIMAL BENEFIT
27	Old Waterloo Rd between Broadview and Waterloo Rd	Segment	LOW	LOW	POOR	MINIMAL BENEFIT
28	Winchester St between Rappahannock St and Town Limits	Segment	LOW	LOW	GOOD	POTENTIAL BENEFIT
29	Walker Dr and East Lee St	Intersection	LOW	MODERATE	GOOD	MINIMAL BENEFIT
30	Missing Links (Roebling St, etc.)	Segment	LOW	LOW	GOOD	MINIMAL BENEFIT
31	Connector road between East Lee and Falmouth St	Segment	N/A	N/A	N/A	POTENTIAL BENEFIT
32	Walkability Audit Recommendations	Townwide	N/A	N/A	N/A	SIGNIFICANT BENEFIT



# Recommended Policies and Projects

## Desired Outcome Map

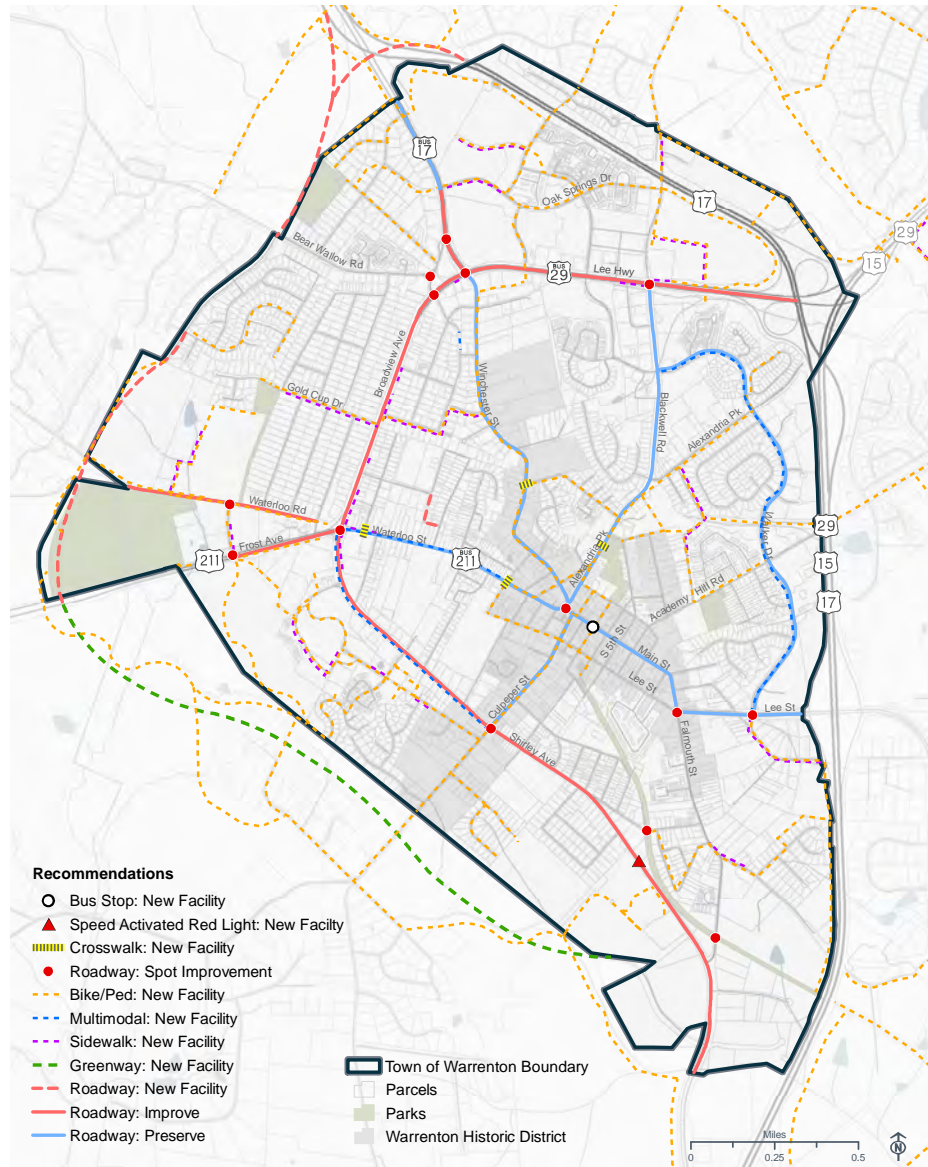


Figure 5-1: Town of Warrenton Transportation Plan map.

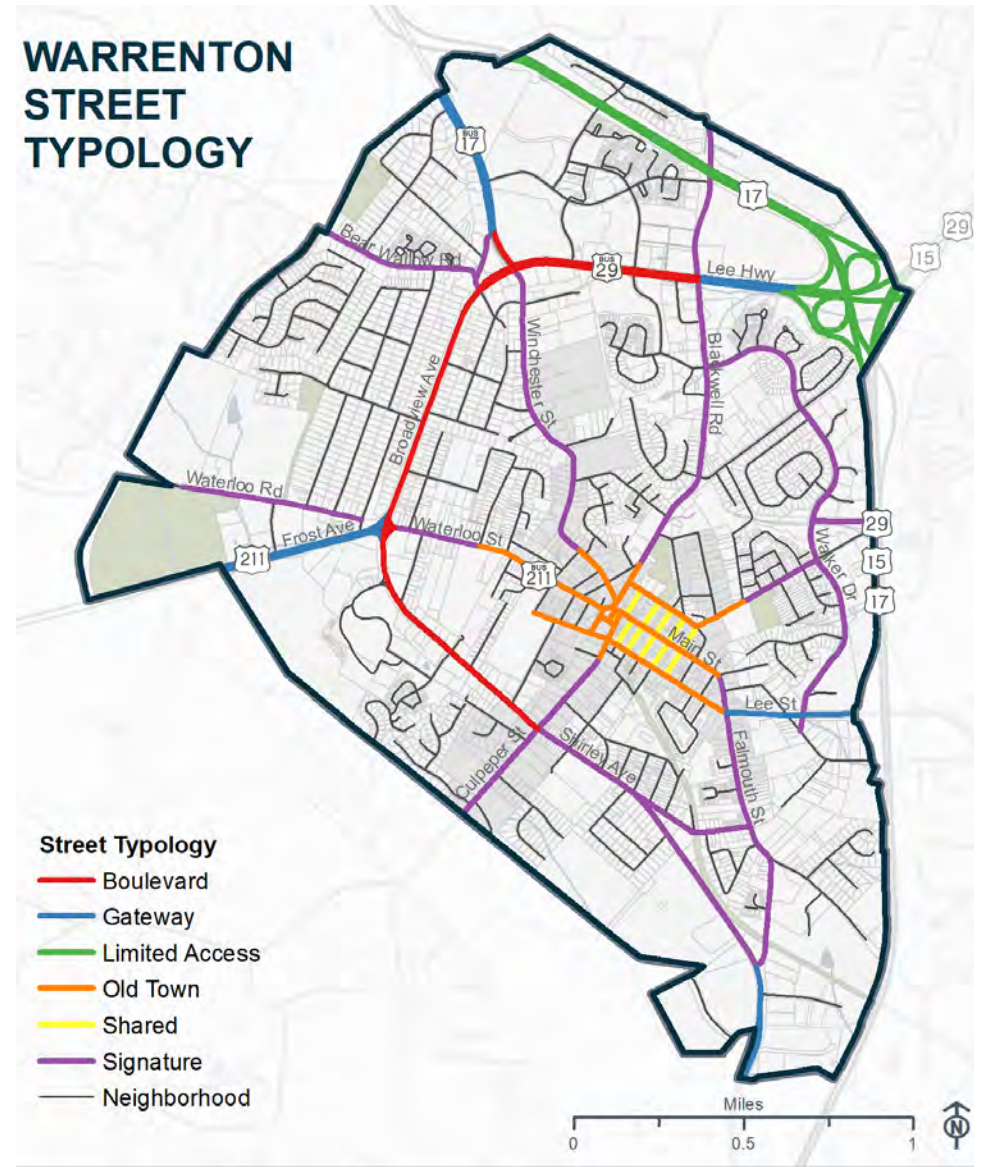


Figure 5-2: Warrenton Street Typology map; a part of the Complete Streets Classification System.

# GOALS

## T-1: Improve Multimodal Capacity and Safety that Encourages trips by walking, bicycling, and transit.

### POLICIES & STRATEGIES

**T-1.1:** Promote a balanced and multimodal transportation system that serves the mobility needs of all segments of the population. Maximize the capacity of existing streets by investing in Smart Mobility technology.

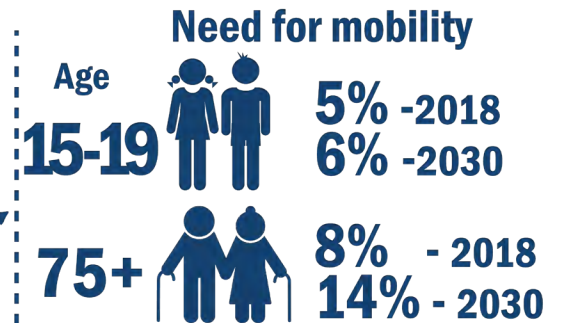
**T-1.2:** Assess the needs for access management strategies and capacity improvements along Warrenton's main corridors and boulevards.

**T-1.3:** Maintain the capacity and safety of Signature Streets by providing multimodal accommodations and incorporating innovative solutions.

**T-1.4:** Prioritize safety improvements for project implementation based on crash rates, congestion levels, and locations adjacent to schools.

**T-1.5:** Create an overarching vision for roadway safety through the development and adoption of a traffic safety policy. This safety policy should incorporate Vision Zero strategies with the goal of eliminating traffic fatalities and severe injuries while increasing safe, healthy, and equitable mobility for all.

**Two Corridors**  
of Statewide Significance  
meet in Warrenton



**35** minutes  
average commute time



**11%**  
of commuters  
carpool



**Two transit routes operate**

7:30 am - 6:45 pm  
(Monday - Friday)



Every  
45 minutes

**98%** of the town residents  
own at least  
one vehicle <sup>+1</sup>



**24,550** trips  
are provided  
by Circuit Rider  
annually



**161**  
automobile crashes a year in Warrenton



**35,000 Daily Trips**  
are made through  
Warrenton  
without stopping

Sources: U.S. Census 2017 Five-year Estimates, Virginia Department of Transportation, Virginia Regional Transit

- T-1.6: Identify and analyze roadways with excessive vehicle speeds for engineering or enforcement countermeasures.
- T-1.7: Work with VDOT to incorporate multimodal and innovative design features as part of any new projects.
- T-1.8: Continue implementing traffic-calming measures on local streets, as appropriate, to improve safety, livability, and transportation choices, while meeting land use objectives.
- T-1.9: Prioritize the monitoring of comfort levels and safety metrics for motorists, bicyclists, and pedestrians at signalized intersections and within the vicinity of schools.
- T-1.10: Analyze locations with significantly higher crash rates to develop projects and programs to reduce the number of crashes and overall crash severity.
- T-1.11: Identify context-sensitive, forward-thinking transportation solutions that incorporate Warrenton’s plans for growth through the development and adoption of a long-range transportation plan.

**EXISTING CONDITIONS & BACKGROUND**

**CORRIDOR OF STATEWIDE SIGNIFICANCE**

**REGIONAL TRANSPORTATION DEMAND**

**STREET CLASSIFICATION**

**BICYCLE & PEDESTRIAN INFRASTRUCTURE/MULTI-MODAL CONNECTIVITY\***

**SAFETY**

**TRAFFIC VOLUMES**

**TRAFFIC FLOW**

**TRUCK ROUTING\***

**PARKING**

## T-2: Enhance the Traveling Experience by Creating Great Streets

### POLICIES & STRATEGIES

- T-2.1: Implement the 5 C’s of a walkable community: Connected, Comfortable, Convenient, Convivial, and Conspicuous.
- T-2.2: Improve pedestrian and bicycle safety and connectivity to neighborhoods and destinations by implementing the recommendations of the Town of Warrenton Walkability Audit and the Town of Warrenton Complete Streets Recommendations Report.
- T-2.3: Create distinguished gateway features along routes leading into the jurisdiction.
- T-2.4: Preserve neighborhood and heritage streets through traffic calming and safety measures.
- T-2.5: Preserve and pursue targeted and demand-driven expansion for the local bus system to meet the transportation needs of the community.
- T-2.6: Increase the number of daily Circuit riders by providing additional features, amenities, and expanded hours for the existing transit service.

**T-2.7:** Develop a wayfinding system that is simple, consistent, and intuitive for all users. Wayfinding should direct visitors and residents along the preferred routes to local destinations. Beyond the Town's boundary, wayfinding can help the active transportation network (streets and trail system) connect seamlessly to the county trail networks.

**T-2.8:** Limit through-truck movements on internal Town streets.

**T-2.9:** Reduce lane blockage and double parking, and improve site access with curbside access on internal Town streets.

### T-3: Promote Livability in the Town by Creating Great Places Where Residents and Visitors Feel Welcome and Safe

#### POLICIES & STRATEGIES

**T-3.1:** Implement Complete Streets within the context of adjacent land uses to improve safety and neighborhood livability.

**T-3.2:** When constructing sidewalks on existing streets, sidewalks will be constructed on both sides of the street.

**T-3.3:** Facilitate new, compact redevelopment in Character Districts to introduce sidewalks and linkages to trails/paths and promote walkability.

**T-3.4:** Provide and improve sidewalks, crosswalks, pedestrian signals, lighting, and other amenities to make it safer, easier and more comfortable for people to walk.

**T-3.5:** Continue to provide more bicycle facilities as part of the road resurfacing program, where possible, by striping bicycle lanes and markings.

**T-3.6:** Continue to seek opportunities to increase the availability of bicycle parking.

**T-3.7:** Increase the availability of bicycle connections and amenities.

**T-3.8:** Develop an integrated parking system to efficiently manage demand, enforcement, and effectiveness of the historic Town's surface parking.

**T-3.9:** Continue to apply flexible transportation mitigation measures within UDAs, and along signature streets, in an effort to promote redevelopment.

#### MAIN ARTERIALS (TIMBER FENCE & SOUTHERN PARKWAY)

Information on main thoroughways in Warrenton including Timber Fence and the Southern Parkway.

#### PUBLIC TRANSIT

Synopsis on the availability and use of transit in the Town.

#### OPPORTUNITIES & CHALLENGES

Inventory of the needs related to the goals and strategies for transportation in the Town.

#### COMPLETE STREETS GUIDE (2017)

- T-3.10:** Encourage bicycle-friendly policies in new development standards (on-site showers, bicycle parking, etc.)
- T-3.11:** Explore implementing distinct wayfinding systems to communicate to residents and visitors alike, the unique branding of each Character District.

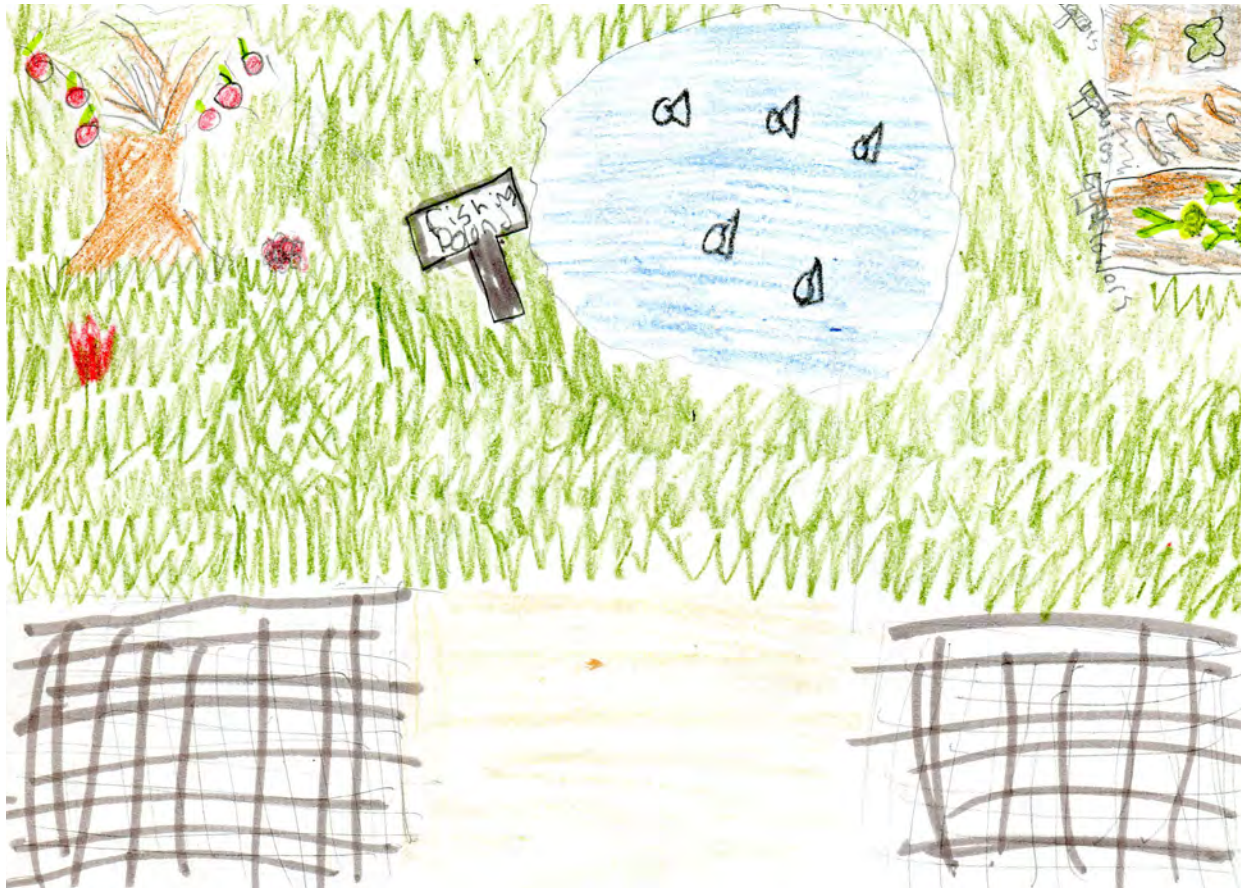
## T-4: Provide an Equitable and Connected Multi-Modal Network

### POLICIES & STRATEGIES

- T-4.1:** Coordinate the construction of sidewalk and trail connection projects as part of new redevelopment plans.
- T-4.2:** Require that the proposed street system for new developments will be designed to provide a network of interconnected streets.
- T-4.3:** In large development parcels, create compact development blocks with internal streets for pedestrian and vehicular circulation to support walk access and decrease auto-trip patterns.
- T-4.4:** Work cooperatively with VDOT to ensure that their transportation projects best distribute regional traffic demand within the context of future land use visions.
- T-4.5:** Connect bike lanes and trails into a cohesive network.
- T-4.6:** Support connectivity by continuing to create new connections, both through new development and by identifying and implementing connectivity opportunities.
- T-4.7:** Identify future multimodal connections by either restoring severed connections or incorporating multimodal features with emergency access lanes.
- T-4.8:** Work with regional partners to best leverage intercity bus, like Virginia Breeze, to serve the Town of Warrenton.
- T-4.9:** Reconfigure and add additional emergency access connections that accommodate bicycle/pedestrian connectivity.

## METRICS

1. Decrease the frequency of rear-end and angle crashes along Broadview Avenue, Frost Avenue, Shirley Avenue, Business U.S. 17, and U.S. 29/211.
2. Decrease delay and queue lengths generated at major intersections.
3. Decrease the travel time between the Town of Warrenton’s boundaries on major corridors and boulevards.
4. Reduction of the number of traffic infractions on roadways entering and traveling through the Town of Warrenton such as Alexandria Pike/ Blackwell Road, Winchester Street, and Waterloo Street.
5. Reduction of the number of bicycle- and pedestrian-related crashes.
6. Maintain capacity at or below a VC of 1.00 on signature streets.
7. Reduced speeds within school zones.
8. Reduction in fatalities and injuries for the traveling public across all modes.
9. Increase in transportation projects that have proven safety benefits.
10. Increase in the number of applications for projects that focus on school transit and transportation (Safe Routes to School).
11. Increase in the miles of bicycle and pedestrian facilities of independent utility or that provide access to transit services.



**“My absolute favorite place in Warrenton is the greenway! I always go there when I need fresh air. I enjoy riding my bike or scooter throughout the greenway. If the greenway wasn’t there I would be inside watching television.” Taylor, Age 11**

From the 2016 Student Postcard Project

12. Increase the mileage of walkable facilities along existing roadway networks.
13. Increase the number of existing crossings to incorporate pedestrian and bicycle-friendly improvements.
14. Increase the preventative maintenance of existing and future pedestrian and bicycle markings and signage along Town streets.
15. Increased number of gateway cues and roundabouts.
16. Reduce the number of traffic infractions within neighborhoods.
17. Reduce the number of speed-related and pedestrian crashes within neighborhoods.
18. Increased daily ridership on the Circuit Rider.
19. Increased wayfinding signage installed throughout the Town.
20. Reduced through-truck movements on internal Town streets.
21. Reduced lane blockage and double parking.
22. Reduced number of crashes that involve pedestrians.
23. Increase the amount of sidewalk that is in good condition (not in need of repair).
24. Increase in ADA accessibility features at sidewalk curbs.

## SMART MOBILITY CONCEPTS

*Preparing for next generation technology*

Smart mobility refers to the integration of information and communication technologies among roads, traffic signals, transit vehicles, parking systems, and shared on-demand providers to optimize the performance and convenience of interconnected mobility services.

This comprehensive plan enables Warrenton to proactively plan for emerging and future mobility technologies.

### Potential Applications for Old Town:



Smart Parking - Identifies free spaces, provides pay-by-phone options, and can be used to reserve electric charging spaces.



Robot delivery - Last mile autonomous technology solutions to address short-trip congestion, integrated into shared pedestrian spaces.

### Potential Applications for Corridors and Neighborhoods:



Autonomous shuttles - Connect residential developments and neighborhoods to other transit stops, commercial centers, or park and ride lots.



Intelligent traffic signals - Feature sensors and artificial intelligence to adapt to demand and provide transit priority and emergency vehicle preemption.

- Item A.
25. Increased bicycle counts on main corridors and trails.
  26. Increased length of continuous demarcated bicycle routes.
  27. Number of bicycle racks, repair and air stations.
  28. Increased bicycle counts on main corridors and trails.
  29. Maximum length of continuous demarcated bicycle routes.
  30. Number of bicycle racks, repair and air stations.
  31. Reduced number of parking violations
  32. Walk score of new developments
  33. First mile/last mile connections and gap closure
  34. Coordination with VDOT and Fauquier County on development proposals in the corridors for Timberfence Parkway and the Southern Gateway.
  35. Increased number of linkages between neighborhoods.
  36. Reduced Volume to Capacity Ratio on main arterials.

# Transportation in Character Districts

Each Character District provides a framework for transportation opportunities that accommodate all modes of travel within the context of each Character District. Strategies applicable to developing Character Districts include connecting pathways for pedestrians and bicycles with existing and planned active transportation improvements, minimizing curb cuts and creating interior circulation streets for access, service, and parking. For Character Districts in more established areas, strategies also include ways to protect existing residential neighborhoods from cut-through traffic and roadway treatments to slow traffic down. The following summaries highlight how each Character District is unique in how the transportation elements are framed, prioritized, and implemented.

## 1. New Town Warrenton (Lee Highway UDA)

Defined by large lots, direct access from Route 29, and high visibility, this gateway district represents a highly desirable location for a potential signature office/jobs center, characterized by mixed-use with strong live, work, and play options. Redevelopment of existing commercial parcels could provide the opportunity for compact development blocks with an interior street grid that includes sidewalks that connect to the adjoining neighborhoods. This district could also provide opportunities to connect new pathways for bicycles and pedestrians with existing and planned pathways. Opportunities exist for mixed-use developments with a park-and-ride facility for commuter service because of its proximity to Route 29 and the large parcel sizes. Finally, the district should focus on innovative solutions along Lee Highway and cohesive street designs within developments that incorporate roundabouts and raised intersections. An existing floodplain could provide an opportunity for a green or public gathering area with development planned around it.

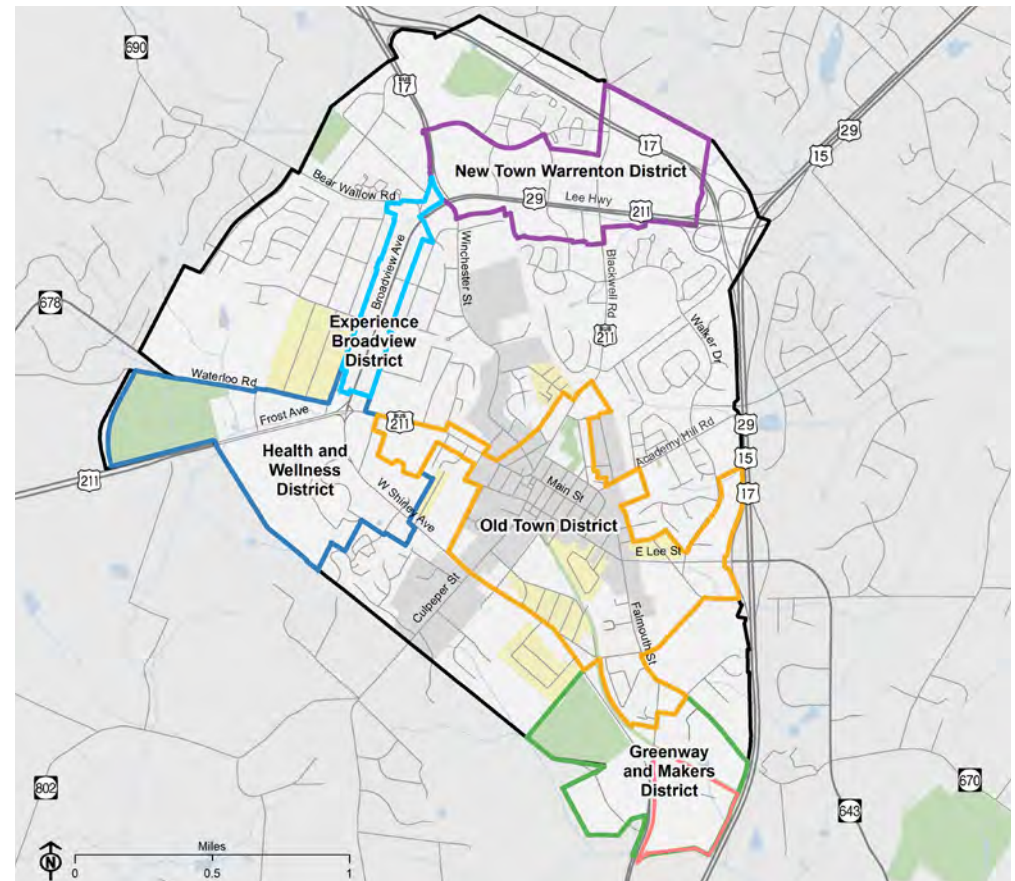


Figure 5-3: Character Districts map.

## 2. Health and Wellness District (Frost and Broadview UDA)

This gateway district is defined by the regional anchors of Fauquier Hospital and the WARF. Opportunities exist for improving all modes of travel, including the provision of safe linkages for pedestrians between the WARF and the hospital, and at the Frost and Broadview intersection.

By creating better access, this district could possibly include a shuttle connecting the hospital with surrounding medical offices, health services, senior housing and care, hotels, and commercial uses. This district serves as the western entrance into Warrenton, and improvement along Route 211 and at key intersections should be prioritized to improve safety.



and provide a gateway. Simple traffic-calming features such as raised intersections, narrower streets, and bulb-outs for safe travel should be incorporated in areas near the hospital.

**3. Greenway and Makers District (East Shirley UDA)**

This district is defined as the southern gateway into the Town of Warrenton. While this district is largely defined by its vehicular movements, over the next 20 years the street design will need to accommodate other modes of travel such as pedestrians and bicyclists. The completion of sidewalks on both sides of Shirley Avenue throughout the district should be an immediate priority. There is also an opportunity for a vertical gateway element to emphasize the area as Warrenton’s southern gateway, framing the experience as one enters the Town. The Town should capitalize on the existing roundabout at Shirley Avenue and Falmouth Street, as well as adopting a unified complete streets theme for Shirley Avenue within this District.

**4. Old Town District (Old Town UDA)**

The cultural heart of Warrenton will have more foot traffic over the next 20 years with the gradual infill and adaptive reuse of buildings. Enhancements to street intersection design such as curb bulb outs to facilitate safe street crossing and slow traffic will encourage pedestrian activity. Encouraging on street parking, narrower streets, median refuges, and mini-roundabouts will provide opportunities for safe pedestrian passage and maintaining the lower speeds expected within the Town. The development of a structured parking garage can activate constrained surface parking lots by accommodating required parking in the parking structure. Traffic-calming treatments between the CBD and the older single-family neighborhoods should be considered and the evaluation of through-truck restrictions will help preserve Old Town’s character. Adjacent to the main point of entry into Warrenton from U.S. 29, the intersection at East Lee Street and Walker Drive is an exceptional opportunity to provide a Town gateway and improve safety.



*Image 5-1: Broadview Avenue, 2019.*

**5. Experience Broadview**

With revitalization occurring incrementally over time, new development as mixed use or multi-family anchors will provide opportunities at key nodes along Broadview Avenue to create a consistent street frontage. This would provide the opportunity to create internal connectivity between parcels to minimize curb cuts along Broadview Avenue through the designation of interior streets that provide access to service and parking. In addition, new development brings the opportunity to improve the transitional frontage to adjoining neighborhoods, which would include traffic-calming features to discourage vehicle cut-throughs and speeding. Opportunities to improve safety along Broadview Avenue exist through the consideration of access management strategies including appropriate median treatments. In order to maintain capacity and safety on Broadview Avenue, special focus should be given to intersections at Shirley Avenue, Roebling Street, and Business Route 29.

# Additional Implementation Tools and Techniques

## Curb Management

Curbside management must be involved in the creation of an organized curb layout that improves mobility and safety for all users through prioritized and optimized curb space use. Managing curb space effectively requires a policy for matching regulations and operations for the following purposes:

- **Mobility:** Move people and goods (sidewalks, bike lanes).
- **Access for People/Commerce:** Create Dropoffs, loading zones, or transfer between modes (bus, taxi zones).
- **Activation and Greening:** Develop vibrant social spaces (seating, food trucks) and landscaping (trees).

- **Special Function:** Create spaces for bus layover and reserve space for electric car charging, etc.

### Current issues to solve:

- Address the need for reliable access to freight loading and unloading.
- Avoid blockages to travel lanes due to undesirable stopping.
- Meet the demand for ride-hail passenger loading/unloading space.
- Create space for bike storage and shared mobility devices.

## Access Management

Access management is the proactive management of vehicular access points to land developments surrounding the roadway system to promote safe and efficient use of the transportation network. Balancing property access while preserving the flow of traffic may include the following measures:

- **Access spacing:** Increase the uninterrupted curb distance between access points and intersections.
- **Safe Turning Lanes:** Create dedicated lanes to keep through-traffic flowing and reduce conflict points.
- **Median Treatments:** Create physical separations to channel turning movements to safer and/or controlled locations.

- **Right-of-Way Management:** Preserve space for good sight distance and future access along corridors.

### Current issues to solve:

- Improve safety and driver comfort.
- Improve non-motorized experience along the road.
- Reduce conflict and preserve traffic flow.
- Control turning movements on key locations.

## Parking Management

- **Parking Minimums:** Local laws require private businesses and residences to provide at least a certain number of off-street parking spaces. This policy tends to make infill development less practical, often resulting in idle parking lots except during a few seasonal peaks.
- **Parking Maximums:** Limit parking supply, either at individual sites or in an area in order to encourage more efficient parking management. This approach may be too generalized and ignore context. In reality, occasional uses may benefit from a higher volume of parking maximum.
- **No parking requirements:** Developers and businesses decide how many parking spaces to provide for their customers. Removing parking mandates complements expanding sustainable transportation options and ensures better management of curb parking and loading.



PLAN WARRENTON 2040

# ECONOMIC & FISCAL RESILIENCE

"In 25 years, I hope that Warrenton grows in size, and advances in tech, all while keeping that balance of urban and rural areas. Just expanding, not replacing." *Ethan, Age 12*

Economic &  
Fiscal Resilience

Community  
Health

Community  
Character

Broadview Avenue, 2018

## Vision

In 2040, Warrenton is a live/work community that cultivates and promotes economic and entrepreneurial opportunities and supports its public amenities and overall quality of life, while preserving its unique small-town character. The Town is an integral part of the regional economy with Character Districts that act as economic catalysts in key locations throughout the Town. The Town supports job creation by attracting major new employers through livable amenities and housing diversity to grow and attract a talented workforce. Warrenton in 2040 is a distinct yet integral part of the region, building on its recreational opportunities and enhancing its gateway location to Shenandoah National Park, wine and horse country, and beyond.

Key aspirations related to this guiding vision include:

- Create a robust strategy for housing and employment, become more proactive in business retention and recruitment, and locate major employers within the Town's Character Districts.
- Promote the Town as an integral part of the regional economy that is manageable, maintain small-town character, and reduce the percentage of Town residents commuting for work.
- Promote the Town's Character Districts as the focal point for revitalization to allow for mixed-use and multi-family development at an appropriate scale compatible with the Town's character and existing neighborhoods. Transform aging commercial corridors to vibrant mixed-use neighborhoods.

# GOALS

## E-1: Grow a strong, diversified, and resilient economy that supports residents and businesses alike.

### POLICIES & STRATEGIES

- E-1.1:** Promote locally-owned businesses and restaurants to maintain the unique character of Warrenton.
- E-1.2:** Allow for a range of housing, commercial spaces, and hotels at appropriate heights and square footage to meet market standards, and allow for ranges per Character District with context sensitive transitions into existing neighborhoods.
- E-1.3:** Leverage the Town’s location as a gateway to the Piedmont for tourism and economic development through wayfinding and promotion.
- E-1.4:** Preserve Old Town and the Town’s historic character to enhance Warrenton’s identity.
- E-1.5:** Promote a diverse, equitable stable tax base to maintain a healthy economy.
- E-1.6:** Warrenton’s Town Limits will be arrived at in a manner that reflects the Town’s best interests to meet its economic, fiscal, and service priorities.

## E-2: Increase the employment base to allow residents to live and work in Warrenton.

### POLICIES & STRATEGIES

- E-2.1:** Partner with local schools, universities, and employers to ensure a competitive workforce for a global economy.
- E-2.2:** Promote Warrenton’s high quality of life to attract employers to locate here.
- E-2.3:** Create economic development teams made up of property owners, schools, and local staff to recruit potential employers.
- E-2.4:** Leverage existing employers and location in the region to build upon technology and federal government synergies.
- E-2.5:** Develop a range of housing types and housing assistance programs for employees to live in Warrenton.

### EXISTING CONDITIONS & BACKGROUND

#### ECONOMIC BASE ANALYSIS

Documentation of the economic trends shaping the western portion of the Northern Virginia Region

#### FISCAL SUSTAINABILITY ANALYSIS

A fiscal impact model to relay the relationship between land use decisions and the change in revenues and expenditures for the Town.

#### LABOR FORCE DATA

Tables of data related to labor force evolution in Fauquier County.

#### DEMOGRAPHIC & HOUSING ANALYSIS

Analysis identifying demographic and housing information on the Town.

### E-3: Promote Warrenton as a cultural, entertainment, and arts center.

#### POLICIES & STRATEGIES

- E-3.1:** Coordinate and partner with local arts groups and business associations to promote artists and cultural events.
- E-3.2:** Market to creative arts and entrepreneurial businesses to locate within appropriate Character Districts.
- E-3.3:** Maximize the Town’s public spaces and right-of-way to allow for arts and cultural events to operate, including outdoor dining and gathering places.

### E-4: Support Character Districts as Unique Mixed-Use Neighborhood Centers.

#### POLICIES & STRATEGIES

- E-4.1:** Promote business attraction by considering business improvement districts.
- E-4.2:** Evaluate tax increment financing that can be used to fund infrastructure and site improvements.
- E-4.3:** Develop a marketing strategy for each Character District to encourage various types of businesses based on their envisioned unique themes:
  - New Town District: Class A Office, Future University satellite campus, and Employment Center
  - Health and Wellness District: Medical-related office and treatment
  - Greenway and Makers District: Overlay in Industrial zoned area to allow for creation of food and craft.
  - Old Town: Adaptive reuse to encourage tourism, locally owned businesses, and creative services.
  - Broadview District: Redevelopment through parcel consolidation, interparcel connections, and mixed-use at key nodes to create a synergy and investment strategies.
- E-4.4:** Leverage Town assets by exploring public/private partnerships to activate surface parking lots as potential development sites.

## METRICS

1. Growth in the number of employers (health related), senior housing units, medical office square footage, and hotel rooms.
2. Growth in the number housing units, square footage of commercial space, Class A office square feet, and hotel rooms.
3. Businesses relocated to or started in Warrenton.
4. Growth in the square footage of retail and service businesses.
5. Increase in the number and variety of new businesses along Broadview Avenue.
6. BID established, funds raised, and programs and projects developed; Old Town business vacancy rates.
7. Number of gathering spaces and outdoor dining locations.
8. Number of public parking stalls provided, square footage of development produced, and leased parking space.
9. Number events planned, street closure permits, art/gallery space leased, pop-up arts-related ventures, new arts-related space, and hotel rooms added in Warrenton.
10. Tax Increment Financing (TIF) district established, funds raised, and improvements completed.

## E-5: Be proactive in the Town's Economic Development

### POLICIES & STRATEGIES

- E-5.1:** Create an economic development marketing strategy that includes a detailed retail retention and recruitment strategy.
- E-5.2:** Develop a site prospectus book to market properties seeking redevelopment.
- E-5.3:** Coordinate with the County and regional economic development partners to promote the Town.
- E-5.4:** Track industry and market trends to position Warrenton at the forefront.
- E-5.5:** Seek to establish a dedicated resource that is responsible for attracting new businesses with an emphasis on employers possessing the ability to hire multiple employees.



PLAN WARRENTON 2040

# LAND USE & CHARACTER DISTRICTS

"I think that there should be way more places for children and social activity. I don't want my kids to have to be limited to our property... Then maybe we'd get off the devices everyone complains about." *Elizabeth, Age 10*



Warrenton, Virginia 2017.

## Vision

In 2040, Warrenton's sense of place is found in its historical Old Town, existing neighborhoods, and mixed-use Character Districts. Town residents have numerous options to shop, dine, and be entertained within a series of walkable areas and will live within a half-mile radius of a park, green space, trail, or public amenity. There is attainable housing for residents of all age groups that encourage equitable, inclusive, and vibrant neighborhoods. The mix and balance of housing types and employment centers maintains the small-town character, in which people live and work.

Key aspirations related to this guiding vision:

- Create mixed-use Character Districts using appropriate intensities, with specific guidance for form and transition to adjoining neighborhoods.
- Develop Character Districts with places for people to meet, talk, and be neighborly, with gathering places that include parks, plazas, sidewalks, and shops.
- Protect, stabilize, and retain the character of existing neighborhoods while allowing for a diversification of housing types into mixed-use Character Districts.

## CURRENT & FUTURE LAND USE

Warrenton is made up of cherished existing neighborhoods and an Old Town filled with history. Residents value the charm of their community and seek to enhance it. The Land Use and Character District format serves to preserve the existing neighborhoods by providing a guide of how to develop/redevelop subareas of Town that are candidates for revitalization in the coming decades. In 2018 the Town of Warrenton adopted Urban Development Areas (UDAs)\*, thus designating to the state where future growth should be accommodated through a public process. Residents of the Town developed “branding” components to give each district an identity that links current land use functions and the future desires of the community. Warrenton 2040 provides a model on how to get from today’s reality to tomorrow’s vision as developed by the community. The following pages, and hyperlinked Character District Guidebook, provide a path forward on how Warrenton will create, parcel by parcel, a future that preserves its identity while meeting the goals of the overall Comprehensive Plan.

\*“Urban Development Areas” is a Virginia Department of Transportation technical term

## FUTURE LAND USE MAP

The Future Land Use Map is the Town’s visual guide to future planning for 2040. The Future Land Use Map brings together all of the elements of this Comprehensive Plan, such as land use, economic and fiscal health, housing, and transportation. The Future Land Use Map shows how the 2040 Comprehensive Plan foresees appropriate development over the next 20 years.

The following new mixed-use Character Districts with definitions will be added to the Future Land Use Map:

- New Town Warrenton
- Old Town
- Health and Wellness
- Experience Broadview
- Greenway and Makers

### New Overlay Districts guidelines:

#### **Broadview Commercial District:**

“Experience Broadview” will allow for mixed-use residential at lower density, but nodal development with mixed-use anchors and improved edges to adjacent single-family neighborhoods. Current commercial uses will be maintained.

#### **Makers District:**

Maintain current light industrial zoned uses, but allow for, and foster, the new creative production economy in order to enable local purveyors to produce the goods they sell and distribute throughout the region. This new district overlay would complement existing light industrial activities and attract small-scale entrepreneurs and larger companies looking to start and expand businesses within Warrenton.

#### **Arts and Culture District:**

Allows for temporary events, pop-up storefronts that are arts and culture focused along Main and Culpeper streets through a streamlined permitting process.



# FUTURE LAND USE

## Character Districts

- Greenway and Makers District
- Health and Wellness District
- New Town District
- Old Town District
- Broadview Commercial District

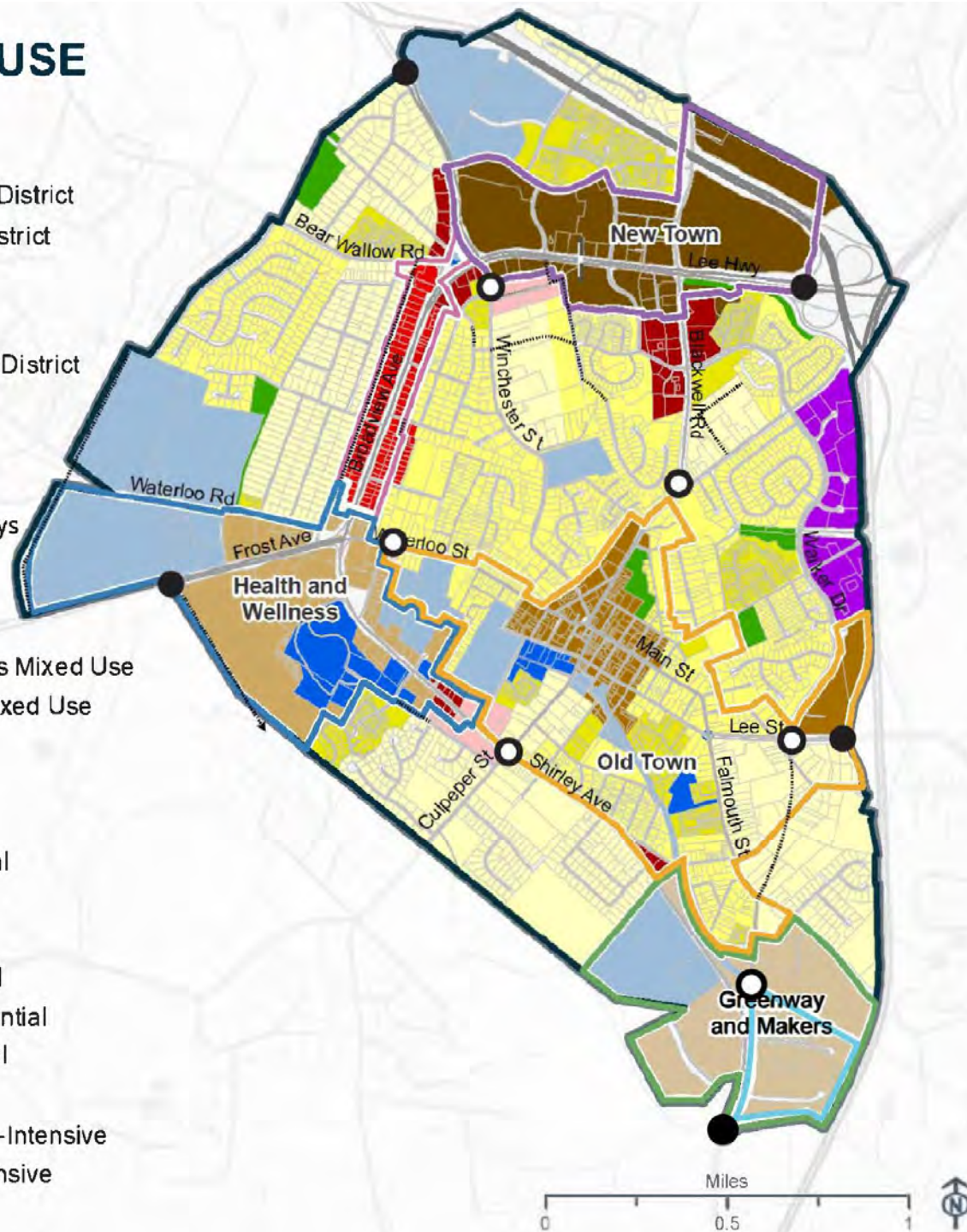
## Overlay Districts

- Makers District
- Gateways
- Historic District Gateways

--- Sampling of Future Road Connections

## Future Land Use

- Greenway and Wellness Mixed Use
- Health and Wellness Mixed Use
- Old Town Mixed Use
- New Town Mixed Use
- Office
- Re-Planned Commercial
- Commercial
- Light Industrial
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Park
- Public/Semi-Public Non-Intensive
- Public/Semi-Public Intensive



## FUTURE LAND USE DESCRIPTIONS

# CHARACTER DISTRICT SUMMARIES



## New Town Warrenton District

With large lots, direct access from Route 29, and high visibility, this district could be a location for a signature office/jobs center; with greater intensity of mixed use and strong live, work, and play options. A mix of uses could be organized around an internal street network and public amenities, such as civic spaces, parks, green space, and public gathering areas.



## Health and Wellness District

This district could leverage Fauquier Hospital with businesses, services, and housing options that promote aging in place, expanded health and wellness amenities; medical offices, and commercial uses.



## Greenway and Makers District

This district could maximize use of industrial areas for maker space with a food and arts focus, create connective elements to the greenway, and enhance gateway form and function.



## Old Town District

Warrenton will continue to promote Old Town as the signature cultural, social, and historic hub. The Town will encourage infill housing and other adaptive reuse of structures to bring more foot traffic to Old Town, but maintain the historic character and scale.



## Experience Broadview District

Maintain and enhance the existing commercial corridor, but add nodal development with mixed-use residential anchors and improve transitions to adjacent single-family neighborhoods. A Form-Based Transect is the best tool to transform Broadview Avenue to a neighborhood commercial corridor, with a consistent street frontage along Broadview and graceful step-downs in scale adjacent to adjoining neighborhoods.

# THE TEN GUIDING PRINCIPLES FOR CHARACTER DISTRICTS

## **Many parts make a neighborhood.**

*A neighborhood has stores and shops that satisfy everyday needs within an easy walk with safe and friendly streets on which people feel they “belong.” Residential streets should feel public and more like open space than traffic ways. Streets can be a pleasant part of the neighborhood. A great neighborhood has many choices to move by foot, bicycle, transit, and auto. A great neighborhood has places for people to meet, talk, and be neighborly with gathering places that include parks, plazas, sidewalks, and shops. Lastly, a great neighborhood has its own character, shaped by its physical setting, streets, buildings, open spaces, history, and the people who live in it. The following are Ten Guiding Principles to guide development in each of the Character Districts.*



**1. A discernible center.** Every neighborhood should have a discernible center that is walkable within a quarter-mile radius. The center can accommodate programmed or spontaneous events, or simply be a place people relax or meet friends. The center is often a hardscaped plaza or a green or park space; sometimes it can even be a busy street corner or a main street.



**2. Connected sidewalks with a clear pedestrian path, street trees, and lighting.** Streets within the Character District form a connected network, which disperses traffic by providing a variety of pedestrian and vehicular routes to any destination. There is an interconnected street grid network that disperses traffic and eases walking.



**3. Buildings that are placed close to the street to create a sense of place.** All buildings are directly accessible with front doors from the street.



**4. Parking placed behind buildings and away from street frontages.** Interior access roads to services and parking are designed into the site plan.



**5. Complete streets create a balance between cars, pedestrians, and bicyclists.** Complete Streets have no singular design prescription. Each one is unique and responds to its community context; however, complete streets are designed to balance drivers, pedestrians, and bicyclists.



**6. Compact street blocks encourage walking.** Compact street blocks that are 200 to 400 feet wide and up to 600-feet deep provide a comfortable neighborhood scale that facilitates a fine-grain development pattern and walking experience. For blocks that exceed the maximum recommended length of 600 feet, a mid-block pedestrian path is recommended to allow for passage.



**7. A park, trail, or activity center is within a half mile walking radius.** Linkages to pedestrian amenities can be made with continuous sidewalks, street trees, and through-block pedestrian pathways.



**8. A variety of dwelling types accommodates a wide range of family sizes and income levels and commercial activity.** The variety provides synergy among uses and creates an immediate critical mass to sustain retail and commercial uses.



**9. Neighborhood identity connects district wayfinding and identification with a larger marketing effort to bring private investment to the neighborhood.** Neighborhood identity provides the brand and image of the area, and a basis for a marketing strategy to promote businesses, events, and future development opportunities.



**10. The neighborhood edge provides the means of transition from the Character District to adjoining properties.** The edge would transition to adjacent established neighborhoods and future land-use categories and exhibit compatibility in scale, massing, and setback with existing and planned developed on adjacent land.

# RECOMMENDATIONS TO THE EXISTING RESIDENTIAL ZONING DISTRICTS

Refer to Housing Section II for housing definitions.

## R-15 Residential District

Contains low-density, single-family dwellings and other uses that are customarily incidental.

*Recommendation:* Accessory Dwelling Units (ADU) allowed by special permit.

## R-10 Residential District

Single-family, detached homes and limited groups are allowed. Limited service uses are allowed with a special use permit. This zone allows for smaller lot sizes and setbacks than R-15.

*Recommendation:* Bungalow Court to be allowed by-right and ADUs by special permit.

## R-6 Residential District

Allows medium to high concentrations of predominantly residential uses, generally intended to encompass and preserve those residential structures which have developed over the years along the traffic arteries serving the Central Business District (CBD).

*Recommendation:* Bungalow Court to be allowed by-right and ADUs by special permit.

## RT Residential Townhouse District

This district is composed of certain medium concentrations of residential use, often located between lower density residential and commercial areas.

*Recommendation:* Bungalow Court and Duplex to be allowed by-right and ADUs by special permit.

## RMF Residential Multi-family District

Contains higher concentrations of residential uses recommended for those sections of Town in proximity to the CBD, adjacent to existing intensive land uses, used as a transitional area between commercial and lower density residential areas, or need revitalization.

*Recommendation:* Bungalow Courts, Duplex, Fourplex, Courtyard Apartments, and Townhouses to be allowed by-right and ADUs by special permit.

## R-40 Residential District

Allows low-density, single-family dwellings and other selected uses that are compatible with the low-density residential character of the district.

*Recommendation:* ADUs by special permit.

## R-E Residential District

This district is comprised of low-density, single-family dwellings and other selected uses that are compatible with the open and rural character of the district. All commercial activities are prohibited.

*Recommendation:* ADUs allowed by special permit.

## RO Residential Office District

Allows business and professional offices and certain personal service uses. This is a transition area between a commercial area and a residential area.

*Recommendation:* Duplex, Fourplex, Courtyard Apartments, Bungalow Courts, Townhouses, Multiplex, Live/Work, and Mixed-Use Residential to be allowed. ADUs allowed by special permit.

## CBD

The intent of this district is to provide for orderly development, infill, and revitalization of the CBD.

*Recommendation:* Live/Work and Mixed-Use Residential (with commercial at the ground level) to be allowed.

# GOALS

## L-1: Organize Land Use According to Character Districts in Select Areas

### POLICIES & STRATEGIES

- L-1.1:** Create Mixed Use Character Districts, based on the Town’s adopted Urban Development Areas.
- L-1.2:** Create and encourage implementation tools to support the individual Character Districts policies.
- L-1.3:** Create the Experience Broadview Overlay to allow for mixed-use or multi-family developments.
- L-1.4:** Redevelopment and new development is encouraged, and each Character District will use the suggested illustrations in the design manual as guidance.
- L-1.5:** Create a Makers District Zoning Overlay in the light-industrial zoned area of the Greenway and Makers Character District (West Shirley UDA) to foster the new creative-production economy.
- L-1.6:** Update the Density Bonus Program.

### EXISTING CONDITIONS & BACKGROUND

#### DENSITY BONUS RECOMMENDATIONS

Suggested updates to the bonus program identified in the Town’s Zoning Ordinance to create a more comprehensive approach for desired uses and public amenities within the Town.

#### UDAS/ CHARACTER DISTRICTS

Information about the adopted UDA’s and corresponding Character Districts.

#### NEW TOWN

#### HEALTH & WELLNESS

#### GREENWAY & MAKERS

#### OLD TOWN

#### EXPERIENCE BROADVIEW

**L-2: Old Town Character District – The Old Town Character District will include a mix of infill and new mixed-use development that is designed to maintain Old Town’s historic character. ADOPTED MARCH 13, 2018**

**POLICIES & STRATEGIES**

- L-2.1:** Maintain Old Town Historic Character through preservation and protection of contributing historic resources.
- L-2.2:** Create cultural anchors at both ends of Main Street.
- L-2.3:** Evaluate the feasibility of financing and constructing a structured parking garage that is designed to be compatible to the character of the Historic District and is located behind street facing buildings.
- L-2.4:** Evaluate the location, design and feasibility of a Pedestrian Mall.
- L-2.5:** Evaluate the design and feasibility of a traffic circle at the intersection of Culpeper and Shirley streets.
- L-2.6:** Develop revitalization strategies for Lee and Horner Streets
- L-2.7:** Promote the possibility of a Bed and Breakfast concept in appropriate locations.
- L-2.8:** Promote new development typologies and a mix of uses in Old town that includes mixed-use development, adaptive re-use of existing buildings, live-work lofts, restaurants, new infill development on vacant lots and higher density residential development that comport to and maintain the historic character of Old Town.
- L-2.9:** Locate an event space in the Old Town UDA that can be used to accommodate public and private events, festivals of all types appropriate and other opportunities.
- L-2.10:** Develop a marketing and branding strategy for Old Town that promotes business and events.
- L-2.11:** Develop a parking policy that maintains adequate parking supply for businesses, residents, workers, tourists and shoppers.
- L-2.12:** Create a streetscape plan for the Old Town Character District that promotes a consistent walking experience and maintains the historic character of Old Town. The streetscape plan should define specifications for sidewalk, crosswalks, street trees, seating, lighting, bicycle parking and locations for a pocket park, where appropriate.
- L-2.13:** Evaluate traffic calming measures at locations where public safety issues are evident.
- L-2.14:** Develop Traditional Neighborhood Design Guidelines (TND) specific for Old Town, for the design for new buildings, infill development and the adaptive reuse of existing buildings.
- L-2.15:** Develop a Façade Improvement Program that promotes and incentivizes the improvements of facades as well as the potential of a Business Improvement District (BID) that would finance such a program.

**L-3: New Town Character District** – The New Town Character District will support the revitalization of the commercial shopping malls with a walkable development pattern that includes a mix of uses, green space and public amenities, as well as provide a location for a major employer. **ADOPTED MARCH 13, 2018**

## POLICIES & STRATEGIES

- L-3.1:** Evaluate a variety of branding strategies for the New Town Character District as a Town gateway, possible entertainment hub or a mixed-use development integrated with an educational institution, such Virginia Tech, exploring a Campus Business Hub concept.
- L-3.2:** Create a development plan for key sites that plans for the redevelopment of aging big box shopping centers to include mixed-use and infill development with a variety of uses, such as restaurants, entertainment venues, a hotel, breweries and office.
- L-3.3:** Create a streetscape plan for the New Town Character District to support the development plan for key sites, promoting development within a compact street grid that includes a mix of uses, entertainment, and park space, as well as being walkable along the edges and adjacent parcels with sidewalks and striped crosswalks.
- L-3.4:** Evaluate the establishment of a Business Improvement District to promote business development and events within the New Town Character District, and maintain pedestrian amenities, such as public-accessible parks and plazas.
- L-3.5:** Evaluate the design and implementation of roundabouts within this Character District.
- L-3.6:** Evaluate development incentives that stimulate private investment and new development.

## METRICS

1. Square footage of mixed-use developments, and number of residential units
2. Number of contiguous street blocks with street trees, clear pedestrian paths, and street lights
3. Number of new arts, and craft businesses opening in the Makers District
4. Number of projects using the Density Bonus Recommendations



**L-4: Health and Wellness Character District – the Health and Wellness Character District will support and promote a mix of uses that are health related, such as workforce housing, medical and emergency services and aging in-place related uses.**

ADOPTED MARCH 13, 2018

**POLICIES & STRATEGIES**

- L-4.1:** Evaluate the marketing and development strategy of creating a “Hospital as Hub” concept within the Health and Wellness District that could grow to become a Medical Center Campus or Sustainable Living neighborhood that promotes compatible hospital-related land uses, such as medial offices, senior housing, and other hospital medical-related concepts.
- L-4.2:** Evaluate the concept of a bus circulator system that would connect the hospital with future senior housing, medical offices and mixed-use developments within the Health and Wellness Character District.
- L-4.3:** Develop a streetscape transition at intersection Frost and Broadview Avenue intersection to where the boundary of Old Town starts, for aesthetics and traffic calming.
- L-4.4:** Evaluate development incentives that stimulate private investment and new development.
- L-4.5:** Promote several types of land use within the Health and Wellness Character District, such as hotels, adaptive re-use of existing buildings, senior housing, medical offices, and all levels of care.
- L-4.6:** Create a development plan for large key sites located within the Character District that identify massing and profile, types of uses, and phasing of development, ensuring walkability within the site and to adjacent parcels and neighborhoods.
- L-4.7:** Create a streetscape plan for the Health and Wellness Character District that promotes a consistent walking experience. The streetscape plan should define specifications for sidewalks, crosswalks, street trees, seating, lighting, and bicycle infrastructure.
- L-4.8:** Develop traffic calming measures at locations along East Shirley, Frost, and Broadview avenues where public safety issues are evident.
- L-4.9:** Leverage Conservation Easements south of Town boundary and promote context sensitive viewshed treatments.

**L-5: Greenway and Makers District Character District** – the Greenway and Makers District will be promoted as the southern gateway into the Town and maintain the critical linkages between education, civic uses and the surrounding neighborhoods, as well as the remaining industrial uses located in the Town. **ADOPTED MARCH 13, 2018**

**POLICIES & STRATEGIES**

- L-5.1:** The Town, County, and School District properties should be walkable and accessible from the adjoining neighborhoods.
- L-5.2:** Develop a land use strategy that keeps industrial use in the southeast half of the Character District and residential use in the northern half of the Character District.
- L-5.3:** Evaluate a possible pedestrian linkage to Walker Drive from the area to the north east, above the Warrenton Greenway Trail.
- L-5.4:** Evaluate more possibilities for pedestrian access to the Warrenton Greenway Trail from adjacent neighborhoods.
- L-5.5:** Design and implement a vertical gateway feature announcing arrival into the Town of Warrenton at the south end of the Character District along James Madison Highway.
- L-5.6:** Promote a mix of housing in the northern half of the Character District that includes mixed-use residential development, multi-family housing, and affordable housing that uses high quality materials.
- L-5.7:** Create a streetscape plan for the Character District that promotes a consistent walking experience.
- L-5.8:** The streetscape plan should define specifications for sidewalks, crosswalks, street trees, seating, lighting, and bicycle infrastructure.
- L-5.9:** Create development incentives that stimulate private investment and new development.
- L-5.10:** Evaluate locations for a new park space within the Greenway and Markers Character District.

**L-6: Experience Broadview Character District:** The Experience Broadview Character District will maintain and enhance the existing commercial corridor with mixed use residential nodes to serve as transitions to adjacent neighborhoods.

POLICIES & STRATEGIES

**L-6.1:** Implement a consistent street frontage along Broadview with the commercial uses brought closer to the street.

**L-6.2:** Improve and implement interparcel access to encourage linkages between commercial and mixed use sites.

**L-6.3:** Limit new access points and consolidate current entrances off Broadview to improve safety, circulation, and congestion along the corridor.

# DEFINITIONS & DESCRIPTIONS

Item A.

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Item A.

# Future Land Use Descriptions

## Greenway and Wellness Mixed Use

The Greenway and Wellness Character District provides policies for this area.

## Health and Wellness Mixed Use

The Health and Wellness Character District provides policies for this area.

## Old Town Mixed Use

This designation covers the historic, mixed-use downtown area and closely matches the area of the existing Central Business District's zoning district. The Old Town Character District provides policies for this area.

## New Town Mixed Use

The New Town Character District provides policies for this area.

## Office

Office land use is incorporated into the character districts, with key acreage being reserved in the New Town Character District for a potential major employer in the future. The remaining few office land uses are found in current areas off of Shirley Avenue and Winchester Street. These are intended to be small scale office buildings to serve as

a transition to between character districts and adjacent residential neighborhoods and to provide locations for the conduct of small shops, studios, and professional offices. Residential uses of low and medium density may be permitted in these areas if they are carefully designed as transitional uses between existing residential neighborhoods and office areas.

In many cases, these areas can be classified as infill development and such development should be compatible with existing uses and likely future uses through appropriate buffering and screening. Controlling vehicular access points so that traffic patterns do not infringe upon adjacent residential areas will also reduce the incompatibility with the adjacent uses. Office uses should be the predominant use in the established districts, whether located within remodeled single-family structures or new structures. Architecturally, new structures should blend in with the architecture of the neighborhood in which its located.

## Re-planned Commercial

The majority of commercial follows the Experience Broadview Character District policies. These are older highway commercial areas which are encouraged to be re-planned to provide pedestrian-oriented streetscapes with parking behind buildings, interparcel connections, access and buffers between neighboring residential neighborhoods and, in certain cases, on-street parking.

## Commercial

The majority of commercial follows the Experience Broadview, New Town, Health and Wellness, or Old Town Character District policies. For the small portion outside of the character district there continues to be retail and service commercial uses which require high-volume truck activity, and should be placed under strict site plan control with particular emphasis on adequate screening, vehicular access, and restrictions on bulk and height of structures. Zoning regulations for the districts that permit these uses should require interparcel connections, limited points of access from major streets and substantial landscaping, as well as discourage large expanses of parking areas that exceed minimum parking regulations while encouraging shared parking.

Commercial expansions should only occur where compatible land uses exist, and the local street system can accommodate the additional traffic demand. In addition, such uses should be designed to fit into the character of the area in which they are located. Any adjacent residential areas should be linked by convenient pedestrian access. Since commercial strip development is discouraged, access to adjacent streets should be restricted, also. Therefore, shared access points should be encouraged to assist in consolidating small parcels in order to limit traffic congestion. Incentives to promote this concept should be provided in order to achieve a well-designed commercial development that coordinates vehicular and pedestrian access,

parking, signage, architecture, and site design.

The commercial uses included in this category are primarily those uses that serve the daily needs of the residents of the Town. They include restaurants, drug stores, personnel services, banks, grocery stores, and general merchandise items.

The future land use map presumes that the commercial pattern of land uses that is already established is generally appropriate for the community. Any change should be evaluated in the context of the change being appropriate to its surroundings and an established need. The following issues should be considered and resolved when development that suggests changes to the future land use map is proposed.

- **Town Services.** All developments must be connected to the Town’s public water and sewer system, and the project must demonstrate that it does not exceed the capacity of the water and sewer systems to meet the needs of the development. If the proposal exceeds the capacity or delivery system of either the existing water, sanitary sewer, or storm sewer systems, improvements to meet the increased demand must be provided by the applicant.

- **Traffic Demand and Circulation.** Any new project should maintain a level of service that is in keeping with the surrounding road networks capability. Any level of service that is lower than “D” should be reevaluated, as this is not be an

acceptable level of service. Interparcel access and service roads are encouraged in order to limit access to arterial streets. Where necessary, deceleration lanes should be provided, and where conflicts exist, left turns into and out of a site should be avoided. In order to reduce vehicular traffic, a pedestrian access should be provided on the site, as well as linking it to adjacent neighborhoods and all adjacent commercial uses. The project should also make provisions for bicycle access and parking.

- **Design Guidelines.** All new or redeveloped projects should seek to minimize impacts on surrounding land uses and the public right of way by providing landscaped buffers, placing parking to the side and rear of buildings, coordinating the siting and massing of buildings, using monument signs or signs integrated into the building facades, and using the massing and materials of the buildings to create pedestrian-oriented, human scaled outdoor spaces.

- **Consolidation of smaller properties** is encouraged to provide the opportunity for efficient use and design of the site.

- **Placement of pedestrian areas** near main entrances to buildings, which includes seating, planting, and bicycle facilities should be provided, as well as any other outdoor architectural features.

- **Delivery of services** should occur behind the buildings and screened from

public view. This can be achieved through the use of natural vegetation and/or landscaping buffers. Item A.

- The site should be well landscaped in order to provide a visual barrier to adjacent non-compatible uses, soften lengthy expanses of buildings and parking lots, and provide shade in the parking areas.

### **Light Industrial**

The Greenway and Makers Character

District seeks to incorporate previous uses envisioned for Light Industrial. The remaining Light Industrial is located off the east side of Walker Drive. This area includes light manufacturing, flex industrial uses and wholesale commercial uses, and limited office uses with floor area ratios generally not exceeding 0.35 on a single site. These areas have been designed to provide additional types of employment opportunities within the Town in addition to services and commercial retail uses. Industrial land use designations should be limited to light industrial uses that do not generate inordinate amounts of noise, smoke, dust, odors, heat, or electrical disturbances. Environmentally heavy uses that draw significant water, like data centers, are better served in locations not utilizing public water and sewer.

Particular attention should be given to vehicular access and reducing the impact on adjacent properties.

Integrating certain industrial land uses 79

Town will enable residents to live and work in the Town. This concept will encourage the integration of the workplace with residential and commercial land use components already existing in Town. Industrial sites should be co-located or located near one another. Scattered sites or strip sites are strongly discouraged. For business parks, a true campus-style site plan is encouraged.

By creating and expanding these sites, it will reduce the amount of persons commuting towards Northern Virginia, thereby reducing travel time and congestion. The areas proposed for light industrial shown on the future land use map should adhere to the following standards and guidelines:

- Access to industrial areas should not conflict with residential traffic and, therefore, should be separated from other types of traffic. This should be accomplished by a road system that permits separation of uses. The non-residential traffic should be routed to collector roads and highways as quickly as possible.
- Industrial uses should be supported with public utilities. In addition, where other utilities are not available, such as natural gas, electric, and phone, those companies should be encouraged to extend their services into industrial areas.
- A set of performance standards should be established in order to mitigate any potential adverse impacts that may be

emitted by a particular use.

- When designating, and/or developing industrial sites, particular attention should be given to buffering adjacent non-industrial uses, including appropriate landscaping, screening, setbacks, and open space.
- When evaluating new locations for industrial sites, compatibility with adjacent uses should be carefully considered. Industrial uses should be located adjacent to compatible uses.
- Uses should be limited to those providing a variety of light industrial uses that will contribute to the creation of new businesses, as well as retention and expansion of existing businesses. Very limited support for commercial uses will be allowed as integrated elements of the industrial development for the purpose of reducing traffic generation from the site.

**Low Density Residential**

This designation includes single family, detached residential dwellings at densities ranging from existing levels of development (no change) up to 2.5 dwellings per net acre, contingent upon adequate pedestrian and vehicular access, compatibility with surrounding properties, and mitigation of potential impacts. Certain areas specified in the text are intended to remain at densities well below 2.5 d.u. per acre and should follow the policies of any corresponding character

district. These include the areas of ex low density historic neighborhoods along Winchester and Culpeper Streets.

The designation of low density residential is generally applied to established residential neighborhoods which should be conserved and/or expanded in a manner similar to, and compatible with, the existing surroundings. Many neighborhoods in these areas have older homes and are characterized by mature vegetation and social interaction between neighbors.

New lots within established subdivisions should contain an area that approximates those existing lots. Neighborhood recreational facilities, small parks or “green space”, and other neighborhood amenities should be provided in compatible locations within such developments.

Although residential infill will sometimes be a slightly higher density than existing lot configurations, any such infill development should be generally similar in density and lot size, and the placement of structures on the lot(s) should be sensitive to the existing structures and lots on neighboring properties. The exterior elevations of the structures should complement and respect the surrounding neighborhood’s existing design and architectural elements.

Retaining the high quality of established neighborhoods is a continual challenge. Since the low density areas are a desirable place to live they are becoming attractive for in development. The low density



residential areas are located so as to protect the character of existing neighborhoods and to provide quiet residential areas attractive for single family housing.

Where site characteristics permit, and where negative impact to adjacent properties is minimal, non-residential home occupations and businesses may be permitted as provided for in the Zoning Ordinance. However, neighborhoods should retain their distinctive character, incorporating those characteristics of architecture, mature vegetation, and open spaces appropriate to the character of the neighborhood. Mature vegetation should be retained.

This Plan seeks to preserve the integrity of existing residential neighborhoods by limiting and discouraging incompatible uses in established residential spaces while maintaining and improving neighborhood qualities by eliminating substandard housing. In doing so, this will enhance the physical features that include streets, sidewalks, street lights, and other public improvements.

*Winchester Street:* The larger lots along Winchester Street containing historic houses are important elements of Warrenton’s downtown character. The large size of the lots present an opportunity to preserve the majority of each lot, including the frontage along the street as very low density residential, while developing the back portion of the lot with medium density residential uses.

*Culpeper Street:* Like Winchester Street,

the larger lots and historic entryways to the CBD. Many have been incorporated into the policies of the Warrenton’s downtown character. Old Town Character District. It is the intent These lots should remain essentially as they are, at very low densities, with only very carefully designed, small scale infill structures that preserve the essential character of the street.

*Falmouth Street:* Like Winchester and Culpeper Street, Falmouth has important buildings that establish the historic character of the entrance to the downtown. The lots with historic buildings, and those adjacent to them, should be maintained as very low density uses, with only very carefully designed, small scale infill structures that preserve the essential character of the street.

**Medium Density Residential**

This designation includes single family detached residential dwellings at densities up to five dwellings per net acre, contingent upon pedestrian and vehicular access, compatibility with surrounding properties and mitigation of potential impacts.

Much like the designated low density residential areas, the medium density areas are made up largely of established single family neighborhoods. The neighborhoods are located in many areas of the Town and have access to all Town services.

Medium density areas are composed of high concentrations of residential uses. The areas that border the Central Business District (CBD) have been developed over the years along the vehicular

the areas adjacent to the CBD consist of predominantly single family houses, that character must be protected. Approving non-residential uses should be done in a very limited fashion and in a manner that maintains the essential character of the residential areas. Small scale, non-residential uses like home occupations and offices may be appropriate in some of these areas.

The designation of medium density residential is also applied to established residential neighborhoods which should be conserved and/or expanded in a manner similar to, and compatible with, the existing surroundings. Many neighborhoods in these areas have older homes and are characterized by mature vegetation and social interaction between neighbors. Medium density areas are intended to permit densities of up to five dwelling units per net acre, and new lots within established subdivisions should contain an area that approximates the size and configuration of existing lots in the neighborhood. The higher densities should be considered as more appropriate near major thoroughfares and commercial areas. Recreational facilities and other neighborhood amenities should be provided in developments when densities exceed three units per net acre.

New subdivisions and lots within this designation should complement and enhance the area in which it occurs. Residential infill areas should be compatible in density, lot size, and placement of structures on the lots with existing neighboring structures and lots. The exterior elevations of the structures should complement and respect the surrounding neighborhood’s existing design and architectural elements.

Retaining the high quality of established neighborhoods is a continual challenge. Since the low density and the medium density areas are a desirable place to live, they are becoming attractive for infill development. The medium density residential areas are located so as to protect the character of existing neighborhoods and to provide quiet residential areas attractive for single family housing. Where site characteristics permit, and where negative impact to adjacent properties is minimal, non-residential, home occupations and businesses may be permitted as provided for in the Zoning Ordinance. Mature vegetation should be retained.

In order to support the goals and objectives of medium density residential areas, the Plan seeks to preserve the integrity of existing residential neighborhoods. In order to do so, the plan limits and discourages incompatible uses in established residential neighborhoods, maintaining and improving neighborhood qualities by eliminating substandard housing and improving its physical features such as, streets, sidewalks, street lights, and other public improvements.

**High Density Residential**

These designations include single family attached and/or multi-family dwellings up to 12 dwelling units per net acre, contingent upon adequate pedestrian and vehicular access, compatibility with surrounding properties, and mitigation of potential impacts.

The density in these areas can accommodate townhouses, apartments, and similar residential types. Because these areas provide for more intensive development, they should be carefully integrated into the existing townscape to ensure that the existing character is protected. Further, any such developments should be carefully integrated into the area with attention given to creating spatially defined open space areas such as parks and “greens”, trail and sidewalk connections, street connections, recreational facilities, parking, and landscaping. The scale and mass of buildings should be compatible with the historic fabric of the Town as a whole, and neighboring properties in particular.

The high density residential areas can be developed at a density of up to 12 units per net acre. The areas for high density development have been designated for those sections of Town which are adjacent to areas of a similar existing density or similar zoning. Housing types permitted in these areas include single family, two, three, and four family dwellings, townhouses, triplex and quadruplex, and apartments. Higher density developments may function as a transition between commercial and lower

density residential areas and should be located where streets are capable of carrying the expected traffic. These are key areas encouraged for creative development to help fill the “missing middle with attainable, diverse housing types.

Along with the low and medium density areas, the high density residential areas will provide a variety of options for residential housing types in the Town. It further encourages housing types, and costs, at different levels which will serve the needs of the Towns citizens. As provided in the low and medium density areas, new multi-family residential buildings should be arranged so that the buildings define outdoor spaces, including a human scale streetscape.

**Park**

This designation includes public and private parkland and park facilities serving local neighborhoods, passive and/or active. It includes the three Town parks: Eva Walker, Sam Tarr, Academy Hill , and Rady Park, as well as the Warrenton Branch Trail. Additional proposed small parks and “greens” that should be developed in conjunction with new residential neighborhood development are not included as they are addressed in character district and park policies. The specific size, design, function, and configuration of these parks will depend upon the particular needs and attributes of the proposed development and surrounding uses.

**Public/Semi-Public Uses**

**Intensive.** This designation includes hospitals, utility plants, government administrative uses, and other uses which have a relatively high degree of development intensity and building coverage.

**Non-Intensive.** Schools which have significant outdoor recreational components, cemeteries, churches, buffer areas, and similar areas of very low intensity development.

A number of areas on the future land use map have been designated as public/semi-public. These designations provide for the maintenance and expansion of existing community facilities. Specific decisions about locating these services should be made in the context of their impact and location on other related decisions which are made by both the Town Council, County Board of Supervisors, and Fauquier County School Board. Therefore, as specified in the Community Facilities section, the Town and County should coordinate their planning and capital programming efforts.

The areas designated for public and semi-public uses include both County and Town facilities, as well as semi-public facilities such as the hospital.

Town residents are also County residents, and receive the same services that the County residents receive. Warrenton has historically been the center of governmental and commercial activity for the County and plans to remain so for the foreseeable future. Thus, the Town is an appropriate location to provide the full range of public and semi-

public services such as a library, schools, and fire and rescue services, as well as various state agencies.

It will be necessary to provide public services to not only the residents of the Town, but to day-time employees, customers, and visitors, as well. This larger population will place additional demands upon the services provided by the Town, including solid waste collection, water and sewer, fire and rescue, and police services. This overall population will continue to grow and increase demands for services.

Specific areas designated for the public/semi-public category include the following:

- The area around and including the Fauquier Hospital, now incorporated into the Health and Wellness Character District. This area should continue to be maintained as the community's medical center. This designation encourages ancillary medical services be located in proximity to the existing hospital, and takes advantage of the proximity of the rescue squad and a public health center. Future complementary development to the hospital should continue, and land for its future expansion reserved.
- Areas that include the Bradley Elementary School, Warrenton Middle School, Brumfield Elementary School, Taylor Middle School, Fauquier High School, the Highland School, St. James Episcopal Church and School, and St. John's Church and School. The land

adjacent to these sites should continue to be maintained and protected for public and semi-public use. Because the public schools are part of the Fauquier County system, the Town has no direct responsibility for them. However, the Town should ensure that adjacent areas are carefully planned and that any new development is compatible with the site. Further, the Town should work closely with the County, or the relevant private organizations, to carefully plan for and utilize schools in conjunction with the Town's growth and development. These schools provide Town and County residents a setting for educational, social, and recreational activities.

- The area in the vicinity of the WARF, the Virginia Department of Forestry and the Town's Sewage Treatment Facilities off Route 211 and the area adjacent to the National Guard Armory. These areas should be recognized as important elements of the Town and should be fully protected to allow for future expansion. Any future expansion should be carefully planned and screened from adjacent properties.
- These areas include the many churches located within the Town, which are not all mapped specifically, but are planned to remain as churches, including areas for future expansion.
- Town resources that include the

Item A.

Public Works facility and cemetery, as well as Town and County functions in the downtown area that include municipal offices, court buildings, sheriffs office, municipal parking lots, and jail should also be reserved for their continued and expanded use.



Office of the Town Manager

Frank Cassidy

# STAFF REPORT

## Warrenton Town Council

Carter Nevill, Mayor  
Heather Sutphin, Ward 1  
William Semple, Ward 2  
Brett Hamby, Ward 3  
James Hartman, Ward 4 Vice Mayor  
Jay Heroux, Ward 5  
Paul Mooney, At Large  
David McGuire, At Large

Item A.

<b>Council Meeting Date:</b>	October 10 <sup>th</sup> , 2022
<b>Agenda Title:</b>	Strategic Goals Overview
<b>Requested Action:</b>	Review the strategic goals laid out from the September 2022, Strategic retreat and discuss priorities from Council and Staff for the upcoming year.
<b>Department / Agency Lead:</b>	Town Manager
<b>Staff Lead:</b>	Frank Cassidy

## EXECUTIVE SUMMARY

The Following Goals have been identified at the Fall 2022 Strategic retreat.



**Resiliency, Financial and Workforce:** The Town Council has taken steps to ensure the resilience of the workforce through Human Capital Initiatives like the Class and Comp study, Organizational Study, and management decisions.

**Branding:** The Town has hired a Communications Manager and continues to develop the branding of the Town of Warrenton.

**Preparedness, Technology and Utilities:** Town Staff have begun the process of evaluating the infrastructure needs of the Information and Technology department as well as the Utilities infrastructure within the Town. The Town Council has received briefings on these items at various Town Council meetings with steps to take to continue to address deficiencies and modernize the infrastructure.

**Affordable Housing:** The Town Council has directed Staff to review responses to an RFI from the community for distribution of \$250,000 in ARPA funds.

**Boundary Line Adjustment:** The Town Council has determined that this is no longer a priority to work towards.

The Town Staff recommends focusing on the following initiatives for the Fiscal year 2024-2025.

**Resiliency, Financial and Workforce**

**Preparedness, Technology and Utilities**

**Affordable Housing**

Staff requests that other priorities that the Council wishes to identify should be communicated before the November 14<sup>th</sup>, 2023, Town Council meeting so the initiatives may be incorporated into the planning of the budget season.

The Virginia Institute of Government currently has a hold placed on their calendar for January 26<sup>th</sup>-28<sup>th</sup>, 2024. If the Council has no issues with this date, Staff will begin the meeting preparations and bring forward a resolution setting the date for the retreat at a future meeting.

**BACKGROUND**

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At the September 12<sup>th</sup>, 2023, Town Council meeting, the Strategic Retreat was cancelled due to availability of the facilitators. Ms. Jane Dittmar from the Virginia Institute of Government and staff have worked together on the following recommendation for the Council's strategic retreat plan.

- 1) Hold a work session at the October Town Council meeting to review the strategic goals laid out from the September 2022, Strategic retreat and discuss priorities from Council and Staff for the upcoming year.
- 2) After the work session, staff will begin to implement the priorities as the Budget process for 2024-2025 begins.
- 3) In late January, hold a strategic retreat with VIG or another facilitator to address the strategic goals and other topics identified by staff and Council.

- 4) In Late February, Hold a budget retreat for a preview of the implementation of the new strategic goals and the upcoming budget cycle for 2023-2024.

On September 24th, 2022, the Warrenton Town Council met with Ms. Jane Dittmar of the Virginia Institute of Government for a Strategic Retreat. This retreat allowed the Council to begin to work on biannual goals and set direction for Staff to begin work on the FY24 Budget. The September 2023 Retreat will begin the budget process for the Town and allow the Council to set goals and direct policy decisions to align itself with Plan Warrenton 2040.

At the June 13th, 2023, Regular Town Council Meeting, a resolution was adopted to hold the Strategic retreat on September 16th, 2023, at the Warrenton Police Department.

Discussions with the Virginia Institute of Government and other facilitators were held to determine a recommendation to the Council for the facilitator.

Due to unexpected impacts to the schedule, one facilitator had an unexpected narrowing of their ability to conduct the strategic retreat thus rendering the September 16th, date unavailable. Additionally, VIG no longer had availability for the requested date after review of their schedule.

Based on the recommendation from Ms. Jane Dittmar, the Town Council decided to hold the strategic retreat in late January of 2024 and begin to outline the priorities at meetings prior to the retreat.

**STAFF RECOMMENDATION**

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Review the strategic goals laid out from the September 2022 strategic retreat and discuss priorities from Council and Staff for the upcoming year.

Consider the proposed date from the Virginia institute of Government who currently has January 26th-28th blocked off to facilitate the retreat.

**Service Level / Policy Impact**

The strategic goals will allow the Council and direct staff to create the budget within the Council's priorities directly impacting all service levels of the Town and affecting all aspects of Plan Warrenton 2040.

**Fiscal Impact**

The Strategic goals will direct how staff will begin to build the Fiscal Year 2025 annual budget.

**Legal Impact**

No Legal impact has been identified at this time.

**ATTACHMENTS**

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- 1. Warrenton – August 2023 Meeting Follow up.
- 2. Warrenton Fall Council Retreat Report December 2022.





Weldon Cooper Center  
for Public Service  
Virginia Institute of Government



## Warrenton Town Council Fall Retreat After Action Summary & Recommendations

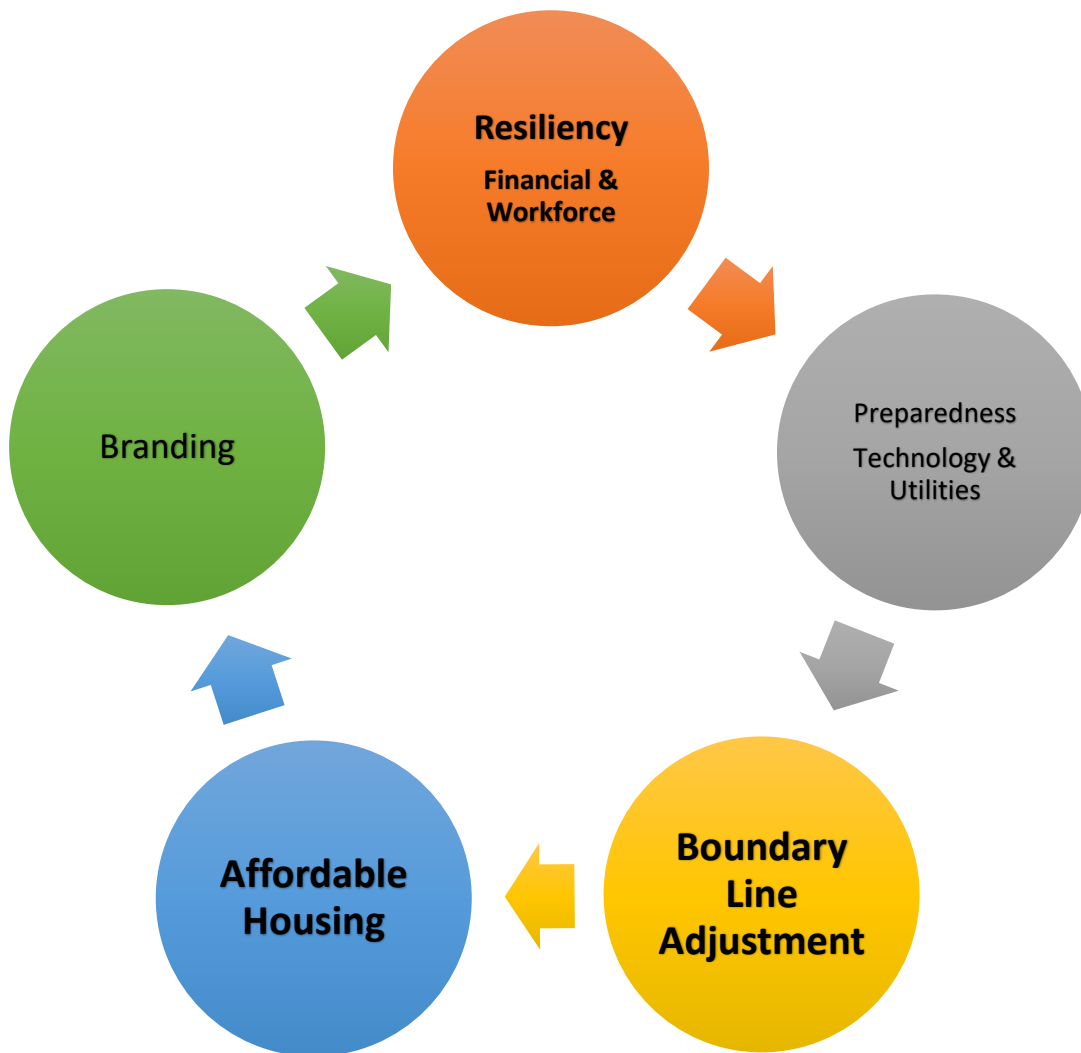
### 1. Executive Summary

The Town Council retreat revisited the priorities identified at its 2019 retreat, and the goals and themes of the Town's adopted Plan Warrenton 2040 Comprehensive Plan.

This is the first retreat since 2019 due to the pandemic, during which the Town, like many others, operated on an emergency basis. Many capital projects were delayed during the pandemic, while basic programs and services were maintained.

This year's retreat provides a starting point for the Council to continue its deliberations toward reaching consensus on how to move from the 2040 plan to the 6-year Capital Improvement Program (CIP), to the annual budget. The fiscal year 2024 annual budget, that will be adopted by the Town Council in June 2023, should reflect the Council's short-term strategic priorities (1-5 years), consistent with the long-term goals of the Plan Warrenton 2040 Comprehensive Plan.

Based on the Council's discussions of the priorities identified in 2019, and the emerging priorities discussed at this year's retreat, each of the following issues (see diagram below) will require further discussion and consideration over the next few months, for Council to reach consensus and provide necessary direction to the Town Manager and professional staff.



1. **Resiliency & Preparedness** – Identifying key actions and initiatives that will protect and promote a successful future for Warrenton specifically in the areas of (1) financial and workforce resources and (2) technology and utility investments.
2. **Boundary Line Adjustment** – including overall relationship with the County and the process to finish this project. Resume regularly scheduled Town/County Liaison Committee meetings with a particular focus on boundary line adjustments.
3. **Affordable Housing** – including how the County and Non-Governmental Organizations can assist in this challenge.
4. **Branding** – Determining the next steps in this ongoing goal.

## Recommendations:

To build on the work of the September 24 retreat and to be well positioned for the Town's next fiscal planning cycle it would be advisable to review these initial discussions in relation to existing policy guiding documents.

The Plan Warrenton 2040 Comprehensive Plan is a guiding document for future decisions regarding development, preservation, public facilities, and other key components of community life. Although the plan seeks to provide a clear vision to help steer the Town, it provides a long term, 20-year, development horizon and is therefore very general in nature.

Accordingly, the Council may want to consider a shorter-term strategic plan that would provide the necessary 1–5-year prioritized policy guidance to the Town Manager and professional staff that can then be incorporated into the Town's Six-Year Capital Improvement program (CIP) and Annual Fiscal Plans.

A shorter term, 1–5-year, planning document would help the Council and the community realize its long-term vision by establishing goals and objectives in a logical, systematic, incremental manner.

Such a plan could look like the diagram below.



Once Council achieves further consensus on priorities, the professional staff can begin to:

1. Identify staff resources needed to execute the initiatives that will address these priorities
2. Identify the resources needed to pursue these priorities and develop program and project plans to achieve the desired goals. These resources include funding; technology, and human resources including managerial time.
3. It is also advisable to adopt project mapping software so initiatives can be reviewed for planning purposes and analyzed for milestone progress.

## 1. Overview of the Fall Retreat

### Retreat Preparation

During the weeks preceding the Warrenton Town Council planning session, 1-hour individual interviews were conducted to prepare for the retreat. The following people participated in a one-on-one format via video with Jane Dittmar from the Virginia Institute of Government:

#### **Council Members (9)**

H. E. Carter Neville – Mayor  
 James N. Hartman – Vice Mayor (Ward 4)  
 Renard Carlos – At Large Member  
 Sean Polster – At Large Member  
 Heather D. Sutphin – Ward 1  
 William Semple II – Ward 2  
 Brett A. Hamby – Ward 3  
 Jay Heroux – Ward 5 (newly appointed)  
 Kevin Carter – Ward 5 (recently resigned)

#### **Professional Staff (10)**

Chris Martino – Interim Town Manager  
 Tommy Cureton – Deputy Town Manager  
 Stephen Clough – Town Clerk  
 Kasey Braun- Human Capital Director  
 Frank Cassidy – Public Works & Utilities Director  
 Rob Walton- Community Development Director  
 Denise Harris – Planning Manager  
 Michael Kochis – Chief of Police  
 Stephanie Miller – Finance Director  
 Jonathan Stewart – IT Director  
 Kelly Koernig – Parks & Recreation (Acting) Director

## The Retreat

On September 24, 2022, The Warrenton Town Council convened a day long retreat at the Warrenton Police station. Those present included:

### **Council Members (8)**

H. E. Carter Neville – Mayor  
 James N. Hartman – Vice Mayor (Ward 4)  
 Renard Carlos – At Large Member  
 Sean Polster – At Large Member  
 Heather D. Sutphin – Ward 1  
 William Semple II – Ward 2  
 Brett A. Hamby – Ward 3  
 Jay Heroux – Ward 5

### **Professional Staff (4)**

Chris Martino – Interim Town Manager  
 Tommy Cureton – Deputy Town Manager  
 Stephen Clough – Town Clerk  
 Stephen Bruck – IT Specialist

### **Facilitator**

Jane Dittmar – Virginia Institute of Government

## RETREAT AGENDA

- 1) Roles & Responsibilities of Elected Bodies and Professional Staff
- 2) Norms and Expectations among Council Members
- 3) Communication Strategies for Council Members
- 4) Challenges and Opportunities facing the Town
- 5) Existing Priorities found in the last Strategic and Comprehensive Plans
- 6) Emerging Priorities based on Challenges and Opportunities facing the Town
- 7) Next steps

## 1. Roles and Responsibilities

The science and philosophy behind highly performing elected bodies and their staff was discussed. Material from national and international organizations was reviewed.

### **Town Council**

There was agreement that the Council is the policy maker and responsible for addressing the Town's long-term future by adopting the capital improvement and comprehensive plans, formulating annually a budget and setting the tax rate, enacting local ordinances and making land use determinations. The Council also understands its role hiring the Town Manager and Town Attorney (or by securing outside legal services).

### **Town Manager & Staff**

There was agreement the Town Manager is responsible for hiring, reviewing and retaining professional staff to execute Council policy and for ensuring high-level service delivery for Town residents. Discussion followed whether it was appropriate for individual Council members to work directly with staff instead of going through the Manager with constituent service requests. Utilizing the Town Manager to triage requests is the protocol described in the 2024 Warrenton Town Council Handbook. The handbook procedure was reaffirmed and Council members decided to review protocols on handling constituent service and other requests when the new Manager is on boarded.

### **Preferences for how Council Would Like Information**

The group also discussed their preference in receiving briefings and recommendations from staff. There was consensus that an executive summary of findings and the recommendation of staff is a format that would be well received. There was not general consensus on how many options should be offered. Some members preferred just one recommendation with supporting justification. Others wanted a recommendation that included all the options considered by staff, and besides the supporting justification for the final recommendation, they wanted a brief explanation as to why the other options were rejected. One member did not like having three options to consider. There should be further discussion about how to present the staff recommendation found in their executive summaries.

## 2. Norms and Expectations

### **A. Summary**

During individual Council members' interviews, the topic of norms of behavior among members came up frequently. This subject was added to the agenda. Besides stated norms found in the 2022 Warrenton Town Council Handbook, the Council discussed norms that were important to them individually and as a whole. Questions were posed such as:

- 1) How do we develop and find consensus on our norms?
- 2) How do we (shall we) evolve our norms?
- 3) How do we communicate our norms to new members?
- 4) What do we do if a norm is violated unintentionally?
- 5) What should we do if a member needs to violate a norm?

## B. Individual interviews

During the individual interviews the following themes emerged:

- 1) **One Voice** – Members should bring policy and requests to the full Council so by majority, the Council can speak as “one voice”.
- 2) **No Surprises** – let your fellow members know in advance if they might be surprised by a motion or announcement
- 3) **General Decorum** – treat other members as you want to be treated
- 4) **The actions of a fellow member v. the member** – criticize actions or policies being promoted by a member, not the member themselves and keep language from becoming personal. Exercise care in social media posts and other group communication.
- 5) **My Ward – Our Town** – recognize and respect the ward members who represent a particular ward and all members should understand that the Council considers the good of the whole town.
- 6) **Horse trading votes** – when horse trading ward to ward, ensure that these votes are good for the whole town.
- 7) **Handling “breaches”** – reach out to understand a breach before reacting to what you assume was the motivation.

## C. Exercise results

Members broke into four groups of two each to discuss norms and expectations. The following highlights illustrate the priorities of the members:

- 1) **Boundaries**
  - a. **Ward boundaries** – those in wards request that they be notified if another member has town business to discuss or attend to in their ward. That said, some members didn’t want the town to be too siloed by ward boundaries and wanted everyone to vote on behalf of the entire town.
  - b. **Staff boundaries** – “don’t put staff in the middle on issues”
  - c.



## 2) Respect for each other

There was also good consensus around the showing of mutual respect by avoiding surprising a fellow member by talking outside of official meetings, coming prepared to meetings, accepting each other's differences and handling disagreements or concerns in private and preferably in person.

## 3) Handling Breaches

Discussion included the recommendation that any breach should be addressed carefully with respect on both sides.

## 3. Communication Strategies & Tools

Some time was devoted on tools and strategies for effective communication.

## 4. Existing Priorities

### A. Summary

The Council spent time reviewing existing priorities found in the Comprehensive Plan "Plan Warrenton 2040" and in the findings of the last strategic plan held in 2019.

Plan Warrenton 2040 serves as the official document tying together community features with the overall vision for its future. It is broken into 7 areas of community policy and development:

- 1) Historic resources
- 2) Community facilities
- 3) Housing
- 4) Open space, parks & environment
- 5) Transportation and circulation
- 6) Economic and fiscal resilience
- 7) Land use and character district plan

B The strategic plan created in 2019 identified the following priorities:

- 1) **Boundary Adjustment- Facilities** – From the Community Facilities section of the Comprehensive Plan
- 2) **Branding- Who, What, Where** – From both the Historic Resources section and the Economic and Fiscal Resilience sections of the Comprehensive Plan
- 3) **Recreation- Quality of Life Activities** - From the Open Space Parks and Environment section of the Comprehensive Plan
- 4) **Historic District - Boundaries** – from both the Historic Resources and Land Use and Character District Plan
- 5) **Gateways** – from both Transportation and Circulation section and the Land Use and Character District section of the Comprehensive Plan and
- 6) **Inventory of Affordable Housing** – from the Housing section of the Comprehensive Plan

### C Group Exercise – reaffirming existing priorities

Members broke into four groups of two each to discuss norms and responsibilities. The following highlights illustrate the goals of the members. The top priorities identified by all four groups were:

1. Successful completion of the **boundary line adjustment** project  
Top priority in two groups, number two priority in the other two groups  
This priority continues to be consistent with both the Comprehensive Plan, found in the Community Facilities section, and the 2019 Council Retreat findings.
2. Forward movement on addressing **the affordable housing shortage**  
Top priority in one group, Second priority in one group, third priority in two groups  
This priority continues to be consistent with both the Comprehensive Plan found in the Housing section and the 2019 Council Retreat findings.
3. Continue the **branding** initiative for the town  
Second priority in one group, third priority in one group, fourth priority in one group and fifth priority in one group. This priority continues to be consistent with both the Comprehensive Plan, found in the Historic Resources section and the Economic and Fiscal Resilience section, and the 2019 Council Retreat findings.
4. Honorable mentions were recorded for:
  - a) Recreation (mentioned twice)
  - b) Historic resources (mentioned twice)
  - c) Transportation, including walkability (mentioned twice)
  - d) Economic Development (mentioned once)

### D Group Exercise – Identifying Emerging Priorities

Members broke into four groups of two each to discuss emerging priorities. The following highlights illustrate the priorities of the members

There were a number of emerging priorities the Council considered. The two major emerging priorities centered on **resiliency and workforce**.

- 1) **Resiliency** came in as number one emerging priority. It was listed number one for three groups and one of the three groups listed it twice. Descriptors for resiliency included:
  - a) “financial”
  - b) “preparedness”, and
  - c) “preparedness for change”.

**2) Workforce**, arguably a subcategory of resiliency, was elevated to its own priority. It was listed as the number two issue for two groups and the number three issue for two groups. Descriptors included

- a) "Hiring Town Manager"
- b) "Employee retention"
- c) "Employee recruitment and retention", and
- d) "Protecting our workforce"

**3)** Honorable mentions were recorded for:

- a) Representing town demographics; honoring diversity (mentioned twice)
- b) Maintaining high level of trust with residents (mentioned once)
- c) Maintaining the qualities of Warrenton that make it distinctive (mentioned once)
- d) Preparing for the future embracing change (mentioned once)
- e) Preparing for climate change (mentioned once)

## 5. Next Steps

There are several events in the near future that are significant to Council working through these priorities. They are:

1. Fall (October/November 2022): Communication with the search firm regarding the qualities the Council wants in their next Manager.
2. Winter (December 2022-February 2023): Utilizing remaining work session(s) in 2022 to review the cost, action steps and timing of identified priorities for 2023. Also test the formats for explaining recommendations in executive summaries to determine which style suits the Council.
3. Winter (December 2022-January 2023): The November 2022 election will identify the several new members who will join the Council effective January 2023. Besides other materials, new member orientation can include a discussion of norms and expectations with other remaining members of the Council.
4. Winter (December 2022-January 2023): The on boarding of new Council members
5. Winter (February 2023): Conduct a fiscal planning retreat where for Council to assess the Town's financial strength and stability, review recent financial trends, identify any warning signs and provide guidance and direction regarding the desired quality and level of programs and services, capital investments and how to allocate the Town's limited resource to move ahead on its priority initiatives.
6. Winter (February 2023): The on boarding of the new Town Manager.

7. Spring (March-April 2023): Staff preparation of the proposed FY 2024 Annual Budget, the FY 2024 – FY 2029 6-year CIP and FY 2024 – FY 2028 year Budget. To do this there will need to be clear direction from Council on what priorities will be “slow walked” and which priorities should command the most discretionary resources in the next budget cycle.

Prepared by:  
Jane Dittmar  
Virginia Institute of Government  
[dittmarjane@gmail.com](mailto:dittmarjane@gmail.com)



UNIVERSITY  
of VIRGINIA

Weldon Cooper Center  
for Public Service  
Virginia Institute of Government

TO: Frank Cassidy, Interim Town Manager  
Stephen Clough, Clerk, Warrenton Town Council  
FR: Charles Hartgrove, ICMA-CM, Managing Director  
Jane Dittmar, Consultant  
Virginia Institute of Government  
RE: Planning Meeting Follow Up  
DT: September 1, 2023

Thank you for your time this week to discuss the possibility of the Virginia Institute of Government (VIG) assisting Warrenton's Town Council in developing a strategic plan to serve as a roadmap for the Town for the next three or more years.

The process we recommend is the following:

1. Schedule an early 2024 extended work session for the newly seated Council to develop the strategic plan, as well as consider other governing issues faced by the Council. This retreat will be designed and facilitated by VIG. You have tentatively identified the weekends of January 27 or February 2 for this retreat. VIG will hold the option of one of these dates for Warrenton provided Council is able to confirm arrangements with VIG by September 30. Because of the number of jurisdictions hoping to develop plans in the first quarter of next year, it will be impossible to hold this time after that.
2. Reach consensus on whether, besides executing the extended work session, you wish to retain VIG to write the draft plan for Council consideration and adoption. Finally, consider whether you wish VIG to work with the professional staff of the Town to determine milestones, metrics and an internal schedule for periodic reviews to measure successful execution of the plan.
3. Review the After-Action Report, completed by VIG for the Council last fall, to determine if the priorities identified at the September 2022 retreat still encompass the key priorities of the current Council. This can be reviewed at a Town Council work session sometime this fall. We will review the minutes and the video of this work session for insights to determine if Council direction remains the same or whether it may have shifted over the last 12 months. This will be part of our preparation to design the agenda for the 2024 Council retreat. So, if you do not have consensus at your work session, we can address this at the retreat.

VIG will draft a scope of work for Council consideration as soon as you let us know what process you would like to follow. The Town of Warrenton is an important VIG client and we stand ready to support the Town's progress so please do not hesitate to call, if you wish to discuss this further.



Office of the Town Manager  
Frank Cassidy

**Warrenton Town Council**

Carter Nevill, Mayor  
Heather Sutphin, Ward 1  
William Semple, Ward 2  
Brett Hamby, Ward 3  
James Hartman, Ward 4 Vice Mayor  
Eric Gagnon, Ward 5  
Paul Mooney, At Large  
David McGuire, At Large

Item B.

# STAFF REPORT

<b>Council Meeting Date:</b>	January 9 <sup>th</sup> , 2024.
<b>Agenda Title:</b>	18 Court Street Building updates.
<b>Requested Action:</b>	Receive the update on the 18 Court Street building
<b>Department / Agency Lead:</b>	Town Manager
<b>Staff Lead:</b>	Frank Cassidy

## EXECUTIVE SUMMARY

18 Court Street, The Old Town Hall Building, has recently undergone light renovations. These renovations include opening the space on the main floor, installing durable flooring for multi-use opportunities, and minor IT installation to handle basic operations. This facility has become a useful space during our “asbestos” remediation at 21 Main St. and has provided additional opportunities for use.

Staff continues to work with the Fauquier County Government and the Veterans of Foreign Wars Post 9835 for potential Public and Private Partnerships. Discussions with the VFW have been productive. We remain focused on the exclusive use of an office and the “vault” for storage.

The success and overwhelmingly positive feedback from the Holiday Market has led to the use of this area and building for all future markets. The Winter Market starts early next year. By moving these markets to this facility, interior space is expanded, and the use of Court and Hotel St. has been incorporated into the market plan. The atmosphere has been “Warrenton” while traffic and parking issues have eased.

## BACKGROUND

The historic building at 18 Court Street, was originally constructed for and occupied by the Fauquier National Bank in 1925. Thanks to the generosity of Edward L. Stephenson the Town began to occupy the space and use it as a Town hall in 1973. In 2019, the Town Council recognized the needs of the Town were surpassing the use of 18 Court Street and directed Staff to explore options for a more unified space for staff, residents, and visitors of the Town. The Current Town Hall building was identified as an option for expansion of the operations and as a more fitting space for the services offered by the Town. The new Town Hall building is better aligned with the priorities of the Council laid out in Plan Warrenton 2040 to better serve the public and create efficiencies.

After the staff was transitioned to the new Town Hall location, the building at 18 Court Street remained vacant. Staff began the process of removal of the old Town Council Dias and general maintenance of the building.

Focusing on the Priorities of the Council laid out in Plan Warrenton 2040 to better serve the public and cerate efficiencies, staff identified multiple opportunities for the building to serve the Town in a new

capacity and role. Staff began outfitting the building with infrastructure needs and performed necessary improvements to the flooring and spaces to facilitate the use of the space for meetings, training, emergency response, and community outreach.

The Town has received two inquiries regarding potential Public Private Partnerships for the use of the space at 18 Court Street, and we now have another opportunity with the Holiday and Winter Markets.

**Fauquier County Government:** The Fauquier County Government has begun scheduling use of the space for meetings.

**VFW Post 9835:** The Leadership of VFW Post 9835 continues to work with staff on the conversation of a Public / Private partnership for the use of 18 Court Street as a meeting and office space for the VFW. For over 75 years, the Robert E. Laing Memorial VFW Post 9835 has not had a home location with office and meeting space. We are working on agreements to finalize them early next year. They have stated they do not have a building fund to offset monthly fees but are willing to work on "in kind" services to offset the costs.

**STAFF RECOMMENDATION**

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Continue working with the County and consider the VFW use with no monthly fee and incorporate the use of this facility with all "Farmers" Markets

**Service Level/Collaborative Impact**

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This project involves the collaboration between the VFW Leadership, the County, and Town on several levels- Administration, Facilities, and IT. Town staff has been working with all involved parties to ensure smooth implementation.

**Policy Direction/Warrenton Plan 2040**

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Historic Resources Goals:  
HR-1 Conserve, Reuse, and promote historic resources to enhance the Town's sense of place and grow the economy.

Community Facilities Goals:  
CF-1: Serve as the central inviting public service center for Town and County residents with a proportionate share of community services provided by other governments, including a fair and reasonable balance in funding sources for community facilities.

**Fiscal Impact**

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N/A

**Legal Impact**

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Potential Public-Private Partnerships will have a legal impact as the Lease agreements, Memorandum of Understanding, and defined policies are reviewed for the proposals.

**ATTACHMENTS**

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None



**A PROCLAMATION RECOGNIZING AMOS CROSGROVE FOR HIS DEDICATION AND SERVICE TO THE TOWN OF WARRENTON, VIRGINIA**

**WHEREAS**, the Board of Zoning Appeals of the Town of Warrenton is the legislative body charged, under the laws of the Commonwealth of Virginia and the Town Zoning Ordinance, to hear and decide appeals and variance requests from any order, requirement, decision or determination made by an administrative officer in the administration or enforcement of the Zoning Ordinance; and

**WHEREAS**, Amos Crosgrove was appointed to the Warrenton Board of Zoning Appeals in April of 2021; and

**WHEREAS**, Mr. Crosgrove helped conduct meetings through the last two (2) years with knowledge and dedication; and

**WHEREAS**, BZA Member Crosgrove was known for his outstanding contributions of local knowledge and understanding to reach better outcomes; and

**WHEREAS**, Mr. Crosgrove's desire to serve his community showed his empathy, fairness, and sense of duty to the Town; and

**NOW, THEREFORE BE IT PROCLAIMED** that the Mayor of the Town of Warrenton hereby recognizes and deeply appreciates the contributions of Amos Crosgrove for his dedication and service to the Town of Warrenton, Virginia, and its Citizens.

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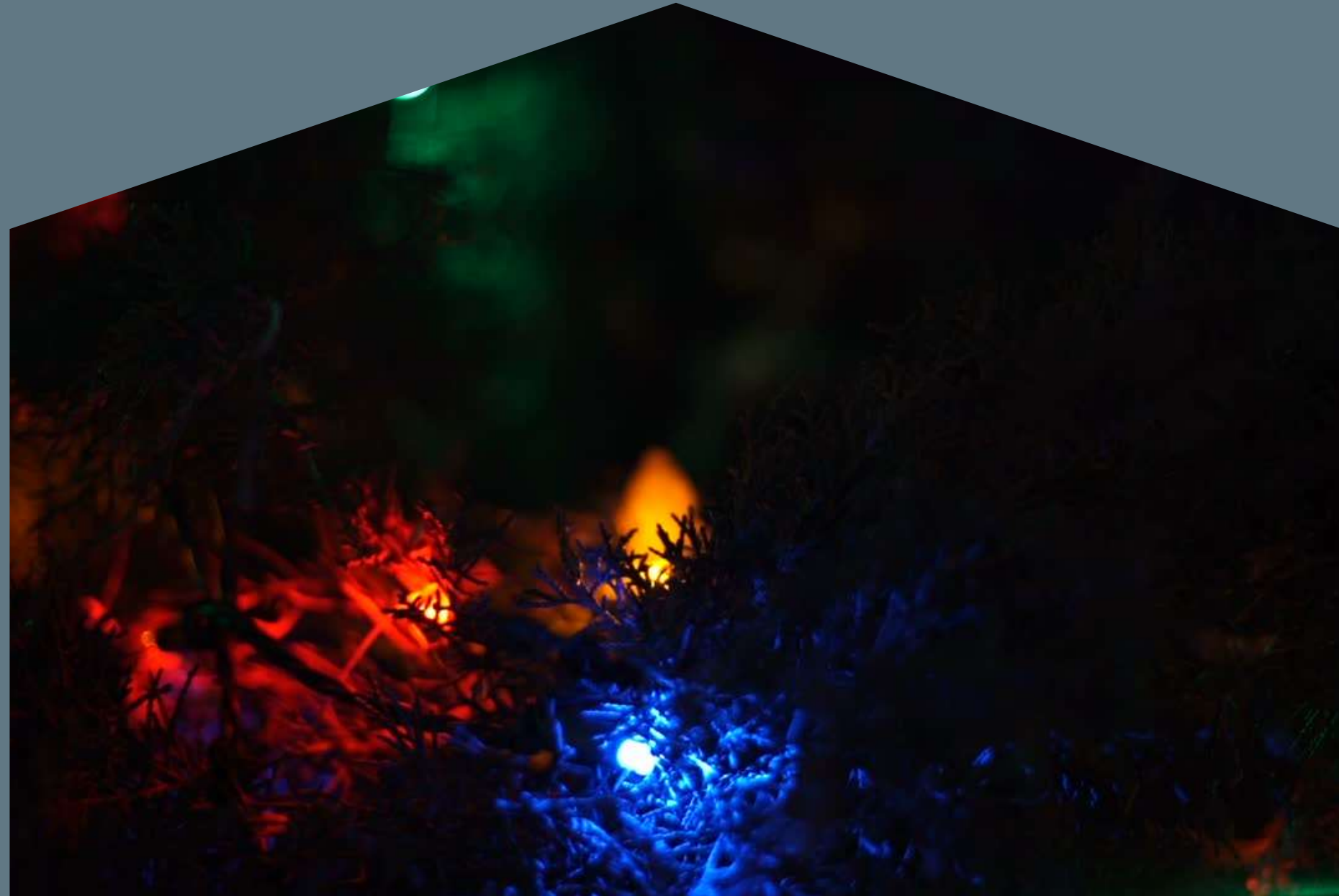
H. E. Carter Nevill  
Mayor Town of Warrenton



# Recognition of the 2023 Holiday Decorating Contest Winners

Town Council Regular Meeting  
January 9, 2024

AND THE WINNERS ARE...



# Most Creative Ami Cales 257 Monroe St.




*Most Traditional*  
*Karen Lavarnway*  
*102 Winchester St.*



*Most Wow Factor*  
*Allison Cathell*  
*183 Elm St.*



Item b.

An aerial photograph of a town, showing a dense cluster of houses with various roof colors (grey, brown, white) and green trees interspersed throughout. The town is viewed from a high angle, looking down on the streets and buildings. The overall scene is bright and clear.

**Congratulations to the  
2023 winners and thank you  
to all the participants for  
bringing joy and lighting up  
the town.**



## STAFF REPORT

<b>Town Council Meeting Date:</b>	January 9, 2024
<b>Agenda Title:</b>	SUP 2023-02 Wal-Mart
<b>Requested Action:</b>	Review and approval of requested amendment to SUP 10-4 to allow for upgrades to the existing store to include store expansion to include pick-up area, relocation of temporary, holiday outdoor storage containers, re-striping portions of parking lot to provide space for preorder pick-up, modifications to store exterior to also include new color scheme.
<b>Department / Agency Lead:</b>	Community Development
<b>Staff Lead:</b>	Casey Squyres, Historic Preservation Planner

### EXECUTIVE SUMMARY

The Applicant, Wal-Mart, is requesting a Special Use Permit (SUP) Amendment to allow for upgrades to the existing Store by implementing the following improvements: 1) expanding the store by approximately 6,151 square feet to accommodate a merchandise pick-up staging area, which will require the relocation of an existing outdoor storage area, 2) re-striping portions of the parking area in order to provide spaces for customers picking up pre-ordered merchandise, and 3) modifying the exterior store elevations to include an addition and new colors at 700 James Madison Highway. Currently, Wal-Mart encompasses an approximate 157,345 square foot retail store on two parcels that together contain approximately 18.434 acres. The expansion of the existing store requires an SUP per Article 11-3.10.3. of the Zoning Ordinance. The parcel is zoned Commercial (C) and is designated in the Greenway and Makers Character District on the Future Land Use Map. The site is occupied by a retail use exceeding 50,000 square feet under Special Use Permit #10-04. A Home Depot store is located to the southwest of the property and James G. Brumfield Elementary, Taylor Middle School, and the Warrenton Community Center are located north of the parcels.

### BACKGROUND

In 2011, the Town Council approved a Special Use Permit authorizing the Warrenton Wal-Mart to undergo an expansion. The SUP was then modified in 2013 and 2017 for the inclusion of outdoor holiday storage containers. In 2020, the Applicant requested an additional expansion of 1,495 square feet to accommodate online grocery pick-up storage and staging. However, this expansion was not built as the Applicant reexamined the overall scope and need. The Applicant brought the current SUP amendment (SUP 23-02) for a 6,151 square foot pick up staging expansion to a Planning Commission



Work Session on September 19, 2023. The Applicant then brought the SUP before the Planning Commission Public Hearing on November 28, 2023. The Applicant confirmed the intent of the application as amended is to increase the safety of the employees at the pick-up location, while not encouraging customers to leave their vehicles in the pick-up zone. The proposed elevation changes included the new expansion and a new earth-tone color scheme that eliminates the “Knockout Orange” color. The Applicant also provided a revised landscape plan with increased plantings/buffering, specifically located to the southwest area where the outdoor storage will be relocated.

During the Planning Commission Public Hearing, there were no comments received for or against the project from the public and the Planning Commission voted 5-0 to approve SUP 23-02 as amended.

### **PLANNING COMMISSION RECOMMENDATION**

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The Planning Commission recommends approval to the Town Council of SUP 2023-02 subject to the draft Conditions of Approval.

#### **Suggested Motions:**

1. I move that the Town Council approve the Resolution for SUP 2023-02 Wal-Mart for an expansion and relocation of the holiday outdoor storage subject to the Conditions of Approval dated January 9, 2024.

OR

2. I move an alternative motion.

OR

3. I move to deny SUP 2023-02 for the following reasons...

#### **Service Level / Policy Impact**

The proposed use is designated as Greenway and Makers District in Plan Warrenton 2040. Goal E-1 states “Grow a strong, diversified, and resilient economy that supports residents and businesses alike.”

#### **Legal Impact**

Special Use Permits Plans and their corresponding Conditions of Approval are entitled with the subject parcels.

## ATTACHMENTS

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1. Statement of Justification
2. Addendum to the Statement of Justification
3. March 23, 2023 SUP Plan Sheets 1-4
4. Applicant Representative's March 23, 2023 Comment Response Letter
5. October 10, 2023 Applicant Representative's Proposed Conditions of Approval
6. May 10, 2011 SUP 10-4 Approved Conditions - No Mark-Up
7. October 13, 2020 SUP 20-02 Attachment C - Conditions - Redline
8. June 6, 2023 Previous Overall SUP Plan Redline Exhibit Sheets 1-7
9. SUP 2023-02 Final Amended Conditions
10. May 24, 2023 Revised Exterior Elevations (A2)

**Staff Analysis**

This analysis is based on the Comprehensive Plan and Zoning Ordinance. The standards/analysis tables in the sections below contain the criteria for Planning Commission and Town Council consideration of Special Use Permits, per Article 11-3.10.3.

**Request**

In 2011 the Town Council approved Special Use Permit #10-04 authorizing the Warrenton Wal-Mart to undergo an expansion. The SUP was then modified in 2013 and 2017 for outdoor holiday storage containers. The SUP was further amended to allow the Applicant to build an additional expansion of 1,495 square feet to accommodate online grocery pick-up storage and staging during the pandemic in 2020. The grocery pick-up expansion was never built. The Applicant decided to re-examine the expansion for the new proposal. The proposed elevation changes include the new expansion and new colors.

The following table summarizes the area characteristics (see maps in Attachment A):

Direction	Land Use	Future Land Use Map Designation	Zoning
North	Warrenton Community Center	Public Semi Public – Non Intensive	Public Semi-Public
South	Vacant	Fauquier County/Greenway and Makers	Commercial
East	Multiple Commercial-Industrial Uses	Greenway and Makers	Commercial/Industrial
West	Home Depot	Greenway and Makers	Commercial

The site is occupied by a retail use exceeding 50,000 square feet under Special Use Permit #10-04. A Home Depot store is located to the southwest of the property and James G. Brumfield Elementary, Taylor Middle School, and Warrenton Community Center are located north of the parcels. The property is zoned (C) Commercial.

**Comprehensive Plan Future Land Use Analysis**

The Plan Warrenton 2040 Future Land Use Map designates the subject property as Greenway and Makers Character District use. This designation is for *the maximization of industrial areas for maker space with a food and arts focus, to create connective elements to the greenway, and to enhance gateway form and function.*

Standard	Analysis
<i>Whether the proposed Special Use Permit is consistent with the Comprehensive Plan.</i>	This use is consistent with an existing use.
<i>The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and</i>	The proposed expansion located on the north side of the building will have no impact to

Standard	Analysis
<i>adjacent parcels.</i>	adjacent properties. The relocation of the temporary holiday storage to the southwest is adjacent to Alwington Boulevard and the existing garden center.

**Staff Findings**

The Applicant seeks to modify an existing, approved use through SUP Plan amendments with minor land use impacts.

**Zoning Analysis**

The legislative intent of the Commercial District is “to encourage the logical and timely development of land for a range of commercial and mixed use purposes in accordance with the objectives, policies, and proposals of the Comprehensive Plan; to prohibit any use which would create undue impacts on surrounding residential areas; and to assure suitable design to protect the residential environment of adjacent and nearby neighborhoods. It is further declared to be the intent of this district to limit traffic congestion, overcrowding of land, noise, glare, and pollution, so as to lessen the danger to the public safety, and to ensure convenient and safe pedestrian access to and from commercial and mixed use sites as well as between adjacent commercial and mixed use sites. The protective standards contained in this Article are intended to minimize any adverse effect of the commercial district on nearby property values and to provide for safe and efficient use of the commercial district itself.”

Standard	Analysis
<i>The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.</i>	Applicant states the expansion will create no additional noise beyond incidental noise associated with placing orders into customer vehicles. All non-residential uses must meet the noise standards under Article 9-14.2. No change of use is proposed.
<i>The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.</i>	Directional signage is proposed in the narrative. Signage shall meet Article 6, Sign Regulations and will be addressed during the site plan amendment.
<i>The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.</i>	The proposed 6,151 square foot expansion will be located on the north side of the building. The temporary holiday storage is proposed to be moved to the southwestern side.

Standard	Analysis
<i>The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.</i>	The Applicant has indicated the addition of updated landscaping. Existing landscaping within the proposed expansion area will need to be replaced elsewhere on site as part of the site plan amendment.
<i>The timing and phasing of the proposed development and the duration of the proposed use.</i>	The Applicant narrative notes approximately 1 year for construction. The addition would be permanent.
<i>Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public.</i>	The proposed expansion will increase the impervious surface on site.
<i>Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of the Town of Warrenton.</i>	Any new structures will be required to meet current codes.
<i>The location, character, and size of any outdoor storage.</i>	Temporary outdoor storage is permitted October 1 through December 15 annually. The storage is located on the southwestern portion.
<i>The location of any major floodplain and steep slopes.</i>	No floodplain is located on site.
<i>The location and use of any existing non-conforming uses and structures.</i>	The proposed structure must meet all required setbacks and permissible uses should the SUP be granted.
<i>The location and type of any fuel and fuel storage.</i>	No fuel storage areas are noted on site.
<i>The location and use of any anticipated accessory uses and structures.</i>	The temporary outdoor storage containers are proposed to be installed to the southwestern area of the property.
<i>The area of each proposed use.</i>	The proposed area for the new expansion is 6,151 square feet.
<i>The location and screening of parking and loading spaces and/or areas.</i>	The expansion is proposed in an area currently containing grass. The site plan amendment will need to demonstrate that the additional impervious surface does not cause the property to exceed 85% in total. Additional screening is proposed to the southwest area parking lot to reduce visibility of the seasonal outdoor storage containers.
<i>The location and nature of any proposed security features and provisions.</i>	Not applicable.
<i>Any anticipated odors which may be generated by the uses on site.</i>	The site must remain in compliance with Article 9-14.5 regarding the control of odors.

Standard	Analysis
<i>Refuse and service areas.</i>	Applicant states the existing use of dumpsters and hours of operation will not be modified or impacted.
<i>Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any significant topographic or physical, natural, scenic, archaeological or historic feature.</i>	No significant topographic areas are noted on site.
<i>The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality. The location of any major floodplain and steep slopes.</i>	No sensitive lands located near the proposed expansion area.
<i>The glare or light that may be generated by the proposed use in relation to uses in the immediate area.</i>	Proposed lighting is not shown. Applicant narrative states any lighting will not cause glare and will be addressed during the site plan amendment.

**Staff Findings**

The Applicant has stated that final details regarding lighting, signage, and landscaping elements will be addressed at the site plan amendment stage. Other elements, such as environmentally sensitive lands, topographically significant lands, and any floodplains will not be impacted.

**Transportation and Circulation Analysis**

The primary transportation and circulation goal for the Town of Warrenton is *“To encourage the development of a safe, efficient and multi-modal transportation system for the movement of people, goods and services, in and around the Town that is consistent with the historic fabric, land use pattern and expected future fiscal needs of the Town.”* The Transportation and Circulation section of the Comprehensive Plan sets out policies and objectives that work to further this goal. The section includes recommendations addressing improvements for pedestrian use, new street connections, parking and sidewalks, trails, cost sharing, traffic calming techniques, safety, and signage.

Standard	Analysis
<p><i>The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety, efficient traffic movement and access in case of fire or catastrophe.</i></p>	<p>The Application does not impact off-site traffic circulation, emergency access, or pedestrian safety. The required parking with the proposed expansion is approximately 334 spaces. The number of spaces provided is 731. The seasonal temporary storage utilizes 31 spaces.</p>
<p><i>Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public.</i></p>	<p>During the 2020 SUP Amendment, the Planning Commission included an additional condition, that the Applicant agreed to, stating Wal-Mart will work with staff at site plan to address safety concerns of mixing the drive aisle with online pick up. This proposal seeks to enhance these efforts by encouraging pedestrians to not leave their vehicles during pick-up and to include traffic calming measures and signage to increase pedestrian and employee safety.</p>
<p><i>Whether the proposed use will facilitate orderly and safe road development and transportation.</i></p>	<p>This Application does not require a Transportation Impact Analysis. The Applicant has included efforts for an enhanced and improved internal transportation circulation and pedestrian safety by implementing revised traffic circulation patterns, traffic calming measures, and pick-up parking areas that encourage pedestrians to remain in their vehicles.</p>

**Staff Findings**

The proposed expansion area reconfigures that layout of the existing parking area and drive aisles. Additionally, the site currently contains an excess of parking under the Zoning Ordinance requirements that the expansion will utilize. The Applicant is proposing a new design that seeks to improve upon the previous design by incorporating a layout that provides for enhanced safety of employees and customers.

**Community Facilities and Environmental Analysis**

Plan Warrenton 2040 outlines Community Facilities goals and Environmental goals by stating:

- Green infrastructure and sustainability are incorporated into community facilities to promote energy efficiency and environmental protections.
- Ensure healthy, safe, adequate water and wastewater services.
- Preserve, enhance, and protect the environmental, scenic, and natural quality of the Town

Standard	Analysis
<i>Whether the proposed Special Use Permit will adequately provide for safety from fire hazards and have effective measures of fire control.</i>	The proposed expansion is required to meet all applicable building and fire safety codes.
<i>Whether the proposed Special Use Permit will be served adequately by essential public facilities, services and utilities.</i>	The site is currently served by Town services and utilities.
<i>The location of any existing and/or proposed adequate on and off-site infrastructure.</i>	The existing infrastructure will not be modified or impacted.

**Staff Findings:**

The Application does not seek to change the exiting public facilities, services, or utilities..

**Economic Resources Analysis**

An economic goal of Plan Warrenton 2040 is to promote a diverse, equitable stable tax base while preserving the character of the community.

Standard	Analysis
<i>Whether the proposed Special Use Permit use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.</i>	The Applicant narrative states the expansion will allow the store to meet customer demands and help promote economic activity in the Town.
<i>The number of employees.</i>	The Applicant narrative states that the precise number of additional associates required for the expanded service has not been determined.
<i>The proposed days/hours of operation.</i>	The existing use will not be modified or impacted. Hours for the online service are noted as 7:00 am to 7:00 pm.

**Staff Findings:**

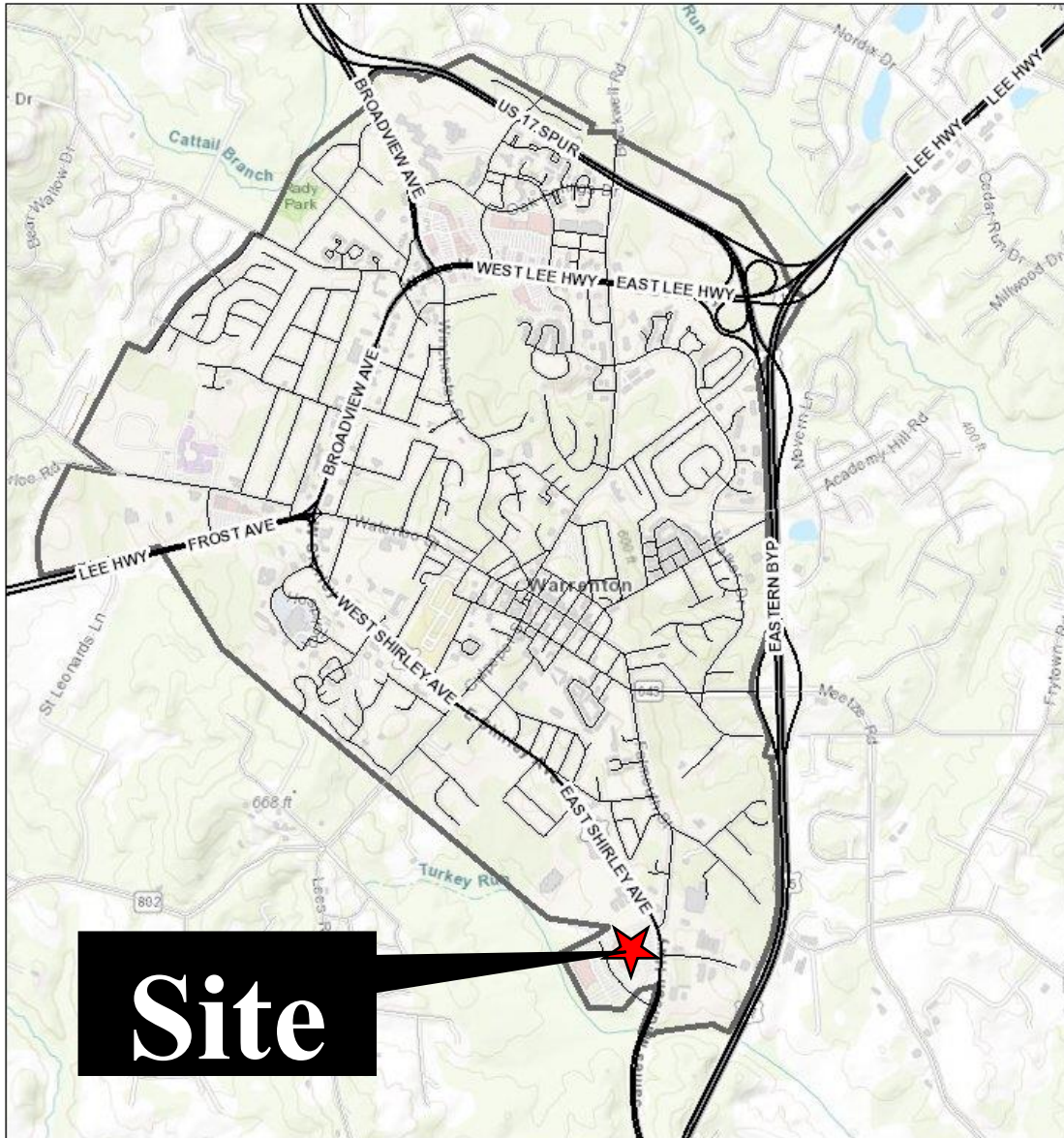
The existing use provides both tax and employment opportunities to the Town of Warrenton.



# Attachment A – Maps, Elevations, & Photos

## Vicinity Map:

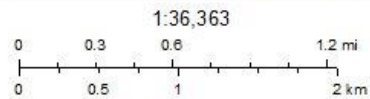
Town of Warrenton, VA WebGIS



July 27, 2017

**Major Roads**

- MAJOR
- <all other values> — MINOR
- PRIVATE
- COUNTY
- LOCAL
- RAMP
- Town Limits

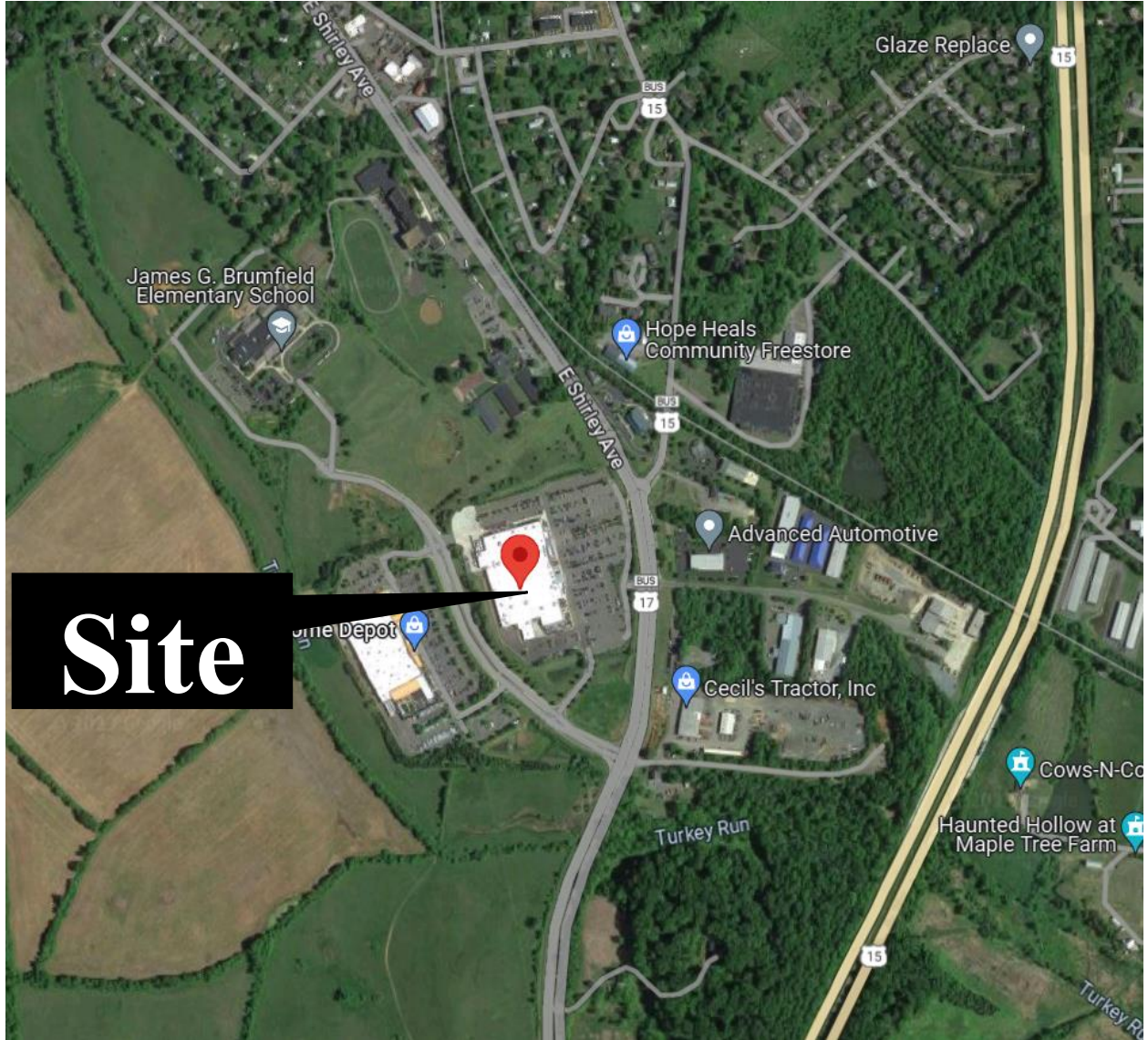


Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

# Attachment A – Maps, Elevations, & Photos

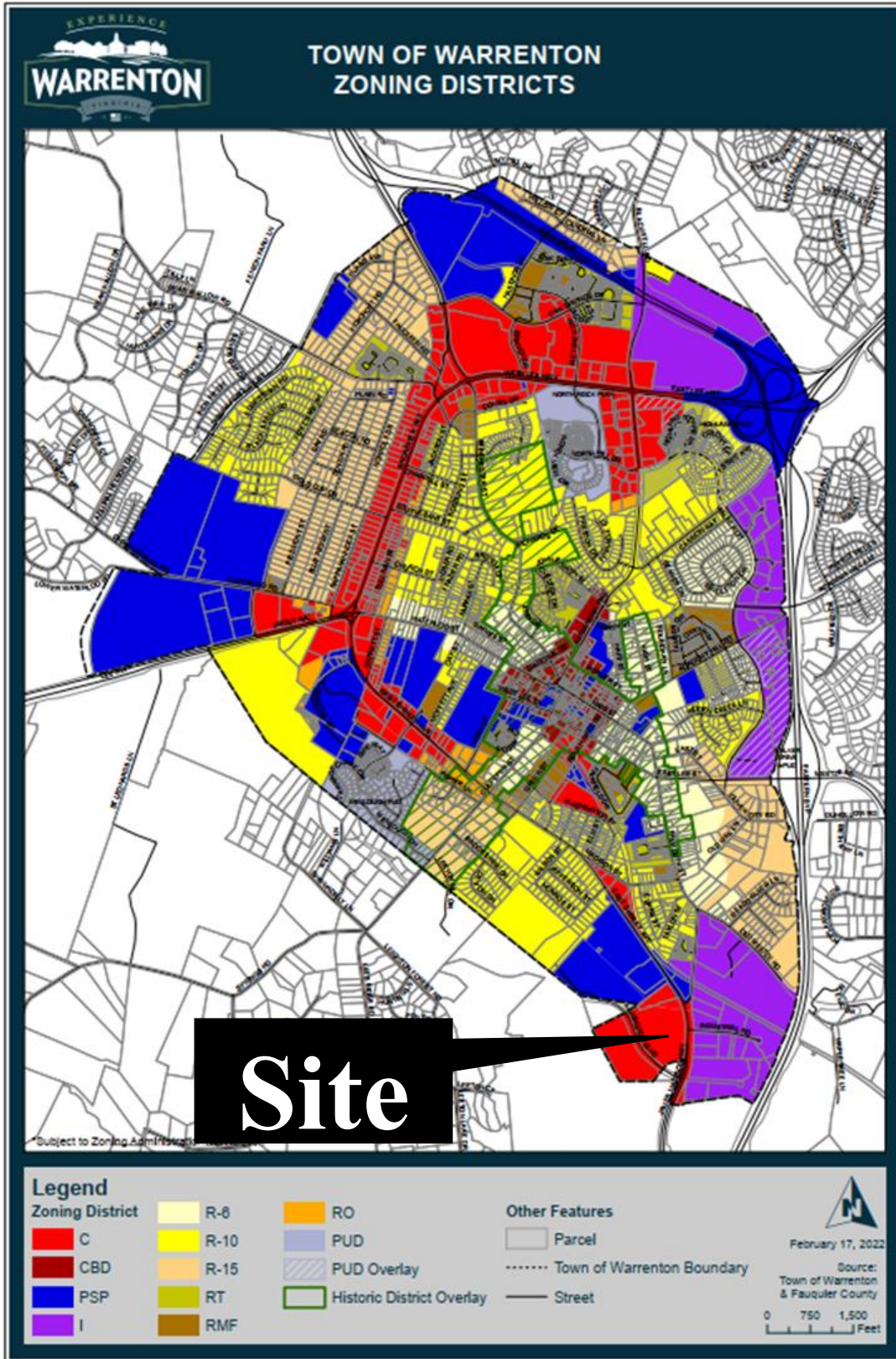
Item a.

Aerial Map:



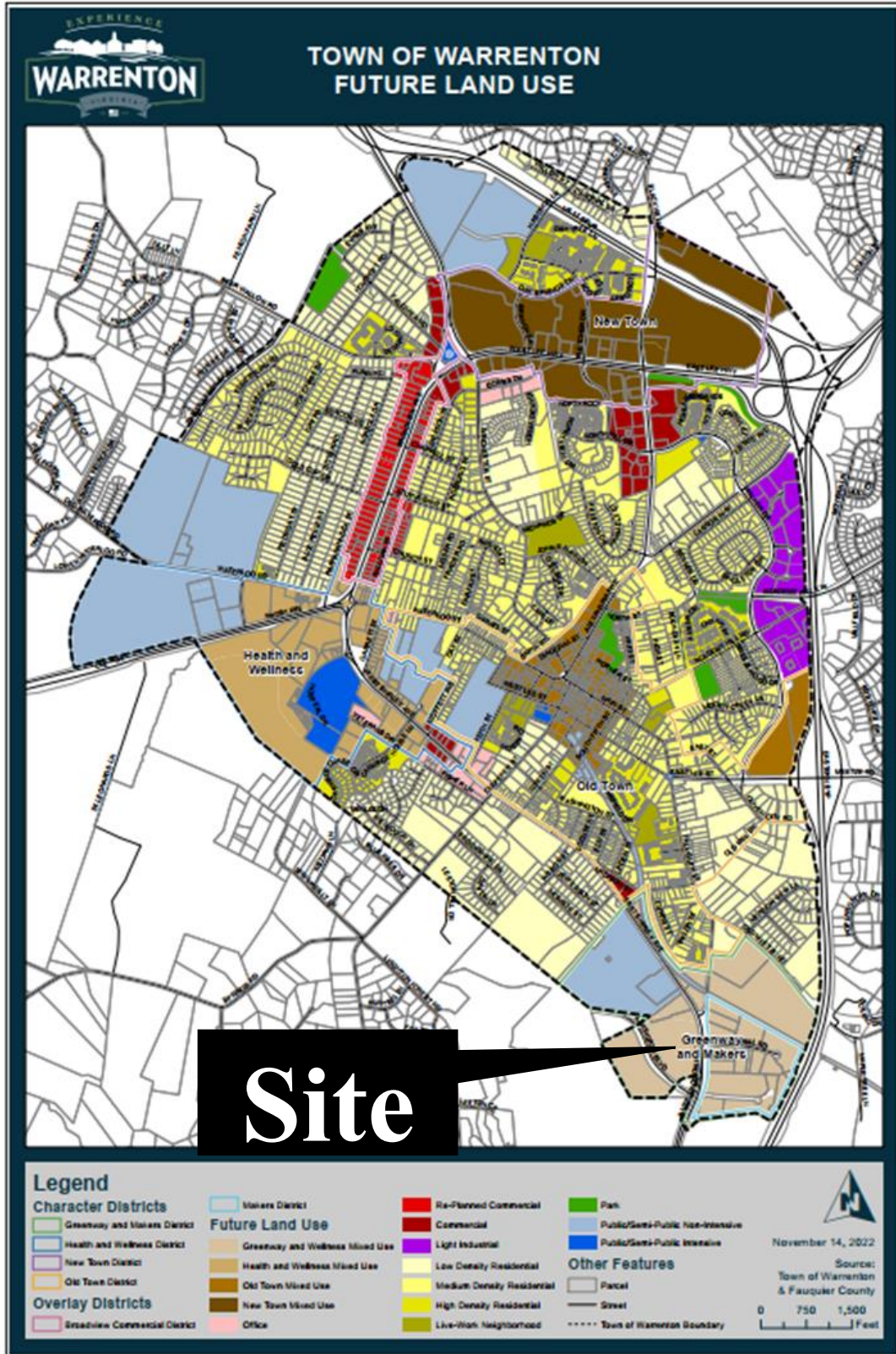
# Attachment A – Maps, Elevations, & Photos

Zoning Map:



# Attachment A – Maps, Elevations, & Photos

Future Land Use Map:



# Attachment A – Maps, Elevations, & Photos

Proposed Elevations:

## SPECIAL USE PERMIT

# Walmart

FOR \_\_\_\_\_

**LOCATION OF SITE**  
**STORE #2437-276**  
**700 JAMES MADISON HIGHWAY**  
**TOWN OF WARRENTON**  
**FAUQUIER COUNTY, VIRGINIA 20186**

**PLANNING REFERENCES AND CONTRACTS**


**PLANNING REFERENCES:**

- WARRENTON ZONING ORDINANCE
- WARRENTON SUBDIVISION ORDINANCE
- WARRENTON DEVELOPMENT ORDINANCE
- WARRENTON UTILITY ORDINANCE
- WARRENTON TREE ORDINANCE
- WARRENTON SIGN ORDINANCE
- WARRENTON LIGHTING ORDINANCE
- WARRENTON TRAFFIC ORDINANCE
- WARRENTON HISTORIC PRESERVATION ORDINANCE
- WARRENTON COMMUNITY DEVELOPMENT ORDINANCE
- WARRENTON COMMUNITY DESIGN ORDINANCE
- WARRENTON COMMUNITY DEVELOPMENT REGULATIONS
- WARRENTON COMMUNITY DESIGN REGULATIONS
- WARRENTON COMMUNITY DEVELOPMENT REGULATIONS
- WARRENTON COMMUNITY DESIGN REGULATIONS
- WARRENTON COMMUNITY DEVELOPMENT REGULATIONS
- WARRENTON COMMUNITY DESIGN REGULATIONS

**PLANNING CONTRACTS:**

- WARRENTON ZONING ORDINANCE
- WARRENTON SUBDIVISION ORDINANCE
- WARRENTON DEVELOPMENT ORDINANCE
- WARRENTON UTILITY ORDINANCE
- WARRENTON TREE ORDINANCE
- WARRENTON SIGN ORDINANCE
- WARRENTON LIGHTING ORDINANCE
- WARRENTON TRAFFIC ORDINANCE
- WARRENTON HISTORIC PRESERVATION ORDINANCE
- WARRENTON COMMUNITY DEVELOPMENT ORDINANCE
- WARRENTON COMMUNITY DESIGN ORDINANCE
- WARRENTON COMMUNITY DEVELOPMENT REGULATIONS
- WARRENTON COMMUNITY DESIGN REGULATIONS
- WARRENTON COMMUNITY DEVELOPMENT REGULATIONS
- WARRENTON COMMUNITY DESIGN REGULATIONS
- WARRENTON COMMUNITY DEVELOPMENT REGULATIONS
- WARRENTON COMMUNITY DESIGN REGULATIONS

**LOCATION MAP**



**OWNER/DEVELOPER**

**ENGINEER**

**PREPARED BY**

**BOHLER**

CONTACT: KATHERINE S. ROBERTS, P.E.

**COVER SHEET**

**SHEET INDEX**

SHEET NO.	SHEET TITLE
1	COVER SHEET
2	GENERAL NOTES
3	EXISTING CONDITIONS
4	PROPOSED CONDITIONS
5	PROPOSED CONDITIONS
6	PROPOSED CONDITIONS
7	PROPOSED CONDITIONS

# Attachment A – Maps, Elevations, & Photos



## STOP SIGNS AND MARKING PLAN

**ALERT TO CONTRACTOR**

CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES AND OBSTRUCTIONS PRIOR TO ANY EXCAVATION OR DEMOLITION WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND OBSTRUCTIONS FROM DAMAGE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL UTILITIES AND OBSTRUCTIONS TO ORIGINAL CONDITION OR BETTER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND OBSTRUCTIONS FROM DAMAGE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL UTILITIES AND OBSTRUCTIONS TO ORIGINAL CONDITION OR BETTER.

**CAUTION - NOTICE TO CONTRACTOR**

ALL EXCAVATION WORK SHALL BE CONDUCTED IN ACCORDANCE WITH THE OSHA SAFETY STANDARDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL NECESSARY SAFETY MEASURES AND WARNING SIGNS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL GOVERNMENT AND UTILITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL UTILITIES AND OBSTRUCTIONS FROM DAMAGE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORING ALL UTILITIES AND OBSTRUCTIONS TO ORIGINAL CONDITION OR BETTER.

**SITE AND DEMOLITION LEGEND**

**REMOVE THE SIGN**

- 1. EXISTING SIGN TO BE REMOVED
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2

**SUPERCENTER #2437-276**  
 700 JAMES MADISON HIGHWAY  
 WARRENTON, VIRGINIA 20186

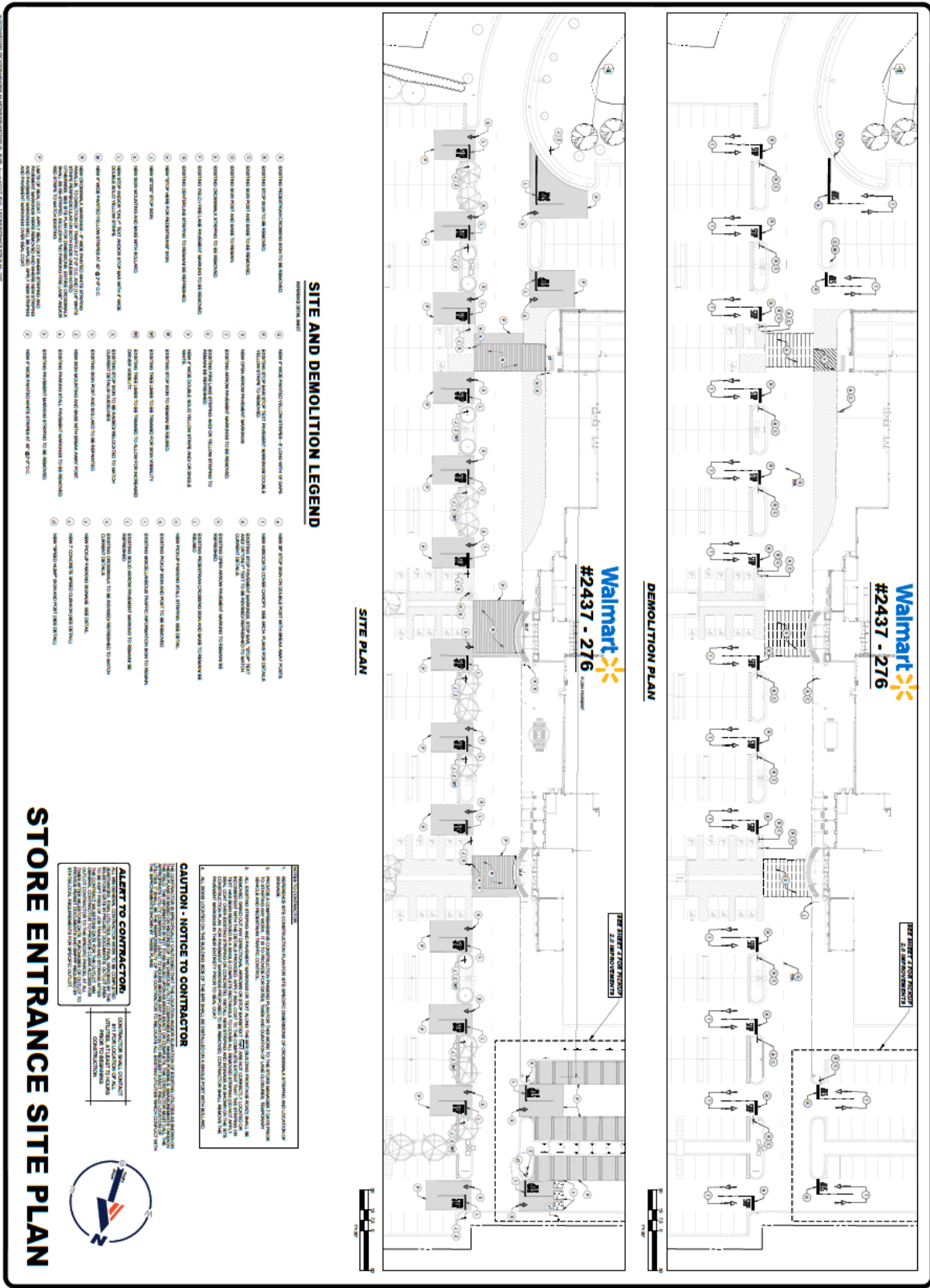
WAL-MART STORES, INC  
 BENTONVILLE, AR 72716

**BOHLER**  
 2640 BELL FERRY LANE, SUITE 101  
 WARRENTON, VIRGINIA 20186  
 Phone: 503-868-8211  
 Fax: 503-868-8211  
 VA@BohlerEng.com

811  
 CALL BEFORE YOU DIG  
 WARRENTON, VA

LANDSCAPE ARCHITECTURE  
 10000 W. 10TH AVENUE  
 DENVER, CO 80202  
 303-751-1000

# Attachment A – Maps, Elevations, & Photos



- ### SITE AND DEMOLITION LEGEND
- 1. EXISTING DEMOLITION/DEMOLITION TO BE DEMOLISHED
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  - 50. EXISTING DEMOLITION TO BE DEMOLISHED

### STORE ENTRANCE SITE PLAN

**ALERT TO CONTRACTOR:**

**CAUTION - NOTICE TO CONTRACTOR**

**Walmart #2437-276**

**700 JAMES MADISON HIGHWAY**

**WARRENTON, VIRGINIA 20186**

**WAL-MART STORES, INC**

**BENTONVILLE, AR 72716**

	SUPERCENTER #2437-276 700 JAMES MADISON HIGHWAY WARRENTON, VIRGINIA 20186		BOHLER 28 BLACKWELL PARK LANE, SUITE 201 WASHINGTON, VIRGINIA 20186 Phone: (703) 546-4400 Fax: 703-546-8211 VA@BohlerEng.com
	WAL-MART STORES, INC BENTONVILLE, AR 72716		

# Attachment A – Maps, Elevations, & Photos

**Walmart #2437 - 276**

**SITE PLAN**

**MATCH LEGEND**

**SITE NOTES:**

**SITE AND DEMOLITION LEGEND**

**CAUTION - NOTICE TO CONTRACTOR**

**ALERT TO CONTRACTOR**

**SPECIAL USE PERMIT**

**DATING ANALYSIS**

**PERFORMING**

**DATE**

**BY**

**REVISIONS**

**NO. 1**

**NO. 2**

**NO. 3**

**NO. 4**

**NO. 5**

**NO. 6**

**NO. 7**

**NO. 8**

**NO. 9**

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**NO. 98**

**NO. 99**

**NO. 100**



# Attachment A – Maps, Elevations, & Photos

**Walmart**  
#2437 - 225

**LANDSCAPE PLAN**

**LANDSCAPE PLAN**

**INTERIOR PARKING LOT LANDSCAPING DIAGRAM**

**INSET B: PROPOSED TREE LINE**

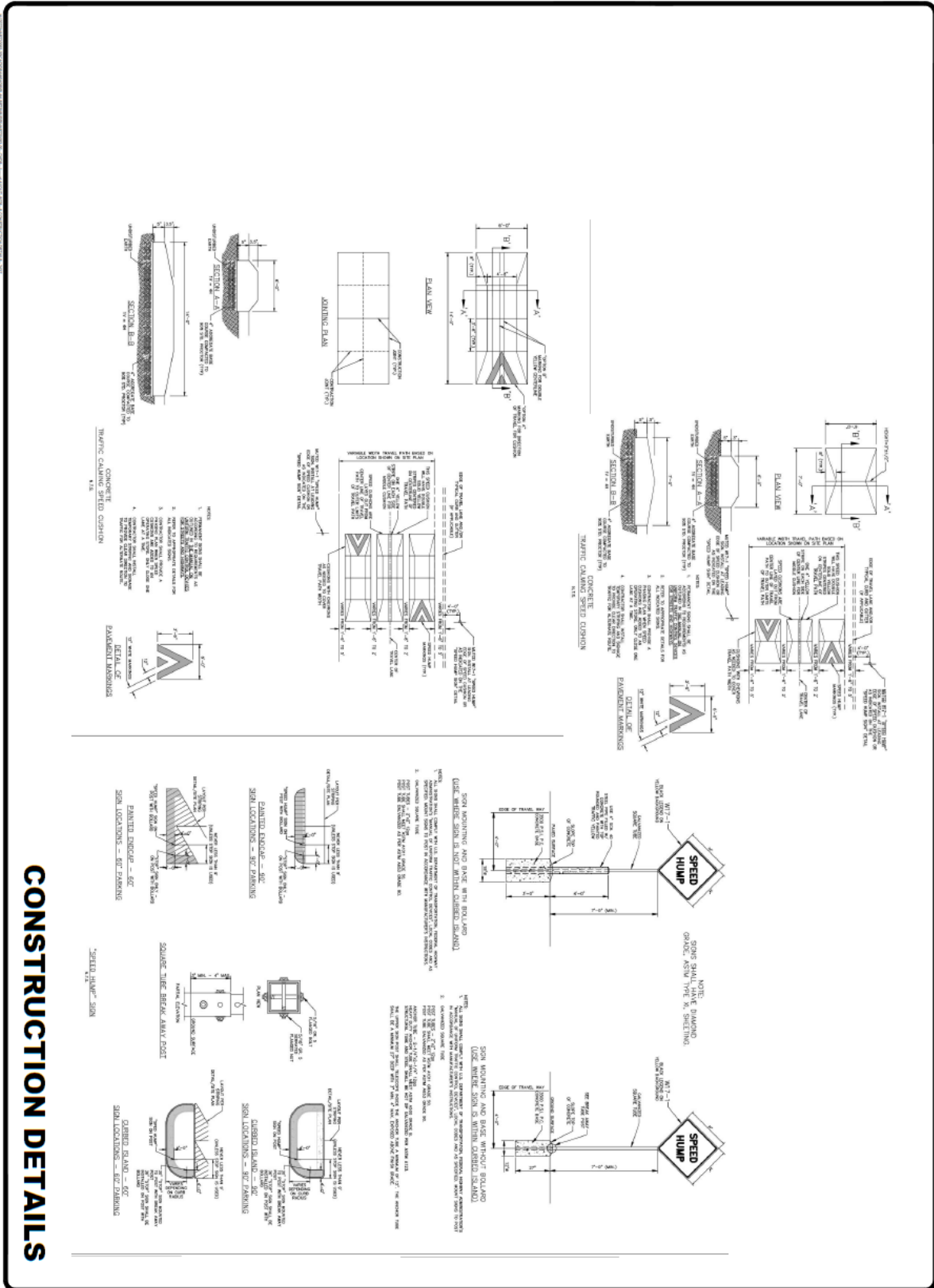
**LANDSCAPE SCHEDULE**

NO.	SYM.	DESCRIPTION	QTY.	UNIT
1	1	PLANTING	1	EA.
2	2	PLANTING	1	EA.
3	3	PLANTING	1	EA.
4	4	PLANTING	1	EA.
5	5	PLANTING	1	EA.
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49	49	PLANTING	1	EA.
50	50	PLANTING	1	EA.

**LANDSCAPE PLAN**

# Attachment A – Maps, Elevations, & Photos

Item a.



## CONSTRUCTION DETAILS

<b>6</b>
----------



SUPERCENTER #2437-276  
 700 JAMES MADISON HIGHWAY  
 WARRENTON, VIRGINIA 20186  
 WAL-MART STORES, INC  
 BENTONVILLE, AR 72716

NOT APPROVED FOR CONSTRUCTION

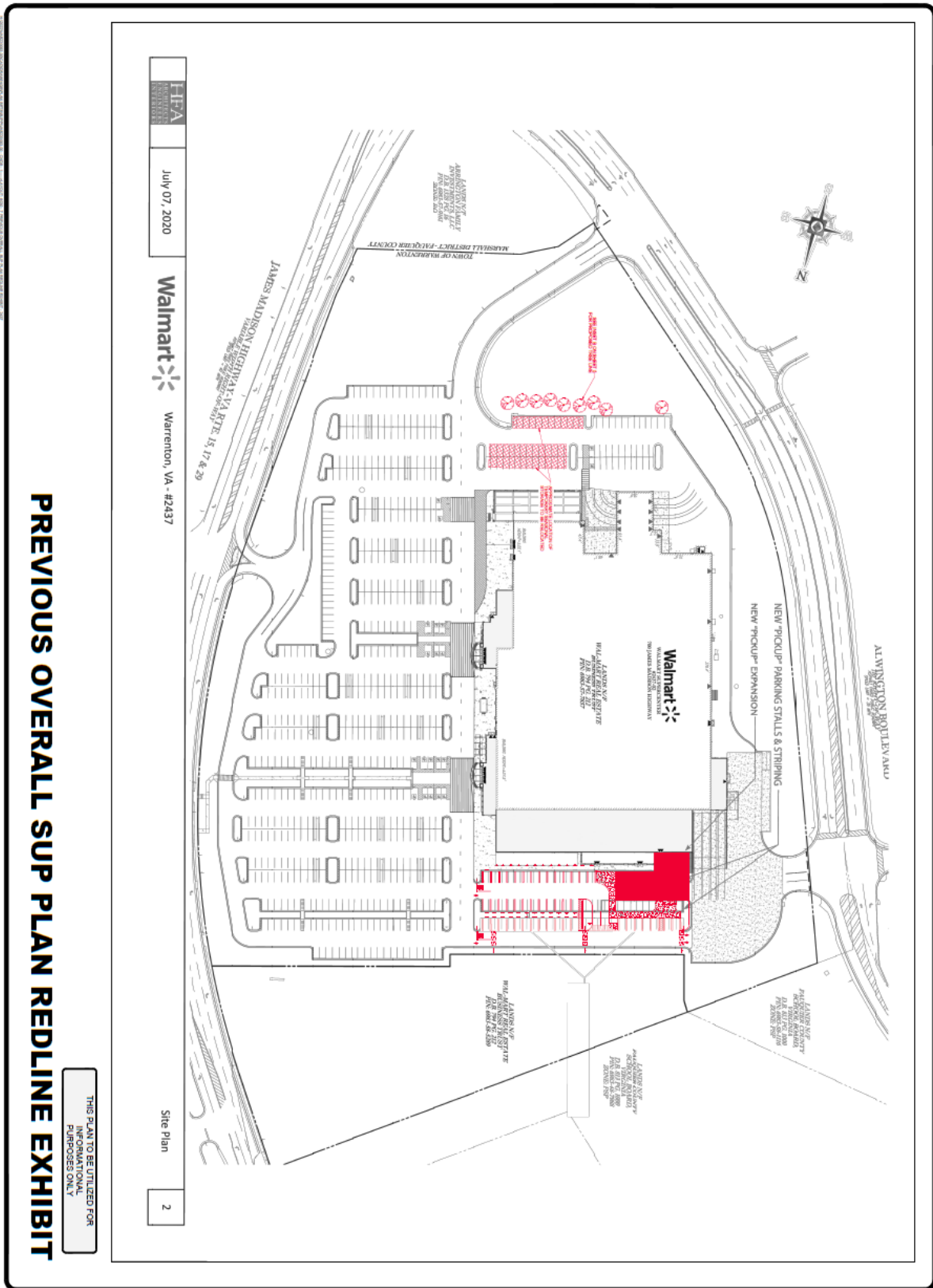


**BOHLER**  
 23 BLACKWELL PARK LANE, SUITE 201  
 WARRENTON, VIRGINIA 20186  
 Phone: (503) 868-6900  
 Fax: (503) 868-6911  
 WA@BohlerSign.com

NO.	DATE	DESCRIPTION

# Attachment A - Maps, Elevations, & Photos

Item a.



**PREVIOUS OVERALL SUP PLAN REDLINE EXHIBIT**

H-1-A  
July 07, 2020  
Walmart  
Warrenton, VA - #2437

THIS PLAN TO BE UTILIZED FOR INFORMATIONAL PURPOSES ONLY.

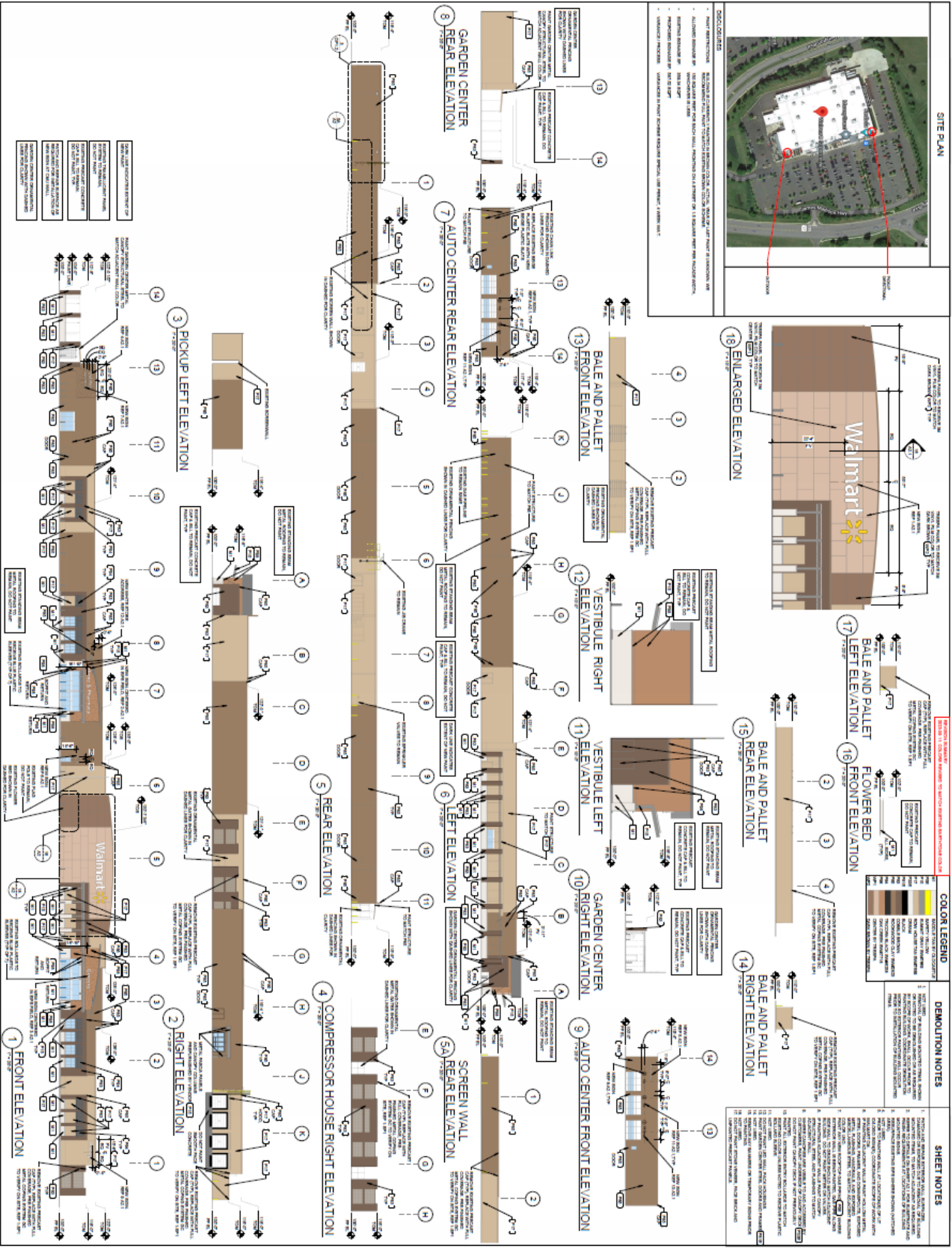
Site Plan  
2

7
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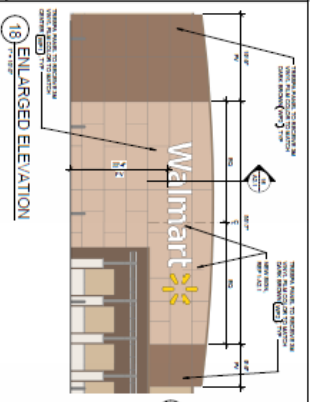
	SUPERCENTER #2437-276 700 JAMES MADISON HIGHWAY WARRENTON, VIRGINIA 20186	BOHLER 28 BLACKWELL FIVE LINE, SUITE 201 WARRENTON, VIRGINIA 20186 Phone: (541) 264-4500 Fax: (541) 264-4501 VA@BohlerEng.com
	WAL-MART STORES, INC BENTONVILLE, AR 72716	

REVISION	DATE	BY

# Attachment A – Maps, Elevations, & Photos



SITE PLAN



**COLOR LEGEND**

(Color swatch)	WHITE
(Color swatch)	BEIGE
(Color swatch)	BLACK
(Color swatch)	BROWN
(Color swatch)	GREY
(Color swatch)	GREEN
(Color swatch)	BLUE
(Color swatch)	RED

- DEMOLITION NOTES**
1. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL BUILDING CODE (IBC).
  2. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL SAFETY AND HEALTH REGULATIONS (OSHA).
  3. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL FIRE CODE (IFC).
  4. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL PLUMBING AND MECHANICAL CODE (UPM/UMC).
  5. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL ELECTRICAL CODE (IEC).
  6. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL ENERGY EFFICIENCY CODE (IEEC).
  7. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL GREENING CODE (IGBC).
  8. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL SUSTAINABLE DESIGN AND CONSTRUCTION CODE (LEED).
  9. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL ACCESSIBILITY AND MOBILITY ACT (ADA).
  10. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL CONTRACT DOCUMENTS (CID).
  11. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL CONSTRUCTION CONTRACT (ICC).
  12. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL CONSTRUCTION AGREEMENT (ICA).
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  20. ALL DEMOLITION WORK SHALL BE IN ACCORDANCE WITH THE 2012 INTERNATIONAL CONSTRUCTION AGREEMENT (ICA).

- SHEET NOTES**
1. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.
  2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
  3. ALL DIMENSIONS ARE TO CENTER UNLESS OTHERWISE NOTED.
  4. ALL DIMENSIONS ARE TO EDGE UNLESS OTHERWISE NOTED.
  5. ALL DIMENSIONS ARE TO CORNER UNLESS OTHERWISE NOTED.
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**Walmart**  
 WARRENTON, VIRGINIA  
 100 JAMES MADISON HWY. | WARRENTON, VA 20196  
 TEL: (800) 888-8888  
 FAX: (800) 888-8888  
 E-MAIL: WALMART@WALMART.COM

# Attachment A – Maps, Elevations, & Photos

Item a.



Viewing the area where the expansion and outdoor pick-up will be located. Parking, traffic circulation patterns, and traffic calming measures have been revised to address all pedestrian and vehicular safety concerns. Increased landscaping and buffering will also be implemented on this side of the store.



# Attachment A – Maps, Elevations, & Photos

Item a.



Revised elevation drawings have removed the existing “Knockout Orange” and has implemented a new earth tone color scheme.



# Attachment A – Maps, Elevations, & Photos

Item a.



Viewing toward general area where the Seasonal Outdoor Storage Containers will be located just over the berm. Revised landscaping plan will add additional trees and shrubs in this location to reduce visibility from Alwington Boulevard.



Viewing toward general area of Seasonal Outdoor Storage Containers. Revised landscaping plan will add additional trees and shrubs in this location to reduce visibility from James Madison Highway.

Dated October 13, 2020

## PROPOSED AMENDED CONDITIONS

## Special Use Permit Application of Wal-Mart Real Estate Business Trust

## Approved Conditions

~~May 10, 2011~~~~September 12, 2017~~October 13, 2020

1. The Property, when re-developed, shall be developed in substantial conformity with the site plan entitled “Special Use Permit Walmart Supercenter #2437-02, Warrenton, Fauquier County, Virginia,” Sheet 1 of 2, dated 12/01/10, revised through 4/12/11, prepared by Bohler Engineering (the “Site Plan”), and further revised by the exhibit prepared by HFA Architects Engineers, Dated July 7, 2020 solely for purposes of the features identified for the new pickup expansion, parking stalls, and striping, which Site Plan is on file with the Town of Warrenton, subject to such reasonable modifications as may be necessary in order to effectuate final site plan review and approval.
2. The architectural design, colors, and materials on the exterior elevations of all sides of the expanded store building shall be in substantial conformance with the building elevations entitled “Warrenton, VA Store #2437, Elevations,” Sheets 5 and 6, dated April 22, 2011, prepared by Dennis D. Smith, AIA (the “Elevations”), and further revised by the exhibit prepared by HFA Architects Engineer, dated July 7, 2020, which Elevations are on file with the Town of Warrenton.
3. Landscaping of the Property shall be in substantial conformance with that certain plan entitled “Overall Landscape Plan, Walmart Expansion #2437-02 – Site Plan, Warrenton, Fauquier County, VA,” consisting of 4 Sheets, dated 2/16/11, revised through 4/12/11, prepared by Bohler Engineering (the “Landscape Plan”), subject to such reasonable modifications as may be necessary in order to effectuate final site plan review and approval. Additionally, reasonable supplemental landscaping shall be planted on the Property if required by the Town Arborist after review of the Landscape Plan.
4. In addition to the landscaping shown on the Landscape Plan, up to 20 deciduous trees (a mixture of hardwood and ornamental) shall be planted on the hill located in the northern and eastern portions of the Property (adjacent to the steep slope areas to be graded pursuant to the accompanying special use permit application). The landscaping will need to be updated on the site plan to relocate the required landscaping displaced by the SUP 2020-02 expansion on the side of the building.
5. No outdoor sales shall be permitted on the Property with the exception of sales of materials located within fenced areas associated with the garden center, unless otherwise permitted by the Town.
6. No signage shall be permitted on the exterior of the store building that advertises or identifies any third party tenant located within the store.
7. Prior to issuance of a final building permit for the expansion of the existing store, the Applicant shall deposit with the Town the sum of \$60,000, which the Town may, but shall not be required to utilize in order to construct traffic improvements in the vicinity of the Property in the event that the traffic impacts generated by the expanded store on the Property exceed the impacts and proposed mitigation contained in the Traffic Study dated April 12, 2011, prepared by Grove/Slade and Associates, which is on file with the Town Planning Department. Whatever portion of the \$60,000 has not been utilized by



Dated October 13, 2020

the Town in accordance with this Condition within 5 years after the date these funds are deposited with the Town shall be returned to the Applicant.

8. Prior to issuance of a final building permit for the expansion of the existing store, the Applicant shall deposit with the Town the sum of \$120,000 to be used by the Town in the event the Town elects to install a “HAWK” style pedestrian signal (and associated road striping) at the intersection of Falmouth Street and Shirley Avenue. If the Town elects not to install a “HAWK” pedestrian signal, or if the cost of the “HAWK” pedestrian signal is less than the entire \$120,000 allotted herein, these funds may be used by the Town for alternative pedestrian and/or vehicular improvements in the vicinity of the Property (including but not limited to the extension of sidewalks along Shirley Avenue between the Property and a nearby community center to the north of the Property).

9. Within thirty (30) days of the final approval by Town Council, the Applicant shall deposit with the Town the sum of \$5,000 to be utilized by the Town for additional tree plantings within the Town.

10. The Applicant shall provide pedestrian sidewalks along Shirley Avenue substantially as shown on the Site Plan (from the Property northward to the southernmost vehicular entranceway serving the community center), provided that such sidewalk improvements can be installed within the existing Shirley Avenue right-of-way, and provided that any reasonably necessary construction easements may be obtained from adjacent property owners prior to issuance of a final Certificate of Occupancy for the expansion of the existing store. In the event that these sidewalk improvements cannot be accommodated within existing right-of-way, or that the necessary construction easements cannot be obtained within the allotted timeframe, the Applicant shall provide the Town a contribution of \$5,000 (together with any applicable engineering drawings already completed or in progress) prior to the issuance of the final Certificate of Occupancy for the expansion of the existing store, to be used by the Town for the construction of the referenced improvements.

11. Trailers, containers or similar delivery vehicles shall be stored behind the screen wall behind the store if stored on the site overnight or longer. Outdoor seasonal storage containers are only to be allowed from October 1 through December 15 annually. The containers should be located on the north side of the property in the parking lot and screened with temporary fencing. A plan dated August 4, 2017 is attached showing the location.

12. Bales and pallets shall be located within the screened bale and pallet staging area as shown on the Site Plan.

13. The monument sign shall be compatible in color and style with the sign shown on the exhibit for the sign at “Woodlands Parkway” which is on file with the Town, subject to modifications as approved by the Planning Director. ~~(To Be Determined)~~

14. At site plan, the Applicant shall work with Town staff to implement appropriate signage and/or safety measures to address the safety of the employees and customers picking up in the drive aisle.

**Special Use Permit Application of Wal-Mart Real Estate Business Trust**  
**Approved Conditions**  
**May 10, 2011**

1. The Property, when re-developed, shall be developed in substantial conformity with the site plan entitled "Special Use Permit Walmart Supercenter #2437-02, Warrenton, Fauquier County, Virginia," Sheet 1 of 2, dated 12/01/10, revised through 4/12/11, prepared by Bohler Engineering (the "Site Plan"), which Site Plan is on file with the Town of Warrenton, subject to such reasonable modifications as may be necessary in order to effectuate final site plan review and approval.
2. The architectural design, colors, and materials on the exterior elevations of all sides of the expanded store building shall be in substantial conformance with the building elevations entitled "Warrenton, VA Store #2437, Elevations," Sheets 5 and 6, dated April 22, 2011, prepared by Dennis D. Smith, AIA (the "Elevations"), which Elevations are on file with the Town of Warrenton.
3. Landscaping of the Property shall be in substantial conformance with that certain plan entitled "Overall Landscape Plan, Walmart Expansion #2437-02 – Site Plan, Warrenton, Fauquier County, VA," consisting of 4 Sheets, dated 2/16/11, revised through 4/12/11, prepared by Bohler Engineering (the "Landscape Plan"), subject to such reasonable modifications as may be necessary in order to effectuate final site plan review and approval. Additionally, reasonable supplemental landscaping shall be planted on the Property if required by the Town Arborist after review of the Landscape Plan.
4. In addition to the landscaping shown on the Landscape Plan, up to 20 deciduous trees (a mixture of hardwood and ornamental) shall be planted on the hill located in the northern and eastern portions of the Property (adjacent to the steep slope areas to be graded pursuant to the accompanying special use permit application).
5. No outdoor sales shall be permitted on the Property with the exception of sales of materials located within fenced areas associated with the garden center, unless otherwise permitted by the Town.
6. No signage shall be permitted on the exterior of the store building that advertises or identifies any third party tenant located within the store.
7. Prior to issuance of a final building permit for the expansion of the existing store, the Applicant shall deposit with the Town the sum of \$60,000, which the Town may, but shall not be required to utilize in order to construct traffic improvements in the vicinity of the Property in the event that the traffic impacts generated by the expanded store on the Property exceed the impacts and proposed mitigation contained in the Traffic Study dated April 12, 2011, prepared by Gorove/Slade and Associates, which is on file with the Town Planning Department. Whatever portion of the \$60,000 has not been utilized by the

Town in accordance with this Condition within 5 years after the date these funds are deposited with the Town shall be returned to the Applicant.

8. Prior to issuance of a final building permit for the expansion of the existing store, the Applicant shall deposit with the Town the sum of \$120,000 to be used by the Town in the event the Town elects to install a “HAWK” style pedestrian signal (and associated road striping) at the intersection of Falmouth Street and Shirley Avenue. If the Town elects not to install a “HAWK” pedestrian signal, or if the cost of the “HAWK” pedestrian signal is less than the entire \$120,000 allotted herein, these funds may be used by the Town for alternative pedestrian and/or vehicular improvements in the vicinity of the Property (including but not limited to the extension of sidewalks along Shirley Avenue between the Property and a nearby community center to the north of the Property).
9. Within thirty (30) days of the final approval by Town Council, the Applicant shall deposit with the Town the sum of \$5,000 to be utilized by the Town for additional tree plantings within the Town.
10. The Applicant shall provide pedestrian sidewalks along Shirley Avenue substantially as shown on the Site Plan (from the Property northward to the southernmost vehicular entranceway serving the community center), provided that such sidewalk improvements can be installed within the existing Shirley Avenue right-of-way, and provided that any reasonably necessary construction easements may be obtained from adjacent property owners prior to issuance of a final Certificate of Occupancy for the expansion of the existing store. In the event that these sidewalk improvements cannot be accommodated within existing right-of-way, or that the necessary construction easements cannot be obtained within the allotted timeframe, the Applicant shall provide the Town a contribution of \$5,000 (together with any applicable engineering drawings already completed or in progress) prior to the issuance of the final Certificate of Occupancy for the expansion of the existing store, to be used by the Town for the construction of the referenced improvements.
11. Trailers, containers or similar delivery vehicles shall be stored behind the screen wall behind the store if stored on the site overnight or longer.
12. Bales and pallets shall be located within the screened bale and pallet staging area as shown on the Site Plan.
13. The monument sign shall be compatible in color and style with the sign shown on the exhibit for the sign at “Woodlands Parkway” which is on file with the Town, subject to modifications as approved by the Planning Director. (To Be Determined)

**Special Use Permit Application of Wal-Mart Real Estate Business Trust**  
**Proposed Modification of Approved Conditions**

1. The Property, when re-developed, shall be developed in substantial conformity with the site plan entitled “Special Use Permit Walmart Supercenter #2437-02, Warrenton, Fauquier County, Virginia,” Sheet 1 of 2, dated 12/01/10, revised through 4/12/11, prepared by Bohler Engineering (the “Site Plan”), and further revised by the exhibit ~~prepared by HFA Architects, Engineers, dated July 7, 2020 solely for purposes of the features identified for the new pickup expansion and parking stalls and striping~~ entitled “Special Use Permit for Walmart Store #2437-276, 700 James Madison Highway Town of Warrenton, Fauquier County, Virginia 20186,” consisting of seven (7) sheets, dated June 8, 2023 (revised through June 13, 2023), prepared by Bohler Engineering, which Site Plan is on file with the Town of Warrenton, subject to such reasonable modifications as may be necessary in order to effectuate final site plan review and approval.
2. The architectural design, colors, and materials on the exterior elevations of all sides of the expanded store building shall be in substantial conformance with the building elevations entitled “Warrenton, VA Store #2437, Elevations,” Sheets 5 and 6, dated April 22, 2011, prepared by Dennis D. Smith, AIA (the “Elevations”), and further revised by the exhibit entitled “Walmart Warrenton, Virginia, 700 James Madison Hwy., Warrenton, VA 20186, Store No. 2437-276, prepared by ~~HFA Architects, Engineers, WD Partners, and~~ dated ~~July 7~~ May 19, 2020, ~~solely for purposes of identifying an addition on the right side of the building for online grocery pick-up,~~ which Elevations are on file with the Town of Warrenton.
3. Landscaping of the Property shall be in substantial conformance with that certain plan entitled “Overall Landscape Plan, Walmart Expansion #2437-02 – Site Plan, Warrenton, Fauquier County, VA,” consisting of 4 Sheets, dated 2/16/11, revised through 4/12/11, prepared by Bohler Engineering (the “Landscape Plan”), and further revised by Sheet 5 of the exhibit entitled “Special Use Permit for Walmart Store #2437-276, 700 James Madison Highway Town of Warrenton, Fauquier County, Virginia 20186,” consisting of seven (7) sheets, dated June 8, 2023 (revised through June 13, 2023), prepared by Bohler Engineering, subject to such reasonable modifications as may be necessary in order to effectuate final site plan review and approval. Additionally, reasonable supplemental landscaping shall be planted on the Property if required by the Town Arborist after review of the Landscape Plan.
4. In addition to the landscaping shown on the Landscape Plan, up to 20 deciduous trees (a mixture of hardwood and ornamental) shall be planted on the hill located in the northern and eastern portions of the Property (adjacent to the steep slope areas to be graded pursuant to the accompanying special use permit application).
5. No outdoor sales shall be permitted on the Property with the exception of sales of materials located within fenced areas associated with the garden center, unless otherwise permitted by the Town.

6. No signage shall be permitted on the exterior of the store building that advertises or identifies any third party tenant located within the store.
7. Prior to issuance of a final building permit for the expansion of the existing store, the Applicant shall deposit with the Town the sum of \$60,000, which the Town may, but shall not be required to utilize in order to construct traffic improvements in the vicinity of the Property in the event that the traffic impacts generated by the expanded store on the Property exceed the impacts and proposed mitigation contained in the Traffic Study dated April 12, 2011, prepared by Grove/Slade and Associates, which is on file with the Town Planning Department. Whatever portion of the \$60,000 has not been utilized by the Town in accordance with this Condition within 5 years after the date these funds are deposited with the Town shall be returned to the Applicant.
8. Prior to issuance of a final building permit for the expansion of the existing store, the Applicant shall deposit with the Town the sum of \$120,000 to be used by the Town in the event the Town elects to install a “HAWK” style pedestrian signal (and associated road striping) at the intersection of Falmouth Street and Shirley Avenue. If the Town elects not to install a “HAWK” pedestrian signal, or if the cost of the “HAWK” pedestrian signal is less than the entire \$120,000 allotted herein, these funds may be used by the Town for alternative pedestrian and/or vehicular improvements in the vicinity of the Property (including but not limited to the extension of sidewalks along Shirley Avenue between the Property and a nearby community center to the north of the Property).
9. Within thirty (30) days of the final approval by Town Council, the Applicant shall deposit with the Town the sum of \$5,000 to be utilized by the Town for additional tree plantings within the Town.
10. The Applicant shall provide pedestrian sidewalks along Shirley Avenue substantially as shown on the Site Plan (from the Property northward to the southernmost vehicular entranceway serving the community center), provided that such sidewalk improvements can be installed within the existing Shirley Avenue right-of-way, and provided that any reasonably necessary construction easements may be obtained from adjacent property owners prior to issuance of a final Certificate of Occupancy for the expansion of the existing store. In the event that these sidewalk improvements cannot be accommodated within existing right-of-way, or that the necessary construction easements cannot be obtained within the allotted timeframe, the Applicant shall provide the Town a contribution of \$5,000 (together with any applicable engineering drawings already completed or in progress) prior to the issuance of the final Certificate of Occupancy for the expansion of the existing store, to be used by the Town for the construction of the referenced improvements.
11. Trailers, containers or similar delivery vehicles shall be stored behind the screen wall behind the store if stored on the site overnight or longer. Outdoor seasonal storage containers are only to be allowed from October 1 through December 15 annually. The containers should be located ~~on the north side of the property in the parking lot~~ as shown on the Site Plan, and screened with ~~temporary fencing. A plan dated August 4, 2017 is attached showing the location.~~ additional landscaping in substantial conformance with that shown in Insert B on Sheet 5 of the exhibit entitled “Special Use Permit for Walmart Store #2437-276, 700 James Madison

[Highway Town of Warrenton, Fauquier County, Virginia 20186,” consisting of seven \(7\) sheets, dated June 8, 2023 \(revised through June 13, 2023\), prepared by Bohler Engineering.](#)

12. Bales and pallets shall be located within the screened bale and pallet staging area as shown on the Site Plan.

13. The monument sign shall be compatible in color and style with the sign shown on the exhibit for the sign at “Woodlands Parkway” which is on file with the Town, subject to modifications as approved by the Planning Director.

108993948v2

<b>Summary report:</b>	
<b>Litera Compare for Word 11.2.0.54 Document comparison done on 10/7/2023 10:38:03 AM</b>	
<b>Style name:</b> Standard	
<b>Intelligent Table Comparison:</b> Active	
<b>Original DMS:</b> iw://workdms.troutman.com/ACTIVE/108993948/2	
<b>Modified DMS:</b> iw://workdms.troutman.com/ACTIVE/163767947/1	
<b>Changes:</b>	
<a href="#">Add</a>	11
<del>Delete</del>	8
<del>Move From</del>	0
<a href="#">Move To</a>	0
<a href="#">Table Insert</a>	0
<del>Table Delete</del>	0
<a href="#">Table moves to</a>	0
<del>Table moves from</del>	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
<b>Total Changes:</b>	<b>19</b>

ISSUE BLOCK

1	PR#1	05/24/23
2	TBD	XX/XX/23

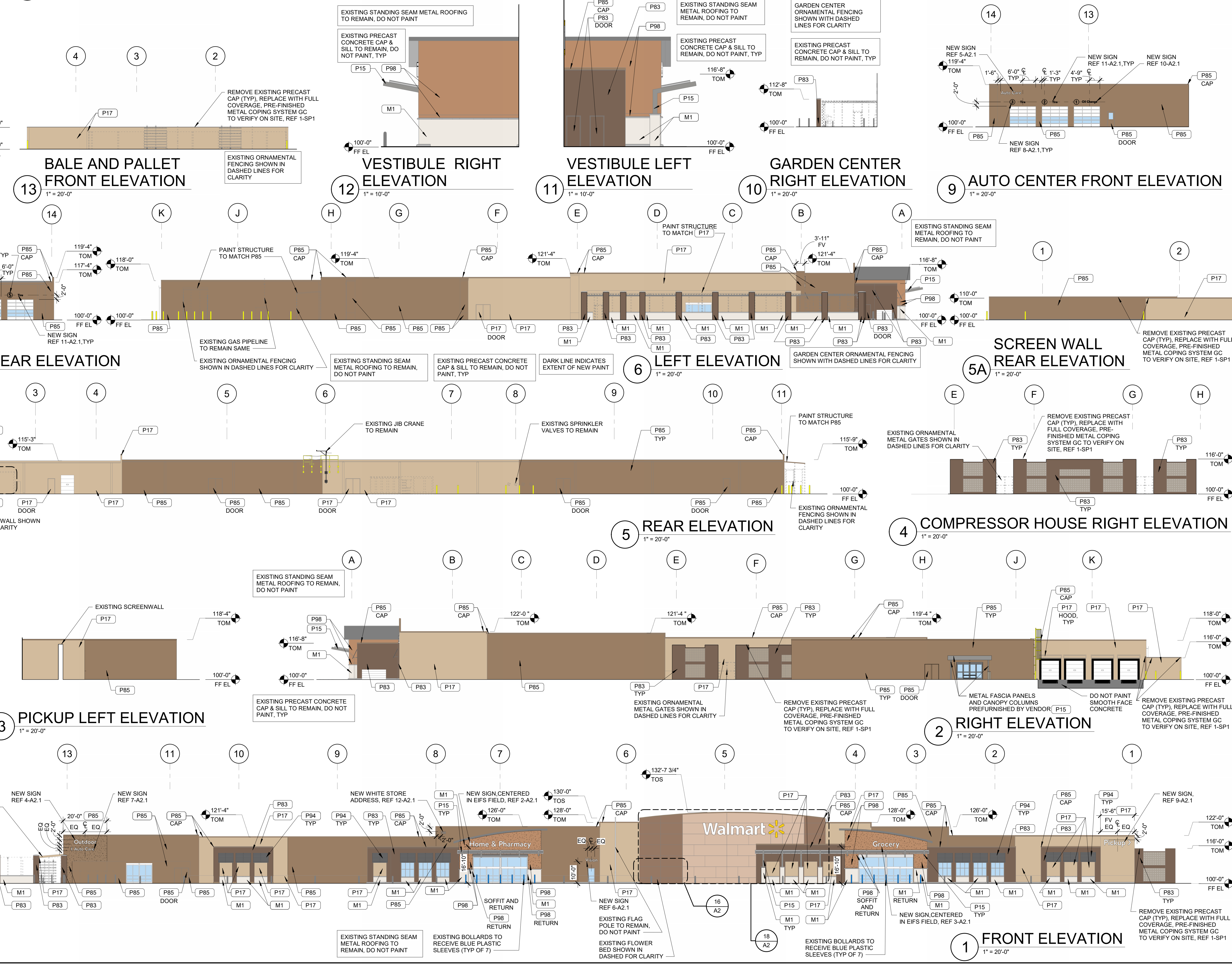
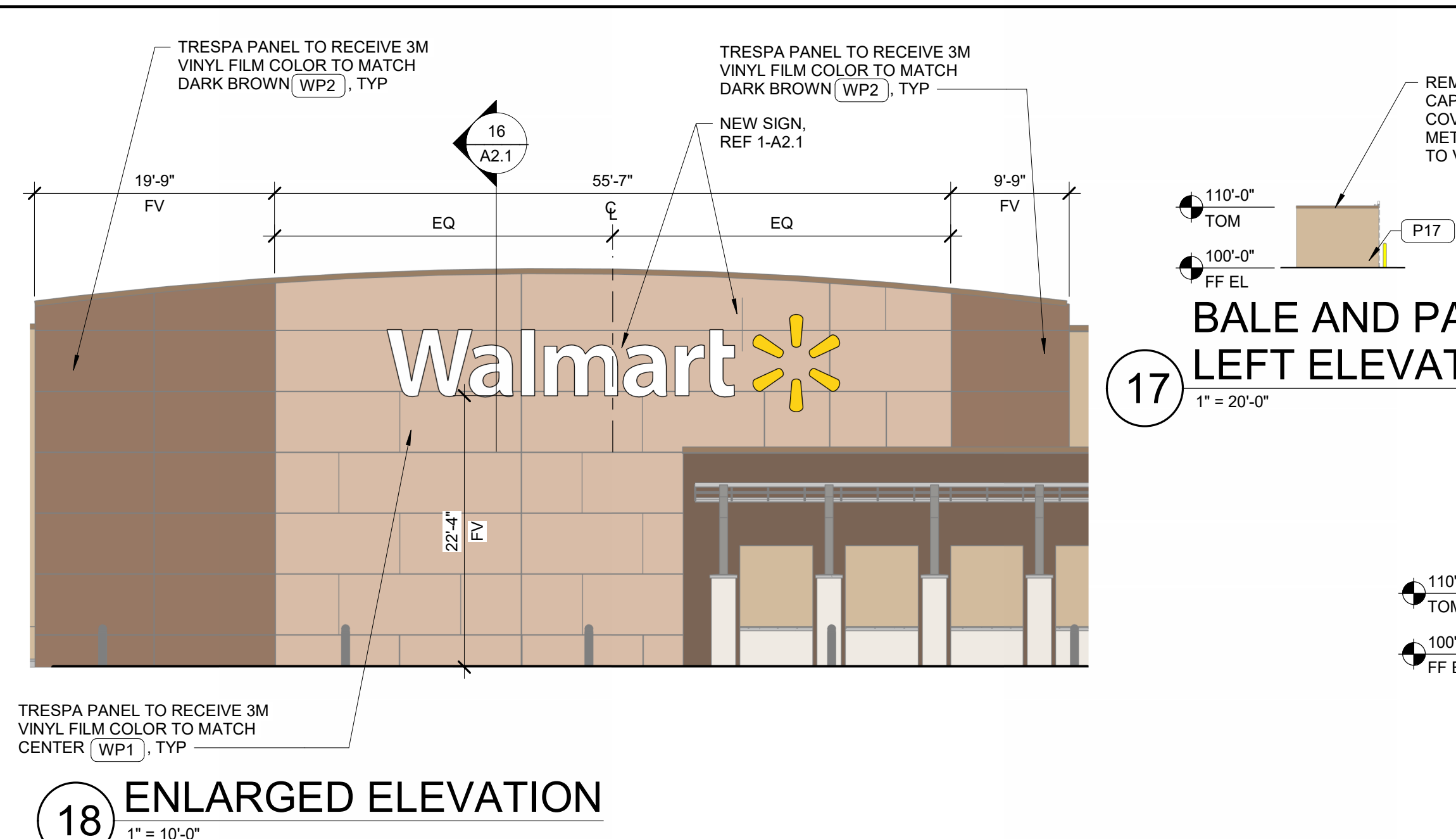
CHECKED BY: SME  
DRAWN BY: TSP/WJG  
PROTO CYCLE: 05/27/22  
DOCUMENT DATE: 05/19/23

DOCUMENTS THAT DO NOT HAVE THE ARCHITECT OR ENGINEER OF RECORD SEAL AND SIGNATURE SHALL BE CONSIDERED NOT FOR CONSTRUCTION

EXTERIOR ELEVATIONS

SHEET NOTES	
1.	PATCH AND REPAIR EXTERIOR WALL SURFACES, DAMAGED OR EXPOSED DUE TO REMOVAL OF BUILDING MOUNTED ITEMS. TO MATCH ADJACENT AS REQUIRED. REFER TO DETAILS ON SHEET A2.1 FOR SUBSTRATE AND FINISH REQUIREMENTS AT LOCATIONS OF BUILDING MOUNTED SIGNS.
2.	RESURFACE EXISTING EIFS WHERE SHOWN (HATCHED AREA)
3.	NOT USED
4.	PRIOR TO PAINTING WALL AT LOCATION(S) OF LIT ID/LOGO SIGN(S), COORDINATE SCOPE OF WORK WITH WALMART CM.
5.	IF PAINTING ADJACENT WALLS PAINT HOLLOW METAL STEEL DOORS, FRAMES, AND DOWNSPOUTS, EXPOSED METAL FLASHING, HANDRAILS, AND EXPOSED MISCELLANEOUS STEEL TO MATCH ADJACENT BUILDING COLOR UNO
6.	PAINT ANY NEW ROOF TOP GAS PIPING (PSE) WHERE EXTERIOR WALL IS BEING PAINTED. GAS PIPE ALONG SIDE WALL TO GRADE SHOULD MATCH ADJACENT BUILDINGS. DO NOT PAINT METER OR VALVES.
7.	IF PAINTING ADJACENT WALLS PAINT CANOPY STRUCTURAL STEEL AND FLASHING TO MATCH ADJACENT WALL
8.	WHERE CANOPIES ARE VISIBLE TO AND ACCESSED BY CUSTOMERS, PAINT UNDERSIDE OF CANOPY DECK (P33E) DO NOT PAINT CANOPY DECK IF NOT PREVIOUSLY PAINTED
9.	PAINT ALL EXTERIOR ENTRY BOLLARDS TO MATCH EXISTING COLOR UNLESS NOTED TO RECEIVE PLASTIC BOLLARD SLEEVE.
10.	NOT USED
11.	DO NOT PAINT LED WALL PACK HOUSINGS.
12.	DO NOT PAINT GARDEN CENTER STEEL DOORS AND FRAMES P81E
13.	DO NOT PAINT
14.	NOT USED
15.	REMOVE ANY BANNERS OR TEMPORARY SIGNS PRIOR TO PAINTING.
16.	NOT USED
17.	DO NOT PAINT STONE VENEER, FACE BRICK AND UNPAINTED PRECAST PANELS.

REVISION SUMMARY		COLOR LEGEND	
2023-09-11:	COLORS REVISED TO MATCH EXISTING EARTHTONE COLOR	M1	SADDLE TAN BY OLDCASTLE
		P9E	SAFETY YELLOW
		P15	SUMMIT GRAY SW#7669
		P33E	ROW HOUSE TAN SW#7689
		P81E	BLACK
		P83	COBBLE BROWN
		P85	ROOKWOOD CLAY SW#2823
		P94	TRICORN BLACK SW#6258
		P98	OAK CREEK SW#7718
		WP1	CENTER BY TRESPA
		WP2	DARK BROWN BY TRESPA



DISCLOSURES

- PAINT RESTRICTIONS: BUILDING IS CURRENTLY PAINTED IN BROWN COLOR. ACTUAL YEAR OF LAST PAINT IS UNKNOWN. WE RECOMMEND FULL PAINT TO MATCH EXISTING BROWN COLOR SCHEME.
- ALLOWED SIGNAGE SF: 150 SQUARE FEET FOR EACH WALL FRONTING ON A STREET OR 1.5 SQUARE FEET PER FACADE WIDTH, WHICHEVER IS LESS
- EXISTING SIGNAGE SF: 359.34 SQFT
- PROPOSED SIGNAGE SF: 587.52 SQFT
- VARIANCE / PROCESS: VARIANCES IN PAINT SCHEME REQUIRE SPECIAL USE PERMIT, 4 WEEK WAIT.

<p><b>BALE AND PALLET LEFT ELEVATION</b> 1" = 20'-0"</p> <p><b>BALE AND PALLET REAR ELEVATION</b> 1" = 20'-0"</p> <p><b>GARDEN CENTER REAR ELEVATION</b> 1" = 20'-0"</p> <p><b>AUTO CENTER REAR ELEVATION</b> 1" = 20'-0"</p> <p><b>SCREEN WALL REAR ELEVATION</b> 1" = 20'-0"</p> <p><b>COMPRESSOR HOUSE RIGHT ELEVATION</b> 1" = 20'-0"</p> <p><b>PICKUP LEFT ELEVATION</b> 1" = 20'-0"</p>	<p><b>VESTIBULE RIGHT ELEVATION</b> 1" = 10'-0"</p> <p><b>VESTIBULE LEFT ELEVATION</b> 1" = 10'-0"</p> <p><b>GARDEN CENTER RIGHT ELEVATION</b> 1" = 20'-0"</p> <p><b>AUTO CENTER FRONT ELEVATION</b> 1" = 20'-0"</p> <p><b>SCREEN WALL REAR ELEVATION (5A)</b> 1" = 20'-0"</p> <p><b>REAR ELEVATION</b> 1" = 20'-0"</p> <p><b>RIGHT ELEVATION</b> 1" = 20'-0"</p>	<p><b>BALE AND PALLET FRONT ELEVATION</b> 1" = 20'-0"</p> <p><b>BALE AND PALLET RIGHT ELEVATION</b> 1" = 20'-0"</p> <p><b>AUTO CENTER REAR ELEVATION</b> 1" = 20'-0"</p> <p><b>COMPRESSOR HOUSE RIGHT ELEVATION</b> 1" = 20'-0"</p> <p><b>PICKUP LEFT ELEVATION</b> 1" = 20'-0"</p> <p><b>FRONT ELEVATION</b> 1" = 20'-0"</p>
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**ZONING TABULATION AND SITE DATA TABLE:**

SITE INFORMATION

PIN:	6983-57-7857-000	
ZONING DISTRICT:	C - COMMERCIAL	
LAND USE:	RETAIL SALES	
BUILDING AREA:	EXISTING: ±157,345 SF PROPOSED: ±163,496 SF	
SITE AREA:	18.434 AC	
BUILDING HEIGHT:	<u>MAXIMUM</u>	<u>PROPOSED</u>
	45'	19.33± (EXPANSION)
<u>LOT SIZE AND YARD SETBACK REQUIREMENTS:</u>		
MINIMUM LOT SIZE:	6,000 SF	
SETBACK REQUIREMENTS:	<u>REQUIRED</u>	<u>PROVIDED</u>
FRONT YARD (E) BUILDING	60'	359.0'±
SIDE YARD (N) BUILDING	<u>REQUIRED</u>	<u>PROVIDED</u>
	10'	80.3'±
SIDE YARD (S) BUILDING	<u>REQUIRED</u>	<u>PROVIDED</u>
	10'	391.6'±
FRONT YARD (W) BUILDING	<u>REQUIRED</u>	<u>PROVIDED</u>
	60'	96.7'±
<u>LOT COVERAGE REQUIREMENTS</u>		
	<u>MAXIMUM</u>	<u>PROVIDED</u>
PROPOSED IMPERVIOUS AREA:	85%	75%
<u>NONRESIDENTIAL STRUCTURES</u>		
SITE LOCATED IN A FLOODPLAIN OR RPA (Y/N): N		
WETLANDS ON SITE (Y/N): N		
KNOWN HISTORIC BUILDINGS/ FEATURES (Y/N): N		
KNOWN PLACE OF BURIAL (Y/N): N		

# SPECIAL USE PERMIT

FOR



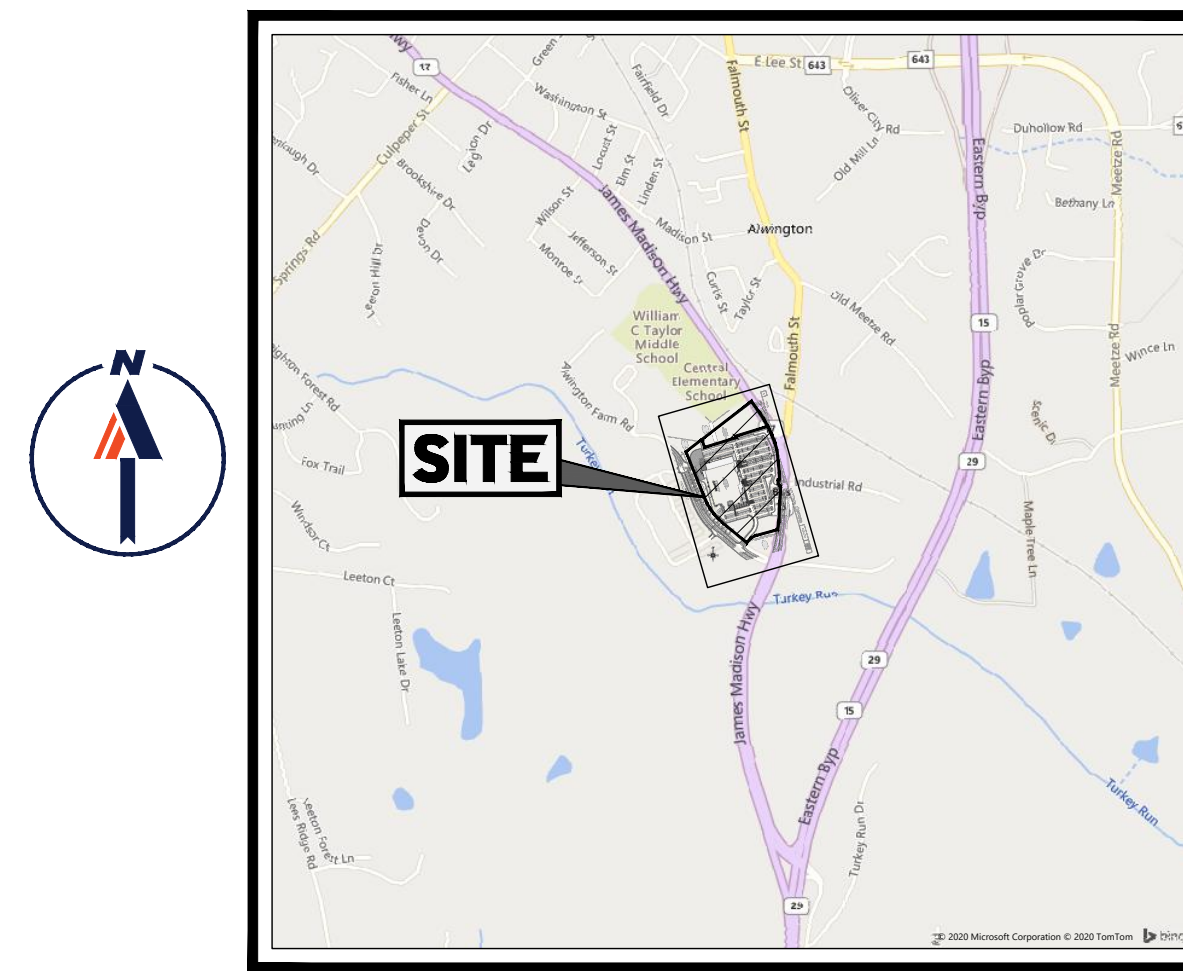
**LOCATION OF SITE**  
**STORE #2437-276**

700 JAMES MADISON HIGHWAY  
TOWN OF WARRENTON  
FAUQUIER COUNTY, VIRGINIA 20186

**PLAN REFERENCES AND CONTACTS**

- REFERENCES**
- BOUNDARY & TOPOGRAPHIC SURVEY:  
WALMART WARRENTON 700 JAMES MADISON HIGHWAY,  
TOWN OF WARRENTON, FAUQUIER COUNTY, VIRGINIA\*  
PREPARED BY: BOHLER  
DATED: 7/19/2022  
PROJECT NO.: VAB220093.00  
DATUM: NAVD 88, NAD 83
  - ARCHITECTURAL PLANS:  
2022-08-16 FOOTPRINT\_UPDATED OGP  
PREPARED BY: WD PARTNERS  
(980) 232-1453  
PROVIDED: 8/10/2022
  - DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT  
HEATHER JENKINS, ZONING ADMINISTRATOR  
EMAIL: HJENKINS@WARRENTONVA.GOV  
(540) 347-1101 (P) EXT. 312  
21 MAIN STREET  
WARRENTON, VA 20186

THE ABOVE REFERENCED DOCUMENTS ARE INCORPORATED BY REFERENCE AS PART OF THESE PLANS. HOWEVER, BOHLER DOES NOT CERTIFY THE ACCURACY OF THE WORK REFERENCED OR DERIVED FROM THESE DOCUMENTS, BY OTHERS.



**LOCATION MAP**  
COPYRIGHT 2018  
MICROSOFT CORPORATION  
SCALE: 1" = 2,000'

**OWNER/DEVELOPER**  
WAL-MART REAL ESTATE BUSINESS TRUST  
PO BOX 8050  
BENTONVILLE, ARKANSAS 72716-0550  
CONTACT NAME: DAVID PENNY  
TEL: (479) 273-4000

**ENGINEER**  
BOHLER  
28 BLACKWELL PARK LN  
SUITE 201  
WARRENTON, VA 20186  
CONTACT NAME: KATHERINE ROBERTS  
TEL: (540) 349-4500

SHEET INDEX	
SHEET TITLE	SHEET NUMBER
COVER SHEET	1
STOP SIGNS AND MARKING PLAN	2
STORE ENTRANCE SITE PLAN	3
SPECIAL USE PERMIT	4
LANDSCAPE PLAN	5
CONSTRUCTION DETAILS	6
PREVIOUS OVERALL SUP PLAN REDLINE EXHIBIT	7

PREPARED BY



CONTACT: KATHERINE S. ROBERTS, P.E.

**COVER SHEET**

REVISIONS	BY	DATE
REV 1 - 6/13/2023	NBC	
COUNTY COMMENTS		

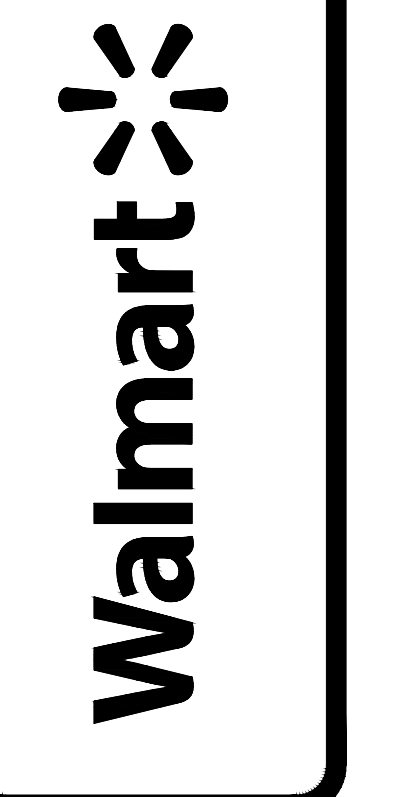
**BOHLER**  
28 BLACKWELL PARK LANE, SUITE 201  
WARRENTON, VIRGINIA 20186  
Phone: (540) 349-4500  
Fax: (540) 349-0321  
VA@BohlerEng.com

COMMONWEALTH OF VIRGINIA  
Katherine Roberts  
KATHERINE ROBERTS  
Lic. No. 0402060193  
6/13/2023  
PROFESSIONAL ENGINEER

**811**  
Know what's below.  
Call before you dig.  
ALWAYS CALL 811  
It's fast. It's free. It's the law.

NOT APPROVED FOR CONSTRUCTION

SUPERCENTER #2437-276  
700 JAMES MADISON HIGHWAY  
WARRENTON, VIRGINIA 20186  
WAL-MART STORES, INC  
BENTONVILLE, AR 72716



DRAWN	DSH
CHECKED	KSR
DATE	6/8/2023
JOB No.	VAB220093.00
SHEET NUMBER	-0

**1**



NOTE: EXISTING CONDITIONS ARE BASED ON FIELD OBSERVATIONS AND AERIAL IMAGERY. DIMENSIONS SHOWN ARE APPROXIMATE. CONTRACTOR TO NOTIFY BOHLER IMMEDIATELY, IN WRITING, OF ANY DISCREPANCIES.

**PARKING ANALYSIS**

USE: COMMERCIAL
REQUIREMENT: ONE (1) SPACE PER THREE HUNDRED (300) SQUARE FEET GROSS FLOOR AREA FOR THE FIRST TWELVE THOUSAND (12,000) SQUARE FEET, PLUS TWO (2) SPACES PER EACH ADDITIONAL ONE THOUSAND (1,000) SQUARE FEET GROSS FLOOR AREA, MINIMUM FOUR (4) SPACES FOR EACH ESTABLISHMENT.
EXISTING BUILDING SF: 1157,345 SF PROPOSED BUILDING SF: 1163,496 SF [12,000 SF X 1 SPACE / 300 SF + 151,496 SF X 2 SPACE / 1,000 SF] = 343 SPACES REQUIRED
731 TOTAL EXISTING SPACES
43 SPACES LOST
23 SPACES DEDICATED FOR TEMPORARY SEASONAL STORAGE
665 PROVIDED SPACES
PARKING RATIO: 4.07/1,000
NUMBER OF PROPOSED PICKUP SPACES: 45
ADA PARKING SPACE REQUIREMENT: REQUIRED: 665 SPACES * 0.02 = 13 SPACES PROVIDED: 16 SPACES

**SITE AND DEMOLITION LEGEND**

REFERENCE DETAIL SHEET

- |   |  |
|---|--|
| (A) EXISTING PEDESTRIAN CROSSING SIGN TO BE REMOVED.  | (W) EXISTING STOP SIGN TO REMAIN/ BE REUSED.   |
| (B) EXISTING STOP SIGN TO BE REMOVED.   | (W1) EXISTING TREE LIMBS TO BE TRIMMED FOR SIGN VISIBILITY.  |
| (C) EXISTING SIGN POST AND BASE TO BE REMOVED.  | (W2) EXISTING TREE LIMBS TO BE TRIMMED TO ALLOW FOR INCREASED DRIVER VISIBILITY.   |
| (D) EXISTING SIGN POST AND BASE TO REMAIN.  | (X) EXISTING STOP SIGN TO BE RAISED/ RELOCATED TO MATCH CURRENT DETAILS/ GUIDELINES.   |
| (E) EXISTING CROSSWALK STRIPING TO BE REMOVED.  | (Y) EXISTING SIGN POST AND BOLLARD TO BE REPAINTED.  |
| (F) EXISTING YIELD / FIRE LANE PAVEMENT MARKING TO BE REMOVED.  | (Z) NEW SIGN MOUNTING AND BASE WITH BREAK AWAY POST.   |
| (G) EXISTING CENTERLINE STRIPING TO REMAIN/ BE REFRESHED.   | (a) EXISTING PARKING STALL PAVEMENT MARKINGS TO BE REMOVED.  |
| (H) NEW "STOP HERE FOR PEDESTRIANS" SIGN.   | (b) EXISTING PAVEMENT MARKING STRIPING TO BE REMOVED.  |
| (J) NEW 30"X30" STOP SIGN.  | (c) NEW 4" WIDE PAINTED WHITE STRIPES AT 45" @ 2'-0" O.C.  |
| (K) NEW SIGN MOUNTING AND BASE WITH BOLLARD.  | (d) NEW 36" STOP SIGN ON DOUBLE POST WITH BREAK AWAY POSTS.  |
| (L) NEW STOP AND/OR "ONLY" TEXT AND/OR STOP BAR WITH 4" WIDE DOUBLE SOLID YELLOW STRIPE.  | (f) NEW ASSOCIATE COVER CANOPY. SEE ARCH. PLANS FOR DETAILS.   |
| (M) NEW 4" WIDE PAINTED YELLOW STRIPES AT 45" @ 2'-0" O.C.  | (g) EXISTING STOP PAVEMENT MARKINGS, STOP BAR, "STOP" TEXT AND/OR "ONLY" TEXT TO BE REVISED/ REFRESHED TO MATCH CURRENT DETAILS. |
| (N) NEW CROSSWALK MARKINGS - 6" WIDE PAINTED WHITE STRIPING PARALLEL TO DIRECTION OF TRAFFIC AT 2'-0" O.C. AND (1)-8" WHITE STRIPE PERPENDICULAR ON BOTH ENDS UNLESS NOTED OTHERWISE. SEE SITE PLAN FOR DIMENSIONS. ENTIRE CROSSWALK SHALL BE RE-STRIPED, INCLUDING "NO PARKING FIRE LANE" AND/OR RED STRIPE TO MATCH EXISTING. | (h) EXISTING OPEN ARROW PAVEMENT MARKING TO REMAIN/ BE REFRESHED.  |
| (P) LIMITS OF SEAL COAT. APPLY SEAL COAT WHERE STRIPING AND PAVEMENT MARKINGS WERE REMOVED AND WHERE NEW STRIPING AND PAVEMENT MARKINGS WILL BE APPLIED. APPLY NEW STRIPING AND PAVEMENT MARKINGS OVER SEAL COAT.   | (i) EXISTING PEDESTRIAN CROSSING SIGN AND BASE TO REMAIN/ BE REUSED  |
| (Q) NEW 4" WIDE PAINTED YELLOW STRIPES - 6' LONG WITH 18' GAPS.   | (n) NEW PICKUP PARKING STALL STRIPING. SEE DETAIL.   |
| (R) EXISTING STOP BAR/ STOP TEXT PAVEMENT MARKINGS/ DOUBLE YELLOW STRIPE TO BE REMOVED.   | (o) EXISTING PICKUP SIGN AND POST TO BE REMOVED  |
| (S) NEW OPEN ARROW PAVEMENT MARKINGS.   | (r) EXISTING MISCELLANEOUS TRAFFIC INFORMATION SIGN TO REMAIN.   |
| (T) EXISTING ARROW PAVEMENT MARKINGS TO BE REMOVED.   | (1) EXISTING SOLID ARROW PAVEMENT MARKING TO REMAIN/ BE REFRESHED.   |
| (U) EXISTING FIRE LANE STRIPING AND/ OR YELLOW STRIPING TO REMAIN/ BE REFRESHED.  | (u) EXISTING CROSSWALK TO BE REVISED/ REFRESHED TO MATCH CURRENT DETAILS.  |
| (V) NEW 4" WIDE DOUBLE SOLID YELLOW STRIPE AND/ OR SINGLE WHITE.  | (y) NEW PICKUP PARKING SIGNAGE. SEE DETAIL.  |
|   | (z) NEW 7" CONCRETE SPEED CUSHION (SEE DETAIL).  |
|   | (zi) NEW "SPEED HUMP" SIGN AND POST (SEE DETAIL).  |

**NOTES TO CONTRACTOR:**

- BFR (BUILDING FRONTAGE ROAD)  
OCR (OUTER CIRCULATION ROAD)
- CONTRACTOR SHALL INSTALL "NEW" STOP BARS, SIGNS, AND TEXT TO MATCH CURRENT DETAILS AT THE LOCATIONS SHOWN ON THESE PLANS.
- ALL SIGNS LOCATED ON THE BUILDING SIDE OF THE BFR SHALL BE INSTALLED ON A SINGLE POST WITH BOLLARD.
- FOR PAVEMENT MARKINGS PROPOSED TO BE REMOVED, CONTRACTOR SHALL REMOVE THE PAVEMENT MARKINGS IN THEIR ENTIRETY PRIOR TO SEAL COAT

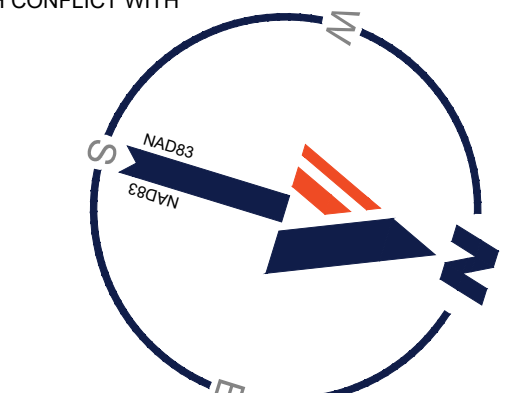
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CONTRACTOR SHALL CONTACT 811 FOR LOCATION OF ALL UTILITIES, AT LEAST 72 HOURS PRIOR TO BEGINNING CONSTRUCTION



REVISIONS	BY	DATE
REV 1 - 6/13/2023	NBC	
COUNTY COMMENTS		

**BOHLER**  
28 BLACKWELL PARK LANE, SUITE 201  
WARRENTON, VIRGINIA 20186  
Phone: (540) 349-4500  
Fax: (540) 349-0321  
VA@BohlerEng.com

COMMONWEALTH OF VIRGINIA  
Katherine Roberts  
Lic. No. 0402060193  
6/13/2023  
PROFESSIONAL ENGINEER

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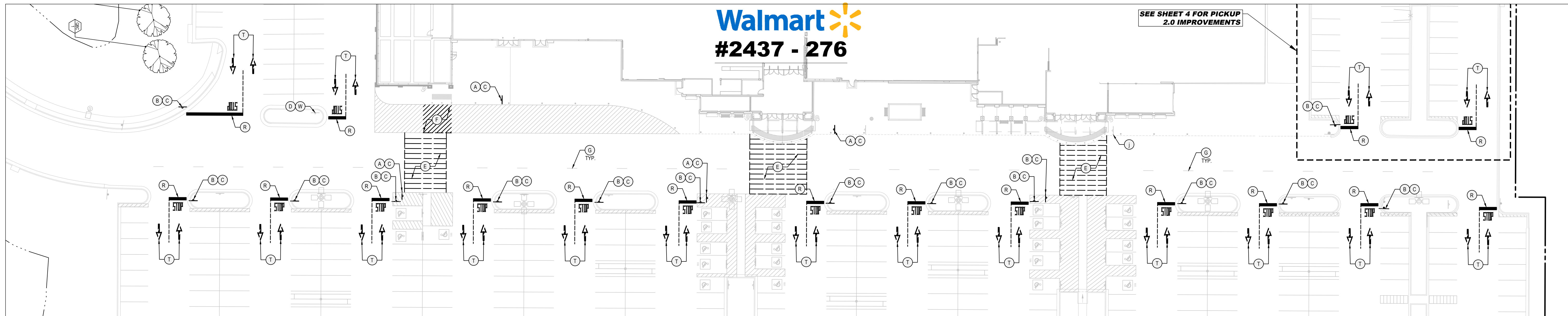
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SUPERCENTER #2437-276  
700 JAMES MADISON HIGHWAY  
WARRENTON, VIRGINIA 20186  
WAL-MART STORES, INC  
BENTONVILLE, AR 72716

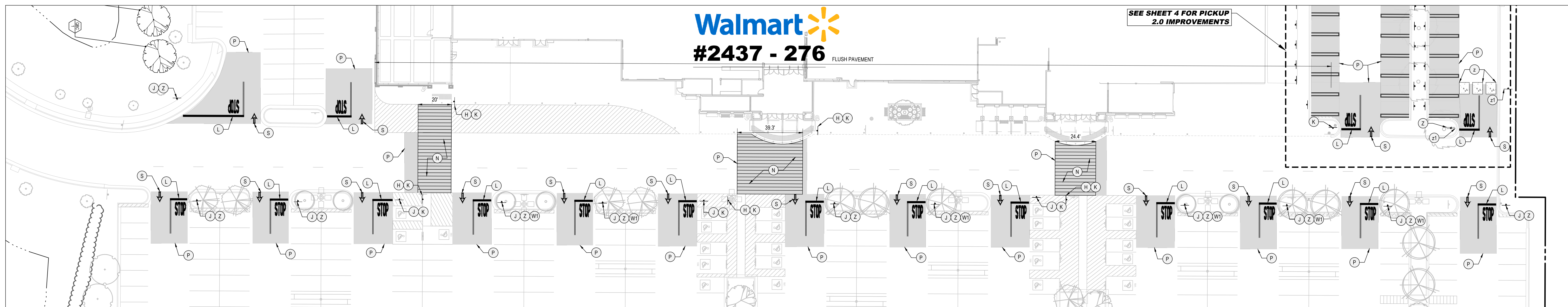
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CHECKED	KSR
DATE	6/8/2023
JOB No.	VAB220093.00 -0
SHEET NUMBER	

**2**

**STOP SIGNS AND MARKING PLAN**



**DEMOLITION PLAN**



**SITE PLAN**

**SITE AND DEMOLITION LEGEND**

REFERENCE DETAIL SHEET

- |   |   |   |
|---|---|---|
| (A) EXISTING PEDESTRIAN CROSSING SIGN TO BE REMOVED.  | (D) NEW 4" WIDE PAINTED YELLOW STRIPES - 6' LONG WITH 18" GAPS.                         | (E) NEW 36" STOP SIGN ON DOUBLE POST WITH BREAK AWAY POSTS.   |
| (B) EXISTING STOP SIGN TO BE REMOVED.   | (R) EXISTING STOP BAR/ STOP TEXT PAVEMENT MARKINGS/ DOUBLE YELLOW STRIPE TO BE REMOVED. | (F) NEW ASSOCIATE COVER CANOPY. SEE ARCH. PLANS FOR DETAILS.  |
| (C) EXISTING SIGN POST AND BASE TO BE REMOVED.  | (S) NEW OPEN ARROW PAVEMENT MARKINGS.   | (G) EXISTING STOP PAVEMENT MARKINGS, STOP BAR, "STOP" TEXT AND/ OR "ONLY" TEXT TO BE REVISED/ REFRESHED TO MATCH CURRENT DETAILS. |
| (D) EXISTING SIGN POST AND BASE TO REMAIN.  | (T) EXISTING ARROW PAVEMENT MARKINGS TO BE REMOVED.                                     | (H) EXISTING OPEN ARROW PAVEMENT MARKING TO REMAIN/ BE REFRESHED.   |
| (E) EXISTING CROSSWALK STRIPING TO BE REMOVED.  | (U) EXISTING FIRE LANE STRIPING AND/ OR YELLOW STRIPING TO REMAIN/ BE REFRESHED.        | (I) EXISTING PEDESTRIAN CROSSING SIGN AND BASE TO REMAIN/ BE REUSED   |
| (F) EXISTING YIELD / FIRE LANE PAVEMENT MARKING TO BE REMOVED.  | (V) NEW 4" WIDE DOUBLE SOLID YELLOW STRIPE AND/ OR SINGLE WHITE.                        | (J) NEW PICKUP PARKING STALL STRIPING. SEE DETAIL.  |
| (G) EXISTING CENTERLINE STRIPING TO REMAIN/ BE REFRESHED.   | (W) EXISTING STOP SIGN TO REMAIN/ BE REUSED.  | (K) EXISTING PICKUP SIGN AND POST TO BE REMOVED   |
| (H) NEW "STOP HERE FOR PEDESTRIANS" SIGN.   | (W1) EXISTING TREE LIMBS TO BE TRIMMED FOR SIGN VISIBILITY.                             | (L) EXISTING MISCELLANEOUS TRAFFIC INFORMATION SIGN TO REMAIN.  |
| (J) NEW 30"x30" STOP SIGN.  | (W2) EXISTING TREE LIMBS TO BE TRIMMED TO ALLOW FOR INCREASED DRIVER VISIBILITY.        | (M) EXISTING SOLID ARROW PAVEMENT MARKING TO REMAIN/ BE REFRESHED.  |
| (K) NEW SIGN MOUNTING AND BASE WITH BOLLARD.  | (X) EXISTING STOP SIGN TO BE RAISED/ RELOCATED TO MATCH CURRENT DETAILS/ GUIDELINES.    | (N) EXISTING CROSSWALK TO BE REVISED/ REFRESHED TO MATCH CURRENT DETAILS.   |
| (L) NEW STOP AND/OR "ONLY" TEXT AND/OR STOP BAR WITH 4" WIDE DOUBLE SOLID YELLOW STRIPE.  | (Y) EXISTING SIGN POST AND BOLLARD TO BE REPAINTED.                                     | (O) NEW PICKUP PARKING SIGNAGE. SEE DETAIL.   |
| (M) NEW 4" WIDE PAINTED YELLOW STRIPES AT 45° @ 2'-0" O.C.  | (Z) NEW SIGN MOUNTING AND BASE WITH BREAK AWAY POST.                                    | (P) NEW 7" CONCRETE SPEED CUSHION (SEE DETAIL).   |
| (N) NEW CROSSWALK MARKINGS - 6" WIDE PAINTED WHITE STRIPING PARALLEL TO DIRECTION OF TRAFFIC AT 2'-0" O.C. AND (1)-8" WHITE STRIPE PERPENDICULAR ON BOTH ENDS UNLESS NOTED OTHERWISE. SEE SITE PLAN FOR DIMENSIONS. ENTIRE CROSSWALK SHALL BE RE-STRIPED, INCLUDING "NO PARKING FIRE LANE" AND/OR RED STRIPE TO MATCH EXISTING. | (a) EXISTING PARKING STALL PAVEMENT MARKINGS TO BE REMOVED.                             | (Q) NEW "SPEED HUMP" SIGN AND POST (SEE DETAIL).  |
| (P) LIMITS OF SEAL COAT. APPLY SEAL COAT WHERE STRIPING AND PAVEMENT MARKINGS WERE REMOVED AND WHERE NEW STRIPING AND PAVEMENT MARKINGS WILL BE APPLIED. APPLY NEW STRIPING AND PAVEMENT MARKINGS OVER SEAL COAT.   | (b) EXISTING PAVEMENT MARKING STRIPING TO BE REMOVED.                                   |   |
|   | (d) NEW 4" WIDE PAINTED WHITE STRIPES AT 45° @ 2'-0" O.C.                               |   |

**NOTES TO CONTRACTOR:**

- REFERENCE SITE CONSTRUCTION PLAN FOR SITE SPECIFIC DIMENSIONS OF CROSSWALK STRIPING AND LOCATION OF SIGNAGE.
- PROVIDE A COMPREHENSIVE CONSTRUCTION PHASING PLAN FOR THIS WORK TO THE STORE MANAGER 7 DAYS PRIOR TO STARTING ANY WORK. IT IS TO PROVIDE FOR DATES, TIMES AND DURATION OF LANE CLOSURES, TEMPORARY VEHICLE AND PEDESTRIAN TRAFFIC CONTROL.
- ALL EXISTING STRIPING AND PAVEMENT MARKINGS OR TEXT ALONG THE BFR (BUILDING FRONTAGE ROAD) SHALL BE REMOVED. GRIND OUT ANY DIRECTIONAL ARROWS OR STOP BARS/TEXT THAT ARE NOT CORRECTLY LOCATED OR INCONSISTENT WITH THE DETAILS PROVIDED. APPLY SEAL COAT TO THE COMPLETE EXTENT THAT THE STRIPING OR TEXT HAS BEEN REMOVED IN A SINGLE COMPLETE RECTANGLE TO COVER ALL REMOVED STRIPING (DO NOT APPLY SEAL COAT OVER EXISTING STRIPING OR CONCRETE). INSTALL NEW STRIPING AND SIGNAGE AS SHOWN ON THE SITE CONSTRUCTION PLAN. FOR PAVEMENT MARKINGS PROPOSED TO BE REMOVED, CONTRACTOR SHALL REMOVE THE PAVEMENT MARKINGS IN THEIR ENTIRETY PRIOR TO SEAL COAT.
- ALL SIGNS LOCATED ON THE BUILDING SIDE OF THE BFR SHALL BE INSTALLED ON A SINGLE POST WITH BOLLARD.

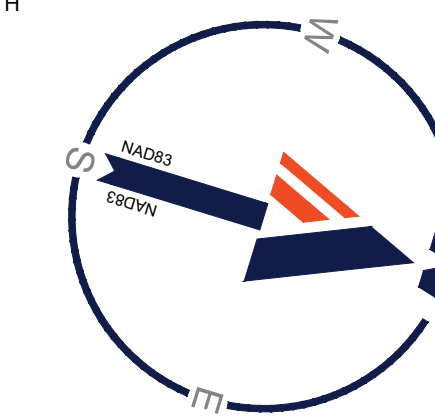
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**STORE ENTRANCE SITE PLAN**

REVISIONS	BY	Item a.
REV 1 - 6/13/2023	NBC	
COUNTY COMMENTS		

**BOHLER**  
 28 BLACKWELL PARK LANE, SUITE 201  
 WARRENTON, VIRGINIA 20186  
 Phone: (540) 349-4500  
 Fax: (540) 349-0321  
 VA@BohlerEng.com

COMMONWEALTH OF VIRGINIA  
 K. S. Roberts  
 CATHERINE ROBERTS  
 Lic. No. 0402060193  
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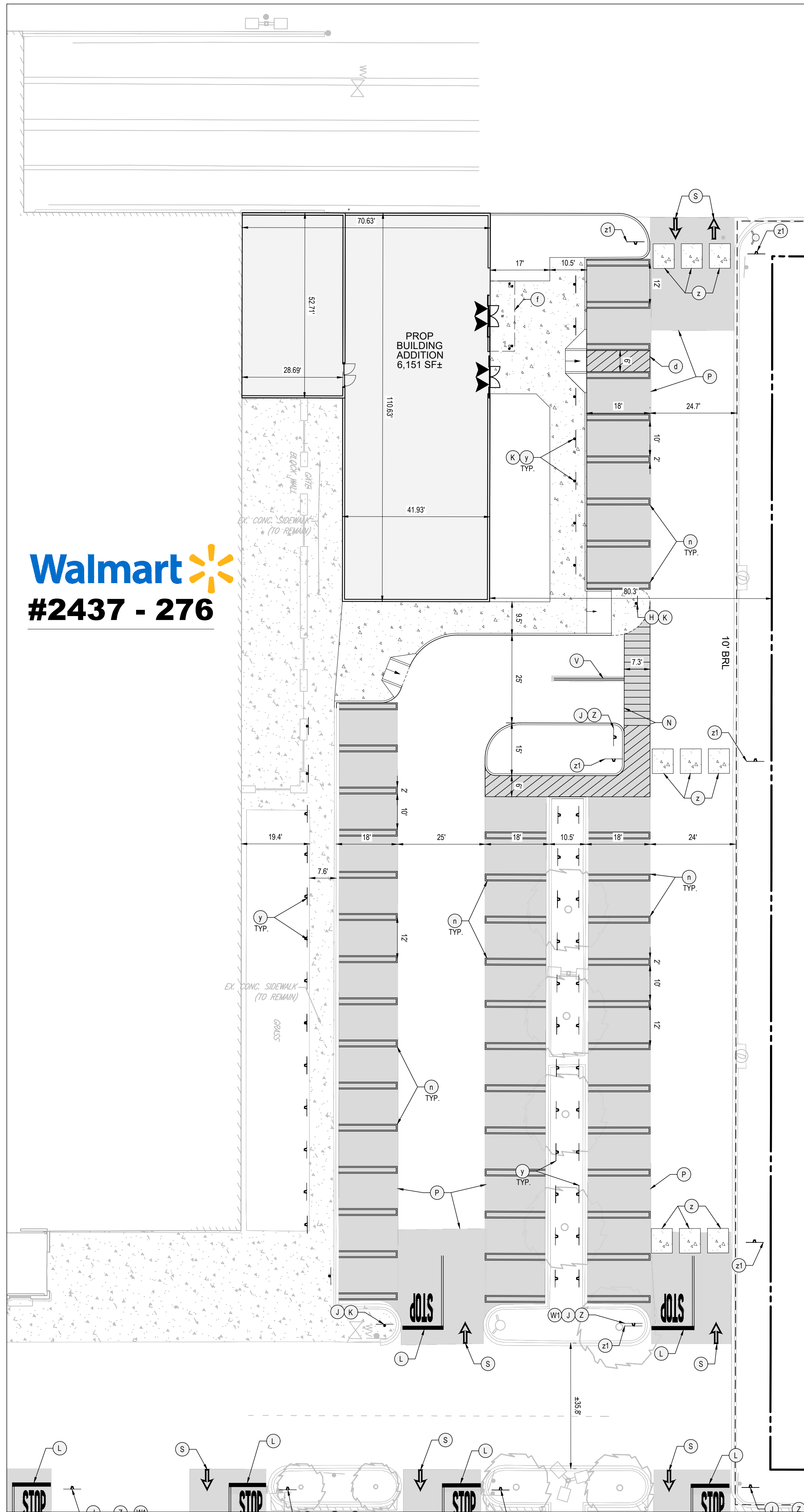
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 700 JAMES MADISON HIGHWAY  
 WARRENTON, VIRGINIA 20186  
 WAL-MART STORES, INC  
 BENTONVILLE, AR 72716

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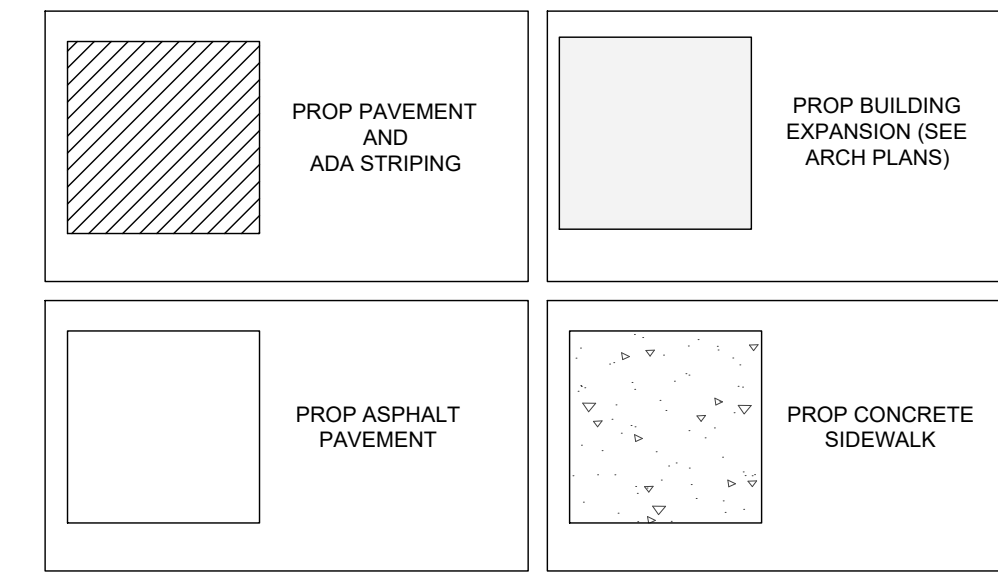
**3**



**Walmart**  
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**SITE PLAN**

**HATCH LEGEND**



NOTE: EXISTING CONDITIONS ARE BASED ON FIELD OBSERVATIONS AND AERIAL IMAGERY. DIMENSIONS SHOWN ARE APPROXIMATE. CONTRACTOR TO NOTIFY BOHLER IMMEDIATELY, IN WRITING, OF ANY DISCREPANCIES.

PARKING ANALYSIS	
USE: COMMERCIAL	
REQUIREMENT: ONE (1) SPACE PER THREE HUNDRED (300) SQUARE FEET GROSS FLOOR AREA FOR THE FIRST TWELVE THOUSAND (12,000) SQUARE FEET, PLUS TWO (2) SPACES PER EACH ADDITIONAL ONE THOUSAND (1,000) SQUARE FEET GROSS FLOOR AREA. MINIMUM FOUR (4) SPACES FOR EACH ESTABLISHMENT.	
EXISTING BUILDING SF: ±157,345 SF	PROPOSED BUILDING SF: ±163,496 SF
[12,000 SF X 1 SPACE / 300 SF + 151,496 SF X 2 SPACE / 1,000 SF] = 343 SPACES REQUIRED	
731 TOTAL EXISTING SPACES	43 SPACES LOST
23 SPACES DEDICATED FOR TEMPORARY SEASONAL STORAGE	
665 PROVIDED SPACES	
PARKING RATIO: 4.07/1,000	
NUMBER OF PROPOSED PICKUP SPACES: 45	
ADA PARKING SPACE REQUIREMENT: REQUIRED: 665 SPACES * 0.02 = 13 SPACES PROVIDED: 16 SPACES	

**SITE NOTES:**

- SIGNAGE REQUIREMENTS WILL BE ADDRESSED AT THE TIME OF SITE DEVELOPMENT PLAN REVIEW.

**SITE AND DEMOLITION LEGEND**

REFERENCE DETAIL SHEET

- |   |   |
|---|---|
| (A) EXISTING PEDESTRIAN CROSSING SIGN TO BE REMOVED.  | (W) EXISTING STOP SIGN TO REMAIN/ BE REUSED.  |
| (B) EXISTING STOP SIGN TO BE REMOVED.   | (W1) EXISTING TREE LIMBS TO BE TRIMMED FOR SIGN VISIBILITY.   |
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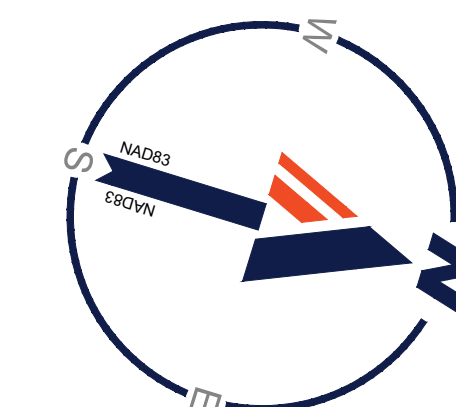
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**SPECIAL USE PERMIT**

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COUNTY COMMENTS		

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28 BLACKWELL PARK LANE, SUITE 201  
WARRENTON, VIRGINIA 20186  
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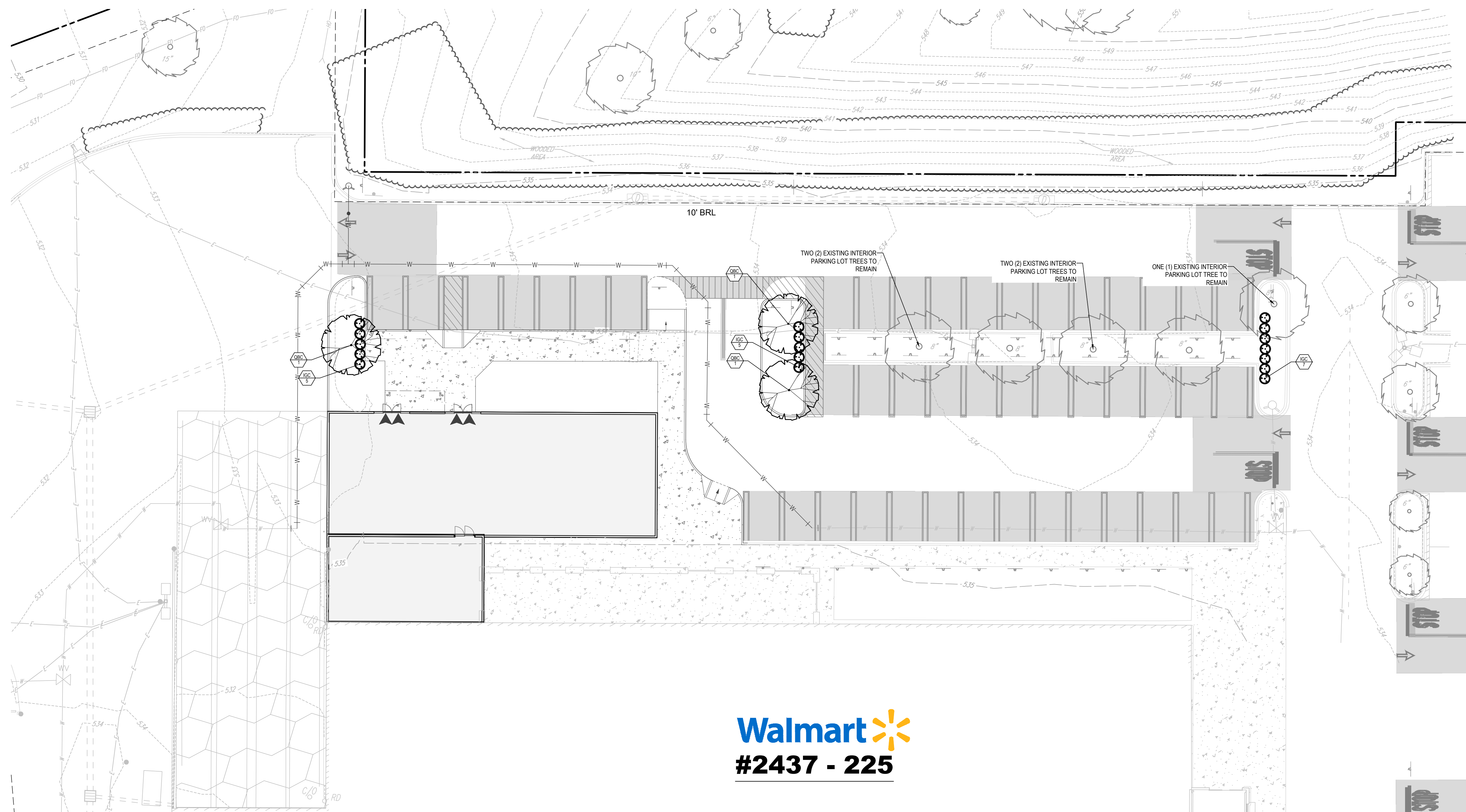
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SUPERCENTER #2437-276  
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WAL-MART STORES, INC  
BENTONVILLE, AR 72716

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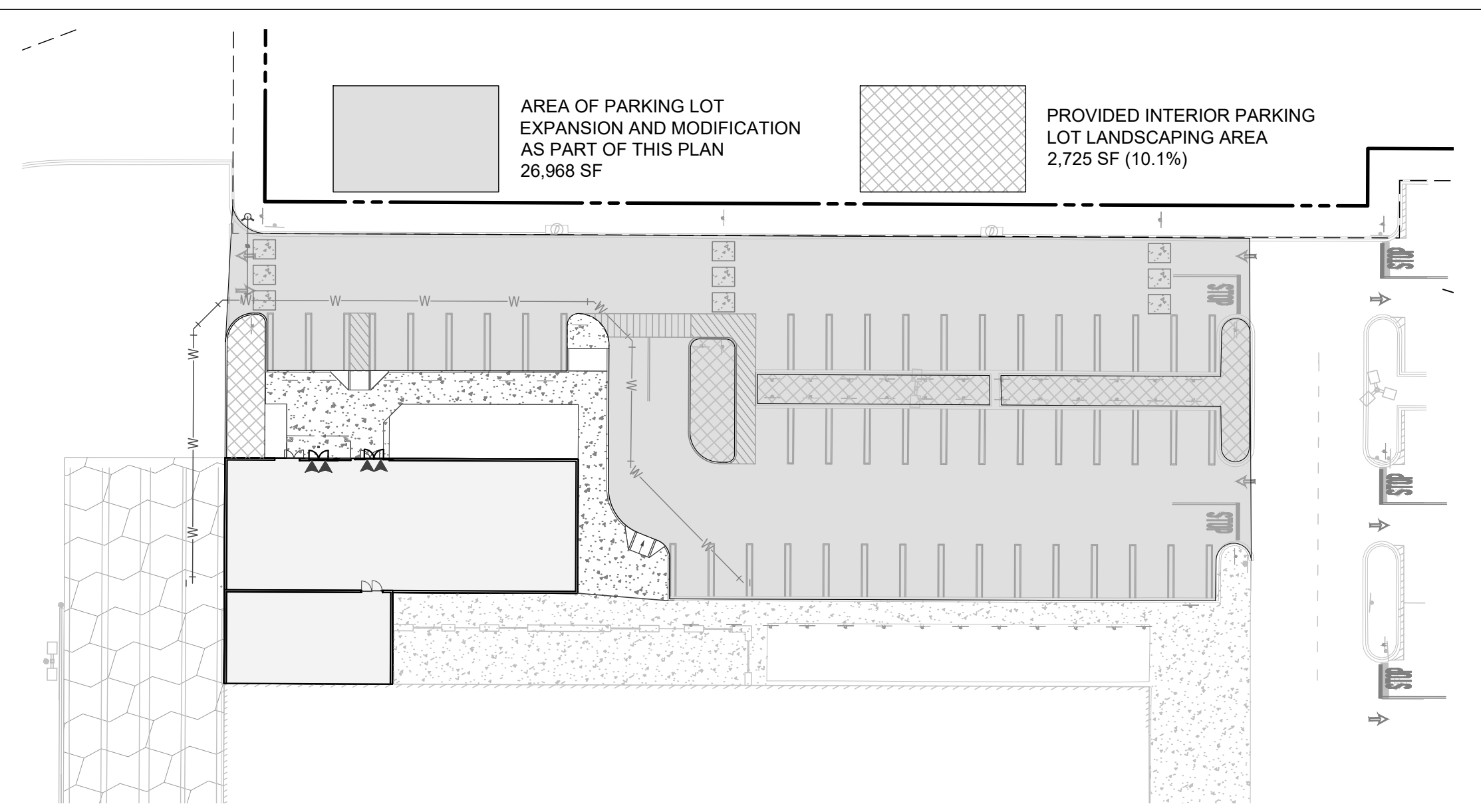
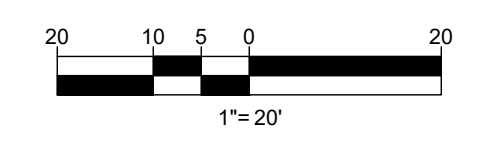
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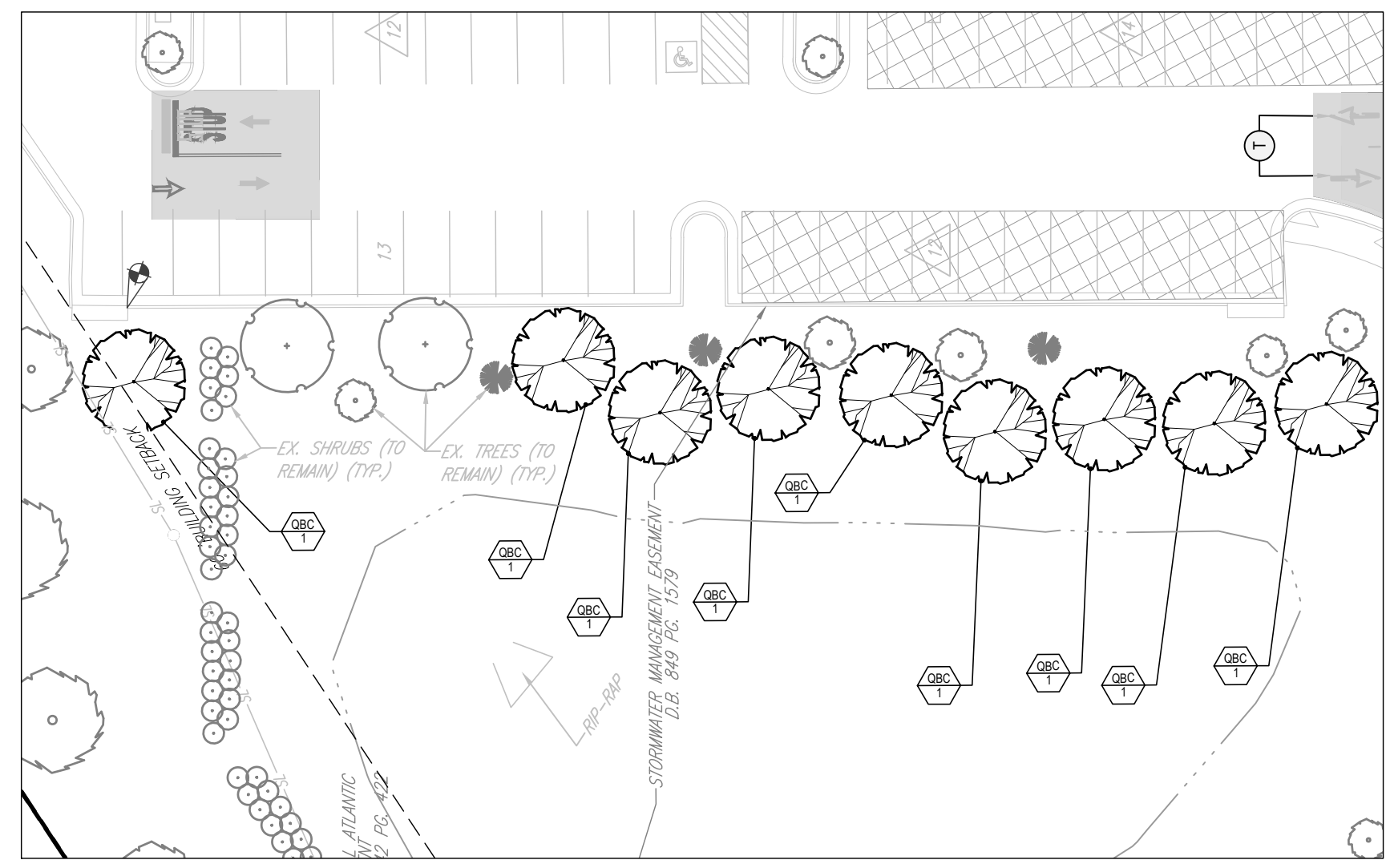
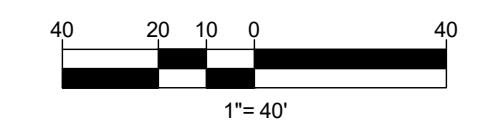


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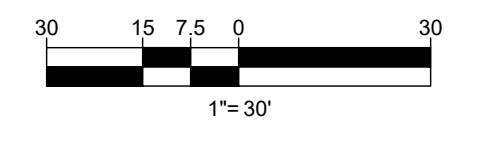
**LANDSCAPE PLAN**



**INTERIOR PARKING LOT LANDSCAPING DIAGRAM**



**INSET B: PROPOSED TREE LINE**



LANDSCAPE SCHEDULE					
KEY	QTY.	BOTANICAL NAME	COMMON NAME	CAL.	CONT.
<b>SHADE TREES</b>					
QRC	12	QUERCUS BICOLOR	SWAMP WHITE OAK	2 1/2" CAL. 14' HT	B+B
SUBTOTAL:	12				
<b>EVERGREEN SHRUBS</b>					
IGC	17	ILEX GLABRA COMPACTA	DWARF INKBERY HOLLY	24" HT	65 CAN
SUBTOTAL:	17				

NOTE: THE QUANTITIES SHOWN ABOVE REFLECT THE PROPOSED TREES AND SHRUBS DEPICTED ON THIS SHEET.

TOTAL NUMBER OF PARKING SPACES WITHIN WORK AREA: 45  
 1 TREE / 8 PARKING SPACES = 6 TREES REQUIRED  
 3 SHRUBS / 8 PARKING SPACES = 17 SHRUBS REQUIRED

8 TREES CREDITED FOR INTERIOR PARKING LOT LANDSCAPING  
 17 SHRUBS CREDITED FOR INTERIOR PARKING LOT LANDSCAPING



**LANDSCAPE PLAN**

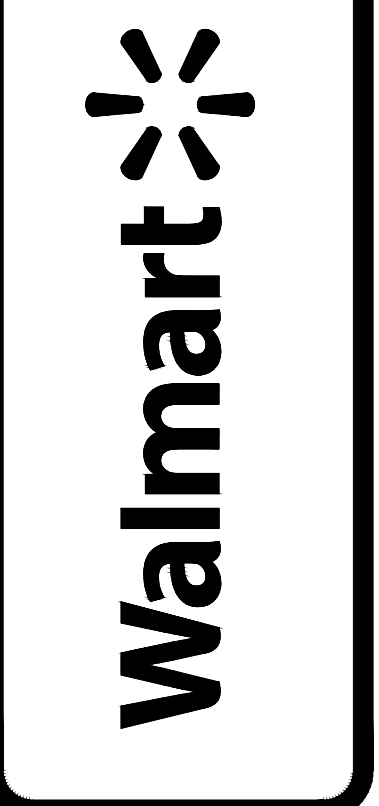
REVISIONS	BY	DATE
REV 1 - 6/13/2023	NBC	
COUNTY COMMENTS		

**BOHLER**  
28 BLACKWELL PARK LANE, SUITE 201  
WARRENTON, VIRGINIA 20186  
Phone: (540) 349-4500  
Fax: (540) 349-0321  
VA@BohlerEng.com



NOT APPROVED FOR CONSTRUCTION

SUPERCENTER #2437-276  
700 JAMES MADISON HIGHWAY  
WARRENTON, VIRGINIA 20186  
WAL-MART STORES, INC  
BENTONVILLE, AR 72716



DRAWN	DSH
CHECKED	KSR
DATE	6/8/2023
JOB No.	VAB220093.00
SHEET NUMBER	-0

**5**

REVISIONS	BY	DATE
REV 1 - 6/13/2023	NBC	
COUNTY COMMENTS		

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 28 BLACKWELL PARK LANE, SUITE 201  
 WARRENTON, VIRGINIA 20186  
 Phone: (540) 349-4500  
 Fax: (540) 349-0321  
 VA@BohlerEng.com

COMMONWEALTH OF VIRGINIA  
 K. S. Roberts  
 CATHERINE ROBERTS  
 Lic. No. 0402060193  
 6/13/2023  
 PROFESSIONAL ENGINEER

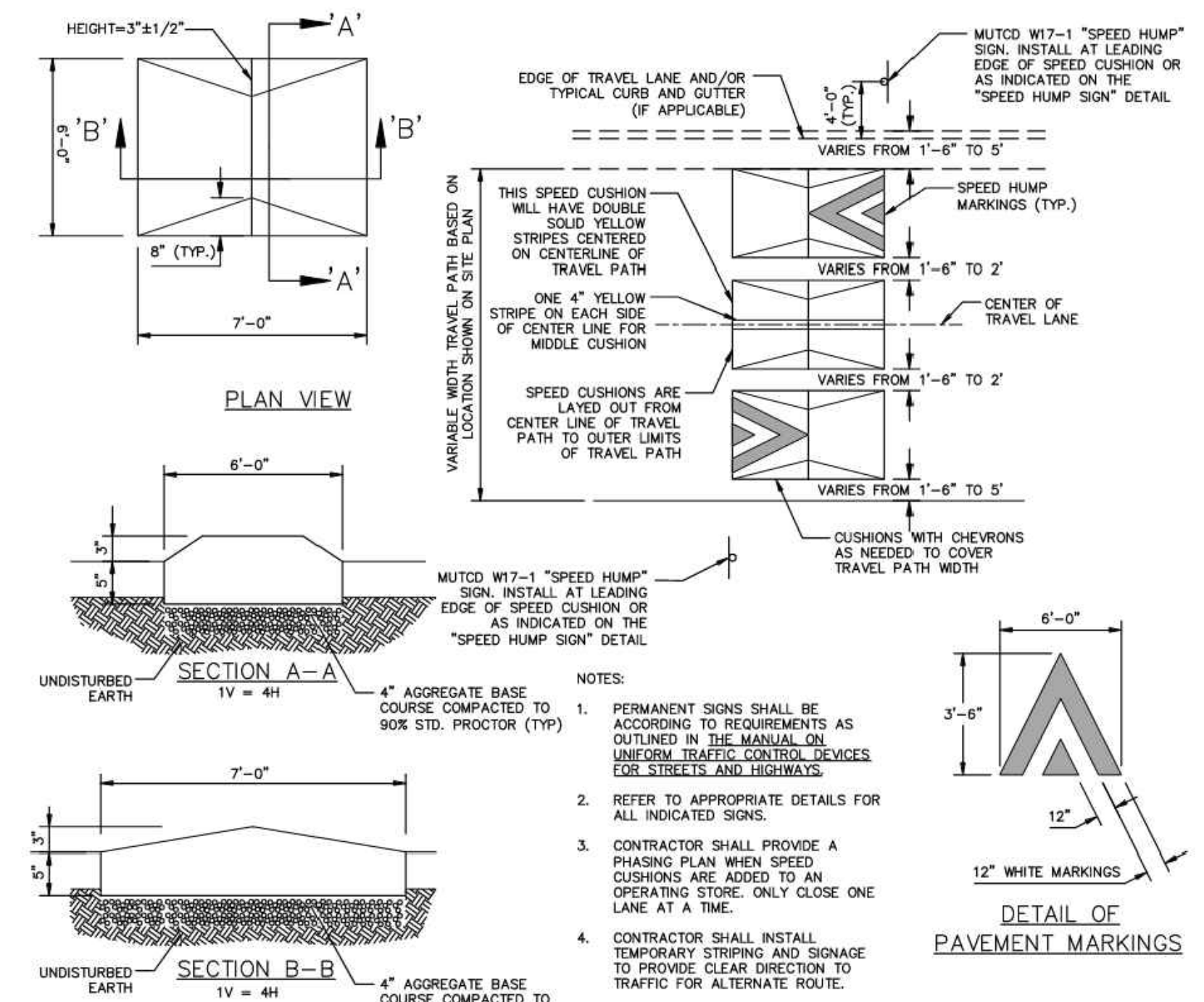
811  
 Know what's below.  
 Call before you dig.  
 ALWAYS CALL 811  
 It's fast. It's free. It's the law.

NOT APPROVED FOR CONSTRUCTION

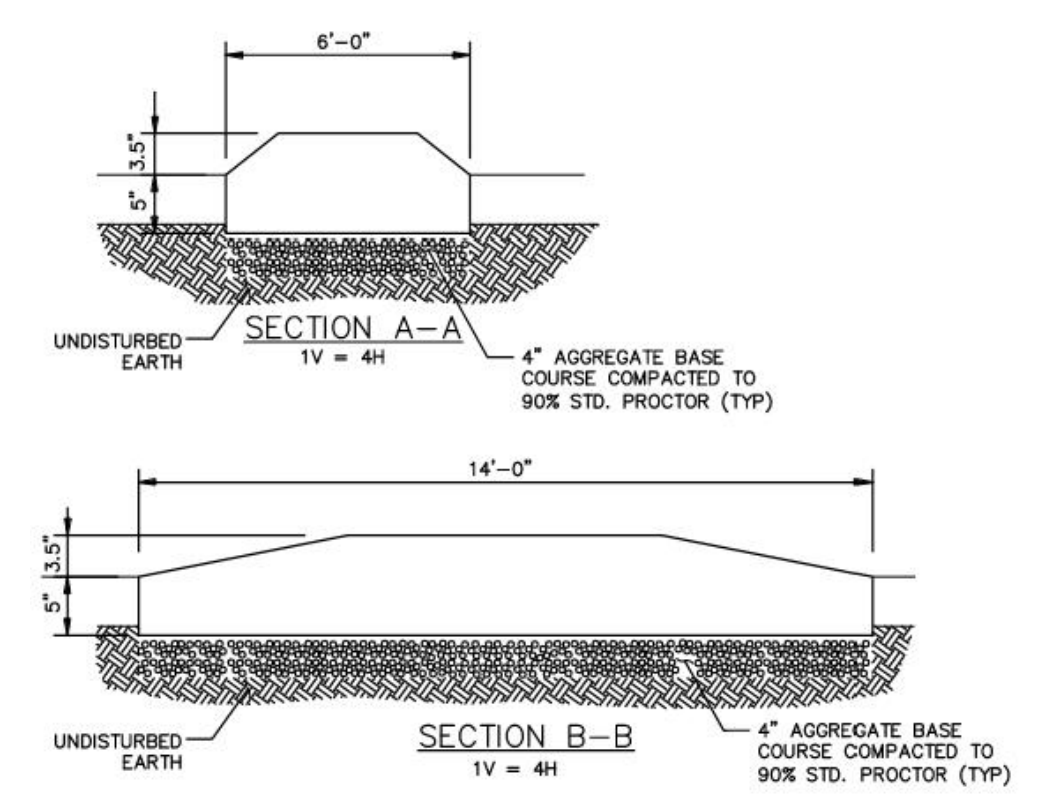
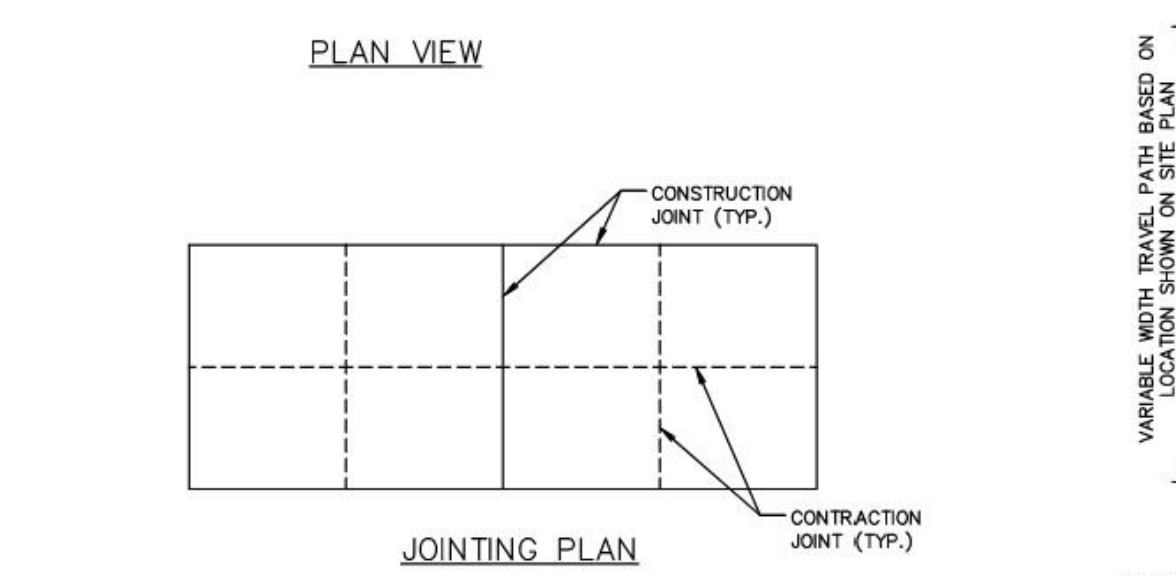
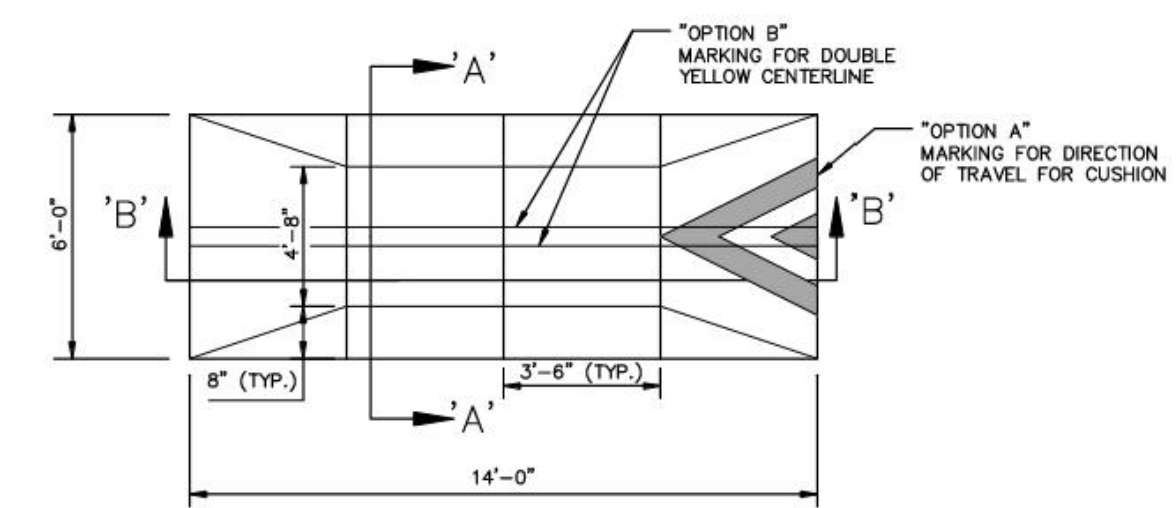
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 BENTONVILLE, AR 72716

**Walmart**

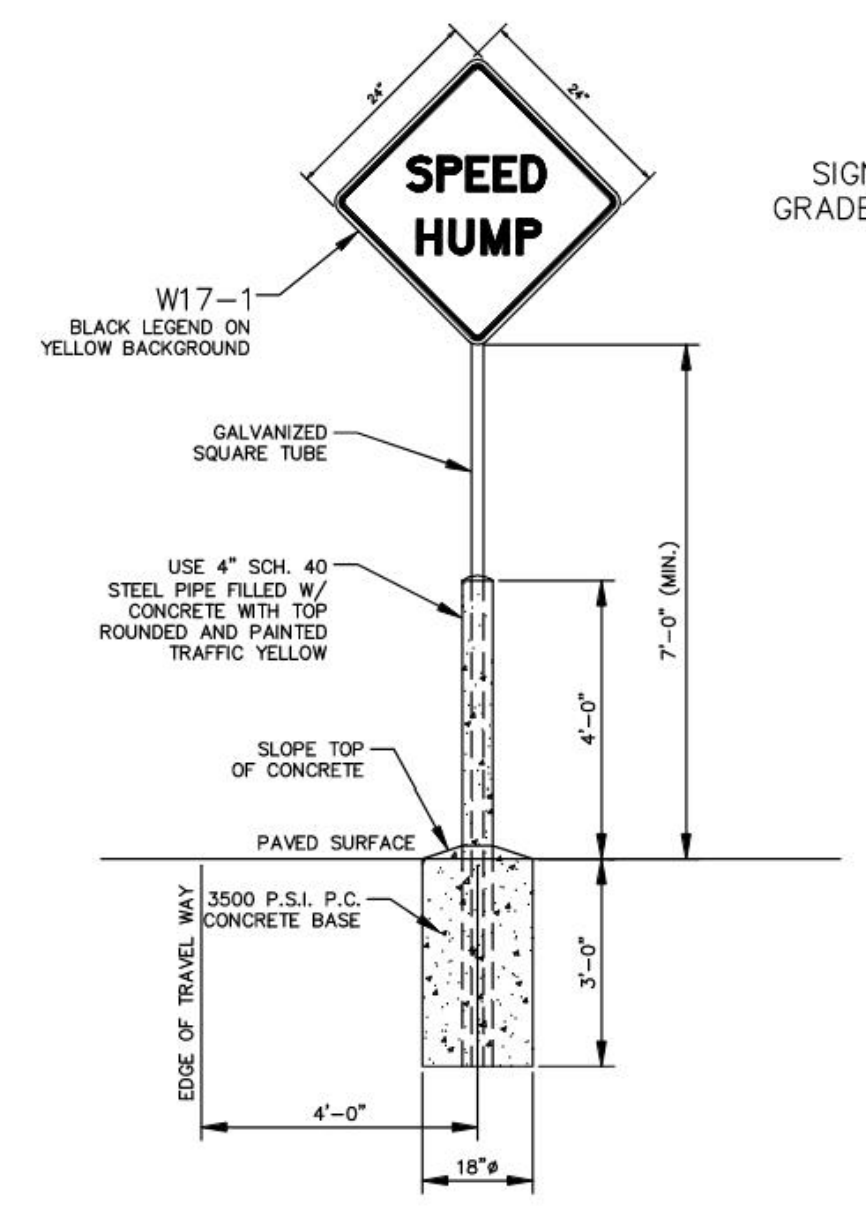
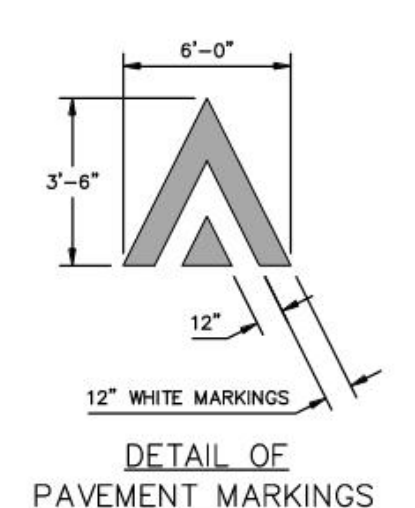
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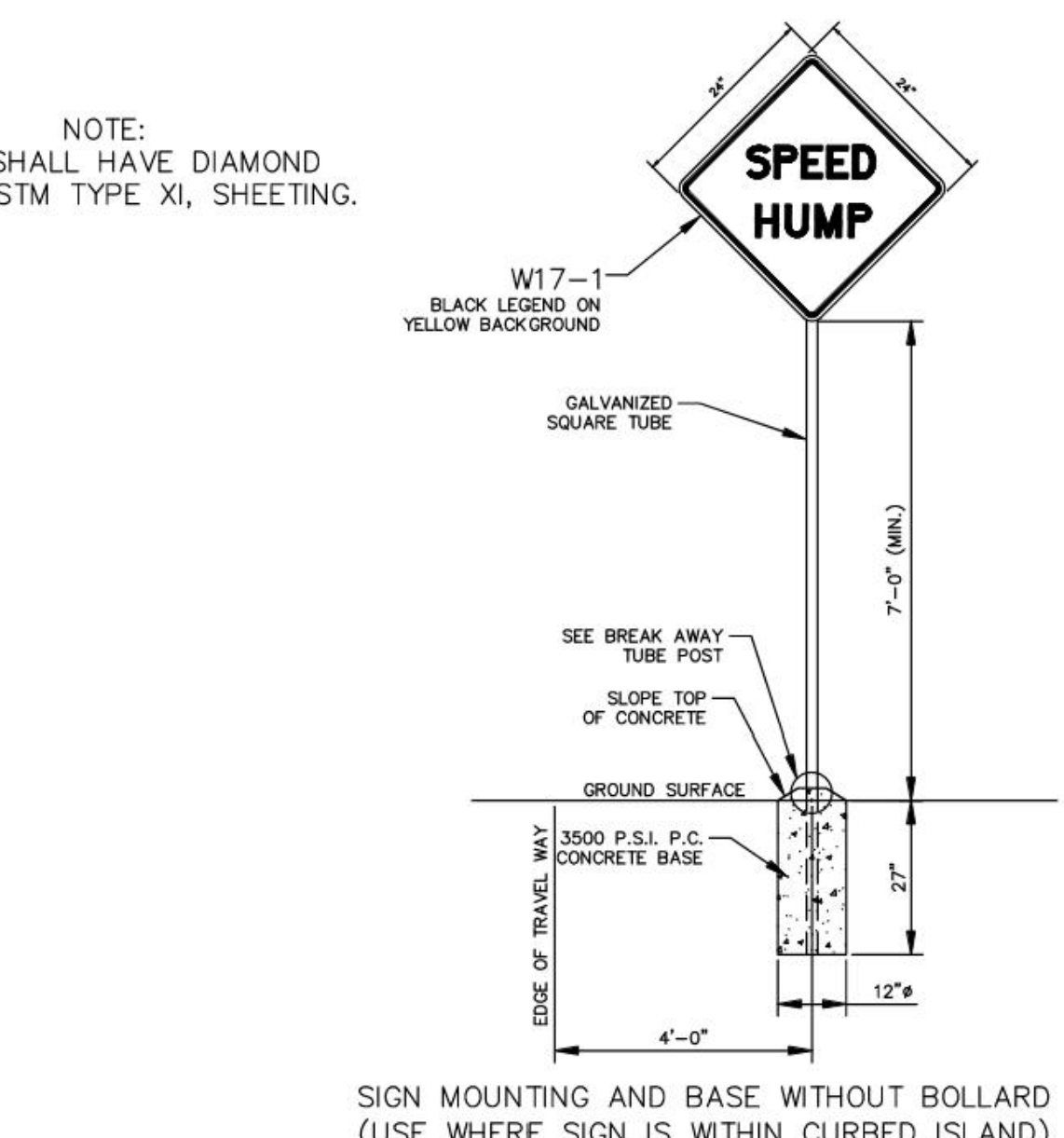
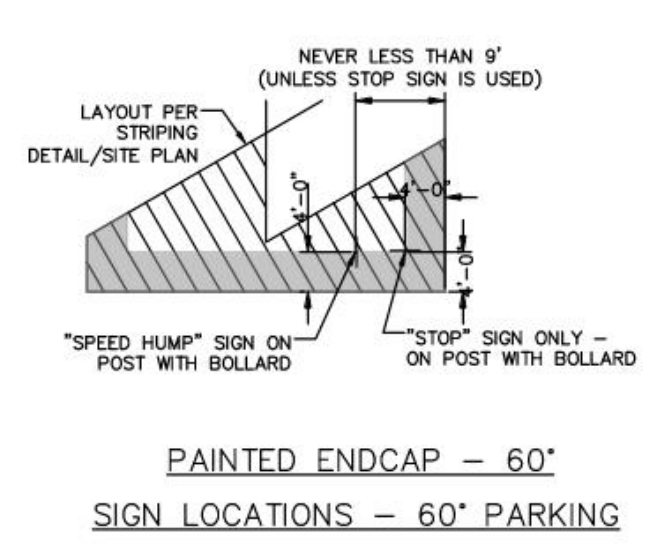
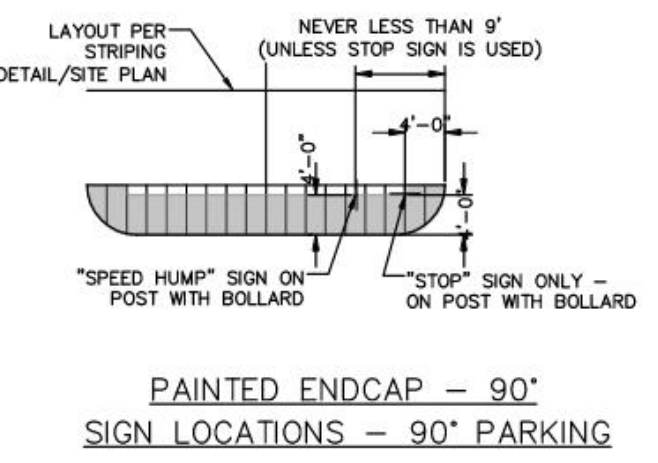
- NOTES:
- PERMANENT SIGNS SHALL BE ACCORDING TO REQUIREMENTS AS OUTLINED IN THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS.
  - REFER TO APPROPRIATE DETAILS FOR ALL INDICATED SIGNS.
  - CONTRACTOR SHALL PROVIDE A PHASING PLAN WHEN SPEED CUSHIONS ARE ADDED TO AN OPERATING STORE. ONLY CLOSE ONE LANE AT A TIME.
  - CONTRACTOR SHALL INSTALL TEMPORARY STRIPING AND SIGNAGE TO PROVIDE CLEAR DIRECTION TO TRAFFIC FOR ALTERNATE ROUTE.



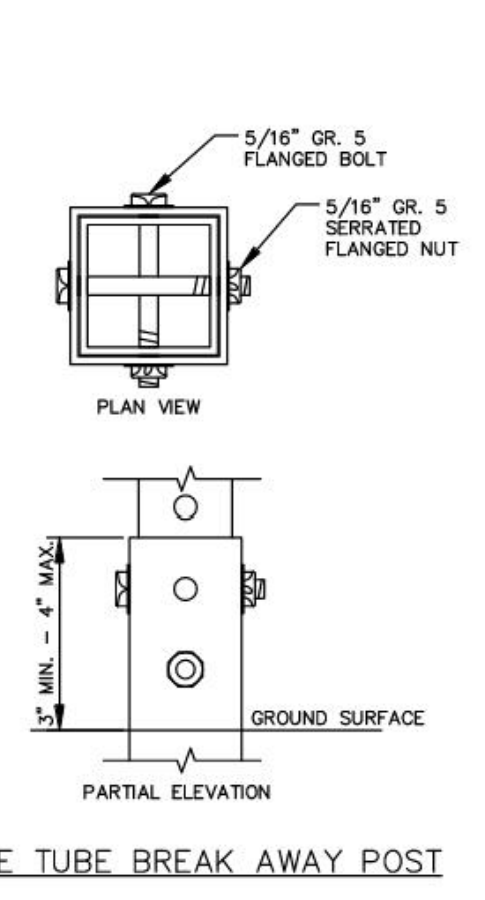
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- NOTES:
- ALL SIGNS SHALL COMPLY WITH U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION'S "MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES", LOCAL CODES AND AS SPECIFIED. MOUNT SIGNS TO POST IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS.
  - GALVANIZED SQUARE TUBE  
 POST TUBES - 2"x2" 12ga  
 POST TUBE SHALL MEET ASTM A1011 GRADE 50.  
 POST TUBE GALVANIZED AS PER ASTM A653 GRADE 90.  
 ANCHOR TUBE - 2-1/2"x2-1/4" 12ga  
 HEAVY DUTY ANCHOR TUBE SHALL MEET ASTM A500 GRADE B.  
 STRUCTURAL TUBE AND STEEL SHALL BE HOT DIP GALVANIZED PER ASTM A123.  
 THE UPPER SIGN POST SHALL TELESCOPE INSIDE THE ANCHOR TUBE A MINIMUM OF 12". THE ANCHOR TUBE SHALL BE A MINIMUM 27" DEEP WITH 3" MIN. 4" MAX. EXPOSED ABOVE FINISH GRADE.

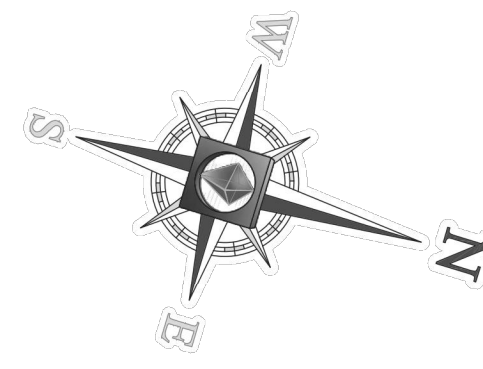
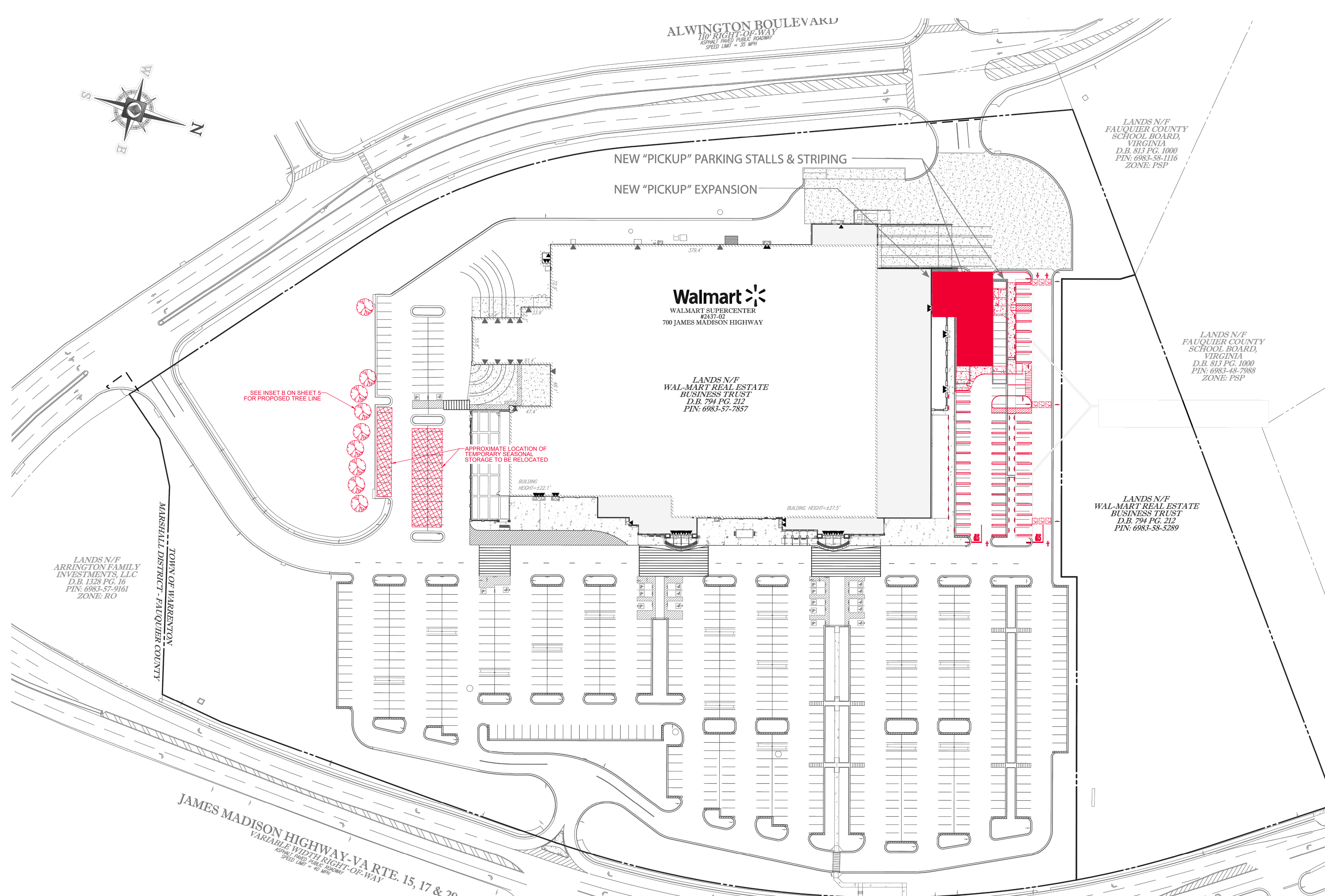


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"SPEED HUMP" SIGN N.T.S.

# CONSTRUCTION DETAILS



AL WINGTON BOULEVARD  
100' RIGHT-OF-WAY  
NORMAL PAVED PUBLIC ROADWAY  
SPEED LIMIT = 35 MPH

NEW "PICKUP" PARKING STALLS & STRIPING  
NEW "PICKUP" EXPANSION

**Walmart**  
WALMART SUPERCENTER  
#2437-02  
700 JAMES MADISON HIGHWAY

LANDS N/F  
WAL-MART REAL ESTATE  
BUSINESS TRUST  
D.B. 794 PG. 212  
PIN: 6983-57-7857

LANDS N/F  
FAUQUIER COUNTY  
SCHOOL BOARD,  
VIRGINIA  
D.B. 813 PG. 1000  
PIN: 6983-58-1116  
ZONE: PSP

LANDS N/F  
FAUQUIER COUNTY  
SCHOOL BOARD,  
VIRGINIA  
D.B. 813 PG. 1000  
PIN: 6983-48-7888  
ZONE: PSP

LANDS N/F  
WAL-MART REAL ESTATE  
BUSINESS TRUST  
D.B. 794 PG. 212  
PIN: 6983-58-5289

LANDS N/F  
ARRINGTON FAMILY  
INVESTMENTS, LLC  
D.B. 1328 PG. 16  
PIN: 6983-57-9161  
ZONE: RO

TOWN OF WARRENTON  
MARSHALL DISTRICT - FAUQUIER COUNTY

JAMES MADISON HIGHWAY-VA RTE. 15, 17 & 29  
VARIABLE WIDTH RIGHT-OF-WAY  
NORMAL PAVED PUBLIC ROADWAY  
SPEED LIMIT = 40 MPH

SEE INSET B ON SHEET 5  
FOR PROPOSED TREE LINE

APPROXIMATE LOCATION OF  
TEMPORARY SEASONAL  
STORAGE TO BE RELOCATED

BUILDING HEIGHT = 42.1'

BUILDING HEIGHT = 47.5'



July 07, 2020

**Walmart** Warrenton, VA - #2437

Site Plan 2

THIS PLAN TO BE UTILIZED FOR  
INFORMATIONAL  
PURPOSES ONLY

# PREVIOUS OVERALL SUP PLAN REDLINE EXHIBIT

REVISIONS	BY	Item
REV 1 - 6/13/2023	NBC	
COUNTY COMMENTS		

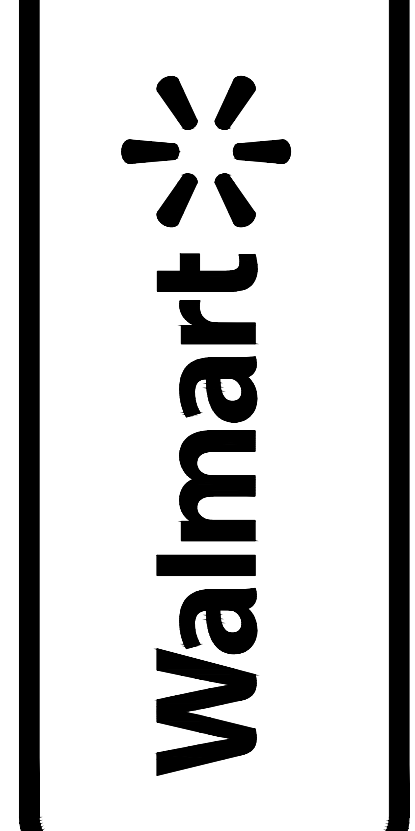
**BOHLER**  
28 BLACKWELL PARK LANE, SUITE 201  
WARRENTON, VIRGINIA 20186  
Phone: (540) 349-4500  
Fax: (540) 349-0321  
VA@BohlerEng.com

COMMONWEALTH OF VIRGINIA  
K. Roberts  
CATHERINE ROBERTS  
Lic. No. 0402060193  
6/13/2023  
PROFESSIONAL ENGINEER

**811**  
Know what's below.  
Call before you dig.  
ALWAYS CALL 811  
It's fast. It's free. It's the law.

NOT APPROVED FOR  
CONSTRUCTION

SUPERCENTER #2437-276  
700 JAMES MADISON HIGHWAY  
WARRENTON, VIRGINIA 20186  
WAL-MART STORES, INC  
BENTONVILLE, AR 72716



DRAWN	DSH
CHECKED	KSR
DATE	6/8/2023
JOB No.	VAB220093.00
SHEET NUMBER	-0

7

**SPECIAL USE PERMIT CONDITIONS**

**Owner/Applicant: Wal-Mart Real Estate Business Trust**

**Special Use Permit (SUP): 2023-02 (Supersedes SUP 2010-04 Dated: May 10, 2011 as amended through September 12, 2017; October 13, 2020)**

**Address: 700 James Madison Highway**

**GPIN: 6983-57-7857-000**

**Special Use Permit Area: +/- 18.434 acres**

**Zoning: C - Commercial**

**Date: January 9, 2024**

---

1. The Property, when re-developed, shall be developed in substantial conformity with the site plan entitled "Special Use Permit Walmart Supercenter #2437-02, Warrenton, Fauquier County, Virginia," Sheet 1 of 2, dated 12/01/10, revised through 4/12/11, prepared by Bohler Engineering (the "Site Plan"), and further revised by the exhibit entitled "Special Use Permit for Walmart Store #2437-276, 700 James Madison Highway Town of Warrenton, Fauquier County, Virginia 20186," consisting of seven (7) sheets, dated June 8, 2023 (revised through June 13, 2023), prepared by Bohler Engineering, which Site Plan is on file with the Town of Warrenton, subject to such reasonable modifications as may be necessary in order to effectuate final site plan review and approval.
2. The architectural design, colors, and materials on the exterior elevations of all sides of the expanded store building shall be in substantial conformance with the building elevations entitled "Warrenton, VA Store #2437, Elevations," Sheets 5 and 6, dated April 22, 2011, prepared by Dennis D. Smith, AIA (the "Elevations"), and further revised by the exhibit entitled "Walmart Warrenton, Virginia, 700 James Madison Hwy., Warrenton, VA 20186, Store No. 2437-276, prepared by WD Partners, and dated May 19, 2023, which Elevations are on file with the Town of Warrenton.
3. Landscaping of the Property shall be in substantial conformance with that certain plan entitled "Overall Landscape Plan, Walmart Expansion #2437-02 – Site Plan, Warrenton, Fauquier County, VA," consisting of 4 Sheets, dated 2/16/11, revised through 4/12/11, prepared by Bohler Engineering (the "Landscape Plan"), and further revised by Sheet 5 of the exhibit entitled "Special Use Permit for Walmart Store #2437-276, 700 James Madison Highway Town of Warrenton, Fauquier County, Virginia 20186," consisting of seven (7) sheets, dated June 8, 2023 (revised through June 13, 2023), prepared by Bohler Engineering, subject to such reasonable modifications as may be necessary in order to effectuate final site plan review and approval. Additionally, reasonable supplemental landscaping shall be planted on the Property if required by the Zoning Administrator after review of the Landscape Plan.,
4. In addition to the landscaping shown on the Landscape Plan, up to 20 deciduous trees (a mixture of hardwood and ornamental) shall be planted on the hill located in the northern and eastern portions of the Property (adjacent to the steep slope areas to be graded pursuant to the accompanying special use permit application).
5. No outdoor sales shall be permitted on the Property with the exception of sales of materials located within fenced areas associated with the garden center, unless otherwise permitted by the Town.



6. No signage shall be permitted on the exterior of the store building that advertises or identifies any third-party tenant located within the store.
7. Prior to issuance of a final building permit for the expansion of the existing store, the Applicant shall deposit with the Town the sum of \$60,000, which the Town may, but shall not be required to utilize in order to construct traffic improvements in the vicinity of the Property in the event that the traffic impacts generated by the expanded store on the Property exceed the impacts and proposed mitigation contained in the Traffic Study dated April 12, 2011, prepared by Grove/Slade and Associates, which is on file with the Town Planning Department. Whatever portion of the \$60,000 has not been utilized by the Town in accordance with this Condition within 5 years after the date these funds are deposited with the Town shall be returned to the Applicant. (Condition Fulfilled July 19, 2011)
8. Prior to issuance of a final building permit for the expansion of the existing store, the Applicant shall deposit with the Town the sum of \$120,000 to be used by the Town in the event the Town elects to install a "HAWK" style pedestrian signal (and associated road striping) at the intersection of Falmouth Street and Shirley Avenue. If the Town elects not to install a "HAWK" pedestrian signal, or if the cost of the "HAWK" pedestrian signal is less than the entire \$120,000 allotted herein, these funds may be used by the Town for alternative pedestrian and/or vehicular improvements in the vicinity of the Property (including but not limited to the extension of sidewalks along Shirley Avenue between the Property and a nearby community center to the north of the Property). (Condition Fulfilled July 20, 2011)
9. Within thirty (30) days of the final approval by Town Council, the Applicant shall deposit with the Town the sum of \$5,000 to be utilized by the Town for additional tree plantings within the Town. (Condition Fulfilled June 16, 2011)
10. The Applicant shall provide pedestrian sidewalks along Shirley Avenue substantially as shown on the Site Plan (from the Property northward to the southernmost vehicular entranceway serving the community center), provided that such sidewalk improvements can be installed within the existing Shirley Avenue right-of-way, and provided that any reasonably necessary construction easements may be obtained from adjacent property owners prior to issuance of a final Certificate of Occupancy for the expansion of the existing store. In the event that these sidewalk improvements cannot be accommodated within existing right-of-way, or that the necessary construction easements cannot be obtained within the allotted timeframe, the Applicant shall provide the Town a contribution of \$5,000 (together with any applicable engineering drawings already completed or in progress) prior to the issuance of the final Certificate of Occupancy for the expansion of the existing store, to be used by the Town for the construction of the referenced improvements.
11. Trailers, containers, or similar delivery vehicles shall be stored behind the screen wall behind the store if stored on the site overnight or longer. Outdoor seasonal storage containers are only to be allowed from October 1 through December 15 annually. The containers should be located as shown on the Site Plan and screened with additional landscaping in substantial conformance with that shown in Insert B on Sheet 5 of the exhibit entitled "Special Use Permit for Walmart Store #2437-276, 700 James Madison Highway Town of Warrenton, Fauquier County, Virginia 20186," consisting of seven (7) sheets, dated June 8, 2023 (revised through June 13, 2023), prepared by Bohler Engineering.

12. Bales and pallets shall be located within the screened bale and pallet staging area as shown on the Site Plan.
13. The monument sign shall be compatible in color and style with the sign shown on the exhibit for the sign at "Woodlands Parkway" which is on file with the Town, subject to modifications as approved by the Planning Director.
14. Signage shall be installed prohibiting left turn movements onto James Madison Highway/East Shirley Avenue at time of Site Plan approval as required by the Zoning Administrator.
15. Lighting shall be included to address pedestrian safety at the property's entrance onto James Madison Highway/East Shirley Avenue at time of Site Plan approval as required by the Zoning Administrator.

January 9, 2024  
Town Council  
Regular Meeting

**RESOLUTION TO APPROVE SPECIAL USE PERMIT 23-02 FOR WALMART PURSUANT TO SECTION 11-3.10 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON TO AMEND PREVIOUSLY APPROVED SPECIAL USE PERMIT 10-4 (WITH CONDITIONS), DATED MAY 10, 2011 (GPIN 6983-57-7857-000)**

**WHEREAS**, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, Walmart, ("the Applicant"), is the requesting a Special Use Permit approval on a parcel of land containing approximately 18.434 acres, identified as GPIN 6983-57-7857-000, located at 700 James Madison Highway in the Town of Warrenton and hereinafter referred to as the "Property"; and

**WHEREAS**, the Applicant has applied for a Special Use Permit pursuant to §11-3.10.3 of the Zoning Ordinance, to amend a May 10, 2011 approval to allow for the construction of a 6,151 square foot expansion with the inclusion of a merchandise pick-up staging area, parking lot modifications, relocation of existing outdoor storage containers, and modifications to the exterior store elevations to include revised color schemes, hereinafter the "Special Use Permit"; and

**WHEREAS**, the Town Council received and approved with conditions a modification of the Special Use Permit on September 12, 2017 to include the use of outdoor storage containers; and

**WHEREAS**, the Town Council received and approved with conditions an amendment to the Special Use Permit on October 13, 2020 for an additional expansion of 1,495 square feet to accommodate online grocery pick-up storage and staging, of which was never constructed; and

**WHEREAS**, the Planning Commission of the Town of Warrenton held a Work Session on the current Special Use Permit on September 19, 2023; and

**WHEREAS**, the Planning Commission of the Town of Warrenton held a Public Hearing on the current Special Use Permit on November 28, 2023; and

**WHEREAS**, the Planning Commission unanimously recommended approval of the application; and

**WHEREAS**, the Town Council finds that the Application meets the criteria for approval in the Town of Warrenton Zoning Ordinance; and

**WHEREAS**, the Town Council received and considered the recommendation of the Planning Commission for approval of the current Special Use Permit based on Conditions of Approval; and

**WHEREAS**, the Town Council, in consideration of the foregoing, is of the opinion that the application for the Special Use Permit be approved subject to certain conditions.

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Town Council on this 9<sup>th</sup> day of January 2024, that SUP 23-02 be, and is hereby, approved, subject to the following conditions:

1. General: This Special Use Permit is issued covering the entire Property pursuant to the provisions of § 11-3.10 of the Town of Warrenton Zoning Ordinance.
2. Site Development: The Property, when re-developed, shall be developed in substantial conformity with the plan entitled "Special Use Permit Walmart Supercenter #2437-02, Warrenton, Fauquier County, Virginia," Sheet 1 of 2, dated 12/01/10, revised through 4/12/11, prepared by Bohler Engineering (the "Plan"), and further revised by the exhibit entitled "Special Use Permit for Walmart Store #2437-276, 700 James Madison Highway Town of Warrenton, Fauquier County, Virginia 20186," consisting of seven (7) sheets, dated June 8, 2023 (revised through June 13, 2023), prepared by Bohler Engineering, which Plan is on file with the Town of Warrenton, subject to such reasonable modifications as may be necessary in order to effectuate final site plan review and approval.
3. Use Parameters: Special Use Permit Area – The Special Use Permit shall apply to the entire +/-18.434 acre site.
4. Architecture: The architectural design, colors, and materials on the exterior elevations of all sides of the expanded store building shall be in substantial conformance with the building elevations entitled "Warrenton, VA Store #2437, Elevations," Sheets 5 and 6, dated April 22, 2011, prepared by Dennis D. Smith, AIA (the "Elevations"), and further revised by the exhibit entitled "Walmart Warrenton, Virginia, 700 James Madison Hwy., Warrenton, VA 20186, Store No. 2437-276, prepared by WD Partners, and dated May 19, 2023, which Elevations are on file with the Town of Warrenton.
5. Signage: No signage shall be permitted on the exterior of the store building that advertises or identifies any third-party tenant located within the store.
  - a. The monument sign shall be compatible in color and style with the sign shown on the exhibit for the sign at "Woodlands Parkway" which is on file with the Town, subject to modifications as approved by the Director of Community Development.
6. Site Maintenance and Refuse Collection: Any refuse storage areas shall be screened with a solid enclosure constructed of materials that are compatible with the buildings on the property. The enclosure shall have gates that prohibit viewing this area from adjoining properties and public rights-of- way. The gates shall remain closed when not in use and the

trash containers shall be emptied as necessary to prevent odors or infestation by vermin. Compliance with this condition shall be demonstrated on each final site plan(s). Deliveries and refuse collection shall follow Town Code Section 11-19(9).

7. Environment: Landscaping of the Property shall be in substantial conformance with that certain plan entitled "Overall Landscape Plan, Walmart Expansion #2437-02 - Site Plan, Warrenton, Fauquier County, VA," consisting of 4 Sheets, dated 2/16/11, revised through 4/12/11, prepared by Bohler Engineering (the "Landscape Plan"), and further revised by Sheet 5 of the exhibit entitled "Special Use Permit for Walmart Store #2437-276, 700 James Madison Highway Town of Warrenton, Fauquier County, Virginia 20186," consisting of seven (7) sheets, dated June 8, 2023 (revised through June 13, 2023), prepared by Bohler Engineering, subject to such reasonable modifications as may be necessary in order to effectuate final site plan review and approval. Additionally, reasonable supplemental landscaping shall be planted on the Property if required by the Zoning Administrator after review of the Landscape Plan.
  - a. In addition to the landscaping shown on the Landscape Plan, up to 20 deciduous trees (a mixture of hardwood and ornamental) shall be planted on the hill located in the northern and eastern portions of the Property (adjacent to the steep slope areas to be graded pursuant to the accompanying special use permit application).
8. No outdoor sales shall be permitted on the Property with the exception of sales of materials located within fenced areas associated with the garden center, unless otherwise permitted by the Town.
9. Prior to issuance of a final building permit for the expansion of the existing store, the Applicant shall deposit with the Town the sum of \$60,000, which the Town may, but shall not be required to utilize in order to construct traffic improvements in the vicinity of the Property in the event that the traffic impacts generated by the expanded store on the Property exceed the impacts and proposed mitigation contained in the Traffic Study dated April 12, 2011, prepared by Grove/Slade and Associates, which is on file with the Town Planning Department. Whatever portion of the \$60,000 has not been utilized by the Town in accordance with this Condition within 5 years after the date these funds are deposited with the Town shall be returned to the Applicant.  
(Condition Fulfilled July 19, 2011)

10. Prior to issuance of a final building permit for the expansion of the existing store, the Applicant shall deposit with the Town the sum of \$120,000 to be used by the Town in the event the Town elects to install a "HAWK" style pedestrian signal (and associated road striping) at the intersection of Falmouth Street and Shirley Avenue. If the Town elects not to install a "HAWK" pedestrian signal, or if the cost of the "HAWK" pedestrian signal is less than the entire \$120,000 allotted herein, these funds may be used by the Town for alternative pedestrian and/or vehicular improvements in the vicinity of the Property (including but not limited to the extension of sidewalks along Shirley Avenue between the Property and a nearby community center to the north of the Property). (Condition Fulfilled July 20, 2011)
11. Within thirty (30) days of the final approval by Town Council, the Applicant shall deposit with the Town the sum of \$5,000 to be utilized by the Town for additional tree plantings within the Town. (Condition Fulfilled June 16, 2011)
12. The Applicant shall provide pedestrian sidewalks along Shirley Avenue substantially as shown on the Site Plan (from the Property northward to the southernmost vehicular entranceway serving the community center), provided that such sidewalk improvements can be installed within the existing Shirley Avenue right-of-way, and provided that any reasonably necessary construction easements may be obtained from adjacent property owners prior to issuance of a final Certificate of Occupancy for the expansion of the existing store. In the event that these sidewalk improvements cannot be accommodated within existing right-of-way, or that the necessary construction easements cannot be obtained within the allotted timeframe, the Applicant shall provide the Town a contribution of \$5,000 (together with any applicable engineering drawings already completed or in progress) prior to the issuance of the final Certificate of Occupancy for the expansion of the existing store, to be used by the Town for the construction of the referenced improvements.
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14. Bales and pallets shall be located within the screened bale and pallet staging area as shown on the Site Plan.

- 15. Signage shall be installed prohibiting left turn movements onto James Madison Highway/East Shirley Avenue at time of Site Plan approval as required by the Zoning Administrator.
- 16. Lighting shall be included to address pedestrian safety at the property's entrance onto James Madison Highway/East Shirley Avenue at time of Site Plan approval as required by the Zoning Administrator.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**For Information:**

Community Development Director,  
Town Attorney

**ATTEST:** \_\_\_\_\_  
**Town Recorder**



**Town Council Public Hearing  
SUP 23-02 Walmart – Amendment  
Pick-up Expansion  
January 9, 2024**



# Request

Item a.

## Amendment to SUP 10-04

- GPIN Applicant: 6983-57-7857-000
- Property Owner: Wal-Mart Estate Business Trust
- Representative: Robert P. Beaman III, Esq.
- Zoning: C - Commercial
- Comprehensive Plan: Limited Commercial
- SUP Amendment to allow for modification of Special Use Permit for expansion of existing store, together with modifications to parking area and building façade.

## Proposed Location



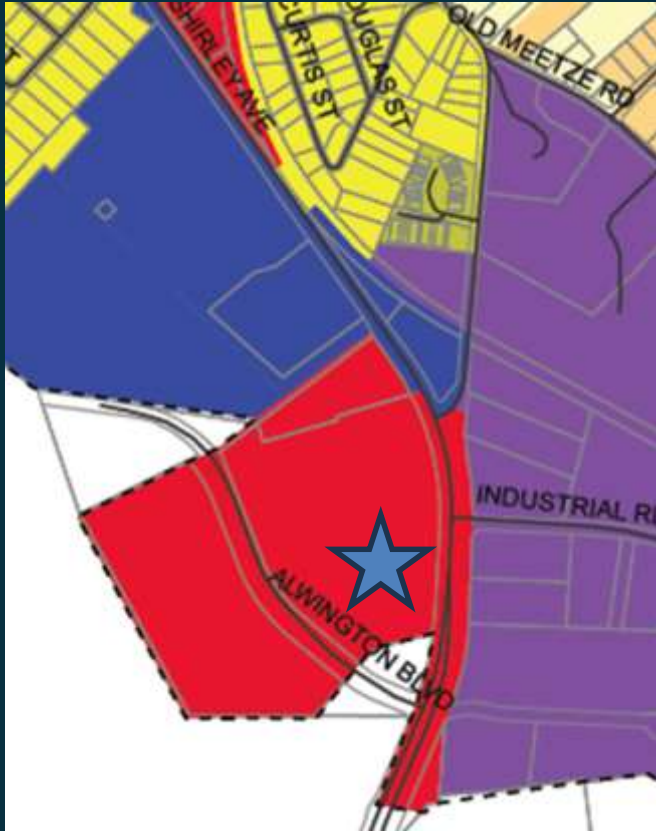
# Current Request

Item a.

- Previously granted Special Use Permit (SUP #10-04) – modification necessary.
- Prior proposed expansion of store was not undertaken and is intended to be replaced by current project.
  1. Expanding the store by approximately 6,151 square feet to accommodate a merchandise pick-up staging area.
  2. Re-striping portions of the parking area in order to provide spaces for customers picking up pre-ordered merchandise.
  3. Modifying the exterior store elevations as shown on enclosed architectural elevations.
  4. Proposed elevation includes addition and new color.
  5. Requires shifting temporary outdoor storage location approved in 2017

# Adjacent Uses

## Zoning Map



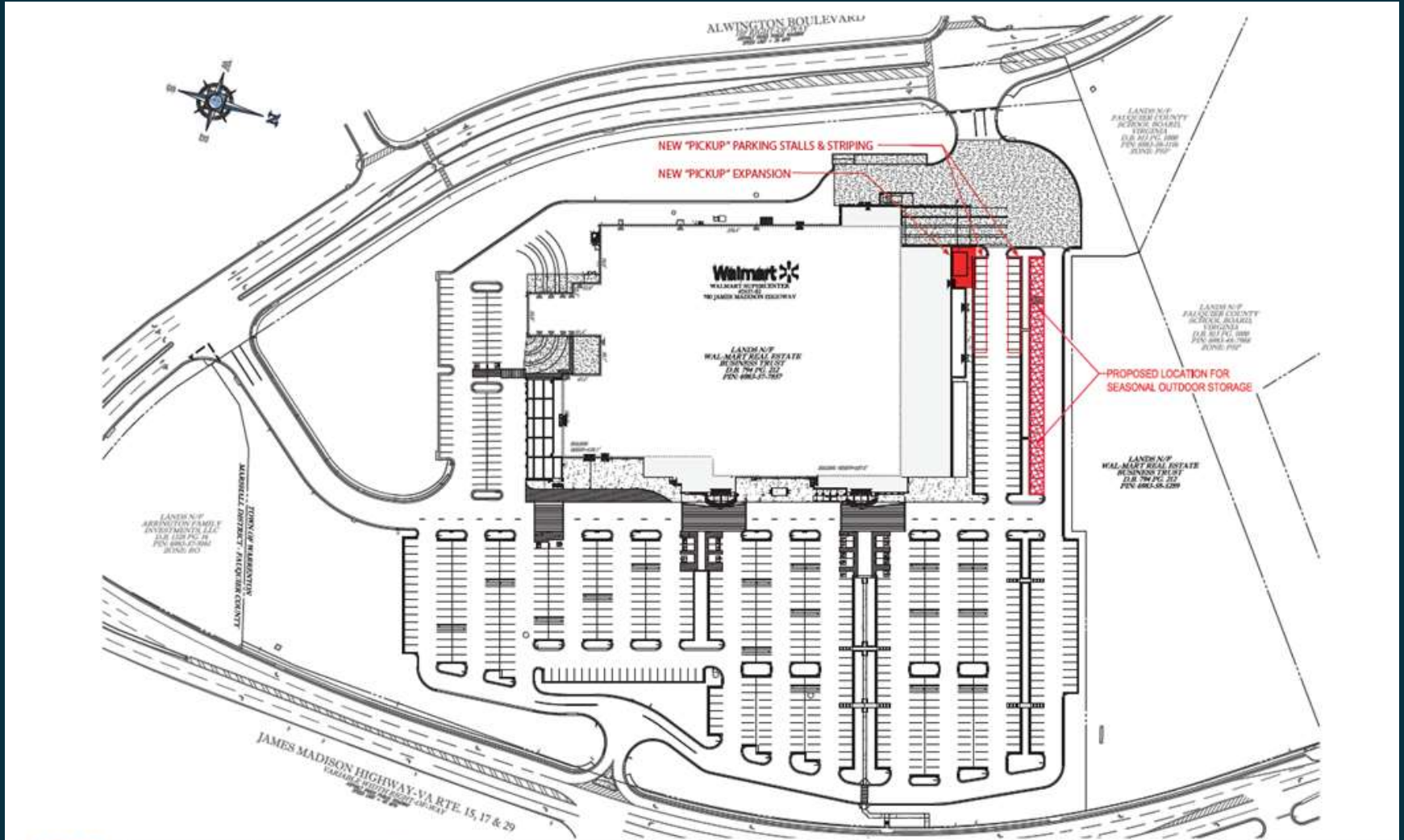
## Future Land Use



# SUP Plan

Item a.

## Previous SUP Plan



July 07, 2020



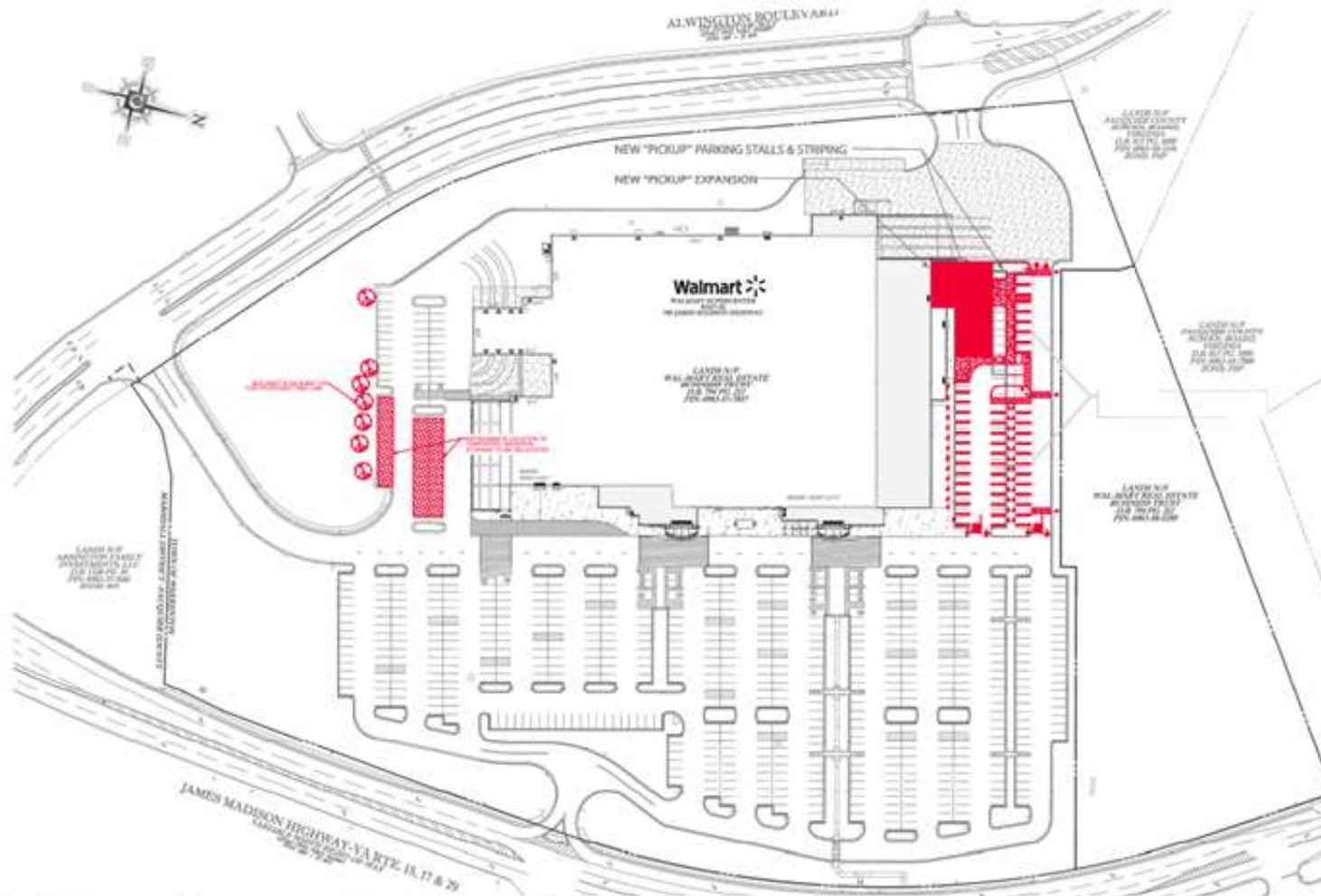
Warrenton, VA - #2437

Site Plan

# SUP Plan

Item a.

Revised/Current SUP Plan



# Site Plan

Item a.

## SITE PLAN



PICKUP  
DIRECTIONAL

OUTDOOR

### DISCLOSURES

- PAINT RESTRICTIONS: BUILDING IS CURRENTLY PAINTED IN BROWN COLOR. ACTUAL YEAR OF LAST PAINT IS UNKNOWN. WE RECOMMEND FULL PAINT TO MATCH EXISTING BROWN COLOR SCHEME.
- ALLOWED SIGNAGE SF: 150 SQUARE FEET FOR EACH WALL FRONTING ON A STREET OR 1.5 SQUARE FEET PER FACADE WIDTH, WHICHEVER IS LESS
- EXISTING SIGNAGE SF: 359.34 SQFT
- PROPOSED SIGNAGE SF: 587.52 SQFT
- VARIANCE / PROCESS: VARIANCES IN PAINT SCHEME REQUIRE SPECIAL USE PERMIT, 4 WEEK WAIT.

# Site Photos

Item a.



General view of where expansion and outdoor pick-up will be located. Parking, traffic circulation patterns, and traffic calming measures have been revised to address all pedestrian and vehicular safety concerns. Increased landscaping and buffering will also be implemented on this side of the store.



Revised elevation drawings have removed the existing "Knockout Orange" and has implemented a new earth tone color scheme.



# Site Photos

Item a.



Viewing toward general area where the Seasonal Outdoor Storage Containers will be located just over the berm. Revised landscaping plan will add additional trees and shrubs in this location to reduce visibility from Alwington Boulevard.

Viewing toward general area of Seasonal Outdoor Storage Containers. Revised landscaping plan will add additional trees and shrubs in this location to reduce visibility from James Madison Highway.







# PC Recommended Amended Conditions of Approval Item a.

1. The Property, when re-developed, shall be developed in substantial conformity with the site plan
2. The architectural design, colors, and materials on the exterior elevations
3. Landscaping and buffering
4. Outdoor sales
5. Signage
6. Required permits
7. Pedestrian sidewalks
8. Screening and outdoor storage requirements
9. Signage prohibiting left turns onto James Madison Highway/E. Shirley Avenue at time of Site Plan approval. (Amended January 9, 2024)
10. Lighting included to address pedestrian safety at property's entrance onto James Madison Highway/E. Shirley Avenue at time of Site Plan approval. (Amended January 9, 2024)

# Planning Commission Review Item a.

- September 19, 2023 – Work Session
- November 28, 2023 – Public Hearing
  - No public comments submitted
- 5-0 Recommended Approval Per Draft Conditions of Approval

# Staff Recommendation

Item a.

- Hold Town Council Public Hearing
- Direct Applicant/Staff Next Steps



**Town Council Public Hearing**  
**SUP 23-02 Walmart – Amendment to SUP 10-4**  
**Pick-up Expansion**  
**January 9, 2024**



## STAFF REPORT

<b>Town Council Meeting Date:</b>	January 9, 2024
<b>Agenda Title:</b>	SUP 2023-03: 226 E. Lee Street - ADU
<b>Requested Action:</b>	Hold Public Hearing
<b>Department / Agency Lead:</b>	Community Development
<b>Staff Lead:</b>	Casey Squyres, Historic Preservation Planner

### EXECUTIVE SUMMARY

The Owner/Applicants, James and Nell Lawrence, are seeking a Special Use Permit (SUP) to construct an Accessory Dwelling Unit (ADU) by converting an existing barn into a residence of approximately 985 – 1049 square feet. The 1.3 acre property is zoned R6 (Residential) and is located within the Historic District. The Future Land Use Map designates the property in the Old Town Character District as Medium Density. (GPIN 6984-52-4022-000)

### BACKGROUND

The Applicant is requesting to convert an existing barn in the rear yard of the property to an ADU. The subject property is located at 226 E. Lee Street within the Town of Warrenton's Historic District. The Application first came before the Architectural Review Board as a work session at the Thursday, July 27, 2023, meeting. The Applicant was advised on the recommended floorplan and overall design scheme of the barn-to-ADU conversion. As the proposed use for the property is designated as Medium-Density Residential in Plan Warrenton 2040, the ADU begins to address integral Missing Middle housing and adaptive reuse of a historic building goals within the Historic District. The Application was presented to the Planning Commission as a Work Session on Tuesday, November 28, 2023, and at the Planning Commission Public Hearing on Tuesday, December 19, 2023. Two public comments were posted to the Planning Commission on the approval of SUP 23-02; one comment, received via email, was in opposition to the approval of the SUP until the commenter had the opportunity to fully review the application. The second comment, as brought before the Planning Commission at its December 19th meeting, was neither for nor against the SUP but urged the Planning Commission and Town Council to consider the long-term effects of allowing Accessory Dwelling Unit construction within the Town as it relates to future property ownership and subsequent property maintenance.

At its December 19, 2023, Public Hearing, the Planning Commission voted 4-0 to recommend approval of SUP 23-03 as written, with one abstention from Planning Commission Chair Jim Lawrence as the Applicant in question.

## **PLANNING COMMISSION RECOMMENDATION**

---

The Planning Commission recommended approval to the Town Council subject to the draft Conditions of Approval.

### **Suggested Motions**

1. I move that the Town Council approve the Resolution for SUP 2023-03 226 E. Lee Street to allow for an accessory dwelling unit subject to the Conditions of Approval dated January 9, 2024.

OR

2. I move an alternative motion.

OR

3. I move to deny SUP 2023-03 for the following reasons...

### **Service Level / Policy Impact**

The proposed use is designated as the Medium Density Residential District of the Old Town Character District in Plan Warrenton 2040 and meets several of the goals of the Comprehensive Plan for historic resources and housing.

### **Legal Impact**

Conditions of Approval run with the land so as to bind future. Any party or officer identified by title shall be entitled and responsible to the adopted Conditions of Approval.

## **ATTACHMENTS**

1. Attachment A – Maps, Elevations, Photos
2. Attachment B – Staff Analysis
3. Attachment C – Draft Conditions of Approval
4. September 19, 2023, Applicant Statement of Justification
5. November 1, 2023, Plat
6. Applicant Representative's November 2, 2023, Comment Response Letter
7. September 19, 2023, Land Development Application
8. Special Use Permit Plan with the label "taken from survey provided by James H Harris & Associates April 10, 1986, with the seal of Laura Gargagliano Bartee, Architect dated November 3, 2023

**Staff Analysis**

This analysis is based on the Comprehensive Plan and Zoning Ordinance. The standards/analysis tables in the sections below contain the criteria for Planning Commission and Town Council consideration of Special Use Permits, per Article 11-3.10.3.

**Request**

The Owner/Applicant, James and Nell Lawrence, are seeking a Special Use Permit to construct an Accessory Dwelling Unit (ADU) by converting an existing barn into a residence of approximately 985 – 1049 square feet.

The following table summarizes the area characteristics (see maps in Attachment A):

Direction	Land Use	Future Land Use Map Designation (Old Town Character District)	Zoning
North	Residential	Medium-Density Residential	R-6 Residential
South	Residential	Live Work, High-Density Residential	PSP/RT Residential
East	Residential	Medium-Density Residential	R-6 Residential
West	Residential	High-Density Residential	RT Residential

The site is occupied by a single-family dwelling situated on a 1.33 acre parcel. The property is zoned R6 (Residential) and is located within the Historic District. The Future Land Use Map designates the property in the Old Town Character District as Medium Density. GPIN 6984-52-4022-000.

All sides of the property are bordered by medium and high-density residential properties.

**Comprehensive Plan Future Land Use Analysis**

The Plan Warrenton 2040 Future Land Use Map designates the subject property as a Medium Density Residential Old Town Character District. This designation includes *single family detached residential dwellings at densities up to five dwellings per net acre, contingent upon pedestrian and vehicular access, compatibility with surrounding properties and mitigation of potential impacts.*

Standard	Analysis
<i>Whether the proposed Special Use Permit is consistent with the Comprehensive Plan.</i>	This use is consistent with the Comprehensive Plan’s desire to “encourage development of missing middle housing types” and the goal of



Standard	Analysis
	“conserve, reuse, and promote historic resources” by converting the existing barn.
<i>The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.</i>	The proposed Accessory Dwelling Unit (ADU) is a Comprehensive Plan recommendation for R-6 residential zoning districts.

**Staff Findings**

The Applicant seeks approval to convert an existing barn in the rear yard of the parcel into an Accessory Dwelling Unit (ADU). Plan Warrenton 2040 recommends ADUs in the R-6 residential zoning district through Special Use Permit approval.

**Zoning Analysis**

The legislative intent of the R-6 Residential District is *“This district is composed of medium to high concentrations of predominantly residential uses, generally intended to encompass and preserve those residential structures which have developed over the years along the traffic arteries serving the Central Business District. The regulations of this district are designed to stabilize and protect these areas while at the same time allowing compatible changes to occur in an effort to ensure that the use of these areas is economically feasible and to implement the Comprehensive Plan.”*

Standard	Analysis
<i>The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.</i>	Applicant states the expansion will create no additional noise beyond incidental noise associated with eventual occupancy of the ADU.
<i>The proposed location, lighting, and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.</i>	Directional signage/proper addressing is proposed in the narrative. Signage shall meet Article 6, Sign Regulations and is a condition of approval. Outdoor lighting is required to meet the Zoning Ordinance. Fixtures will be reviewed during the Certificate of Appropriateness process.
<i>The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.</i>	The proposed 985 – 1049 square feet ADU will be constructed out of an existing barn in the rear yard of the property.
<i>The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.</i>	The existing landscaping, screening, and buffering on-site and within the neighborhood will not be impacted beyond the areas designated on the plan.

Standard	Analysis
<i>The timing and phasing of the proposed development and the duration of the proposed use.</i>	The Applicant narrative notes approximately 1 year for construction. The ADU would be permanent.
<i>Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public.</i>	Not applicable.
<i>Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of the Town of Warrenton.</i>	Any new structures will be required to meet current codes.
<i>The location, character, and size of any outdoor storage.</i>	Not applicable.
<i>The location of any major floodplain and steep slopes.</i>	No floodplain is located on site.
<i>The location and use of any existing non-conforming uses and structures.</i>	The proposed ADU must meet all required setbacks and permissible uses should the SUP be granted.
<i>The location and type of any fuel and fuel storage.</i>	No fuel storage areas are noted on site.
<i>The location and use of any anticipated accessory uses and structures.</i>	The existing barn in the rear yard of the property is to be converted into an ADU.
<i>The area of each proposed use.</i>	The proposed area for the ADU is approximately 985 – 1049 square feet
<i>The location and screening of parking and loading spaces and/or areas.</i>	The ADU conversion is proposed in an area currently containing grass. No new screening is proposed.
<i>The location and nature of any proposed security features and provisions.</i>	Not applicable.
<i>Any anticipated odors which may be generated by the uses on site.</i>	The site must remain in compliance with Article 9-14.5 regarding the control of odors.
<i>Refuse and service areas.</i>	Refuse collection will remain residential.
<i>Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any significant topographic or physical, natural, scenic, archaeological or historic feature.</i>	No significant topographic areas are noted on site.
<i>The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality. The location of any major floodplain and steep slopes.</i>	No sensitive lands located near the proposed expansion area.

Standard	Analysis
<i>The glare or light that may be generated by the proposed use in relation to uses in the immediate area.</i>	Property is conditioned to follow the lighting requirements of the Zoning Ordinance and the outdoor fixtures will be reviewed as part of the Certificate of Appropriateness process.

**Staff Findings**

The Applicant has stated that final details regarding lighting, signage/addressing, parking areas/driveways, and landscaping elements will be addressed at the site plan and building permit stage. Proposed Conditions of Approval also state the structure and outdoor lighting fixtures will be reviewed as part of the Certificate of Appropriateness process. Other elements, such as environmentally sensitive lands, topographically significant lands, and any floodplains will not be impacted.

**Transportation and Circulation Analysis**

The primary transportation and circulation goal for the Town of Warrenton is “To encourage the development of a safe, efficient and multi-modal transportation system for the movement of people, goods and services, in and around the Town that is consistent with the historic fabric, land use pattern and expected future fiscal needs of the Town.” The Transportation and Circulation section of the Comprehensive Plan sets out policies and objectives that work to further this goal. The section includes recommendations addressing improvements for pedestrian use, new street connections, parking and sidewalks, trails, cost sharing, traffic calming techniques, safety, and signage.

<u>Standard</u>	<u>Analysis</u>
<i>The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety, efficient traffic movement and access in case of fire or catastrophe.</i>	The Application does not significantly impact traffic circulation, emergency access, or pedestrian safety. The required parking with the proposed expansion is approximately 3-4 spaces.
<i>Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public.</i>	Not applicable.
<i>Whether the proposed use will facilitate orderly and safe road development and transportation.</i>	This Application does not require a Transportation Impact Analysis.

**Staff Findings**

The proposed ADU will require the addition of approximately 3-4 parking spaces and an onsite modification of the existing driveway in order to allow for proper access by Emergency Services. Any additional safety concerns are to be addressed in the proposed Conditions of Approval related to signage and addressing.

**Community Facilities and Environmental Analysis**

Plan Warrenton 2040 outlines Community Facilities goals and Environmental goals by stating:

- Green infrastructure and sustainability are incorporated into community facilities to promote energy efficiency and environmental protections.
- Ensure healthy, safe, adequate water and wastewater services.
- Preserve, enhance, and protect the environmental, scenic, and natural quality of the Town

<u>Standard</u>	<u>Analysis</u>
<i>Whether the proposed Special Use Permit will adequately provide for safety from fire hazards and have effective measures of fire control.</i>	The proposed expansion is required to meet all applicable building and fire safety codes.
<i>Whether the proposed Special Use Permit will be served adequately by essential public facilities, services and utilities.</i>	The site is currently served by Town services and utilities. Separate water and sewer taps will be required for the ADU.
<i>The location of any existing and/or proposed adequate on and off-site infrastructure.</i>	The existing infrastructure will need to be modified to allow for additional parking spaces and a circular driveway in order to be accessible to Emergency Services.

**Staff Findings:**

The Application meets the desired emergency service access.

**Economic Resources Analysis**

An economic goal of Plan Warrenton 2040 is to promote a diverse, equitable stable tax base while preserving the character of the community.

Standard	Analysis
<i>Whether the proposed Special Use Permit use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.</i>	The Application for an ADU will begin to address Missing Middle housing as stated in Plan Warrenton 2040.
<i>The number of employees.</i>	Not applicable.
<i>The proposed days/hours of operation.</i>	Not applicable.

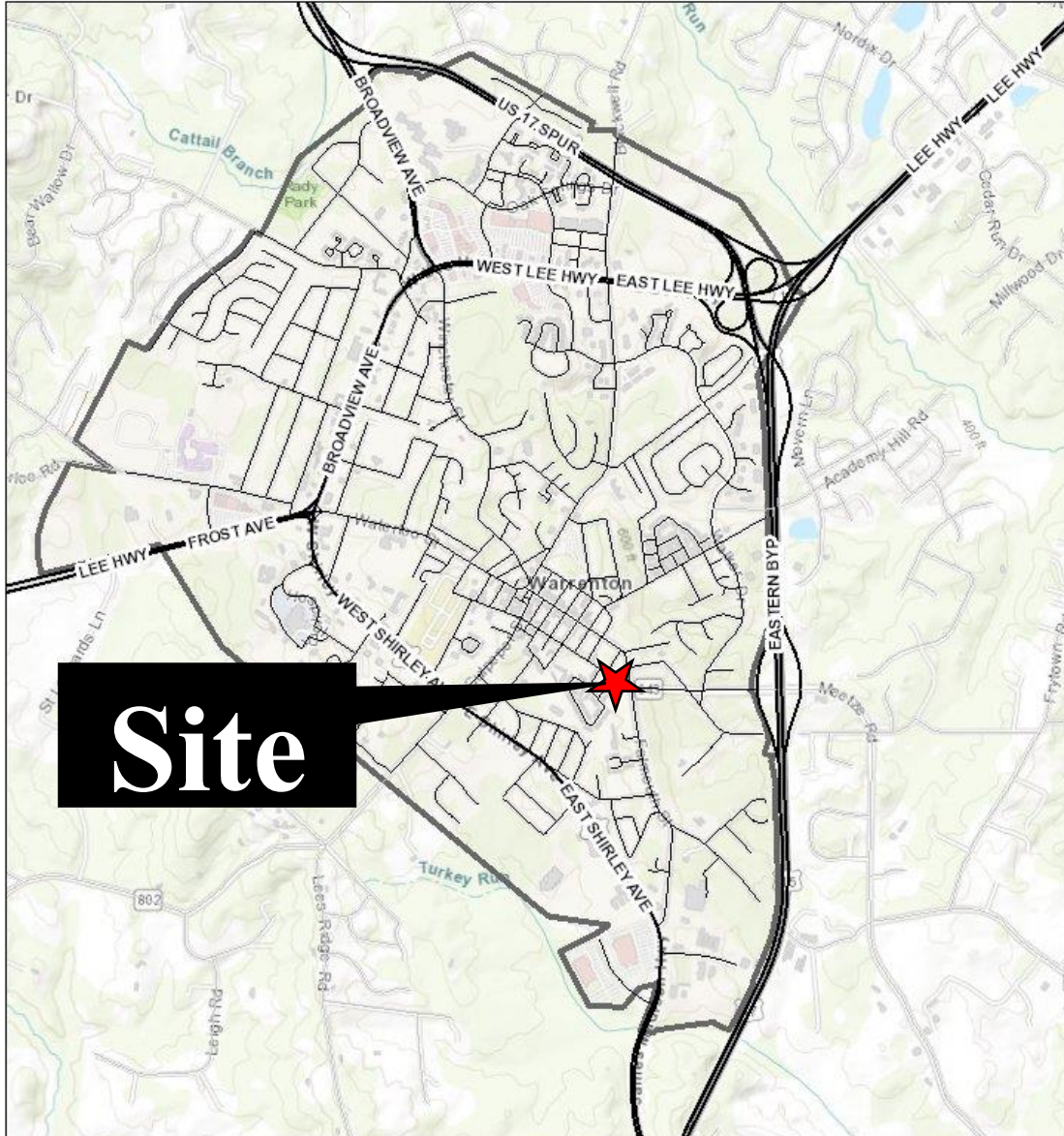
**Staff Findings:**

The existing use provides a tax base by encouraging the construction of an Accessory Dwelling Unit, which begins to address the goal of filling Missing Middle housing opportunities within the Town of Warrenton.

# Attachment A – Maps, Elevations, & Photos

Vicinity Map:

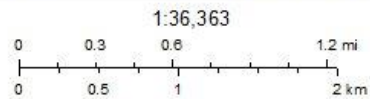
Town of Warrenton, VA WebGIS



July 27, 2017

**Major Roads**

- MAJOR
- <all other values>
- MINOR
- PRIVATE
- COUNTY
- LOCAL
- RAMP
- Town Limits



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

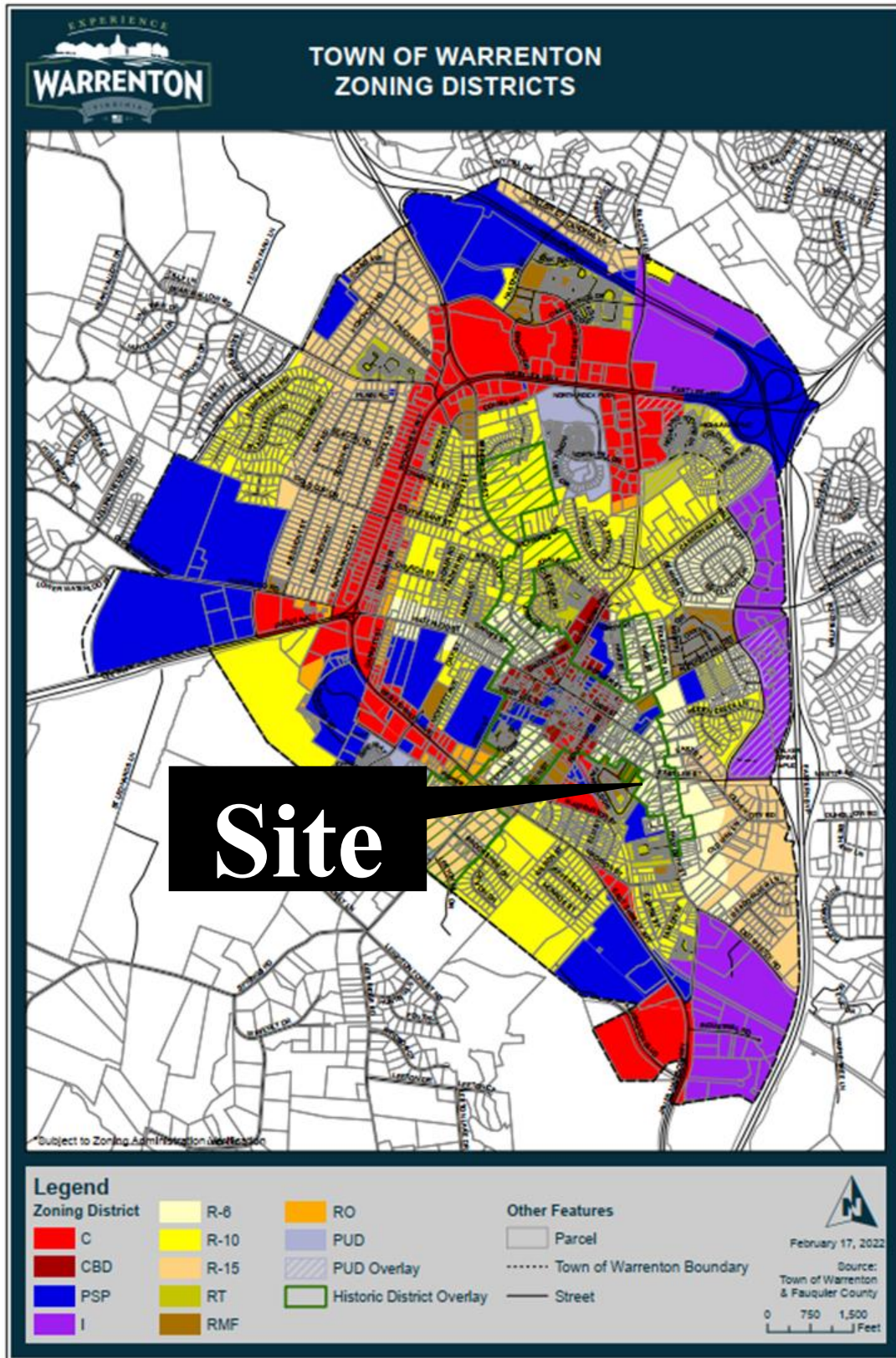
# Attachment A – Maps, Elevations, & Photos

Aerial Map:



# Attachment A – Maps, Elevations, & Photos

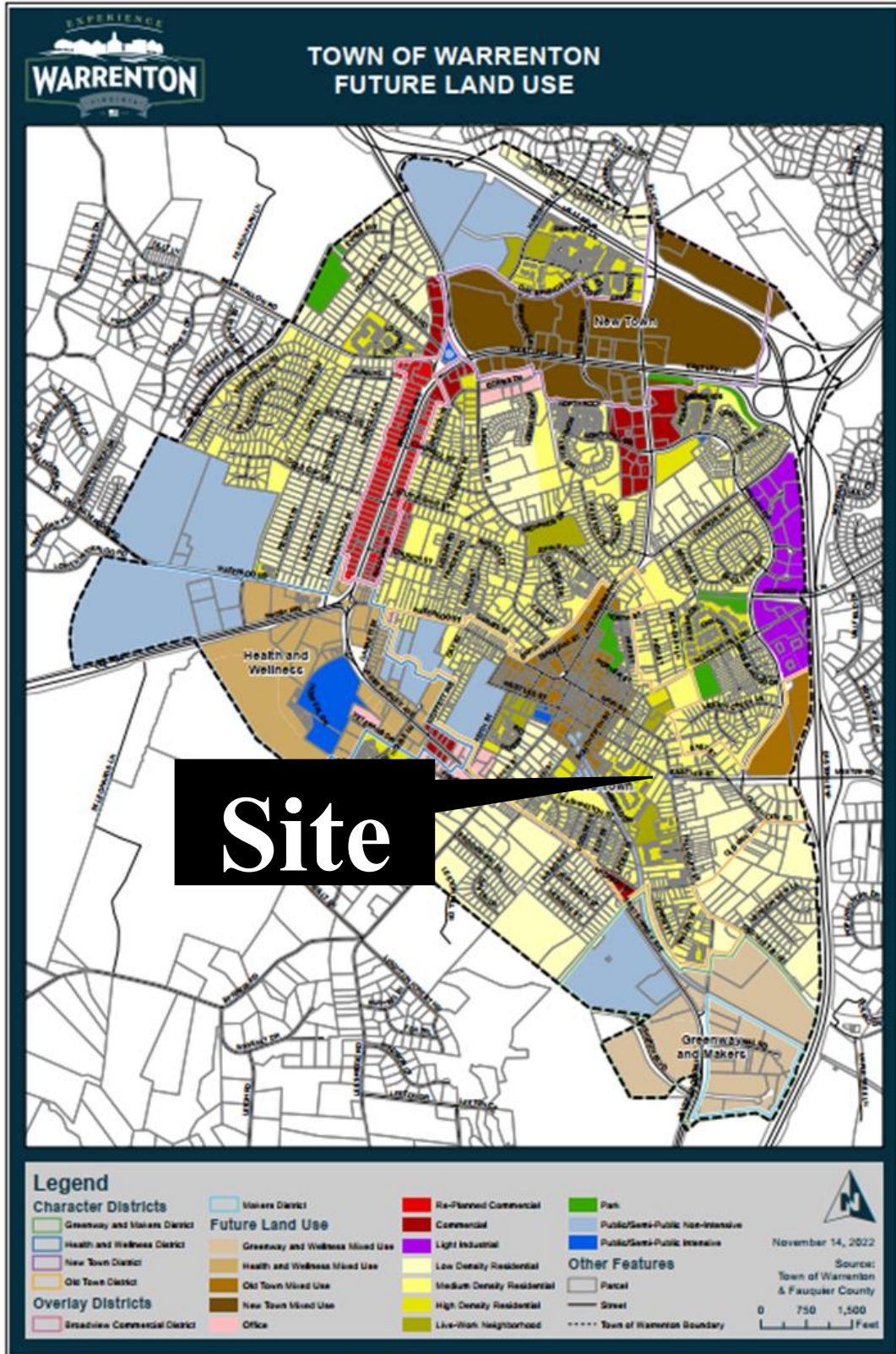
Zoning Map:





# Attachment A – Maps, Elevations, & Photos

Future Land Use Map:



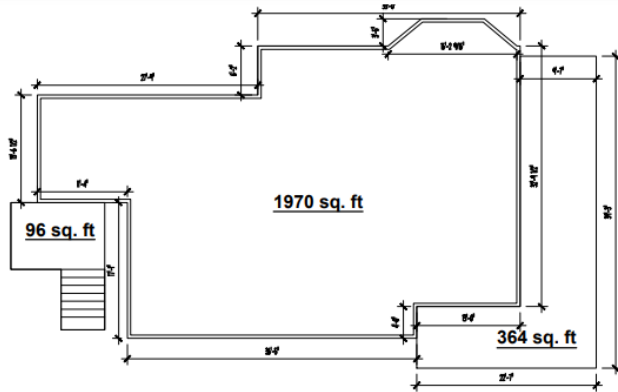
# Attachment A – Maps, Elevations, & Photos

Item b.

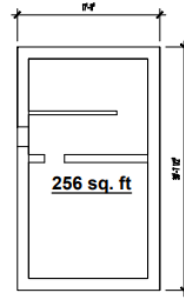
Proposed Elevations:



# Attachment A – Maps, Elevations, & Photos

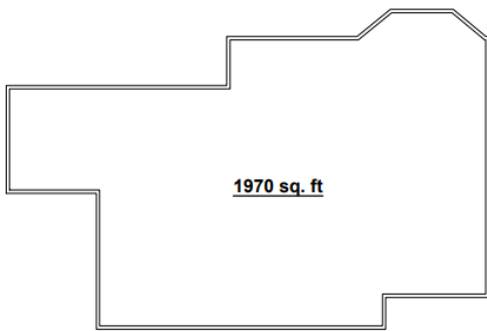


**EXISTING MAIN LEVEL PLAN**  
SCALE: 1/16" = 1'-0"

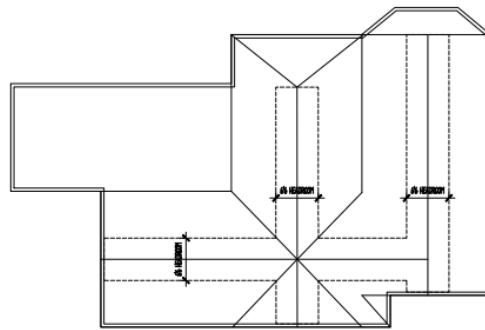


**BASEMENT LEVEL PLAN**  
SCALE: 1/16" = 1'-0"

**PER COUNTY TAX RECORDS**  
 Basement: 256 sq. ft.  
 Main Floor: 1970 sq. ft.  
 2nd Floor: 1970 sq. ft.  
**Total: either 3940 or 4196 sq. ft.**  
 Allowable ADU square footage:  
 3940 x .25 = 985 sq. ft  
 4196 x .25 = 1049 sq. ft



**EXISTING UPPER LEVEL PLAN**  
SCALE: 1/16" = 1'-0"



**EXISTING ATTIC PLAN**  
SCALE: 1/16" = 1'-0"

226 E LEE STREET  
 Warrenton VA 20186  
 Drawings by: LLB Design  
 EXISTING SQUARE FOOTAGE **1**

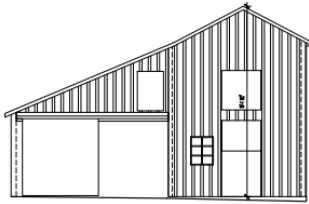
# Attachment A – Maps, Elevations, & Photos

Item b.



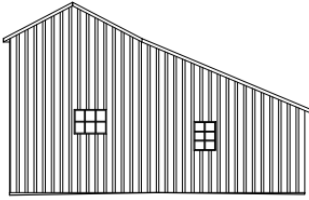
226 E LEE STREET  
Warrenton VA 20186  
Drawings by: LLB Design  
EXISTING ELEVATIONS 2

# Attachment A – Maps, Elevations, & Photos



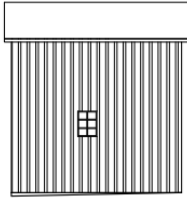
**FRONT ELEVATION**

SCALE: 1/4" = 1'-0"



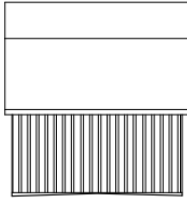
**BACK ELEVATION**

SCALE: 1/4" = 1'-0"



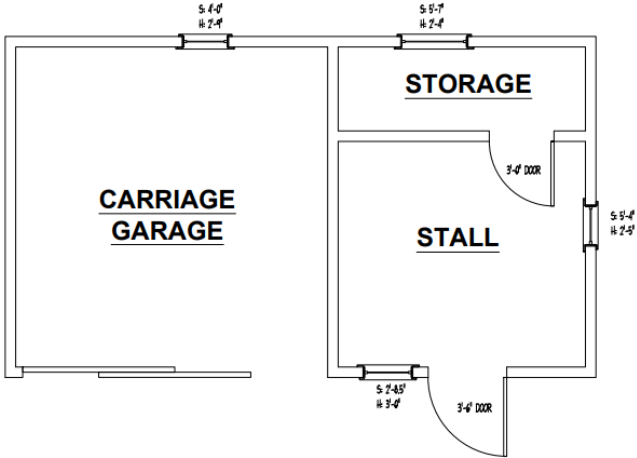
**RIGHT SIDE ELEVATION**

SCALE: 1/4" = 1'-0"



**LEFT SIDE ELEVATION**

SCALE: 1/4" = 1'-0"



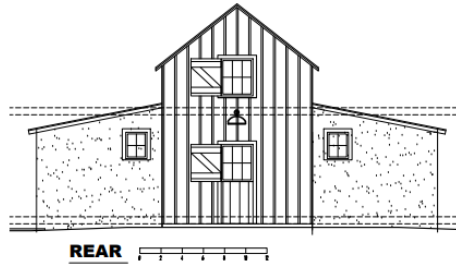
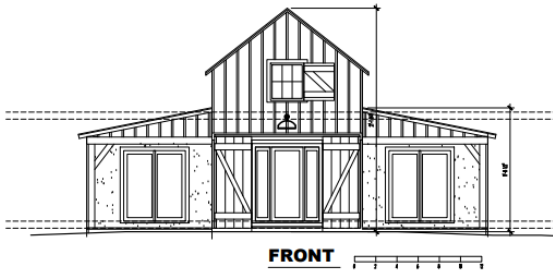
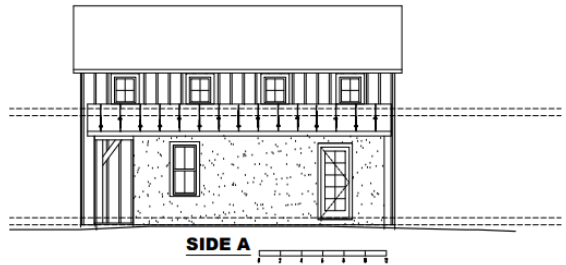
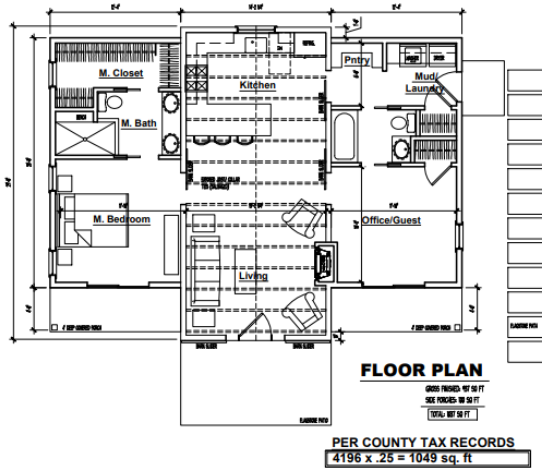
## EXISTING BARN PLAN

Total: 458 sq. ft.

SCALE: 1/4" = 1'-0"

226 E LEE STREET  
Warrenton VA 20186  
Drawings by: LLB Design  
EXISTING SQUARE FOOTAGE 3

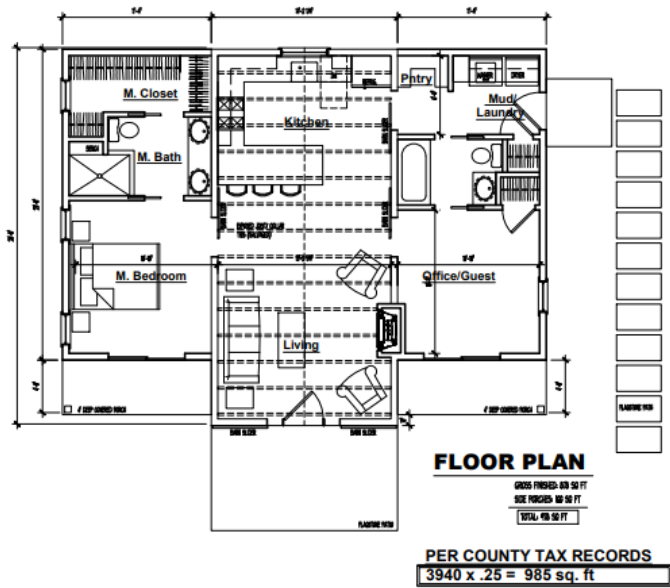
# Attachment A – Maps, Elevations, & Photos



226 E LEE STREET  
Warrenton VA 20186  
Drawings by: LLB Design  
**SCHEMATIC PLANS** 4/25

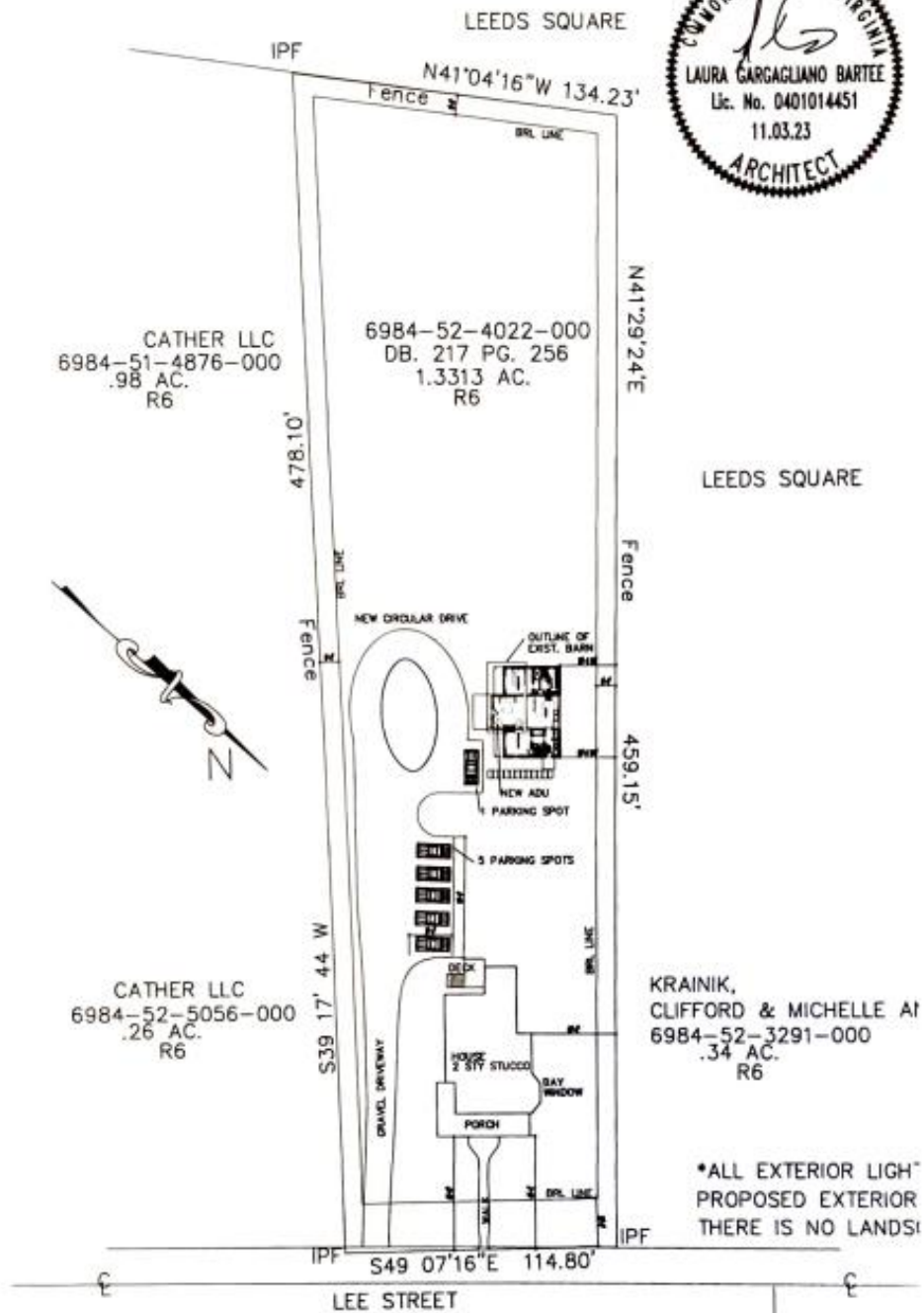
# Attachment A – Maps, Elevations, & Photos

Item b.



226 E LEE STREET  
 Warrenton VA 20186  
 Drawings by: LLB Design <sup>4</sup>  
 SCHEMATIC PLANS **ALT**

# Attachment A – Maps, Elevations, & Photos



HOUSE LOCATION SURVEY ON THE  
PROPERTY ON ROBERT J. KENEFICK,  
ET-UX D.B 326 PG 756

SCALE = 1"=50'

\* TAKEN FROM SURVEY PROVIDED BY JAMES H HARRIS & ASSOCIATES  
APRIL 10, 1986



# Attachment A – Maps, Elevations, & Photos

Item b.

Existing Main House:



# Attachment A – Maps, Elevations, & Photos

Item b.

## Existing Barn:



# Attachment A – Maps, Elevations, & Photos

Item b.





## TOWN OF WARRENTON

Department of Community Development

PO BOX 341  
 WARRENTON, VIRGINIA 20188  
 http://www.warrentonva.gov  
 Permittech@warrentonva.gov  
 (540) 347-2405

## Land Development Application

Type of Development [select type(s) below]

Permit # \_\_\_\_\_

Planning	Zoning		
<input type="checkbox"/> Commission Permit (§2232)	<input type="checkbox"/> Administrative Appeal	<input type="checkbox"/> Concept Plan Review	<input type="checkbox"/> Record / Vacate Plat
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> As-Built	<input type="checkbox"/> Easement Plat	<input type="checkbox"/> Site Development Plan
<input checked="" type="checkbox"/> Special Use Permit	<input type="checkbox"/> Bond Release/ Reduction	<input type="checkbox"/> Final Plat	<input type="checkbox"/> Variance
<input type="checkbox"/> Rezoning	<input type="checkbox"/> Bond Extension	<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Waiver, Administrative
	<input type="checkbox"/> Boundary Adjustment	<input type="checkbox"/> Re-approval of Plat	<input type="checkbox"/> Waiver/Exception, Legislative

 Amendment to Existing Approved Application? If Yes, List Application \_\_\_\_\_

## Project Description

Project Name: 226 E Lee ADU

Property Address (if no address, give closest cross street): 226 E Lee St. Warrenton, VA 20186

Purpose of Request: To convert existing barn into ADU

Zoning District: R6

Total Acres: 1.3

Acres for Proposed Use: .3

Parcel Identification Number(s): 6984-52-4022-000

## Contact Information (Attach separate page if necessary)

## All Current Owners

Name &amp; Company: Jim &amp; Nell Lawrence

Address: 226 E Lee St. Warrenton, VA 20186

Phone: 703-969-0270

Email: james@lawrencedirect.com

## All Current Applicants (if different then owner):

Name &amp; Company:

Address:

Phone:

Email:

## Representative (if different then owner/applicant):

Name &amp; Company:

Address:

Phone:

Email:

## OWNER(S) AFFIDAVIT (Original Signatures Required)

I have read this application, understand its intent and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission for Town of Warrenton officials and other authorized government agents on official business to enter the property to process this application.

## APPLICANT(S) AFFIDAVIT (Original Signatures Required)

The information provided is accurate to the best of my knowledge. I acknowledge that all tests, studies, and other requirements of the Town of Warrenton Zoning Ordinance and Subdivision Ordinance and other requirements of review/approval agencies will be carried out at my expense. I understand that the Town may deny, approve or conditionally approve that for which I am applying.

DocuSigned by:

Owner's Signature & Date: James Lawrence 9/18/2023

CCE244CD8F014E6...

Print Owner's Name: James Lawrence

DocuSigned by:

Applicant's Signature & Date: James Lawrence 9/18/2023

CCE244CD8F014E6...

Print Applicant's Name: James Lawrence

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Project Name: 226 E Lee Street ADU (6984-52-4022-000) Date: November 02, 2023  
 SUP 2023-03  
 Submission 09/19/2023; 1<sup>st</sup> Review

Permit Reviewer: Heather E. Jenkins, L.A. Planner II From: Laura Bartee, AIA

Project Address: 226 E. Lee Street  
 Warrenton, VA 20186

---

The above referenced project received review comments to which we offer the following responses:

### 1. **Zoning Ordinance Review**

a. The following analysis is based on the relevant Articles of the Zoning Ordinance

#### Article 3-4.3.4 – Residential (R-6) District

- Staff comment: Please provide setback lines and labels (i.e. 20' BRL) as listed under Section 3-4.2.4 of the Zoning Ordinance.
  - BRL lines have been added to the SUP plan. All proposed work is within the setbacks.

#### Article 3-5.3 – Historic District (HD)

- Staff comment: The subject property is located within the Historic District; the applicant must obtain a Certificate of Appropriateness from the Architectural Review Board for proposed improvements. (3-5.3.4.2 ZO)
  - This project was presented to the ARB in a work session at the July 2023 meeting. The ADU was well received, and the applicant addressed all of the ARB requests and comments. A formal COA will be submitted once the SUP has been approved.

#### Article 7 – Parking

- Staff comment: Staff cannot verify parking space requirements are met. No parking tabulations has been provided. The statement of justification notes that existing parking is sufficient.
  - The new SUP plan shows parking for the property. There are roughly 4 spaces currently available and 2 additional spaces will be added for a total of 6 spaces once complete.

#### Article 9-1 – Accessory Structures and Uses

- Staff comment: The accessory dwelling unit appears to meet all requirements of article 9-1 at this time.
- Advisory comment: The applicant has proposed the maximum allowable square footage for accessory structures on the lot. No additional accessory structures will be permitted in the future due to this improvement. (Examples include Sheds, Carports, Pools, etc.)
  - The ADU is exactly .25 of the existing house square footage.

### Article 9-8 – Lighting

- Staff comment: No fixture details are provided on the SUP plan. Staff is unable to verify Ordinance requirements are met. Lighting plan review will be required as part of the Building permit application process.
  - See note on the SUP plan that all lighting will meet the zoning ordinance. Proposed exterior lighting at the ADU will be sconces (down light) near each door. There is no landscape lighting proposed at this time.

### Article 11-3.10.3--Evaluation Criteria; Issues for Consideration

- The criteria listed under Article 11-3.10.3 are those items that the Planning Commission and Town Council should consider when reviewing a SUP application.
  -

#### **2. Public Works Review**

From: Steven Friend, Assistant Director of Public Utilities

Regarding the 1st submission for the 226 E Lee- SUP, the only comment I have at this time (which may be answered further with more detailed plans) is to ensure that the new residence's water and sewer utilities are separate from the existing primary residence and not tied together.

- The ADU will have a separate Water /Sewer tap.

#### **3. Fire Safety**

From : James K Swain, Fire Chief

- We would like to see additional signage to ensure incoming emergency vehicles know that this structure is a residence and not a “barn”.
- Will the two residences on the property have separate addresses?
  - We plan for the new ADU to have a separate address, both houses will have an address number/sign at the end of the driveway, as well as signs indicating which house is which near the home and ADU.

#### **4. Draft Condition of Approval**

SUP 2023-03 226 E Lee Street ADU (6984-52-4022-000)

Applicant: James & Nell Lawrence

Owner: James & Nell Lawrence

Zoning District: R6

Total Acres: 1.3

Acres for Proposed Use: .3

Parcel Identification Number(s): 6984-52-4022-000

1. ADU will have separate water and sewer hook-up.
2. ADU will have a separate address and signage will be placed at the street and at the ADU for fire, police, and EMS.
3. ADU will have adequate parking spaces.
4. The ADU shall comply with all Town of Warrenton requirements, zoning, and regulations.

### **Evaluation Criteria; Issues for Consideration (§11-3.10.3)**

In considering a Special Use Permit application, the following factors should be considered. The applicant also shall address these factors in its **statement of justification**:

1. Whether the proposed Special Use Permit is consistent with the Comprehensive Plan.

*Plan Warrenton 2040 places significant emphasis on tackling the Missing Middle Housing issue by encouraging ADU's among other alternative housing options.*

2. Whether the proposed Special Use Permit will adequately provide for safety from fire hazards and have effective measures of fire control.

*This ADU will have fire alarms and allow for FD access.*

3. The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.

*This ADU will not generate any more noise than a typical smaller SFH.*

4. The glare or light that may be generated by the proposed use in relation to uses in the immediate area.

*This ADU will not generate any more light than a typical smaller SFH.*

5. The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.

*This ADU will have a separate address, address will be posted at the street, and near the ADU so that police, fire, EMS knows how to locate ADU versus existing SFH.*

6. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.

*This ADU is surrounded by other SFH, townhomes, and condos.*

7. The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.

*Site plan provided.*

8. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.

*This ADU will not necessitate screenings and will have minor landscaping for aesthetics.*

9. The timing and phasing of the proposed development and the duration of the proposed use.

The ADU construction will commence immediately upon approval due to the desire to provide housing for my aging parents.

10. Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any significant topographic or physical, natural, scenic, archaeological or historic feature.

The ADU will preserve portions of a rapidly deteriorating barn.

11. Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public.

This SUP requests an ADU which will be used to provide affordable housing for my aging parents which is something that the general public can use as a model for their similar needs.

12. The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety, efficient traffic movement and access in case of fire or catastrophe.

This ADU will be accessible via the same driveway as the existing SFH.

13. Whether the proposed use will facilitate orderly and safe road development and transportation.

This ADU will not impede safe road development nor transportation.

14. Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of the Town of Warrenton.

This ADU will be constructed to meet or exceed code.

15. Whether the proposed Special Use Permit will be served adequately by essential public facilities, services and utilities.



This ADU will require town utilities.

16. The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality.

This ADU will not disturb any wildlife habitat and vegetation, water quality and air quality.

17. Whether the proposed Special Use Permit use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.

This ADU will employ local construction contractors during the building phase and will increase value of this parcel which will incur higher property tax as well as add a household and two adults who will solicit area businesses.

18. The effect of the proposed Special Use Permit use in enhancing affordable shelter opportunities for residents of the Town, if applicable.

This ADU will specifically provide affordable housing for my elderly parents.

19. The location, character, and size of any outdoor storage.  
1. No outdoor storage is proposed.
20. The proposed use of open space.  
1. No open space is proposed.
21. The location of any major floodplain and steep slopes.  
1. The ADU will not be in a floodplain nor on a steep slope.
22. The location and use of any existing non-conforming uses and structures.  
1. N/A.
23. The location and type of any fuel and fuel storage.  
1. N/A
24. The location and use of any anticipated accessory uses and structures.  
1. The proposed SUP is for an ADU.
25. The area of each proposed use.  
1.
26. The proposed days/hours of operation.  
1. N/A
27. The location and screening of parking and loading spaces and/or areas.  
1. Parking will be added in front of the ADU so my elderly parents can easily access the building.
28. The location and nature of any proposed security features and provisions.  
1. N/A
29. The number of employees.  
1. N/A
30. The location of any existing and/or proposed adequate on and off-site infrastructure.  
1. Water/sewer, and power will need to be extended from the street to the proposed ADU.
31. Any anticipated odors which may be generated by the uses on site.  
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32. Refuse and service areas.

1. ADU will be serviced by existing curb trash and recycling service.

---

Project Name: 226 E Lee Street ADU (6984-52-4022-000) Date: November 02, 2023  
 SUP 2023-03  
 Submission 09/19/2023; 1<sup>st</sup> Review

Permit Reviewer: Heather E. Jenkins, L.A. Planner II From: Laura Bartee, AIA

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  - See note on the SUP plan that all lighting will meet the zoning ordinance. Proposed exterior lighting at the ADU will be sconces (down light) near each door. There is no landscape lighting proposed at this time.

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- The criteria listed under Article 11-3.10.3 are those items that the Planning Commission and Town Council should consider when reviewing a SUP application.
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- We would like to see additional signage to ensure incoming emergency vehicles know that this structure is a residence and not a “barn”.
- Will the two residences on the property have separate addresses?
  - We plan for the new ADU to have a separate address, both houses will have an address number/sign at the end of the driveway, as well as signs indicating which house is which near the home and ADU.

#### **4. Draft Condition of Approval**

SUP 2023-03 226 E Lee Street ADU (6984-52-4022-000)

Applicant: James & Nell Lawrence

Owner: James & Nell Lawrence

Zoning District: R6

Total Acres: 1.3

Acres for Proposed Use: .3

Parcel Identification Number(s): 6984-52-4022-000

1. ADU will have separate water and sewer hook-up.
2. ADU will have a separate address and signage will be placed at the street and at the ADU for fire, police, and EMS.
3. ADU will have adequate parking spaces.
4. The ADU shall comply with all Town of Warrenton requirements, zoning, and regulations.

### **Evaluation Criteria; Issues for Consideration (§11-3.10.3)**

In considering a Special Use Permit application, the following factors should be considered. The applicant also shall address these factors in its **statement of justification**:

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*Plan Warrenton 2040 places significant emphasis on tackling the Missing Middle Housing issue by encouraging ADU's among other alternative housing options.*

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*This ADU will have fire alarms and allow for FD access.*

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5. The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.

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6. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.

*This ADU is surrounded by other SFH, townhomes, and condos.*

7. The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.

*Site plan provided.*

8. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.

*This ADU will not necessitate screenings and will have minor landscaping for aesthetics.*

9. The timing and phasing of the proposed development and the duration of the proposed use.

The ADU construction will commence immediately upon approval due to the desire to provide housing for my aging parents.

10. Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any significant topographic or physical, natural, scenic, archaeological or historic feature.

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This ADU will specifically provide affordable housing for my elderly parents.

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1. No open space is proposed.
21. The location of any major floodplain and steep slopes.  
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22. The location and use of any existing non-conforming uses and structures.  
1. N/A.
23. The location and type of any fuel and fuel storage.  
1. N/A
24. The location and use of any anticipated accessory uses and structures.  
1. The proposed SUP is for an ADU.
25. The area of each proposed use.  
1.
26. The proposed days/hours of operation.  
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27. The location and screening of parking and loading spaces and/or areas.  
1. Parking will be added in front of the ADU so my elderly parents can easily access the building.
28. The location and nature of any proposed security features and provisions.  
1. N/A
29. The number of employees.  
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30. The location of any existing and/or proposed adequate on and off-site infrastructure.  
1. Water/sewer, and power will need to be extended from the street to the proposed ADU.
31. Any anticipated odors which may be generated by the uses on site.  
1. N/A
32. Refuse and service areas.

1. ADU will be serviced by existing curb trash and recycling service.



LEEDS SQUARE

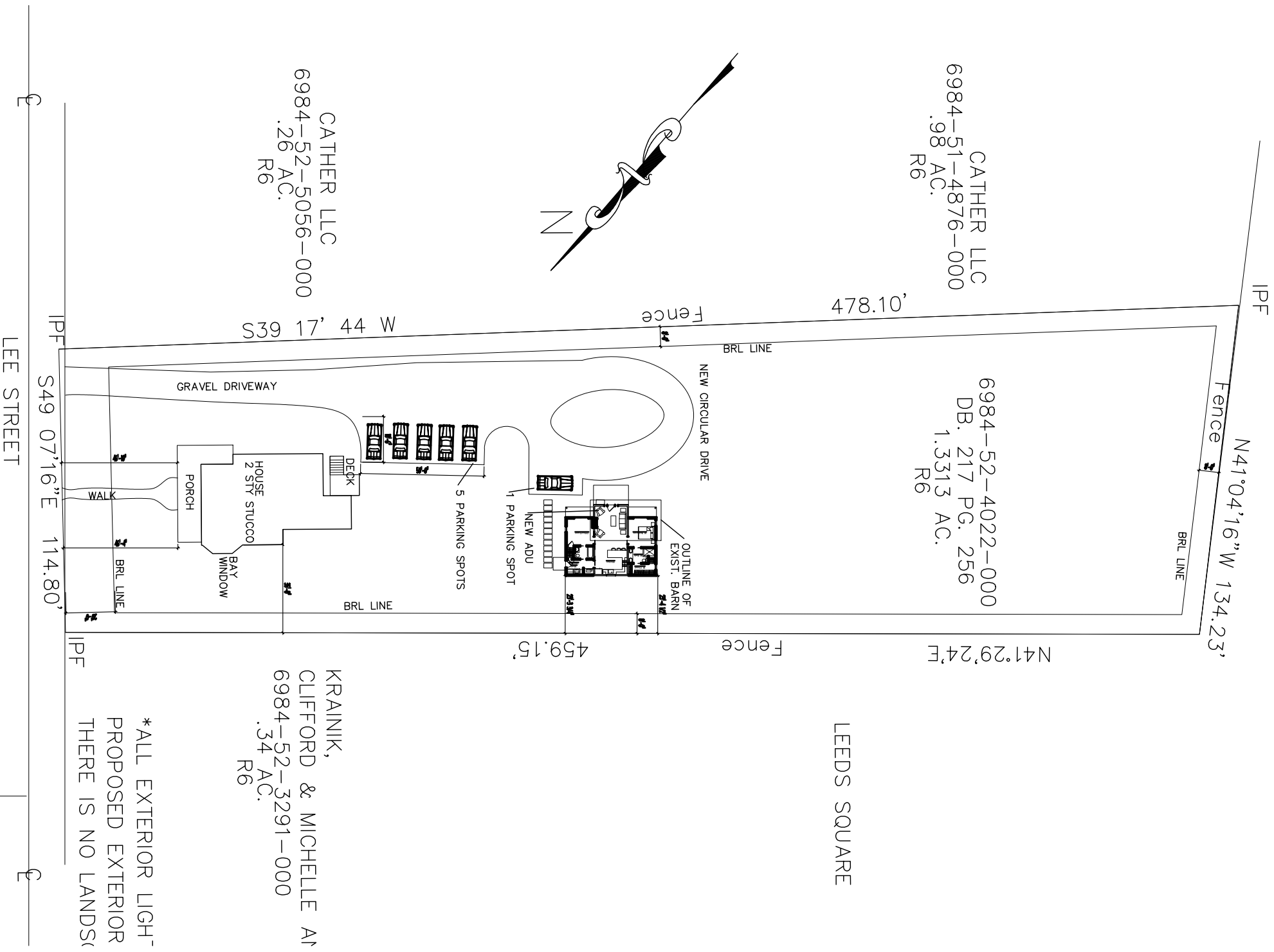
CATHER LLC  
6984-51-4876-000  
.98 AC.  
R6

6984-52-4022-000  
DB. 217 PG. 256  
1.3313 AC.  
R6

CATHER LLC  
6984-52-5056-000  
.26 AC.  
R6

KRAINIK,  
CLIFFORD & MICHELLE AI  
6984-52-3291-000  
.34 AC.  
R6

\*ALL EXTERIOR LIGHT  
PROPOSED EXTERIOR  
THERE IS NO LANDS



HOUSE LOCATION SURVEY ON THE  
PROPERTY ON ROBERT J. KENEFICK,  
ET-UX D.B 326 PG 756

SCALE = 1"=50'

\* TAKEN FROM SURVEY PROVIDED BY JAMES H HARRIS & ASSOCIATES  
APRIL 10, 1986

Statement of Justification for SUP regarding ADU at 226 E Lee St.

September 19,2023

To Whom it May Concern,

I am writing this letter of justification as part of my Special Use Permit request to convert an existing structure in my backyard to an Accessory Dwelling Unit in order to house my elderly parents. They are in declining health and I would like to have them nearby to help them around the house. We feel like this move will allow them to live with some level of independence for several years.

The barn/shed that is in our backyard is in poor shape and this would allow us to invest in the space to prevent further decline by funding the improvements with the anticipated rent from my parents.

We are working with a local architect and have preliminary plans that have been reviewed by the ARB and they are in favor of the direction we are taking.

There is plenty of space in our backyard and since our existing SFH is approximately 4,000 sq. ft. we can make the ADU approximately 1,000 sq. ft. which would allow my parents to have a well-laid-out home on one level.

The Town of Warrenton 2040 Comprehensive Plan clearly envisions ADUs to tackle the “missing middle” housing supply in the TOW. This SUP could be a model for future requests to add ADU’s in the TOW. This particular use would address housing for my elderly parents who are on a fixed income.

I respectfully submit this request and am available at your convenience to discuss further. Please let me know if you need any additional information and thank you for considering this request.

Jim

**Statement of Justification**

Compatibility of the proposed use with the existing and proposed land uses adjacent to and in the vicinity of the site and any potential impacts on the environment and on the neighborhood

due to the proposed use intensity, number of participants, acreage, hours of operation, traffic, lighting, and access.

*Proposed use is residential which is compatible with the surrounding SFH or Townhouse/Condo.*

**Proposed Site Development Plan & Vicinity Map (12 Hardcopies, Folded)**

- A vicinity map depicting the adjacent and nearby (within 1,000 feet) land uses, streets and other data customarily incidental to a vicinity map.

- A proposed site development plan indicating the location of the anticipated structures, setback lines, street pattern, parking provisions, a screening plan, and common open space if applicable. Such plans shall be contained on sheets measuring a minimum of 18" X 24" and a maximum of 36" X 24".

- An analysis of the impact on the Town's transportation network and the ability of adjacent streets and intersections to efficiently and safely move the volume of traffic generated by the development, along with estimates of cost and means of providing improvements required to service the proposed special use.

*Proposed use adds one vehicle with light, perhaps one trip per day, usage. Our daughter recently left for college so with her frequent trips being removed total vehicle trips/impact will still be reduced/minimal.*

- An analysis of the impact on the Town's community facilities including estimates of costs and means of providing the additional community facilities which will be needed to serve the proposed special use. Community facilities include, but shall not be limited to, sewage disposal facilities and systems, solid waste disposal facilities and systems, water supply facilities and systems, storm drainage facilities and systems, and electrical utility facilities and systems.

*Proposed use would need to be added to TOW water and sewer as well as power utility. Increased footprint from exiting barn to ADU does not trigger stormwater requirements and will have minimal impact on storm water. Excess sewer and water from two adults should have minimal impact on TOW ability to provide sewer and water.*

- An analysis of the ability of the Town to provide police and fire protection to the proposed special use.

*Additional two adults residing here should have no impact on police and ADU will be accessible via same means as existing SFH for FD.*

- Noise impact and abatement studies to determine potential impact on adjoining properties and neighborhoods.

- *Two elderly residents occupying ADU should have no impact adjoining properties and neighbors.*

- The proposed configuration and intensity of lighting facilities to be arranged in such a manner to protect the streets and neighboring properties from direct glare or hazardous interference.

*Exterior lighting will be limited to one front porch exterior light and one side porch exterior light and will conform to TOW residential exterior lighting requirements.*

- The delineation of any necessary screening for any uses or structural features deemed to be incompatible with the objectives of this Article, the remainder of this Zoning Ordinance, or the Comprehensive Plan including walls, fences, plantings, and/or other enclosures. Other landscaping to enhance the effectiveness of the screening and to insure the compatibility of use may also be required.

*Applicant is aware of no screening requirements.*

- The delineation of screening and buffering of all parking areas will be required in accordance with a landscaping plan. Parking areas forward of the established building setback line will be prohibited.

*Parking shown on attached proposed plat.*

- The delineation of major trees on the site. Except to protect the public safety, avoid property loss, or provide for required parking, all major trees forward of the building setback line may be required for preservation if their removal would diminish the character of the neighborhood.

*Applicant anticipates no major trees will need to be removed.*

**Evaluation Criteria; Issues for Consideration (§11-3.10.3)**

In considering a Special Use Permit application, the following factors should be considered. The applicant also shall address these factors in its **statement of justification**:

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*Plan Warrenton 2040 places significant emphasis on tacking the Missing Middle Housing issue by encouraging ADU's among other alternative housing options.*

2. Whether the proposed Special Use Permit will adequately provide for safety from fire hazards and have effective measures of fire control.

*This ADU will have fire alarms and allow for FD access.*

3. The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.

*This ADU will not generate any more noise than a typical smaller SFH.*

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5. The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.

*This ADU will not have any signs.*

6. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.

*This ADU is surrounded by other SFH, townhomes, and condos.*

7. The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.

*See attached.*

8. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.

*This ADU will not necessitate screenings and will have minor landscaping for aesthetics.*

9. The timing and phasing of the proposed development and the duration of the proposed use.

The ADU construction will commence immediately upon approval due to the desire to provide housing for my aging parents.

10. Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any significant topographic or physical, natural, scenic, archaeological or historic feature.

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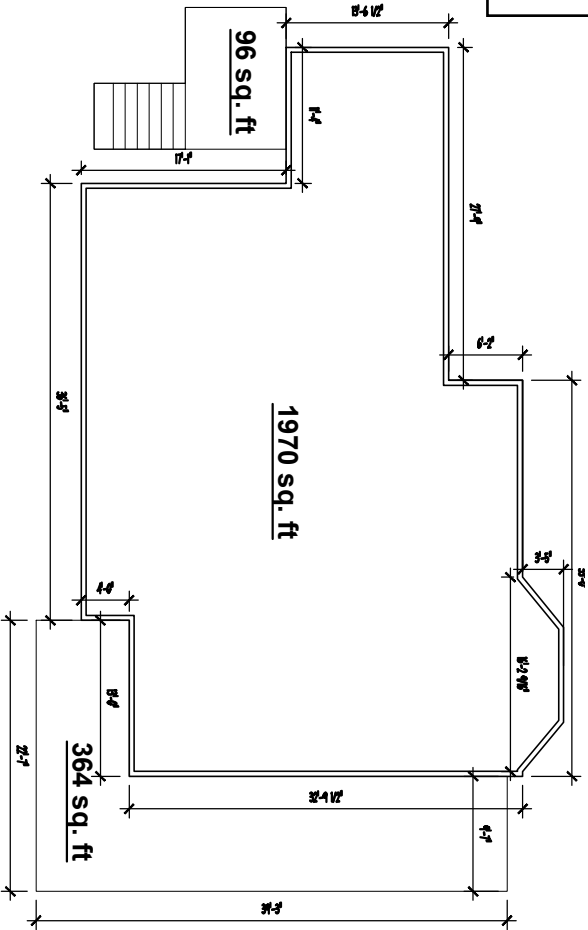
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31. Any anticipated odors which may be generated by the uses on site.
  1. N/A
32. Refuse and service areas.
  1. ADU will be serviced by existing curb trash and recycling service.



Lee 8/18/2023

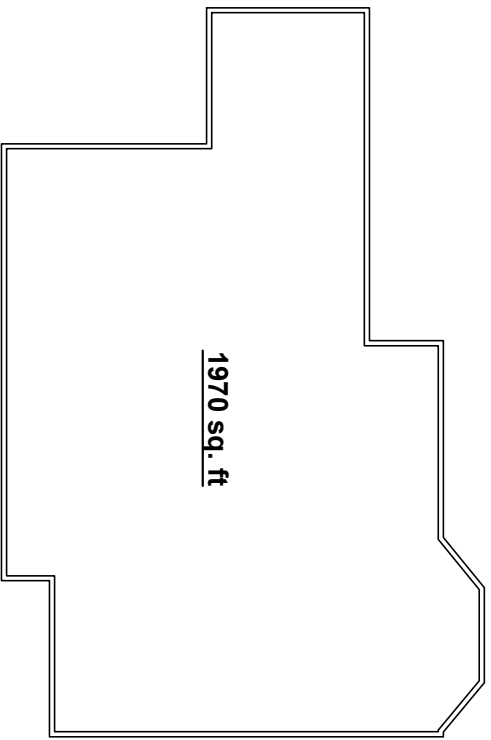


Item b.



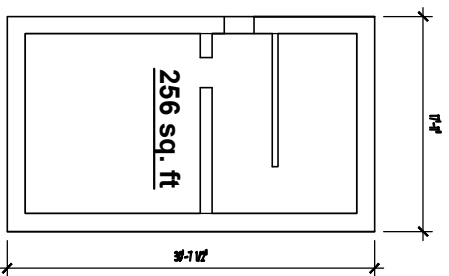
**EXISTING MAIN LEVEL PLAN**

SCALE: 1/16" = 1'-0"



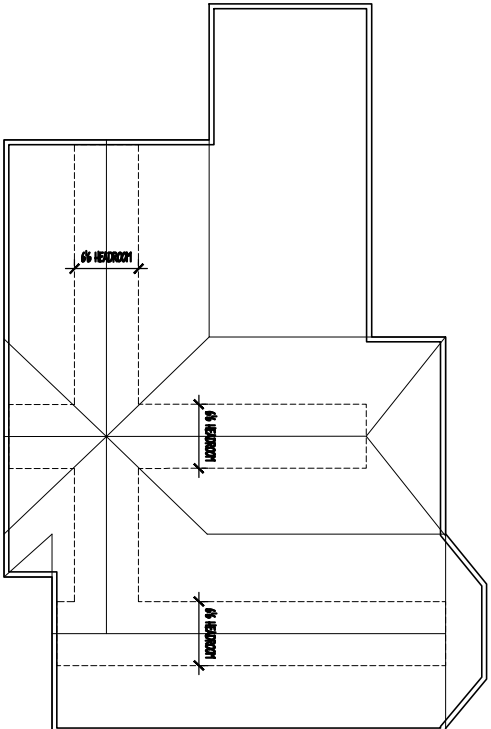
**EXISTING UPPER LEVEL PLAN**

SCALE: 1/16" = 1'-0"



**BASEMENT LEVEL PLAN**

SCALE: 1/16" = 1'-0"



**EXISTING ATTIC PLAN**

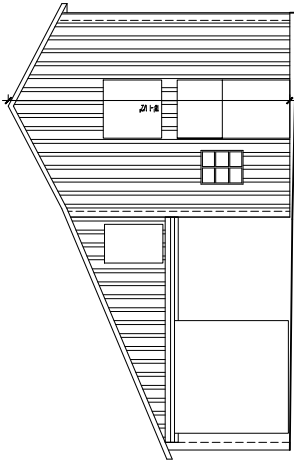
SCALE: 1/16" = 1'-0"

**PER COUNTY TAX RECORDS**  
 Basement: 256 sq. ft.  
 Main Floor: 1970 sq. ft.  
 2nd Floor: 1970 sq. ft.  
**Total: either 3940 or 4196 sq. ft.**  
 Allowable ADU square footage:  
 3940 x .25 = 985 sq. ft  
 4196 x .25 = 1049 sq. ft

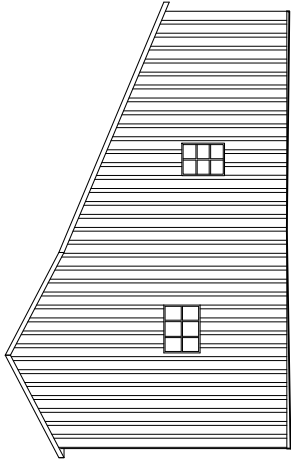
226 E LEB STREET  
 Warrenton VA 20186  
 Drawings by: LLB Design  
 EXISTING SQUARE FOOTAGE



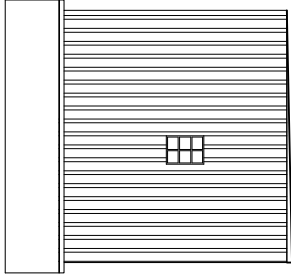
226 E LEE STREET  
Warrenton VA 20186  
Drawings by: LLB Design  
EXISTING ELEVATIONS



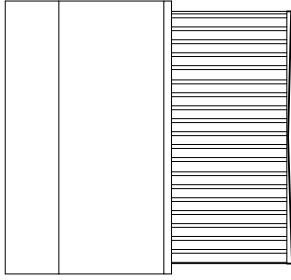
**FRONT ELEVATION**  
SCALE: 1/8" = 1'-0"



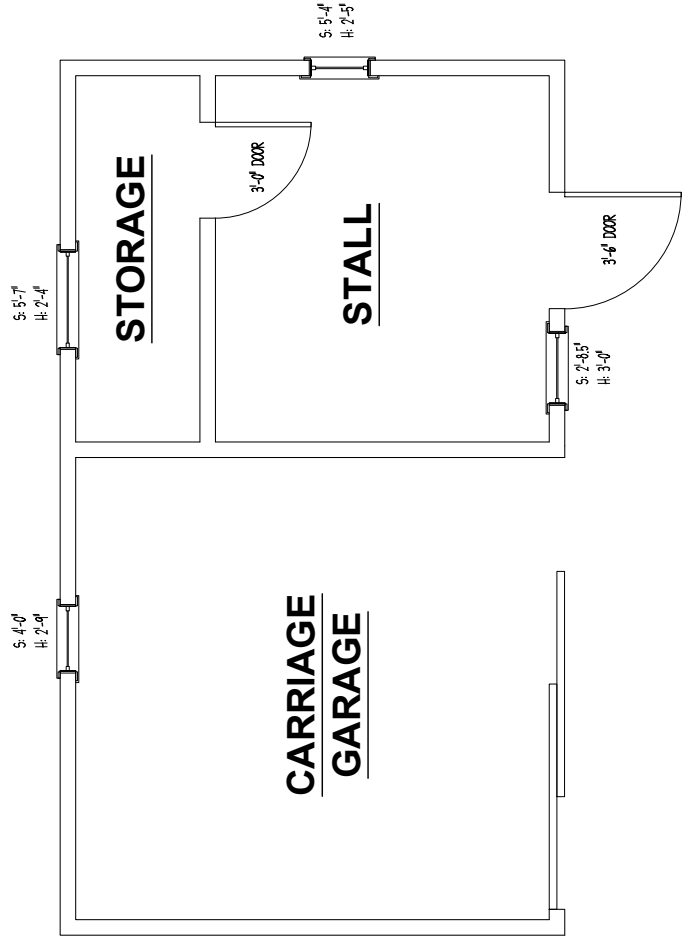
**BACK ELEVATION**  
SCALE: 1/8" = 1'-0"



**RIGHT SIDE ELEVATION**  
SCALE: 1/8" = 1'-0"



**LEFT SIDE ELEVATION**  
SCALE: 1/8" = 1'-0"

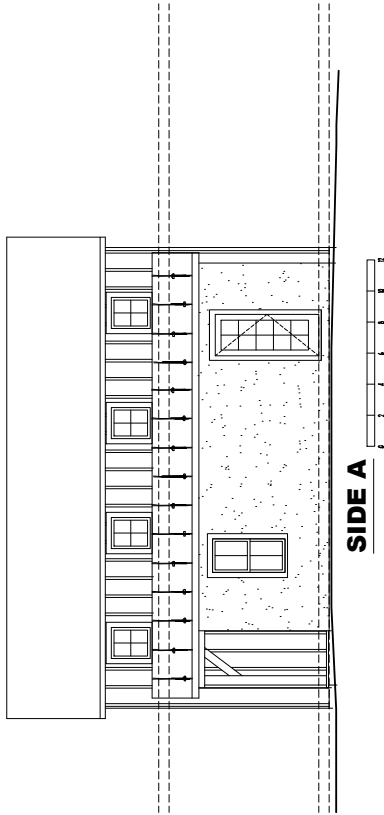


**EXISTING BARN PLAN**

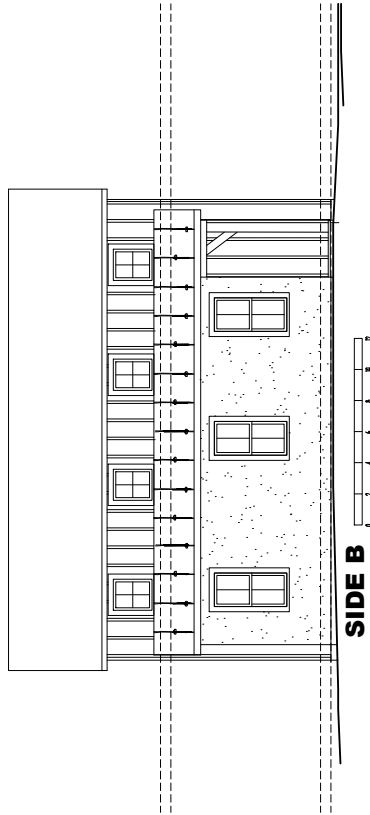
Total: 458 sq. ft. SCALE: 1/4" = 1'-0"

226 E LEE STREET  
Warrenton VA 20186  
Drawings by: LLB Design  
EXISTING SQUARE FOOTAGE

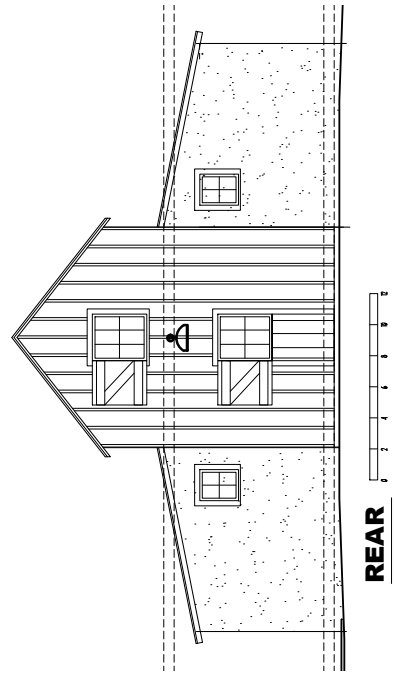
Item b.



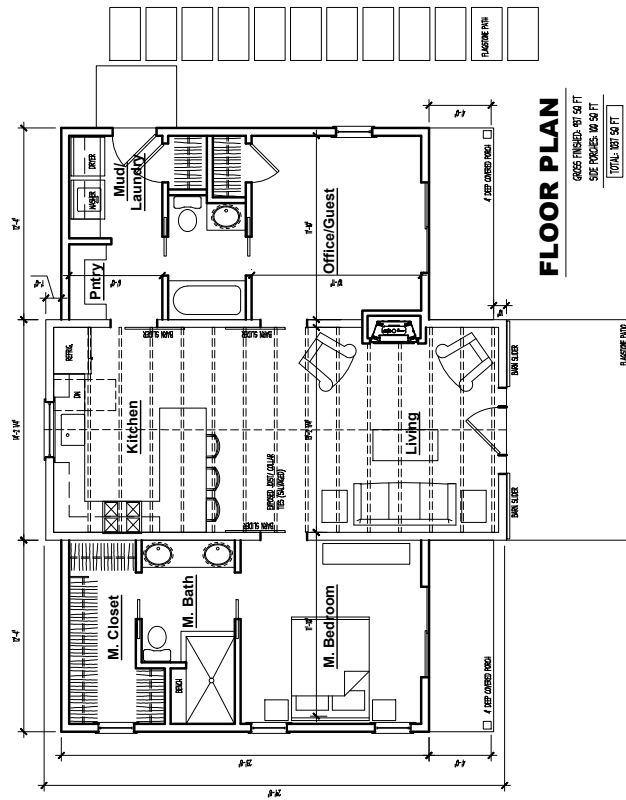
**SIDE A**



**SIDE B**



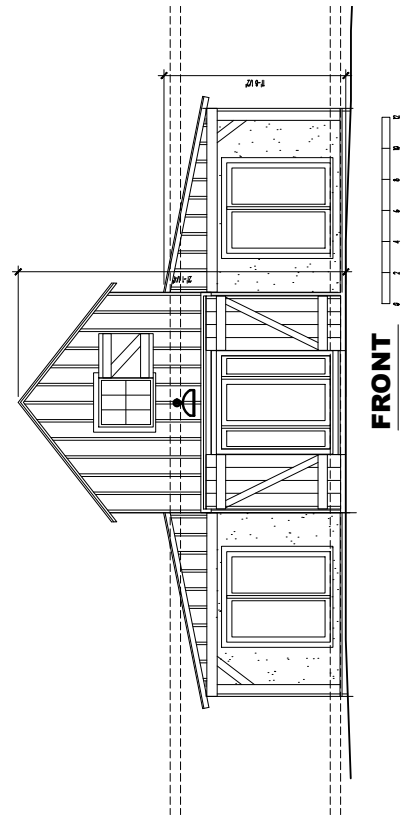
**REAR**



**FLOOR PLAN**

GROSS FINISHED: 107 SQ. FT.  
 ONE FINISHED: 107 SQ. FT.  
 TOTAL: 214 SQ. FT.

PER COUNTY TAX RECORDS  
 4196 x .25 = 1049 sq. ft.



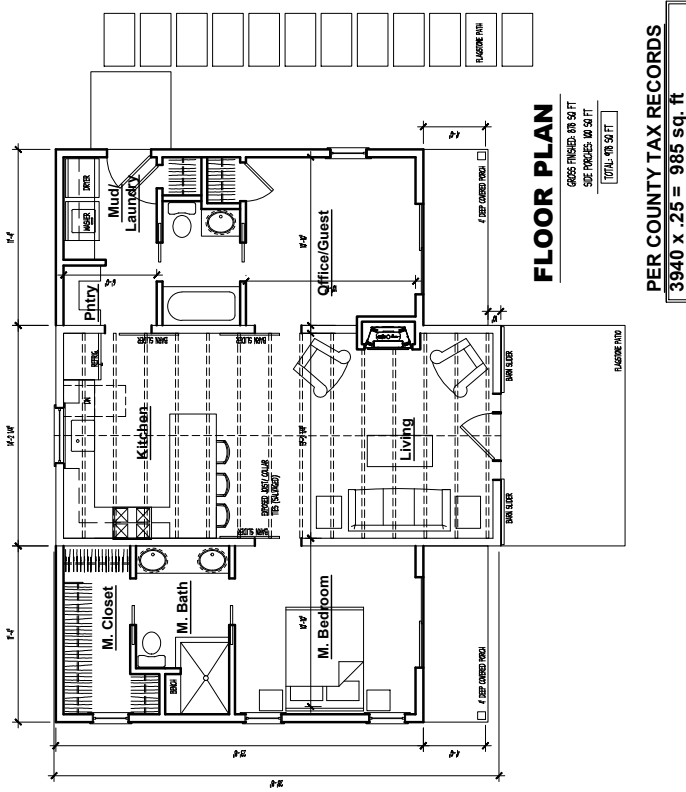
**FRONT**

226 E LEE STREET  
 Warrenton VA 20186

Drawings by: LLB Design

**SCHEMATIC PLANS**

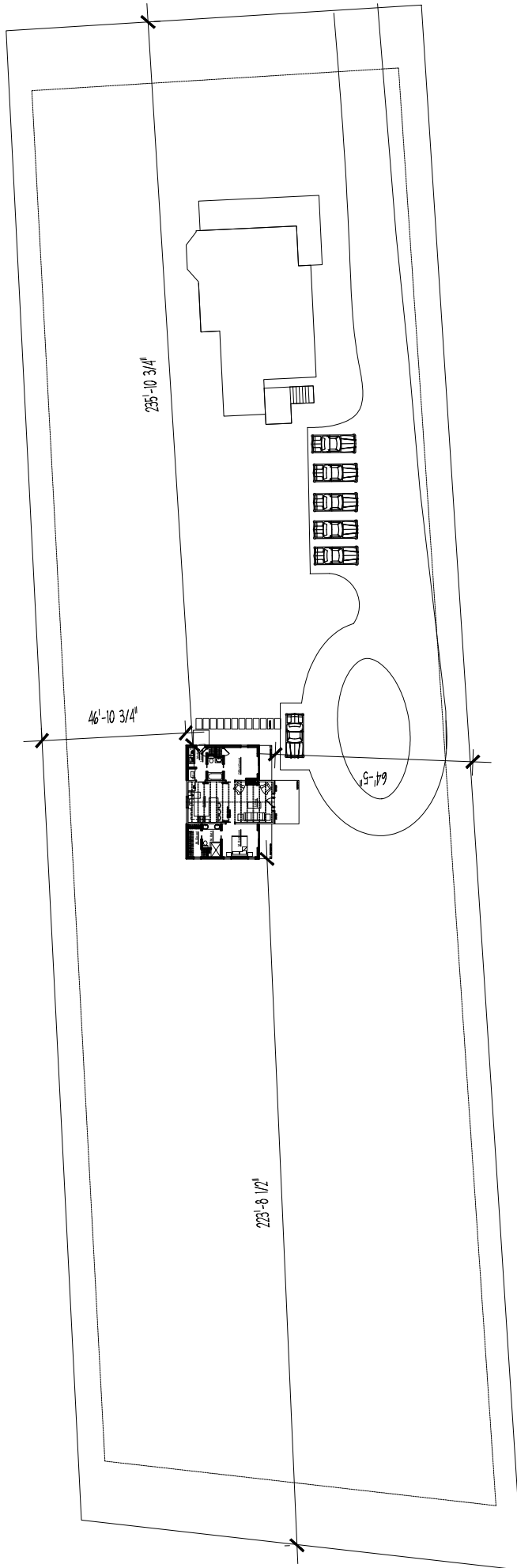
Item b.



226 E LEE STREET  
 Warrenton VA 20186  
 Drawings by: LLB Design

**SCHEMATIC PLANS**

Item b.



226 E LEE STREET  
 Warrenton VA 20186

Drawings by: LLB Design



**SITE PLAN**

Item b.

January 9, 2024  
Town Council  
Public Hearing

**RESOLUTION TO APPROVE SPECIAL USE PERMIT 23-03 FOR AN ACCESSORY DWELLING UNIT AT 226 E. LEE STREET PURSUANT TO SECTION 11-3.10 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON**

**WHEREAS**, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, Mr. and Mrs. Lawrence, ("the Applicant"), is requesting a Special Use Permit approval on a parcel of land containing approximately 1.3 acres, identified as GPIN 6984-52-4022-000, located at 226 E. Lee Street in the Town of Warrenton's Historic District and hereinafter referred to as the "Property"; and

**WHEREAS**, the Applicant is requesting to convert an existing barn in the rear yard of the Property into an Accessory Dwelling Unit ("ADU") measuring approximately 985-1,049 square feet; and

**WHEREAS**, an Accessory Dwelling Unit ("ADU") is authorized as a permissible use in the R-6 Residential Zoning District pursuant to Article 3-4-3.3 as a dwelling(s) in an accessory building; and

**WHEREAS**, the Warrenton Architectural Review Board held a work session to discuss the Special Use Permit on July 27, 2023; and

**WHEREAS**, the applicant has placed the Certificate of Appropriateness on hold until the conclusion of the Special Use Permit application; and

**WHEREAS**, the Warrenton Planning Commission held a work session to discuss the Special Use Permit on November 28, 2023; and

**WHEREAS**, the Warrenton Planning Commission held a public hearing on this matter on December 19, 2023; and

**WHEREAS**, the Town Council received and considered the Planning Commission's recommendation for approval of the Special Use Permit based on Conditions of Approval; and

**NOW THEREFORE BE IT RESOLVED**, that the Warrenton Town Council on this 9<sup>th</sup> day of January 2024, that SUP 23-03 be, and is hereby, approved, subject to the following conditions:

1. This Special Use Permit is issued covering the entire Property pursuant to the provisions of §11-3.10 of the Town of Warrenton Zoning Ordinance.
2. The Property shall be developed in substantial conformance with the Special Use Permit Plan with the label "taken from survey provided by James H Harris &

Associates April 10, 1986 with the seal of Laura Gargagliano Bartee, Architect dated November 3, 2023. Minor adjustments may be made to entrances, parking, dimensions and location of any required SWM facilities, the exact configuration and location of the building footprints, and other similar features, provided they meet the intent of these Conditions and are approved by the Director of Community Development or the Zoning Administrator.

- 3. The site is located within the Historic District and therefore is subject to the Town of Warrenton Guide to Historic Resources and any exterior changes or alterations require the submission of a Certificate of Appropriateness (COA) and review and approval by the Architectural Review Board (ARB). No structures shall be modified or constructed until a COA has been issued, per §3-5.3 of the Zoning Ordinance.
- 4. A Site Development Plan is required with all Special Use Permits, per §11-3.7 of the Zoning Ordinance.
- 5. Disturbance in excess of 2,000 square feet will require a Land Disturbance Permit.
- 6. The Accessory Dwelling Unit (ADU) shall not exceed twenty-five (25) percent of the total floor area of the principal dwelling, nor contain less than five hundred (500) square feet of floor area; and
- 7. The ADU shall have separate Water and Sewer taps from the Main Residence; and
- 8. The ADU shall have a separate address and signage from the Principal Residence so as to distinguish the ADU as a separate dwelling to fire, police, and emergency services; and
- 9. The ADU shall contain adequate parking spaces and driveway configuration in order to allow for proper access from fire, police, and emergency services.
- 10. Proposed light fixtures and exterior attachment methods shall be reviewed during the Certificate of Appropriateness (COA) process and in accordance with the Zoning Ordinance.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**For Information:**

Community Development Director,

Town Attorney

**ATTEST:** \_\_\_\_\_  
**Town Recorder**



**Attachment C – Special Use Permit Conditions  
Dated January 9, 2024**

**Proposed Conditions**  
**Owner/Applicant(s): James & Nell Lawrence**  
**Special Use Permit (SUP): 2023-03**  
**Address: 226 E. Lee Street**  
**GPIN: 6984-52-4022-000**  
**Special Use Permit Area: +/- 1.33 acres**  
**Zoning: R-6**  
**Date: January 9, 2024**

-----

In approving a Special Use Permit (SUP), the Planning Commission may impose such conditions, safeguards and restrictions as may be necessary to avoid, minimize, or mitigate any potentially adverse or injurious effect of such special uses upon other properties in the neighborhood, and to carry out the general purpose and intent of this Ordinance. The Planning Commission may require a guarantee or bond to ensure compliance with the imposed conditions. All required conditions shall be set out in the documentation approving the Special Use Permit (SUP).

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January 9, 2024  
Town Council  
Public Hearing

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10. Proposed light fixtures and exterior attachment methods shall be reviewed during the Certificate of Appropriateness (COA) process and in accordance with the Zoning Ordinance.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**For Information:**

Community Development Director,  
Town Attorney

ATTEST: \_\_\_\_\_  
Town Recorder



**Town Council Public Hearing  
SUP 23-03 226 E. Lee Street  
Accessory Dwelling Unit (ADU)  
January 9, 2024**

# Request

Item b.

## SUP 23-03 – Work Session

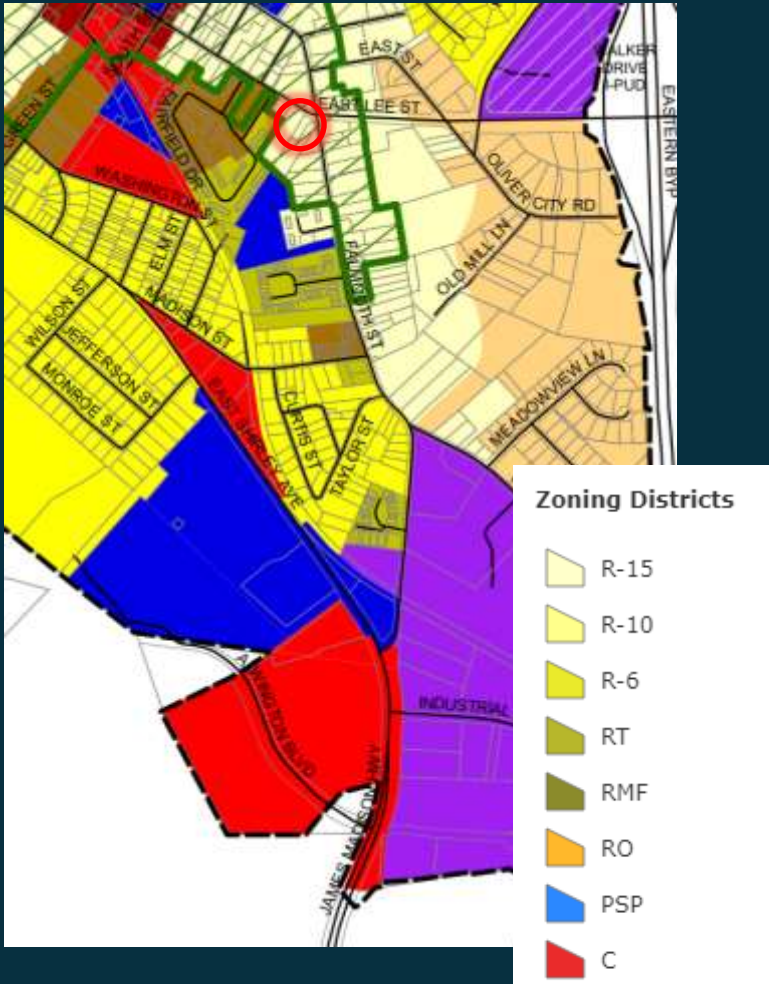
- GPIN: 6984-52-4022-000
- Property Owner: Jim and Nell Lawrence
- Representative: Mr. Peter Lawrence
- Zoning: R-6
- Comprehensive Plan: Old Town Character District - Medium Density Residential
- SUP to allow for the conversion of an existing barn in rear yard to an Accessory Dwelling Unit (ADU) at 226 E. Lee Street.



# Adjacent Uses

Item b.

## Zoning Map



## Future Land Use





# Staff Review

Item b.

- Plan Warrenton 2040
  - Missing Middle Housing
  - Historic Resources – Adaptive Reuse
- Zoning Ordinance
  - Allowable Square Footage
  - Setbacks
  - Parking
  - Lighting
- Emergency Services
  - Separate addresses
  - Signage
- Public Works/Public Utilities
  - Separate Water/Sewer Taps
- Held an ARB Work Session and will require ARB Certificate of Appropriateness

# Existing House

Item b.



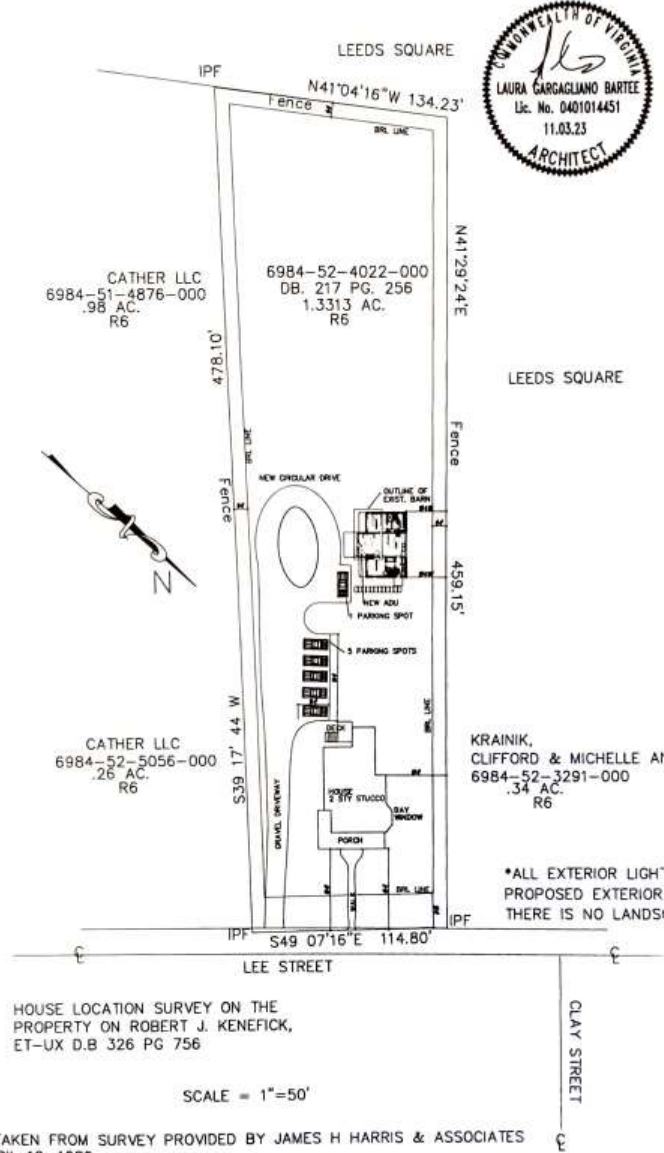
# Existing Barn

Item b.



# SUP Plan

Item b.



# Elevations

Item b.

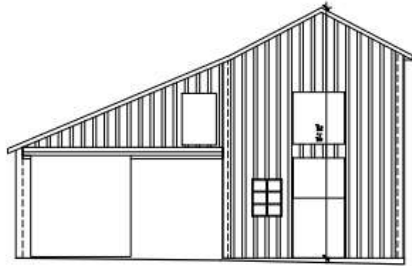


Lee 8/18/2023



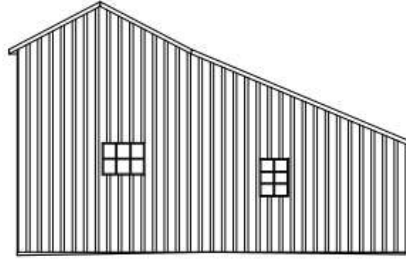
# Elevations

Item b.



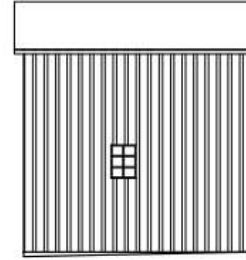
**FRONT ELEVATION**

SCALE:  $\frac{1}{8}'' = 1'-0''$



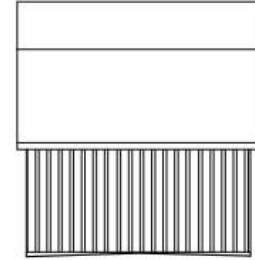
**BACK ELEVATION**

SCALE:  $\frac{1}{8}'' = 1'-0''$



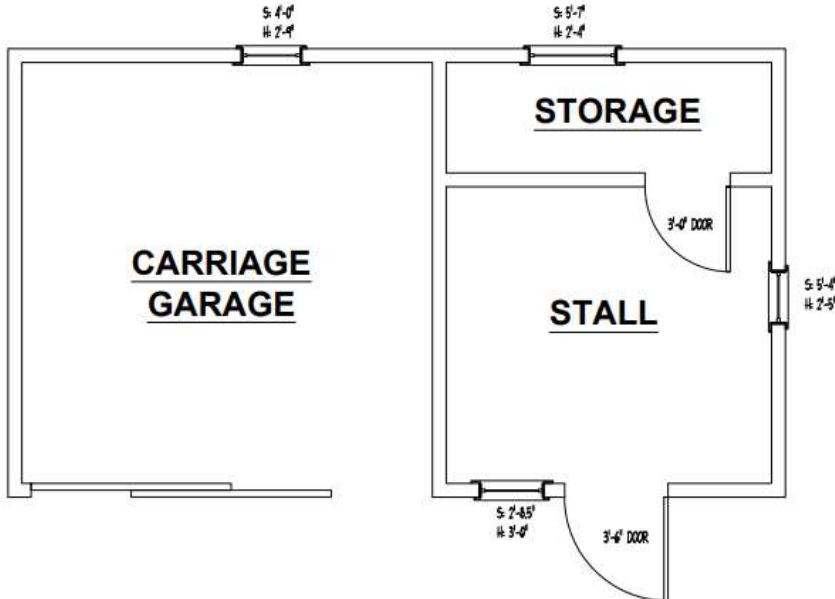
**RIGHT SIDE ELEVATION**

SCALE:  $\frac{1}{8}'' = 1'-0''$



**LEFT SIDE ELEVATION**

SCALE:  $\frac{1}{8}'' = 1'-0''$



## EXISTING BARN PLAN

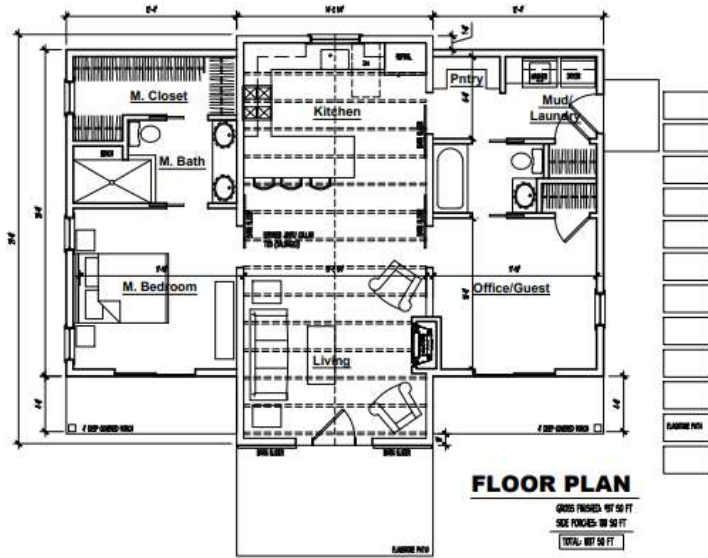
Total: 458 sq. ft.

SCALE:  $\frac{1}{4}'' = 1'-0''$

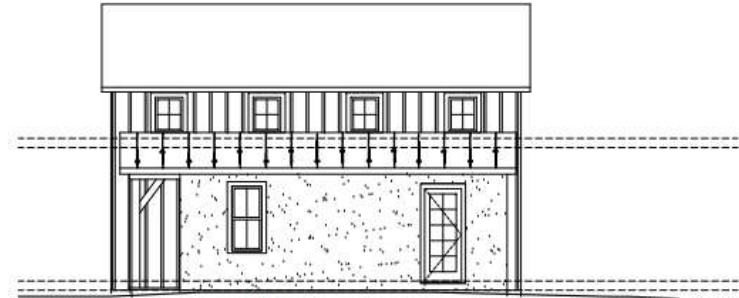
226 E LEE STREET  
Warrenton VA 20186  
Drawings by: LLB Design  
EXISTING SQUARE FOOTAGE

# Elevations

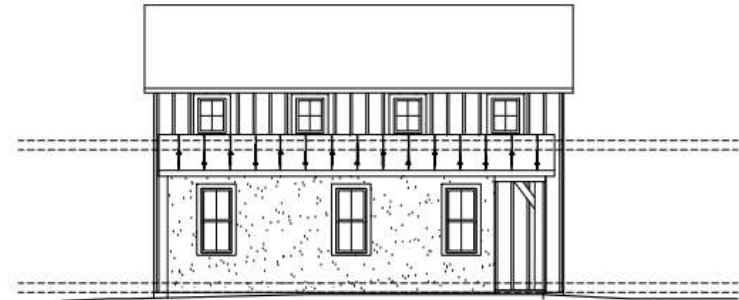
Item b.



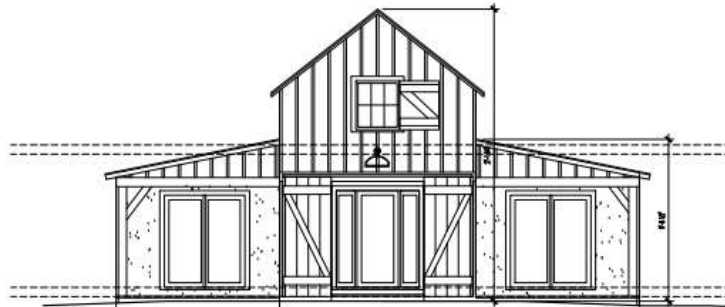
PER COUNTY TAX RECORDS  
 4196 x .25 = 1049 sq. ft



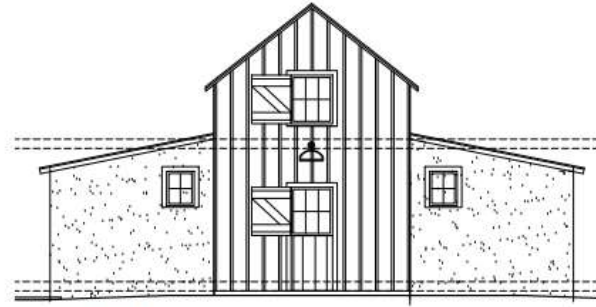
**SIDE A**



**SIDE B**



**FRONT**



**REAR**

226 E LEE STREET  
 Warrenton VA 20186  
 Drawings by: LLB Design  
 SCHEMATIC PLAN



# Planning Commission Review Item b.

- November 28, 2023 – Work Session
- December 19, 2023 – Public Hearing
  - 2 Public Comments Submitted
- 4-0-1 (Lawrence Recused) Recommended Approval Per Draft Conditions of Approval

# PC Recommended Conditions of Approval Item b.

- Not exceed 25% total floor area of principle structure
- Minimum 500 square feet
- ~~Separate Water and Sewer Tap~~ If the property is subdivided in a manner that results in the ADU becoming its own parcel, separate water and sewer taps from the primary residence shall be required by the Applicant/Property Owner. (Amended January 9, 2024)
- Separate signage and circulation for Emergency Services
- Required Certificate of Appropriateness
- Required permits

# Staff Recommendation

Item b.

- Hold Town Council Public Hearing
- Direct Applicant/Staff Next Steps



**Town Council Public Hearing  
SUP 23-03 226 E. Lee Street  
Accessory Dwelling Unit (ADU)  
January 9, 2024**



Office of the Town Manager  
Frank Cassidy

**Warrenton Town Council**

Carter Nevill, Mayor  
Heather Sutphin, Ward 1  
William Semple, Ward 2  
Brett Hamby, Ward 3  
James Hartman, Ward 4 Vice Mayor  
Eric Gagnon, Ward 5  
Paul Mooney, At Large  
David McGuire, At Large

Item c.

# STAFF REPORT

<b>Council Meeting Date:</b>	January 9, 2024
<b>Agenda Title:</b>	Zoning Ordinance Text Amendment - Assembly Uses in the Industrial District
<b>Requested Action:</b>	Hold a Public Hearing
<b>Department / Agency Lead:</b>	Community Development
<b>Staff Lead:</b>	Heather Jenkins, Zoning Administrator

## EXECUTIVE SUMMARY

Article 3, Section 3-4.12 – *Industrial District* currently permits several uses as by-right Permitted Uses where people gather for social, entertainment, cultural, educational, and recreational purposes, such as Conference Centers, Institutional Buildings, and Private clubs, lodges, meeting halls, labor unions, fraternal organizations and sororities.

The Virginia Uniform Statewide Building Code classifies Places of Worship such as churches as an Assembly use, the same category as Conference Centers, Meeting Halls, Lodges, and other uses listed in the Ordinance as either by-right Permitted Uses or Permissible Uses with the approval of a Special Use Permit in the Industrial District. However, Places of Worship such as churches are not listed as either a Permitted Use or a Permissible Use in the Industrial District.

The Religious Land Use and Institutionalized Persons Act (RLUIPA) is a federal law that prohibits a locality from imposing undue burdens or restrictions on land use for churches and other religious institutions through zoning regulations. Treating churches or other places of worship differently from other, similar uses, is a recognized claim of discrimination under RLUIPA.

Staff was approached by a property owner seeking to lease an existing building located within the Industrial District to a group that desires to establish a Place of Worship. Staff has been advised by legal counsel that the Ordinance should be amended to address the discrepancy between Places of Worship and other uses classified as Assembly uses by the Building Code that are currently allowed in the Industrial District

Town Council initiated a text amendment to Section 3-4.12 Industrial District on May 9, 2023, to address assembly uses in the Industrial District. The Planning Commission held two work sessions to discuss this item on August 22, 2023, and September 19, 2023. On November 28, 2023, the Planning Commission issued a recommendation of approval for “Option A”. Under Option A, Places of Worship are included as an allowable use in the Industrial District, and a threshold is set for any Assembly use upon exceeding a set size. Option A requires that all Assembly uses, including Places of Worship, must have the approval of a Special Use Permit from Town Council when consisting of 10,000 square feet or more of building area, and/or occupancy by more than 300 persons.

**BACKGROUND**

A Church (or place of religious worship) is defined in Article 12 of the Zoning Ordinance as:

*A building or structure, or group of buildings or structures, which by design and construction are primarily intended for activities that people regularly attend to participate in or hold religious services, meetings, and other activities. The term “church” shall not carry a secular connotation and shall include buildings in which religious services of any denomination are held.*

Zoning Ordinance Section 3-4 *Requirements for Base Zoning Districts* allows Churches/Places of Worship in all zoning districts except the Industrial district, as follows:

<b>Ordinance Section</b>	<b>Zoning District</b>	<b>Approval Process</b>
3-4.1	R-15 Residential District	Permissible with the approval of a Special Use Permit
3-4.2	R-10 Residential District	Permissible with the approval of a Special Use Permit
3-4.3	R-6 Residential District	Permitted with administrative approval
3-4.4	RT Residential Townhouse District	Permissible with the approval of a Special Use Permit
3-4.5	RMF Residential Multifamily District	Permissible with the approval of a Special Use Permit
3-4.6	R-40 Residential District	Permissible with the approval of a Special Use Permit
3-4.7	R-E Residential District	Permissible with the approval of a Special Use Permit
3-4.8	RO Residential Office District	Permissible with the approval of a Special Use Permit
3-4.9	PSP Public-Semi-Public Institutional District	Permitted with administrative approval
3-4.10	C Commercial District	Permitted with administrative approval
3-4.11	CBD Central Business District	Permitted with administrative approval
3-4.12	I Industrial District	<b>Not Permitted</b>

The Virginia Statewide Uniform Building Code (USBC) classifies different types of uses as Occupancy Groups, where uses in these groups have similar hazards and risks to building occupants. An Assembly use in the USBC is defined as the use of a structure for the gathering of persons for purposes such as civic, social, or religious functions; recreation, food or drink consumption, or waiting for transportation. A Place of Worship is considered to be a part of Assembly Group A-3, described in the USBC as where people occupy a structure for the purpose of worship, recreation or amusement. The USBC is a neutral way of classifying different uses that does not look at the specific location, property owner or tenant, but rather looks at the way in which people occupy the space, and so is useful as a tool to categorize those uses that are listed in the Zoning Ordinance without regards to zoning district, address, owner or tenant.

The Industrial district allows uses that are considered to be Assembly uses by the USBC, as either Permitted Uses (by-right) or Permissible Uses (by special use permit approval by Town Council), as listed below. A full list of all Permitted and Permissible Uses as found in Ordinance Section 3-4.12, classified by general Building Code group, is included with this staff report as Attachment A.



Use as Listed in the Zoning Ordinance	USBC Occupancy Group
Active and Passive Recreation and Recreation Facilities	Assembly (Facilities Only)
Broadcasting studios and offices	Assembly (Audience Only)
Cafeteria or snack bar for employees	Assembly
Conference Centers	Assembly
Health and Fitness Facilities	Assembly
Institutional buildings	Assembly
Motion picture studio	Assembly (Audience Only)
Private club, lodge, meeting hall, labor union, or fraternal organization or sorority	Assembly
Restaurant or cafeteria, drive-thru or otherwise	Assembly
Temporary fair and show grounds	Assembly

Allowing other Assembly uses, but not Places of Worship, is a difference in the way similar uses are treated. Under RLUIPA, treating Churches differently from other similar uses is a recognized claim of discrimination.

Town Council initiated a text amendment to Article 3 on May 9, 2023, the first step in the process to revise the Zoning Ordinance as prescribed in Article 11, Section 11-3.9 *Zoning Amendments*. Following the initiation by Town Council, the Planning Commission held two work sessions on August 22, 2023, and September 19, 2023, to investigate how assembly uses are currently treated within the Industrial district, how Places of Worship are treated in nearby benchmark communities, and how the desire to include some assembly uses within the Industrial district meets the intent of the Comprehensive Plan.

As a part of the September 19, 2023, work session, the Planning Commission directed staff to prepare two different options for consideration, Option A and Option B. Each option included a threshold, where any assembly use exceeding a certain size and/or intensity would require the approval of a Special Use Permit from Town Council, so as to reserve the remaining large tracts of developable land for industrial uses as called for in the Warrenton Plan 2040 Comprehensive Plan, and to moderate traffic impacts on area roadways generated by large gatherings of people.

During the November 28, 2023, public hearing, the Planning Commission unanimously recommended approval of Option A:

- Revises the Legislative Intent in Section 3-4.1.1 to include limited assembly uses to the descriptive paragraph, to more closely match the mixture of use categories that are currently allowed in the district as well as the existing assembly-type businesses that are established in the district.
- Adds Places of Worship as an allowable use in the Industrial district.
- Includes a threshold for all allowable assembly uses, set at 10,000 square feet or more of building area, or more than 300 persons, where any assembly use meeting this threshold will require the approval of a Special Use Permit by Town Council per Section 3-4.12.3.

The 10,000 square feet/300 persons threshold to differentiate between assembly uses that should be Permitted by-right, and those assembly uses that should be Permissible with the approval of a Special Use Permit, was selected for two reasons. First, the threshold was selected so as to emulate the threshold set for Places of Worship in Fauquier County. Having similar thresholds for approval processes should provide a level of parity between the two jurisdictions, so that approval processes in both jurisdictions are comparable. Second, those assembly uses that include 10,000 square feet or more of building area or more



than 300 persons, are those uses which are more likely to have an impact on surrounding roadway networks, potentially generating a higher peak usage than smaller/less intensive assembly uses. The Commissioners felt that assembly uses that are potentially more impactful on area roadways should have an additional level of review to ensure that any potential negative impacts on the surrounding industrial businesses are adequately evaluated and mitigated through a public hearing and legislative approval process. A copy of the staff report and attachments from the November 28, 2023, Planning Commission public hearing is included with this staff report as [Attachment B](#).

**STAFF RECOMMENDATION**

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Staff requests that Town Council hold a public hearing to discuss draft Ordinance language. Should Town Council be prepared to make a motion of approval, staff recommends that Town Council adopt the ordinance language of Option A, to include a 10,000 square feet/300 person threshold, as recommended for approval by the Planning Commission on November 28, 2023. An Ordinance has been provided for consideration as [Attachment D](#).

**Service Level/Collaborative Impact**

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Allowing a Place of Worship as either a Permitted or Permissible use in the Industrial District would resolve the inconsistency between the Zoning Ordinance list of allowable uses and Federal law. Given that Town Council amends the Zoning Ordinance to include Places of Worship as an allowable use in the Industrial District, any potential Place of Worship use must obtain all required approvals prior to occupancy or commencement of the use. For all Permissible Uses, the approval of a Special Use Permit from Town Council would be the initial approval required, where any applicant must demonstrate compliance with all standards and requirements listed in Ordinance Article 11, Section 11-3.10 *Special Use Permits and Waivers*. For both Permissible Uses and by-right Permitted Uses, applicants must obtain the approval of a Site Development Plan per Ordinance Article 10 *Site Development Plans*, as well as a Zoning/Building Permit per Article 11, Sections 11-3.4 and 11-3.5, to demonstrate compliance with all applicable standards and requirements of the Zoning Ordinance, such as access, parking, lighting, landscaping, utilities and performance guarantees.

**Policy Direction/Warrenton Plan 2040**

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Large, undeveloped Industrial-zoned parcels are limited within the Town, and the Comprehensive Plan calls for the need to retain land within the Town for future light industrial and manufacturing businesses to provide employment opportunities for Town residents. The proposed 10,000 square feet/300 person Special Use Permit threshold for assembly uses will allow an additional level of review to ensure that any potential negative impacts on the surrounding industrial businesses are adequately evaluated and mitigated through a public hearing and legislative approval process.

**Fiscal Impact**

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A fiscal impact analysis has not been conducted.

**Legal Impact**

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Zoning Ordinance Section 3-4.12 Industrial District allows several assembly-type uses as Permitted Uses (by-right) with administrative approval, or as Permissible Uses (with approval of a Special Use Permit), A Place of Worship is recognized as an assembly use by the Virginia Statewide Uniform Building Code; however, the Ordinance does not allow a Place of Worship within the Industrial District. Treating a Place of Worship differently from other, similar uses, is a recognized claim of discrimination under the Religious Land Use and Institutionalized Persons Act.

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**ATTACHMENTS**

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- 1. Attachment A: List of Uses by Building Code Group
- 2. Attachment B: Staff Report - Planning Commission Public Hearing – November 28, 2023
- 3. Attachment C: Proposed Text Amendment - Red Line
- 4. Attachment D: Ordinance



## ATTACHMENT A

<b>Permitted and Permissible Uses in The Industrial District</b>			
<i>Key: General Use-Type per Zoning</i>		<i>Assembly</i>	<i>Light industrial/Office</i>
			<i>Industrial</i>
<b>Use As Listed in the Ordinance</b>		<b>Building Code Group</b>	
<b>Permitted Uses (by-right) – Section 3-4.12.2</b>			
Accessory Buildings			
Active and Passive Recreation and Recreational Facilities		<b>Assembly (Facilities Only)</b>	
Banks and savings and loan offices		<b>Business</b>	
Broadcasting studios and offices		<b>Business Assembly (Audience Only)</b>	
Business and office supply establishments		<b>Business</b>	
Cabinet, upholstery, and furniture shops		<b>Factory</b>	
Cafeteria or snack bar for employees		<b>Assembly</b>	
Clinics, medical or dental		<b>Business</b>	
Commercial uses constituting up to 15% of permitted site or building area		<b>Business</b>	
Conference Centers		<b>Assembly</b>	
Contractor's office and warehouse without outdoor storage		<b>Business or Storage</b>	
Crematory		<b>Business or Factory</b>	
Dwellings for resident watchmen and caretakers employed on the premises		<b>Residential</b>	
Employment service or agency		<b>Business</b>	
Flex Office and Industrial uses		<b>Business</b>	
Health and Fitness Facilities		<b>Assembly</b>	
Institutional buildings		<b>Assembly</b>	
Janitorial service establishment		<b>Business</b>	
Laboratories, research, experimental or testing, but not testing explosives, rockets, or jet engines		<b>Business</b>	
Light manufacturing uses which do not create danger to health and safety in surrounding areas and which do not create offensive noise, vibration, smoke, dust, lint, odor, heat, glare, or electrical impulse than that which is generally associated with light industries		<b>Business</b>	
Monument sales establishments with incidental processing to order but not including shaping of headstones		<b>Business</b>	
Motion picture studio		<b>Business or Assembly (Audience Only)</b>	
Nurseries and greenhouses		<b>Business</b>	
Offices- business, professional, or administrative		<b>Business</b>	
Off-street parking and loading subject to Article 7		<b>N/A</b>	
Open space subject to Article 9		<b>N/A</b>	
Printing, publishing, and engraving establishment; photographic processing; blueprinting; photocopying; and similar uses		<b>Business</b>	
Private club, lodge, meeting hall, labor union, or fraternal organization or sorority		<b>Assembly</b>	
Rental service establishment		<b>Business</b>	

Text Amendment – Assembly Uses in the Industrial District  
Attachment A – List of Uses by Building Code Group

Retail or wholesale sales and service incidental to a permitted manufacturing, processing, storing, or distributing use	<b>Business or Mercantile</b>
Rug and carpet cleaning and storage with incidental sales of rugs and carpets	<b>Factory</b>
Security service office or station	<b>Business</b>
Sign fabricating and painting	<b>Factory</b>
Signs, subject to Article 6	<b>N/A</b>
Studios	<b>Business</b>
Transmission and receiving towers of height not exceeding one hundred twenty-five (125) feet	<b>Utility</b>
Utilities related to and necessary for service within the Town, including poles, wires, transformers, telephone booths, and the like for electrical power distribution or communication service, and underground pipelines or conduits for local electrical, gas, sewer, or water service, but not those facilities listed as requiring a special use permit	<b>Utility</b>
Wholesale establishment, storage warehouse, or distribution center. furniture moving	<b>Storage or Mercantile</b>
<b>Permissible Uses (by special use permit upon approval of the Town Council – Section 3-4.12.3)</b>	
Automobile body shop	<b>Factory</b>
Automobile and truck repair and service	<b>Factory</b>
Commercial Kennels	<b>Business</b>
Contractor's storage yard	<b>N/A</b>
Farm equipment, motorcycle, boat and sport trailer sales and service	<b>Factory</b>
Fuel, coal, oil distribution storage yards	<b>Utility</b>
Lumber and building supply with undercover storage.	<b>Storage</b>
Maintenance and equipment shops with screened outside storage	<b>Factory</b>
Outdoor storage of any kind	
Plumbing and electrical supply with undercover storage	<b>Business or Storage</b>
Restaurant or cafeteria, drive-thru or otherwise	<b>Assembly</b>
Self-service mini-warehouse	<b>Storage</b>
Temporary fair and show grounds	<b>Assembly</b>
Tire and battery sales and service, tire recapping and retreading	<b>Factory</b>
Transmission and receiving towers of height greater than one hundred twenty-five (125) feet.	<b>Utility</b>
Treatment plants, water storage tanks, major transmission lines or pipelines, pumping or regulator stations, communications towers, storage yards and substations, and cable television facilities and accessory buildings	<b>Utility</b>



# STAFF REPORT

<b>Council Meeting Date:</b>	November 28, 2023
<b>Agenda Title:</b>	Zoning Ordinance Text Amendment - Assembly Uses in the Industrial District
<b>Requested Action:</b>	Hold a Public Hearing
<b>Department / Agency Lead:</b>	Community Development
<b>Staff Lead:</b>	Heather Jenkins, Zoning Administrator

## EXECUTIVE SUMMARY

Article 3, Section 3-4.12 – *Industrial District* currently permits several uses as by-right Permitted Uses where people gather for social, entertainment, cultural, educational and recreational purposes, such as Conference Centers, Institutional Buildings, and Private clubs, lodges, meeting halls, labor unions, fraternal organizations and sororities. The Virginia Uniform Statewide Building Code classifies Churches as an Assembly use, the same category as Conference Centers, Meeting Halls, Lodges, and other uses listed in the Ordinance as by-right Permitted Uses in the Industrial District. However, Churches are not listed as either a Permitted Use or a Permissible Use in the Industrial District.

The Religious Land Use and Institutionalized Persons Act (RLUIPA) is a federal law that prohibits a locality from imposing undue burdens or restrictions on land use for churches and other religious institutions through zoning regulations. Treating churches or other places of worship differently from other, similar uses, is a recognized claim of discrimination under RLUIPA.

Staff was approached by a property owner seeking to lease an existing building located within the Industrial District to a group that desire to establish a Church. Staff has been advised by legal counsel that the Ordinance should be amended to address the discrepancy between Churches and other, similar Assembly uses currently allowed in the Industrial District

Town Council initiated a text amendment to Section 3-4.12 Industrial District on May 9, 2023 to address assembly uses in the Industrial District. On August 22, 2023 the Planning Commission held a work session where additional information was requested to inform the Commission in their discussion and staff's preparation of draft Ordinance language. On September 19, 2023 the Planning Commission held a second work session, at the conclusion of which the Commission indicated that the text amendment should be placed on the next available public hearing agenda, where two different ordinance options should be prepared for consideration.

## BACKGROUND

A Church (or place of religious worship) is defined in Article 12 of the Ordinance as:

*A building or structure, or group of buildings or structures, which by design and construction are primarily intended for activities that people regularly attend to participate in or hold religious services, meetings, and other activities. The term "church" shall not carry a secular connotation and shall include buildings in which religious services of any denomination are held.*

Section 3-4 Requirements for Base Zoning Districts allows Churches in all zoning districts except the Industrial district, as follows:

Ordinance Section	Zoning District	Approval Process
3-4.1	R-15 Residential District	Permissible with the approval of a Special Use Permit
3-4.2	R-10 Residential District	Permissible with the approval of a Special Use Permit
3-4.3	R-6 Residential District	Permitted with administrative approval
3-4.4	RT Residential Townhouse District	Permissible with the approval of a Special Use Permit
3-4.5	RMF Residential Multifamily District	Permissible with the approval of a Special Use Permit
3-4.6	R-40 Residential District	Permissible with the approval of a Special Use Permit
3-4.7	R-E Residential District	Permissible with the approval of a Special Use Permit
3-4.8	RO Residential Office District	Permissible with the approval of a Special Use Permit
3-4.9	PSP Public-Semi-Public Institutional District	Permitted with administrative approval
3-4.10	C Commercial District	Permitted with administrative approval
3-4.11	CBD Central Business District	Permitted with administrative approval
3-4.12	I Industrial District	Not Permitted

The Ordinance currently allows other assembly-type uses in the Industrial District. Section 3-4.12.2 includes Conference Centers, Institutional Buildings, and Private club, lodge, meeting hall, labor union or fraternal organization or sorority as Permitted Uses (by-right), where these uses are classified as assembly uses.

Use categories that are listed as Permitted Uses (by-right) within the Ordinance require administrative approvals prior to commencement of the use. Administrative approvals include approval of a Site Development Plan per Article 10, approval of a Building Permit for any changes to existing structures or construction of new buildings, and approval of a Zoning Permit for any new or altered use within an existing structure.

## PROCESS

Town Council's initiation of a text amendment to Article 3 on May 9, 2023 was the first step in the process to revise the Ordinance as prescribed in Article 11, Section 11-3.9 *Zoning Amendments*. Following the initiation by Town Council, the Planning Commission held two work sessions on August 22, 2023 and September 19, 2023, to investigate how assembly uses are currently treated within the Industrial district, how churches are treated in nearby benchmark communities, and how the desire to include some assembly uses within the Industrial district meets the intent of the Comprehensive Plan.

At the end of the work session on September 19, 2023, the Planning Commission directed staff to prepare draft ordinance language for review, and to schedule the text amendment for public hearing at the next available meeting. The staff reports, agenda documents, and presentation slides for both work sessions have been included as attachments to this staff report so as to provide a record of the information presented to the Planning Commission that guided development of the draft ordinance language.

As a part of the public hearing process, the Planning Commission will hear public input, and make a recommendation to Town Council. Per Section 11-3.9.7 *Planning Commission Review*, the planning commission must make a recommendation to Town Council within 100 days following the first work session on August 22, 2023. Upon recommendation by the Planning Commission, the text amendment will then be placed on the Town Council agenda for public hearing and final decision.

## STAFF RECOMMENDATION

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As directed by the Planning Commission during their September 19, 2023 work session, staff has prepared two versions of draft ordinance language pertaining to assembly uses in the Industrial district - Option A and Option B. Both options include a revision to the language in Section 3-4.12.1 *Legislative Intent*, where the revised descriptive paragraph includes the potential for limited assembly uses. The change to the Legislative Intent is to acknowledge the existing assembly uses currently allowed in the district, as well as the businesses currently established within the Industrial district that include activities that are classified as assembly uses per the Virginia Uniform Statewide Building Code. A summary of both Option A and Option B is included below.

### Option A:

- Revises the Legislative Intent in Section 3-4.12.1 to include limited assembly uses to the descriptive paragraph, to more closely match the mixture of use categories that are currently allowed in the district as well as the existing assembly-type businesses that are established in the district.
- Adds Churches as an allowable use in the Industrial district.
- Includes a threshold for all allowable assembly uses, set at 10,000 square feet or more of building area, or more than 300 persons, where any assembly use meeting this threshold will require the approval of a Special Use Permit by Town Council per Section 3-4.12.3.

Under Option A, churches will be added to the list of Permitted Uses (by-right) per Section 3-4.12.2; all other assembly uses that are currently allowed by-right shall remain as Permitted Uses. However, all assembly uses, to include churches, will require the approval of a Special Use Permit by Town Council per Section 3-4.12.3 if those uses occupy 10,000 square feet or more of building space, or include more than 300 persons.

The 10,000 square feet/300 persons threshold to differentiate between assembly uses that should be Permitted by-right, and those assembly uses that should be Permissible with the approval of a Special Use Permit, was selected for two reasons. First, the threshold was selected so as to emulate the threshold set for churches (Places of Worship) in Fauquier County. Having similar thresholds for approval processes should provide a level of parity between the two jurisdictions, so that approval processes in both jurisdictions are comparable. Second, those assembly uses that include 10,000 square feet or more of building area or more than 300 persons, are those uses which are more likely to have an impact on surrounding roadway networks, potentially generating a higher peak usage than smaller/less intensive assembly uses. The Commissioners felt that uses that are potentially more impactful on area roadways should have an additional level of review to ensure that any potential negative impacts on the surrounding industrial businesses are adequately evaluated and mitigated through a public hearing and legislative approval process.

### Option B:

- Revises the Legislative Intent in Section 3-4.12.1 to include limited assembly uses to the descriptive paragraph, to more closely match the mixture of use categories that are currently allowed in the district as well as the existing assembly-type businesses that are established in the district.
- Adds Churches as a Permitted, by-right use in the Industrial district, where the use is located in an existing building or less than 500 persons.
- Includes a threshold for all allowable assembly uses, set at 500 or more persons, where any assembly use meeting this threshold will require the approval of a Special Use Permit by Town Council per Section 3-4.12.3.

Under Option B, Churches will be added to the list of Permitted Uses (by-right) per Section 3-4.12.2, where the Church use will be located in an existing building, or if the church will include less than 500 persons. Where any Church is proposed as a new use in a new building to be constructed, or for 500 persons or more, this will require the approval of a Special Use Permit by Town Council per Section 3-4.12.3. Additionally, all assembly uses that are

currently allowed in the Industrial district as Permitted, by-right uses per Section 3-4.12.2 will require the approval of a Special Use Permit by Town Council per Section 3-4.12.3, where that use includes 500 or more persons.

Large, undeveloped Industrial-zoned parcels are limited within the Town, and the Comprehensive Plan calls for the need to retain land within the Town for future light industrial and manufacturing businesses to provide employment opportunities for Town residents. The ability for Churches to be a by-right Permitted use in existing buildings will allow smaller church groups to move into and use existing buildings that have already been constructed, while helping to reserve the remaining undeveloped Industrial-zoned land for manufacturing, processing, and other light-industrial development, as is called for in the Comprehensive Plan. Additionally, smaller Church groups are less likely to generate heavy traffic or other impacts on area roadways that serve businesses in Industrial-zoned areas. Where Churches are proposed as new development on vacant parcels, the requirement for a Special Use Permit per Section 3-4.12.3 will allow an additional level of review to ensure that any potential negative impacts on the surrounding industrial businesses are adequately evaluated and mitigated through a public hearing and legislative approval process.

The 500-person threshold for assembly uses was chosen so as to avoid impacting most existing businesses that are established within the Industrial district, allowing these businesses the ability to continue their current operations and for some moderate expansion without the need for a legislative approval process. The 500-person threshold to trigger the requirement for a Special Use Permit per Section 3-4.12.3 will ensure that larger assembly uses will be adequately evaluated through a public hearing process, and any potential negative impacts moderated through the legislative approval process.

Staff is requesting that the Planning Commission hold a public hearing to discuss draft Ordinance language, and provide guidance to staff on what specific ordinance language is most appropriate to promote the health, safety and general welfare of the public as required by Section 15.2-2283 of the Code of Virginia, and to ensure that public necessity, convenience, general welfare and good zoning practice is achieved as stated in Ordinance Section 11-3.9.1 *Authority for Change*. Should the Commission be ready to make a final recommendation to Town Council for specific ordinance language, two resolutions have been prepared, to include Option A and Option B as summarized above. Per Section 11-3.9.7 *Planning Commission Review*, the planning commission must make a recommendation to Town Council within 100 days following the first work session, which falls on Thursday, November 30, 2023.

#### **Service Level / Policy Impact**

None

#### **Fiscal Impact**

A fiscal impact analysis has not been conducted.

#### **Legal Impact**

Ordinance Section 3-4.12 Industrial District allows several assembly-type uses as Permitted Uses (by-right) with administrative approval. Treating churches or other places of worship differently from other, similar uses, is a recognized claim of discrimination under the Religious Land Use and Institutionalized Persons Act.



## **ATTACHMENTS**

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1. Attachment A: Resolution - Option A
2. Attachment B: Resolution - Option B
3. Attachment C: Staff Report and Agenda Packet, Planning Commission Work Session August 22, 2023
4. Attachment D: Presentation Slides, Planning Commission Work Session August 22, 2023
5. Attachment E: Staff Report and Agenda Packet, Planning Commission Work Session September 19, 2023
6. Attachment F: Presentation Slides, Planning Commission Work Session September 19, 2023

November 28, 2023  
Planning Commission  
Public Hearing

**RESOLUTION PURSUANT TO SECTION 11-3.9.2 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON FOR A ZONING ORDINANCE TEXT AMENDMENT TO ARTICLE 3, SECTION 3-4.12 INDUSTRIAL DISTRICT**

**WHEREAS**, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, the Warrenton Town Council may, by ordinance, amend, supplement, or change the regulations of the Zoning Ordinance of the Town whenever the public necessity, convenience, general welfare or good zoning practice may require such an amendment; and

**WHEREAS**, the Warrenton Town Council initiated a Text Amendment to the Zoning Ordinance in accordance with the procedures set forth in Article 11, Section 11-3.9 Zoning Amendments on May 9, 2023 to address assembly uses in the Industrial District; and

**WHEREAS**, the Warrenton Planning Commission held a work session to discuss assembly uses in the Industrial District on August 22, 2023 and on September 19, 2023; and

**WHEREAS**, the Warrenton Planning Commission held a public hearing on this matter on November 28, 2023; and

**WHEREAS**, the Warrenton Planning Commission finds that per the Code of Virginia Section 15.2-2286.A.7, the text amendment is for the good of public necessity, convenience, general welfare, and good zoning practice; and

**NOW THEREFORE BE IT RESOLVED**, that the Warrenton Planning Commission recommends to the Warrenton Town Council for their review and decision proposed ordinance language noted as "Option A" as set forth herein.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**For Information:**

Community Development Director,  
Town Attorney

**ATTEST:** \_\_\_\_\_  
Town Recorder

**3-4.12 I Industrial District**

**3-4.12.1 Legislative Intent**

It is the intent of this district to implement the Town’s Comprehensive Plan by providing for a variety of light manufacturing, fabricating, processing, wholesale distributing, ~~and~~ warehousing, and limited assembly uses appropriately located for access by highways and providing a controlled environment within which signing is limited, uses are to be conducted generally within completely enclosed buildings, and a moderate amount of landscaping is required. In order to preserve the land for industry, to reduce extraneous traffic, and avoid future conflicts between industry and other uses, business and service uses are limited primarily to those which will be useful to employees in the district and future residential uses are restricted.

**3-4.12.2 Permitted Uses (by-right)**

- Accessory buildings
- Active and Passive Recreation, and Passive Recreation Facilities
- Active Recreation Facilities of less than 10,000 square feet or certified for occupancy of no more than 300 persons
- Banks and savings and loan offices
- Broadcasting studios and offices
- Business and office supply establishments
- Cabinet, upholstery, and furniture shops
- Cafeteria ~~or snack bar for employees~~ of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Church (or place of religious worship) of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Clinics, medical or dental
- Commercial uses constituting up to 15% of permitted site or building area
- Conference Centers of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Contractor’s office and warehouse without outdoor storage
- Crematory
- Dwellings for resident watchmen and caretakers employed on the premises
- Employment service or agency
- Flex Office and Industrial uses
- Health ~~and~~ or Fitness Facilities of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Institutional buildings of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Janitorial service establishment
- Laboratories, research, experimental or testing, but not testing explosives, rockets, or jet engines
- Light manufacturing uses which do not create danger to health and safety in surrounding areas and which do not create offensive noise, vibration, smoke, dust, lint, odor, heat, glare, or electrical impulse than that which is generally associated with light industries
- Mobile Food Vendors subject to Article 9-24
- Monument sales establishments with incidental processing to order but not including shaping of headstones
- Motion picture studio

- Nurseries and greenhouses
- Offices- business, professional, or administrative
- Off-street parking and loading subject to Article 7
- Open space subject to Article 9
- Printing, publishing, and engraving establishment; photographic processing; blueprinting; photocopying; and similar uses
- ~~Private e~~Club, ~~H~~odge, meeting or Assembly hall, labor union, or fraternal organization or sorority of less than 10,000 square feet, certified for occupancy of no more than 300 persons
- Rental service establishment
- Retail or wholesale sales and service incidental to a permitted manufacturing, processing, storing, or distributing use
- Rug and carpet cleaning and storage with incidental sales of rugs and carpets
- Security service office or station
- Sign fabricating and painting
- Signs, subject to Article 6
- Studios of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Transmission and receiving towers of height not exceeding one hundred twenty-five (125) feet
- Utilities related to and necessary for service within the Town, including poles, wires, transformers, telephone booths, and the like for electrical power distribution or communication service, and underground pipelines or conduits for local electrical, gas, sewer, or water service, but not those facilities listed as requiring a special use permit
- Wholesale establishment, storage warehouse, or distribution center. furniture moving

### 3-4.12.3

#### Permissible Uses (by special use permit upon approval of the Town Council)

- Active Recreation Facilities of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Automobile body shop
- Automobile and truck repair and service
- Cafeteria of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Church (or place of religious worship) of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Commercial Kennels
- Conference Centers of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Contractor's storage yard
- Data Center
- Farm equipment, motorcycle, boat and sport trailer sales and service
- Fuel, coal, oil distribution storage yards
- Health or Fitness Facilities of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Institutional buildings of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Lumber and building supply with undercover storage.
- Maintenance and equipment shops with screened outside storage

- Outdoor storage of any kind
- Plumbing and electrical supply with undercover storage
- Club, Lodge, or Assembly Hall of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Active Recreation Facilities of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Restaurant or cafeteria, drive-thru or otherwise
- Self-service mini-warehouse
- Studios of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Temporary fair and show grounds
- Tire and battery sales and service, tire recapping and retreading
- Transmission and receiving towers of height greater than one hundred twenty-five (125) feet.
- Treatment plants, water storage tanks, major transmission lines or pipelines, pumping or regulator stations, communications towers, storage yards and substations, and cable television facilities and accessory buildings

November 28, 2023  
Planning Commission  
Public Hearing

**RESOLUTION PURSUANT TO SECTION 11-3.9.2 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON FOR A ZONING ORDINANCE TEXT AMENDMENT TO ARTICLE 3, SECTION 3-4.12 INDUSTRIAL DISTRICT**

**WHEREAS**, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, the Warrenton Town Council may, by ordinance, amend, supplement, or change the regulations of the Zoning Ordinance of the Town whenever the public necessity, convenience, general welfare or good zoning practice may require such an amendment; and

**WHEREAS**, the Warrenton Town Council initiated a Text Amendment to the Zoning Ordinance in accordance with the procedures set forth in Article 11, Section 11-3.9 Zoning Amendments on May 9, 2023 to address assembly uses in the Industrial District; and

**WHEREAS**, the Warrenton Planning Commission held a work session to discuss assembly uses in the Industrial District on August 22, 2023 and on September 19, 2023; and

**WHEREAS**, the Warrenton Planning Commission held a public hearing on this matter on November 28, 2023; and

**WHEREAS**, the Warrenton Planning Commission finds that per the Code of Virginia Section 15.2-2286.A.7, the text amendment is for the good of public necessity, convenience, general welfare, and good zoning practice; and

**NOW THEREFORE BE IT RESOLVED**, that the Warrenton Planning Commission recommends to the Warrenton Town Council for their review and decision proposed ordinance language noted as "Option B" as set forth herein.

- Votes:**
- Ayes:**
- Nays:**
- Absent from Vote:**
- Absent from Meeting:**

**For Information:**  
Community Development Director,  
Town Attorney

**ATTEST:** \_\_\_\_\_  
Town Recorder

### 3-4.12 I Industrial District

#### 3-4.12.1 Legislative Intent

It is the intent of this district to implement the Town's Comprehensive Plan by providing for a variety of light manufacturing, fabricating, processing, wholesale distributing, ~~and~~ warehousing, and limited assembly uses appropriately located for access by highways and providing a controlled environment within which signing is limited, uses are to be conducted generally within completely enclosed buildings, and a moderate amount of landscaping is required. In order to preserve the land for industry, to reduce extraneous traffic, and avoid future conflicts between industry and other uses, business and service uses are limited primarily to those which will be useful to employees in the district and future residential uses are restricted.

#### 3-4.12.2 Permitted Uses (by-right)

- Accessory buildings
- Active and Passive Recreation, and Passive Recreation Facilities
- Active Recreation Facilities certified for occupancy of less than 500 persons
- Banks and savings and loan offices
- Broadcasting studios and offices
- Business and office supply establishments
- Cabinet, upholstery, and furniture shops
- Cafeteria ~~or snack bar for employees~~ certified for occupancy of less than 500 persons
- Church (or place of religious worship) located in an existing building, or certified for occupancy of less than 500 persons
- Clinics, medical or dental
- Commercial uses constituting up to 15% of permitted site or building area
- Conference Centers certified for occupancy of less than 500 persons
- Contractor's office and warehouse without outdoor storage
- Crematory
- Dwellings for resident watchmen and caretakers employed on the premises
- Employment service or agency
- Flex Office and Industrial uses
- Health ~~and~~ or Fitness Facilities certified for occupancy of less than 500 persons
- Institutional buildings certified for occupancy of less than 500 persons
- Janitorial service establishment
- Laboratories, research, experimental or testing, but not testing explosives, rockets, or jet engines
- Light manufacturing uses which do not create danger to health and safety in surrounding areas and which do not create offensive noise, vibration, smoke, dust, lint, odor, heat, glare, or electrical impulse than that which is generally associated with light industries
- Mobile Food Vendors subject to Article 9-24
- Monument sales establishments with incidental processing to order but not including shaping of headstones
- Motion picture studio
- Nurseries and greenhouses
- Offices- business, professional, or administrative
- Off-street parking and loading subject to Article 7
- Open space subject to Article 9

- Printing, publishing, and engraving establishment; photographic processing; blueprinting; photocopying; and similar uses
- ~~Private eClub, Hlodge, meeting or Assembly hall, labor union, or fraternal organization or sorority~~ certified for occupancy of less than 500 persons
- Rental service establishment
- Retail or wholesale sales and service incidental to a permitted manufacturing, processing, storing, or distributing use
- Rug and carpet cleaning and storage with incidental sales of rugs and carpets
- Security service office or station
- Sign fabricating and painting
- Signs, subject to Article 6
- Studios certified for occupancy of less than 500 persons
- Transmission and receiving towers of height not exceeding one hundred twenty-five (125) feet
- Utilities related to and necessary for service within the Town, including poles, wires, transformers, telephone booths, and the like for electrical power distribution or communication service, and underground pipelines or conduits for local electrical, gas, sewer, or water service, but not those facilities listed as requiring a special use permit
- Wholesale establishment, storage warehouse, or distribution center. furniture moving

### 3-4.12.3

#### Permissible Uses (by special use permit upon approval of the Town Council)

- Active Recreation Facilities certified for occupancy of 500 or more persons
- Automobile body shop
- Automobile and truck repair and service
- Cafeteria certified for occupancy of 500 or more persons
- Church (or place of religious worship) located in a new building, or certified for occupancy of 500 or more persons
- Commercial Kennels
- Conference Centers certified for occupancy of 500 or more persons
- Contractor's storage yard
- Data Center
- Farm equipment, motorcycle, boat and sport trailer sales and service
- Fuel, coal, oil distribution storage yards
- Health or Fitness Facilities certified for occupancy of 500 or more persons
- Institutional buildings certified for occupancy of 500 or more persons
- Lumber and building supply with undercover storage.
- Maintenance and equipment shops with screened outside storage
- Outdoor storage of any kind
- Plumbing and electrical supply with undercover storage
- Club, Lodge, or Assembly hall, certified for occupancy of 500 or more persons
- Restaurant or cafeteria, drive-thru or otherwise
- Self-service mini-warehouse
- Studios certified for occupancy of 500 or more persons
- Temporary fair and show grounds
- Tire and battery sales and service, tire recapping and retreading
- Transmission and receiving towers of height greater than one hundred twenty-five (125) feet.
- Treatment plants, water storage tanks, major transmission lines or pipelines,



pumping or regulator stations, communications towers, storage yards and substations, and cable television facilities and accessory buildings



## STAFF REPORT

<b>Council Meeting Date:</b>	August 22, 2023
<b>Agenda Title:</b>	Zoning Ordinance Text Amendment - Assembly Uses in the Industrial District
<b>Requested Action:</b>	Hold a Work Session
<b>Department / Agency Lead:</b>	Community Development
<b>Staff Lead:</b>	Heather Jenkins, Zoning Administrator

### EXECUTIVE SUMMARY

Article 3, Section 3-4.12 – *Industrial District* currently permits several uses as by-right Permitted Uses where people gather for social, entertainment, cultural, educational and recreational purposes, such as Conference Centers, Institutional Buildings, and Private clubs, lodges, meeting halls, labor unions, fraternal organizations and sororities. The Building Code classifies Churches as an Assembly use, the same category as Conference Centers, Meeting Halls, Lodges, and other uses listed in the Ordinance as by-right Permitted Uses in the Industrial District. However, Churches are not listed as either a Permitted Use or a Permissible Use in the Industrial District.

The Religious Land Use and Institutionalized Persons Act (RLUIPA) is a federal law that prohibits a locality from imposing undue burdens or restrictions on land use for churches and other religious institutions through zoning regulations. Treating churches or other places of worship differently from other, similar uses, is a recognized claim of discrimination under RLUIPA.

Town Council initiated a text amendment to Section 3-4.12 Industrial District on May 9, 2023, to authorize staff to research possible changes to the Ordinance to address Assembly uses in the Industrial District. Potential ordinance changes include:

- a. Adding Churches as a Permitted (by-right) Use in the Industrial District so that the use requires administrative approval by the Zoning Administrator and/or Building Official; *or*
- b. Modifying the Ordinance to state that all Assembly-type uses in the Industrial District are Permissible Uses that require the approval of a Special Use Permit by Town Council through the public hearing process; *or*
- c. Removing all Assembly-type uses from the list of Permitted and Permissible Uses so that these uses are prohibited altogether in the Industrial District; *or*
- d. Making no change to the Ordinance, so that Churches are not an allowable use in the Industrial District in contrast with other Assembly-type uses.

## BACKGROUND

A Church (or place of religious worship) is defined in Article 12 of the Ordinance as:

*A building or structure, or group of buildings or structures, which by design and construction are primarily intended for activities that people regularly attend to participate in or hold religious services, meetings, and other activities. The term "church" shall not carry a secular connotation and shall include buildings in which religious services of any denomination are held.*

Section 3-4 Requirements for Base Zoning Districts allows Churches in all zoning districts except the Industrial district, as follows:

Ordinance Section	Zoning District	Approval Process
3-4.1	R-15 Residential District	Permissible with the approval of a Special Use Permit
3-4.2	R-10 Residential District	Permissible with the approval of a Special Use Permit
3-4.3	R-6 Residential District	Permitted with administrative approval
3-4.4	RT Residential Townhouse District	Permissible with the approval of a Special Use Permit
3-4.5	RMF Residential Multifamily District	Permissible with the approval of a Special Use Permit
3-4.6	R-40 Residential District	Permissible with the approval of a Special Use Permit
3-4.7	R-E Residential District	Permissible with the approval of a Special Use Permit
3-4.8	RO Residential Office District	Permissible with the approval of a Special Use Permit
3-4.9	PSP Public-Semi-Public Institutional District	Permitted with administrative approval
3-4.10	C Commercial District	Permitted with administrative approval
3-4.11	CBD Central Business District	Permitted with administrative approval
3-4.12	I Industrial District	Not Permitted

The Ordinance currently allows other assembly-type uses in the Industrial District. Section 3-4.12.2 includes Conference Centers, Institutional Buildings, and Private club, lodge, meeting hall, labor union or fraternal organization or sorority as Permitted Uses (by-right), where these uses are classified as assembly uses.

Use categories that are listed as Permitted Uses (by-right) within the Ordinance require administrative approvals prior to commencement of the use. Administrative approvals include approval of a Site Development Plan per Article 10, approval of a Building Permit for any changes to existing structures or construction of new buildings, and approval of a Zoning Permit for any new or altered use within an existing structure.

Staff was approached by a property owner seeking to lease an existing building located within the Industrial district to a group that desire to establish a Church. As the Zoning Ordinance does not list Churches as either a permitted or permissible use in the district, staff is not able to process and approve a change of use permit. Staff has been advised by legal counsel that the Ordinance must be amended to permit a Church within the Industrial district prior to the issuance of any administrative approval to allow the commencement of a Church use.

Town Council's initiation of a text amendment to Article 3 was the first step in the process to revise the Ordinance as prescribed in Article 11, Section 11-3.9 *Zoning Amendments*. Following the work session by the Planning Commission, the next step in the text amendment process is to schedule the item for public hearing where the Planning Commission may hear public input and make a recommendation of approval or denial. Per Section 11-3.9.7 *Planning Commission Review*, the planning commission must make a recommendation to Town Council within 100 days after the first public hearing. Upon recommendation by the Planning Commission, the text amendment will then be placed on the Town Council agenda for public hearing and final decision.

## STAFF RECOMMENDATION

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Staff is requesting that the Planning Commission hold the work session, and provide guidance to staff on what ordinance language is most appropriate to promote the health, safety and general welfare of the public as required by Section 15.2-2283 of the Code of Virginia, and to ensure that public necessity, convenience, general welfare and good zoning practice is achieved as stated in Ordinance Section 11-3.9.1 *Authority for Change*.

### Service Level / Policy Impact

None

### Fiscal Impact

None

### Legal Impact

Ordinance Section 3-4.12 Industrial District allows several assembly-type uses as Permitted Uses (by-right) with administrative approval. Treating churches or other places of worship differently from other, similar uses, is a recognized claim of discrimination under the Religious Land Use and Institutionalized Persons Act.

## ATTACHMENTS

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None



**Planning Commission Work Session**  
**ZOTA-23-2 - Assembly Uses in the Industrial District**  
**August 22, 2023**

## Article 12 – Definitions

**Church:** *A building or structure, or group of buildings or structures, which by design and construction are primarily intended for activities that people regularly attend to participate in or hold religious services, meetings, and other activities. The term “church” shall not carry a secular connotation and shall include buildings in which religious services of any denomination are held.*

Churches are allowed in **All** Zoning Districts **Except** the Industrial District.

Ordinance Section	Zoning District	Approval Process
3-4.1	R-15 Residential District	Permissible with the approval of a Special Use Permit
3-4.2	R-10 Residential District	Permissible with the approval of a Special Use Permit
3-4.3	R-6 Residential District	Permitted with administrative approval
3-4.4	RT Residential Townhouse District	Permissible with the approval of a Special Use Permit
3-4.5	RMF Residential Multifamily District	Permissible with the approval of a Special Use Permit
3-4.6	R-40 Residential District	Permissible with the approval of a Special Use Permit
3-4.7	R-E Residential District	Permissible with the approval of a Special Use Permit
3-4.8	RO Residential Office District	Permissible with the approval of a Special Use Permit
3-4.9	PSP Public-Semi-Public Institutional District	Permitted with administrative approval
3-4.10	C Commercial District	Permitted with administrative approval
3-4.11	CBD Central Business District	Permitted with administrative approval
3-4.12	I Industrial District	Not Permitted

2018 Virginia Construction Code

## **Section 303 – Assembly Group A**

*The use of a building or structure for the gathering of persons for purposes such as civic, social or religious functions; recreation, food or drink consumption or waiting for transportation.*

### **Section 303.4 – Assembly Group A-3**

*Assembly uses intended for worship, recreation or amusement and other assembly uses not classified elsewhere.*

- *Arcades*
- *Galleries*
- *Bowling Alleys*
- *Community, Dance & Exhibition Halls*
- *Funeral Parlors*
- *Gymnasiums*
- *Libraries, Museums*
- *Places of Religious Worship*

## Article 3 – Section 3-4.12 Uses Allowed in the Industrial District

### Permitted Uses (By-Right)

Accessory buildings

### Active and Passive Recreation and Recreational Facilities

Banks and savings and loan offices

Broadcasting studios and offices

Business and office supply establishments

Cabinet, upholstery, and furniture shops

### Cafeteria or snack bar for employees

Clinics, medical or dental

Commercial uses constituting up to 15% of permitted site or building area

### Conference Centers

Contractor's office and warehouse without outdoor storage

Crematory

Dwellings for resident watchmen and caretakers employed on the premises

Employment service or agency

Flex Office and Industrial uses

### Health and Fitness Facilities

### Institutional buildings

Janitorial service establishment

Laboratories, research, experimental or testing, but not testing explosives, rockets, or jet engines

Light manufacturing uses which do not create danger to health and safety in surrounding areas and which do not create offensive noise, vibration, smoke, dust, lint, odor, heat, glare, or electrical impulse than that which is generally associated with light industries

Mobile Food Vendors subject to Article 9-24

Monument sales establishments with incidental processing to order but not including shaping of headstones

### Motion picture studio

Nurseries and greenhouses

Offices- business, professional, or administrative

Off-street parking and loading subject to Article 7

Open space subject to Article 9

Printing, publishing, and engraving establishment; photographic processing; blueprinting; photocopying; and similar uses

### Private club, lodge, meeting hall, labor union, or fraternal organization or sorority

Rental service establishment

Retail or wholesale sales and service incidental to a permitted manufacturing, processing, storing, or distributing use

Rug and carpet cleaning and storage with incidental sales of rugs and carpets

Security service office or station

Sign fabricating and painting

Signs, subject to Article 6

Studios

Transmission and receiving towers of height not exceeding one hundred twenty-five (125) feet

Utilities related to and necessary for service within the Town, including poles, wires, transformers, telephone booths, and the like for electrical power distribution or communication service, and underground pipelines or conduits for local electrical, gas, sewer, or water service, but not those facilities listed as requiring a special use

### *\*Assembly Uses per Building Code*

permit

Wholesale establishment, storage warehouse, or distribution center. furniture moving

### Permissible Uses (with Special Use Permit)

Automobile body shop

Automobile and truck repair and service

Commercial Kennels

Contractor's storage yard

Data Center

Farm equipment, motorcycle, boat and sport trailer sales and service

Fuel, coal, oil distribution storage yards

Lumber and building supply with undercover storage.

Maintenance and equipment shops with screened outside storage

Outdoor storage of any kind

Plumbing and electrical supply with undercover storage

### Restaurant or cafeteria, drive-thru or otherwise

Self-service mini-warehouse

### Temporary fair and show ground

Tire and battery sales and service, tire recapping and retreading

Transmission and receiving towers of height greater than one hundred twenty-five (125) feet.

Treatment plants, water storage tanks, major transmission lines or pipelines, pumping or regulator stations, communications towers, storage yards and substations, and cable television facilities and accessory buildings



## RLUIPA

### Religious Land Use and Institutionalized Persons Act

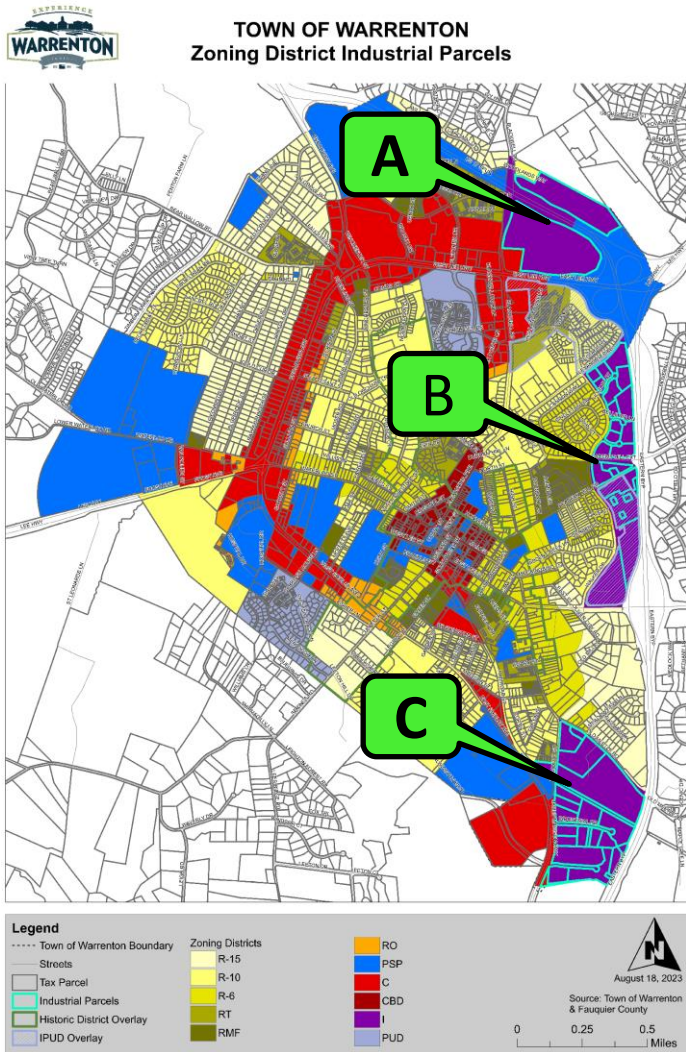
- Federal Law
- Prohibits undue burdens or restrictions on land use for churches through Zoning regulations.
- Treating churches differently from other, similar uses, is a recognized claim of discrimination

*Religious Land Use and Institutionalized Persons Act of 2000 - Prohibits any government from imposing or implementing a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution: (1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest.*

*Prohibits any government from imposing a substantial burden on the religious exercise of a person residing in or confined to an institution, as defined in the Civil Rights of Institutionalized Persons Act, even if the burden results from a rule of general applicability, unless the government demonstrates that imposition of the burden on that person: (1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest.*

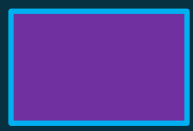
## Religious Land Use and Institutionalized Persons Act – Churches

- Locality cannot treat a Church different than other, *similar uses*.
  - The Building Code defines a Church as an Assembly use.
  - The Zoning Ordinance allows Nine (9) other Assembly uses in the Industrial District.
  - Cannot have more strict regulations for Churches than other Assembly uses.
  
- Can impose land use regulations on a Church only if there is a *compelling governmental interest*.
  - Code of Virginia 15.2-2200
  - *Improve the health, safety, convenience and welfare of citizens;*
  - *Develop adequate highway, utility, health, educational, and recreational facilities;*
  - *Recognize the needs of agriculture, industry & business;*
  - *Provide residential areas with healthy surroundings for family life;*
  - *Ensure community growth uses public funds efficiently.*
  
- Any land use restrictions have to be the *least restrictive means* of furthering that compelling governmental interest.

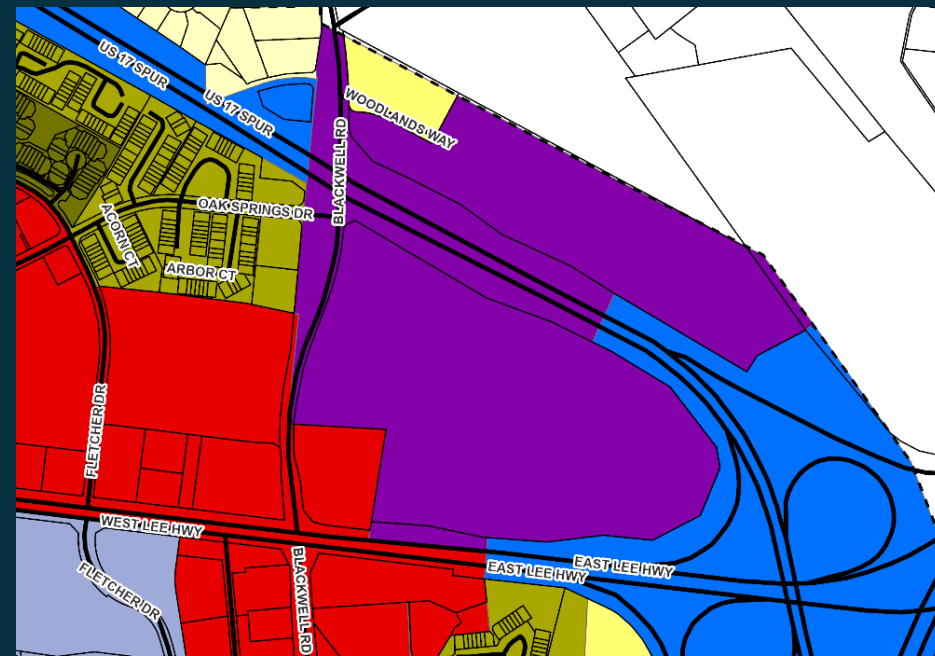


## Section 3-4.12 Industrial District Purpose:

- The intent is to provide for a variety of light manufacturing, fabricating, processing, wholesale distributing, and warehousing uses.
- In order to preserve the land for industry, to reduce extraneous traffic, and avoid future conflicts between industry and other uses, business and service uses are limited primarily to those which will be useful to employees in the district.



**76 Parcels**  
**290 Acres of Tax Parcel Land**



## Area A

North-East Corner; Eastern Bypass Clover Leaf

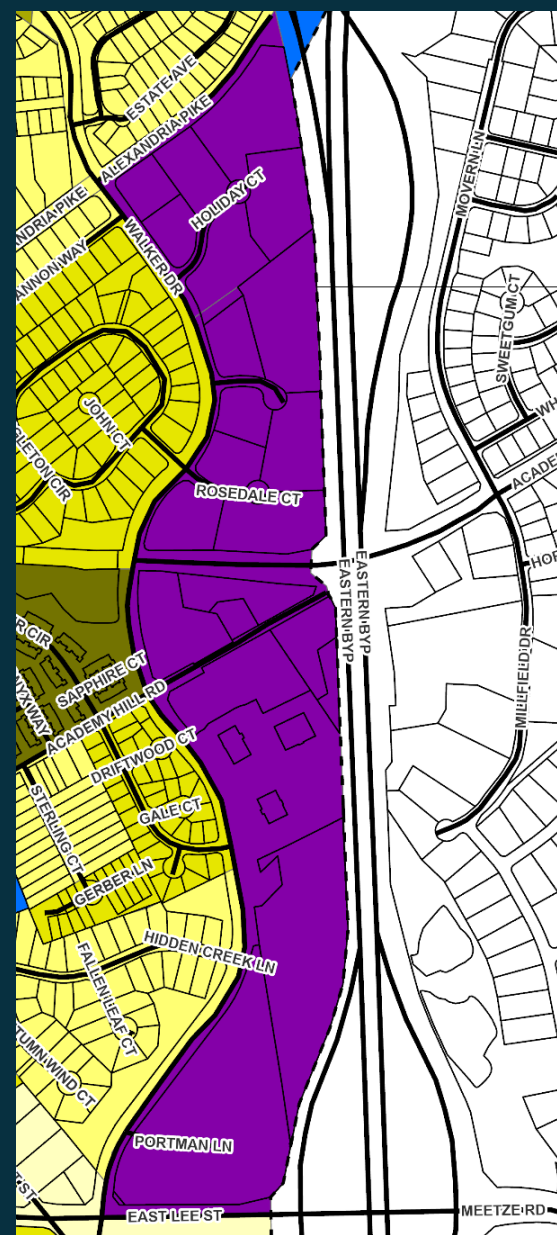
- Town-owned Property (Vacant)
- Dobson Property (Vacant)
- Amazon Data Services Property (SUP Approved/Vacant)

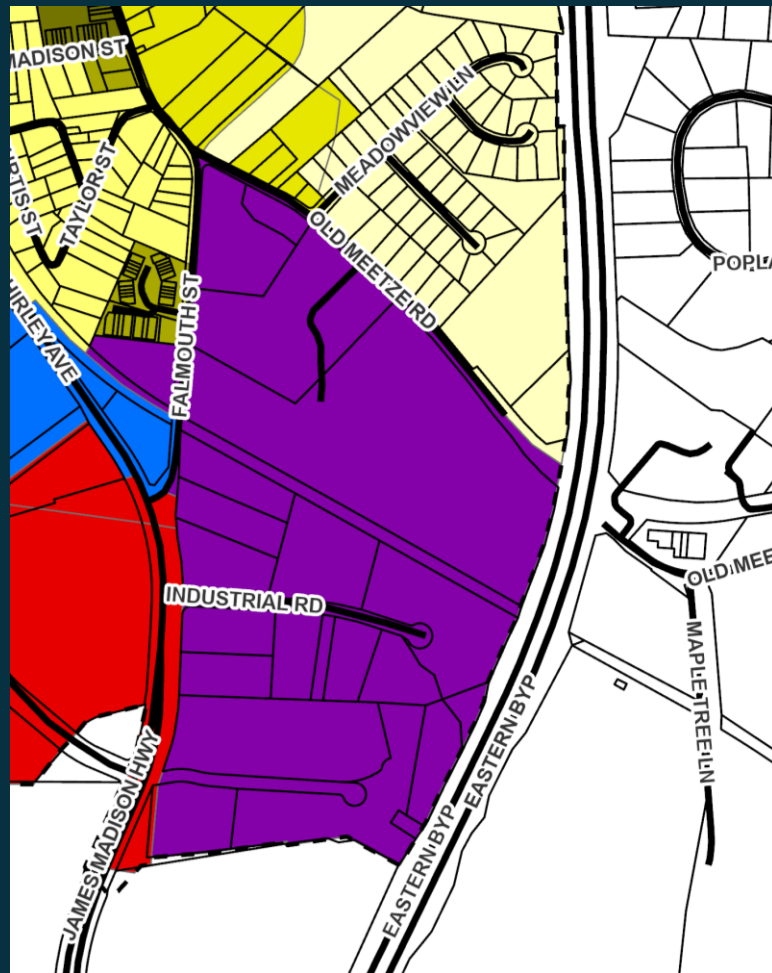
## Area B

Eastern Perimeter; Alexandria Pike to East Lee Street

- VDACS Regional Animal Health Facility
- Dominion Construction Group
- EMO Agency
- Fauquier Health
- **Holiday Inn Express (conference/meeting space)**
- Blackcomb Center – various offices
- Virginia Social Services
- Warrenton Dental Center
- Progressions Dance School
- Groups Recover Together
- **Old Town Athletic Club & Campus (health & fitness facility)**
- **PATH (institutional/philanthropic & meeting space)**
- Woodside Dentistry
- Miller Orthodontics
- Woodside Pediatric Dentistry
- Walker Drive Rezoning PUD (SUP Approved) (*unknown*)
- Virginia Sports Chiropractic
- DCG Palmers
- Peak Roofing
- Piedmont Press

*\*Potential conflicts depending upon final action of PC/TC*





## Area C

South-East Corner; Old Meetze Road/Greenway

- *Alwyngton Manor (conference center)*
- Pump Station (Utility)
- Advanced Auto
- Cube Smart
- Carter CAT
- VAMAC
- EW Electrical
- *Fauquier FISH (institutional/philanthropic & meeting space)*
- Country Deisel

*\*Potential conflicts depending upon final action of PC/TC*

## Text Amendment Process:

- Text Amendment Initiated by Town Council – May 9, 2023
  - Joint PC/TC Work Session Requested – Scheduling Conflicts
- Planning Commission Work Session – August 21 2023
  - Provide guidance and direction so that staff can prepare draft ordinance language for public hearing.
- Public Hearing – Planning Commission
  - Next Available Date: September 19, 2023
  - PC Recommendation to TC
  - 100 Day Clock (September 19, 2023 --- December 28, 2023)
- Town Council
  - Work Session or Public Hearing – as directed
  - Final Decision on ordinance language

## Staff Requested Action

Provide guidance and direction for draft ordinance language.

### Four Options:

1. Add Churches as a Permitted Use (by-right) in Section 3-4.12.2.
2. Move all Assembly Uses, plus Churches, to Permissible Uses (with approval of a Special Use Permit by Town Council) in Section 3-4.12.3.
3. Remove Entirely all Assembly uses from the Industrial District.
4. Make No Changes.



## Section 3-4.12.2 Permitted Uses – By-Right

- 39 Total Uses
- By-Right Uses are approved Administratively by the Zoning Administrator – Site Development Plan, Zoning Permit
- **Assembly Uses Permitted:**
  - Active & Passive Recreation and Recreational Facilities
  - Cafeteria or Snack Bar for Employees
  - Conference Centers
  - Health & Fitness Facilities
  - Institutional Buildings
  - Motion Picture Studio
  - Private Club, Lodge, Meeting Hall, Labor Union, or Fraternal Organization or Sorority

### Option 1 – Add Churches to the list of Permitted Uses.

- Churches
- Other Assembly uses already allowed by-right that are similar to the activities normally associated with Churches, such as meetings and gatherings of groups of people for a specified reason or purpose.
- Requires no other changes to the Ordinance.
- Site Development Plan, Building & Zoning Permit approvals required to ensure the use meets all Ordinance requirements, such as access & parking, landscape buffering.

## Section 3-4.12.3 Permissible Uses – By Special Use Permit Approval

- 17 Total Uses
- Requires Legislative Approval by Public Hearing, followed by Administrative Approval
- **Assembly Uses Permissible:**
  - Restaurant or Cafeteria, Drive-Thru or Otherwise
  - Temporary Fair and Show Grounds

### **Option 2 – Move all Assembly Uses, plus Churches, to Permissible Uses.**

- Active & Passive Recreation and Recreational Facilities
- Cafeteria or Snack Bar for Employees
- Churches
- Conference Centers
- Health & Fitness Facilities
- Institutional Buildings
- Motion Picture Studio
- Private Club, Lodge, Meeting Hall, Labor Union, or Fraternal Organization or Sorority
- Ensures all Assembly uses go through a public hearing process to verify that the specific user/applicant will be appropriate to the area.
- Some existing uses may become Non-Conforming or not be able to expand activities and services without approval of a Special Use Permit instead of an Administrative process.

## Section 3-4.12 Industrial District

### Purpose:

- *The intent is to provide for a variety of light manufacturing, fabricating, processing, wholesale distributing, and warehousing uses.*
- *In order to preserve the land for industry, to reduce extraneous traffic, and avoid future conflicts between industry and other uses, business and service uses are limited primarily to those which will be useful to employees in the district.*

### **Option 3 – Remove all Assembly Uses from the Industrial District.**

- Active & Passive Recreation and Recreational Facilities
- Cafeteria or Snack Bar for Employees
- Conference Centers
- Health & Fitness Facilities
- Institutional Buildings
- Motion Picture Studio
- Private Club, Lodge, Meeting Hall, Labor Union, or Fraternal Organization or Sorority
- Restaurant or Cafeteria, Drive-Thru or Otherwise
- Temporary Fair and Show Grounds
- Some existing uses may become Non-Conforming and not be able to expand activities and services at all.

## **Option 4 – Make No Changes.**

- Not Recommended.
- Conflicts with RLUIPA – treats Churches differently from other, similar Assembly uses.

*Religious Land Use and Institutionalized Persons Act of 2000 - Prohibits any government from imposing or implementing a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution: (1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest.*

## ➤ Discussion

- Legal - Town Attorney
- Ordinance - Staff

## ➤ Guidance and Direction to Staff

- Options 1 - 4
- Preferred Direction

## ➤ Next Step

- 2<sup>nd</sup> Work Session or 1<sup>st</sup> Public Hearing
- 100-day Time Limit for Recommendation
  - September 19<sup>th</sup> – potential 1<sup>st</sup> public hearing
  - December 19<sup>th</sup> – last scheduled meeting for 2023
  - December 28<sup>th</sup> – 100-day deadline for PC action



# STAFF REPORT

<b>Council Meeting Date:</b>	September 19, 2023
<b>Agenda Title:</b>	Zoning Ordinance Text Amendment - Assembly Uses in the Industrial District
<b>Requested Action:</b>	Hold a Work Session
<b>Department / Agency Lead:</b>	Community Development
<b>Staff Lead:</b>	Heather Jenkins, Zoning Administrator

## EXECUTIVE SUMMARY

Article 3, Section 3-4.12 – *Industrial District* currently permits several uses as by-right Permitted Uses where people gather for social, entertainment, cultural, educational and recreational purposes, such as Conference Centers, Institutional Buildings, and Private clubs, lodges, meeting halls, labor unions, fraternal organizations and sororities. The Building Code classifies Churches as an Assembly use, the same category as Conference Centers, Meeting Halls, Lodges, and other uses listed in the Ordinance as by-right Permitted Uses in the Industrial District. However, Churches are not listed as either a Permitted Use or a Permissible Use in the Industrial District.

The Religious Land Use and Institutionalized Persons Act (RLUIPA) is a federal law that prohibits a locality from imposing undue burdens or restrictions on land use for churches and other religious institutions through zoning regulations. Treating churches or other places of worship differently from other, similar uses, is a recognized claim of discrimination under RLUIPA.

Town Council initiated a text amendment to Section 3-4.12 Industrial District on May 9, 2023, to authorize staff to research possible changes to the Ordinance to address Assembly uses in the Industrial District. Potential ordinance changes include:

- a. Adding Churches as a Permitted (by-right) Use in the Industrial District so that the use requires administrative approval by the Zoning Administrator and/or Building Official; *or*
- b. Modifying the Ordinance to state that all Assembly-type uses in the Industrial District are Permissible Uses that require the approval of a Special Use Permit by Town Council through the public hearing process; *or*
- c. Removing all Assembly-type uses from the list of Permitted and Permissible Uses so that these uses are prohibited altogether in the Industrial District; *or*
- d. Making no change to the Ordinance, so that Churches are not an allowable use in the Industrial District in contrast with other Assembly-type uses.

### UPDATE - SEPTEMBER 19, 2023

On August 22, 2023 the Planning Commission held a work session to discuss a proposed Zoning Ordinance text amendment to Article 3, Section 3-4.12 – *Industrial District*, regarding assembly uses in the district. During the work session additional information was requested to inform the Commission in their discussion and staff's preparation of draft Ordinance language.

## BACKGROUND

A Church (or place of religious worship) is defined in Article 12 of the Ordinance as:

*A building or structure, or group of buildings or structures, which by design and construction are primarily intended for activities that people regularly attend to participate in or hold religious services, meetings, and other activities. The term "church" shall not carry a secular connotation and shall include buildings in which religious services of any denomination are held.*

Section 3-4 Requirements for Base Zoning Districts allows Churches in all zoning districts except the Industrial district, as follows:

Ordinance Section	Zoning District	Approval Process
3-4.1	R-15 Residential District	Permissible with the approval of a Special Use Permit
3-4.2	R-10 Residential District	Permissible with the approval of a Special Use Permit
3-4.3	R-6 Residential District	Permitted with administrative approval
3-4.4	RT Residential Townhouse District	Permissible with the approval of a Special Use Permit
3-4.5	RMF Residential Multifamily District	Permissible with the approval of a Special Use Permit
3-4.6	R-40 Residential District	Permissible with the approval of a Special Use Permit
3-4.7	R-E Residential District	Permissible with the approval of a Special Use Permit
3-4.8	RO Residential Office District	Permissible with the approval of a Special Use Permit
3-4.9	PSP Public-Semi-Public Institutional District	Permitted with administrative approval
3-4.10	C Commercial District	Permitted with administrative approval
3-4.11	CBD Central Business District	Permitted with administrative approval
3-4.12	I Industrial District	Not Permitted

The Ordinance currently allows other assembly-type uses in the Industrial District. Section 3-4.12.2 includes Conference Centers, Institutional Buildings, and Private club, lodge, meeting hall, labor union or fraternal organization or sorority as Permitted Uses (by-right), where these uses are classified as assembly uses.

Use categories that are listed as Permitted Uses (by-right) within the Ordinance require administrative approvals prior to commencement of the use. Administrative approvals include approval of a Site Development Plan per Article 10, approval of a Building Permit for any changes to existing structures or construction of new buildings, and approval of a Zoning Permit for any new or altered use within an existing structure.

Staff was approached by a property owner seeking to lease an existing building located within the Industrial district to a group that desire to establish a Church. As the Zoning Ordinance does not list Churches as either a permitted or permissible use in the district, staff is not able to process and approve a change of use permit. Staff has been advised by legal counsel that the Ordinance must be amended to permit a Church within the Industrial district prior to the issuance of any administrative approval to allow the commencement of a Church use.

Town Council's initiation of a text amendment to Article 3 was the first step in the process to revise the Ordinance as prescribed in Article 11, Section 11-3.9 *Zoning Amendments*. Following the work session by the Planning Commission, the next step in the text amendment process is to schedule the item for public hearing where the Planning Commission may hear public input and make a recommendation of approval or denial. Per Section 11-3.9.7 *Planning Commission Review*, the planning commission must make a recommendation to Town Council within 100 days after the first public hearing. Upon recommendation by the Planning Commission, the text amendment will then be placed on the Town Council agenda for public hearing and final decision.

**UPDATE - SEPTEMBER 19, 2023**

During the work session, members of the Commission asked for additional information for discussion. The questions and summaries are provided below.

***Undeveloped Parcels in the Industrial District***

There are currently 76 industrial-zoned parcels within the Town, totaling approximately 290 acres of industrial-zoned tax parcel land. There are a total of 18 parcels that are either undeveloped or are currently developed with structures but are likely candidates for redevelopment. These 18 parcels total approximately 151 acres of industrial-zoned land, or approximately 52 percent of all industrial zoned parcel area within the Town. The 151 acres includes the Walker Drive rezoning area and the Amazon Data Services property, where legislative approvals have been granted but no site plan approvals or building/zoning permits have been issued to vest the use. A tabulation of the undeveloped parcels along with location, ownership, and acreage, has been provided as [Attachment A](#).

***Benchmark Communities - Assembly Uses in Industrial Districts***

The Town currently allows several uses within the Industrial District that are categorized as Assembly uses by the Statewide Uniform Building Code, to include recreational facilities, conference centers, and clubs; however, the Town does not allow Churches within the Industrial District, which is a religious assembly use. Staff reviewed other jurisdictions within the region, and found that most jurisdictions either allow assembly uses, as well as religious assembly uses, within their respective industrial zoning districts, or, do not allow any type of assembly use to be established in an industrial-zoned district. Similar to the Town, Fauquier County allows several assembly uses such as recreational facilities, museums, and restaurants within industrial-zoned areas, but churches (*Places of Worship*) are not permitted. A tabulation of five other benchmark towns and cities, as well as Fauquier County, has been provided as [Attachment B](#), to show whether assembly uses and religious assembly uses are allowed in industrial-zoned areas, as well as the general approval process.

***Permitted and Permissible Uses in the Industrial District***

Article 3 of the Zoning Ordinance states the intent of the Industrial District as:

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*It is the intent of this district to implement the Town's Comprehensive Plan by providing for a variety of **light manufacturing, fabricating, processing, wholesale distributing, and warehousing uses** appropriately located for access by highways and providing a controlled environment within which signing is limited, uses are to be conducted generally within completely enclosed buildings, and a moderate amount of landscaping is required. In order to preserve the land for industry, to reduce extraneous traffic, and avoid future conflicts between industry and other uses, **business and service uses are limited primarily to those which will be useful to employees in the district** and future residential uses are restricted. [emphasis added]*

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The list of permitted and permissible uses found in Sections 3-4.12.2 and 3-4.12.3 include uses that align with main intent of the District as stated above as '*light manufacturing, fabricating, processing, wholesale distributing, and warehousing*', to include such listed uses as Contractor's Office and Warehouse, Laboratories, Light Manufacturing, Fuel Distribution Storage Yards, and Lumber and Building Supply. The list of permitted and permissible uses also include those use categories that are '*useful to employees in the district*' such as Cafeteria or Snack Bar for Employees, Restaurant, Health and Fitness Facilities, and Mobile Food Vendors.

There are permitted and permissible use categories listed in Sections 3-4.12.2 and 3-4.12.3 which do not appear to strictly align with the stated intent of the Industrial District, nor do they appear to be limited to those businesses that would be *useful to employees*, to include Private Club, Lodge or Meeting Hall, Institutional Buildings (museums, libraries, art galleries), or Conference Center. The list of permitted and permissible uses found in the Ordinance also include use categories that do not appear to align with the stated intent of the district for *light manufacturing, fabricating, processing, wholesale distributing, and warehousing*, to include Medical or Dental Clinics, and Business, Professional or Administrative Offices. A tabulation of all Permitted and Permissible Uses as allowed in Sections 3-



4.12.2 and 3-4.12.3, along with the associated Uniform Statewide Building Code Use Group, is provided as Attachment C.

#### ***Existing Businesses Located in the Industrial District***

A tabulation of the existing businesses that are located within the Industrial District areas is provided as Attachment D. As shown in this tabulation, there are numerous professional offices and medical/dental clinics located in the Industrial-zoned area that extends from Academy Hill Extended, to East Lee Street (Area B on the included map). Of the existing businesses that are established within the Industrial-zoned area that extends from Old Meetze Road to the southern boundary of the Town, these existing businesses are primarily those that are more closely aligned with industrial-type activities, such as warehousing, contracting businesses, and fuel storage.

#### ***Walker Drive Rezoning - Proposed Use Chart***

The area of the Walker Drive rezoning, divided into six land bays, extends from Academy Hill Road to East Lee Street. The project was approved as Planned Unit Development District (PUD), overlaying parcels located within the Industrial District per Ordinance Section 3-5.2. The approved rezoning, case number ZMA-2016-01, included a list of proposed uses within each land bay. The proposed uses, listed as general office, retail, restaurant, entertainment, multi-family, and health club, include uses that are categorized as Assembly-type uses per the Statewide Uniform Building Code, specifically *restaurant* and *entertainment*. This project has received the required legislative approval, however has not yet received site development plan approval or building/zoning permit issuance to vest the project; as such, any changes to Section 3-4.12 - *Industrial District* as a part of this text amendment may affect this project. A copy of the chart of proposed uses for the Walker Drive Rezoning as well as the land bay map has been included as Attachment E.

## **STAFF RECOMMENDATION**

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Staff is requesting that the Planning Commission hold the work session, and provide guidance to staff on what ordinance language is most appropriate to promote the health, safety and general welfare of the public as required by Section 15.2-2283 of the Code of Virginia, and to ensure that public necessity, convenience, general welfare and good zoning practice is achieved as stated in Ordinance Section 11-3.9.1 *Authority for Change*.

### **UPDATE - SEPTEMBER 19, 2023**

Staff requests that the Planning Commission provide guidance on the following:

1. What draft ordinance language is preferred by the Commission members, such as options a-d, or otherwise?
  - a. Adding Churches as a Permitted (by-right) Use in the Industrial District so that the use requires administrative approval by the Zoning Administrator and/or Building Official; *or*
  - b. Modifying the Ordinance to state that all Assembly-type uses in the Industrial District are Permissible Uses that require the approval of a Special Use Permit by Town Council through the public hearing process; *or*
  - c. Removing all Assembly-type uses from the list of Permitted and Permissible Uses so that these uses are prohibited altogether in the Industrial District; *or*
  - d. Making no change to the Ordinance, so that Churches are not an allowable use in the Industrial District in contrast with other Assembly-type uses.
2. Should the stated intent of the Industrial District, as found in Section 3-4.12.1 - Legislative Intent, be revised to reflect the mix of uses that are allowed or established in the district?
3. Given guidance on the above two questions, is this text amendment ready to proceed to public hearing?

**Service Level / Policy Impact**

None

**Fiscal Impact**

None

**Legal Impact**

Ordinance Section 3-4.12 Industrial District allows several assembly-type uses as Permitted Uses (by-right) with administrative approval. Treating churches or other places of worship differently from other, similar uses, is a recognized claim of discrimination under the Religious Land Use and Institutionalized Persons Act.

**ATTACHMENTS**

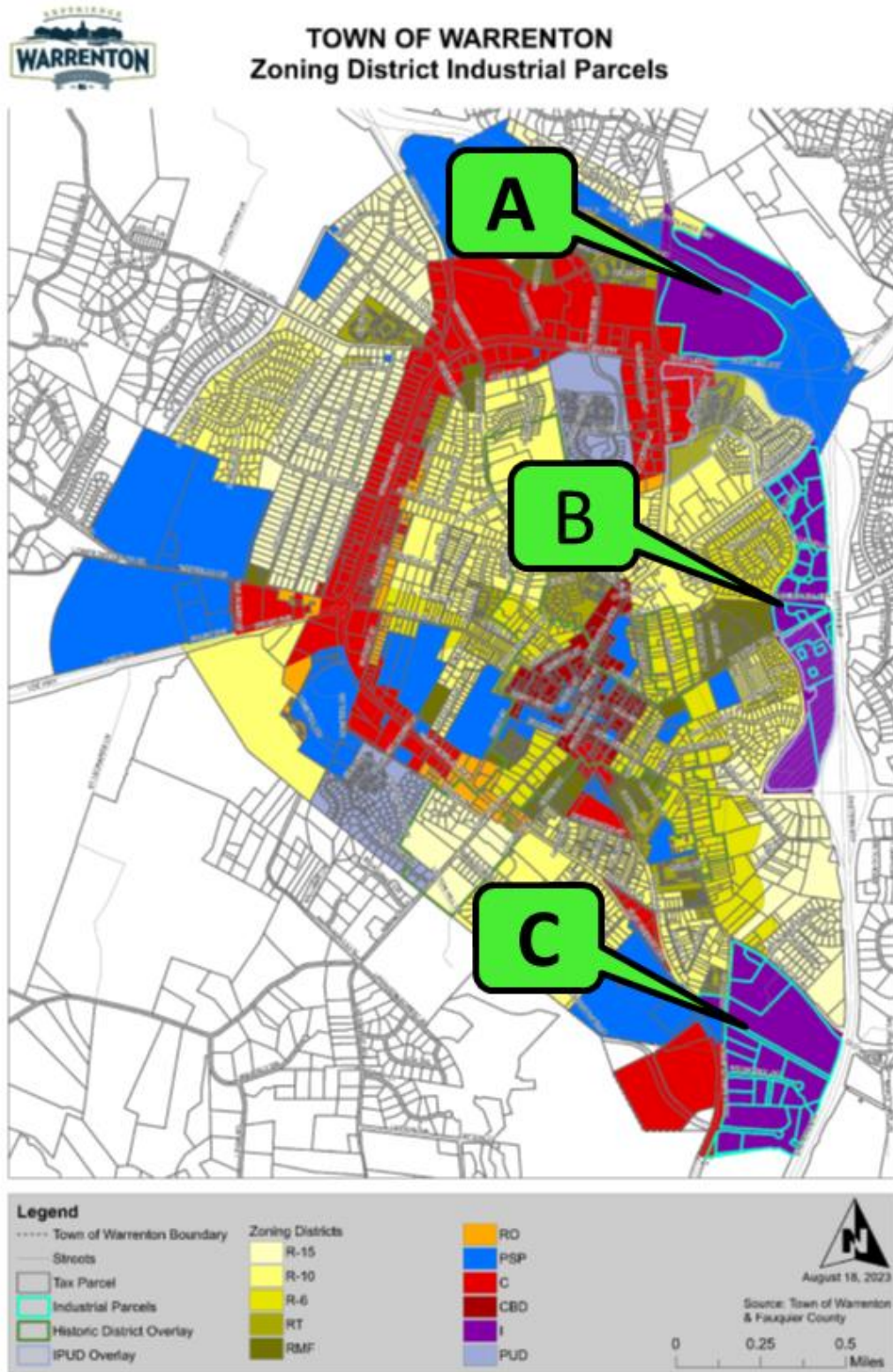
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1. Attachment A: Undeveloped Parcels in the Industrial District
2. Attachment B: Benchmark Communities – Assembly Uses in Industrial Districts
3. Attachment C: Permitted and Permissible Uses in the Industrial District
4. Attachment D: Existing Businesses Located in the Industrial District
5. Attachment E: Walker Drive Rezoning – Proposed Use Chart



## ATTACHMENT A

<b>Undeveloped Parcels In The Industrial District</b>				
<i>See Map on Next Page for Area Location</i>				
<b>Area</b>	<b>Location</b>	<b>Owner</b>	<b>PIN</b>	<b>Acreage</b>
A	Blackwell Road/Woodlands Way	Dobson, David M	6985-60-5718-000	21.7730
A	Blackwell Road/East Lee Highway	Amazon Data Services	6984-69-2419-000	41.7050
			<b>Total Area - Area A</b>	<b>63.4780</b>
B	Walder Drive/Holiday Court	Brandon Land Investments, LLC	6984-76-2606-000	1.1907
B	Academy Hill Ext./Academy Hill Road	Town of Warrenton	6984-74-6947-000	1.9321
B	Academy Hill Extended	Gibson, Lori	6984-74-4879-000	0.4974
B	321 Walker Drive	Walker Drive Investment Group, LLC	6984-74-4588-000	3.5350
B	341 Academy Hill Road	341 Academy Hill Road, LLC	6984-74-7799-000	1.7770
B	Walker Drive	Springfield Properties, LLC	6984-73-7494-000	8.5222
B	387 Portman Drive	Remland, LLC	6984-72-3635-000	11.5655
			<b>Total Area - Area B</b>	<b>29.0199</b>
C*	511 Falmouth Street	Worsham, Suzanne & Worsham, William	6983-69-5456-000	4.2000
C*	511 Falmouth Street	Worsham, Suzanne & Worsham, William	6983-69-7548-000	1.0000
C*	615 Falmouth Street	Premium Business Parks International, LLC	6983-69-8183-000	9.6542
C*	615 Falmouth Street	Premium Business Parks International, LLC	6983-78-1685-000	27.8056
C	Industrial Road/James Madison Highway	Red Road, INC	6983-67-5509-000	2.1722
C	710 Industrial Road	Brown, Ricky	6983-77-3316-000	2.2108
C	819 James Madison Highway	819 JMH, LLC	6983-66-3731-000	3.0000
C	James Madison Highway/Unnamed Road	The Drew Corporation	6983-66-9788-000	6.4760
C	Eastern Bypass	The Drew Corporation	6983-76-5917-000	2.0800
<b>* Redevelopment Potential</b>			<b>Total Area - Area C</b>	<b>58.5988</b>
<b>18</b>	<b>Total Number of Undeveloped Parcels</b>	<b>Total Area - Undeveloped Parcels in the Industrial District</b>		<b>151.0967</b>
<b>76</b>	<b>Total Number of Industrial-Zoned Parcels</b>	<b>Total Area of Industrial-Zoned Tax Parcel Land</b>		<b>~290</b>





ATTACHMENT B

Benchmark Communities – Assembly Uses in Industrial Districts							
Jurisdiction	Assembly Uses Allowed	Religious Assembly Allowed	Religious Assembly By-Right	Special Use Permit Required	Size Limitation	Occupancy Limitation	Notes
Town of Warrenton	Yes	No					Recreational Facilities, Conference Center, Club
Fauquier County	Yes	No					Recreational Facilities, Museum, Restaurant
Town of Culpeper	Yes	Yes	X				Restaurant, Dormitory, Wedding Chapel, Church
Town of Leesburg	Yes	Yes	X Existing Building Only	X			Church
City of Manassas	Yes	Yes		X		Less than 50/50 or More	Assembly, Cultural Facility, Church, Dancehall
Town of Vienna	No	No					
City of Charlottesville	Yes	Yes	X				Convent/Monastery, Theaters, Church, Recreational Facilities



## ATTACHMENT C

Permitted and Permissible Uses in The Industrial District				
Key: General Use-Type per Zoning		Assembly	Light industrial/Office	Industrial
Use As Listed in the Ordinance		Building Code Group		
Permitted Uses (by-right) – Section 3-4.12.2				
Accessory Buildings				
Active and Passive Recreation and Recreational Facilities		Assembly (Facilities Only)		
Banks and savings and loan offices		Business		
Broadcasting studios and offices		Business Assembly (Audience Only)		
Business and office supply establishments		Business		
Cabinet, upholstery, and furniture shops		Factory		
Cafeteria or snack bar for employees		Assembly		
Clinics, medical or dental		Business		
Commercial uses constituting up to 15% of permitted site or building area		Business		
Conference Centers		Assembly		
Contractor's office and warehouse without outdoor storage		Business or Storage		
Crematory		Business or Factory		
Dwellings for resident watchmen and caretakers employed on the premises		Residential		
Employment service or agency		Business		
Flex Office and Industrial uses		Business		
Health and Fitness Facilities		Assembly		
Institutional buildings		Assembly		
Janitorial service establishment		Business		
Laboratories, research, experimental or testing, but not testing explosives, rockets, or jet engines		Business		
Light manufacturing uses which do not create danger to health and safety in surrounding areas and which do not create offensive noise, vibration, smoke, dust, lint, odor, heat, glare, or electrical impulse than that which is generally associated with light industries		Business		
Monument sales establishments with incidental processing to order but not including shaping of headstones		Business		
Motion picture studio		Business or Assembly (Audience Only)		
Nurseries and greenhouses		Business		
Offices- business, professional, or administrative		Business		
Off-street parking and loading subject to Article 7		N/A		
Open space subject to Article 9		N/A		
Printing, publishing, and engraving establishment; photographic processing; blueprinting; photocopying; and similar uses		Business		
Private club, lodge, meeting hall, labor union, or fraternal organization or sorority		Assembly		
Rental service establishment		Business		

Retail or wholesale sales and service incidental to a permitted manufacturing, processing, storing, or distributing use	<b>Business or Mercantile</b>
Rug and carpet cleaning and storage with incidental sales of rugs and carpets	<b>Factory</b>
Security service office or station	<b>Business</b>
Sign fabricating and painting	<b>Factory</b>
Signs, subject to Article 6	<b>N/A</b>
Studios	<b>Business</b>
Transmission and receiving towers of height not exceeding one hundred twenty-five (125) feet	<b>Utility</b>
Utilities related to and necessary for service within the Town, including poles, wires, transformers, telephone booths, and the like for electrical power distribution or communication service, and underground pipelines or conduits for local electrical, gas, sewer, or water service, but not those facilities listed as requiring a special use permit	<b>Utility</b>
Wholesale establishment, storage warehouse, or distribution center. furniture moving	<b>Storage or Mercantile</b>
<b>Permissible Uses (by special use permit upon approval of the Town Council - Section 3-4.12.3</b>	
Automobile body shop	<b>Factory</b>
Automobile and truck repair and service	<b>Factory</b>
Commercial Kennels	<b>Business</b>
Contractor's storage yard	<b>N/A</b>
Farm equipment, motorcycle, boat and sport trailer sales and service	<b>Factory</b>
Fuel, coal, oil distribution storage yards	<b>Utility</b>
Lumber and building supply with undercover storage.	<b>Storage</b>
Maintenance and equipment shops with screened outside storage	<b>Factory</b>
Outdoor storage of any kind	
Plumbing and electrical supply with undercover storage	<b>Business or Storage</b>
Restaurant or cafeteria, drive-thru or otherwise	<b>Assembly</b>
Self-service mini-warehouse	<b>Storage</b>
Temporary fair and show grounds	<b>Assembly</b>
Tire and battery sales and service, tire recapping and retreading	<b>Factory</b>
Transmission and receiving towers of height greater than one hundred twenty-five (125) feet.	<b>Utility</b>
Treatment plants, water storage tanks, major transmission lines or pipelines, pumping or regulator stations, communications towers, storage yards and substations, and cable television facilities and accessory buildings	<b>Utility</b>



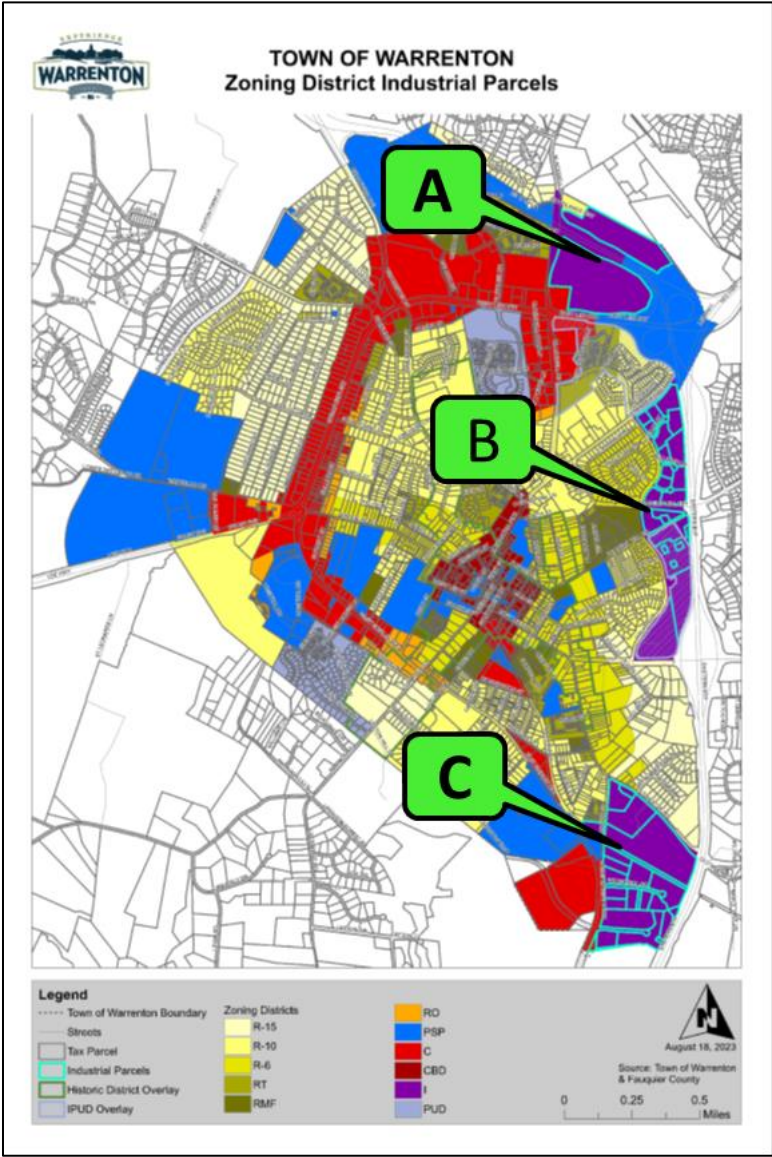
## ATTACHMENT D

Existing Businesses Located in The Industrial District			
See Map on Next Page for Area Location			
Key: General Use-Type per Zoning		Assembly	Light Industrial/Office
Area	Business Name	Use Category*	Notes
<b>Area A – Adjacent to Eastern Bypass Interchange</b>			
A	Currently Undeveloped		
<b>Area B – Alexandria Pike to East Lee Street</b>			
B	VDACS Regional Animal Health Facility	Laboratory, Office	Industrial
B	Dominion Construction Group	Contractor's Office & Warehouse	Industrial
B	Palmers Construction Group	Contractor's Office	Industrial
B	Peak Roofing	Contractor's Office	Industrial
B	Screen Printing	Printing	Industrial
B	Piedmont Press	Printing	Industrial
B	Cube Smart	Mini-Warehouse	Industrial
B	EMO Agency	Office	Light Industrial/Office
B	RE/MAX	Office	Light Industrial/Office
B	Dermatology Institute	Office/Clinic	Light Industrial/Office
B	Fauquier Health	Office	Light Industrial/Office
B	Blackcomb Center	Office	Light Industrial/Office
B	Virginia Social Services	Office	Light Industrial/Office
B	Warrenton Dental Services	Office	Light Industrial/Office
B	Progressions Dance School	Studio	Light Industrial/Office
B	Groups Recover Together	Office	Light Industrial/Office
B	Woodside Dentistry	Office/Clinic	Light Industrial/Office
B	Miller Orthodontics	Office/Clinic	Light Industrial/Office
B	Woodside Pediatric Dentistry	Office/Clinic	Light Industrial/Office
B	Virginia Sports Chiropractic	Office/Clinic	Light Industrial/Office
B	Craniofacial Center	Office/Clinic	Light Industrial/Office



B	Holiday Inn Express	Hotel; Conference Center	Assembly Uses: 206 (conference center); 146 (pool/deck)
B	Old Town Athletic Club & Campus	Health & Fitness Facility	Assembly Use: 16,653 sq.ft. ; 434 max. occupants (1 <sup>st</sup> Floor)
B	PATH	Office; Institutional/Philanthropic	Some Assembly Uses: 78,444 sq.ft.; 390 max. occupancy (Upper Floors)
B	Walker Drive Rezoning PUD	<i>not constructed</i>	Potential Assembly Uses: Restaurant, Entertainment
<b>Area C - Old Meetze Road to Southern Boundary</b>			
C	Pump Station	Utility	Industrial
C	Cube Smart	Mini-Warehouse	Industrial
C	Carter CAT	Contractor's Office & Warehouse	Industrial
C	VAMAC	Contractor's Office & Warehouse	Industrial
C	EW Electrical	Contractor's Office	Industrial
C	Country Deisel	Auto Dealership	Industrial
C	Cecil's Tractor	Farm Equipment Sales & Storage	Industrial
C	Blossman Gas	Bulk Fuel Storage	Industrial
C	Advance Auto	Retail	Light Industrial/Retail
C	Alwyngton Manor	Conference Center	Assembly Use: 300 max. (per SUP)
C	Fauquier FISH	Storage & Distribution; Institutional/Philanthropic	Potential for Future Assembly Use: 26,318 sq.ft.

\*Note - each business is noted by the **general** use category listed in the Zoning Ordinance that appears to be the best fit; **this is not an official determination.**

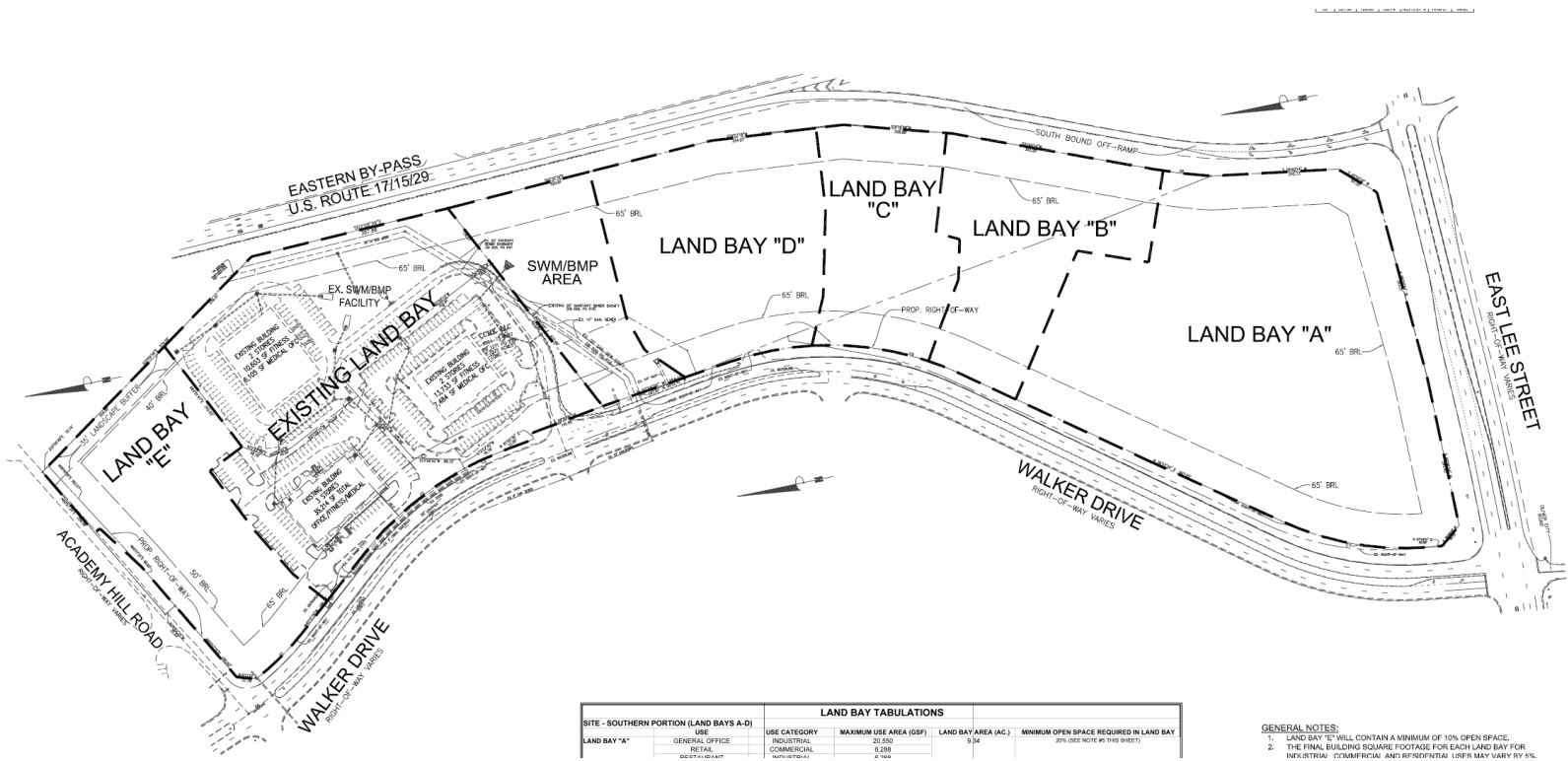




ATTACHMENT E

Walker Drive Rezoning – Proposed Use Chart

SITE – SOUTHERN PORTION (LAND BAYS A-D) NORTHERN PORTION (LAND BAY E & EXISTING LAND BAY)			
LAND AREA	USE	USE CATEGORY	MAXIMUM USE AREA (GSF)
LAND BAY “A”	GENERAL OFFICE	INDUSTRIAL	20,550
	RETAIL	COMMERCIAL	6,288
	RESTAURANT	INDUSTRIAL	6,288
	ENTERTAINMENT	COMMERCIAL	35,000
LAND BAY “B”	ENTERTAINMENT	COMMERCIAL	21,000
	RETAIL	COMMERCIAL	14,263
	RESTAURANT	INDUSTRIAL	14,263
LAND BAY “C”	GENERAL OFFICE	INDUSTRIAL	6,703
	RETAIL	COMMERCIAL	15,814
	RESTAURANT	INDUSTRIAL	2,500
LAND BAY “D”	GENERAL OFFICE	INDUSTRIAL	10,103
	RETAIL	COMMERCIAL	7,603
	RESTAURANT	INDUSTRIAL	2,500
	MULTIFAMILY RESIDENTIAL	MIXED USE RESIDENTIAL	76 UNITS (80,824 GSF)
LAND BAY “E”	GENERAL OFFICE	INDUSTRIAL	20,000
	MULTIFAMILY RESIDENTIAL	MIXED USE RESIDENTIAL	40 UNITS (60,000 GSF)
EXISTING LAND BAY	OFFICE/HEALTH CLUB	INDUSTRIAL	73,139





**Planning Commission Work Session**  
**ZOTA-23-2 - Assembly Uses in the Industrial District**  
**September 19, 2023**

## Issue Summary from August Work Session

**Church:** *A building or structure, or group of buildings or structures, which by design and construction are primarily intended for activities that people regularly attend to participate in or hold religious services, meetings, and other activities. The term “church” shall not carry a secular connotation and shall include buildings in which religious services of any denomination are held.*

Churches are allowed in all zoning districts except the Industrial district.

2018 Virginia Construction Code – Uniform Statewide Building Code

### Section 303 – Assembly Group A

*The use of a building or structure for the gathering of persons for purposes such as civic, social or religious functions; recreation, food or drink consumption or waiting for transportation.*

#### Assembly Uses Allowed in the Industrial District

##### Permitted Uses (By-Right)

- Active and Passive Recreation and Recreational Facilities
- Cafeteria or snack bar for employees
- Conference Centers
- Health and Fitness

##### Facilities

- Institutional buildings
- Motion picture studio
- Private club, lodge, meeting hall, labor union, or fraternal organization or sorority

##### Permissible Uses (with Special Use Permit)

- Restaurant or cafeteria, drive-thru or otherwise
- Temporary fair and show ground

## RLUIPA

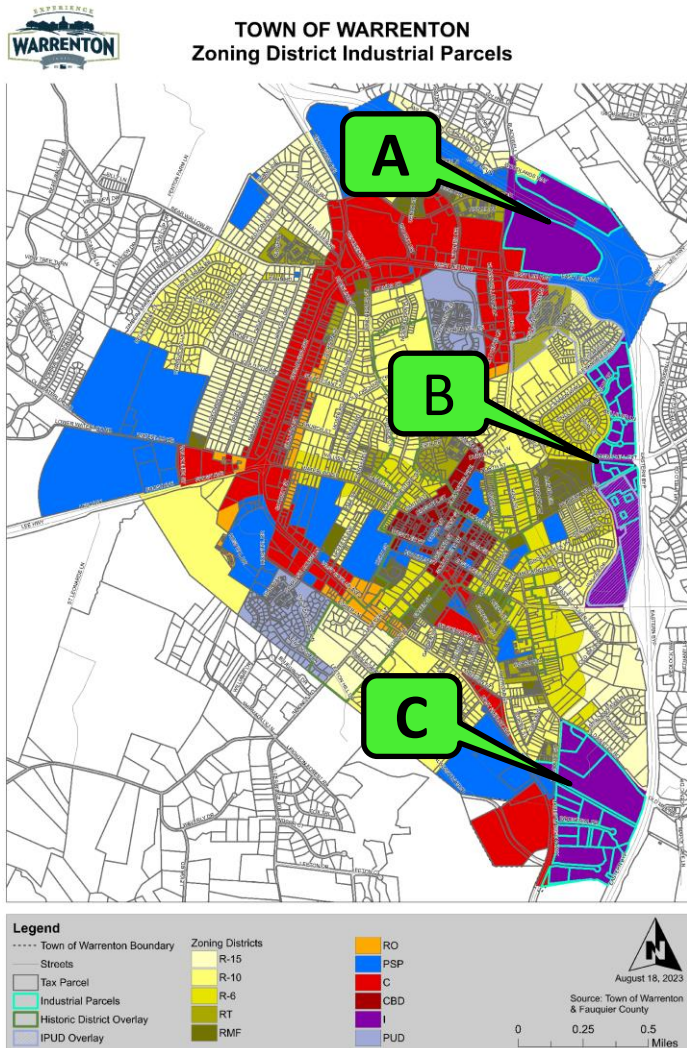
### Religious Land Use and Institutionalized Persons Act

- Federal Law
- Prohibits undue burdens or restrictions on land use for churches through Zoning regulations.
- Treating churches differently from other, similar uses, is a recognized claim of discrimination

*Religious Land Use and Institutionalized Persons Act of 2000 - Prohibits any government from imposing or implementing a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution: (1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest.*

*Prohibits any government from imposing a substantial burden on the religious exercise of a person residing in or confined to an institution, as defined in the Civil Rights of Institutionalized Persons Act, even if the burden results from a rule of general applicability, unless the government demonstrates that imposition of the burden on that person: (1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest.*

## Undeveloped Parcels



 **76 Parcels**  
**290 Acres of Tax Parcel Land**

## 18 Undeveloped Parcels

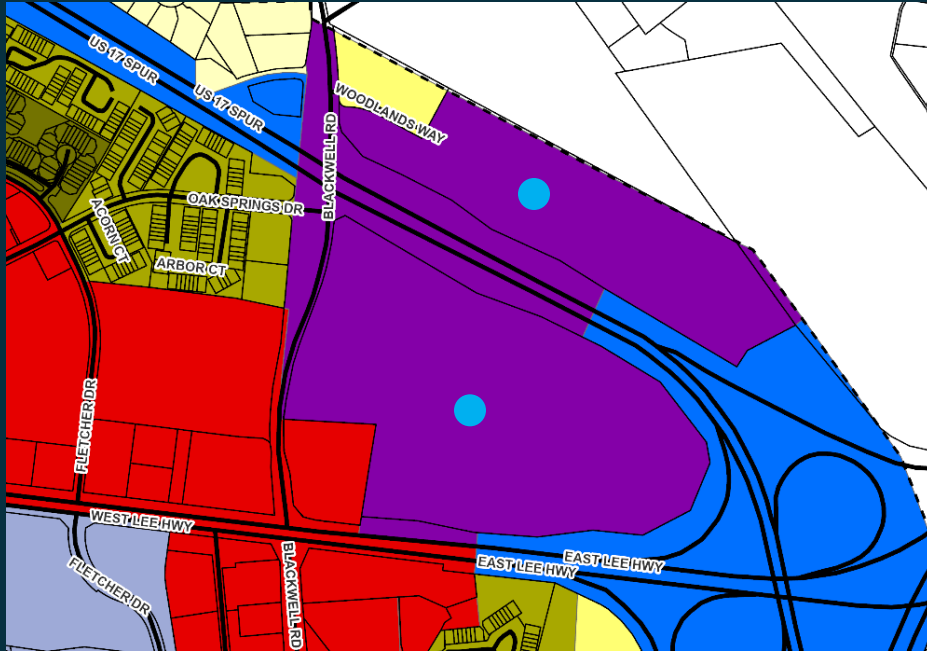
- Includes Amazon & Walker Drive Rezoning – Areas A & B
- Includes likely candidates for Redevelopment – Area C

## 151 Acres Undeveloped Land

- 52% of All Industrial Zoned Land
- Majority in Area C (*land with no legislative approvals*)



## Undeveloped Parcels



### Area A - Undeveloped Parcels

- Dobson, David – 21.8 ac.
- Amazon Data Services – 41.7 ac.  
(SUP Approval)

Total Area = 63.5 ac.

\*See Attachment A

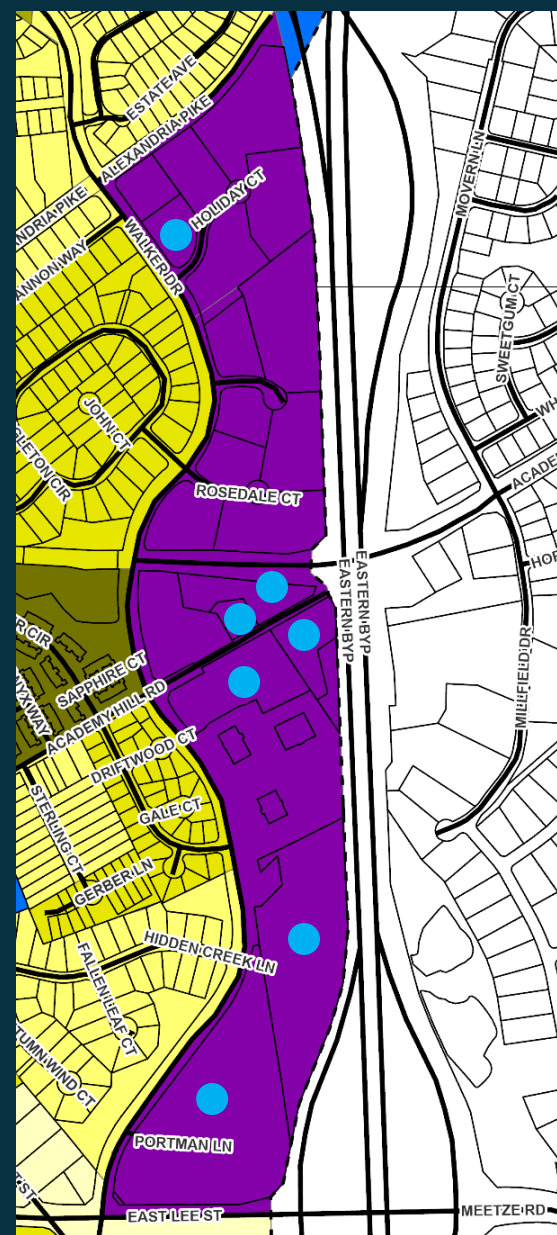
## Undeveloped Parcels

### Area B - Undeveloped Parcels

- Brandon Land Investments/1.2 ac.
- Town of Warrenton/1.9 ac.
- Gibson, Lori/0.5 ac.
- 341 Academy Hill Road LLC/1.8 ac.
- Walker Dr. Investment Group/3.5 ac.  
(IPUD – Land Bay E)
- Springfield Properties LLC/8.5 ac.  
(IPUD – Land Bays B, C, D)
- Remland LLC/11.6 ac.  
(IPUD – Land Bays A, B, C)

Total Area = 29 ac.

*\*See Attachment A*



# Assembly Uses in the Industrial District

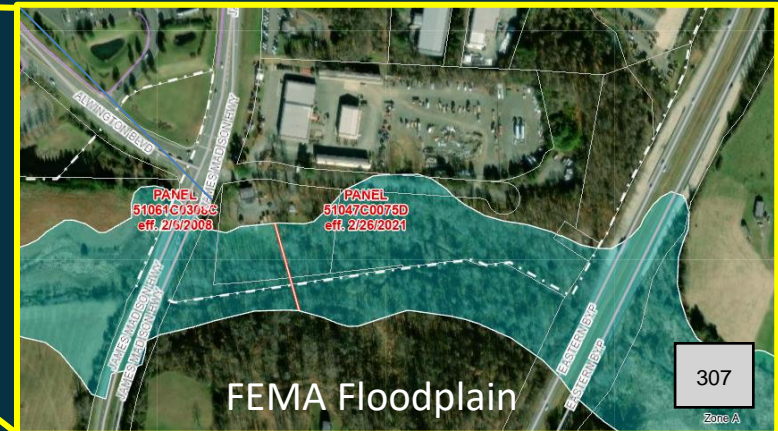
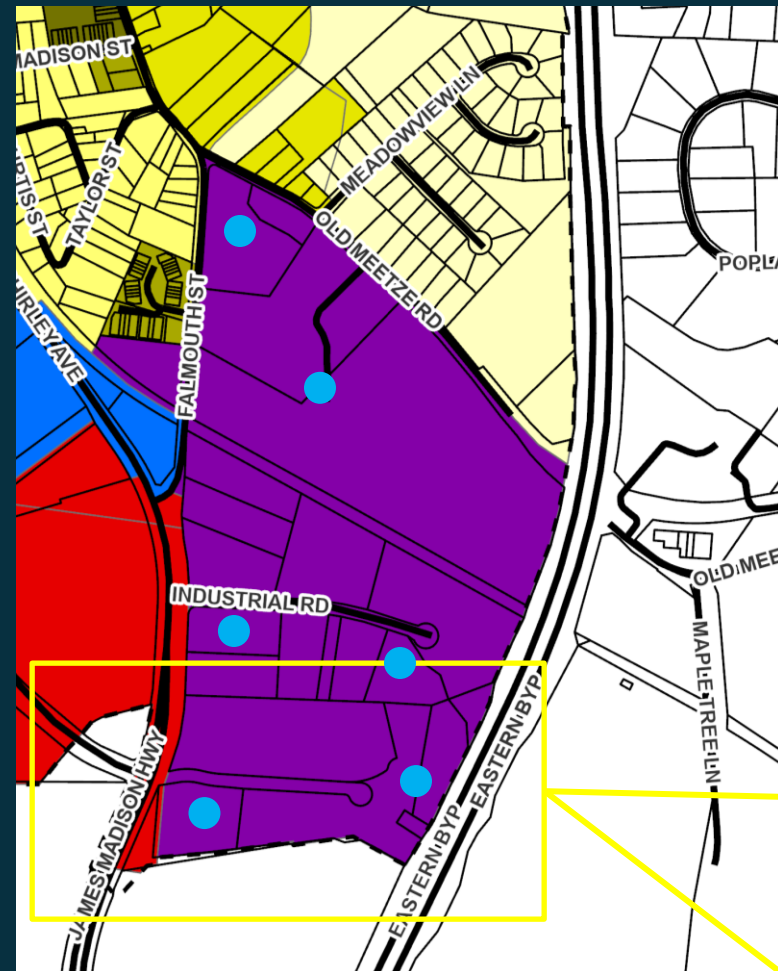
Item c.

## Area C - Undeveloped Parcels

- Worsham, Suzanne & William/5.2 ac. (*Alwyngton Manor*)
- Premium Business Parks International LLC/37.4 ac. (*Wire Factory*)
- Red Road INC/2.2 ac.
- Brown, Ricky/2.2 ac.
- The Drew Corporation/8.6 ac. (*floodplain*)
- 819 JMH LLC/3.0 ac. (*floodplain*)

Total Area = 58.6 ac.

\*See Attachment A



# Assembly Uses in the Industrial District

Item c.

Benchmark Communities - Assembly Uses in Industrial Districts							
Jurisdiction	Assembly Uses Allowed	Religious Assembly Allowed	Religious Assembly By-Right	Special Use Permit Required	Size Limitation	Occupancy Limitation	Notes
Town of Warrenton	Yes	No					Recreational Facilities, Conference Center, Club
Fauquier County	Yes	No					Recreational Facilities, Museum, Restaurant
Town of Culpeper	Yes	Yes	X				Restaurant, Dormitory, Wedding Chapel, Church
Town of Leesburg	Yes	Yes	X Existing Building Only	X			Church
City of Manassas	Yes	Yes		X		Less than 50/50 or More	Assembly, Cultural Facility, Church, Dancehall
Town of Vienna	No	No					
City of Charlottesville	Yes	Yes	X				Convent/Monastery, Theaters, Church, Recreational Facilities

**Attachment B - Summary**

- Allow some Assembly uses **and** Churches – acceptable
- Prohibit all Assembly uses, including Churches – acceptable
- Allow some Assembly uses but **not** Churches – not acceptable

## Fauquier County Zoning Ordinance Differences in Approval Process by Size of Church

Place of Worship, **Minor** – Special Permit

Place of Worship, **Major** – Special Exception

- 10,000 sq.ft. in size or greater; or
- 300 seats or more; or
- Any addition of 10,000 sq.ft. or more.

Additional Approval Standards

- 10 acre Minimum Size
- 100 foot Buffer between Residential or Rural Properties
- Access from a Major Collector Roadway

## Town of Warrenton Zoning Ordinance Article 3 Existing Differences in Approval Process by Size

PSP - Public-Semi-Public Institutional District

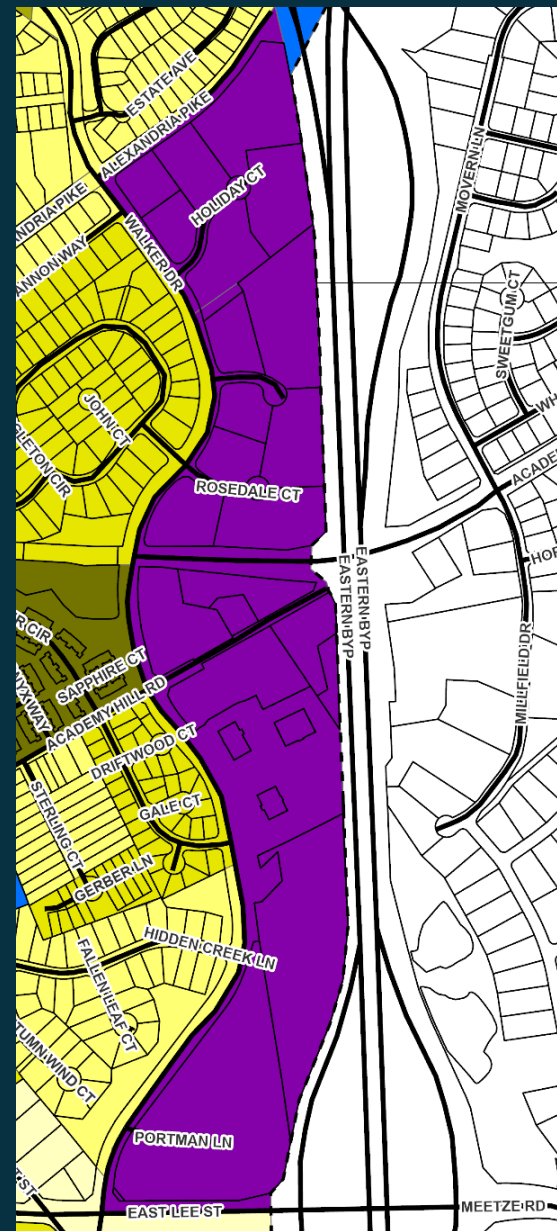
- *Hospitals at 10,000 sq.ft. or greater - SUP*
- *Schools at 10,000 sq.ft. or greater – SUP*

C - Commercial District

- *Any Use greater than 50,000 sq.ft. – SUP*

CBD – Central Business District

- *Personal Service Stores greater than 3,000 sq.ft. – SUP*
- *Retail greater than 3,000 sq.ft. - SUP*



## Existing Assembly Businesses in the Industrial District - Area B

Holiday Inn Express – Hotel; **Conference Center**

- Maximum Occupancy: 206 (conference center); 146 (pool/deck)

Old Town Athletic Club & Campus – **Health & Fitness Facility**

- Area: 16,653 sq.ft. (1<sup>st</sup> Floor)
- Maximum Occupancy: 434 (1<sup>st</sup> Floor)

PATH – Office; **Institutional/Philanthropic**

- Area: 78,444 sq.ft. (upper floors)
- Maximum Occupancy: 390 (upper floors)

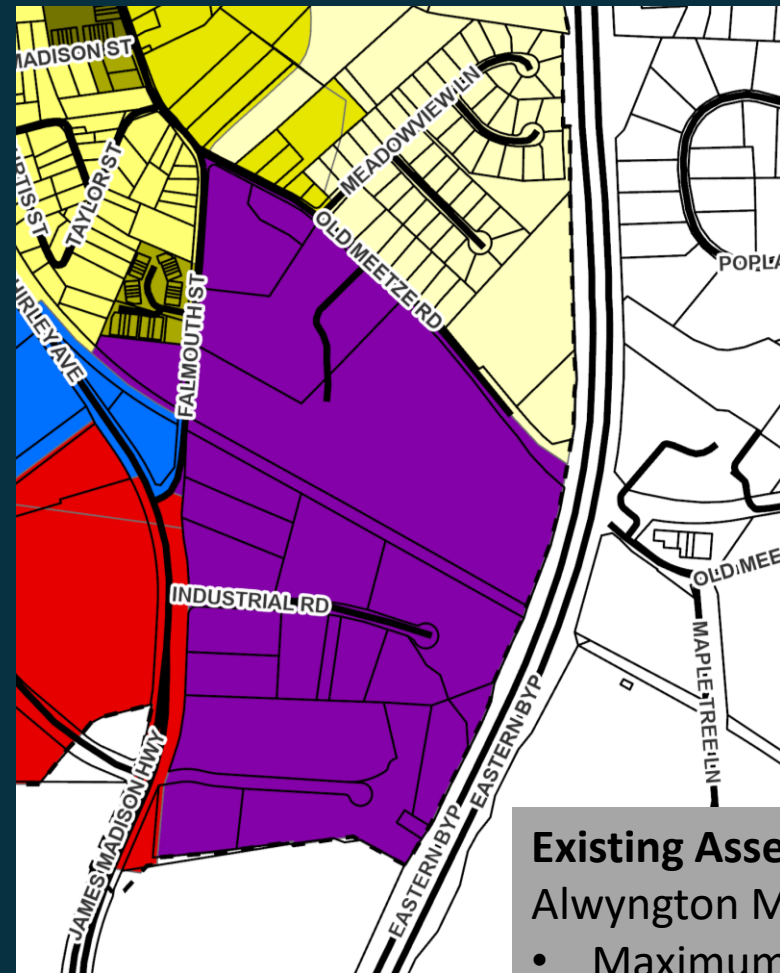
Walker Drive Rezoning PUD – not constructed

- Potential Assembly Uses: **Restaurant, Entertainment**

*See Attachment D*

# Assembly Uses in the Industrial District

Item c.



## Existing Assembly Businesses in the Industrial District - Area C

Alwynton Manor – Bed & Breakfast; **Conference Center**

- Maximum Occupancy: 300 (per SUP)

Fauquier FISH – Storage & Distribution; **Institutional/ Philanthropic**

- Area: 26,318 sq.ft.

*See Attachment D*



## Article 3 – Section 3-4.12.1

### Legislative Intent

It is the intent of this district to implement the Town's Comprehensive Plan by providing for a variety of **light manufacturing, fabricating, processing, wholesale distributing, and warehousing uses** appropriately located for access by highways and providing a controlled environment within which signing is limited, uses are to be conducted generally within completely enclosed buildings, and a moderate amount of landscaping is required. In order to preserve the land for industry, to reduce extraneous traffic, and avoid future conflicts between industry and other uses, **business and service uses are limited primarily to those which will be useful to employees in the district** and future residential uses are restricted. [emphasis added]

## Article 3 – Section 3-4.12 Uses Allowed in the Industrial District

### *Assembly Uses per Building Code Light Industrial/Office Industrial*

#### **Permitted Uses (By-Right)**

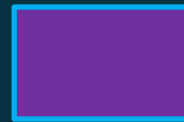
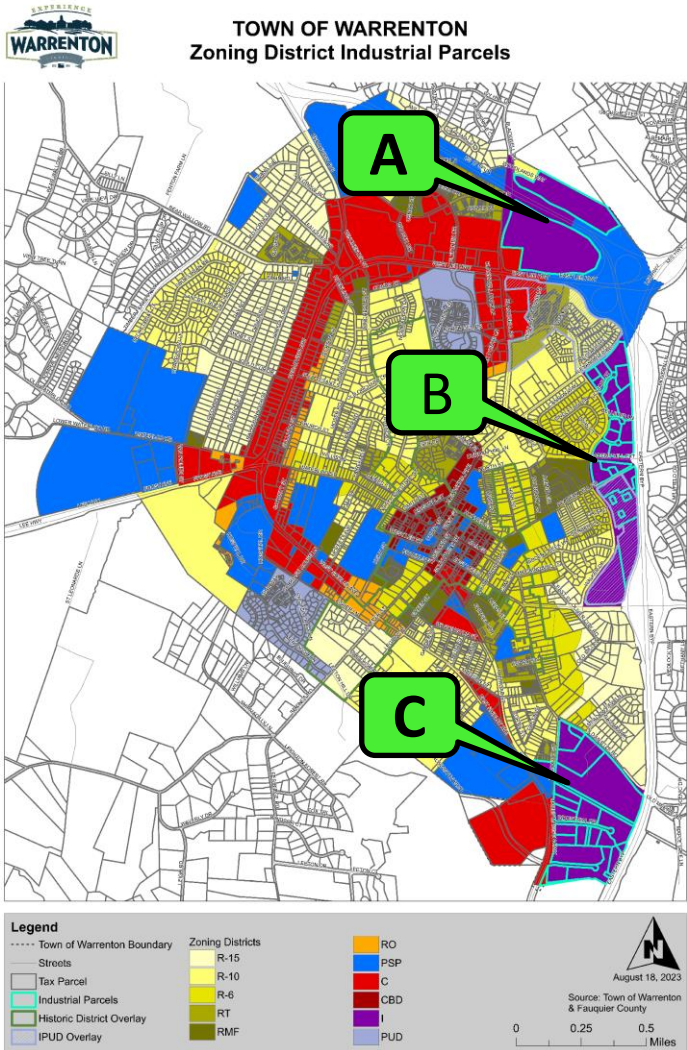
Active and Passive Recreation and Recreational Facilities  
Cafeteria or snack bar for employees  
Conference Centers  
Health and Fitness Facilities  
Institutional buildings  
Motion picture studio  
Private club, lodge, meeting hall, labor union, or fraternal organization or sorority  
Broadcasting studios and offices  
Banks and savings and loan offices  
Business and office supply establishments  
Clinics, medical or dental  
Commercial uses constituting up to 15% of permitted site or building area  
Employment service or agency  
Flex Office and Industrial uses  
Janitorial service establishment  
Offices- business, professional, or administrative  
Rental service establishment  
Retail or wholesale sales and service incidental to a permitted manufacturing, processing, storing, or distributing use  
Security service office or station  
Studios  
Cabinet, upholstery, and furniture shops  
Contractor's office and warehouse without outdoor storage  
Crematory  
Laboratories, research, experimental or testing, but not testing explosives, rockets, or jet engines  
Light manufacturing uses which do not create

danger to health and safety in surrounding areas and which do not create offensive noise, vibration, smoke, dust, lint, odor, heat, glare, or electrical impulse than that which is generally associated with light industries  
Mobile Food Vendors subject to Article 9-24  
Monument sales establishments with incidental processing to order but not including shaping of headstones  
Nurseries and greenhouses  
Off-street parking and loading subject to Article 7  
Printing, publishing, and engraving establishment; photographic processing; blueprinting; photocopying; and similar uses  
Rug and carpet cleaning and storage with incidental sales of rugs and carpets  
Sign fabricating and painting  
Signs, subject to Article 6  
Transmission and receiving towers of height not exceeding one hundred twenty-five (125) feet  
Utilities related to and necessary for service within the Town, including poles, wires, transformers, telephone booths, and the like for electrical power distribution or communication service, and underground pipelines or conduits for local electrical, gas, sewer, or water service, but not those facilities listed as requiring a special use permit  
Wholesale establishment, storage warehouse, or distribution center. furniture moving  
Accessory buildings  
Open space subject to Article 9  
Dwellings for resident watchmen and caretakers

employed on the premises  
**Permissible Uses (with Special Use Permit)**  
Restaurant or cafeteria, drive-thru or otherwise  
Temporary fair and show ground  
Automobile body shop  
Automobile and truck repair and service  
Commercial Kennels  
Contractor's storage yard  
Data Center  
Farm equipment, motorcycle, boat and sport trailer sales and service  
Fuel, coal, oil distribution storage yards  
Lumber and building supply with undercover storage.  
Maintenance and equipment shops with screened outside storage  
Outdoor storage of any kind  
Plumbing and electrical supply with undercover storage  
Self-service mini-warehouse  
Tire and battery sales and service, tire recapping and retreading  
Transmission and receiving towers of height greater than one hundred twenty-five (125) feet.  
Treatment plants, water storage tanks, major transmission lines or pipelines, pumping or regulator stations, communications towers, storage yards and substations, and cable television facilities and accessory buildings

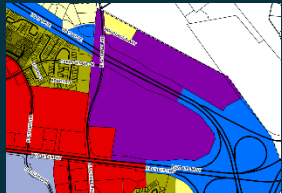
# Assembly Uses in the Industrial District

Item c.



76 Parcels  
290 Acres of Tax Parcel Land

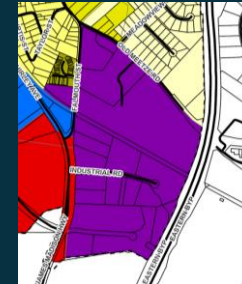
# PLAN WARRENTON 2040



Area A



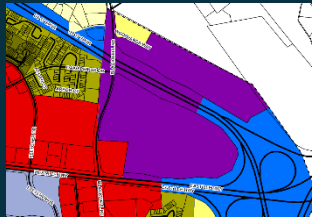
Area B



Area C

# Assembly Uses in the Industrial District

Item c.



Area A

## New Town Mixed Use/New Town District

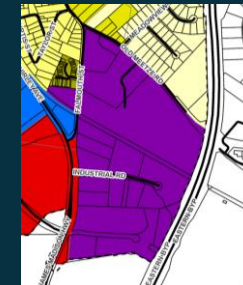
Large lots, direct access from Route 29, and high visibility, a location for a signature office/jobs center; with greater intensity of mixed use and strong live, work, and play options.



Area B

## Light Industrial/Old Town District

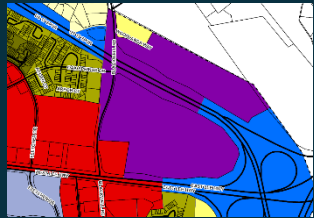
Continue to promote Old Town as the signature cultural, social and historic hub. Encourage infill housing and adaptive reuse of structures; maintain historic character and scale.



Area C

## Greenway & Wellness Mixed Use/Makers District

Maximize use of industrial areas for maker space with a food and arts focus, create connective elements to the greenway, enhance gateway form and function.



Area A

## Comprehensive Plan Considerations

### New Town Mixed Use/New Town District

#### Character District Summary

Large lots, direct access from Route 29, and high visibility, a location for a signature office/jobs center; with greater intensity of mixed use and strong live, work, and play options.

#### Land Use Goal

Support the revitalization of the commercial shopping malls with walkable development, green space, public amenities, as well as provide a location for a major employer.

#### Existing Businesses

None – undeveloped.



## Comprehensive Plan Considerations

### Light Industrial/Old Town District

#### Character District Summary

Continue to promote Old Town as the signature cultural, social and historic hub. Encourage infill housing and adaptive reuse of structures; maintain historic character and scale.

#### Land Use Goal

Include a mix of infill and new development that is designed to maintain Old Town's historic character.



### Area B

#### Future Land Use Description – Light Industrial

- Remaining light industrial is located to the east of Walker Drive, including light manufacturing, flex industrial, wholesale commercial, and limited office uses, with floor areas generally not exceeding 0.35 on a single site.
- Provide additional types of employment opportunities in addition to services and commercial retail uses.
- Industrial land use designations should be limited to light industrial uses.
- Attention should be given to vehicular access and reducing impact to adjacent properties.
- Buffer adjacent non-industrial uses.
- Uses should be limited to those providing a variety of light industrial uses that will contribute to the creation of new businesses, retention and expansion of existing businesses.
- Very limited support for commercial uses for purpose of reducing traffic generation.



## Comprehensive Plan Considerations

### Light Industrial/Old Town District

#### Character District Summary

Continue to promote Old Town as the signature cultural, social and historic hub. Encourage infill housing and adaptive reuse of structures; maintain historic character and scale.

#### Land Use Goal

Include a mix of infill and new development that is designed to maintain Old Town's historic character.

#### Existing Businesses

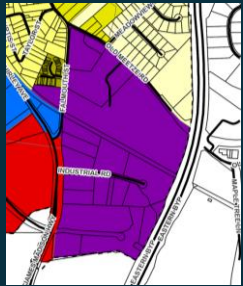
- 6 Industrial-type
- 14 Light Industrial/Office
- 4 Assembly

*See Attachment D*



Area B





Area C

## Comprehensive Plan Considerations

### Greenway & Wellness Mixed Use/Makers District

#### Character District Summary

Maximize use of industrial areas for maker space with a food and arts focus, create connective elements to the greenway, enhance gateway form and function.

#### Land Use Goal

Promoted as the southern gateway and maintain critical linkages between education, civic uses, surrounding neighborhoods and the remaining industrial uses in the Town.

#### Future Land Use Description – Light Industrial

- Incorporate previous uses envisioned for Light Industrial.

#### Existing Businesses

- 8 Industrial
- 1 Light Industrial/Retail
- 2 Assembly

*See Attachment D*

## Article 3 – Section 3-4.12.1

### Legislative Intent

It is the intent of this district to implement the Town's Comprehensive Plan by providing for a variety of **light manufacturing, fabricating, processing, wholesale distributing, and warehousing uses** appropriately located for access by highways and providing a controlled environment within which signing is limited, uses are to be conducted generally within completely enclosed buildings, and a moderate amount of landscaping is required. In order to preserve the land for industry, to reduce extraneous traffic, and avoid future conflicts between industry and other uses, **business and service uses are limited primarily to those which will be useful to employees in the district** and future residential uses are restricted. [emphasis added]

- Does the Intent statement conform to the district guidelines in the Comprehensive Plan?
- Does the stated Intent match the list of uses that are allowed?

# Assembly Uses in the Industrial District

Benchmark Communities – Assembly Uses in Industrial Districts							
Jurisdiction	Assembly Uses Allowed	Religious Assembly Allowed	Religious Assembly By-Right	Special Use Permit Required	Size Limitation	Occupancy Limitation	Notes
Town of Warrenton	Yes	No					Recreational Facilities, Conference Center, Club
Fauquier County	Yes	No					Recreational Facilities, Museum, Restaurant
Town of Culpeper	Yes	Yes	X				Restaurant, Dormitory, Wedding Chapel, Church
Town of Leesburg	Yes	Yes	X Existing Building Only	X			Church
City of Manassas	Yes	Yes		X		Less than 50/50 or More	Assembly, Cultural Facility, Church, Dancehall
Town of Vienna	No	No					
City of Charlottesville	Yes	Yes	X				Convent/Monastery, Theaters, Church, Recreational Facilities

- Should Assembly uses be allowed in the Industrial District?
- If so, what should the approval process be to ensure compliance with the Intent of the district and the guidelines in the Comprehensive Plan?

## Four General Options:

1. Add Churches as a Permitted Use (by-right) in Section 3-4.12.2.
2. Move all Assembly Uses, plus Churches, to Permissible Uses (with approval of a Special Use Permit by Town Council) in Section 3-4.12.3.
  - a. Different approval process depending on size of the use.
3. Remove Entirely all Assembly uses from the Industrial District.
4. Make No Changes.

## Section 3-4.12.2 Permitted Uses – By-Right

- 39 Total Uses
- By-Right Uses are approved Administratively by the Zoning Administrator – Site Development Plan, Zoning Permit
- **Assembly Uses Permitted:**
  - Active & Passive Recreation and Recreational Facilities
  - Cafeteria or Snack Bar for Employees
  - Conference Centers
  - Health & Fitness Facilities
  - Institutional Buildings
  - Motion Picture Studio
  - Private Club, Lodge, Meeting Hall, Labor Union, or Fraternal Organization or Sorority

### **Option 1 – Add Churches to the list of Permitted Uses.**

- Churches
- Other Assembly uses already allowed by-right that are similar to the activities normally associated with Churches, such as meetings and gatherings of groups of people for a specified reason or purpose.
- Requires no other changes to the Ordinance.
- Site Development Plan, Building & Zoning Permit approvals required to ensure the use meets all Ordinance requirements, such as access & parking, landscape buffering.

## Section 3-4.12.3 Permissible Uses – By Special Use Permit Approval

- 17 Total Uses
- Requires Legislative Approval by Public Hearing, followed by Administrative Approval
- **Assembly Uses Permissible:**
  - Restaurant or Cafeteria, Drive-Thru or Otherwise
  - Temporary Fair and Show Grounds

### **Option 2 – Move all Assembly Uses, plus Churches, to Permissible Uses.**

- Active & Passive Recreation and Recreational Facilities
- Cafeteria or Snack Bar for Employees
- Churches
- Conference Centers (*Holiday Inn, Alwyngton Manor, PATH*)
- Health & Fitness Facilities (*Old Town Athletic Club*)
- Institutional Buildings
- Motion Picture Studio
- Private Club, Lodge, Meeting Hall, Labor Union, or Fraternal Organization or Sorority
- Ensures all Assembly uses go through a public hearing process to verify that the specific user/applicant will be appropriate to the area.
- Some existing uses may become Non-Conforming or not be able to expand activities and services without approval of a Special Use Permit instead of an Administrative process.

## Section 3-4.12 Industrial District

### Purpose:

- *The intent is to provide for a variety of light manufacturing, fabricating, processing, wholesale distributing, and warehousing uses.*
- *In order to preserve the land for industry, to reduce extraneous traffic, and avoid future conflicts between industry and other uses, business and service uses are limited primarily to those which will be useful to employees in the district.*

### **Option 3 – Remove all Assembly Uses from the Industrial District.**

- Active & Passive Recreation and Recreational Facilities
- Cafeteria or Snack Bar for Employees
- Conference Centers (*Holiday Inn, Alwyngton Manor, PATH*)
- Health & Fitness Facilities (*Old Town Athletic Club*)
- Institutional Buildings
- Motion Picture Studio
- Private Club, Lodge, Meeting Hall, Labor Union, or Fraternal Organization or Sorority
- Restaurant or Cafeteria, Drive-Thru or Otherwise
- Temporary Fair and Show Grounds
- Some existing uses may become Non-Conforming and not be able to expand activities and services at all.

## **Option 4 – Make No Changes.**

- Not Recommended.
- Conflicts with RLUIPA – treats Churches differently from other, similar Assembly uses.

*Religious Land Use and Institutionalized Persons Act of 2000 - Prohibits any government from imposing or implementing a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution: (1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest.*



## Text Amendment Process:

- Text Amendment Initiated by Town Council – May 9, 2023
  - Joint PC/TC Work Session Requested – Scheduling Conflicts
- Planning Commission – 1<sup>st</sup> Work Session – August 21 2023
- Planning Commission – 2<sup>nd</sup> Work Session – September 19, 2023
  - Provide guidance and direction so that staff can prepare draft ordinance language for public hearing.
- Public Hearing – Planning Commission
  - Next Available Date: October 17, 2023
  - PC Recommendation to TC
  - 100 Day Clock (August 21, 2023 - November 29, 2023)
- Town Council
  - Work Session or Public Hearing – as directed
  - Final Decision on ordinance language

### Staff Requested Action for September 19, 2023:

- Provide guidance and direction for draft ordinance language.

## ➤ Discussion

## ➤ Guidance and Direction to Staff

- Options 1 – 4, Other
- Preferred Direction
- Additional Information

## ➤ Next Step

- Schedule a Public Hearing
- 100-day Time Limit for Recommendation
  - October 17<sup>th</sup> – potential 1<sup>st</sup> public hearing
  - November 29 – 100-day deadline for PC action
    - November 21 – Last scheduled meeting prior to 100 day limit



**Planning Commission Work Session**  
**ZOTA-23-2 - Assembly Uses in the Industrial District**  
**September 19, 2023**



# ZOTA-23-2 – Assembly Uses in the Industrial District

Planning Commission Public Hearing  
November 28<sup>th</sup>, 2023

## Article 12 – Definitions

**Church:** *A building or structure, or group of buildings or structures, which by design and construction are primarily intended for activities that people regularly attend to participate in or hold religious services, meetings, and other activities. The term “church” shall not carry a secular connotation and shall include buildings in which religious services of any denomination are held.*

Churches are allowed in all zoning districts except the Industrial district.

Ordinance Section	Zoning District	Approval Process
3-4.1	R-15 Residential District	Permissible with the approval of a Special Use Permit
3-4.2	R-10 Residential District	Permissible with the approval of a Special Use Permit
3-4.3	R-6 Residential District	Permitted with administrative approval
3-4.4	RT Residential Townhouse District	Permissible with the approval of a Special Use Permit
3-4.5	RMF Residential Multifamily District	Permissible with the approval of a Special Use Permit
3-4.6	R-40 Residential District	Permissible with the approval of a Special Use Permit
3-4.7	R-E Residential District	Permissible with the approval of a Special Use Permit
3-4.8	RO Residential Office District	Permissible with the approval of a Special Use Permit
3-4.9	PSP Public-Semi-Public Institutional District	Permitted with administrative approval
3-4.10	C Commercial District	Permitted with administrative approval
3-4.11	CBD Central Business District	Permitted with administrative approval
3-4.12	I Industrial District	Not Permitted

# RLUIPA

## Religious Land Use and Institutionalized Persons Act

- Federal Law
- Prohibits undue burdens or restrictions on land use for churches through Zoning regulations.
- Treating churches differently from other, similar uses, is a recognized claim of discrimination

*Religious Land Use and Institutionalized Persons Act of 2000 - Prohibits any government from imposing or implementing a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution: (1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest.*

*Prohibits any government from imposing a substantial burden on the religious exercise of a person residing in or confined to an institution, as defined in the Civil Rights of Institutionalized Persons Act, even if the burden results from a rule of general applicability, unless the government demonstrates that imposition of the burden on that person: (1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest.*

# RLUIPA

## Religious Land Use and Institutionalized Persons Act

- Treating churches differently from other, similar uses, is a recognized claim of discrimination

### 2018 Virginia Construction Code – Uniform Statewide Building Code Section 303 – Assembly Group A

*The use of a building or structure for the gathering of persons for purposes such as civic, social or religious functions; recreation, food or drink consumption or waiting for transportation.*

Assembly Uses Allowed in the Industrial District		
<b>Permitted Uses (By-Right)</b> <ul style="list-style-type: none"> <li>• Active and Passive Recreation and Recreational Facilities</li> <li>• Cafeteria or snack bar for employees</li> <li>• Conference Centers</li> <li>• Health and Fitness</li> </ul>	<b>Facilities</b> <ul style="list-style-type: none"> <li>• Institutional buildings</li> <li>• Motion picture studio</li> <li>• Private club, lodge, meeting hall, labor union, or fraternal organization or sorority</li> </ul>	<b>Permissible Uses (with Special Use Permit)</b> <ul style="list-style-type: none"> <li>• Restaurant or cafeteria, drive-thru or otherwise</li> <li>• Temporary fair and show ground</li> </ul>

# Article 3 – Section 3-4.12 Uses Allowed in the Industrial District

*Assembly Uses per Building Code*  
*Light Industrial/Office*  
*Industrial*

Item c.

## Permitted Uses (By-Right)

Active and Passive Recreation and Recreational Facilities  
Cafeteria or snack bar for employees  
Conference Centers  
Health and Fitness Facilities  
Institutional buildings  
Motion picture studio  
Private club, lodge, meeting hall, labor union, or fraternal organization or sorority  
Broadcasting studios and offices  
Banks and savings and loan offices  
Business and office supply establishments  
Clinics, medical or dental  
Commercial uses constituting up to 15% of permitted site or building area  
Employment service or agency  
Flex Office and Industrial uses  
Janitorial service establishment  
Offices- business, professional, or administrative  
Rental service establishment  
Retail or wholesale sales and service incidental to a permitted manufacturing, processing, storing, or distributing use  
Security service office or station  
Studios  
Cabinet, upholstery, and furniture shops  
Contractor's office and warehouse without outdoor storage  
Crematory  
Laboratories, research, experimental or testing, but not testing explosives, rockets, or jet engines  
Light manufacturing uses which do not create danger to

health and safety in surrounding areas and which do not create offensive noise, vibration, smoke, dust, lint, odor, heat, glare, or electrical impulse than that which is generally associated with light industries  
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Wholesale establishment, storage warehouse, or distribution center. furniture moving  
Accessory buildings  
Open space subject to Article 9  
Dwellings for resident watchmen and caretakers employed on the premises

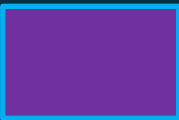
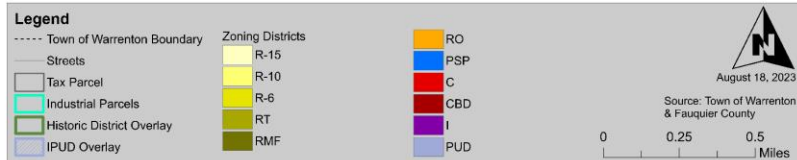
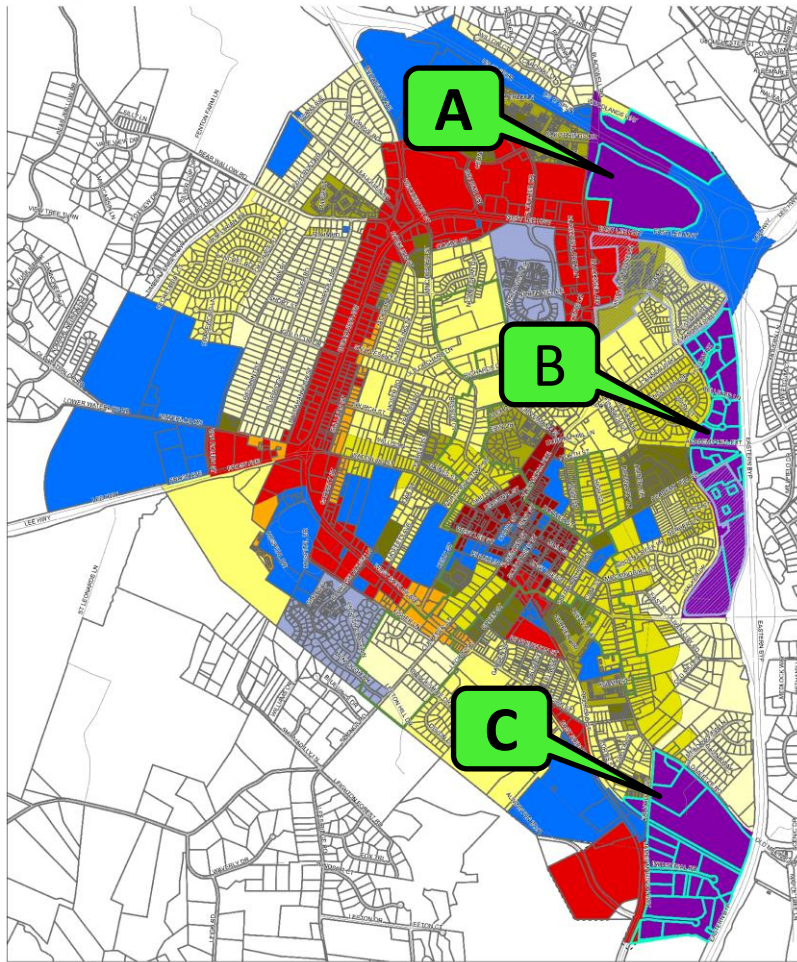
## Permissible Uses (with Special Use Permit)

Restaurant or cafeteria, drive-thru or otherwise  
Temporary fair and show ground  
Automobile body shop  
Automobile and truck repair and service  
Commercial Kennels  
Contractor's storage yard  
Data Center  
Farm equipment, motorcycle, boat and sport trailer sales and service  
Fuel, coal, oil distribution storage yards  
Lumber and building supply with undercover storage.  
Maintenance and equipment shops with screened outside storage  
Outdoor storage of any kind  
Plumbing and electrical supply with undercover storage  
Self-service mini-warehouse  
Tire and battery sales and service, tire recapping and retreading  
Transmission and receiving towers of height greater than one hundred twenty-five (125) feet.  
Treatment plants, water storage tanks, major transmission lines or pipelines, pumping or regulator stations, communications towers, storage yards and substations, and cable television facilities and accessory buildings





### TOWN OF WARRENTON Zoning District Industrial Parcels



**Industrial District - Total Tax Parcel Land**  
**76 Parcels**  
**290 Acres of Tax Parcel Land**

**58 Developed Parcels**

**18 Undeveloped Parcels**

- Includes Amazon & Walker Drive Rezoning – Areas A & B
- Includes likely candidates for Redevelopment – Area C

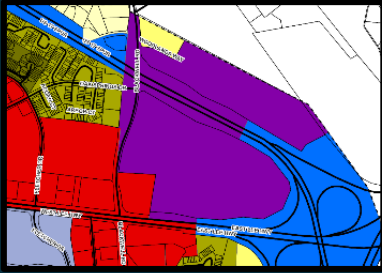
**139 Acres Developed Land**

**151 Acres Undeveloped Land**

- 52% of All Industrial Zoned Land is currently vacant
- Majority in Area C (*land with no legislative approvals*)



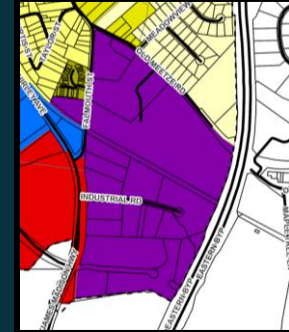
Item c.



Area A



Area B



Area C

### New Town Mixed Use/New Town District

Large lots, direct access from Route 29, and high visibility, a location for a **signature office/jobs center**; with greater intensity of **mixed use** and strong **live, work, and play** options.

### Light Industrial/Old Town District

Continue to promote Old Town as the signature cultural, social and historic hub. Encourage **infill housing** and **adaptive reuse of structures**; maintain historic character and **scale**.

### Greenway & Wellness Mixed Use/Makers District

Maximize use of industrial areas for **maker space with a food and arts focus**, create connective elements to the greenway, enhance **gateway** form and function.

# Comprehensive Plan Considerations

## New Town Mixed Use/New Town District

### Character District Summary

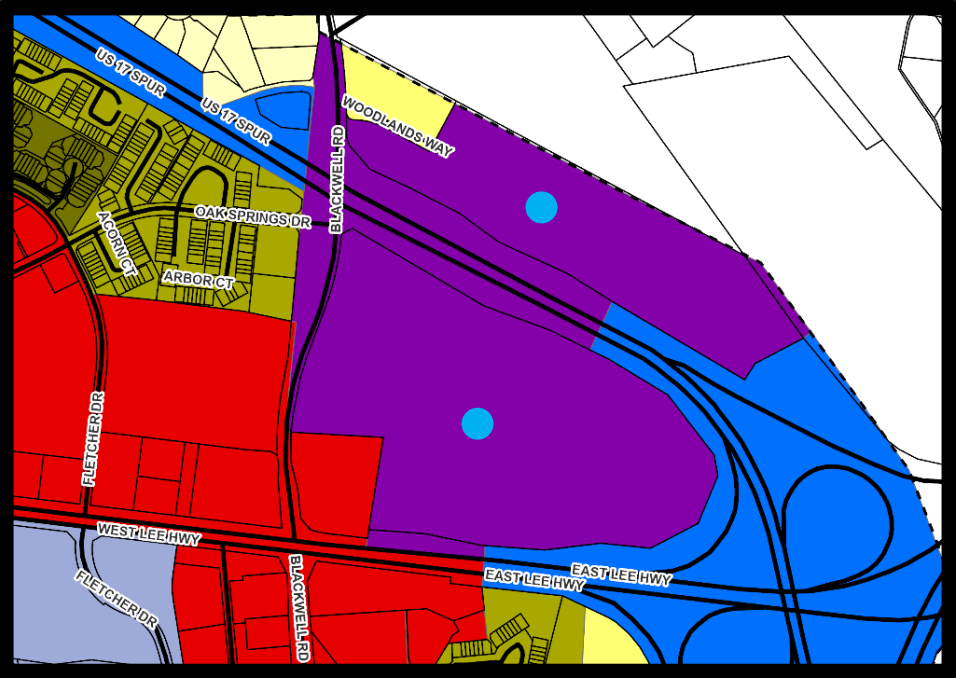
Large lots, direct access from Route 29, and high visibility, a location for a signature office/jobs center; with greater intensity of mixed use and strong live, work, and play options.

### Land Use Goal

Support the **revitalization** of the commercial shopping malls with **walkable development**, green space, public amenities, as well as provide a location for a major employer.

### Existing Businesses

None – undeveloped.



- Area A - Undeveloped Parcels
  - Dobson, David – 21.8 ac.
  - Amazon Data Services – 41.7 ac.  
*(SUP Approval)*

**Total Undeveloped Area = 63.5 ac.**

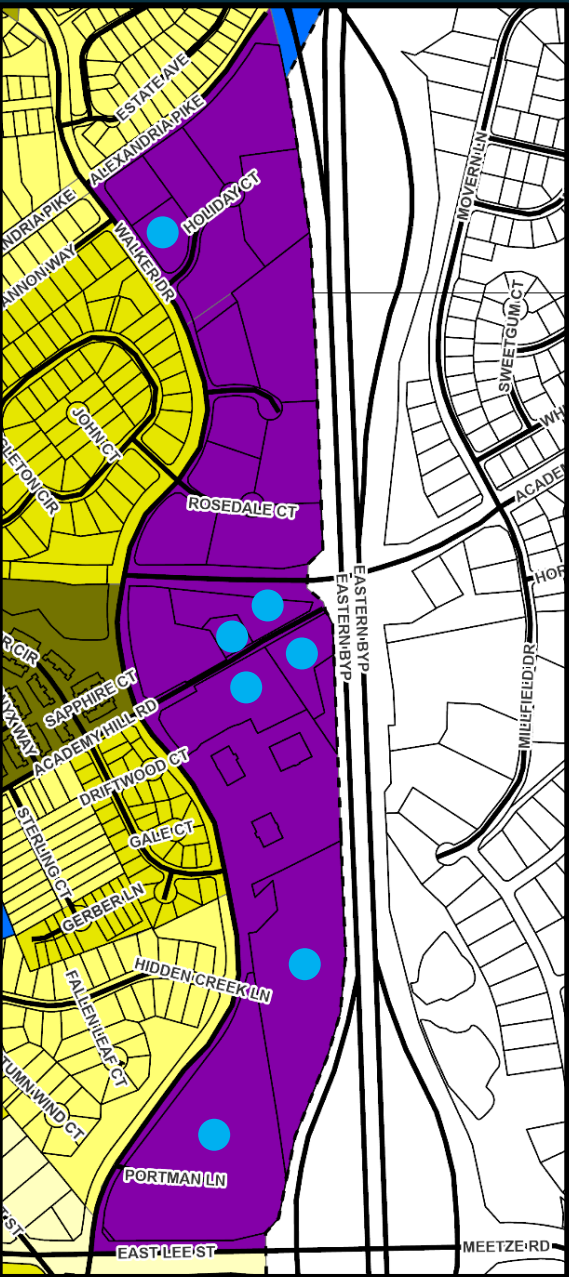
# Comprehensive Plan Considerations

## Light Industrial/Old Town District

**Character District Summary**  
Continue to promote Old Town as the signature cultural, social and historic hub. Encourage infill housing and adaptive reuse of structures; maintain historic character and scale.

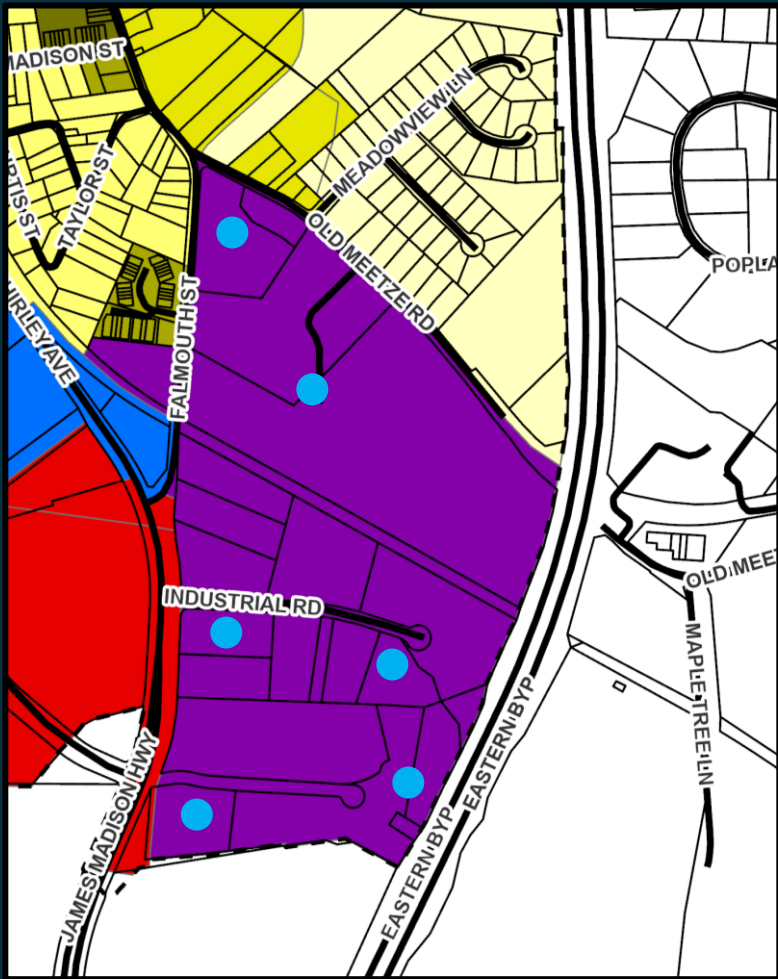
**Land Use Goal**  
Include a mix of infill and new development that is designed to maintain Old Town’s historic character.

- Existing Businesses**
- 6 Industrial-type
  - 14 Light Industrial/Office
  - 4 Assembly



- **Area B - Undeveloped Parcels**
  - Brandon Land Investments/1.2 ac.
  - Town of Warrenton/1.9 ac.
  - Gibson, Lori/0.5 ac.
  - 341 Academy Hill Road LLC/1.8 ac.
  - Walker Dr. Investment Group/3.5 ac. (IPUD - Land Bay E)
  - Springfield Properties LLC/8.5 ac. (IPUD - Land Bays B, C, D)
  - Remland LLC/11.6 ac. (IPUD - Land Bays A, B, C)

**Total Undeveloped Area = 29 ac.**



# Comprehensive Plan Considerations

## Greenway & Wellness Mixed Use/Makers District

### Character District Summary

Maximize use of industrial areas for maker space with a food and arts focus, create connective elements to the greenway, enhance gateway form and function.

### Land Use Goal

Promoted as the southern gateway and **maintain critical linkages** between education, civic uses, surrounding neighborhoods and the remaining industrial uses in the Town.

### Future Land Use Description – Light Industrial

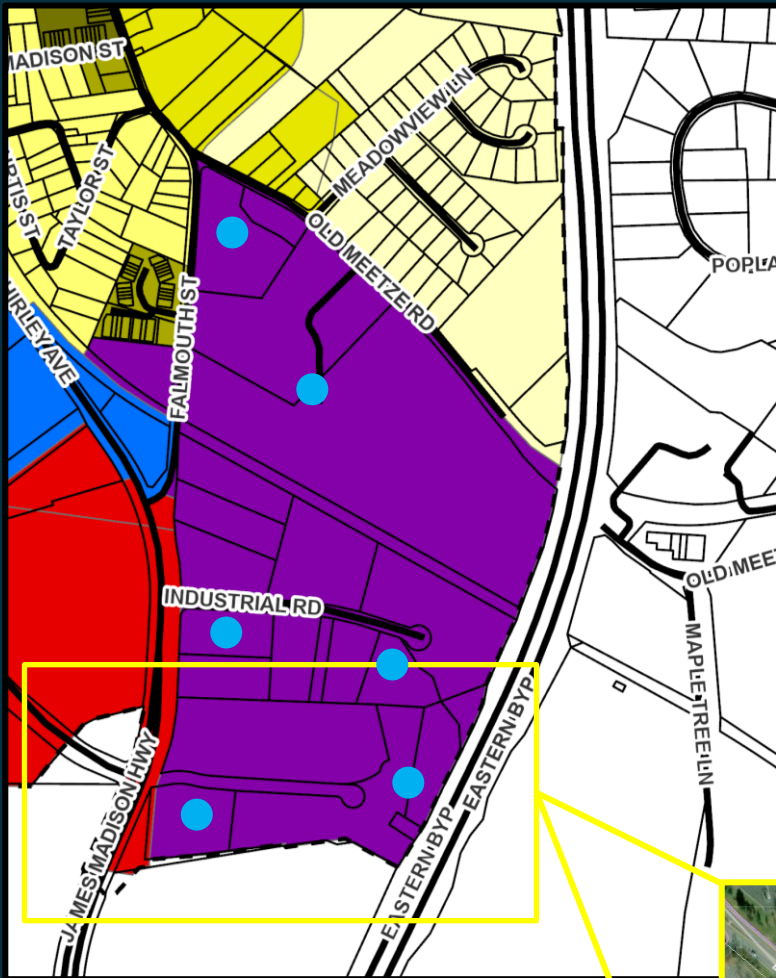
- Incorporate previous uses envisioned for **Light Industrial**.

### Existing Businesses

- 8 Industrial
- 1 Light Industrial/Retail
- 2 Assembly

# Comprehensive Plan Considerations

## Greenway & Wellness Mixed Use/Makers District



Undeveloped Area in Floodplain ~6.5 ac



### Area C - Undeveloped Parcels

- Worsham, Suzanne & William/5.2 ac. (*Alwyngton Manor*)
- Premium Business Parks International LLC/37.4 ac. (*Wire Factory*)
- Red Road INC/2.2 ac.
- Brown, Ricky/2.2 ac.
- The Drew Corporation/8.6 ac. (*floodplain*)
- 819 JMH LLC/3.0 ac. (*floodplain*)

**Total Undeveloped Area = 58.6 ac**

Benchmark Communities – Assembly Uses in Industrial Districts							
Jurisdiction	Assembly Uses Allowed	Religious Assembly Allowed	Religious Assembly By-Right	Special Use Permit Required	Size Limitation	Occupancy Limitation	Notes
Town of Warrenton	Yes	No					Recreational Facilities, Conference Center, Club
Fauquier County	Yes	No					Recreational Facilities, Museum, Restaurant
Town of Culpeper	Yes	Yes	X				Restaurant, Dormitory, Wedding Chapel, Church
Town of Leesburg	Yes	Yes	X Existing Building Only	X			Church
City of Manassas	Yes	Yes		X		Less than 50/50 or More	Assembly, Cultural Facility, Church, Dancehall
Town of Vienna	No	No					
City of Charlottesville	Yes	Yes	X				Convent/Monastery, Theaters, Church, Recreational Facilities

**Summary:**

- Allow some Assembly uses **and** Churches – acceptable
- Prohibit all Assembly uses, including Churches – acceptable
- Allow some Assembly uses but **not** Churches – not acceptable

### Town of Warrenton Zoning Ordinance Article 3 Existing Differences in Approval Process by Size

#### PSP - Public-Semi-Public Institutional District

- *Hospitals at 10,000 sq.ft. or greater - SUP*
- *Schools at 10,000 sq.ft. or greater - SUP*

#### C - Commercial District

- *Any Use greater than 50,000 sq.ft. - SUP*

#### CBD - Central Business District

- *Personal Service Stores greater than 3,000 sq.ft. - SUP*
- *Retail greater than 3,000 sq.ft. - SUP*

### Fauquier County Zoning Ordinance Differences in Approval Process by Size of Church

Place of Worship, **Minor** – Special Permit

Place of Worship, **Major** – Special Exception

- 10,000 sq.ft. in size or greater; or
- 300 seats or more; or
- Any addition of 10,000 sq.ft. or more.

Additional Approval Standards

- 10 acre Minimum Size
- 100 foot Buffer between Residential/Rural Properties
- Access from a Major Collector Roadway



# Work Session – September 19, 2023

## Option A

- Revises the Legislative Intent in Section 3-4.12.1 to include limited assembly uses to the descriptive paragraph, to more closely match the mixture of use categories that are currently allowed in the district as well as the existing assembly-type businesses that are established in the district.
- Adds Churches as an allowable use in the Industrial district.
- Includes a threshold for all allowable assembly uses, set at 10,000 square feet or more of building area, or more than 300 persons, where any assembly use meeting this threshold will require the approval of a Special Use Permit by Town Council per Section 3-4.12.3.

## Option B

- Revises the Legislative Intent in Section 3-4.12.1 to include limited assembly uses to the descriptive paragraph, to more closely match the mixture of use categories that are currently allowed in the district as well as the existing assembly-type businesses that are established in the district.
- Adds Churches as a Permitted, by-right use in the Industrial district, where the use is located in an existing building or less than 500 persons.
- Includes a threshold for all allowable assembly uses, set at 500 or more persons, where any assembly use meeting this threshold will require the approval of a Special Use Permit by Town Council per Section 3-4.12.3.

## Text Amendment Process:

- Text Amendment Initiated by Town Council – May 9, 2023
  - Joint PC/TC Work Session Requested – Scheduling Conflicts
  
- Planning Commission – 1<sup>st</sup> Work Session – August 21 2023
- Planning Commission – 2<sup>nd</sup> Work Session – September 19, 2023
  - Provide guidance and direction so that staff can prepare draft ordinance language for public hearing.
  
- Public Hearing – Planning Commission
  - *October 17, 2023 - Cancelled*
  - 1<sup>st</sup> Public Hearing – November 28, 2023
  - 100 Day Clock (August 21, 2023 - November 29, 2023)
  
- Town Council
  - Work Session or Public Hearing – as directed
  - Final Decision on ordinance language



# ZOTA-23-2 – Assembly Uses in the Industrial District

Planning Commission Public Hearing  
November 28<sup>th</sup>, 2023

### 3-4.12 I Industrial District

#### 3-4.12.1 Legislative Intent

It is the intent of this district to implement the Town’s Comprehensive Plan by providing for a variety of light manufacturing, fabricating, processing, wholesale distributing, ~~and~~ warehousing, and limited assembly uses appropriately located for access by highways and providing a controlled environment within which signing is limited, uses are to be conducted generally within completely enclosed buildings, and a moderate amount of landscaping is required. In order to preserve the land for industry, to reduce extraneous traffic, and avoid future conflicts between industry and other uses, business and service uses are limited primarily to those which will be useful to employees in the district and future residential uses are restricted.

#### 3-4.12.2 Permitted Uses (by-right)

- Accessory buildings
- Active and Passive Recreation, and Passive Recreation Facilities
- Active Recreation Facilities of less than 10,000 square feet or certified for occupancy of no more than 300 persons
- Banks and savings and loan offices
- Broadcasting studios and offices
- Business and office supply establishments
- Cabinet, upholstery, and furniture shops
- Cafeteria ~~or snack bar for employees~~ of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Church (or place of religious worship) of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Clinics, medical or dental
- Commercial uses constituting up to 15% of permitted site or building area
- Conference Centers of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Contractor’s office and warehouse without outdoor storage
- Crematory
- Dwellings for resident watchmen and caretakers employed on the premises
- Employment service or agency
- Flex Office and Industrial uses
- Health ~~and~~ or Fitness Facilities of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Institutional buildings of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Janitorial service establishment
- Laboratories, research, experimental or testing, but not testing explosives, rockets, or jet engines
- Light manufacturing uses which do not create danger to health and safety in surrounding areas and which do not create offensive noise, vibration, smoke, dust, lint, odor, heat, glare, or electrical impulse than that which is generally associated with light industries
- Mobile Food Vendors subject to Article 9-24
- Monument sales establishments with incidental processing to order but not including shaping of headstones

- Motion picture studio
- Nurseries and greenhouses
- Offices- business, professional, or administrative
- Off-street parking and loading subject to Article 7
- Open space subject to Article 9
- Printing, publishing, and engraving establishment; photographic processing; blueprinting; photocopying; and similar uses
- ~~Private e~~Club, ~~H~~odge, ~~meeting or Assembly~~ hall, ~~labor union, or fraternal organization or sorority of less than 10,000 square feet, certified for occupancy of no more than 300 persons~~
- Rental service establishment
- Retail or wholesale sales and service incidental to a permitted manufacturing, processing, storing, or distributing use
- Rug and carpet cleaning and storage with incidental sales of rugs and carpets
- Security service office or station
- Sign fabricating and painting
- Signs, subject to Article 6
- Studios of less than 10,000 square feet, or certified for occupancy of no more than 300 persons
- Transmission and receiving towers of height not exceeding one hundred twenty-five (125) feet
- Utilities related to and necessary for service within the Town, including poles, wires, transformers, telephone booths, and the like for electrical power distribution or communication service, and underground pipelines or conduits for local electrical, gas, sewer, or water service, but not those facilities listed as requiring a special use permit
- Wholesale establishment, storage warehouse, or distribution center. furniture moving

### 3-4.12.3

#### Permissible Uses (by special use permit upon approval of the Town Council)

- Active Recreation Facilities of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Automobile body shop
- Automobile and truck repair and service
- Cafeteria of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Church (or place of religious worship) of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Commercial Kennels
- Conference Centers of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Contractor's storage yard
- Data Center
- Farm equipment, motorcycle, boat and sport trailer sales and service
- Fuel, coal, oil distribution storage yards
- Health or Fitness Facilities of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Institutional buildings of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Lumber and building supply with undercover storage.

- Maintenance and equipment shops with screened outside storage
- Outdoor storage of any kind
- Plumbing and electrical supply with undercover storage
- Club, Lodge, or Assembly Hall of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Active Recreation Facilities of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Restaurant or cafeteria, drive-thru or otherwise
- Self-service mini-warehouse
- Studios of 10,000 square feet or greater, or certified for occupancy of more than 300 persons
- Temporary fair and show grounds
- Tire and battery sales and service, tire recapping and retreading
- Transmission and receiving towers of height greater than one hundred twenty-five (125) feet.
- Treatment plants, water storage tanks, major transmission lines or pipelines, pumping or regulator stations, communications towers, storage yards and substations, and cable television facilities and accessory buildings

January 9, 2024  
Town Council  
Public Hearing

**AN ORDINANCE TO APPROVE ZOTA-23-2 A ZONING ORDINANCE TEXT AMENDMENT TO ARTICLE 3, SECTION 3-4.12 INDUSTRIAL DISTRICT TO ADDRESS ASSEMBLY USES IN THE INDUSTRIAL DISTRICT**

**WHEREAS**, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, the Warrenton Town Council may, by ordinance, amend, supplement, or change the regulations of the Zoning Ordinance of the Town whenever the public necessity, convenience, general welfare or good zoning practice may require such an amendment; and

**WHEREAS**, the Warrenton Town Council initiated a Text Amendment to the Zoning Ordinance in accordance with the procedures set forth in Article 11, Section 11-3.9 Zoning Amendments on May 9, 2023 to address assembly uses in the Industrial District; and

**WHEREAS**, the Warrenton Planning Commission held a work session to discuss assembly uses in the Industrial District on August 22, 2023 and on September 19, 2023; and

**WHEREAS**, the Warrenton Planning Commission held a public hearing on this matter on November 28, 2023 and unanimously recommended approval to permit limited assembly uses within the Industrial District to include Places of Worship, where any assembly use of 10,000 square feet or greater, or structure certified for occupancy of more than 300 persons will require the approval of a Special Use Permit by Town Council per Ordinance Section 3-4.12.3 and Section 11-3.10; and

**WHEREAS**, on January 9, 2024 the Warrenton Town Council conducted a public hearing on this matter and considered oral and written testimony; and

**WHEREAS**, the Warrenton Town Council finds that per the Code of Virginia Section 15.2-2286.A.7, this text amendment is in the best interest of public necessity, convenience, general welfare, and good zoning practice; now, therefore, be it

**ORDAINED**, by the Warrenton Town Council this 9<sup>th</sup> day of January 2024, that the Town Council hereby adopts the following text amendment to Article 3, Section 3-4.12 of the Town of Warrenton Zoning Ordinance as set forth herein.

- Votes:**
- Ayes:**
- Nays:**
- Absent from Vote:**
- Absent from Meeting:**

**For Information:**  
Community Development Director,  
Town Attorney

**ATTEST:** \_\_\_\_\_  
**Town Recorder**

### 3-4.12 I Industrial District

#### 3-4.12.1 Legislative Intent

It is the intent of this district to implement the Town's Comprehensive Plan by providing for a variety of light manufacturing, fabricating, processing, wholesale distributing, warehousing, and limited assembly uses appropriately located for access by highways and providing a controlled environment within which signing is limited, uses are to be conducted generally within completely enclosed buildings, and a moderate amount of landscaping is required. In order to preserve the land for industry, to reduce extraneous traffic, and avoid future conflicts between industry and other uses, business and service uses are limited primarily to those which will be useful to employees in the district and future residential uses are restricted.

#### 3-4.12.2 Permitted Uses (by-right)

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- Mobile Food Vendors subject to Article 9-24
- Monument sales establishments with incidental processing to order but not including shaping of headstones



- Motion picture studio
- Nurseries and greenhouses
- Offices- business, professional, or administrative
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- Maintenance and equipment shops with screened outside storage

- Outdoor storage of any kind
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- Treatment plants, water storage tanks, major transmission lines or pipelines, pumping or regulator stations, communications towers, storage yards and substations, and cable television facilities and accessory buildings



# ZOTA-23-2 – Assembly Uses in the Industrial District

Town Council Public Hearing  
January 9, 2024

## Article 12 – Definitions

**Church (or place of religious worship):** *A building or structure, or group of buildings or structures, which by design and construction are primarily intended for activities that people regularly attend to participate in or hold religious services, meetings, and other activities. The term “church” shall not carry a secular connotation and shall include buildings in which religious services of any denomination are held.*

**Churches are allowed in all zoning districts except the Industrial district.**

Ordinance Section	Zoning District	Approval Process
3-4.1	R-15 Residential District	Permissible with the approval of a Special Use Permit
3-4.2	R-10 Residential District	Permissible with the approval of a Special Use Permit
3-4.3	R-6 Residential District	Permitted with administrative approval
3-4.4	RT Residential Townhouse District	Permissible with the approval of a Special Use Permit
3-4.5	RMF Residential Multifamily District	Permissible with the approval of a Special Use Permit
3-4.6	R-40 Residential District	Permissible with the approval of a Special Use Permit
3-4.7	R-E Residential District	Permissible with the approval of a Special Use Permit
3-4.8	RO Residential Office District	Permissible with the approval of a Special Use Permit
3-4.9	PSP Public-Semi-Public Institutional District	Permitted with administrative approval
3-4.10	C Commercial District	Permitted with administrative approval
3-4.11	CBD Central Business District	Permitted with administrative approval
3-4.12	<b>I Industrial District</b>	<b>Not Permitted</b>

# RLUIPA

## Religious Land Use and Institutionalized Persons Act

- Federal Law
- Prohibits undue burdens or restrictions on land use for churches through Zoning regulations.
- Treating churches differently from other, similar uses, is a recognized claim of discrimination

*Religious Land Use and Institutionalized Persons Act of 2000 - Prohibits any government from imposing or implementing a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution: (1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest.*

*Prohibits any government from imposing a substantial burden on the religious exercise of a person residing in or confined to an institution, as defined in the Civil Rights of Institutionalized Persons Act, even if the burden results from a rule of general applicability, unless the government demonstrates that imposition of the burden on that person: (1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest.*

# RLUIPA

## Religious Land Use and Institutionalized Persons Act

- Treating churches differently from other, similar uses, is a recognized claim of discrimination

### 2018 Virginia Construction Code – Uniform Statewide Building Code

#### Section 303 – Assembly Group A

*The use of a building or structure for the gathering of persons for purposes such as civic, social or religious functions; recreation, food or drink consumption or waiting for transportation.*

Assembly Uses Allowed in the Industrial District		
<b>Permitted Uses (By-Right)</b> <ul style="list-style-type: none"> <li>• Active and Passive Recreation and Recreational Facilities</li> <li>• Cafeteria or snack bar for employees</li> <li>• Conference Centers</li> <li>• Health and Fitness</li> </ul>	<b>Facilities</b> <ul style="list-style-type: none"> <li>• Institutional buildings</li> <li>• Motion picture studio</li> <li>• Private club, lodge, meeting hall, labor union, or fraternal organization or sorority</li> </ul>	<b>Permissible Uses (with Special Use Permit)</b> <ul style="list-style-type: none"> <li>• Restaurant or cafeteria, drive-thru or otherwise</li> <li>• Temporary fair and show ground</li> </ul>

# Article 3 – Section 3-4.12 Uses Allowed in the Industrial District

Assembly Uses per Building Code  
Light Industrial/Office  
Industrial

Item c.

## Permitted Uses (By-Right)

Active and Passive Recreation and Recreational Facilities  
Cafeteria or snack bar for employees  
Conference Centers  
Health and Fitness Facilities  
Institutional buildings  
Motion picture studio  
Private club, lodge, meeting hall, labor union, or fraternal organization or sorority  
Broadcasting studios and offices  
Banks and savings and loan offices  
Business and office supply establishments  
Clinics, medical or dental  
Commercial uses constituting up to 15% of permitted site or building area  
Employment service or agency  
Flex Office and Industrial uses  
Janitorial service establishment  
Offices- business, professional, or administrative  
Rental service establishment  
Retail or wholesale sales and service incidental to a permitted manufacturing, processing, storing, or distributing use  
Security service office or station  
Studios  
Cabinet, upholstery, and furniture shops  
Contractor's office and warehouse without outdoor storage  
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Laboratories, research, experimental or testing, but not testing explosives, rockets, or jet engines  
Light manufacturing uses which do not create danger to

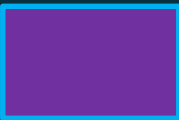
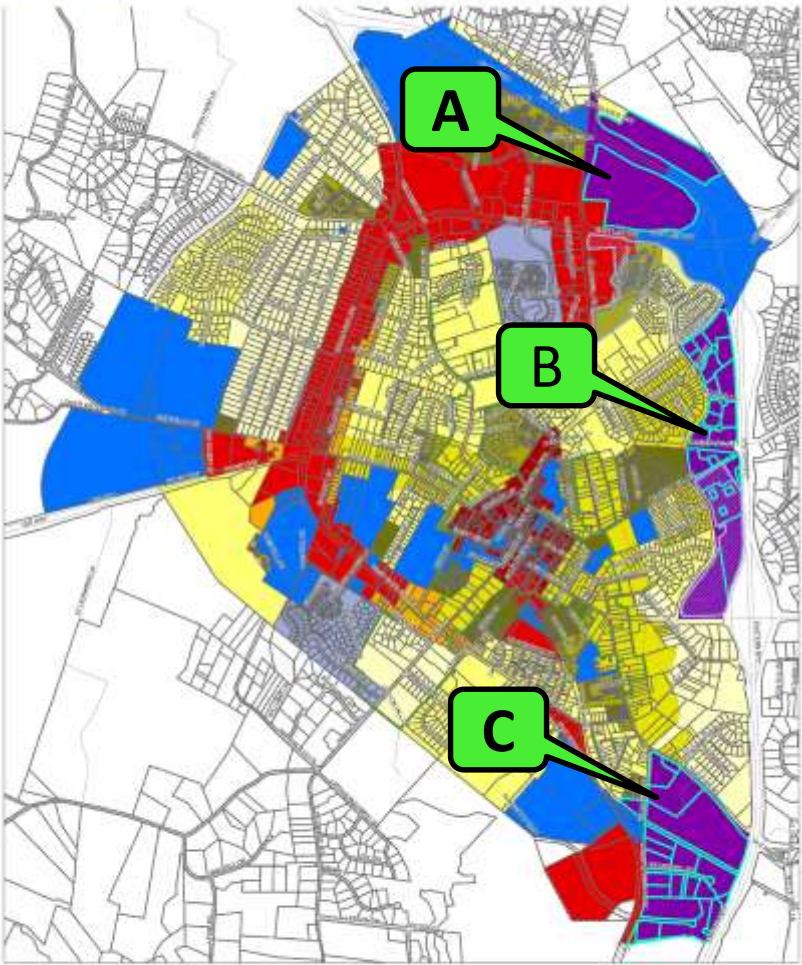
health and safety in surrounding areas and which do not create offensive noise, vibration, smoke, dust, lint, odor, heat, glare, or electrical impulse than that which is generally associated with light industries  
Mobile Food Vendors subject to Article 9-24  
Monument sales establishments with incidental processing to order but not including shaping of headstones  
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Printing, publishing, and engraving establishment; photographic processing; blueprinting; photocopying; and similar uses  
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Sign fabricating and painting  
Signs, subject to Article 6  
Transmission and receiving towers of height not exceeding one hundred twenty-five (125) feet  
Utilities related to and necessary for service within the Town, including poles, wires, transformers, telephone booths, and the like for electrical power distribution or communication service, and underground pipelines or conduits for local electrical, gas, sewer, or water service, but not those facilities listed as requiring a special use permit  
Wholesale establishment, storage warehouse, or distribution center. furniture moving  
Accessory buildings  
Open space subject to Article 9  
Dwellings for resident watchmen and caretakers employed on the premises

## Permissible Uses (with Special Use Permit)

Restaurant or cafeteria, drive-thru or otherwise  
Temporary fair and show ground  
Automobile body shop  
Automobile and truck repair and service  
Commercial Kennels  
Contractor's storage yard  
Data Center  
Farm equipment, motorcycle, boat and sport trailer sales and service  
Fuel, coal, oil distribution storage yards  
Lumber and building supply with undercover storage.  
Maintenance and equipment shops with screened outside storage  
Outdoor storage of any kind  
Plumbing and electrical supply with undercover storage  
Self-service mini-warehouse  
Tire and battery sales and service, tire recapping and retreading  
Transmission and receiving towers of height greater than one hundred twenty-five (125) feet.  
Treatment plants, water storage tanks, major transmission lines or pipelines, pumping or regulator stations, communications towers, storage yards and substations, and cable television facilities and accessory buildings



### TOWN OF WARRENTON Zoning District Industrial Parcels



**Industrial District - Total Tax Parcel Land**  
**76 Parcels**  
**290 Acres of Tax Parcel Land**

**58 Developed Parcels**

**18 Undeveloped Parcels**

- Includes Amazon & Walker Drive Rezoning – Areas A & B
- Includes likely candidates for Redevelopment – Area C

**139 Acres Developed Land**

**151 Acres Undeveloped Land**

- 52% of All Industrial Zoned Land is currently vacant
- Majority in Area C (*land with no legislative approvals*)





Item c.



Area A



Area B



Area C

### New Town Mixed Use/New Town District

Large lots, direct access from Route 29, and high visibility, a location for a **signature office/jobs center**; with greater intensity of **mixed use** and strong **live, work, and play** options.

### Light Industrial/Old Town District

Continue to promote Old Town as the signature cultural, social and historic hub. Encourage **infill housing** and **adaptive reuse of structures**; maintain historic character and **scale**.

### Greenway & Wellness Mixed Use/Makers District

Maximize use of industrial areas for **maker space with a food and arts focus**, create connective elements to the greenway, enhance **gateway** form and function.

# Comprehensive Plan Considerations

## New Town Mixed Use/New Town District

### Character District Summary

Large lots, direct access from Route 29, and high visibility, a location for a signature office/jobs center; with greater intensity of mixed use and strong live, work, and play options.

### Land Use Goal

Support the **revitalization** of the commercial shopping malls with **walkable development**, green space, public amenities, as well as provide a location for a major employer.

### Existing Businesses

None – undeveloped.



- **Area A - Undeveloped Parcels**
    - Dobson, David – 21.8 ac.
    - Amazon Data Services – 41.7 ac. (SUP Approval)
- Total Undeveloped Area = 63.5 ac.**

# Comprehensive Plan Considerations

## Light Industrial/Old Town District

### Character District Summary

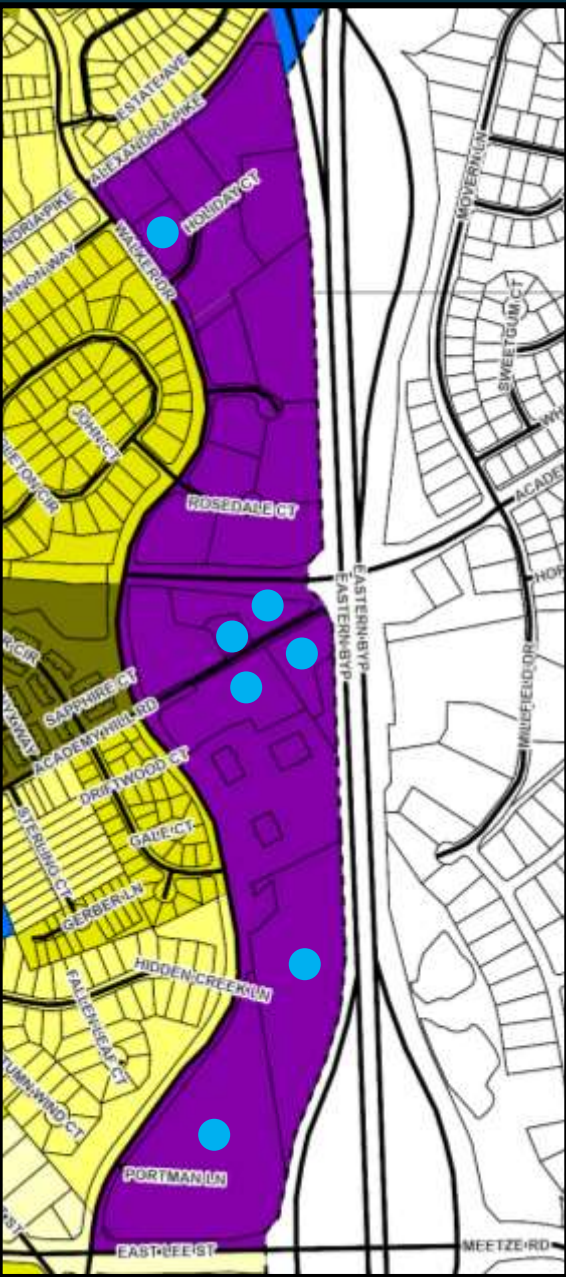
Continue to promote Old Town as the signature cultural, social and historic hub. Encourage infill housing and adaptive reuse of structures; maintain historic character and scale.

### Land Use Goal

Include a mix of infill and new development that is designed to maintain Old Town’s historic character.

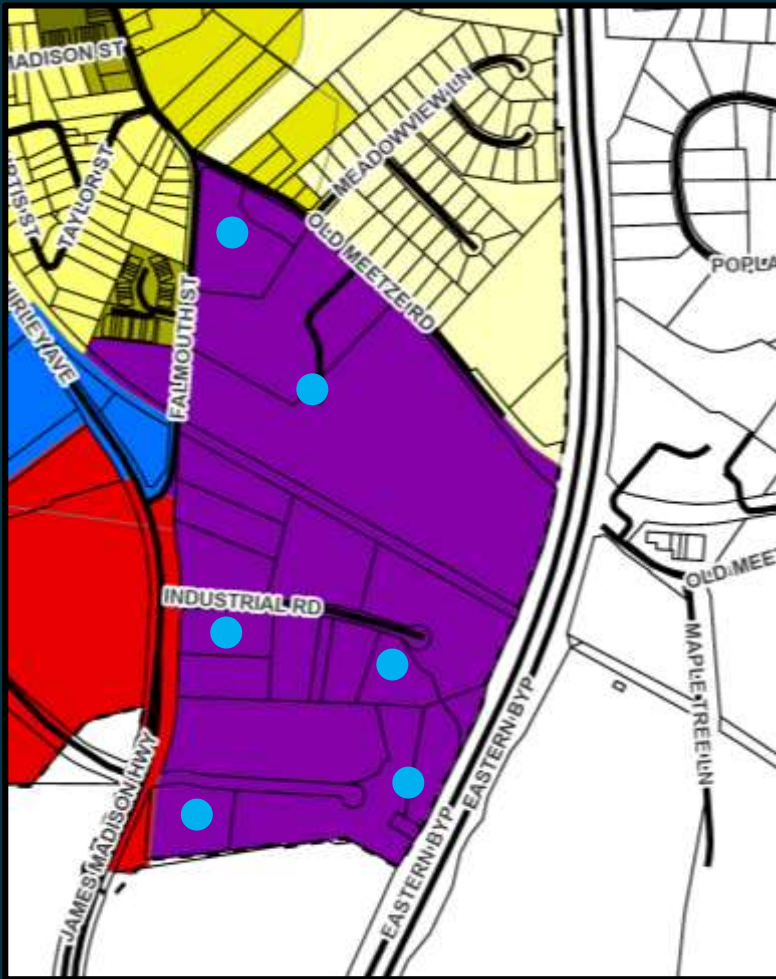
### Existing Businesses

- 6 Industrial-type
- 14 Light Industrial/Office
- 4 Assembly



- **Area B - Undeveloped Parcels**
  - Brandon Land Investments/1.2 ac.
  - Town of Warrenton/1.9 ac.
  - Gibson, Lori/0.5 ac.
  - 341 Academy Hill Road LLC/1.8 ac.
  - Walker Dr. Investment Group/3.5 ac. (IPUD - Land Bay E)
  - Springfield Properties LLC/8.5 ac. (IPUD - Land Bays B, C, D)
  - Remland LLC/11.6 ac. (IPUD - Land Bays A, B, C)

**Total Undeveloped Area = 29 ac.**



# Comprehensive Plan Considerations

## Greenway & Wellness Mixed Use/Makers District

### Character District Summary

Maximize use of industrial areas for maker space with a food and arts focus, create connective elements to the greenway, enhance gateway form and function.

### Land Use Goal

Promoted as the southern gateway and **maintain critical linkages** between education, civic uses, surrounding neighborhoods and the remaining industrial uses in the Town.

### Future Land Use Description – Light Industrial

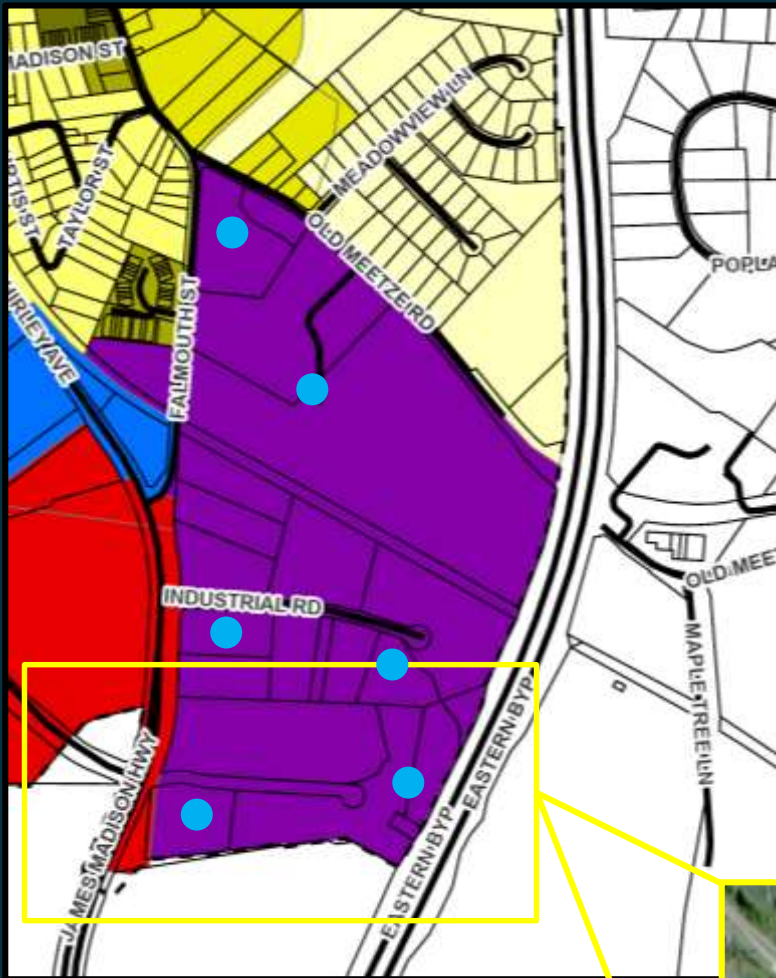
- Incorporate previous uses envisioned for **Light Industrial**.

### Existing Businesses

- 8 Industrial
- 1 Light Industrial/Retail
- 2 Assembly

# Comprehensive Plan Considerations

## Greenway & Wellness Mixed Use/Makers District



Undeveloped Area in Floodplain ~6.5 ac



### Area C - Undeveloped Parcels

- Worsham, Suzanne & William/5.2 ac. (*Alwyngton Manor*)
- Premium Business Parks International LLC/37.4 ac. (*Wire Factory*)
- Red Road INC/2.2 ac.
- Brown, Ricky/2.2 ac.
- The Drew Corporation/8.6 ac. (*floodplain*)
- 819 JMH LLC/3.0 ac. (*floodplain*)

**Total Undeveloped Area = 58.6 ac**

Benchmark Communities – Assembly Uses in Industrial Districts							
Jurisdiction	Assembly Uses Allowed	Religious Assembly Allowed	Religious Assembly By-Right	Special Use Permit Required	Size Limitation	Occupancy Limitation	Notes
Town of Warrenton	Yes	No					Recreational Facilities, Conference Center, Club
Fauquier County	Yes	No					Recreational Facilities, Museum, Restaurant
Town of Culpeper	Yes	Yes	X				Restaurant, Dormitory, Wedding Chapel, Church
Town of Leesburg	Yes	Yes	X Existing Building Only	X			Church
City of Manassas	Yes	Yes		X		Less than 50/50 or More	Assembly, Cultural Facility, Church, Dancehall
Town of Vienna	No	No					
City of Charlottesville	Yes	Yes	X				Convent/Monastery, Theaters, Church, Recreational Facilities

**Summary:**

- Allow some Assembly uses **and** Churches – acceptable
- Prohibit all Assembly uses, including Churches – acceptable
- Allow some Assembly uses but **not** Churches – not acceptable

### Town of Warrenton Zoning Ordinance Article 3 Existing Differences in Approval Process by Size

#### PSP - Public-Semi-Public Institutional District

- *Hospitals at 10,000 sq.ft. or greater - SUP*
- *Schools at 10,000 sq.ft. or greater - SUP*

#### C - Commercial District

- *Any Use greater than 50,000 sq.ft. - SUP*

#### CBD – Central Business District

- *Personal Service Stores greater than 3,000 sq.ft. - SUP*
- *Retail greater than 3,000 sq.ft. - SUP*

### Fauquier County Zoning Ordinance Differences in Approval Process by Size of Church

#### Place of Worship, **Minor** – Special Permit

#### Place of Worship, **Major** – Special Exception

- 10,000 sq.ft. in size or greater; or
- 300 seats or more; or
- Any addition of 10,000 sq.ft. or more.

#### Additional Approval Standards

- 10 acre Minimum Size
- 100 foot Buffer between Residential/Rural Properties
- Access from a Major Collector Roadway

# Planning Commission Work Session September 19, 2023

## Option A

- Revises the Legislative Intent in Section 3-4.12.1 to include limited assembly uses to the descriptive paragraph, to more closely match the mixture of use categories that are currently allowed in the district as well as the existing assembly-type businesses that are established in the district.
- Adds Churches as an allowable use in the Industrial district.
- Includes a threshold for all allowable assembly uses, set at 10,000 square feet or more of building area, or more than 300 persons, where any assembly use meeting this threshold will require the approval of a Special Use Permit by Town Council per Section 3-4.12.3.

## Option B

- Revises the Legislative Intent in Section 3-4.12.1 to include limited assembly uses to the descriptive paragraph, to more closely match the mixture of use categories that are currently allowed in the district as well as the existing assembly-type businesses that are established in the district.
- Adds Churches as a Permitted, by-right use in the Industrial district, where the use is located in an existing building or less than 500 persons.
- Includes a threshold for all allowable assembly uses, set at 500 or more persons, where any assembly use meeting this threshold will require the approval of a Special Use Permit by Town Council per Section 3-4.12.3.



# Planning Commission Public Hearing November 28, 2023

## Option A

- Revises the **Legislative Intent** in Section 3-4.12.1 to include **limited assembly uses** to the descriptive paragraph, to more closely match the mixture of use categories that are currently allowed in the district as well as the existing assembly-type businesses that are established in the district.
- Adds **Churches as an allowable use** in the Industrial district.
- Includes a **threshold** for all allowable assembly uses, set at **10,000 square feet** or more of building area, or more than **300 persons**, where any assembly use meeting this threshold will require the approval of a **Special Use Permit** by Town Council per Section 3-4.12.3.

## Text Amendment Process:

- Text Amendment Initiated by Town Council – May 9, 2023
  - Joint PC/TC Work Session Requested – Scheduling Conflicts
  
- Planning Commission
  - 1<sup>st</sup> Work Session – August 21 2023
  - 2<sup>nd</sup> Work Session – September 19, 2023
  - Public Hearing – November 28, 2023
  
- Town Council
  - 1<sup>st</sup> Public Hearing – January 9, 2024
  - One Year Action Deadline – May 9, 2024

**Ordinance – Attachment D**

- Adopt as recommended by Planning Commission

**OR**

- Defer Action to Revise



# ZOTA-23-2 – Assembly Uses in the Industrial District

Town Council Public Hearing  
January 9, 2024



Office of the Town Manager  
Frank Cassidy

**Warrenton Town Council**

Carter Nevill, Mayor  
Heather Sutphin, Ward 1  
William Semple, Ward 2  
Brett Hamby, Ward 3  
James Hartman, Ward 4 Vice Mayor  
Eric Gagnon, Ward 5  
Paul Mooney, At Large  
David McGuire, At Large

Item a.

# STAFF REPORT

<b>Council Meeting Date:</b>	January 9, 2023
<b>Agenda Title:</b>	Re-Appointment of Local Board of Building Code Appeals Members.
<b>Requested Action:</b>	Re-Appoint the Local Board of Building Code Appeals members.
<b>Department / Agency Lead:</b>	Community Development
<b>Staff Lead:</b>	Hunter Digges, Building Official

## EXECUTIVE SUMMARY

The Local Board of Building Code Officials (LBBCA) is a quasi-judicial board providing a first-tier due process right of adjudication of decisions of local government building or fire officials. Virginia’s System of building codes establishes the process of enforcement by the officials through either the Virginia Uniform Statewide Building Code, the Virginia Statewide Fire Prevention Code, or the Virginia Property Maintenance Code.

The LBBCA typically meets annually at an organizational meeting and as- needed to hear appeals of the decisions of the building officials.

Staff have identified a need to re-appoint the members of the LBBCA.

A current appeal has been requested by a Citizen within Town. These appointments would enable the LBBCA to hear the appeal and consider the facts of the case for their decision.

## BACKGROUND

Historically, the LBBCA members have been appointed by the Council. Appeals to the LBBCA are not numerous and are a rarity in Town. As Staff is working through the needs of the appeal it has been identified that due to the staffing change overs and impacts of the COVID pandemic the current term of the board has expired.

Historically, the members of the Fauquier County LBBCA have volunteered to be appointed to the Town’s LBBCA and serve their community. It is common for the members to be appointed to multiple boards due to the level of expertise needed for these roles and the infrequency of necessary action by them.

## STAFF RECOMMENDATION

Staff recommends that the Town Council re-appoint James F. Tucker, James F. Austin Jr., Frank S. Foley, and Wayne G. Carson to the Local Board of Building Code Appeals. All individuals were members of the LBBCA prior to the expiration of their terms and have expressed interest in serving again.

**Service Level/Collaborative Impact**

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Appointment of Local Board of Building Code Appeals members allows Town citizens and contractors the ability to appeal any determination made by a code official or the local building departments application of the Uniform Statewide Building Code, the Virginia Statewide Fire Prevention Code, and the Virginia Property Maintenance Code. The term of each member would be for four years.

**Policy Direction/Warrenton Plan 2040**

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The Local Board of Building Code Appeals (LBBCA) is tasked with hearing appeals of the determinations made by the Building Official. Enforcement of State Building Codes is for the health, safety, and welfare of the citizens and businesses of the Town of Warrenton contained within the built environment and property maintenance.

**Fiscal Impact**

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No additional fiscal impact is expected.

**Legal Impact**

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The purpose of the LBBCA is to hear appeals of determinations made by the Building Official. This in turn may involve the Town Attorney for representation. The lack of a LBBCA would impact the Building Officials ability to enforce the building codes of the Town and impact the Citizen's ability to appeal the decisions made.

**ATTACHMENTS**

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- 1. Section 119 of the Uniform Statewide Building Code
- 2. Resolutions of appointment for suggested members.

**SECTION 119  
APPEALS****119.1 Establishment of appeals board.**

In accordance with § 36-105 of the Code of Virginia, there shall be established within each *local building department* a *local board of building code appeals* (LBBCA). Whenever a county or a municipality does not have such a LBBCA, the *local governing body* shall enter into an agreement with the *local governing body* of another county or municipality or with some other agency, or a state agency approved by DHCD for such appeals resulting therefrom. Fees may be levied by the *local governing body* in order to defray the cost of such appeals. In addition, as an authorization in this code, separate LBBCAs may be established to hear appeals of different enforcement areas such as electrical, plumbing or mechanical requirements. Each such LBBCA shall comply with the requirements of this section. The *locality* is responsible for maintaining a duly constituted LBBCA prepared to hear appeals within the time limits established in this section. The LBBCA shall meet as necessary to assure a duly constituted board, appoint officers as necessary, and receive such training on the code as may be appropriate or necessary from staff of the *locality*.

**119.2 Membership of board.**

The LBBCA shall consist of at least five members appointed by the *locality* for a specific term of office established by written policy. Alternate members may be appointed to serve in the absence of any regular members and as such, shall have the full power and authority of the regular members. Regular and alternate members may be reappointed. Written records of current membership, including a record of the current chairman and secretary shall be maintained in the office of the *locality*. In order to provide continuity, the terms of the members may be of different length so that less than half will expire in any 1-year period.

**119.3 Officers and qualifications of members.**

The LBBCA shall annually select one of its regular members to serve as chairman. When the chairman is not present at an appeal hearing, the members present shall select an acting chairman. The *locality* or the chief executive officer of the *locality* shall appoint a secretary to the LBBCA to maintain a detailed record of all proceedings. Members of the LBBCA shall be selected by the *locality* on the basis of their ability to render fair and competent decisions regarding application of the USBC and shall, to the extent possible, represent different occupational or professional fields relating to the *construction* industry. At least one member should be an experienced builder; at least one member should be an RDP, and at least one member should be an experienced property manager. Employees or officials of the *locality* shall not serve as members of the LBBCA.

**119.4 Conduct of members.**

No member shall hear an appeal in which that member has a conflict of interest in accordance with the State and Local Government Conflict of Interests Act (§ 2.2-3100 et seq. of the Code of Virginia). Members shall not discuss the substance of an appeal with any other party or their representatives prior to any hearings.

**119.5 Right of appeal; filing of appeal application.**

Any person aggrieved by the *local building department's* application of the USBC or the refusal to grant a modification to the provisions of the USBC may appeal to the LBBCA. The applicant shall submit a written request for appeal to the LBBCA within 30 calendar days of the receipt of the decision being appealed. The application shall contain the name and address of the *owner* of the *building* or *structure* and in addition, the name and address of the person appealing, when the applicant is not the *owner*. A copy of the *building official's* decision shall be submitted along with the application for appeal and maintained as part of the record. The application shall be marked by the LBBCA to indicate the date received. Failure to submit an application for appeal within the time limit established by this section shall constitute acceptance of a *building official's* decision.

**Note:** To the extent that a decision of a *building official* pertains to amusement devices there may be a right of appeal under the VADR.

**119.6 Meetings and postponements.**

The LBBCA shall meet within 30 calendar days after the date of receipt of the application for appeal, except that a period of up to 45 calendar days shall be permitted where the LBBCA has regularly scheduled monthly meetings. A longer time period shall be permitted if agreed to by all the parties involved in the appeal. Notice indicating the time and place of the hearing shall be sent to the parties in writing to the addresses listed on the application if requested or by electronic means at least 14 calendar days prior to the date of the hearing unless a lesser time period is agreed to by all the parties involved in the appeal. When a quorum of the LBBCA is not present at a hearing to hear an appeal, any party involved in the appeal shall have the right to request a postponement of the hearing. The LBBCA shall reschedule the appeal within 30 calendar days of the postponement, except that a longer time period shall be permitted if agreed to by all the parties involved in the appeal.

**119.7 Hearings and decision.**

All hearings before the LBBCA shall be open meetings and the appellant, the appellant's representative, the locality's representative and any person whose interests are affected by the *building official's* decision in question shall be given an opportunity to be heard. The chairman shall have the power and duty to direct the hearing, rule upon the acceptance of evidence and oversee the record of all proceedings. The LBBCA shall have the power to uphold, reverse or modify the decision of the official by a concurring vote of a majority of those present. Decisions of the LBBCA shall be final if no further appeal is made. The decision of the LBBCA shall be explained in writing, signed by the chairman and retained as part of the record of the appeal. Copies of the written decision shall be sent to all parties by certified mail. In addition, the written decision shall contain the following wording:

"Any person who was a party to the appeal may appeal to the *State Review Board* by submitting an application to such Board within 21 calendar days upon receipt by certified mail of this decision. Application forms are available from the Office of the State Review Board, 600 East Main Street, Richmond, Virginia 23219, (804) 371-7150."

**119.8 Appeals to the State Review Board.**

After final determination by the LBBCA in an appeal, any person who was a party to the appeal may further appeal to the *State Review Board*. In accordance with Section 36-114 of the Code of Virginia, the *State Review Board* shall have the power and duty to hear all appeals from decisions arising under the application of the USBC and to render its decision on any such appeal, which decision shall be final if no appeal is made therefrom. In accordance with § 36-98.2 of the Code of Virginia for state-owned buildings and *structures*, appeals by an involved state agency from the decision of the *building official* for state-owned buildings or *structures* shall be made directly to the *State Review Board*. The application for appeal shall be made to the *State Review Board* within 21 calendar days of the receipt of the decision to be appealed. Failure to submit an application within that time limit shall constitute an acceptance of the *building official's* decision. For appeals from a LBBCA, a copy of the *building official's* decision and the written decision of the LBBCA shall be submitted with the application for appeal to the *State Review Board*. Upon request by the office of the *State Review Board*, the LBBCA shall submit a copy of all pertinent information from the record of the appeal. In the case of appeals involving state-owned *buildings* or *structures*, the involved state agency shall submit a copy of the *building official's* decision and other relevant information with the application for appeal to the *State Review Board*. Procedures of the *State Review Board* are in accordance with Article 2 (§ 36-108 et seq.) of Chapter 6 of Title 36 of the Code of Virginia.

**119.9 Hearings and decision.**

All hearings before the *State Review Board* shall be open meetings and the chair shall have the power and duty to direct the hearing, rule upon the acceptance of evidence and oversee the record of all proceedings. The *State Review Board* shall have the power to uphold, reverse or modify the decision of the LBBCA by a concurring vote of a majority of those present. Proceedings of the Review Board shall be governed by the provisions of the Administrative Process Act (2.2-4000 et seq.), except that an informal conference pursuant to 2.2-4019 shall not be required. Decisions of the *State Review Board* shall be final if no further appeal is made. The decision of the *State Review Board* shall be explained in writing, signed by the chair and retained as part of the record of the appeal. Copies of the written decision shall be sent to all parties by certified mail. In addition, the written decision shall contain the following wording: "As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty (30) days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with the Secretary of the Review Board. In the event that this decision is served on you by mail, three (3) days are added to that period."

January 9<sup>th</sup>, 2024  
Town Council  
Regular Meeting  
Res. No.

**A RESOLUTION TO APPOINT WAYNE “CHIP” G. CARSON, P.E. MEMBER OF THE TOWN OF WARRENTON LOCAL BOARD OF BUILDING CODE APPEALS**

**WHEREAS**, the Town of Warrenton (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, Sections 107 and 119 of the Virginia Uniform Statewide Building Code in accordance with Virginia State Code § 36-105 describes the establishment of a Local Board of Building Code Appeals (“LBBCA”); and

**WHEREAS**, Section 112 of the Virginia Statewide Fire Prevention Code, in accordance with Virginia State Code § 27-97 describes the establishment of a Local Board of Fire Prevention Code Appeals (“LBFPCA”); and

**WHEREAS**, The Town Council has identified a need to appoint members to the Local Board of Building Code Appeals and the Local Board of Fire Prevention Code Appeals; and

**WHEREAS**, each member of the LBBCA and LBFPCA shall be appointed for a term of four (4) years by the Town Council of Warrenton; and

**WHEREAS** Wayne “Chip” G. Carson, P.E is professional fire protection engineer who serves on the Fauquier County LBBCA and works in the Community; and

**WHEREAS**, Mr. Carson was previously appointed by the Town Council to the LBBCA for the Town of Warrenton and his term has expired; and

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Town Council hereby appoints Wayne “Chip” G. Carson, P.E. as a member of the Town of Warrenton Local Board of Building Code Appeals for a Four-Year Term Starting on January 10<sup>th</sup>, 2024, and as a member of the Town of Warrenton Local Board of Fire Prevention Code Appeals for a Four-Year Term Starting on January 10<sup>th</sup>, 2024.

ATTACHMENT: None

**Votes:**

**Ayes:**

**Nays:**

**Absent from Meeting:**

**Adopted:**

**For Information:**

Building Code Official

Director of Community Development



ATTEST: \_\_\_\_\_  
Town Recorder

January 9<sup>th</sup>, 2024  
Town Council  
Regular Meeting  
Res. No.

**A RESOLUTION TO APPOINT JAMES F. TUCKER MEMBER OF THE TOWN OF WARRENTON LOCAL BOARD OF BUILDING CODE APPEALS**

**WHEREAS**, the Town of Warrenton (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, Sections 107 and 119 of the Virginia Uniform Statewide Building Code in accordance with Virginia State Code § 36-105 describes the establishment of a Local Board of Building Code Appeals ("LBBCA"); and

**WHEREAS**, Section 112 of the Virginia Statewide Fire Prevention Code, in accordance with Virginia State Code § 27-97 describes the establishment of a Local Board of Fire Prevention Code Appeals ("LBFPCA"); and

**WHEREAS**, The Town Council has identified a need to appoint members to the Local Board of Building Code Appeals and the Local Board of Fire Prevention Code Appeals; and

**WHEREAS**, each member of the LBBCA and LBFPCA shall be appointed for a term of four (4) years by the Town Council of Warrenton; and

**WHEREAS** Mr. James F. Tucker is professional architect who is licensed through the State of Virginia and who serves on the Fauquier County LBBCA; and

**WHEREAS**, Mr. Tucker was previously appointed by the Town Council to the LBBCA for the Town of Warrenton and his term has expired; and

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Town Council hereby appoints James F. Tucker as a member of the Town of Warrenton Local Board of Building Code Appeals for a Four-Year Term Starting on January 10<sup>th</sup>, 2024 and as a member of the Town of Warrenton Local Board of Fire Prevention Code Appeals for a Four-Year Term Starting on January 10<sup>th</sup>, 2024.

ATTACHMENT: None

**Votes:**

**Ayes:**

**Nays:**

**Absent from Meeting:**

**Adopted:**

**For Information:**

Building Code Official

Director of Community Development

ATTEST: \_\_\_\_\_  
Town Recorder

January 9<sup>th</sup>, 2024  
Town Council  
Regular Meeting  
Res. No.

**A RESOLUTION TO APPOINT JAMES F. AUSTIN MEMBER OF THE TOWN OF WARRENTON LOCAL BOARD OF BUILDING CODE APPEALS**

**WHEREAS**, the Town of Warrenton (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, Sections 107 and 119 of the Virginia Uniform Statewide Building Code in accordance with Virginia State Code § 36-105 describes the establishment of a Local Board of Building Code Appeals ("LBBCA"); and

**WHEREAS**, Section 112 of the Virginia Statewide Fire Prevention Code, in accordance with Virginia State Code § 27-97 describes the establishment of a Local Board of Fire Prevention Code Appeals ("LBFPCA"); and

**WHEREAS**, The Town Council has identified a need to appoint members to the Local Board of Building Code Appeals and the Local Board of Fire Prevention Code Appeals; and

**WHEREAS**, each member of the LBBCA and LBFPCA shall be appointed for a term of four (4) years by the Town Council of Warrenton; and

**WHEREAS** Mr. James F. Austin is a real estate manager who works in the Community; and

**WHEREAS**, Mr. Austin was previously appointed by the Town Council to the LBBCA for the Town of Warrenton and his term has expired; and

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Town Council hereby appoints James F. Austin as a member of the Town of Warrenton Local Board of Building Code Appeals for a Four-Year Term Starting on January 10<sup>th</sup>, 2024 and as a member of the Town of Warrenton Local Board of Fire Prevention Code Appeals for a Four-Year Term Starting on January 10<sup>th</sup>, 2024.

ATTACHMENT: None

**Votes:**

**Ayes:**

**Nays:**

**Absent from Meeting:**

**Adopted:**

**For Information:**

Building Code Official

Director of Community Development

ATTEST: \_\_\_\_\_  
Town Recorder

January 9<sup>th</sup>, 2024  
Town Council  
Regular Meeting  
Res. No.

**A RESOLUTION TO APPOINT FRANK S. FOLEY MEMBER OF THE TOWN OF WARRENTON LOCAL BOARD OF BUILDING CODE APPEALS**

**WHEREAS**, the Town of Warrenton (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, Sections 107 and 119 of the Virginia Uniform Statewide Building Code in accordance with Virginia State Code § 36-105 describes the establishment of a Local Board of Building Code Appeals ("LBBCA"); and

**WHEREAS**, Section 112 of the Virginia Statewide Fire Prevention Code, in accordance with Virginia State Code § 27-97 describes the establishment of a Local Board of Fire Prevention Code Appeals ("LBFPCA"); and

**WHEREAS**, The Town Council has identified a need to appoint members to the Local Board of Building Code Appeals and the Local Board of Fire Prevention Code Appeals; and

**WHEREAS**, each member of the LBBCA and LBFPCA shall be appointed for a term of four (4) years by the Town Council of Warrenton; and

**WHEREAS** Mr. Frank S. Foley is a plumbing contractor who works in the Community; and

**WHEREAS**, Mr. Foley was previously appointed by the Town Council to the LBBCA for the Town of Warrenton and his term has expired; and

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Town Council hereby appoints Frank S. Foley as a member of the Town of Warrenton Local Board of Building Code Appeals for a Four-Year Term Starting on January 10<sup>th</sup>, 2024 and as a member of the Town of Warrenton Local Board of Fire Prevention Code Appeals for a Four-Year Term Starting on January 10<sup>th</sup>, 2024.

ATTACHMENT: None

**Votes:**  
**Ayes:**  
**Nays:**  
**Absent from Meeting:**

**Adopted:**

**For Information:**  
Building Code Official  
Director of Community Development

ATTEST: \_\_\_\_\_  
Town Recorder



Office of the Town Manager  
Frank Cassidy

**Warrenton Town Council**

Carter Nevill, Mayor  
Heather Sutphin, Ward 1  
William Semple, Ward 2  
Brett Hamby, Ward 3  
James Hartman, Ward 4 Vice Mayor  
Eric Gagnon, Ward 5  
Paul Mooney, At Large  
David McGuire, At Large

Item a.

# STAFF REPORT

<b>Council Meeting Date:</b>	January 9 <sup>th</sup> , 2023.
<b>Agenda Title:</b>	Town Manager Appointment
<b>Requested Action:</b>	Consider a Resolution to appoint Frank Cassidy as the Town Manager.
<b>Department / Agency Lead:</b>	Human Capital
<b>Staff Lead:</b>	Kasey Braun

## EXECUTIVE SUMMARY

The Town Charter sections § 6-1. And Town Code Section Sec. 2-126. define the appointment of the Town Manger by the Town Council as well as the duties of the position.

Mr. Frank Cassidy was appointed as the Interim Town Manager on April 11<sup>th</sup>, 2023, through June 30<sup>th</sup>, 2024.

Mr. Cassidy recently had a six-month review facilitated by feedback from the Members of the Town Council and conducted by the Mayor and Vice Mayor.

Mr. Cassidy's personal review indicated that he would like to pursue the position of Town Manager on a more permanent basis.

At the December 12<sup>th</sup>, 2023, Regular Town Council Meeting, The Mayor, and Town Attorney were directed by the Council to enter into contract negotiations with Mr. Cassidy.

## BACKGROUND

Ms. Brandie Schaeffer resigned from the position of Town Manager on July 12<sup>th</sup>, 2022.

Mr. Tommy Cureton was appointed as the Acting Town Manager on July 12<sup>th</sup>, 2022, for a period of 30 days.

Mr. Cureton's appointment was extended on August 9<sup>th</sup>, 2022, through August 22<sup>nd</sup>, 2022, to facilitate the start date of the new Interim Town Manager

Mr. Christopher E. Martino was appointed as the Interim Town Manager on August 9<sup>th</sup>, 2022, with an effective start date of August 22<sup>nd</sup>, 2022, and an effective end date of February 22, 2023.

Mr. Tommy Cureton's appointment was extended with an effective date of September 3, 2022, through February 23, 2022, to assist with Town Manager operational duties.

On September 1<sup>st</sup>, 2022, staff released RFP 23-006 to solicit bids from executive search consultants with national experience in recruitment of a Town Manager. Bids were due back on October 1<sup>st</sup>, 2022, for Council's consideration.



At the October 11<sup>th</sup>, 2022, Town Council meeting, Baker Tilly was awarded the proposal and began the recruitment process.

Baker Tilly Provided a list of Candidates to the Council for review on January 26<sup>th</sup>, 2023.

A Special meeting was held on February 10<sup>th</sup>, 2023, to discuss the recruitment process and review candidates.

At the February 14<sup>th</sup>, 2023, Town Council Meeting, Mr. Martino’s appointment was extended through February 25<sup>th</sup>, 2023.

Acting Town Manager Tommy Cureton was appointed for a 45-day term starting on February 26<sup>th</sup>, 2023.

The Town Council Conducted interviews of perspective candidates on February 22<sup>nd</sup>, and March 1<sup>st</sup>, 2023.

On March 1<sup>st</sup>, 2023, the Town Council directed staff to begin contract negotiations with a candidate.

The selected candidate withdrew their name for consideration shortly before contract negotiations began.

At the April 11<sup>th</sup>, 2023, Town Council Meeting, Mr. Francis “Frank” G. Cassidy was appointed as the Interim Town Manager until June 30<sup>th</sup>, 2023, or the appointment of a new Town Manager.

Mr. Cassidy had a six-month review performed by the Mayor and Vice mayor with the feedback of the Town Council in November of 2023.

**STAFF RECOMMENDATION**

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Consider adoption of a resolution Appointing Mr. Cassidy as the Town Manager.

**Service Level/Policy Impact**

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The Town Manger impacts all aspects of service level within the Town.

**Policy Direction/Warrenton Plan 2040**

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The Town Manger is a pivotal role in all aspects of Plan Warrenton 2040 as well as all functions of Governance within the Town of Warrenton.

**Town Charter-** Article VI. The Manager.

*§ 6-1. Appointment.*

*There shall be a Town Manager who shall be the chief executive officer of the Town and shall be responsible to the Council for the proper administration of the Town government. He shall be chosen by the Council without regard to his political beliefs and solely on the basis of his executive and*

*administrative qualifications. He shall be appointed for an indefinite period and shall hold office during the pleasure of the Council. (1964, c. 47)*

**§ 6-2. Employees.**

*The Town Manager shall appoint for an indefinite term the heads of all departments and all other officers and employees of the Town. The Manager shall have the power to remove any officer or employee appointed by him. (1964, c. 47)*

**§ 6-3. Duties and powers.**

*The Town Manager shall also have the following duties and powers:*

- (a) To see that all laws and ordinances are enforced.*
- (b) To exercise supervision and control over all administrative departments and divisions.*
- (c) To attend all regular meetings of the Council, with the right to take part in the discussion, but having no vote.*
- (d) To recommend to the Council for adoption such measures as he may deem necessary or desirable.*
- (e) To execute all contracts on behalf of the Town.*
- (f) To prepare and submit to the Council the annual budget.*
- (g) To keep the Council advised as to the present and future needs of the Town and as to all operations of its government.*
- (h) To perform all such other duties as may be prescribed by the Charter, or be required of him by the Council. (1964, c. 47)*

**Town Code- Sec. 2-126.** - Appointment and term.

*The town manager shall be appointed by the town council and shall hold office at the pleasure of the council.*

**(Code 1981, § 2-24)**

**Sec. 2-127.** - Duties generally.

*The town manager shall be the general administrative and executive head of the town and he shall exercise all functions and powers vested in him by the town council or conferred upon him by this Code or other ordinances of the town. He shall have supervision and control over all employees, agents or representatives of the town, except the town recorder and the town attorney, and of all agents, departments and branches of the municipal government. He shall exercise general supervision over the care, maintenance and operation of all town property. He shall be responsible to the town council and shall make such reports to it and at such times as the council shall deem proper.*

**Council Member handbook:** *The Town Manager, who is a professionally trained public administrator charged with implementing the policies and directives of Town Council, is the Town's Chief Administrative Officer. The Town Manager has broad administrative authority with strict rules prohibiting political interference in administrative matters. Likewise, the Town Manager refrains from participating in partisan political activities which would impair professional administration.*

*Town Council delegates broad administrative power to the Town Manager subject to its continuing review. Qualifications, powers, and duties of the Town Manager are provided for in Article VI of the Charter. Delegated duties include the ability to:*

- (a) To see that all laws and ordinances are enforced;*
- (b) To exercise supervision and control over all administrative departments and divisions;*
- (c) To attend all regular meetings of the Council, with the right to take part in the discussion, but having no vote;*
- (d) To recommend to the Council for adoption such measures as they may deem necessary or desirable;*
- (e) To execute all contracts on behalf of the Town;*
- (f) To prepare and submit to the Council the annual budget;*
- (g) To keep the Council advised as to the present and future needs of the Town and as to all operations of its government;*
- (h) To perform all such other duties as may be prescribed by the Charter or be required of him by the Council. (1964, c. 47).*

*While the Town Manager and Town Attorney serve at the pleasure of the Council, all other Town staff are employees of the Town Manager. Thus, neither the Council nor any of its members should direct or request the appointment or removal of officers and employees in the administrative service of the Town.*

**Fiscal Impact**

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Sufficient funds are included in the Fiscal Year 2023-2024 budget for the Town Manager's Position.

**Legal Impact**

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The Town Council is required to appoint a Town Manager Pursuant to the Town Charter section 6-1.

**AVAILABLE ATTACHMENTS**

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1. Proposed Contract for Mr. Cassidy
2. Resolution appointing the Town Manager

January 9<sup>th</sup>, 2024  
Town Council  
Regular Meeting

**A RESOLUTION APPOINTING FRANCIS G. CASSIDY AS THE TOWN MANAGER FOR THE TOWN OF WARRENTON, VIRGINIA**

**WHEREAS**, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, pursuant to Town Charter Section 6-1, "There shall be a Town Manager who shall be the chief executive officer of the Town and shall be responsible to the Council for the proper administration of the Town government. He shall be chosen by the Council without regard to his political beliefs and solely on the basis of his executive and administrative qualifications. He shall be appointed for an indefinite period and shall hold office during the pleasure of the Council"; and

**WHEREAS**, Francis G. Cassidy was appointed as the Interim Town Manager on April 11<sup>th</sup>, 2023, for a one-year term; and

**WHEREAS**, the Town Council of the Town of Warrenton has been pleased with the communication, prowess, and leadership of Mr. Cassidy; and

**WHEREAS**, after reviewing potential candidates from a nationwide search facilitated by Baker Tilly the Council decided to offer Mr. Cassidy the position of Interim Town Manager for a period of one year; and

**WHEREAS**, the Town Council directed the Mayor and Town Attorney to enter into contract negotiations with Mr. Francis G. Cassidy for the position of Town Manager; and

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Town Council is hereby appointing Francis G. Cassidy as the Town Manager for the Town of Warrenton, Virginia; and

**BE IT FURTHER RESOLVED**, that the Town Council directs the Mayor to execute the contract with Mr. Cassidy as presented.

ATTACHMENT: None

- Votes:**
- Ayes:**
- Nays:**
- Absent from Vote:**
- Absent from Meeting:**

**For Information:**  
Town Clerk  
Town Attorney

ATTEST: \_\_\_\_\_  
Town Recorder