



PLANNING COMMISSION REGULAR MEETING

Tuesday, December 19, 2023 at 7:00 PM

AGENDA

CALL TO ORDER AND ESTABLISHMENT OF A QUORUM.

ADOPTION OF MINUTES.

- [1.](#) Draft November 28, 2023 PC Meeting Minutes

HEARING OF PUBLIC HEARING ITEMS.

- [2.](#) ZOTA 2023-01 A Zoning Ordinance Text Amendment to Reduce the Setback Requirement for Telecommunication Towers in the PSP (Public Semi Public) Zoning District. Zoning Ordinance Section 9-18.10 - *Setbacks* requires that all telecommunication towers in all zoning districts be set back from property lines at a distance no less than the height of the tower. The applicant is requesting that the setback requirement be reduced within the PSP – Public Semi Public Zoning District to allow a setback that is less than the height of the tower, with certification provided from an engineer that a lesser setback is appropriate due to the design of the tower. Arcola Towers LLC (Applicant)/James P. Downey (Representative)
- [3.](#) 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.

WORKSESSION ITEMS.

- [4.](#) Zoning Ordinance Text Amendment (ZOTA) Article 3-5 to Reflect Recently Updated FEMA Maps

COMMENTS FROM THE COMMISSION.

COMMENTS FROM THE STAFF.

ADJOURN.



PLANNING COMMISSION REGULAR MEETING

18 Court Street

Tuesday, November 28, 2023, at 7:00 PM

MINUTES

A REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF WARRENTON, VIRGINIA, WAS HELD ON November 28, 2023, at 7:00 PM

Regular Meeting
PRESENT

Mr. James Lawrence, Chair; Mr. Ryan Stewart, Vice Chair; Mr. Steve Ainsworth, Secretary; Mr. Terry Lasher; Ms. Darine Barbour; Ms. Denise Harris, Planning Manager; Ms. Heather Jenkins, Zoning Administrator; Ms. Casey Squyres, Planner; Rob Walton, Community Development Director.

ABSENT

None

The minutes laid out will be a brief recap of the agenda items. Please see recorded video for more in-depth information.

REGULAR MEETING - 7:00 PM

At 7:00 PM on Tuesday, November 28, 2023. The Planning Commission meeting was called to order.

APPROVAL OF THE MINUTES.

August 22, 2023, Draft Planning Commission Minutes.

Without objection, Chair Lawrence asked for approval of the minutes. Minutes were adopted 5-0.

September 19, 2023, Draft Planning Commission Minutes.

Without objection, Chair Lawrence asked for approval of the minutes. Minutes were adopted 4-0-1. Chair Lawrence abstained due to not being present at meeting.

PUBLIC HEARINGS.

1. 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.

Ms. Casey Squyres gave a brief presentation.

Ms. Elizabeth Briones, the Applicant’s Representative, gave an overview of the application, speaking to transportation circulation, relocation of outdoor storage, elevation earth tones.

Commissioner Ainsworth questioned which SUP revision plan was being looked reviewed. Staff and the Applicant clarified.

Chair Lawrence opens the Public Hearing at 7:14 PM.

No one from the public spoke to the application.

Chair Lawrence closed the Public Hearing at 7:14 PM.

Vice Chair Stewart spoke to the progress of the application since the work session and thanked the Applicant for working with staff.

Motion to recommend approval to Town Council made by Vice Chair Stewart, seconded by Commissioner Ainsworth.

Ayes: Mr. James Lawrence, Chair; Mr. Ryan Stewart, Vice Chair; Mr. Steve Ainsworth, Secretary; Mr. Terry Lasher; Ms. Darine Barbour

Nays: N/A

Abstention: N/A

Absent: N/A

The motion passed 5-0.

2. 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 Churches as an Assembly use, however Churches 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 work session on August 22, 2023 and on September 19, 2023.

Ms. Heather Jenkins gave a brief presentation.

Mr. James Lawrence opens the public hearing at 7:27 PM.

No members of the public spoke to the application.

Chair Lawrence closed the Public Hearing at 7:28 PM

Chair Lawrence favors Option A as it aligns with Fauquier County.

Commissioner Ainsworth asked if any new building may be proposed within the I district under either option? Ms. Jenkins stated yes.

Commission Ainsworth agrees with Option A.

Vice Chair Stewart agrees with Option A.

Commissioner Barbour agrees with Option A.

Commission Lasher stated he asked a number of questions during work session and offered staff thanks for working through them. He supports Option A.

Commissioner Ainsworth motions to recommend approval to Town Council of Option A that:

- 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.

Seconded by Commissioner Barbour.

Ayes: Mr. James Lawrence, Chair; Mr. Ryan Stewart, Vice Chair; Mr. Steve Ainsworth, Secretary; Mr. Terry Lasher; Ms. Darine Barbour

Nays: N/A

Abstention: N/A

Absent: N/A

The motion passed 5-0

WORKSESSION ITEMS.

1. **ZOTA 2023-01- A Zoning Ordinance Text Amendment to Reduce the Setback Requirement for Telecommunication Towers in the PSP (Public Semi Public) Zoning District.** Zoning Ordinance Section 9-18.10 - *Setbacks* requires that all telecommunication towers in all zoning districts be set back from property lines at a distance no less than the height of the tower. The applicant is requesting that the setback requirement be reduced within the PSP – Public Semi Public Zoning District to allow a setback that is less than the height of the tower. Arcola Towers LLC (Applicant)/James P. Downey (Representative)

Ms. Heather Jenkins gave a brief introduction.

Commissioner Ainsworth questioned the origin of the existing ordinance. Ms. Jenkins stated she would need to research.

Chair Lawrence discussed the review of other jurisdictions' ordinances, their set back requirements, and intents. He asked if this text amendment can only apply within the PSP or would it need to be applied across zoning districts where telecommunication towers are allowed.

Ms. Jenkins will consult with the Town Attorney but the Applicant's request is only for PSP District.

Chair Lawrence asked if the Virginia Department of Transportation (VDOT) has reviewed the application for the specific telecommunications tower request on their PSP property. Ms. Jenkins stated this is VDOT's preferred location on the property as contained in the staff report.

Mr. James Downey, Applicant's Representative, introduced Mr. Jonathon Yates, Attorney for Arcola Towers, who spoke to the need for telecommunication towers and strain on the cellular networks. Monopoles are now designed to collapse within a certified fall zone within the designated property. Some jurisdictions add protective percentages or setbacks to fall zones.

Chair Lawrence inquired what the definition is of a certified fall zone.

Mr. Yates explained the fall zone and standards set under ANSI wind speeds and that ASCE certifications meet the wind speeds.

Lawrence asked if the VDOT location is reachable by an out-of-control vehicle.

Mr. Yates stated it could be. He went on to review lessons learned from Hurricane Katrina.

Chair Lawrence asked are generators needed and how to address the volume issues.

Mr. Yates indicated that generators test about once a week and come on when power is out. He thought they were about 60 dba at the property line.

Commissioner Lasher inquired about tracking of antenna failure rates in Town.

Mr. Yates will research.

Commissioner Lasher reminded the room this work session is for zoning ordinance amendment, not a specific telecommunications tower site application.

Commissioner Ainsworth indicated this is for all PSP District zoning within the Town, including PSP parcels adjacent to residential and commercial zones.

Chair Lawrence would like to hear from an impartial third-party expert for failure rate data, who allows for this in other localities, and other concerns.

Commissioner Ainsworth requested meeting minutes for previous telecommunication text amendments.

Commissioner Lasher asked how many acres are impacted by this request in PSP.

Ms. Jenkins stated this would apply to all PSP parcels.

Chair Lawrence thanked the Applicant.

(Chair Lawrence discloses the next Work Session is his property, recuses himself, and leaves the room. Vice Chair Stewart takes the gavel.)

2. 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.

Ms. Casey Squyres introduces the application.

Commissioner Barbour asks about potential restrictions of who lives in the ADU and how many people.

Vice Chair concerned about number of parking spaces and asked if this was driven by Zoning Ordinance.

Ms. Harris explains the entitlement, if approved, runs with property and building code determines the occupancy.

Commissioner Lasher asked if there is a requirement for percentage threshold for adaptive reuse. ADU fills missing middle and could be rented.

Ms. Squyres states there is not a percentage threshold but encourage as much as possible.

Commissioner Ainsworth asks if the ADU would create a separate, sellable property.

Ms. Jenkins states it is not eligible for subdivision at this time.

Commissioner Ainsworth asked if adjacent property owners had been approached by the Applicant.

Ms. Harris stated adjacent property owners are notified at public hearing.

COMMENTS FROM THE COMMISSION.

(Vice Chair Stewart calls Chair Lawrence back into the room.)

Vice Chair Stewart thanks Town staff for holiday lighting displays.

Vice Chair Stewart stated he is struck by the need to update the ADU Zoning Ordinance and is considering putting together a subcommittee of Commissioners.

Chair Lawrence would like a work session on capacity, maintenance, expansion of water and sewer issues.

COMMENTS FROM THE STAFF.

Ms. Jenkins states FEMA released updated maps and will be brought forward to Planning Commission for an ordinance update.

Ms. Harris requested the Planning Commission consider its December meeting schedule.

The Planning Commission determines it has a quorum for the December 19 meeting date and cancels the December 26 meeting.

Ms. Harris reminds the Planning Commission of its organizational meeting in January and Annual Report photo.

Ms. Harris indicates a current application for the Taylor Middle School SUP is under agency review.

ADJOURN.

Vice Chair moves to adjourn, seconded by Commissioner Lasher. Chair James Lawrence, with no further business, this meeting was adjourned at 8:33 PM.

I hereby certify that this is a true and exact record of actions taken by the Planning Commission of the Town of Warrenton on November 28, 2023.

Steve Ainsworth, Secretary
Planning Commission

DRAFT

DRAFT



STAFF REPORT

Planning Commission Meeting Date:	December 19, 2023
Agenda Title:	ZOTA-23-1 Zoning Ordinance Text Amendment to Reduce the Setback Requirement for Telecommunication Towers in the PSP (Public Semi Public) Zoning District
Requested Action:	Hold a Public Hearing
Department / Agency Lead:	Community Development
Staff Lead:	Heather Jenkins, Zoning Administrator

EXECUTIVE SUMMARY

Article 9, Section 9-18 *Telecommunications Facilities*, regulates the height, location and appearance of telecommunication towers within Town boundaries. Section 9-18.10 *Setbacks*, requires that all towers be set back a distance of at least one hundred (100) percent of the height of the tower from the boundaries of the property on which the tower is located.

Mr. James Downey, on behalf of his client Arcola Towers, LLC (the Applicant), is requesting that Ordinance Section 9-18.10 *Setbacks* be revised so that the setback requirement is reduced for telecommunication towers located in the Public-Semi-Public (PSP) District, so as to require less than 100 percent of the height of the tower to the property boundary. The Applicant has proposed that the required setback for telecommunication towers in the PSP District be 100 percent of the *certified fall zone*, where the minimum setback for a tower would be certified by a Virginia licensed Professional Engineer as less than the full height of the tower.

The specific site where Arcola Towers, LLC would like to establish a telecommunication tower is located within the public right-of-way area at the intersection of the Eastern Bypass, US 17 Spur, East Lee Highway and Lee Highway. However, should a text amendment to Section 9-18.10 *Setbacks* be adopted by Town Council, the setback reduction would apply to all properties located within the PSP District.

BACKGROUND

The Applicant is proposing to construct a 150-foot tall telecommunication tower on a parcel of land leased from the Virginia Department of Transportation (VDOT), within the Eastern Bypass U.S. Route 17 Spur. The proposed location for the tower, adjacent to an existing stormwater management facility that is maintained by VDOT, will not meet the required 100-percent setback requirement that is equal to the height of the 150-foot tower. A copy of the application documents have been included with this staff report as [Attachment A](#).

Telecommunication towers are allowed in all Zoning Districts as a Permissible Use that requires the approval of a Special Use Permit by Town Council following a public hearing before both the Planning Commission and Town Council. Zoning Ordinance Section 9-18 *Telecommunications Facilities* regulates towers that are constructed within the Town boundaries, and includes both minimum standards that all towers must meet, as well as factors that must be considered as a part of all Special Use Permits for towers. A copy of Section 9-18 of the Ordinance has been included with this staff report as [Attachment B](#).

Zoning Ordinance Section 9-18.10 *Setbacks* requires that a tower be located no closer to any property line than the full height of the tower. This fall zone ensures that a tower collapse will be completely contained within the property boundaries. The fall zone setback required by Section 9-18.10 cannot currently be waived or modified by Town Council as a part of the Special Use Permit process.

Local jurisdictions in the area differ in setback requirements for telecommunications facilities, as shown in the table below. Generally speaking, about half of local jurisdictions require a setback equal to the full height of the tower without the ability to reduce the setback; about half of jurisdictions surveyed allow for a setback that is less than the full height of the tower, most often with engineering certification provided to demonstrate the actual fall zone radius. The applicant has provided a copy of a fall zone certification letter prepared by an engineer as an example of the engineering certification that could be provided as a part of an application to justify a fall zone that is less than 100% of the tower height, included with this staff report as [Attachment C](#).

Telecommunications Facilities – Setback Requirements <i>Setback reduction allowed to less than the full height of the tower.</i>		
Jurisdiction	Setback Reduction Allowed	Setback Requirements
Fairfax City	Yes	Minimum setback equal to 110% of the tower height, except for monopoles certified by an engineer where the setback is reduced to the minimum setback for the district.
Fauquier County	Yes	Towers must be set back a distance equal to the height of the tower, except where the setback is reduced to no less than the fall zone as determined by an engineering design as a part of the legislative approval process.
Culpeper County	No	Towers must be designed to collapse within the lot lines.
Town of Culpeper	No	Towers must be set back at least the minimum setback for the district, and must be designed to fall within the boundaries of the property, except where a permanent easement is obtained from an adjoining property owner. No habitable structure shall be located within the fall zone.
Prince William County	No	Setback of twice the tower height for all property lines that abut residential or agricultural properties; minimum setback of 200 feet from all public streets, with an additional setback equal to the tower height for all towers over 200 feet in height. The tower must be designed to collapse within the property boundaries.
Rappahannock County	No	For any tower over 50 feet in height, a minimum setback equal to 110% of the tower height is required, and must be contained entirely within the subject property. Within the setback, the property owner may erect structures at their own risk.
Spotsylvania County	Yes	Towers must be set back from property lines at least the minimum setback for the district. A certified engineering statement must be provided to specify the tower design, including breakpoints.
Loudoun County	Yes	Public towers must be set back equal to the height of the tower. Commercial monopoles and towers must be set back 1 foot for every 5 feet of tower height.

The Applicant has requested that the proposed text amendment apply solely to those properties that are located within the Public-Semi-Public Institutional District. The Ordinance describes the intent of this district in Section 3-4.9.1 *Legislative Intent* as:

This district is intended to provide for major public, semi-public, and institutional uses, to facilitate future growth of such uses within the district in accordance with the objectives, policies and proposals of the Comprehensive Plan, including the encouragement of convenient and safe nearby residential neighborhoods, and to provide evidence on the Zoning Map of the nature of land use planned for this district.

Ordinance Section 3-4.9 includes a list of *Permitted Uses* (by-right) and *Permissible Uses* (by special use permit upon approval of the Town Council) that are allowable in the PSP district. The listed uses include child care centers, community buildings, nursing homes, parks, governmental buildings, hospitals, schools and treatment plants; a full list of Permitted and Permissible uses is included as Attachment D.

The Comprehensive Plan, Plan Warrenton 2020, includes both Public/Semi-Public Non-Intensive and Public/Semi-Public Intensive as designations on the Future Land Use Map. The Comprehensive Plan describes Public/Semi-Public Uses as land and facilities owned by Town Council, The Fauquier County Board of Supervisors, the Fauquier County School Board, the Commonwealth of Virginia or the Fauquier Hospital, and generally planned for school, library, government, recreation, and health facility uses and expansions, to include municipal parking lots, court buildings, public parks and the cemetery.

The Town currently contains 499.24 acres of land zoned to the PSP district; of this total area, there are 86 parcels consisting of 405.13 acres of tax parcel land. The majority of parcels currently zoned to the PSP district are developed with structures or uses, with some limited area for future expansion. A map showing the location of tax parcels zoned to the PSP district has been included with this staff report as Attachment E. Given that the text amendment proposed by the Applicant will apply to all PSP-zoned land within the Town, a setback reduction to less than the total height of the tower has the potential to affect all PSP-zoned parcels and land, all properties abutting the district boundary, as well as the improvements located therein.

Zoning Ordinance Section 9-18.10 *Setbacks* states:

Towers shall be set back a distance of at least one hundred (100) percent of the height of the tower from the boundaries of the property on which the tower is located.

The Applicant has proposed new language for Section 9-18.10, where the tower setback from property lines shall be equal to the certified fall zone, to state:

Towers shall be set back a distance of at least one hundred (100) percent of the height of the tower from the boundaries of the property on which the tower is located. On properties located in a PSP District (Public-Semi-Public Institutional District), towers shall only be required to be setback a distance of at least one hundred (100) percent of the certified fall zone, as certified by a Virginia Professional Engineer in a letter which includes the Professional Engineer's signature and seal.

A *fall zone* is the maximum distance that a tower will fall as measured from the center point of the tower, or, the largest expected radius in which a telecommunication tower could potentially collapse in the event of a failure. A *certified fall zone* is determined by a Professional Engineer, where the Engineer determines that due to the physical properties of the tower, that in the case of a failure the tower will collapse within a radius that is smaller than the full height of the tower.

The proposed text language as proposed by the Applicant includes the statement “*towers shall only be required to be setback a distance of at least one hundred (100) percent of the certified fall zone*”. This “shall” statement would in effect require that Town Council allow a setback less than the full height of the tower upon approval of a Special Use Permit application that includes a fall zone certified by an engineer.

AGENCY REVIEW

The specific location where the Applicant desires to construct a telecommunications tower is located on property associated with the U.S. Route 17 Spur, owned by VDOT. VDOT has reviewed the proposed tower, and approved a location adjacent to an existing stormwater management facility. The tower location as approved by VDOT will not allow the proposed 150-foot tall telecommunications tower to meet the setback as required by Ordinance Section 9-18.10 – *Setbacks*. The proposed tower is located 75 feet away from the north-eastern property boundary, which equals a setback from the property line of 50% of the tower height. A map showing the tower location approved by VDOT overlain on aerial imagery data is included as Attachment F.

The requested text amendment as well as the drawings depicting the specific location where the Applicant desires to construct a telecommunications facility was provided for review to both the Town of Warrenton Public Works Department and to the VDOT Warrenton Residency Office. Responses as provided from both agencies have been included with this staff report as Attachment G.

Responses provided by the local VDOT office and the Town Public Works Department are advisory in nature, and will apply to future approvals should this text amendment be adopted by Town Council. Should the text amendment be adopted, the telecommunications facility will be required to obtain the approval of a Special Use Permit from Town Council per Ordinance Section 3-4.9.3 *Permissible Uses* and the standards found in Section 9-18 *Telecommunications Facilities*, followed by approval of a Site Development Plan per Ordinance Article 10 *Site Development Plans*, and Building, Zoning and Land Disturbing Permits to authorize construction.

The Applicant has provided a letter prepared by Alexander J. Leadore, P.E. of Morris and Ritchie Associates, Inc., dated December 11, 2023 that certifies that the proposed 150-foot tall tower has been designed so as to fail at the midpoint of the tower, creating a certified fall zone of 75 feet from the center point of the tower. This letter, which includes a description of how the tower has been designed to break and fall in on itself, has been included with this staff report as Attachment H.

PROCESS

The Planning Commission held a work session for this item on November 28, 2023. During this meeting, the Applicant provided testimony to the Commission regarding the importance of cell phone service during recovery following natural disasters such as hurricanes, as well as attested to the general safety of telecommunication towers. The Applicant stated that a certified fall zone, in comparison to a setback equal to the full height of the tower, achieves the same safety goal but allows more properties to be available for tower placement.

The Planning Commission members asked the Applicant for additional information regarding codes and standards regulating tower construction, such as regulations for towers to withstand wind speeds and vehicle strikes. The Applicant stated that he could provide information from the American National Standards Institute/ANSI and American Society of Civil Engineers/ASCE regarding engineering requirements for tower design.

Given the Applicant’s statements regarding the safety of towers and the rarity of collapse, the Commission asked the applicant whether they could provide information on failure rate tracking at a national level, as well as the

percentage of jurisdictions nation-wide that allow for setbacks or certified fall zones of less than the full height of the tower. The Applicant stated that he was not aware of a tracking system but would research this matter.

Commission members expressed concerns about noise associated with telecommunication towers, such as generators, and asked the Applicant whether the tower compound would include a generator. The Applicant stated that telecommunication facilities generally include emergency generators that operate during power outages as well as for weekly testing. In response to the Commission’s concerns regarding noise, the Applicant stated that generators typically produce a noise level of about 60 decibels at the property line.

The Planning Commission inquired about the possibility of having a third-party assessment of fall zone criteria provided for their consideration. The telecommunications consultant CityScape Consultants, Inc. has been retained to provide a third-party assessment of fall zone setbacks and regulatory impacts.

STAFF RECOMMENDATION

Staff recommends that should the Planning Commission issue a recommendation of approval for this text amendment, that the proposed text language should be revised to allow approval of a tower with a reduced setback based upon a certified fall zone *only where this is appropriate* given the surrounding conditions as determined by Town Council. As proposed, the text amendment language provided by the Applicant would *require* that Town Council allow a setback of less than the full height of the tower when provided with a fall zone certified by a Professional Engineer, regardless of the location or surrounding conditions.

Staff suggests the following language for Planning Commission consideration:

Towers shall be set back a distance of at least one hundred (100) percent of the height of the tower from the boundaries of the property on which the tower is located. On properties located in a PSP District (Public-Semi-Public Institutional District), towers shall only be required to may be setback a distance of at least one hundred (100) percent of the certified fall zone, as certified upon certification by a Virginia Professional Engineer in a letter which includes the Professional Engineer’s signature and seal, and where Town Council makes a finding that a setback of less than one hundred (100) percent of the tower height is appropriate for the location of the facility.

Staff is requesting that the Commission hold a public hearing to discuss the proposed text amendment and the information provided by the Applicant. 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, March 7, 2024.

Three resolutions have been provided as attachments to this staff report for consideration by the Planning Commission:

- A recommendation of Approval to Town Council for the Applicant’s proposed language.
- A recommendation of Approval to Town Council for Staff’s alternative language.
- A recommendation of Denial to Town Council.

Service Level / Collaborative Impact

None

Fiscal Impact

A fiscal impact analysis has not been conducted.

Legal Impact

Any amendment to the setback requirement found in Section 9-18.10 will apply to all properties within the Town, unless specifically restricted to the PSP District as a part of the amended ordinance language.

A reduction in the required setback to property boundaries to less than 100-percent of the tower height may impact neighboring properties and roadways that are located within the 100-percent setback area.

Telecommunication towers are listed as a Permissible Use in all zoning districts, where towers require the approval of a Special Use Permit from Town Council, according to the standards found in Ordinance Section 9-18 *Telecommunications Facilities* and Section 11-3.10 *Special Use Permits and Waivers*, to include the 32 *Evaluation Criteria* listed in Section 11-3.10.3. Should the proposed text amendment be adopted by Town Council, all applications for a telecommunication tower will require the approval of a Special Use Permit, where the details of the specific tower and location will be evaluated for suitability.

ATTACHMENTS

1. Attachment A: Application Documents
2. Attachment B: Zoning Ordinance Section 9-18 Telecommunications Facilities
3. Attachment C: Example Fall Zone Certification Letter
4. Attachment D: Ordinance Section 3-4.9 – Permitted and Permissible Uses
5. Attachment E: Location Map - PSP-Zoned Tax Parcels
6. Attachment F: Plan Showing Tower Location Overlain on GIS Aerial Imagery
7. Attachment G: Agency Review Comments – VDOT & Public Works
8. Attachment H: Certified Fall Zone Letter, Proposed Tower Site, December 11, 2023



James P. Downey, P.C.
Attorney and Counselor At Law

May 24, 2023

Rob Walton
Director of Community Development
Town of Warrenton
21 Main Street
Warrenton, Virginia 20186

Re: Arcola Towers, LLC; cell tower approval

Dear Mr. Walton:

I hereby apply for a text amendment to the Town ordinance to change the setback limits for telecommunications towers ("cell towers") in the PSP District.

A letter of justification and proposed text are attached, together with exhibits. While the proposal would affect a specific parcel, which is identified in these materials, the proposal would apply to all PSP-zoned parcels in the Town.

Very truly yours,

A handwritten signature in blue ink that reads 'James P. Downey'. The signature is fluid and cursive, with a large loop at the end of the last name.

James P. Downey

Enclosures

cc: Jonathan L. Yates, Esq.
Hon. Heather D. Sutphin
JPD/cmh



James P. Downey, P.C.
Attorney and Counselor At Law

May 24, 2023

Rob Walton
Director of Community Development
Town of Warrenton
21 Main Street
Warrenton, Virginia 20186

Re: Letter of Justification

Dear Mr. Walton:

This letter of justification is submitted in support of the proposed ordinance amendment submitted herewith on behalf of Arcola Towers, LLC, for reduction of the setback requirement for telecommunications towers in the PSP zoning district.

This proposed amendment arises from a proposal for construction of a 150-foot telecommunications tower on a parcel of land leased from the Virginia Department of Transportation boundary shown on the enclosed plat and diagram. This site is within the cloverleaf of highways known as the Bypass on the Northeast side of Town, in an area that will allow for expanded cellular coverage.

The existing setback rules would require setbacks of 150' from the property boundary. A setback requirement of 100% of the height of the tower is unduly restrictive and would prevent construction of the tower on the subject parcel. The site is not large enough to accommodate such a depth of setback. Construction and design technology that will be applied to the construction of this tower will ensure that in the rare instance of the tower falling, the certified fall zone would be sufficient protection against any segment of the tower falling outside the property boundary lines.

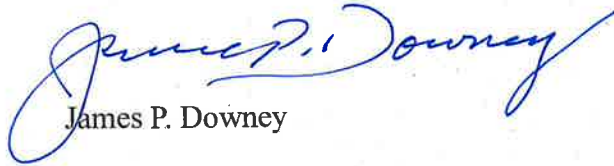
Engineering and construction standards and experience demonstrate that it is not necessary to have a setback of 150' for a tower of that height. A sample of the kind of letter that can be supplied, to demonstrate a certified fall zone as the satisfactory setback, is attached.

Reduction of the setback to coincide with the actual fall zone radius would be consistent with the public health, safety and welfare and would be reasonably related to the valid objective of protecting the public from the hazards of a fall of the telecommunications tower in this location.

Rob Walton
Director of Community Development
May 24, 2023
Page Two

The proposed text amendment would allow construction of the telecommunications tower in the PSP zone to a height to conform with the certified fall zone distance.

Very truly yours,



James P. Downey

Enclosures
JPD/cmh



ARCOLA TOWERS VDOT WARRENTON RT 17 NORTH RAMP WARRENTON, VA 20187 MONOPOLE 150'



6100 Executive Blvd., Suite 430
Rockville, MD 20853
PHONE: (301)468-0860

SUBTOTALS		
DATE	DESCRIPTION	REV
08-02-21	CONCEPT PLAN REVIEW	
08-09-21	CONCEPT PLAN REVIEW	
10-20-21	CONCEPT PLAN REVIEW	
10-20-21	ARCOLA TOWERS COMMENTS	

SCALE:



PROJECT NO:	1164 014
DESIGNER:	M.A.
DRAWN:	M.M.

SCALE: SCALE AS NOTED

ARCOLA TOWERS SITE
VDOT WARRENTON
RT 17 NORTH RAMP
WARRENTON, VA 20187

TITLE SHEET

SHEET NUMBER: T-1

GENERAL NOTES

- THE CONTRACTOR SHALL OBEY ALL NOTICES AND ORDERS WITH ALL STATE, COMMONWEALTH, LOCAL, FEDERAL AND FEDERAL AGENCIES OR ANY PUBLIC AUTHORITY, MUNICIPAL AND STATE AGENCIES, CODES RELATING TO THE PERFORMANCE OF THE WORK. THE WORK PERFORMED ON THE PROJECT AND THE MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS AND ORDINANCES.
- THE ARCHITECT/ENGINEER HAS MADE EVERY EFFORT TO SET FORTH IN THE CONSTRUCTION AND CONTRACT DOCUMENTS THE COMPLETE SCOPE OF WORK. THE CONTRACTOR BEING THE JOB IS UNDERSTOOD THAT WHEN OMISSIONS OR ERRORS IN THE DRAWINGS AND/OR SPECIFICATIONS SHALL NOT BE CONSIDERED AS CONSTRUCTION FROM COMPLETING THE PROJECT AND AMENDMENTS IN ACCORDANCE WITH THE INTENT OF THESE DOCUMENTS.
- THE CONTRACTOR OR OWNER SHALL BEAR THE RESPONSIBILITY OF NOTIFYING (IN WRITING) THE CONSTRUCTION MANAGER OF ANY CONFLICTS, ERRORS, OR OMISSIONS PRIOR TO THE SUBMISSION OF CONTRACTOR'S PROPOSAL OR PERFORMANCE OF WORK. IN THE EVENT OF DISCREPANCIES THE CONTRACTOR SHALL PRIORITIZE THE WORK MOST CRITICAL TO EXTENSIVE WORK, UNLESS DIRECTED IN WRITING OTHERWISE.
- THE SCOPE OF WORK SHALL INCLUDE FURNISHING ALL MATERIALS, EQUIPMENT, LABOR AND ALL OTHER MATERIALS AND LABOR ITEMS NECESSARY TO COMPLETE THE WORK/PROJECT AS DESCRIBED HEREIN.
- THE CONTRACTOR SHALL NOTIFY THE JOB SITE PRIOR TO THE SUBMISSION OF BIDS OR PERFORMANCE OF WORK TO FAMILIARIZE HIMSELF WITH THE FIELD CONDITIONS AND TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
- THE CONTRACTOR SHALL OBTAIN AUTHORIZATION TO PROCEED WITH CONSTRUCTION PRIOR TO STARTING WORK ON ANY ITEM NOT EXPLICITLY STATED BY THE CONSTRUCTION OR SPECIFICATION DOCUMENTS.
- THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS ACCORDING TO THE MANUFACTURER/SUPPLIER'S SPECIFICATION UNLESS NOTED OTHERWISE IN THESE LOCAL CODES OR OTHERWISE THE PRECEDING.
- THE CONTRACTOR SHALL PROVIDE A FULL SET OF CONSTRUCTION DOCUMENTS AT THE SITE LOCATED WITH THE LATEST REVISIONS AND ADDRESS OR CLARIFICATIONS AVAILABLE FOR THE USE BY ALL PERSONNEL INVOLVED WITH THE PROJECT.
- THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE PROJECT DESCRIBED HEREIN. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, SEQUENCES, SCHEDULES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS WHICH MAY BE REQUIRED FOR THE BY THE ARCHITECT/ENGINEER, THE STATE, COUNTY OR LOCAL GOVERNMENT AGENCY.
- THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS, EXISTENCES, PAVING, CURBS, ETC. DURING CONSTRUCTION. UPON COMPLETION OF WORK, THE CONTRACTOR SHALL REPAIR ANY DAMAGE THAT MAY HAVE OCCURRED DUE TO CONSTRUCTION OR AS NOTED BY THE ARCHITECT.
- THE CONTRACTOR SHALL KEEP THE GENERAL WORK AREA CLEAN AND HAZARD FREE DURING CONSTRUCTION AND OBTAIN CLEARANCE OF ALL DIRT, CURBS, ALLEYS AND REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY. PROMISES SHALL BE LEFT IN CLEAN CONDITION AND FREE FROM HAZARD, SPILLS, DUST, OR OBSTRUCTIONS OF ANY NATURE.
- THE CONTRACTOR SHALL COMPLY WITH ALL OSHA REQUIREMENTS AS THEY APPLY TO THIS PROJECT.
- THE CONTRACTOR SHALL NOTIFY THE CONSTRUCTION MANAGER WHEN A CONFLICT OCCURS ON ANY OF THE CONTRACT DOCUMENTS. THE CONTRACTOR IS NOT TO COVER MATERIAL OR CONSTRUCT ANY PORTION OF THE WORK THAT IS IN CONFLICT UNLESS THE CONFLICT IS RESOLVED BY THE CONSTRUCTION MANAGER.
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS, PROFILES, UNLESS NOTED OTHERWISE IN THE PROJECT.

BUILDING CODE

2018 INTERNATIONAL BUILDING CODE
 REFERENCED:
 2017 NATIONAL ELECTRIC CODE WITH LOCAL AMENDMENTS
 2018 INTERNATIONAL MECHANICAL CODE
 2018 INTERNATIONAL STRUCTURAL CODES FOR METAL SUPPORTING STRUCTURES AND ANTENNAS



SYMBOLS AND ABBREVIATIONS

ADJ	ADJUSTABLE	MECH	MECHANICAL	⊙	SPOT ELEVATION
APPR	APPROXIMATE	MAN	MANUFACTURER	⊖	CONCRETE
CA1	CABINET	M2	MAIN GROUND BAR	E	PLATE
CLG	CEILING	MR	MILIMETER	⊗	DEPTH NUMBER SHEET NUMBER
CLG	CEILING	MIL	MIL	—	GROUND PIPE
CON	CONCRETE	MIL	MIL	⊠	ANTENNA
CON1	CONCRETE NOT IN CONTRACT	MS	NOT TO SCALE		
CJ	CONSTRUCTION JOINT	OC	ON CENTER		
DI	DIMENSION	OP	OPPOSITE		
DR	DRAINING	OP	OPPOSITE		
ELEV	ELEVATION	SF	SQUARE FOOT		
EQ	EQUIPMENT	SH	SHEET		
ELEC	ELECTRICAL	SH1	SHEET 1		
EL	ELEVATION	SS	STAINLESS STEEL		
EQ	EQUIPMENT	ST	STEEL		
EQP	EQUIPMENT	TD	TOP OF CONCRETE		
EXT	EXTERIOR	TOP	TOP OF MASONRY		
FLOOR	FLOOR	TOP	TOP OF STEEL		
GA	GALVANIZED	TP	TEMPORARY		
CA	CALCULATED	WF	WORK IN FIELD		
GRD	GROUND BAR	UN	UNLESS OTHERWISE NOTED		
CON	CONCRETE	WF	WORK IN FIELD		
GRD	GROUND	WF	WORK IN FIELD		
LS	LEAD	WT	WEIGHT		
LIN	LINE	WT	WEIGHT		
LOC	LOCATION	WT	WEIGHT		
LOC	LOCATION	WT	WEIGHT		
LOC	LOCATION	WT	WEIGHT		

SHEET INDEX

T-1	TITLE SHEET
L-1	SITE PLAN
L-2	PARTIAL SITE PLAN
L-3	COMPOUND PLAN
L-4	MONOPOLE ELEVATION

PROJECT DESCRIPTION

SCOPE OF WORK:

- INSTALL CHASE AND SPACER CONTROLS
- CLEAR AND GRAD SITE TO FINAL SURFACE ELEVATION
- INSTALL MONOPOLE FOUNDATION AND USE HIGH WINDPILE
- INSTALL EQUIPMENT FRAME AND EQUIPMENT
- INSTALL CHASING, METAL CHANNEL BRACE, WELDED WIREMESH
- INSTALL ELECTRICAL AND TELEPHONE CONDUIT AND HAND HOLES
- INSTALL FENCE AND SITE IMPROVEMENTS
- INSTALL ASSET PLATFORM, CABLES AND EQUIPMENT SHELTER AND GENERATOR

PROJECT INFORMATION

PROPERTY OWNER:	COMMONWEALTH OF VIRGINIA 1221 E BROAD ST ARMOHOCK, VA 22018	LATITUDE:	39° 45' 43.81" N
APPLICANT:	ARCOLA TOWERS 116 W WASHINGTON ST, #100 ROCKVILLE, VA 20853 (301) 468-3800	LONGITUDE:	77° 46' 53.71" W
		JURISDICTION:	TOWN OF WARRENTON
		PERMITS:	N/A
		CURRENT ZONING:	PSP
		USE:	COMMERCIAL
		PROPOSED USE:	COMMERCIAL/UTILITY



VICINITY MAP
SCALE: 1"=100'
TRUE NORTH

CONCEPT PLAN NOTES

- 1) SITE NAME: ARCOLA TOWERS S/E VDOT WARRENTON RT 17 NORTH RAMP
- 2) THIS IS NOT A BOUNDARY SURVEY AND IS NOT TO BE USED FOR THE TRANSFER OF PROPERTY.
- 3) THE SUBJECT PARCEL INFORMATION:
OWNER: COMMONWEALTH OF VIRGINIA
PROPERTY ADDRESS: RT 17 NORTH RAMP WARRENTON, VA 20187
JURISDICTION: TOWN OF WARRENTON
P/N: N/A
ZONING: PSP
- 4) THE LOCATION OF THE PROPOSED MONOPOLE IS AS FOLLOWS. THE VALUES LISTED BELOW ARE WITHIN ±50' HORIZONTAL AND ±20' VERTICAL.
LATITUDE: 34° 38' 43.81" (GOOGLE EARTH)
LONGITUDE: 120° 37' 46.15" (GOOGLE EARTH)
ELEVATION: 4946' AT BASE (GOOGLE EARTH)

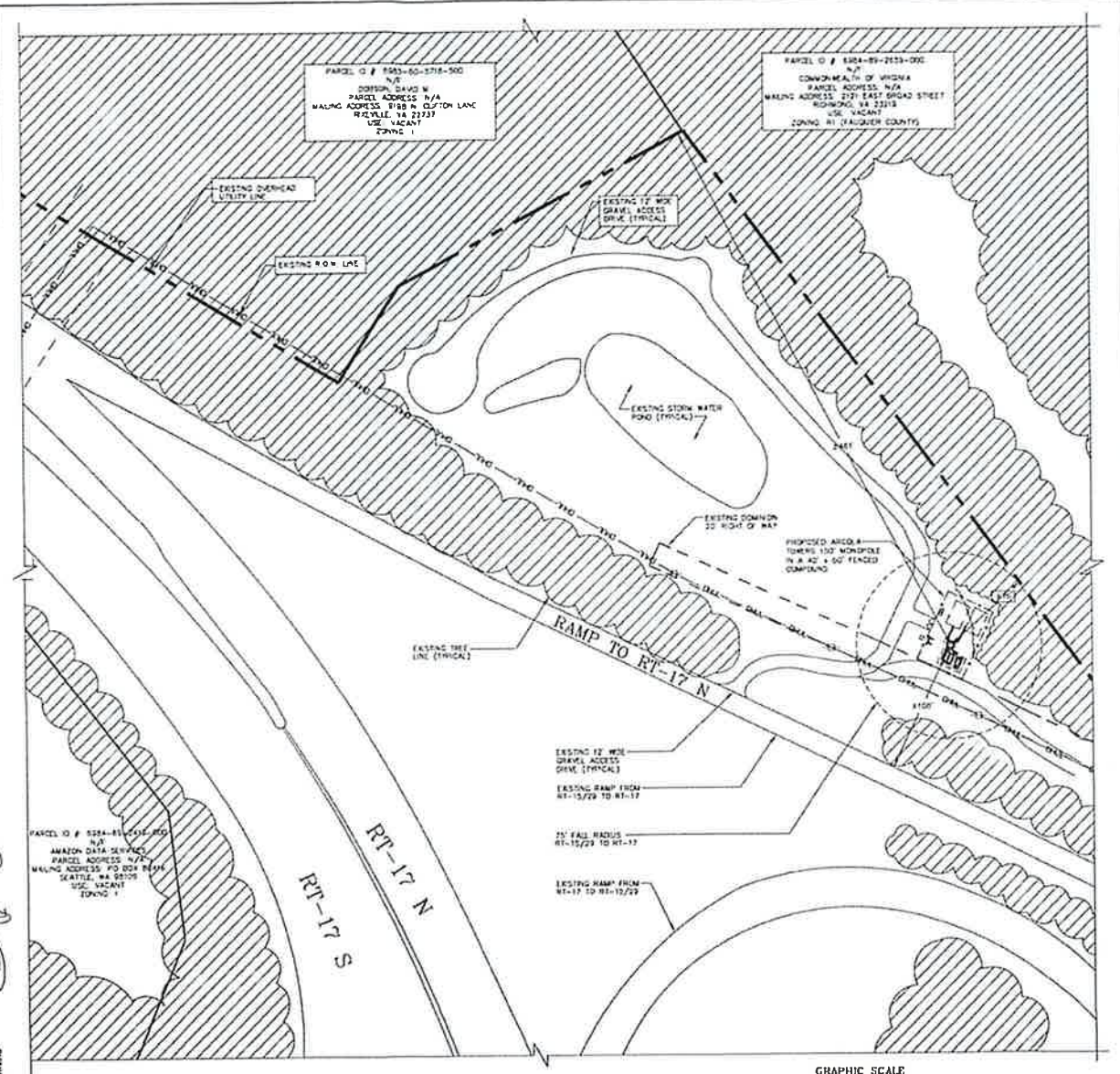
LEGEND

- FOUND PROPERTY CORNER
- △ BENCH MARKS
- U UTILITY POLE
- SON
- LIGHT POLE
- TELEPHONE PEDESTAL
- PERMANENT TREE - DECIDUOUS

LINE TYPES

- PROPERTY LINE
- RIGHT OF WAY BOUNDARY
- EDGE OF ASPHALT
- EDGE OF CONCRETE
- FENCE LINE - CHAIN
- TREE OR VEGETATION LINE

MONOPOLES BY TOWER		
	ALIGNED	ANCHORED
120' YARD (NORTH/EAST)	N/A	N/A
90' YARD (NORTH/EAST)	N/A	N/A
30' YARD (NORTH/EAST)	N/A	N/A
30' YARD (NORTH/EAST)	N/A	N/A
CLOSEST POLES	N/A	11.142'
CLOSEST ROAD	N/A	11.00'



GRAPHIC SCALE



SITE PLAN
SCALE: 1" = 10'
TRUE NORTH

entrex
COMMUNICATIONS SERVICES, INC.
8100 Executive Blvd., Suite 433
Rockville, MD 20852
PHONE: (301)463-0660

SUBMITTALS

DATE	DESCRIPTION	BY
08-02-22	CONCEPT PLAN REVIEW	
08-09-22	CONCEPT PLAN REVIEW	
10-20-22	CONCEPT PLAN REVIEW	
10-27-22	ARCOLA TOWERS COMMENTS	

SEAL



PROJECT NO:	1164-014
DESIGNER:	M. A.
ENGINEER:	M. M.

SCALE: SCALE AS NOTED

ARCOLA TOWERS SITE
VDOT WARRENTON
RT 17 NORTH RAMP
WARRENTON, VA 20187

TITLE: SITE PLAN

SHEET NUMBER: L-1

L-2 SHEET NUMBER

PARTIAL SITE PLAN

PROJECT NO. 15E-014

DATE: 11/14/18

SCALE: AS NOTED

ARCOLA TOWERS SITE
VDOT WARRENTON
RT 17 NORTH RAMP
WARRENTON, VA 20187

PROJECT NO. 15E-014
DATE: 11/14/18

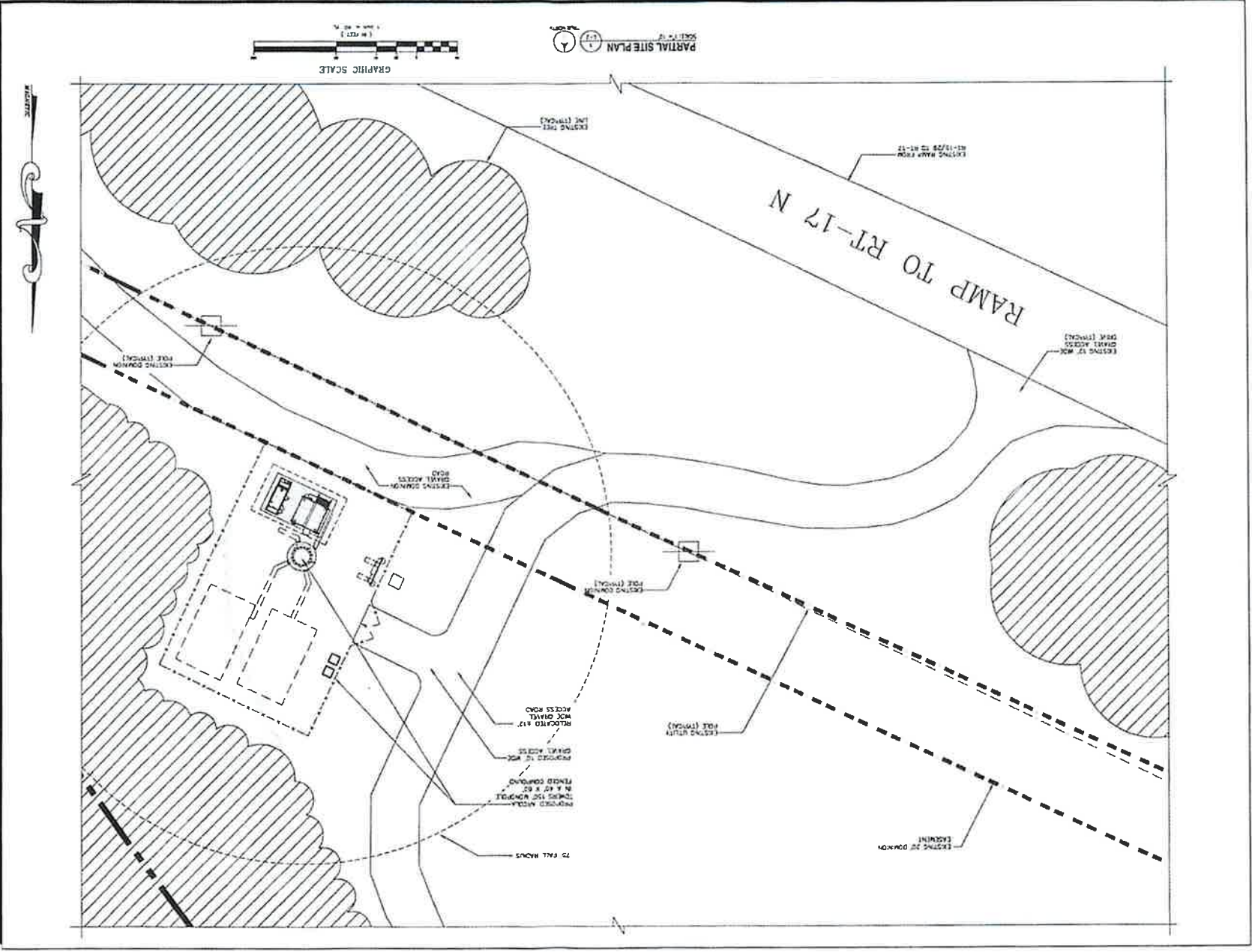
SCALE: AS NOTED

ARCOLA TOWERS

NO.	DATE	DESCRIPTION
1	11/14/18	ISSUED FOR PERMITS
2	11/14/18	ISSUED FOR PERMITS
3	11/14/18	ISSUED FOR PERMITS
4	11/14/18	ISSUED FOR PERMITS
5	11/14/18	ISSUED FOR PERMITS
6	11/14/18	ISSUED FOR PERMITS
7	11/14/18	ISSUED FOR PERMITS
8	11/14/18	ISSUED FOR PERMITS
9	11/14/18	ISSUED FOR PERMITS
10	11/14/18	ISSUED FOR PERMITS

SUBMITTALS

entrex COMMUNICATION SERVICES, INC.
8100 BELLEVUE AVENUE, SUITE 110
FARMINGTON, MD 21048
PHONE: (301)462-0800



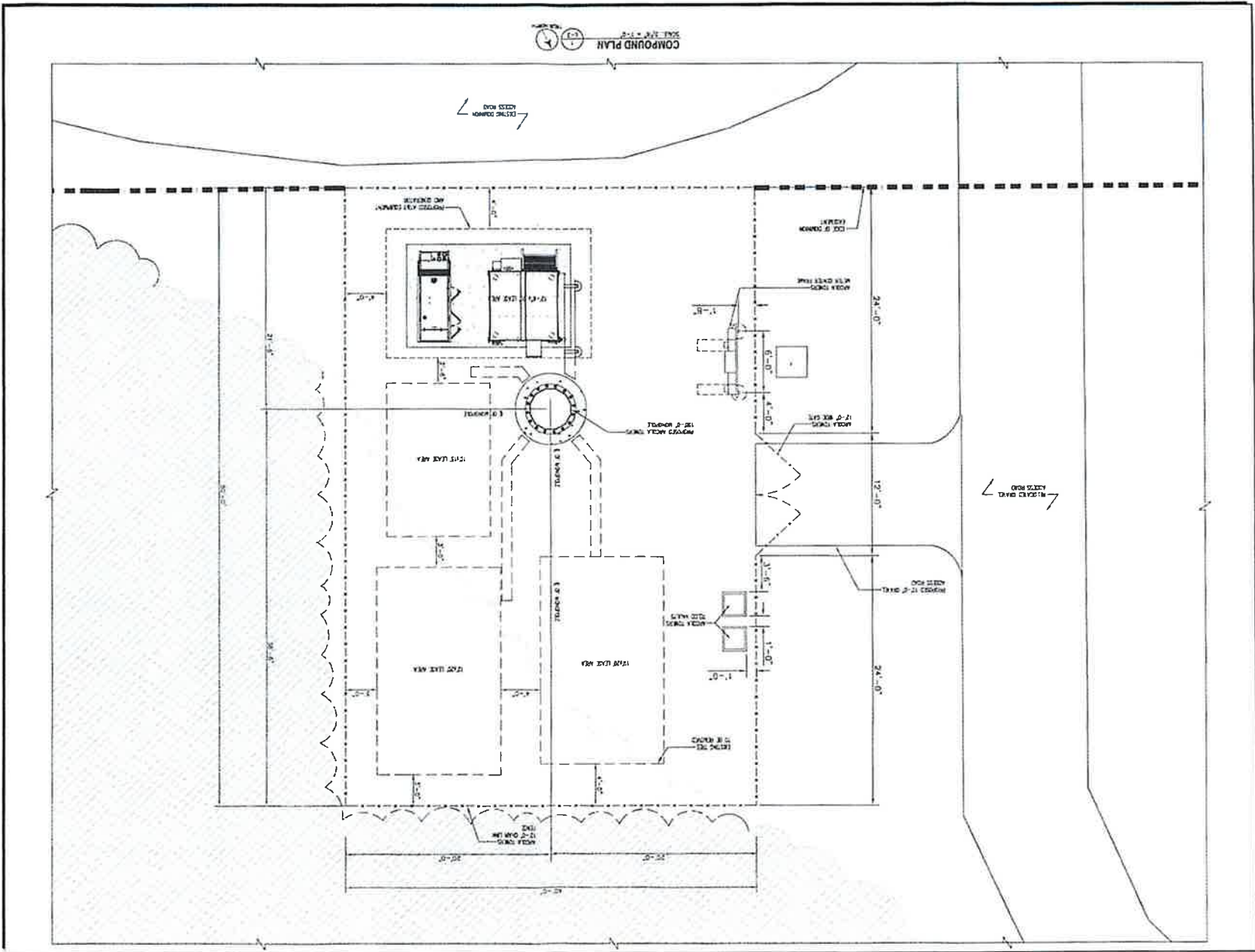
PROJECT NO: 1164214
 ISSUES: C.S.
 DRAWN BY: U.M.
 SCALE: SCALE AS NOTED
 ARCOLA TOWERS SITE
 VDOT WARRENTON
 RT 17 NORTH RAMP
 WARRENTON, VA 20187
 DATE: 11/15/17
 SHEET NUMBER: L-3



SUBMITTALS

DATE	DESCRIPTION
11-15-17	ISSUE 1
11-15-17	ISSUE 2
11-15-17	ISSUE 3
11-15-17	ISSUE 4
11-15-17	ISSUE 5
11-15-17	ISSUE 6
11-15-17	ISSUE 7
11-15-17	ISSUE 8
11-15-17	ISSUE 9
11-15-17	ISSUE 10

entrex
 COMMUNICATIONS SERVICES, INC.
 4100 EXECUTIVE BLVD., SUITE 410
 FARMERSVILLE, VA 22429
 PHONE: (703) 438-0960



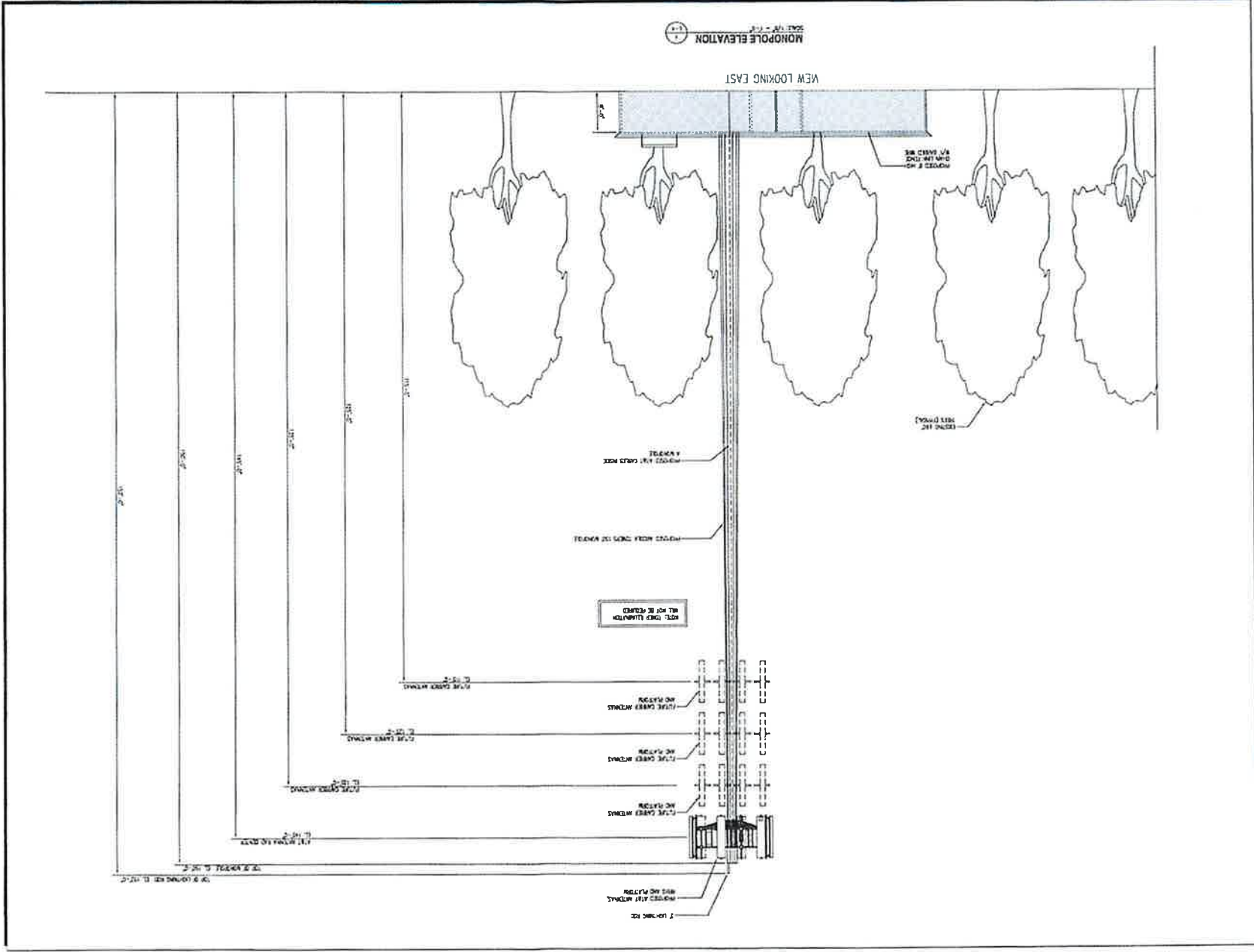
PROJECT NO: 1164 014
 DISCIPLINE: M.A.
 DRAWING: M.A.
 SCALE: AS NOTED
 ARCOLA TOWERS SITE
 VDOT WARRENTON
 RT 17 NORTH RAMP
 WARRENTON, VA 20187



SCALE

SUBMITTALS	
DATE	DESCRIPTION
11-22-21	REVISED PER COMMENTS
11-22-21	ISSUED FOR PERMITS
11-22-21	ISSUED FOR CONSTRUCTION

entrex
 COMMUNICATIONS AND NETWORKS
 8100 BURNING TREE BLVD, SUITE 200
 ROANOKE, VA 24060
 PHONE: (540) 444-2880



Viewer



**PROPOSED TEXT AMENDMENT TO
9-18 TELECOMMUNICATIONS FACILITY**

EXISTING LANGUAGE

9-18.10 Setbacks

Towers shall be set back a distance of at least one hundred (100) percent of the height of the tower from the boundaries of the property on which the tower is located.

PROPOSED LANGUAGE

9-18.10 Setbacks

Towers shall be set back a distance of at least one hundred (100) percent of the height of the tower from the boundaries of the property on which the tower is located. On properties located in a PSP District (Public-Semi-Public Institutional District), towers shall only be required to be setback a distance of at least one hundred (100) percent of the certified fall zone, as certified by a Virginia Professional Engineer in a letter which includes the Professional Engineer's signature and seal.

Town of Warrenton Zoning Ordinance

9-18 Telecommunications Facilities

9-18.1. Use Regulations for Telecommunications Towers.

The purpose of these provisions is to establish requirements for the siting of towers and antennas and to: (i) avoid the location of towers in residential areas and minimize the total number of towers and tower sites throughout the Town; (ii) encourage the joint use of new and existing tower sites; (iii) encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal; (iv) encourage users of towers and antennas to configure or camouflage them in a way that minimizes adverse visual impact of the towers and antennas; and (v) determine adequate sites for the provision of telecommunication services with minimal negative impact on the resources of the Town.

9-18.2. Applicability.

- 9-18.2.1. District location and height limitations. The requirements set forth in this section shall govern the location and height of all telecommunications towers and antennas within the Town. All towers or antennas shall also comply with applicable Federal and State regulations. Amateur radio towers and antennas shall be regulated by the Town under existing State law and applicable Town regulations.
- 9-18.2.2. Existing structures and towers. The placement of an antenna on an existing structure such as a building, sign, light pole, water tank, or other free-standing nonresidential structure or existing municipal, utility or commercially owned tower or pole may be permitted with the approval of a special use permit so long as the height of the tower or structure is not increased and the addition of the antenna shall not add more than fifteen (15) feet in height to the structure or tower. If the use includes the placement of additional buildings or supporting equipment used in connection with the antennas, the building or equipment shall be placed within the existing structure and shall be screened from view. Existing or proposed structures shall not be altered to circumvent this provision.

9-18.3. General requirements.

- 9-18.3.1. Principal or accessory use. Antennas and towers may be considered either principal or accessory uses when determining area requirements on a given parcel of land. A different existing use or an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot. For purposes of determining whether the installation of a tower or antenna complies with district development regulations, and other applicable requirements, the dimensions of the entire lot shall control, even though the

antennas or towers may be located on leased areas within such lots.

- 9-18.3.2. Inventory of existing sites. Each applicant for an antenna and/or tower shall provide to the Zoning Administrator an inventory of its existing and potential future facilities that are either within the Town or surrounding jurisdictions or within five (5) miles of the border thereof, including specific information about the location, height, and design of each tower and/or antenna. Information submitted to the Town may be shared with other applicants applying for approvals or special exception permits under this provision or other entities seeking to locate towers or antennas within the Town. By sharing such information, the Zoning Administrator is not in any way representing or warranting that such sites are available or suitable for tower or antenna use.
- 9-18.3.3. A Commission Permit in accord with Section 15.2-2232 of the Code of Virginia is required for any tower or antenna prior to or in conjunction with any Special Use Permit approvals, if any, that may be required by the district regulations of this Ordinance.

9-18.4. Appearance; lighting.

The guidelines set forth in this section shall govern the appearance, location and installation of all towers and antennas governed by this Ordinance.

- 9-18.4.1. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of FAA, be painted a neutral color, to reduce visual appearance and obtrusiveness and to blend in with the surrounding environment. Dish antennas and covers will be of a neutral, nonreflective color with no logos or other markings.
- 9-18.4.2. At a facility site, the design of any buildings and related structures must use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and the surrounding environment.
- 9-18.4.3. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is the same as the color of the supporting structure so as to make the antenna and related equipment visually unobtrusive and blend with the surrounding environment.
- 9-18.4.4. Towers shall not be artificially lighted, unless required by the FAA or other applicable governing authority. If lighting is required, the Town Council may review the available lighting alternatives in conjunction with a Special Use Permit application and approve the lighting design that would cause the least disturbance to the surrounding views and properties.
- 9-18.4.5. No advertising of any type may be placed on a tower or accompanying facility unless it is part of retrofitting a pre-existing, lawful sign structure.

9-18.5. Federal and state requirements.

All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal or state governments with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this division shall bring such towers and antennas into compliance with such revised standards as required. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense. All towers and antennas constructed on property owned or leased by the federal or state government but used by non-governmental, commercial companies or operators, must comply with all requirements of the Town Zoning Ordinance.

9-18.6. Building Codes.

To ensure the structural and operating integrity of antennas and towers, the owner of an antenna or tower shall ensure that it, and any supporting buildings and structures, are constructed and maintained in compliance with standards contained in applicable federal, state and local buildings codes and regulations.

9-18.7. Information Required.

Each applicant requesting a special use permit under this section shall submit a scaled site plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by appropriate licensed professionals in the Commonwealth of Virginia, showing the location and dimensions of all improvements, including information concerning topography, existing vegetation, proposed clearing and grading, radio frequency coverage, tower height and antenna location requirements, setbacks, ingress/egress, parking, fencing, landscaping, adjacent uses, and other information deemed by the Town Planning Commission or Town Staff to be necessary to assess compliance with this division. Additionally the applicant shall provide actual photographs of the site from designated relevant views that include a simulated photographic image of the proposed tower and antennas. The photograph with the simulated image shall include the foreground, the mid-ground and the background of the site.

9-18.7.1. An engineering report, certifying that the proposed antenna or tower is compatible for co-location when more than one user is proposed for the same tower, must be submitted by the applicant.

9-18.7.2. The applicant shall pay all costs associated with notifying adjoining property owners and other nearby residents by certified letter concerning the project prior to public hearings before the Planning Commission and/or, on appeal, the Town Council.

- 9-18.7.3. The applicant shall provide copies of its co-location policy. The applicant shall provide copies of propagation maps using proposed antenna tilt demonstrating that antennas and sites for possible co-locator antennas are no higher in elevation than necessary to serve the intended area.
- 9-18.7.4 The applicant shall provide a report and drawings identifying its coverage area within the Town and surrounding 10-mile area.

9-18.8. Factors to be Considered in Granting Special Use Permits for New Towers and Antennas

The Town Council shall consider the following factors, in addition to others herein, in determining whether to approve a Special Use Permit:

- 9-18.8.1. Height of the proposed tower: No tower shall ever exceed 199 feet.
- 9-18.8.2. Proximity of the tower or pole to residential structures and residential district boundaries, historic structures and districts, or other manmade or unique natural areas within or adjacent to the Town
- 9-18.8.3. Nature of the adjacent uses and nearby properties.
- 9-18.8.4. Surrounding topography.
- 9-18.8.5. Impact on surrounding tree coverage and foliage. Impacts shall be kept to the minimum for the installation of the facility.
- 9-18.8.6. Design of tower or pole, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness.
- 9-18.8.7. Proposed ingress and egress.
- 9-18.8.8. Compliance with the Town's co-location policy.
- 9-18.8.9. Consistency with the Comprehensive Plan and the purposes of the zoning district of the facility and areas from which the antenna or tower will be visible.
- 9-18.8.10. Availability of suitable existing towers and other structures as provided for in Section 9-18.9 herein.

The Council may waive or modify one (1) or more of these criteria if the Council concludes that the goals of this Ordinance are better served by the facility as it is proposed by the applicant.

9-18.9. Availability of Suitable Existing Towers or Other Structures.

Co-location is the preferred solution to the need for additional antennas. No new tower shall be permitted unless the applicant demonstrates that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence to be considered in determining whether existing towers or structures cannot accommodate the applicant's proposed antenna include the following:

- 9-18.9.1. No existing towers or structures are located within the geographic area required to meet applicant's engineering and coverage requirements under the Telecommunications Act (TCA).
- 9-18.9.2. Existing towers or structures are not of sufficient height to meet applicant's engineering and coverage requirements under the Telecommunications Act (TCA).
- 9-18.9.3. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment and cannot be made or reconstructed to support additional antennas.
- 9-18.9.4. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing tower or structures would cause interference with the applicant's proposed antenna.

A written statement of justification with supporting documentation is required from any applicant claiming that no existing facility can accommodate its antenna. The Town Council may use its own staff, it's own consultants or other independent authorities to review and verify information submitted by the applicant.

9-18.10. Setbacks.

Towers shall be set back a distance of at least one hundred (100) percent of the height of the tower from the boundaries of the property on which the tower is located.

9-18.11. Security fencing.

Towers shall be enclosed by security fencing not less than six (6) feet in height and shall be equipped with an anti-climbing device.

9-18.12. Landscaping.

The following requirements shall govern the landscaping surrounding towers.

- 9-18.12.1. Tower facilities shall be landscaped with a mix of deciduous and evergreen trees that effectively screens the view of the support buildings from adjacent property. The standard buffer shall consist of a landscaped strip of at least ten (10) feet wide outside the perimeter of the facility compound.
- 9-18.12.2. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible.

9-18.13. Removal of abandoned antennas and towers.

Any antenna or tower that is not operated for a continuous period of two (2) years shall be considered abandoned, and the owner of such antenna or tower shall remove same within ninety (90) days of receipt of notice from the Zoning Administrator notifying the owner of such removal requirement. Removal includes the removal of the tower, all tower and fence footers, underground cables and support buildings.

If there are two (2) or more users of a single tower, then this provision shall not become effective until all users cease using the tower. If the tower is not removed per this section, the Town may require the landowner to have it removed.

6100 Executive Blvd., Suite 430 • Rockville, MD 20852 • Tel: 202.408.0960

July 25, 2022

Ms. Kristen Stelzer
Arcola Towers
PO Box 2150
Middleburg, VA 20118

Re: Proposed 195' Monopole for Mt. Jackson, VA Site

Dear Ms. Stelzer,

The monopole for this site shall be designed in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-H "Structural Standard for Antenna Supporting Structures and Antennas" by a tower manufacturer to meet a 45 ft fall radius.

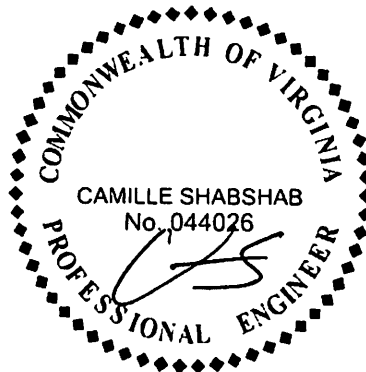
When designed according to this standard, the wind pressures and steel strength capacities include several safety factors, resulting in an overall minimum safety factor of 25%. Therefore, it is highly unlikely that the monopole will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within the monopole shaft, above the base plate. Assuming that the wind pressure profile is similar to that used to design the monopole, the monopole will buckle at the location of the highest combined stress ratio within the monopole shaft, resulting in the portion of the monopole above leaning over and remaining in a permanently deformed condition. The monopole shall be designed such that the shaft section at elevation 150 ft will buckle before any other section on the monopole resulting in a fall zone of 45 ft

Please note that this letter only applies to the above referenced monopole.

Sincerely,

Camille Shabshab, PE
Vice President



Town of Warrenton Zoning Ordinance

3-4.9 PSP Public-Semi-Public Institutional District

3-4.9.1. Legislative Intent

This district is intended to provide for major public, semi-public, and institutional uses, to facilitate future growth of such uses within the district in accordance with the objectives, policies, and proposals of the Comprehensive Plan, including the encouragement of convenient and safe nearby residential neighborhoods, and to provide evidence on the Zoning map of the nature of land use planned for this district.

3-4.9.2. Permitted Uses (by-right)

- Accessory buildings and uses, including dwellings accessory to a permitted use
- Cemeteries
- Child care center, day care center, or nursery school
- Churches
- Community buildings
- Fairgrounds, showgrounds, or exhibition center
- Family care homes, foster homes, or group homes
- Hospitals, nursing homes, and clinics
- Institutional uses
- Offices for business or professional use
- Off-street parking for permitted uses subject to Article 7
- Open space subject to Article 9
- Parks and playgrounds
- Public or governmental buildings
- Rescue squad or volunteer fire company
- Schools
- Senior citizen center
- Signs subject to Article 6
- 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
- Yard sale or other special sale or event conducted on the premises of and for the benefit of a permitted use in the district

3-4.9.3. Permissible Uses (by special use permit upon approval of the Town Council)

- Emergency housing
- Gift Shops
- Health and Fitness Facilities
- Museums
- Single Family Dwellings
- Visitor Centers
- Active and passive recreation and recreational facilities.
- 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

3-4.9.4. Lot and Yard Regulations

Use	Minimum	Minimum	Maximum	Minimum Setbacks		
	Lot Size (sq. ft.)	Lot Frontage (at front setback)	Lot Coverage (impervious surfaces)	Front	Side	Rear
All Permitted and Permissible Uses	6,000	60 ft.	65%	25 ft.	15 ft.	35 ft.

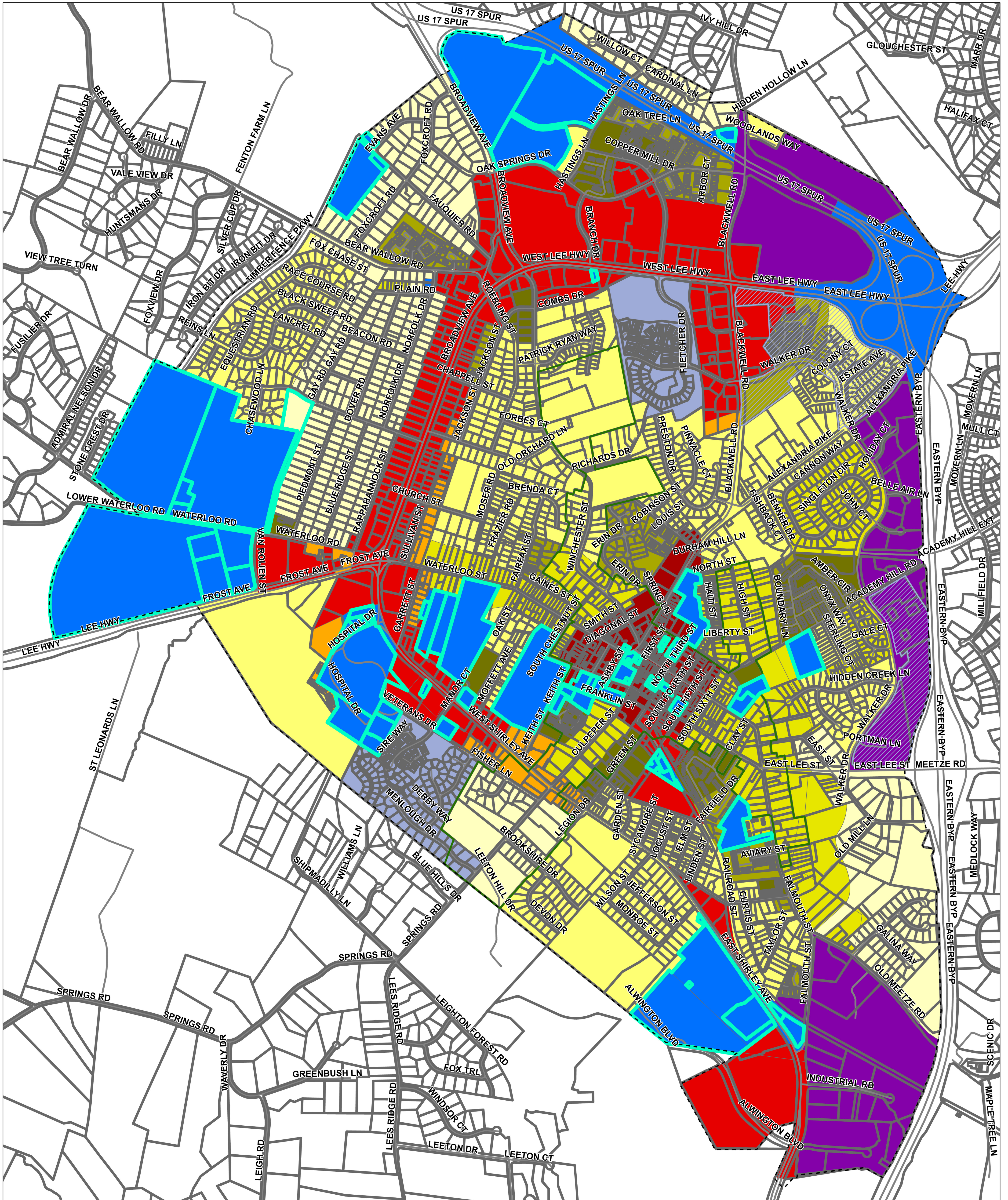
3-4.9.5. Building Regulations

Use	Maximum Height*
All buildings	35 feet
Accessory buildings	Within 20 feet of any lot line shall not exceed 15 feet in height. All accessory buildings shall be less than the main building in height.

*A public or institutional building or church may be erected to a height of sixty (60) feet from grade provided that required front, side, and rear yards shall be increased one (1) foot for each foot in height over thirty-five (35) feet.



TOWN OF WARRENTON Zoning District PSP Parcels



Legend

- Town of Warrenton Boundary
- Roads
- ▭ Tax Parcel
- ▭ PSP Parcels
- ▭ Historic District Overlay
- ▭ IPUD Overlay

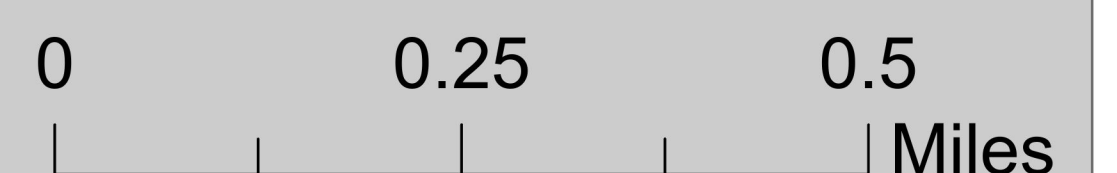
Zoning District

- ▭ R-15
- ▭ R-10
- ▭ R-6
- ▭ RT
- ▭ RMF

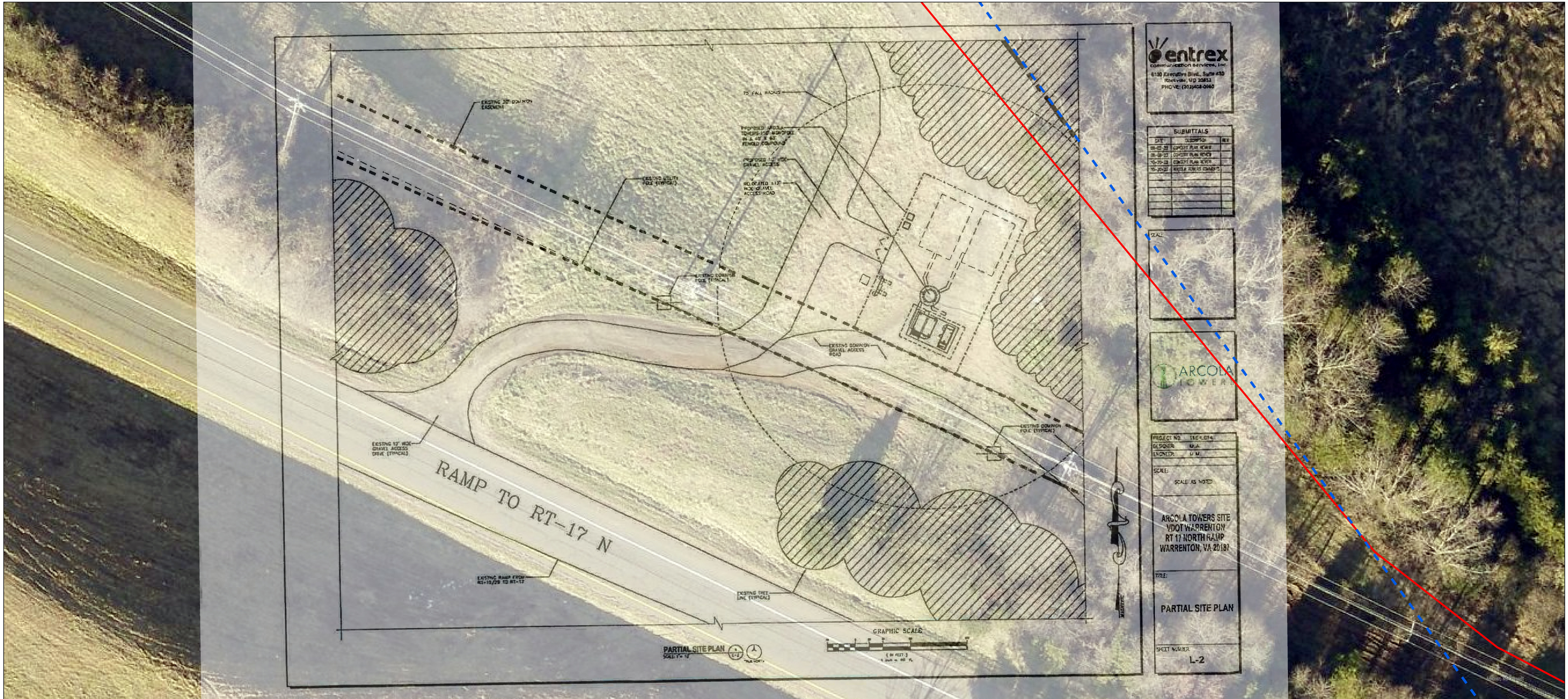
- ▭ RO
- ▭ PSP
- ▭ C
- ▭ CBD
- ▭ I
- ▭ PUD



October 3, 2023
Sources: Town of Warrenton & Fauquier County



TOWN OF WARRENTON ARCOLA Cell Towers Plat Page 3



entrex
 communication services, inc.
 6150 Executive Blvd., Suite 430
 Rockville, MD 20853
 PHONE: (301)408-0960

SUBMITTALS		
DATE	DESCRIPTION	REV
08-05-23	SCHEMATIC REVIEW	
08-09-23	SCHEMATIC REVIEW	
10-25-23	SCHEMATIC REVIEW	
10-26-23	ARCOLA JUDICIAL BOARD	

SCALE



PROJECT NO: 18E-014
 DESIGNER: M.A.
 ENGINEER: D.M.
 SCALE: SCALE AS NOTED

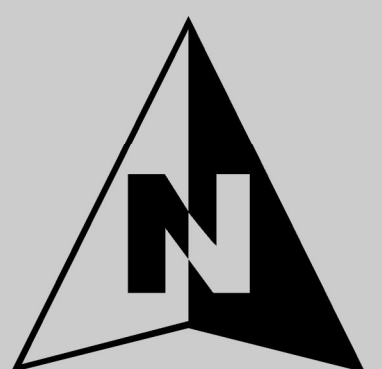
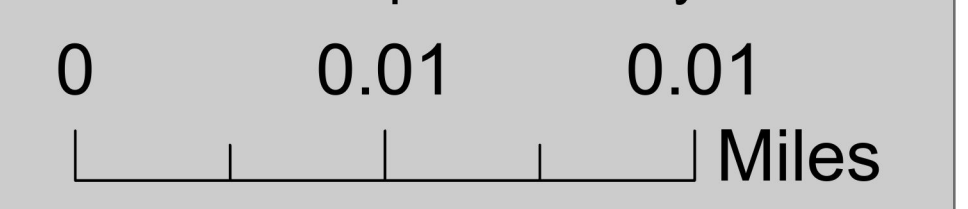
ARCOLA TOWERS SITE
 YDOT WARRENTON
 RT 17 NORTH RAMP
 WARRENTON, VA 20181

TITLE:
PARTIAL SITE PLAN

SHEET NUMBER:
L-2

Legend
 - - - - Town of Warrenton Boundary
 [Red Outline] Tax Parcel

July 21, 2023
 Source: Town of Warrenton & Fauquier County



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

457 East Shirley Avenue
Warrenton, Virginia 20186

Stephen C. Brich, P.E.
Commissioner

Date: September 22, 2022

To: Gregory Primeau – Site-AC, Inc.

cc: Randy Norris, VDOT, Travis Estes, VDOT, Denise Harris, Town of Warrenton

Re: **Initial Feasibility Inquiry-Locality Approval-New Cellular Monopole Tower**

Dear Mr. Primeau:

The above referenced Plan of Development (POD) prepared by Piedmont Land Consulting LLC with a Cover Sheet date of June 22, 2022 and received by VDOT date of August 18, 2022 has been reviewed.

General:

1. Based on the site visit conducted by the Culpeper District Staff, location #1 and #2 per the attached sketch are not recommended based on their location to the existing storm water facility that is located on the proposed site. (VDOT)
2. Future maintenance of the principal spillway pipe (excavation and/or replacement) would be complicated by a tower site at location #1 and #2. (VDOT)
3. Location #3 per the attached sketch is VDOT's preferred location. This location appears to be within Limited Access Right of Way and would require VDOT's Chief Engineer approval. (VDOT)
4. It will be the responsibility of the permittee to demonstrate that the proposed Monopole Tower will not adversely impact VDOT ROW and the existing Stormwater facility.
5. A VDOT LUP-SUWSS (Single-Use Permit – Wireless Support Structure) will be required along with all the supporting information and payment/surety. (VDOT)
6. The structure will have to have a third-party inspector in place to inspect the structure and its construction. (VDOT)
7. If the cell tower will be operated by a private entity, the Town will review the project (Commission Permit, Special Use Permit, Site Plan, Building Permit, and Land Disturbing permit if required). The applicant should review Section 9-18 of the Town's Zoning Ordinance regarding the regulations that apply to the tower. Staff doesn't feel the tower meets the setback requirements stated in Section 9-18.10. (Town of Warrenton)
8. If the tower is used for a public purpose (i.e. emergency communications), then the tower is exempt from the Town's review. (Town of Warrenton).

VDOT did not receive any comments from Fauquier County.

Please contact me at 540-229-1164 or craig.simpson@vdot.virginia.gov if there are any questions or concerns.

Sincerely,

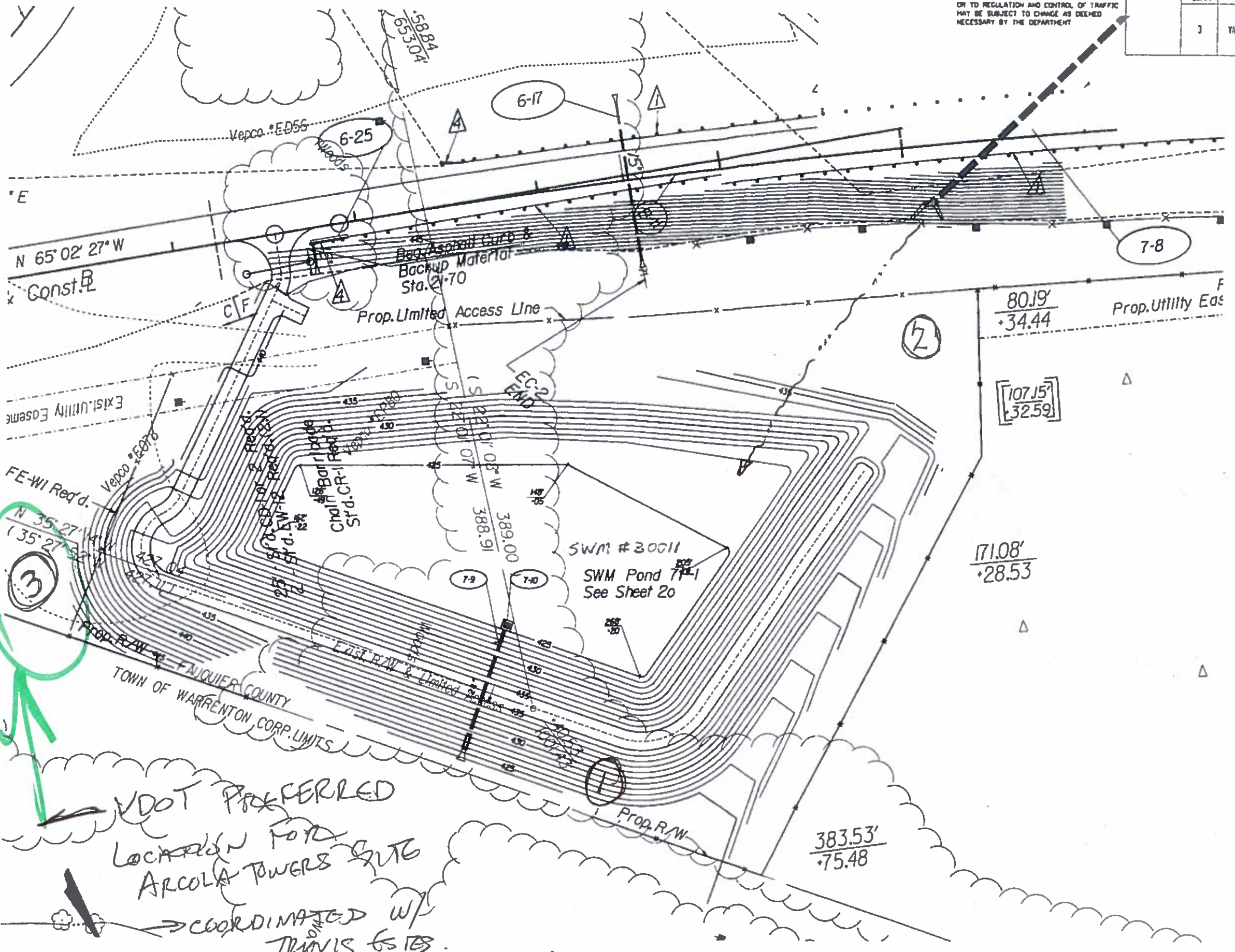
Craig Simpson, P.E.
Area Land Use Engineer
Warrenton Residency

DESIGN FEATURES RELATING TO CONSTRUCTION OR TO REGULATION AND CONTROL OF TRAFFIC MAY BE SUBJECT TO CHANGE AS DEEMED NECESSARY BY THE DEPARTMENT

REGION	STATE	PROJECT	ROUTE	SHEET
3	VA		17	6017-03

Item 2.

44



SUPERVISED BY: [Name]
 DESIGNED BY: [Name]
 CHECKED BY: [Name]
 REVISIONS BY: [Name]

NO.	DATE	DESCRIPTION
1	06/23/24	ALUSOS

VDOT PREFERRED
 LOCATION FOR
 ARCOLA TOWERS SITES
 COORDINATED W/
 TRAVIS GIBBS

JMM
 8/17/22



**Land Use Permit
LUP-SUWSS**

Single-Use Permit - Wireless Support Structure

June 28, 2019

The installation of wireless support structures and associated facilities on highway right-of-way is authorized under Section [24VAC30-151-350](#) of the Land Use Permit Regulations.

Applicant Agreement for Land Use Permit Issuance

I the undersigned hereby acknowledge that I am fully cognizant of and, in my individual capacity and as a duly authorized representative of the entity applying for this permit, agree to all of the following requirements associated with the issuance of a single use permit authorizing the installation and maintenance of a wireless support structure and associated facilities located within state maintained right-of-way:

Type or Print Clearly

Name of Applicant: _____

Applicant's Tax ID No.: _____

Applicant's Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Primary Telephone No.: (_____) _____ - _____ 24-Hour Telephone No.: (_____) _____ - _____

Fax No.: (_____) _____ - _____ E-mail Address: _____

Name of Agent/contractor: _____

Agent/Contractor Tax ID No.: _____

Agent's Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Primary Telephone No.: (_____) _____ - _____ 24-Hour Telephone No.: (_____) _____ - _____

Fax No.: (_____) _____ - _____ E-mail Address: _____

Work Description: _____

Locality: _____

Route Name & Number: _____

Nearest Intersecting Route (Name and Number): _____

Coordinates: Latitude _____ Longitude _____

Name of Applicant's Duly Authorized Representative: _____

Representative's Title: _____

Representative's Signature: _____

Name of Agent's/Contractor's Duly Authorized Representative: _____

Agent's Title: _____

Agent's Signature: _____

VDOT Land Use Permit Required by Law

The General Rules and Regulations of the Commonwealth Transportation Board provide that no work of any nature shall be performed on any real property under the ownership, control, or jurisdiction of VDOT until written permission has been obtained from VDOT. Written permission is granted for the above-referenced activity through the issuance of a land use permit.

By issuing a permit, VDOT is giving permission only for whatever rights it has in the right-of-way; the Permittee is solely responsible for determining all entities that may have a property interest of any kind or nature in the right-of-way and for obtaining permission from all such entities for the Permittee's use of the right-of-way and shall be solely liable for any failure to obtain from any and all entities having a property interest in the right-of-way.

The Permittee will be civilly liable to the Commonwealth for expenses and damages incurred by VDOT as a result of violation of any of the rules and regulations of [24VAC30-151](#). Violators shall be guilty of a misdemeanor and, upon conviction, shall be punished as provided for in [§33.2-210](#) of the Code of Virginia.

Application Requirements

Application for a land use permit authorizing the installation, maintenance, and operation of wireless support structures located within state maintained right-of-way shall be made through the local residency permit office where the activity is to take place.

The permit application shall include plan/sketches showing distances from edge of pavement, existing and proposed right-of-way line, depths below and above existing and proposed grades, depths below ditch line or underground drainage structures, or other relevant features. Any existing utilities within close proximity of the applicant's work shall be shown. Location of poles, guys, pedestals, relief valves, vent pipes, etc. shall be shown. Height of wires or cables above the crown of the roadway shall also be shown.

Additionally, a Radio Frequency Emissions Compliance Report; an Intermodulation Study showing no expected impact with existing Commonwealth of Virginia, toll agency, Departments of Energy and Homeland Security, and locality equipment (if within radius of impact of such equipment); and a Structural Evaluation (including design of the support structure, all connections and splices, foundation design, and any boring logs) consistent with the

building code showing that the wireless facilities can be safely located on the support structure shall also be provided. These documents shall be stamped and sealed by an engineer licensed to practice in Virginia in accordance with regulations issued by the Virginia Department of Professional and Occupational Regulation.

The applicant shall provide a notarized affidavit certifying compliance with the registration and notification requirements outlined in § 2.2-1151.1 of the Code of Virginia, a work area protection plan (if necessary), and approval from the locality (if appropriate).

Contact Information

A list of counties with their corresponding VDOT district offices and contact information may be obtained at <http://www.virginiadot.org/about/districts.asp>. Contact information for residency offices is available at http://www.virginiadot.org/about_vdot/residencies.asp.

Permit Term and Fees

- 1. The land use permit term is 10 years, with three 5 year extensions, but may be terminated earlier for cause or by mutual agreement.
- 2. The land use permit application shall include payment in the amount of \$110.00 for processing the request.
- 3. The amount of the annual wireless support structure public rights-of-way use fee shall be (check height that applies and insert square footage, if applicable):
 - 1. \$270 for any wireless support structure at or below 50 feet in height with a small cell installation;
 - 2. \$1,000 for any other wireless support structure at or below 50 feet in height;
 - 3. \$3,000 for any wireless support structure above 50 feet and at or below 120 feet in height;
 - 4. \$5,000 for any wireless support structure above 120 feet in height; and
 - ___sqft 5. \$1 per square foot for any other equipment, shelter, or associated facilities constructed on the ground.

(If the fee limiting provision of the FCC Declaratory Action of September 26, 2018, is overturned then the annual fees set out in §56-484.32 shall apply to structures at or below 50 feet with small cell installations.)

No later than June 30 of each year, the wireless services provider or wireless infrastructure provider shall remit directly to the Virginia Department of Transportation the public rights-of-way use fees for wireless support structures for any site which has a current permit.

Wireless Support Structure Use Fees paid by check or money order shall be drawn payable to the Treasurer of Virginia and shall be submitted to:

VDOT Office of Land Use
1401 East Broad Street
Richmond, Virginia 23219

A summary of the recurring structure inspection reports for each support structure permit that is covered by the submitted amount shall be provided by the permittee to the Department concurrently with the annual payment. Additionally, the emergency (24/7) contact phone number for the permittee’s poles and towers shall be sent concurrently with the annual payment as verification that the posted numbers have not changed.

The annual fees shall be adjusted every five (5) years based upon the United States Average Consumer Price Index for all items, all urban consumers (CPI-U), as published by the Bureau of Labor Statistics of the U.S. Department of Labor. Upon the quinquennial adjustment, VDOT shall notify the permittee of the new user fee for the upcoming fiscal year.

Surety Requirement

A surety in the amount of ten-thousand dollars (\$10,000.00) per structure is required to ensure that the right-of-way is restored in the event that work on the wireless structure is started but not completed or the right-of way is damaged. This surety may be in the form of cash or check, a LUP-SB surety bond, or an LUP-LC irrevocable letter of credit bank agreement.

Upon completion of construction, a continuous surety for the Permittee's structures must be provided or held by VDOT in the amount of ten-thousand dollars (\$10,000.00) per county, and is intended to ensure that the right-of-way is restored in the event of limited facility failure. The continuous surety may be in the form of cash, check or [LUP-SB](#) surety bond.

Cash Surety Refund

Applicants owing the Internal Revenue Service or the Commonwealth of Virginia may not receive a refund of the cash surety provided for the issuance of a VDOT land use permit unless the amount owed is less than the amount of cash surety provided. Applicants providing cash surety for the issuance of a VDOT land use permit must provide an executed copy of the Commonwealth of Virginia's Substitute Form [W9-COV](#) to receive a refund of the cash surety provided for the issuance of a VDOT land use permit.

Insurance Requirements

The Permittee or their agent shall secure and maintain Commercial General Liability (CGL) insurance, per form ISO CGL 00 01 or equivalent, to protect against liability for personal injury and property damage that may arise from the activities performed under the authority of a land use permit and from the operation of the permitted activity with a policy limit of one million dollars (\$ 1,000,000) each occurrence to protect the Board members and the Department's agents or employees. Permittee shall include Board members and the Department's agents or employees as additional insureds with respect to the required CGL insurance, which must be obtained prior to start of the permitted work and shall remain valid through the permit completion date. VDOT staff may require a valid certificate or letter of insurance from the issuing insurance agent or agency prior to issuing the land use permit.

General Requirements

- 1) Permittee acceptance and use of a Virginia Department of Transportation (VDOT) land use permit is prima facie evidence that the permittee has read, is fully cognizant of, and agrees to all required permit provisions, applicable traffic control plans and associated construction standards to be employed. All applicants to whom permits are issued shall at all times indemnify and save harmless the Commonwealth Transportation Board, members of the Board, the Commonwealth, and all Commonwealth employees, agents, and officers, from responsibility, damage, or liability arising out of claims, suits, demands, or causes of action as a result of the permit process, granted permit, construction, erection of wireless facilities, location, performance, operation, maintenance, repair, installation, replacement, removal, unintended consequences, or restoration of the wireless facility in the public right-of-way, and any other privileges granted in such permit to the extent allowed by law including any sums ordered to be paid or expended by VDOT by any governmental entity as a fine, penalty or damages for any violation of any applicable environmental law, or to remediate any hazardous or other material, including illicit discharge into VDOT maintained storm sewer systems.
- 2) The Permittee shall obtain all necessary federal, state, and local approvals, licenses, certificates, and permits (including building permits) prior to beginning construction at the requested site.
- 3) The Permittee or their agent shall adhere to the terms and conditions as stipulated in the permit assembly without exception. Any deviation may result in the temporary revocation of the land use permit for a term not less than 30 days.
- 4) The issuance of a single use permit is in no way to be inferred as a conveyance of any interest in real estate property or facilities owned in whole or part by the Virginia Department of Transportation.
- 5) The communications structure and associated facilities shall meet all applicable building code requirements of all appropriate governmental authorities.

- 6) The Permittee or their agent must contact (800) 552-7001 to have any/all existing underground utilities located prior to commencing with any excavation within state maintained rights-of-way.
- 7) The Permittee or their agent should immediately contact the nearest local residency permit office with any interpretive questions or if the permittee, their agent, and/or permittee's facility or equipment is involved in a crash at the work site.
- 8) The Permittee or their agent shall provide notification, including permit number, locality name, route number, latitude/longitude coordinates, and approximate construction dates, to the local residency permit office prior to initiating activities at the site and immediately after concluding activities at the site.
- 9) The single-use permit issued for the original installation allows the wireless services provider or wireless infrastructure provider to repair, replace, or perform routine maintenance operations to wireless cell facilities/tower located within non-limited access state maintained right-of-way without impeding traffic more than 15 minutes. A separate land use permit is required each time the wireless services or infrastructure provider desires to repair, replace, or perform routine maintenance operations on such facilities within limited access right-of-way, if site access is from the limited access highway. Application for routine maintenance operations on limited access right-of-way shall be through the submission of a [LUP-A](#) along with appropriate supplemental documents describing the work.
- 10) A copy of the VDOT land use permit shall be maintained at the work site and made readily available for inspection when requested by authorized VDOT personnel.
- 11) The Permittee or their agent must contact the VDOT Customer Service Center at 1-800-367-7623 a minimum of 48 hours prior to initiating any planned excavation within 1,000 feet of a signalized intersection and/or near VDOT ITS infrastructure. Excavation activities may proceed only after the VDOT regional utility location agent has notified the Permittee that the utility marking has been completed. Additional information can be found at:

http://www.virginiadot.org/business/resources/IIM/TE-383_Request_for_Marking_VDOT_Utility_Location.pdf

Alternately, within all localities in the Northern Virginia Construction District, including the Counties of Arlington, Fairfax, Loudoun & Prince William, the Cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park, and the Towns of Clifton, Dumfries, Hamilton, Haymarket, Herndon, Hillsboro, Leesburg, Lovettsville, Middleburg, Occoquan, Purcellville, Quantico, Round Hill and Vienna, and on Interstate 95 in the counties of Stafford, Spotsylvania and Caroline, the permittee may request VDOT regional utility marking at:

<http://www.vdotutilitymarking.virginia.gov>

Failure to carry out this requirement may result in permit revocation.

- 12) Within the limits of a VDOT construction project it is the responsibility of the permit applicant to obtain the contractor's consent in writing prior to permit issuance. Information regarding current and/or planned VDOT construction and maintenance activities can be obtained at: <http://www.virginiaroads.org/>.
- 13) Wireless cell facilities or related equipment installed over a sidewalk shall provide at least 7 feet clearance or, if installed over a road, at least 18 feet clearance (21 feet in limited access right of way), measured vertically from the bottom of the wireless cell facility or equipment to the crown (or a line extended horizontally from the crown) of the paved surface.
- 14) Wireless cell facilities or related ground equipment shall be installed outside the clear zone.
- 15) Any and all highway signs, right-of-way markers, etc., disturbed as a result of work performed under the auspices of a land use permit shall be accurately reset by the Permittee immediately following the work in the vicinity of the disturbed facility. The services of a certified land surveyor with experience in route surveying may be required.
- 16) A permanent tag, label, or sign in accordance with FCC and OSHA guidance shall be attached to, or adjacent to, each installation and shall include:

- a. A readily visible identifying alphanumeric code;
- b. Maximum operating voltage and maximum radio frequency;
- c. RF exposure warning;
- d. 24 hours a day/7 days a week emergency contact phone number.

The Permittee shall update the tag, label, or sign within 10 business days of any changes.

- 17) The Permittee shall make provisions for lowering RF or turning off service while Department officers, agents, employees, volunteers, contractors, or permittees are performing work within the vicinity of the wireless equipment. The Department will give the Permittee three calendar days' notice if wireless radio frequency exposure must be reduced or power turned off due to planned, non-emergency work by VDOT around the structure. In the event of an emergency or unscheduled work, the Department will call the emergency contact phone number on the tag/label/sign to notify the Permittee of any action taken.
- 18) If any FCC, State, or other governmental license or any other governmental approval to provide communication services is ever revoked to the Permittee or any site permitted or authorized by the Department, the Permittee shall inform the Department of the revocation within 30 days of receiving notice of such revocation and provide a timeline for removal of the wireless facilities or transfer of ownership to a licensed successor who shall assume all obligations and responsibilities of the Permittee.
- 19) The Permittee shall provide VDOT with a copy of the "as built" plans in an electronic format acceptable to VDOT.
- 20) The [LUP-GWG](#) provides guidance for the permit application process, design submittal, installation requirements, and associated VDOT review of the wireless equipment facilities to be located within the Department's right-of-way.

Traffic Control & Safety

- 1) The Permittee shall at all time give strict attention to the safety and rights of the traveling public and all other persons on the right-of-way. Any permit may be suspended when in the opinion of the local residency permit office, the safety, use, or maintenance of the highway so requires.
- 2) In accordance with the Virginia Department of Transportation (VDOT) Road and Bridge Specifications, Special Provision 105.14, all activities performed under the auspices of a VDOT Land Use Permit involving the installation, maintenance and removal of work zone traffic control devices must have an individual on-site who, at a minimum, is accredited by VDOT in Basic Work Zone Traffic Control. The accredited person must have their VDOT Work Zone Traffic Control accreditation card in their possession.
- 3) The individual accredited in Basic Work Zone Traffic Control is responsible for the placement, maintenance and removal of work zone traffic control devices within the project limits in compliance with the permit requirements and conditions, the approved plans and specifications, the Virginia Work Area Protection Manual, and the Manual of Uniform Traffic Control Devices.
- 4) A person accredited by VDOT in Intermediate Work Zone Traffic Control must be on-site to provide supervision for adjustment to the approved layout or implementation of any standard Typical Traffic Control (TTC) layouts outlined in the Virginia Work Area Protection Manual.
- 5) All traffic control plans shall be prepared by a person accredited by VDOT in Advanced Work Zone Traffic Control.
- 6) Individuals responsible for implementation of work zone traffic control measures shall provide evidence of their accreditation upon request from VDOT personnel.
- 7) The permittee shall be exempt from the requirements of Virginia Department of Transportation (VDOT) Road and Bridge Specifications, Special Provision 105.14 if the authorized activity does not involve the installation, maintenance and removal of work zone traffic control devices and is not within the roadway (as defined in 24VAC30-151) of a state maintained highway.
- 8) Non-compliance with the requirements outlined in VDOT Road and Bridge Specifications, Special Provision 105.14 may result in a stop work order and / or permit suspension.

- 9) All activities that require the disruption (stoppage) of traffic shall utilize VDOT certified flaggers or other VDOT-approved traffic control. Flaggers shall be provided in sufficient number and locations as necessary for control and protection of vehicular and pedestrian traffic in accordance with the Virginia Work Area Protection Manual. All flaggers must have their certification card in their possession when performing flagging operations within state maintained right-of-way. Any flaggers found not in possession of their certification card shall be removed from the work site and the local residency permit office will suspend all permitted activities.
- 10) Any VDOT certified flagger found to be performing their duties improperly shall have their certification revoked.
- 11) The Permittee shall immediately correct any situation that may arise as a result of these activities that the local residency permit office deems hazardous to the traveling public, including, but not limited to, removing, relocating, or adjusting the power of permitted facilities if such facilities impact the operation of government traffic equipment or systems.
- 12) During authorized activities, the permittee shall furnish all necessary signs, flaggers, and other devices to provide for the protection of traffic and workers in accordance with the Virginia Work Area Protection Manual or as directed by the local residency permit office.
- 13) All signs shall be in accordance with the current edition of the Manual of Uniform Traffic Control Devices (MUTCD) and the Virginia Supplement to the MUTCD.
- 14) Traffic shall not be blocked or detoured without permission, documented in writing or electronic communication, being granted by the local residency permit office.
- 15) If directed by the district, requests for the implementation of temporary lane closures must be entered into the VDOT Lane Closure Advisory Management System (LCAMS) and VaTraffic a minimum of one (1) week prior to the planned execution of lane closure activities on state maintained highways. The permittee or their contractor(s) may enter their requests directly or provide written requests to the VDOT Regional Operations Center as follows:
 - Lane closure requests in all the counties listed below are within the Northern Region and shall be sent to: nrolaneclousurerequests@vdot.virginia.gov
Counties: Arlington, Fairfax, Loudoun, Prince William, Spotsylvania, Stafford
 - Lane closure requests in all the counties listed below are within the Northwest Region and shall be sent to: StauntonTrafficManagementCenter@vdot.virginia.gov
Counties: Albemarle, Alleghany, Augusta, Bath, Clarke, Culpeper, Fauquier, Fluvanna, Frederick, Greene, Highland, Louisa, Madison, Orange Page, Rappahannock, Rockbridge, Rockingham, Shenandoah, Warren
 - Lane closure requests in all the counties listed below are within the Southwest Region and shall be sent to: SalemSmartTrafficCenter@VDOT.Virginia.gov
Counties: Amherst, Appomattox, Bedford, Bland, Botetourt, Buchanan, Buckingham, Campbell, Carroll, Charlotte, Craig, Cumberland, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Lee, Montgomery, Nelson, Patrick, Pittsylvania Prince Edward, Pulaski, Roanoke, Russell, Scott, Smyth, Tazewell, Washington, Wise, Wythe
 - Lane closure requests in all the counties listed below are within the Eastern Region and shall be sent to: HamptonRoadsTOCControllers@VDOT.Virginia.gov
Counties: Accomack, Greensville, Isle of Wight, James City, Northampton, Southampton, Surry, Sussex, York
 - Lane closure requests in all the counties listed below are within the Central Region and shall be sent to: RichmondDist.SmartTraffic@vdot.virginia.gov
Counties: Amelia, Brunswick, Caroline, Charles City, Chesterfield, Dinwiddie, Essex, Gloucester, Goochland, Hanover, Henrico, King and Queen, King George, King William, Lancaster, Lunenburg,

Mathews, Mecklenburg, Middlesex, New Kent, Northumberland, Nottoway, Powhatan, Prince George, Richmond, Westmoreland

Written requests for implementation of temporary lane closures must be submitted to the appropriate VDOT Regional Operations Center by close of business on the preceding Wednesday for the upcoming week's planned lane closures. All requests being directly input into LCAMS and VaTraffic must be entered no later than 2:00 pm on the preceding Thursday for the upcoming week's lane closure activities. Any conflicts with other roadway work must be resolved by close of business on Thursday the week prior to the scheduled lane closure activities with documented resolution sent to the VDOT point of contact provided by the regional traffic operation center LCAMS Administrator. Any requests received after these time limitations will not be approved and the proposed work within VDOT right of way requiring lane closures must be rescheduled.

Lane closure requestors wanting direct access to LCAMS and VaTraffic must complete [ITD-35E](#) & [ITD-36E](#) forms and return to Ms. Carlene McWhirt at Carlene.McWhirt@VDOT.Virginia.gov. Online training is available for LCAMS and VaTraffic and VDOT can accommodate any additional training needs. Please contact Ms. McWhirt at (571) 350-2078 to schedule training.

Environmental

- 1) In accordance with the Virginia Department of Transportation (VDOT) Road and Bridge Specification 107.16 (a), all contractors performing regulated land disturbing activities within VDOT right-of-way must have at least one (1) employee that has successfully completed the VDOT Erosion & Sediment Control Contractor Certification training. This person shall be on site during all land disturbance activities and will be responsible for insuring compliance with all applicable local, state and federal erosion and sediment control regulations during land disturbance activities. This person must have their certification card with them while on the project site. The land use permit will be suspended if proof of certification cannot be provided. Regulated land disturbing activities are defined as those activities that disturb greater than 2,500 square feet in locally designated Chesapeake Bay Preservation Areas in counties, cities and towns defined as "Tidewater Virginia" in the Chesapeake Bay Preservation Act (62.1-44.15:68, Code of Virginia) or 10,000 square feet or greater in all other areas of the State. The Department will require evidence of this certification with any Land Use Permit application that involves possible land disturbance. Improper installation, maintenance and removal of erosion and sediment control devices may result in revocation of VDOT Erosion & Sediment Control Contractor Certification.
- 2) The Permittee is responsible for pursuing and obtaining any and all environmental permits which may be required to pursue the proposed activity prior to any work beginning within state maintained right-of-way.
- 3) In the event hazardous materials or underground storage tanks are encountered within state maintained right-of-way during authorized activities, the Permittee shall suspend all work immediately then notify the local residency permit office and other responsible parties, i.e., the local fire department, emergency services, Department of Environmental Quality, etc. The Permittee is responsible for coordination and completion of all required remediation necessary to complete the permitted activities within the state maintained right-of-way, and shall provide evidence of such compliance to the local residency permit office prior to recommencement of permitted activities.
- 4) In the event cultural resources, archaeological, paleontological, and/or rare minerals are encountered within the right of way during authorized activities, the Permittee shall suspend all work immediately then notify the local residency permit office and the proper state authority charged with the responsibility for investigation and evaluation of such finds. The Permittee will meet all necessary requirements for resolving any conflicts prior to continuing with the proposed activities within the state maintained right-of-way, and shall provide evidence of such compliance to the local residency permit office.
- 5) Roadway drainage shall not be blocked or diverted. The shoulders, ditches, roadside, drainage facilities and pavement shall be kept in an operable condition satisfactory to the Department. Necessary precautions shall be taken by the Permittee to insure against siltation of adjacent properties, streams, etc., in accordance with

VDOT's current standards or as prescribed by the Department's Environmental Manual and the local residency permit office.

Inspection of the Work

All activities authorized under the auspices of a VDOT land use permit may be subject to inspection by authorized VDOT personnel or contractors. When warranted, any/all reasonable costs associated with said inspections shall be borne by the Permittee.

Recurring Inspection

The wireless support structure shall be inspected to determine its structural condition by the permittee at least once every four years, or more frequently if necessary based upon structure type and condition, to ensure public safety. Such inspection shall be by or under the supervision of an engineer licensed to practice in Virginia. A report setting out the results of the inspection shall be stamped and signed by the engineer in accordance with regulations issued by the Virginia Department of Professional and Occupational Regulation, and the report shall be retained by the permittee for the duration of the permit. The report(s) shall be provided to the Department within two weeks of the submission of a request. A summary of the most recent inspection shall be submitted by the permittee concurrently with the annual payment. The summary shall include:

- Structure permit number
- Date of most recent inspection
- Name of engineer who conducted or supervised the inspection
- Short, general description of the structure's condition and any major deficiencies found
- A minimum of two photographs (one showing the overall structure and the other a close-up elevation view), with additional photos of deficiencies if deficiencies are detected.

Emergency Repair

In the event of an emergency situation that requires immediate action to protect persons or property, work may proceed within the right-of-way without authorization from the local residency permit office; however, the wireless service provider or wireless infrastructure provider must contact the VDOT Emergency Operations Center as soon as reasonably possible but no later than 48 hours after the end of the emergency situation.

Permittee Notice

The preceding provisions are intentionally condensed in format and should not be loosely interpreted by the Permittee without consultation with the central office permit manager and affirmation from the [Land Use Permit Regulations](#).

Termination or Relocation

This permit may be terminated by VDOT or a relocation required in accordance with [§56-484.30](#) of the Code of Virginia. VDOT shall provide at least 180 days' notice of termination or relocation required as a consequence of a construction project, upon termination of the permit, the Permittee shall have 30 days to remove the wireless support structure and associated facilities and restore the right-of-way to its pre-permit condition.

Heather Jenkins

From: Paul Bernard
Sent: Thursday, July 6, 2023 4:33 PM
To: Denise Harris; Heather Jenkins; Amber Heflin
Cc: Rob Walton; Grainne Mazon-Shafer; Dina Hermoso
Subject: RE: RE: ZTOA-23-1 - Arcola Towers, LLC; Cell tower - APPLICATION - for a Text Amendment to the TOW Ordinance to change setback limits for ("cell towers") in the PSP District.
Attachments: ZOTA-23-1 - Plat - location.pdf; ZOTA-23-1 - Letter of Justification.pdf

Denise/ Heather,

Although I can't read the details or words on the attached drawings, I have no real issues with this application from Public Works & Utilities perspective.

I understand that they have issues with the setback related to the potential fall zone of the proposed Tower. First, I believe this communications tower can be designed and constructed so the fall zone would be less than the 150-foot tower height. Secondly, the setback from the road access ramp appears to be around 100 feet. And all the property near this is State property.

The only other comment I have at this time is that if they do improvements on more than 10,000 square feet, they will need to incorporate Stormwater Management into their design. Since this property was set aside for SWM and Erosion Control for the interchange, this should not be a major problem.

Sincerely,

Paul A. Bernard, P.E.
 Town Engineer
 Town of Warrenton
 540-347-1101; Ext 244

From: Grainne Mazon-Shafer <gmazonshafer@warrentonva.gov>
Sent: Wednesday, June 7, 2023 4:28 PM
To: Denise Harris <dharris@warrentonva.gov>; Paul Bernard <pbernard@warrentonva.gov>; Heather Jenkins <hjenkins@warrentonva.gov>; Amber Heflin <aheflin@warrentonva.gov>; kevin.swain@warrentonfire.org
Cc: Rob Walton <rwalton@warrentonva.gov>
Subject: RE: ZTOA-23-1 - Arcola Towers, LLC; Cell tower - APPLICATION - for a Text Amendment to the TOW Ordinance to change setback limits for ("cell towers") in the PSP District.
Importance: High

Good afternoon,

Please find attached [ZTOA-23-1- Arcola Towers, LLC; Cell tower - APPLICATION - for a Text Amendment to the TOW Ordinance to change setback limits for \("cell towers"\) in the PSP District](#).

-

There is only 1 hardcopy so please review the attachments and the link below.

Comments are due to Ms. Heather Jenkins by [6/29/2023](#).

[LINK](#)

Have a nice day!

Very Respectfully,

Gràinne Mazon-Shafer

Permit Technician



21 Main Street
Warrenton, VA 20186
(540) 347-2405 x106
warrentonva.gov

MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, ARCHITECTS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



December 11, 2023

Mr. Ryan Foltz
Arcola Towers
116 West Washington St, Suite 203
Middleburg, Virginia 20117

Re: Site Name: VDOT Warrenton
Rt 17 North Ramp
Warrenton, Virginia 22405 (Fauquier County)
MRA Job No. 21853.012

Dear Ryan:

The purpose of this letter is to certify that the proposed 150'-0" steel monopole structure will be designed by the manufacturer to meet the requirements of the 2018 Virginia Uniform Statewide Building Code (2018 VUSBC), ASCE 7-16, and the ANSI/TIA-222-H-2017 "Structural Standard for Antenna Supporting Structures and Antennas" Standard.

Per the TIA-222-H Standard and 2018 VUSBC requirements, the monopole shall be designed under the following minimum loading conditions:

TIA-222-H: 112 mph Wind (3-second gust) + No Ice
TIA-222-H: 30 mph Wind (3-second gust) + 1" Radial Ice

Note: The monopole shall also be designed to resist seismic loading, if required, per TIA-222-H in conjunction with site specific soil parameters determined from a geotechnical investigation.

In addition to the minimum loading conditions above, we note that the monopole shall also be designed by the manufacturer such that should failure of the monopole occur under extreme weather conditions, the maximum "fall zone" radius will not exceed 75'-0" from the center of the monopole's base. While failure is extremely rare in any kind of tower, it is especially so for monopoles. In order to minimize damage to the surroundings below, a common industry practice is to design the monopoles such that in the rare event the monopole fails, the upper portion of the pole, which is supporting all of the proposed wind loading, would collapse onto itself and therefore minimize the "fall zone" radius and damage to the surroundings below.

Manufacturers facilitate this failure method by first designing the pole per all required code parameters noted above and ensuring that both the steel pole structure and concrete foundation are adequate to support the code required loading. Once the pole and foundation are designed per code required loadings, the manufacturer establishes the "fall point" which establishes the location that the pole would "break" under extreme loading conditions beyond code requirements. Once the "fall point" is established, the portion of the steel monopole below the "fall point" is then strengthened beyond the design parameters to ensure that the ultimate failure point is located precisely as intended. In the event of loading parameters above and beyond the design code-

1220-B East Joppa Road, Suite 400K, Towson, MD 21286 (410) 821-1690 Fax: (410) 821-1748 www.mragta.com

Abingdon, MD ♦ Baltimore, MD ♦ Laurel, MD ♦ Towson, MD ♦ Georgetown, DE ♦ New Castle, DE ♦ Purcellville, VA ♦ Raleigh, NC ♦ Orlando, FL
(410) 515-9000 (443) 490-7201 (410) 792-9792 (410) 821-1690 (302) 855-5734 (302) 326-2200 (703) 994-4047 (984) 200-2103 (407) 317-6288

Arcola Towers
RE: VDOT Warrenton
December 11, 2023
Page 2

required loading, which represent the equivalent loading of a 700-year wind event, the ultimate failure method of the pole would resemble the pole folding on itself at the “fall point”.

Based on the documentation made available from the manufacturer at this time, the proposed monopole shall be designed by the manufacturer such that if failure were to occur, it would occur in the upper portion of the monopole to meet the maximum “fall zone” radius requirement previously defined.

We also note that in addition to the above, the monopole will be designed to support a maximum of four (4) wireless carriers.

Monopole design documents shall be submitted from the manufacturer as part of the Building Permit submission. If you should have any questions or require any additional information, please do not hesitate to call our office.

Sincerely,
MORRIS & RITCHIE ASSOCIATES, INC.



Alexander J. Leadore, P.E.
Senior Structural Engineer

V:\bg_PROJECTS\21800-21899\21853 - Arcola Towers\21853.012 - VDOT Warrenton\Letters\VDOT Warrenton Monopole Fall Letter_AJL.doc

December 19, 2023
Planning Commission
Public Hearing

A RESOLUTION TO RECOMMEND APPROVAL OF TEXT AMENDMENT ZOTA-23-1 PURSUANT TO SECTION 11-3.9.2 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON FOR A ZONING ORDINANCE TEXT AMENDMENT TO ARTICLE 9, SECTION 9-18 TELECOMMUNICATIONS FACILITIES, SECTION 9-18.10 SETBACKS TO PERMIT A SETBACK LESS THAN ONE HUNDRED (100) PERCENT OF THE TOWER HEIGHT IN THE PSP – PUBLIC-SEMI-PUBLIC DISTRICT WITH THE CERTIFICATION OF A PROFESSIONAL ENGINEER

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, Zoning Ordinance Article 3, Section 3-4.9 PSP Public-Semi-Public Institutional District allows communications towers as a Permissible Use with the approval of a Special Use Permit by Town Council; and

WHEREAS, Zoning Ordinance Article 9, Section 9-18 Telecommunications Facilities, Section 9-18.10 Setbacks, requires that all telecommunications towers be set back from property lines a distance equal to one hundred (100) percent of the tower height; and

WHEREAS, the Applicant, Arcola Towers, LLC and their Representative Mr. James Downey, submitted an application to initiate a Text Amendment to the Zoning Ordinance in accordance with the procedures set forth in Article 11, Section 11-3.9 Zoning Amendments on June 7, 2023; and

WHEREAS, the Applicant is requesting that the setback requirement for telecommunications towers in the PSP Public-Semi-Public Institutional District be reduced to less than one hundred (100) percent of the tower height, to equal the height of the certified fall zone as attested by a Virginia licensed Professional Engineer; and

WHEREAS, the Warrenton Planning Commission held a work session to discuss amending Zoning Ordinance Section 9-18.10 Setbacks on November 28, 2023 and heard testimony from the Applicant and Representative; and

WHEREAS, the Warrenton Planning Commission held a public hearing on this matter on December 19, 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 as set forth herein.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

Community Development Director,
Town Attorney

ATTEST: _____
Town Recorder

Article 9

Supplemental Use Regulations

9-18 Telecommunications Facilities

9-18.10. Setbacks.

Towers shall be set back a distance of at least one hundred (100) percent of the height of the tower from the boundaries of the property on which the tower is located. On properties located in a PSP District (Public-Semi-Public Institutional District), towers shall only be required to be setback a distance of at least one hundred (100) percent of the certified fall zone, as certified by a Virginia Professional Engineer in a letter which includes the Professional Engineer’s signature and seal.

December 19, 2023
Planning Commission
Public Hearing

A RESOLUTION TO RECOMMEND APPROVAL OF TEXT AMENDMENT ZOTA-23-1 PURSUANT TO SECTION 11-3.9.2 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON FOR A ZONING ORDINANCE TEXT AMENDMENT TO ARTICLE 9, SECTION 9-18 TELECOMMUNICATIONS FACILITIES, SECTION 9-18.10 SETBACKS TO PERMIT A SETBACK LESS THAN ONE HUNDRED (100) PERCENT OF THE TOWER HEIGHT IN THE PSP – PUBLIC-SEMI-PUBLIC DISTRICT WITH THE CERTIFICATION OF A PROFESSIONAL ENGINEER

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WHEREAS, the Warrenton Planning Commission held a public hearing on this matter on December 19, 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 as set forth herein.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

Community Development Director,

Town Attorney

ATTEST: _____
Town Recorder

Article 9 Supplemental Use Regulations

9-18 Telecommunications Facilities

9-18.10. Setbacks.

Towers shall be set back a distance of at least one hundred (100) percent of the height of the tower from the boundaries of the property on which the tower is located. On properties located in a PSP District (Public-Semi-Public Institutional District), towers shall only be required to may be setback a distance of at least one hundred (100) percent of the certified fall zone, as certified-upon certification by a Virginia Professional Engineer in a letter which includes the Professional Engineer’s signature and seal, and where Town Council makes a finding that a setback of less than one hundred (100) percent of the tower height is appropriate for the location of the facility

December 19, 2023
Planning Commission
Public Hearing

A RESOLUTION TO RECOMMEND DENIAL OF TEXT AMENDMENT ZOTA-23-1 PURSUANT TO SECTION 11-3.9.2 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON FOR A ZONING ORDINANCE TEXT AMENDMENT TO ARTICLE 9, SECTION 9-18 TELECOMMUNICATIONS FACILITIES, SECTION 9-18.10 SETBACKS TO PERMIT A SETBACK LESS THAN ONE HUNDRED (100) PERCENT OF THE TOWER HEIGHT IN THE PSP – PUBLIC-SEMI-PUBLIC DISTRICT WITH THE CERTIFICATION OF A PROFESSIONAL ENGINEER

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WHEREAS, the Warrenton Planning Commission held a work session to discuss amending Zoning Ordinance Section 9-18.10 Setbacks on November 28, 2023 and heard testimony from the Applicant and Representative; and

WHEREAS, the Warrenton Planning Commission held a public hearing on this matter on December 19, 2023; and

WHEREAS, the Warrenton Planning Commission finds that per the Code of Virginia Section 15.2-2286.A.7, that the public necessity, convenience, general welfare, and good zoning practice are not satisfied by this amendment to the Zoning Ordinance of the Town of Warrenton; and

NOW THEREFORE BE IT RESOLVED, that on this day, December 19, 2023, that the Warrenton Planning Commission forwards a recommendation of denial to the Warrenton Town Council.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

Community Development Director,
Town Attorney

ATTEST: _____
Town Recorder

Town of Warrenton, VA

Proposed Zoning Ordinance Revisions

December 13, 2023

Martin Crim, Esq.
Town Attorney
Town of Warrenton, Virginia
21 Main Street
Warrenton, VA 20186
Via email only to: mcrim@sandsanderson.com

PRIVILEGED AND CONFIDENTIAL – Attorney/Client Communications

RE: Proposed Zoning Ordinance Amendment to Modify Wireless Infrastructure Fall Zones

Dear Mr. Crim:

On behalf of our mutual client, the Town of Warrenton, VA, (the “Town”), CityScape Consultants, Inc. (“CityScape”) has been asked to render to you as Town Attorney information regarding a request by Arcola Towers to amend the Town’s existing Zoning Ordinance to change the current required “fall zone” for wireless communications towers in the Public-Semi Public (PSP) zoning district from a “1 to 1” fall zone (e.g. a 90 foot tower would require a 90 foot fall zone) to a calculation that takes into account a designed “breakpoint” in wireless communications towers. In the event of a catastrophic event, a “breakpoint” causes a tower to “fail” at a specific elevation, thus reducing the linear amount of infrastructure that would fall in the event of a tower failure.

Specifically, the Town’s Planning Commission has requested information and opinions on the following subjects:

1. What percent of localities allow “breakpoint” technology in their zoning regulations?
2. Is it legal to allow “breakpoint” technology in one zoning district and not others where towers are allowed?
3. Breakpoint technology design parameters, specifically when and how the communications facility was to fail, including instances where a vehicle was to strike a wireless communications facility.
4. What are the typical standards/best practices that jurisdictions include in their zoning ordinances for “breakpoint” technology?
5. Generally, when, and where is “breakpoint” technology appropriate or not appropriate for wireless infrastructure?

The Town certainly can regulate wireless infrastructure based on both aesthetic concerns and physical safety issues, including but not limited to setbacks from residences and roadways, wind loading standards, etc., which is generally where regulations incorporating “breakpoint” technology are incorporated to facilitate placement of wireless infrastructure within a community

(which is required by 47 USC §332) and avoid having regulations that “prohibit or have the effect of prohibiting the provision of personal wireless services.”¹

As to the specific requests above, addressing them in numeric order:

1. Insofar as providing information on what percentage of communities incorporate “breakpoint” provisions in their zoning regulations, while it would be impossible for us to quantify that number either across Virginia or the United States as a whole, we can, however, indicate that in all communities that Cityscape provides proposed regulations for wireless infrastructure, we recommend inclusion of “breakpoint” technology provisions in all zoning regulations and that CityScape’s recommendation is generally adopted. We provided “breakpoint” provisions when we were engaged for wireless communications regulations adopted by Buckingham and Fauquier counties as well as diverse municipalities across the United States such as Coconut Creek and Coral Springs, Florida; Chapel Hill, North Carolina; Sedona, Arizona; Springdale, Utah and Worcester, Massachusetts.
2. Concerning the question regarding the selective implementation of “breakpoint” regulations in one zoning district versus other zoning districts where wireless infrastructure is also permitted, again federal law constrains you somewhat as the 1996 Telecommunications Act also states local governments shall not “unreasonably discriminate among providers of functionally equivalent services”.² Thus, if you were to permit “breakpoint” technology in one zoning district where wireless towers were allowed but not in another zoning district where wireless towers are also allowed, that *could* have the potential to discriminate between providers (depending on their deployment models). However, if such a regulation were uniformly applied to all applicants on a forward-looking basis and properly based on findings by the Town that such regulations were necessary to protect the physical safety of its residents, there is a strong basis for support of that regulation. Nevertheless, a pre-existing wireless provider who had to site their facility with significant setbacks (generally meaning leasing a larger parcel with more cost) could have the basis of a claim of “discrimination” under 47 USC §332 by allowing a competitor provider to construct a similar facility using “breakpoint” technology with smaller setbacks. While that scenario is remote, it is a possibility. CityScape recommends the Town take this opportunity to expand the Applicant’s request for the text amendment in the PSP District and add the provision for “breakpoint” technology in all zoning districts, and that the Town condition its utilization of any new free-standing tower in residential districts to parcels that do not contain any residential structures (e.g. parks, public property, religious institutions, etc.)
3. Typical design parameters for “breakpoint” technology include engineering the structure to have a particular elevation that is more susceptible to failure than any other point on the structure, as better expressed in the “Definition” illustration below.

¹ 47 USC §332(c)(7)(B)(i)(II)

² 47 USC §332(c)(7)(B)(i)(I)

4. Typical provisions/best practices in such regulations are to include a definition, such as:

Breakpoint design technology - The engineering design of a monopole, or any applicable support structure, wherein a specified point on the monopole is designed to have stresses concentrated so that the point is at least five percent (5%) more susceptible to failure than any other point along the monopole, or any applicable support structure, so that in the event of a structural failure, the failure will occur at the breakpoint rather than at the base plate, anchor bolts or any other point on the monopole, or any applicable support structure.

After defining the term, the inclusion of language like the below in the applicable setback sections of your regulations should be included:

Setbacks. New towers shall be subject to the setbacks described below for breakpoint technology:

- (a) If the proposed tower has been constructed using breakpoint design technology (see ‘Definitions’), the minimum setback distance shall be equal to 110 percent (110%) of the distance from the top of the structure to the breakpoint level of the structure, or the minimum side and rear yard requirements, whichever is greater. Certification by a registered professional engineer licensed by the Commonwealth of Virginia of the breakpoint design and the design’s fall radius must be provided together with the other information required herein from an applicant. (For example, on a 100-foot-tall monopole with a breakpoint at eighty (80) feet, the minimum setback distance would be twenty-two (22) feet (110 percent of twenty (20) feet, the distance from the top of the monopole to the breakpoint) plus the minimum side or rear yard setback requirements for that zoning district.)
- (b) If the tower is not constructed using breakpoint design technology, the minimum setback distance shall be equal to the height of the proposed tower.

In discussions with Warrenton staff, if “breakpoint” technology is added to the Town’s Code, then it was suggested that the standard setback be the breakpoint distance PLUS the applicable setback for that zoning district from a public right of way.

5. In determining when and where the inclusion of “breakpoint” technology is appropriate for particular types of wireless infrastructure, several factors come into play. First, it should be noted that “breakpoint” is generally utilized to facilitate a failure of a structure arising from external wind forces across the entire structure or flying debris striking the structure. It would not, in most instances, be an effective solution to the scenario of a vehicle crashing into the base of a wireless facility, which *could* result in the failure of the entire length of the structure, albeit an unlikely event given that the tower base is typically the strongest and most resistant point of the entire structure since it is where it is affixed to concrete base/footers in the earth. With the understanding that the “breakpoint” is best utilized as a means to prevent large pieces of tower infrastructure from falling off a tower impacted by a wind event of some kind, and reducing the overall area of falling debris, such technology is best implemented for “monopole” type design facilities since the monopole design generally presents the broadest “face” of structure to atmospheric winds pushing up against it. Other types of structures, such as lattice towers, present a much smaller “face” to the wind and thus

are less likely to suffer wind-related failure, minimizing the need for “breakpoint” technology, although it is still a useful tool to implement for that type of technology. Additionally, the location of the proposed infrastructure is a factor in utilizing “breakpoint” technology. For example, a community may want a more stringent standard for allowable setbacks employing “breakpoint” in residential districts, given the greater possibility of harm from a designed failure, than in industrial/commercial districts, where the possibility of harm from a designed failure is less given population density.

In summary, it is our opinion that the adoption of “breakpoint” technology regulations by the Town is a worthy exercise and will facilitate the Town’s statutory obligation to allow the deployment of wireless services to its residents. Such regulations should, however, be tailored to accomplish the desired goal while still protecting the Town’s residents from physical danger from the admittedly rare, but not impossible, failure of a wireless infrastructure facility.

We would be happy to review the above analysis and conclusions with the Planning Commission if desired via a virtual appearance.

Respectfully submitted,



Anthony T. Lepore, Esq.
CityScape Consultants, Inc.



STAFF REPORT

Planning Commission Meeting Date:	December 19, 2023
Agenda Title:	SUP 2023-03: 226 E. Lee Street - ADU
Requested Action:	Hold Public Hearing
Department / Agency Lead:	Community Development
Staff Lead:	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 presented to the Planning Commission as a Work Session on Tuesday, November 28, 2023. The Planning Commission decision deadline is March 7, 2024, unless waived by the Applicant.

STAFF RECOMMENDATION

Hold Public Hearing.

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.

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. .

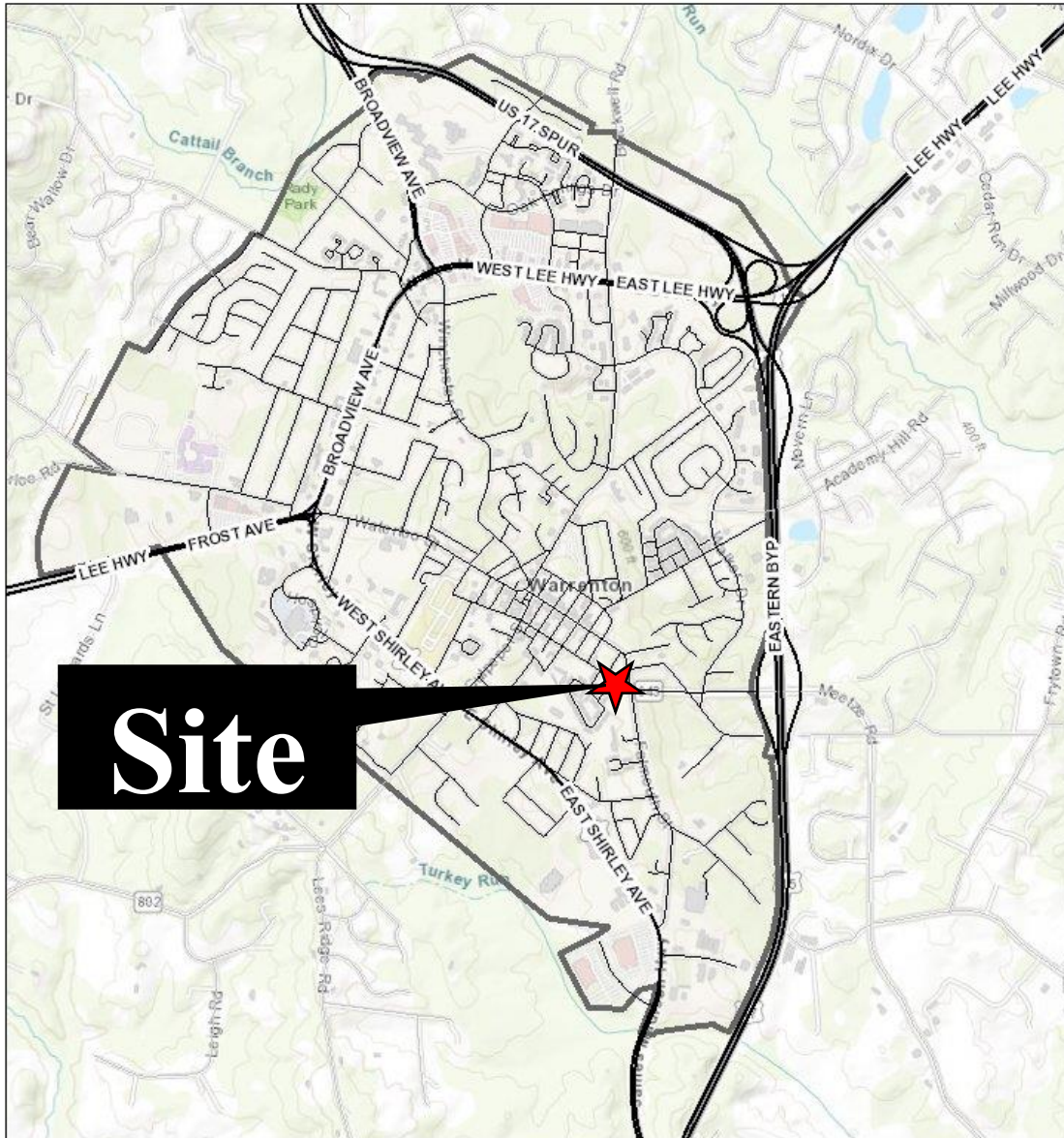
ATTACHMENTS

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

Attachment A – Maps, Elevations, & Photos

Vicinity Map:

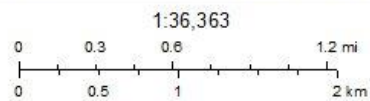
Town of Warrenton, VA WebGIS



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

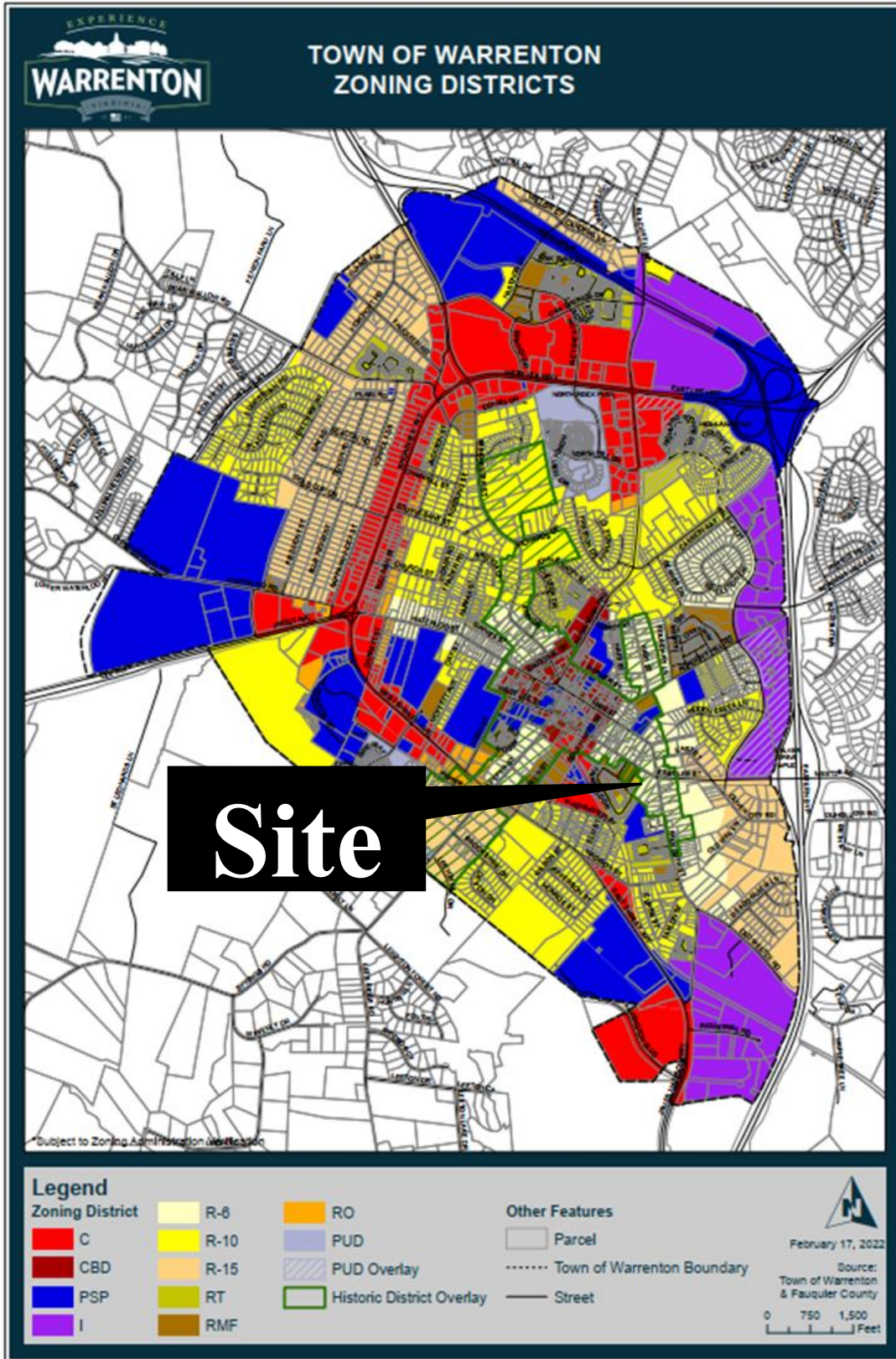
Attachment A – Maps, Elevations, & Photos

Aerial Map:



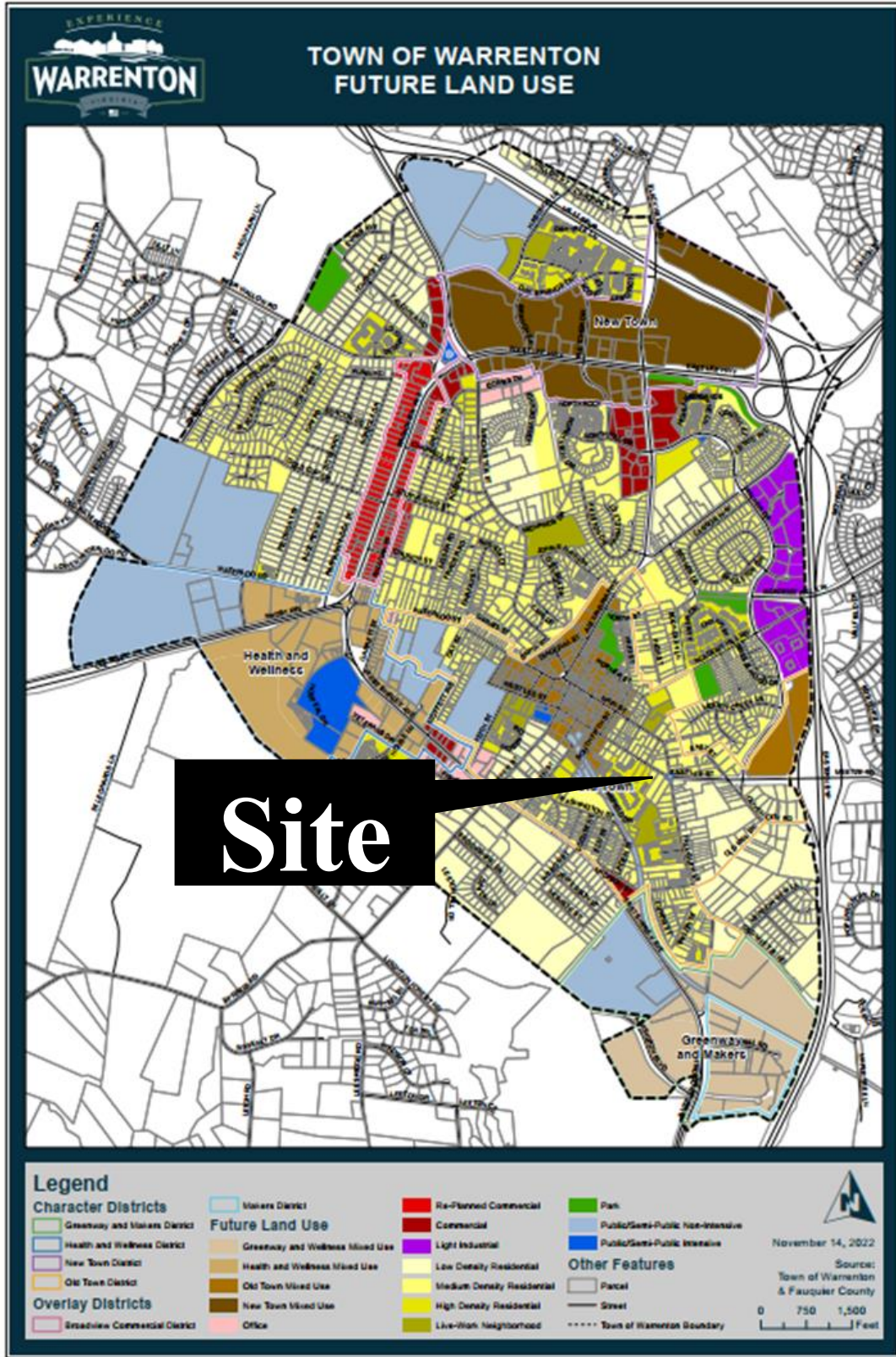
Attachment A – Maps, Elevations, & Photos

Zoning Map:



Attachment A – Maps, Elevations, & Photos

Future Land Use Map:

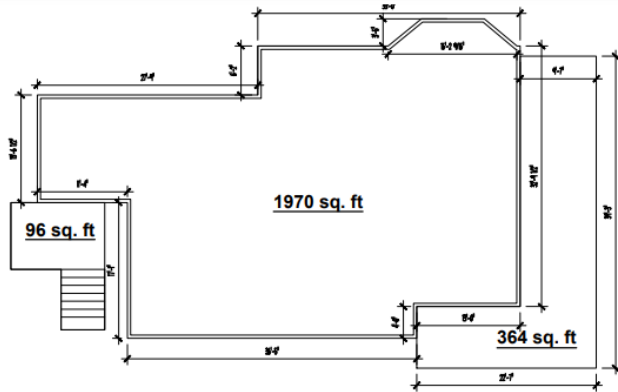


Attachment A – Maps, Elevations, & Photos

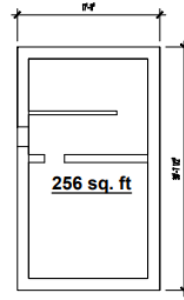
Proposed Elevations:



Attachment A – Maps, Elevations, & Photos

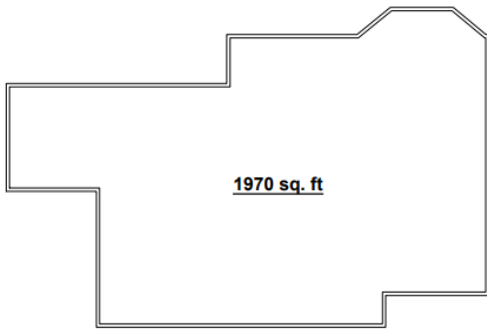


EXISTING MAIN LEVEL PLAN
SCALE: 1/16" = 1'-0"

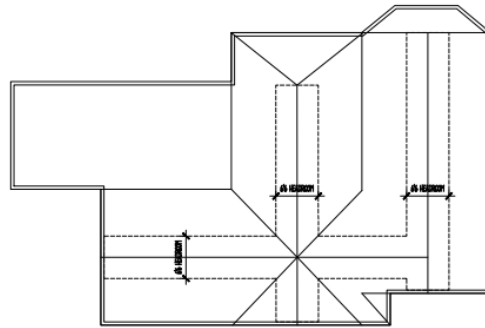


BASEMENT LEVEL PLAN
SCALE: 1/16" = 1'-0"

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**

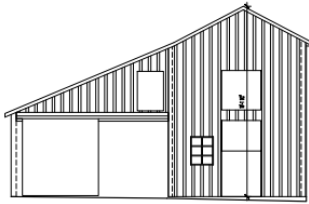
Attachment A – Maps, Elevations, & Photos

Item 3.



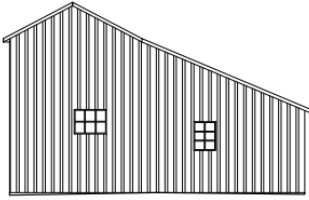
226 E LEE STREET
Warrenton VA 20186
Drawings by: LLB Design
EXISTING ELEVATIONS 2

Attachment A – Maps, Elevations, & Photos



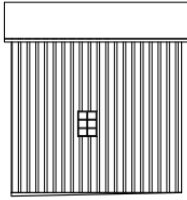
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



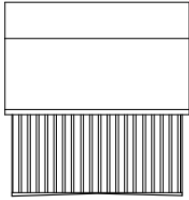
BACK ELEVATION

SCALE: 1/4" = 1'-0"



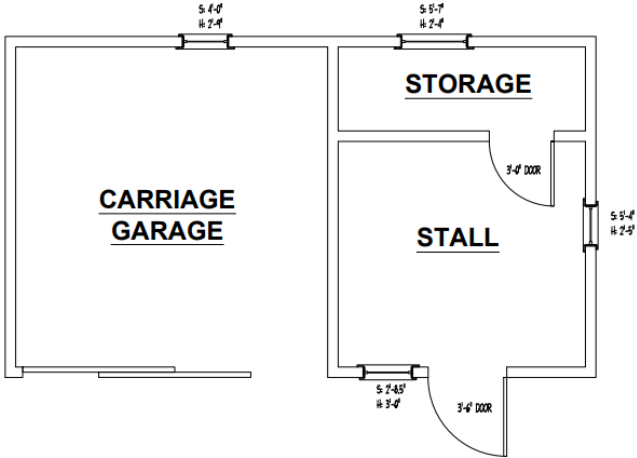
RIGHT SIDE ELEVATION

SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION

SCALE: 1/4" = 1'-0"

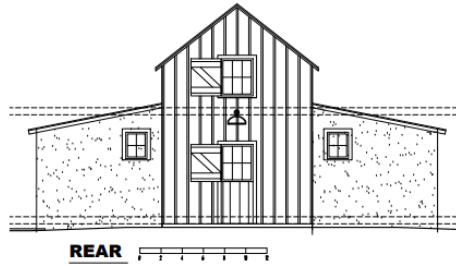
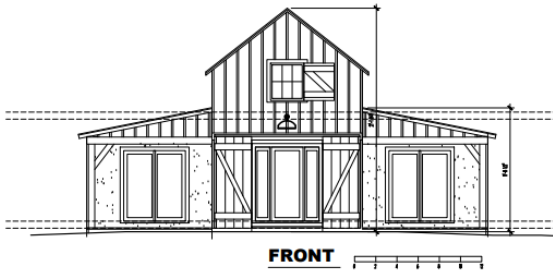
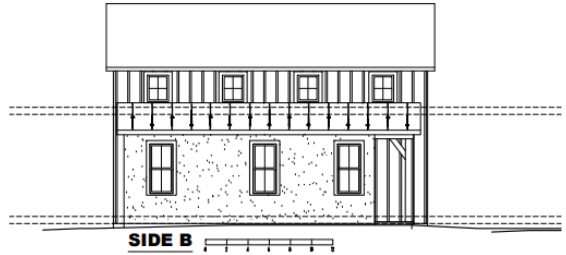
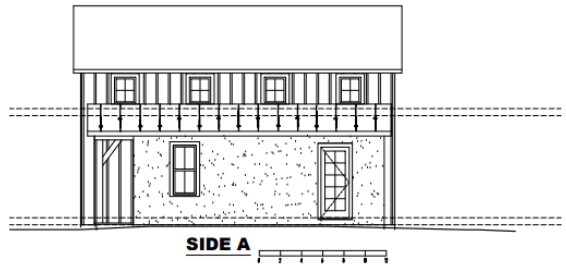
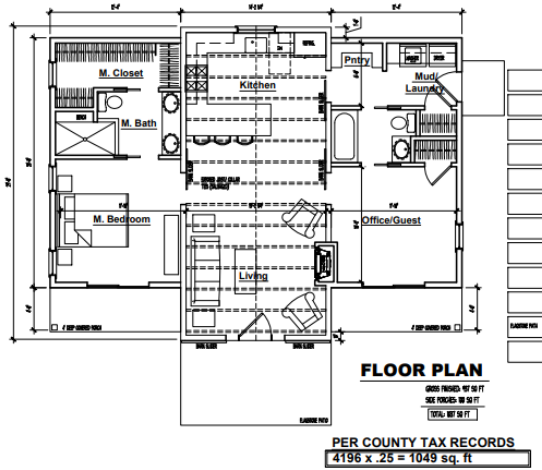


EXISTING BARN PLAN

Total: 458 sq. ft. SCALE: 1/4" = 1'-0"

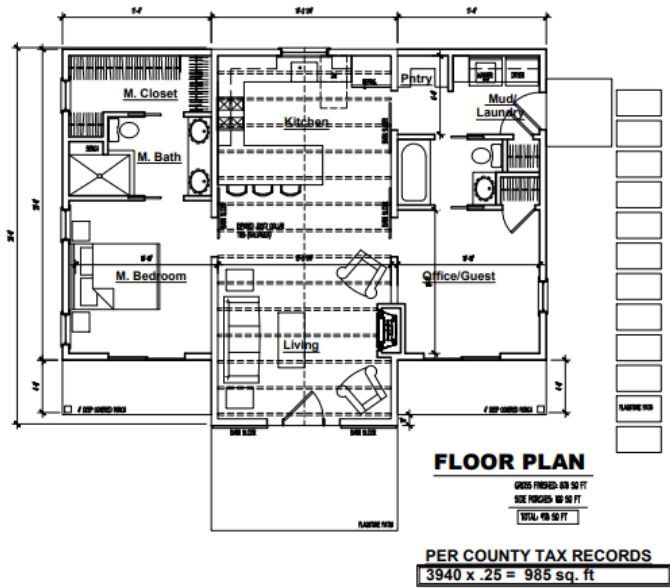
226 E LEE STREET
Warrenton VA 20186
Drawings by: LLB Design
EXISTING SQUARE FOOTAGE 3

Attachment A – Maps, Elevations, & Photos



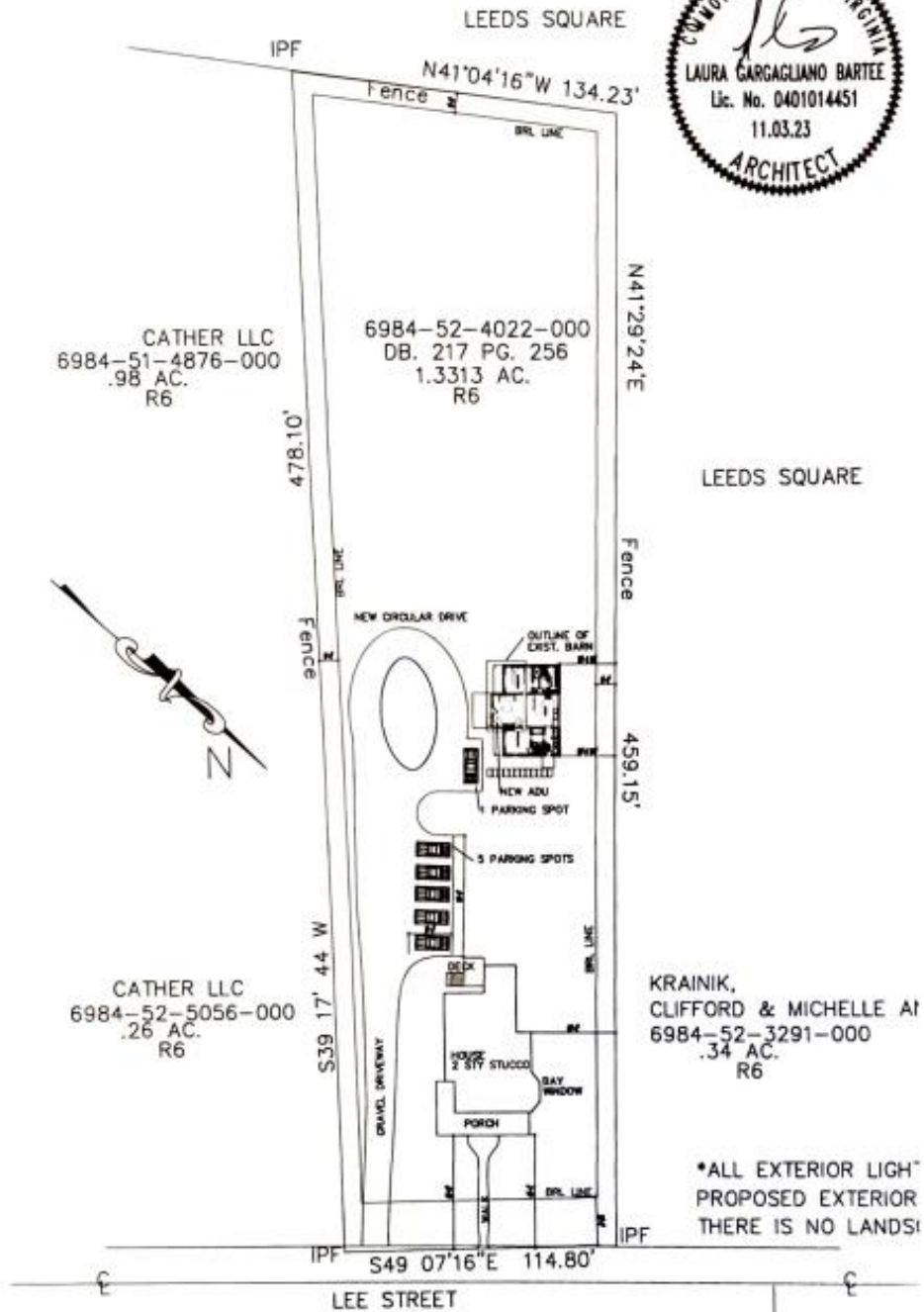
226 E LEE STREET
Warrenton VA 20186
Drawings by: LLB Design
SCHEMATIC PLANS 4/25

Attachment A – Maps, Elevations, & Photos



226 E LEE STREET
Warrenton VA 20186
Drawings by: LLB Design ⁴
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

ALL EXTERIOR LIGHT PROPOSED EXTERIOR THERE IS NO LANDS!

Attachment A – Maps, Elevations, & Photos

Existing Main House:



Attachment A – Maps, Elevations, & Photos

Existing Barn:



Attachment A – Maps, Elevations, & Photos

Item 3.



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 "conserve, reuse, and promote historic resources"

Standard	Analysis
	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.

Standard	Analysis
<p><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></p>	<p>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.</p>
<p><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></p>	<p>The proposed 985 – 1049 square feet ADU will be constructed out of an existing barn in the rear yard of the property.</p>
<p><i>The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.</i></p>	<p>The existing landscaping, screening, and buffering on-site and within the neighborhood will not be impacted beyond the areas designated on the plan.</p>
<p><i>The timing and phasing of the proposed development and the duration of the proposed use.</i></p>	<p>The Applicant narrative notes approximately 1 year for construction. The ADU would be permanent.</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>Not applicable.</p>
<p><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></p>	<p>Any new structures will be required to meet current codes.</p>
<p><i>The location, character, and size of any outdoor storage.</i></p>	<p>Not applicable.</p>

Standard	Analysis
<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.
<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 Permitting 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

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. 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 C – Special Use Permit Conditions
Dated December 19, 2023**

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: December 19, 2023

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).

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 is subject to Architectural Review Board Certificate of Appropriateness (COA) and the Town of Warrenton Guide to Historic Resources. No structures shall be modified or erected until a COA has been issued.
4. A Site Development Plan is required with all Special Use Permits unless waived by the Zoning Administrator.
5. Disturbance in excess of 10,000 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 principle 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 Principle 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 lighting shall be reviewed during the Certificate of Approval process and at time of permitting in accordance with the Zoning Ordinance.

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**:

1. Whether the proposed Special Use Permit is consistent with the Comprehensive Plan.

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.

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 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.

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 parnets 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 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

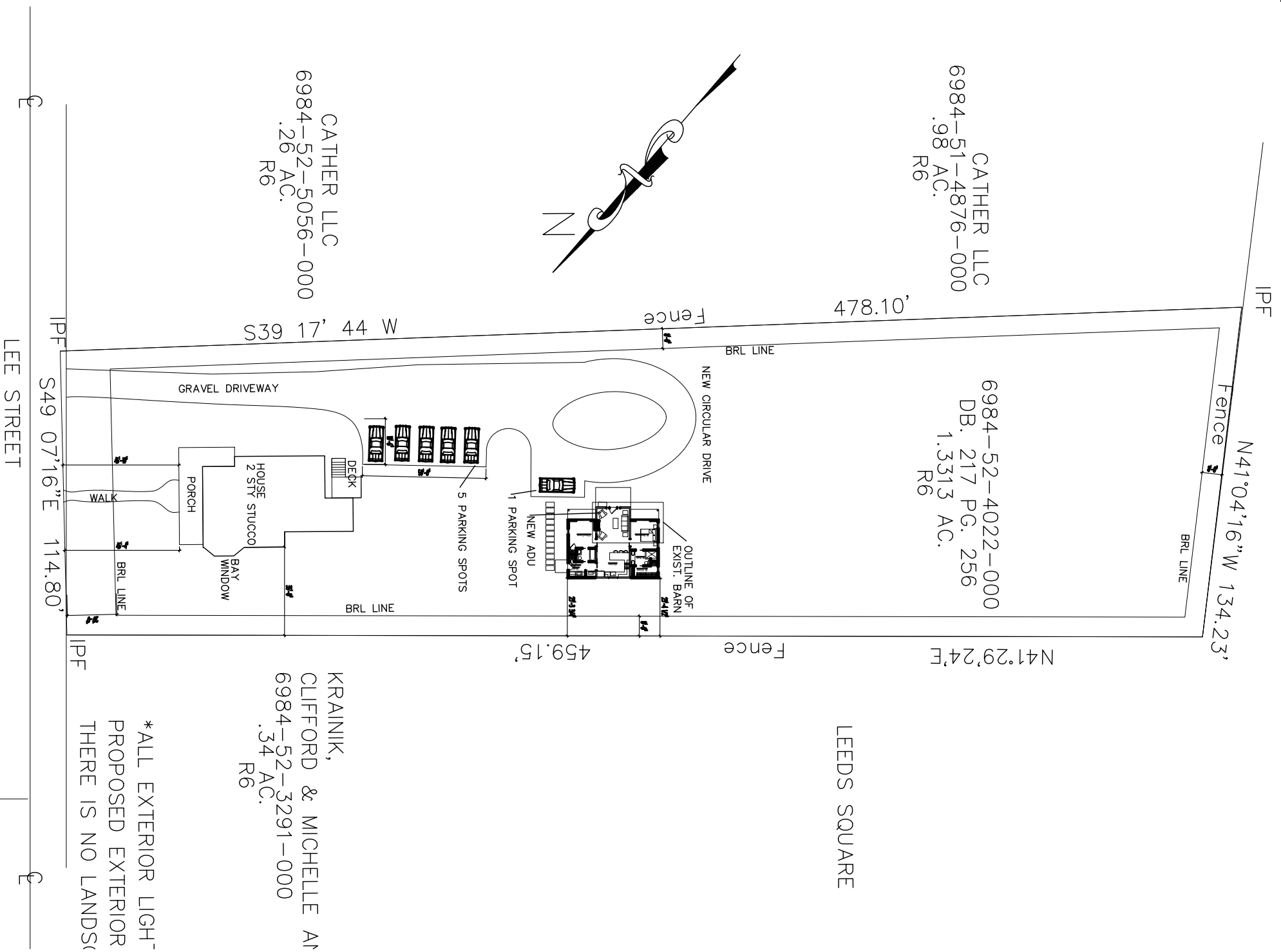
CATHER LLC
6984-51-4876-000
.98 AC.
R6

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

CLAY STREET

LEE STREET

Project Name: 226 E Lee Street ADU (6984-52-4022-000) Date: November 02, 2023
 SUP 2023-03
 Submission 09/19/2023; 1st 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.
1. N/A
32. Refuse and service areas.

1. ADU will be serviced by existing curb trash and recycling service.



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 & Company: Jim & 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 & Company:

Address:

Phone:

Email:

Representative (if different then owner/applicant):

Name & 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:

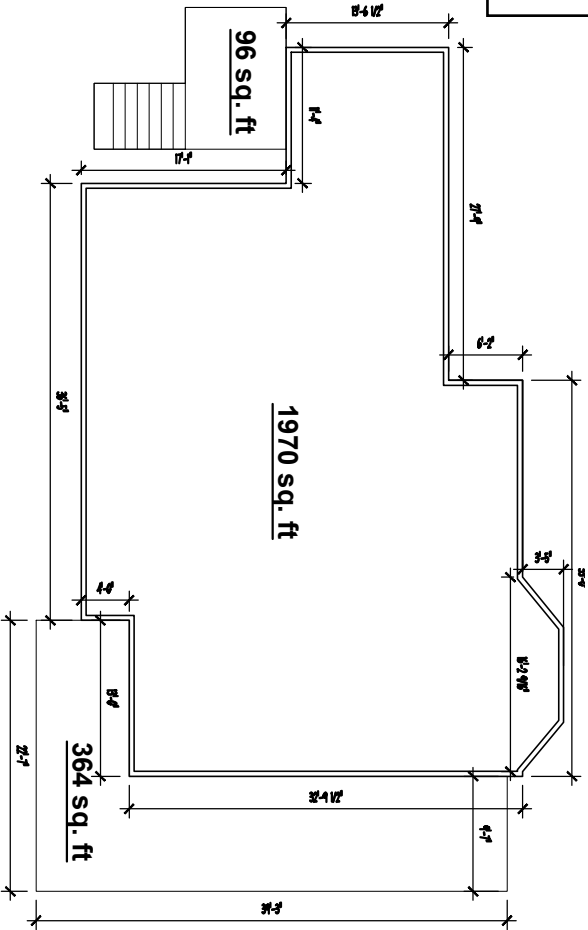
Applicant's Signature & Date: James Lawrence 9/18/2023

CCE244CD8F014E6...

Print Applicant's Name: James Lawrence

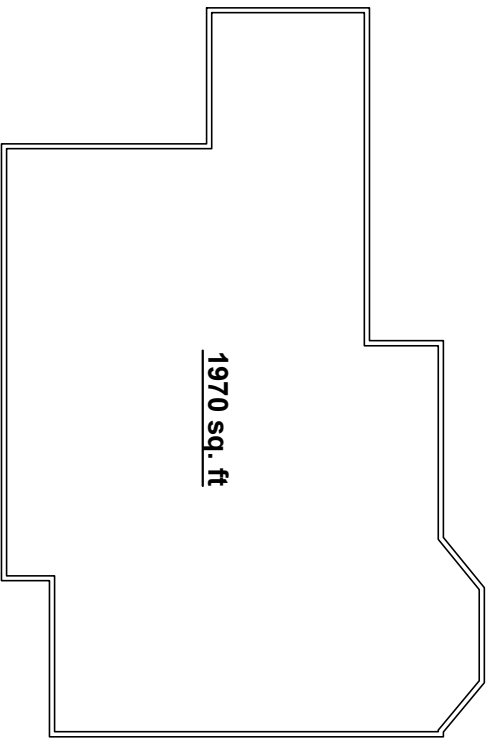


Lee 8/18/2023



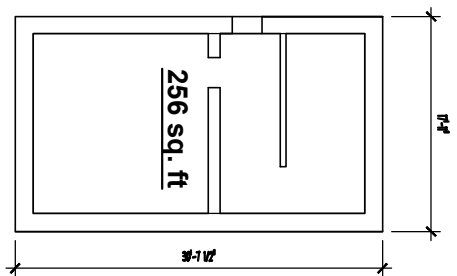
EXISTING MAIN LEVEL PLAN

SCALE: 1/16" = 1'-0"



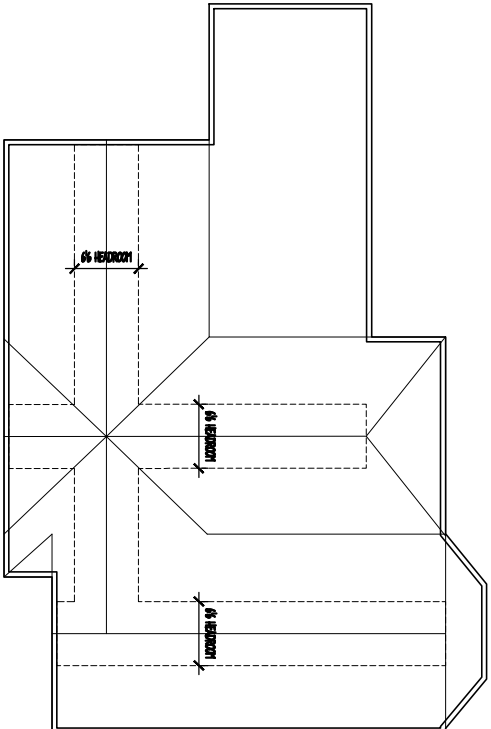
EXISTING UPPER LEVEL PLAN

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 LEE STREET
 Warrenton VA 20186
 Drawings by: LLB Design
 EXISTING SQUARE FOOTAGE

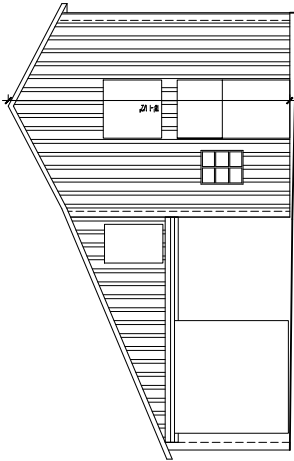


226 E LEE STREET

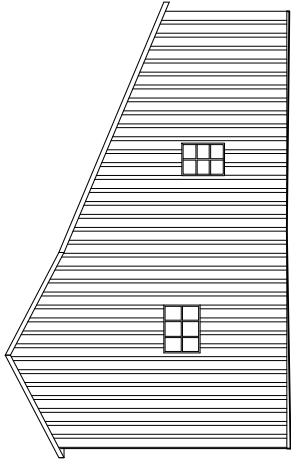
Warrenton VA 20186

Drawings by: LLB Design

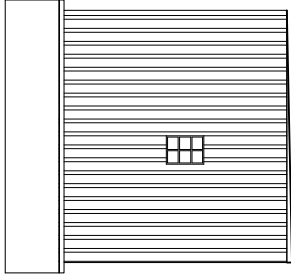
EXISTING ELEVATIONS 



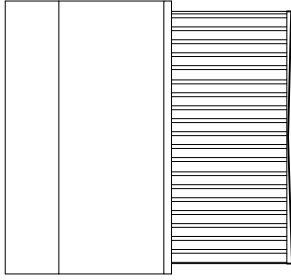
FRONT ELEVATION
SCALE: 1/8" = 1'-0"



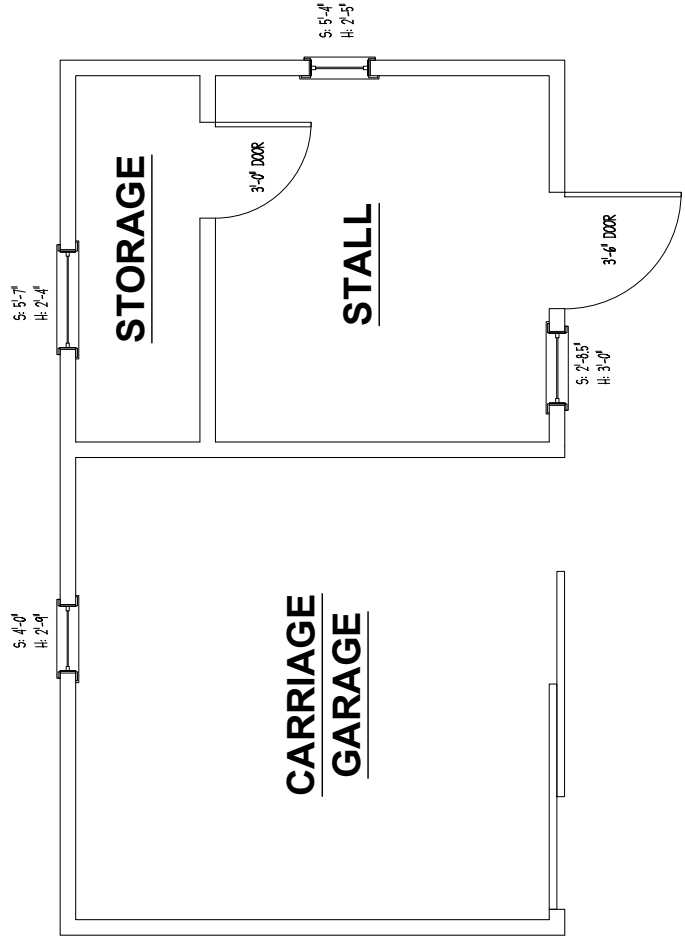
BACK ELEVATION
SCALE: 1/8" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/8" = 1'-0"



LEFT SIDE ELEVATION
SCALE: 1/8" = 1'-0"

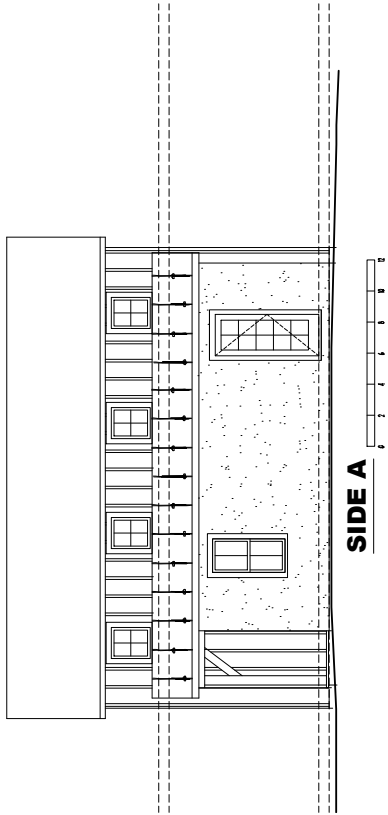


EXISTING BARN PLAN

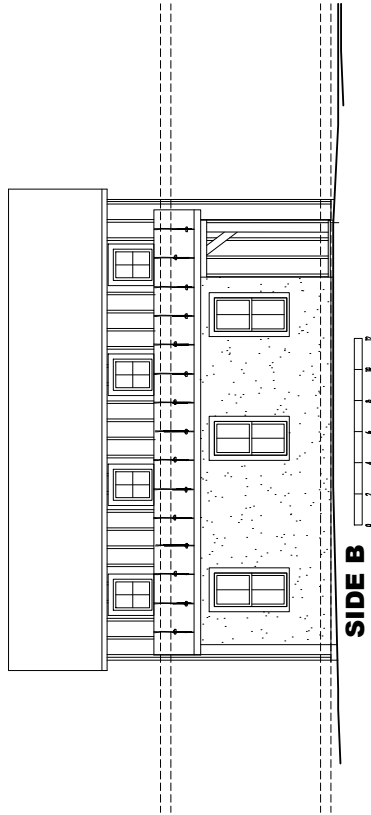
Total: 458 sq. ft. SCALE: 1/4" = 1'-0"

226 E LEE STREET
Warrenton VA 20186
Drawings by: LLB Design
EXISTING SQUARE FOOTAGE

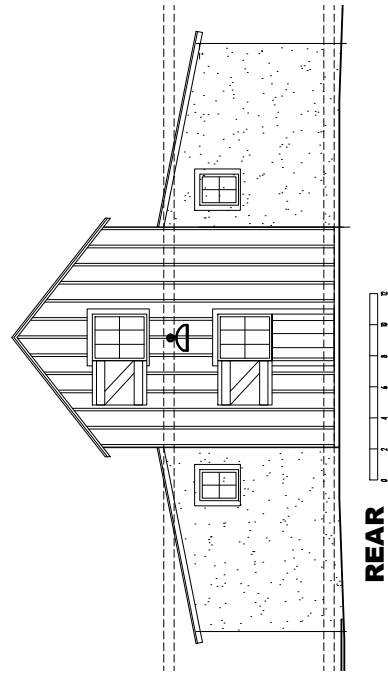
Item 3.



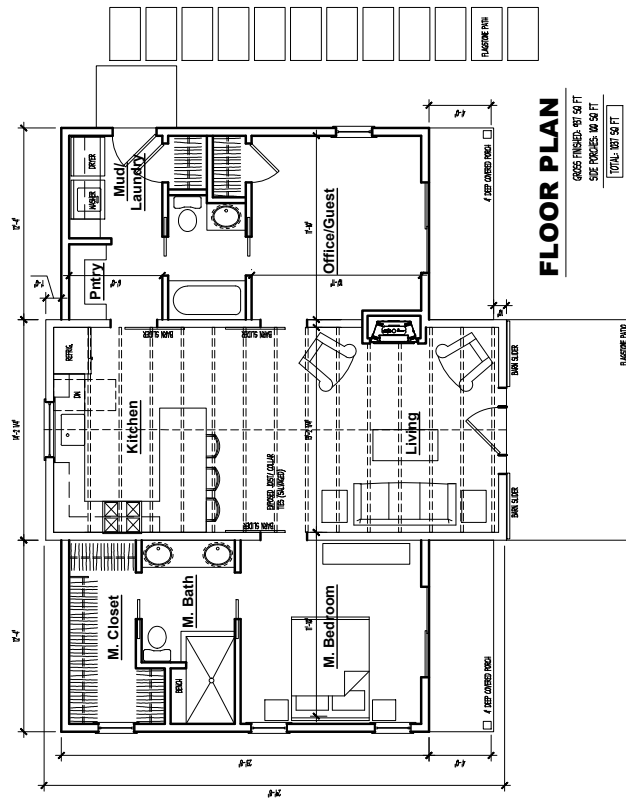
SIDE A



SIDE B



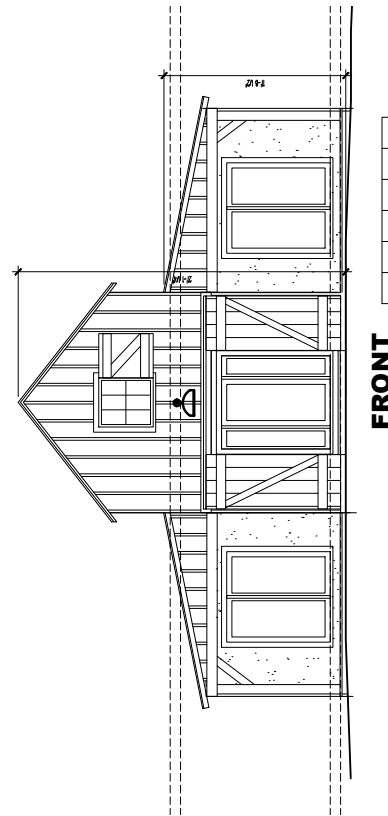
REAR



FLOOR PLAN

GROSS FINISHED: 107 SQ. FT.
 ONE FINISHED: 107 SQ. FT.
 TOTAL: 107 SQ. FT.

PER COUNTY TAX RECORDS
 4196 x .25 = 1049 sq. ft.



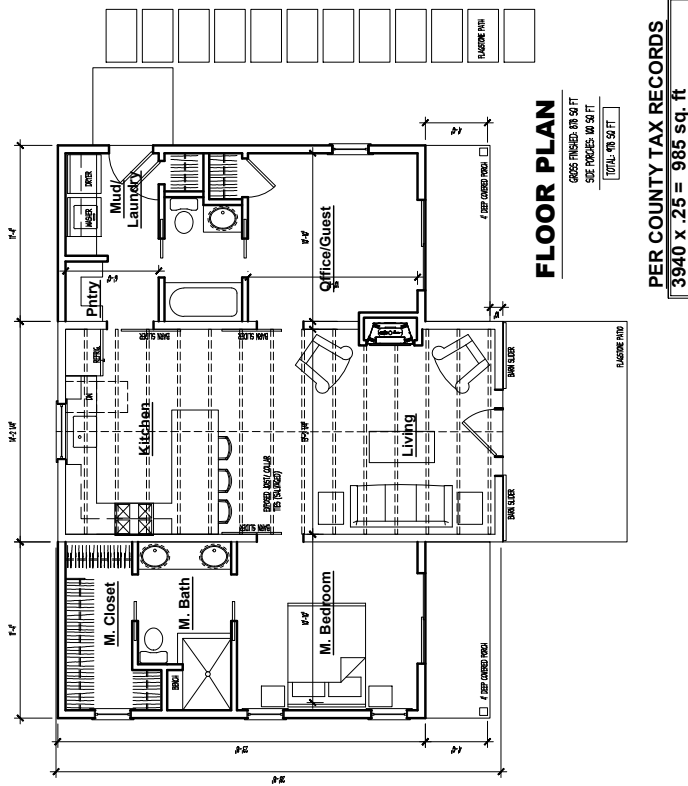
FRONT

226 E LEE STREET
 Warrenton VA 20186

Drawings by: LLB Design

SCHEMATIC PLANS

Item 3.

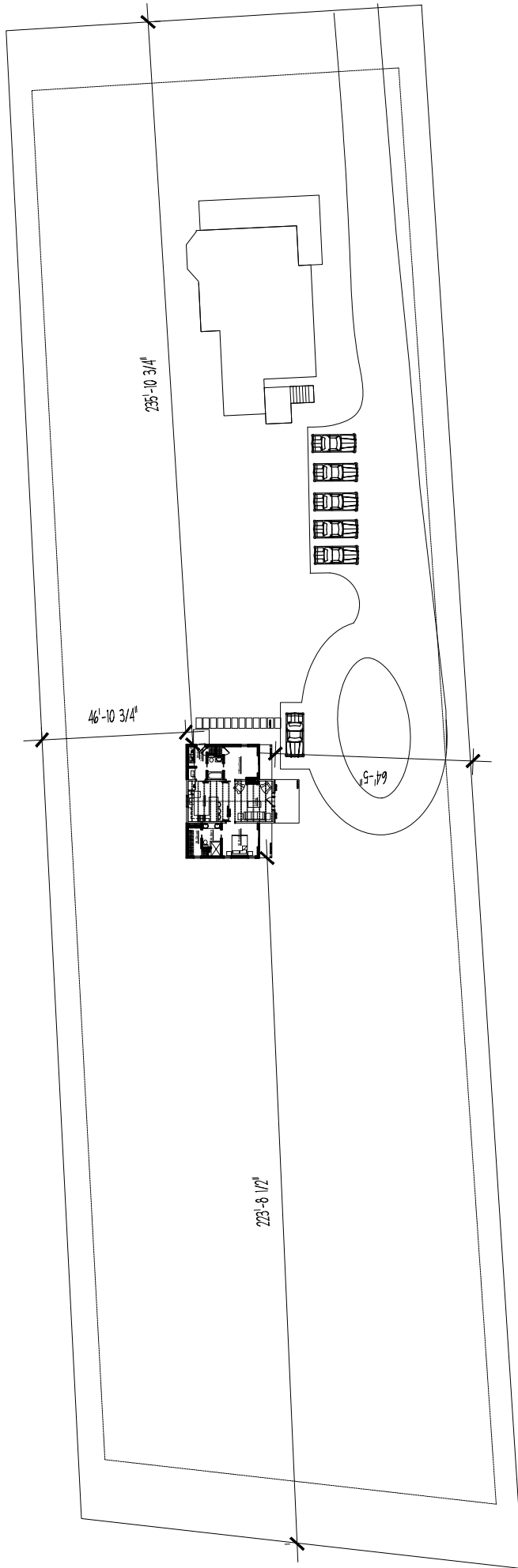


226 E LEE STREET
 Warrenton VA 20186

Drawings by: LLB Design

SCHEMATIC PLANS

Item 3.



226 E LEE STREET
 Warrenton VA 20186

Drawings by: LLB Design



SITE PLAN

Item 3.



**Planning Commission Public Hearing
SUP 23-03 226 E. Lee Street
Accessory Dwelling Unit (ADU)
December 19, 2023**

Request

Item 3.

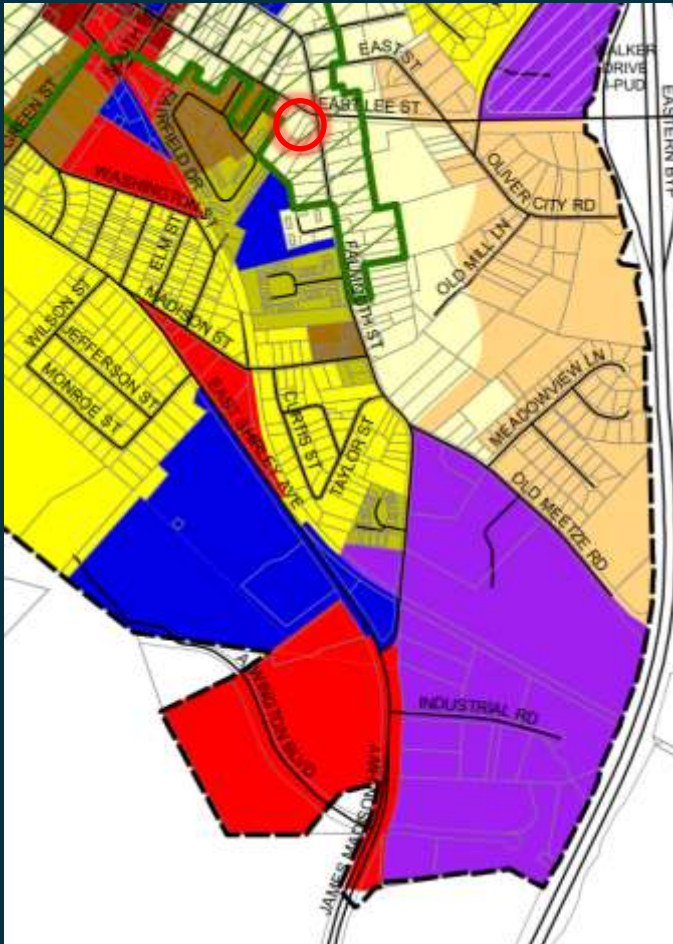
SUP 23-03 – Work Session

- GPIN: 6984-52-4022-000
- Property Owner: Jim and Nell Lawrence
- Representative: Jim Lawrence & Laura Bartee
- Zoning: R-6
- Comprehensive Plan: 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

Zoning Map



Future Land Use



Staff Review

Item 3.

- Plan Warrenton 2040
 - Missing Middle Housing
 - Historic Resources – Adaptive Reuse
- Zoning Ordinance
 - Allowable Square Footage
 - Setbacks
 - Parking
 - Lighting
- Emergency Services
 - Separate addresses
 - Signage
- PW/PU
 - Separate Water/Sewer Taps
- Held an ARB Work Session and will require ARB Certificate of Appropriateness

Existing House

Item 3.

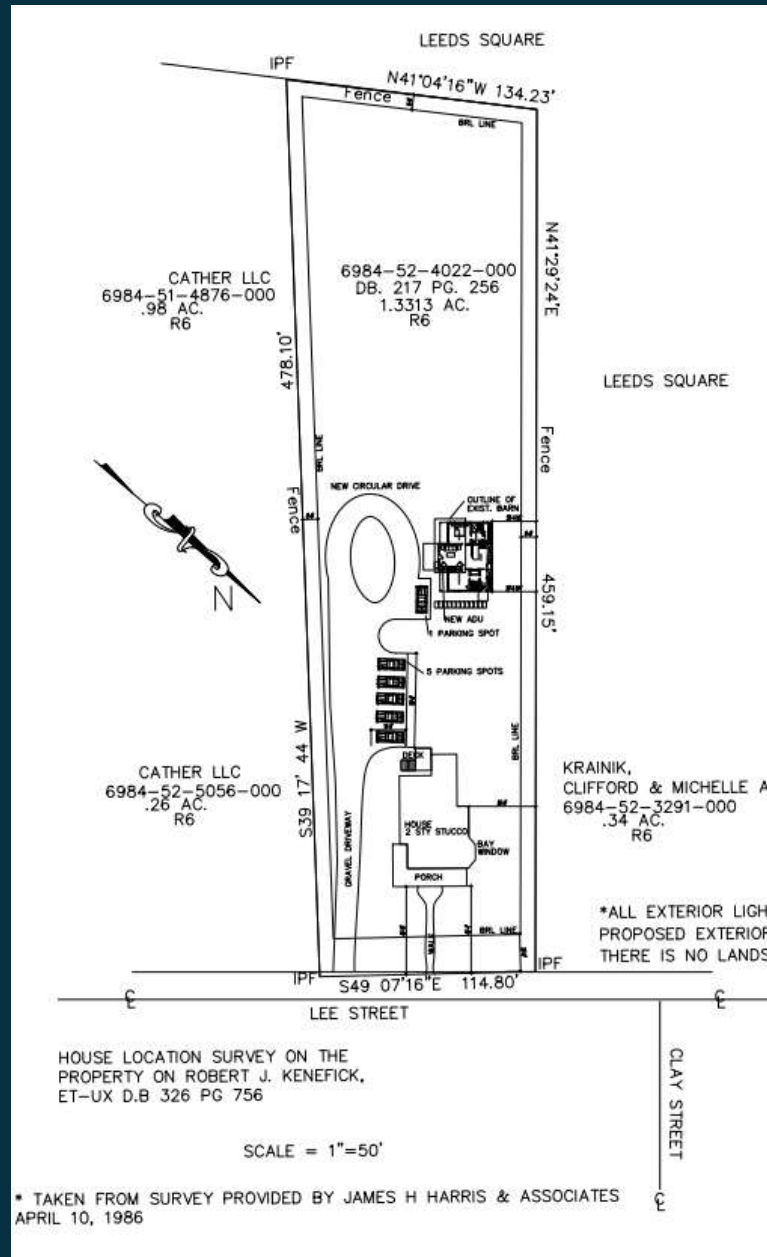


Existing Barn

Item 3.



SUP Plan



Elevations

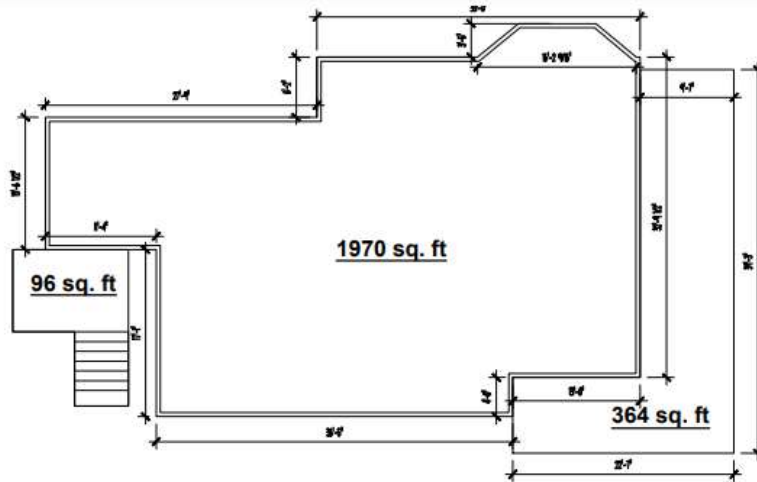
Item 3.



Lee 8/18/2023

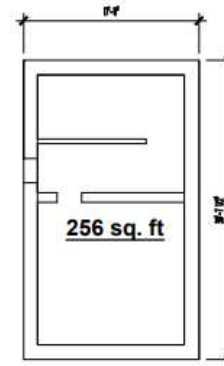
Elevations

Item 3.



EXISTING MAIN LEVEL PLAN

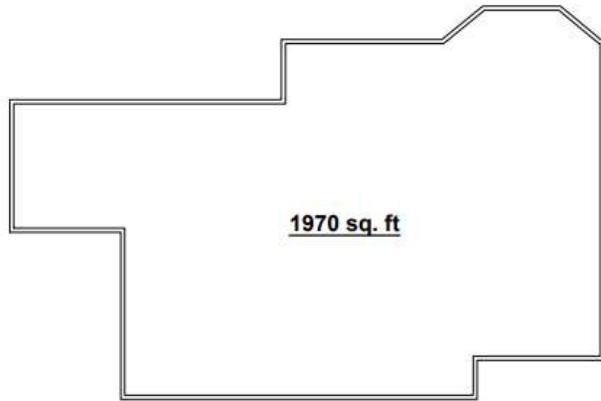
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BASEMENT LEVEL PLAN

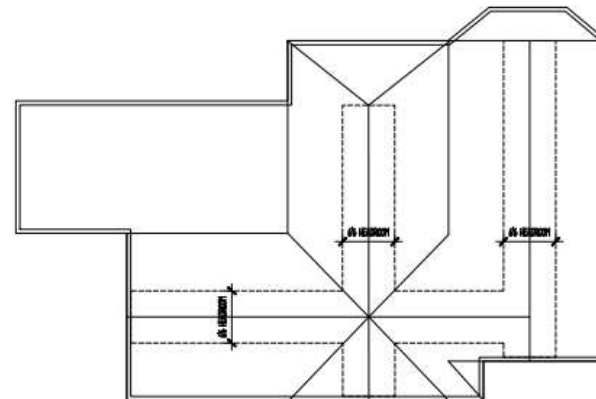
SCALE: $\frac{1}{16}'' = 1'-0''$

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: $\frac{1}{16}'' = 1'-0''$



EXISTING ATTIC PLAN

SCALE: $\frac{1}{16}'' = 1'-0''$

226 E LEE STREET
 Warrenton VA 20186
 Drawings by: LLB Design

EXISTING SQUARE FOOTAGE

Elevations

Item 3.



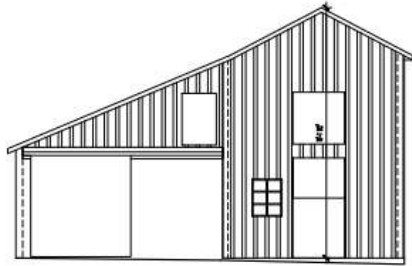
226 E LEE STREET
Warrenton VA 20186

Drawings by: LLB Design

EXISTING ELEVATIONS

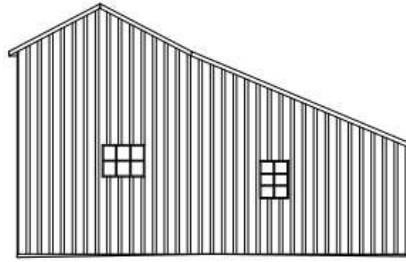
Elevations

Item 3.



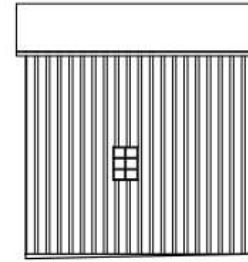
FRONT ELEVATION

SCALE: $\frac{1}{8}'' = 1'-0''$



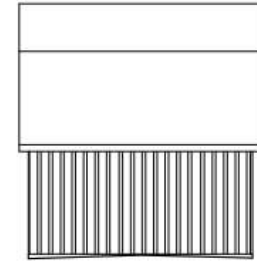
BACK ELEVATION

SCALE: $\frac{1}{8}'' = 1'-0''$



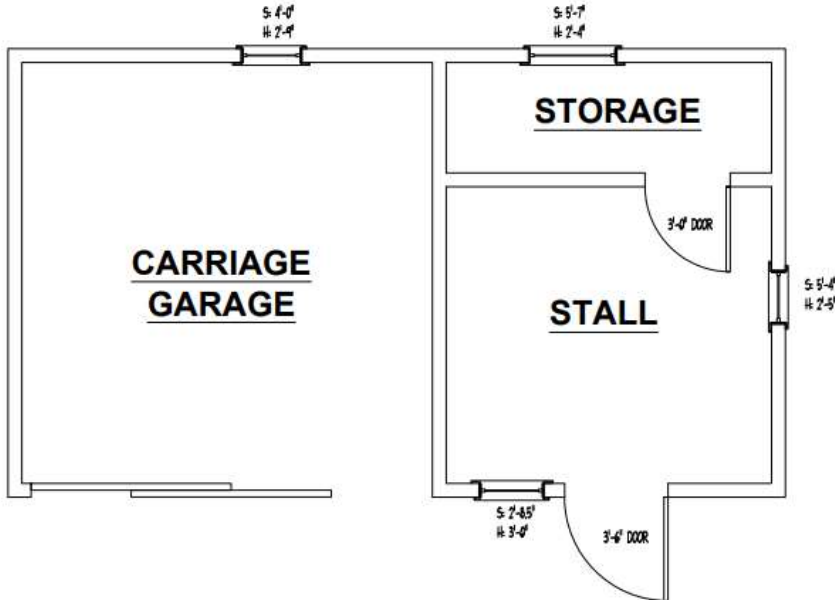
RIGHT SIDE ELEVATION

SCALE: $\frac{1}{8}'' = 1'-0''$



LEFT SIDE ELEVATION

SCALE: $\frac{1}{8}'' = 1'-0''$



EXISTING BARN PLAN

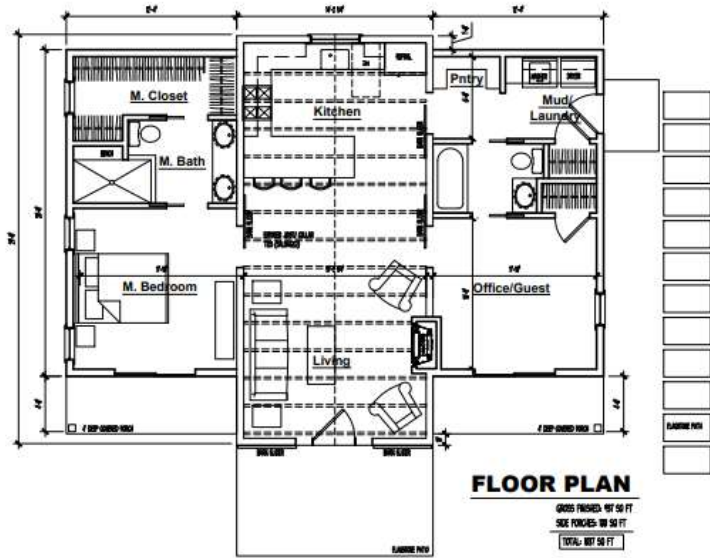
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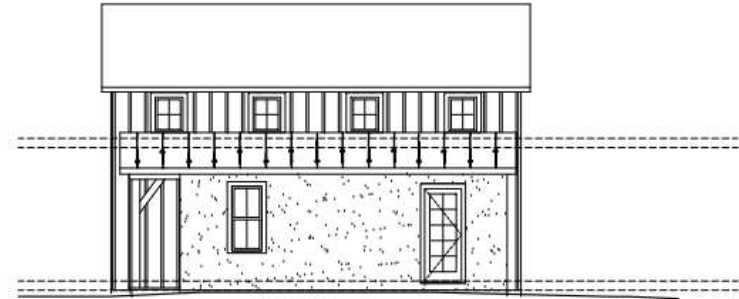
226 E LEE STREET
Warrenton VA 20186
Drawings by: LLB Design
EXISTING SQUARE FOOTAGE

Elevations

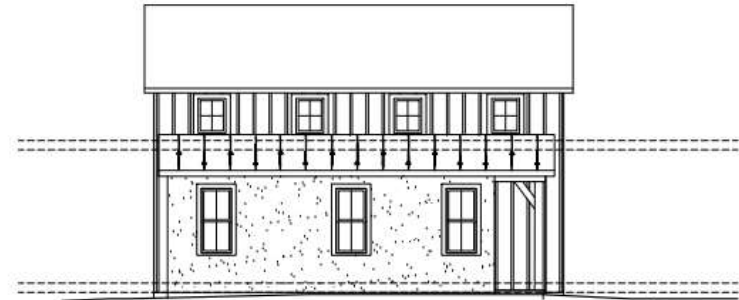
Item 3.



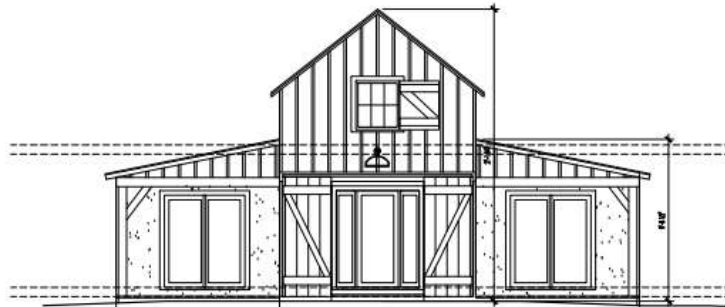
PER COUNTY TAX RECORDS
4196 x .25 = 1049 sq. ft



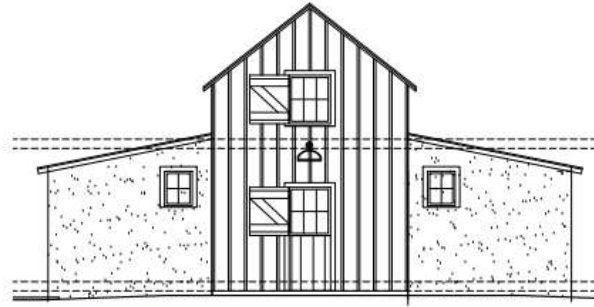
SIDE A



SIDE B



FRONT

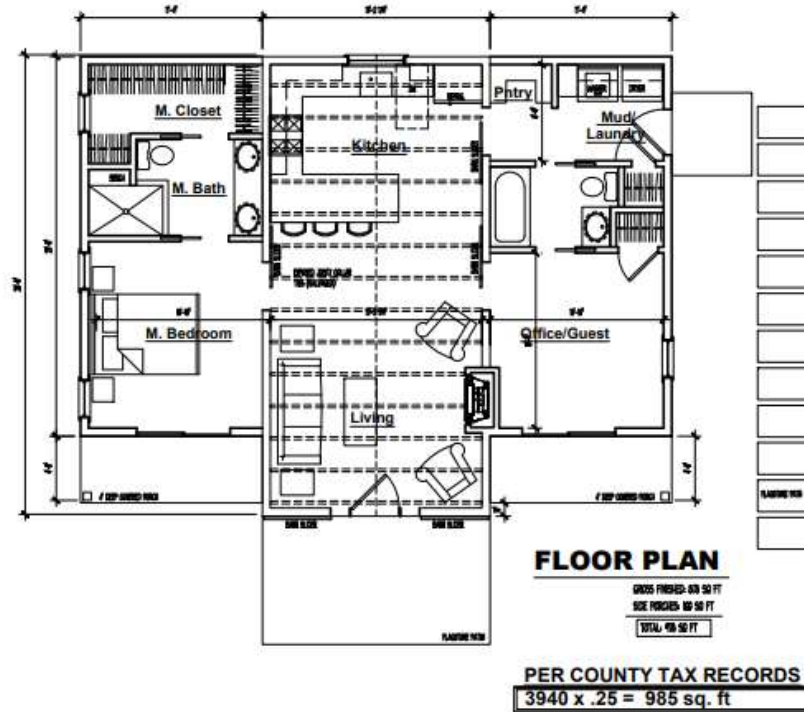


REAR

226 E LEE STREET
Warrenton VA 20186
Drawings by: LLB Design
SCHEMATIC PLAN

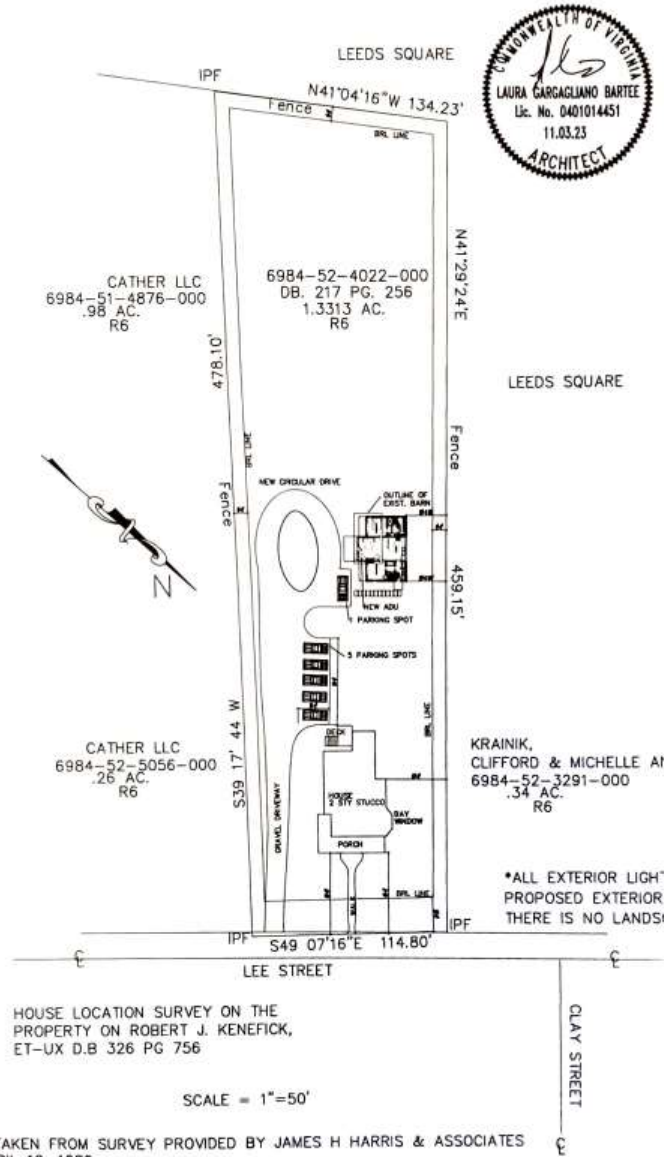
Elevations

Item 3.



226 E LEE STREET
Warrenton VA 20186
Drawings by: LLB Design
SCHEMATIC PLANS ⁴ AT ₁₀₀

Elevations



Zoning Ordinance

Item 3.

- Zoning Ordinance: Article 9-1 – Accessory Structures and Uses
 - Requires a minimum primary residence square footage.
 - Restricts allowable square footage
 - The additional accessory structures are all included in the allowable square footage of the overall parcel. (Examples include Sheds, Carports, Pools, etc.)

Staff Recommendation

Item 3.

- Hold Public Hearing
- Direct Applicant/Staff Next Steps
- 100-Day: November 28, 2023 – March 7, 2024



**Planning Commission Public Hearing
SUP 23-03 226 E. Lee Street
Accessory Dwelling Unit (ADU)
December 19, 2023**



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 4.

STAFF REPORT

Council Meeting Date:

December 12, 2023

Agenda Title: Initiation of a Zoning Ordinance Text Amendment to Revise Section 3-5.1 FPD-Floodplain District and Adopt FEMA's Updated Floodplain Maps

Requested Action: Initiate the Zoning Ordinance Text Amendment

Department / Agency Lead: Community Development

Staff Lead: Rob Walton, Staff

EXECUTIVE SUMMARY

The Federal Emergency Management Agency (FEMA) recently issued a Letter of Final Determination to the Town of Warrenton on October 25, 2023 (attached). There are approximately 110 properties in the Town of Warrenton that contain floodplain. In December 2022, Town Staff contacted property owners letting them know of the proposed changes to the floodplain limits. After notice was sent, staff was approached by approximately five (5) individuals who were interested in seeing the proposed mapping changes. Since that time, FEMA has heard appeals by property owners who disagree with the proposed floodplain limit changes and issued a Letter of Final Determination to jurisdictions accordingly. The Town Council is now tasked with adopting FEMA's updated regulations and revised maps as part of the final determination. This initiation would allow staff to begin processing the draft text and finalized maps through the public hearing process with the Planning Commission and Town Council. FEMA's finalized Flood Insurance Rate Map (FIRM) for the Town of Warrenton will become effective on April 25, 2024.

BACKGROUND

The Federal Emergency Management Agency (FEMA) recently issued a Letter of Final Determination to the Town of Warrenton on October 25, 2023 (attached). There are approximately 110 properties in the Town of Warrenton that contain floodplain. In December 2020, Town Staff contacted property owners letting them know of the proposed changes to the floodplain limits. After notice was sent, staff was approached by approximately five (5) individuals who were interested in seeing the proposed mapping changes. Since that time, FEMA has heard appeals by property owners who disagree with the proposed floodplain limit changes and issued a Letter of Final Determination to jurisdictions accordingly.

STAFF RECOMMENDATION

Staff recommends initiating the Zoning Ordinance Text Amendment to begin the public hearing process.

Service Level/Collaborative Impact

Adoption of the text amendment and associated map(s) will forward the vision of Plan Warrenton 2040 by helping to preserve and protect these environmentally sensitive areas. In addition, taking precautions against catastrophic events help protect the welfare of the Town’s population.

Policy Direction/Warrenton Plan 2040

Plan Warrenton 2040 seeks to preserve, enhance, and protect the environmental, scenic, and natural quality of the Town. Floodplains are typically a protected environmentally sensitive area that is regulated as an overlay in the Zoning Ordinance to limit pollution and enhance water quality.

Fiscal Impact

Those impacted by the floodplain limit revisions may be required to obtain flood insurance.

Legal Impact

None Identified at This Time.

ATTACHMENTS

- 1. Spreadsheet Listing All Properties in the Town of Warrenton Containing Floodplain
- 2. Sample Letter Sent to Property Owners Dated, December 2022
- 3. Sample Showing Floodplain Limit Changes
- 4. Letter of Final Determination dated October 25, 2023

RESOLUTION TO RECOMMEND THE TOWN STAFF ANALYZE AND BEGIN THE PROCESS TO AMEND THE ZONING ORDINANCE TO REVISE SECTION 3-5.1 FPD – FLOODPLAIN DISTRICT AND ADOPT FEMA’S UPDATED FLOODPLAIN MAPS

WHEREAS, a Letter of Final Determination was issued by FEMA to the Town of Warrenton on October 25, 2023; and

WHEREAS, the new FEMA floodplain maps will become effective on April 25, 2024; and

WHEREAS, Staff is requesting the initiation of a Zoning Ordinance text amendment to revise Section 3-5.1 FPD-Floodplain District and to adopt FEMA’s updated floodplain maps to remain compliant with the National Flood Insurance Program regulations; and

WHEREAS, the Town of Warrenton has determined that the public necessity, convenience, general welfare, and good zoning practice warrant this amendment; and

WHEREAS, pursuant to Section 11-3.9.2 of the Town Zoning Ordinance allows Town Council to initiate a text amendment by Resolution.

NOW THEREFORE, be it resolved, that the Town Council of the Town of Warrenton directs Town Staff to analyze and prepare a text amendment to the Town Zoning Ordinance to amend Section 3-5.1 FPD-Floodplain District and Adopt FEMA’s updated floodplain maps.

Voting for:

Voting against:

Adopted:



Federal Emergency Management Agency

Washington, D.C. 20472

October 25, 2023

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
19P

The Honorable Carter Nevill
Mayor, Town of Warrenton
21 Main Street
Warrenton, Virginia 20186

Community Name: Town of Warrenton
Fauquier County,
Virginia
Community No.: 510057
Map Panels Affected: See FIRM Index

Dear Mayor Nevill:

This is to notify you of the final flood hazard determination for Fauquier, Virginia and Incorporated Areas, in compliance with Title 44, Chapter I, Part 67, Section 67.11, Code of Federal Regulations (CFR). This section requires that notice of final flood hazards shall be sent to the Chief Executive Officer of the community, all individual appellants, and the State Coordinating Agency, and shall be published in the *Federal Register*.

The statutory 90-day appeal period that was initiated for your community when the Department of Homeland Security's Federal Emergency Management Agency (FEMA) published a notice of proposed flood hazard determinations for your community in the local newspaper has elapsed. FEMA did receive appeals of the proposed flood hazard determinations during that time. The technical data submitted in support of the appeals has been evaluated and the appeals have been resolved in accordance with the requirements of 44 CFR Part 67. We determined that changes were warranted based on the submitted data and have incorporated the applicable changes on the final copies of the Flood Insurance Study (FIS) and Flood Insurance Rate Map (FIRM) for your community.

Accordingly, the flood hazard determinations for your community are considered final. The final notice for flood hazard determinations will be published in the *Federal Register* as soon as possible. The FIS report and FIRM for your community will become effective on April 25, 2024. Before the effective date, we will send your community final printed copies of the FIS report and FIRM. For insurance purposes, the community number and new suffix code for the panels being revised are indicated on the FIRM and must be used for all new policies and renewals.

Because the FIS report for your community has been completed, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter.

It must be emphasized that all the standards specified in 44 CFR Part 60.3(d) of the National Flood Insurance Program (NFIP) regulations must be enacted in a legally enforceable document. This includes adoption of the current effective FIS report and FIRM to which the regulations apply and other modifications made by this map revision. Some of the standards should already have been enacted by your community in order to establish initial eligibility in the NFIP. Your community can meet any additional requirements by taking one of the following actions in this Paragraph of the NFIP regulations:

1. Amending existing regulations to incorporate any additional requirements of 44 CFR Part 60.3(d);
2. Adopting all the standards of 44 CFR Part 60.3(d) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of 44 CFR Part 60.3(d).

Also, prior to the effective date, your community is required, as a condition of continued eligibility in the NFIP, to adopt or show evidence of adoption of the floodplain management regulations that meet the standards of 44 CFR Part 60.3(d) of the NFIP regulations by the effective date of the FIRM. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

Many states and communities have adopted building codes based on the International Codes (I-Codes); the model I-Codes (2009 and more recent editions) contain flood provisions that either meet or exceed the minimum requirements of the NFIP for buildings and structures. The model codes also contain provisions, currently found in an appendix to the International Building Code, that apply to other types of development and NFIP requirements. In these cases, communities should request review by the NFIP State Coordinator to ensure that local floodplain management regulations are coordinated (not duplicative or inconsistent) with the State or Local building code. FEMA's resource, *Reducing Flood Losses through the International Code: Coordinating Building Codes and Floodplain Management Regulations, 5th Edition (2019)*, provides some guidance on this subject and is available at <https://www.fema.gov/emergency-managers/risk-management/building-science/building-codes/flood>.

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) as amended, and 44 CFR Part 59.24.

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions (SOMA) to document previous Letters of Map Change (LOMC) actions (i.e., Letters of Map Amendment, Letters of Map Revision) that will be affected when the revised FIRM panels referenced above become effective. If no LOMCs were issued previously for your community, you are receiving a SOMA for informational purposes only.

Once the FIS report and FIRM are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided for use in a computer mapping system. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance requirements, and many other planning applications. Copies of the digital files of the FIRM panels may be obtained by calling our FEMA Mapping and Insurance eXchange (FMIX), toll free, at (877) 336-2627 (877-FEMA MAP) or by visiting the Map Service Center at <https://www.msc.fema.gov>. In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

For assistance with your floodplain management ordinance or enacting the floodplain management regulations, please contact Angela Davis, NFIP State Coordinator for Virginia by telephone at 804-371-6135. If you should require any additional information, we suggest that you contact the Director, Mitigation Division of FEMA, Region III at (215) 931-5512 for assistance. If you have any questions concerning mapping issues in general or the enclosed SOMA, please call our FMIX at the telephone number shown above. Additional information and resources you may find helpful regarding the NFIP and floodplain management can be found on our website at <https://www.fema.gov/flood-maps>. Copies of these documents may also be obtained by calling our FMIX.

Sincerely,



Luis Rodriguez, P.E., Director
Engineering and Modeling Division
Federal Insurance and Mitigation Administration

Enclosure:
Final SOMA

cc: Community Map Repository
Rob Walton, Director of Community Development, Town of Warrenton

FINAL SUMMARY OF MAP ACTIONS

Community: WARRENTON, TOWN OF

Community No: 510057

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the effects of the enclosed revised FIRM panels(s) on previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs), Letter of Map Revision based on Fill (LOMR-Fs), and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on April 25, 2024.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels or will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

2A. LOMCs on Revised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

2B. LOMCs on Unrevised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

FINAL SUMMARY OF MAP ACTIONS

Community: WARRENTON, TOWN OF

Community No: 510057

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new or revised flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
LOMR	13-03-0051P	05/02/2013	HITCHCOCK PROPERTY AT LEE STREET AND WALKER DRIVE	4

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.
6. Superseded by another LOMC.

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures is no longer valid, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and if appropriate issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

**TOWN OF WARRENTON**

Department of Community Development

PO BOX 341
WARRENTON, VIRGINIA 20188
<http://www.warrentonva.gov>
TELEPHONE (540) 347-1101
FAX (540) 349-2414

December 22, 2020

RE: FEMA Floodplain Map Changes

Dear Property Owner:

I am reaching out to let you know that FEMA has proposed changes to the Flood Insurance Rate Map (FIRM) for the Town of Warrenton. FEMA is currently coordinating with jurisdictions to make them aware of the changes and requesting that citizens are made aware of the proposed changes. A flood map provides information about the local flood risk. It helps set minimum floodplain standards so that the community builds safely. The map also helps determine the cost of flood insurance which helps property owners to financially protect themselves against flooding. The lower the degree of risk, the lower your flood insurance premium will be. To ensure the public knows their flood risk, and that their insurance is priced accurately, FEMA works with communities and property owners at all steps of the process to incorporate the best available data into the flood maps. The maps are developed using the sound science generated by engineering experts, and FEMA always accepts additional, validated flood hazard information from property owners and communities. Through this collaborative process, a community can review, appeal, and contribute to the development of a Flood Map before it is adopted by the community.

Records indicate that your property contains flood hazard areas and I would like to provide you with the opportunity to meet and show you the proposed changes on your property. Should you wish to review and discuss these changes, please feel free to contact me at (540) 316-6396 ext. 311.

Sincerely,

Rob Walton
Zoning Administrator
Town of Warrenton
Community Development Department

FEMA Floodplain Changes

PIN#:	Owner:	Increase or Decrease:	Site Address:	Mailing Address:
6983-57-2206-000	HD Development of MD Inc.	Both	267 Alwington Blvd.	2455 Paces Ferry Road, Atlanta, GA 30339
6983-66-3731-000	819 JMH LLC	Decrease	819 James Madison Hwy.	819 James Madison Hwy, Warrenton, VA 20186
6983-66-9788-000	Drew Corporation	Decrease		127 Culpeper Street, Warrenton, VA 20186
6983-79-8068-000	Miller, Charles & Shirley	Decrease	679 Old Meetze Road	P.O. Box 3181, Warrenton, VA 20188
6983-79-9615-000	Monroe Estates HOA	Increase		11290 Balls Ford Road, Manassas, VA 20109
6984-70-7966-000	David Dobson	Decrease		9198 North Cliff Lane, Rixeyville, VA 22737
6984-71-5256-000	Foster, Mollie E. Heirs; Allen Haley	Decrease	460 Oliver City Road	P.O. Box 476, The Plains, VA 20198
6984-71-3279-000	Goodrich, Samantha; Teigen, Michael	Decrease	438 Oliver City Road	438 Oliver City Road, Warrenton VA 20186
6984-71-3547-000	Smith, Bruce & James	Decrease	433 Oliver City Road	P.O. Box 1255, Warrenton, VA 20188
6984-71-2624-000	Ford, Betty & Joe	Decrease	411 Oliver City Road	411 Oliver City Road, Warrenton, VA 20186
6984-71-1735-000	Cespedes, Yenny; Taborga, Martin	Both	391 Oliver City Road	391 Oliver City Road, Warrenton, VA 20186
6984-71-0835-000	Marshall, Sue & Thomas	Both	377 Oliver City Road	377 Oliver City Road, Warrenton, VA 20186
6984-61-8996-000	The Drew Corporation	Both		127 Culpeper Street, Warrenton, VA 20186
6984-71-2993-000	Wormley, Freida & Stanton	Both	455 Oliver City Road	P.O. Box 257, The Plains, VA 20198
6984-71-4940-000	McDonald, Lisa	Both	459 Oliver City Road	459 Oliver City Road, Warrenton, VA 20186
6984-74-9610-000	Walters, Elaine H Revocable Trust	Decrease		8307 Kines Road, Warrenton, VA 20187
6984-74-7799-000	Walters, Elaine H Revocable Trust	Both	341 Academy Hill Road	8307 Kines Road, Warrenton, VA 20187
6984-74-6947-000	Town of Warrenton	Increase		
6984-74-1892-000	Commonwealth of Virginia, VDACS	Increase	272 Academy Hill Road	P.O. Box 1163, Richmond VA 23218
6984-65-6014-000	Ridges of Warrenton HOA	Both		P.O. Box 606, Warrenton VA 20188
6984-65-2197-000	Ridges of Warrenton HOA	Decrease		P.O. Box 606, Warrenton VA 20188
6984-65-7135-000	Ridges of Warrenton HOA	Decrease		P.O. Box 606, Warrenton VA 20188
6984-65-2209-000	Spector Family Trust, Spector Susan	Decrease	222 Cannon Way	222 Cannon Way, Warrenton VA 20186
6984-65-1324-000	Gaige, Diane & Tony	Decrease	226 Cannon Way	226 Cannon Way, Warrenton VA 20186
6984-65-1019-000	Dabney, John	Decrease		P.O. Box 41025, Fredericksburg, VA 22404
6984-68-7335-000	Highlands of Warrenton Comm Assoc Inc	Both		11130 Main Street, Suite 100, Fairfax, VA 22030
6984-68-2681-000	Highlands of Warrenton Comm Assoc Inc	Both		11130 Main Street, Suite 100, Fairfax, VA 22030
6984-58-8445-000	Town of Warrenton	Decrease		
6984-58-7618-000	Highlands Land Development LLC	Decrease		501 Blackwell Road, Warrenton, VA 20186
6984-58-5386-000	Highlands Land Development LLC	Decrease	501 Blackwell Road	501 Blackwell Road, Warrenton, VA 20186
6984-58-0645-000	Blackwell Park LLC	Both	510 Blackwell Road	1945 Old Gallows Road, Suite 300, Vienna, VA 22182
6984-48-9821-000	Blackwell Park LLC	Both		1945 Old Gallows Road, Suite 300, Vienna, VA 22182
6984-48-5705-000	Northrock Center LLC	Decrease	521 Fletcher Drive	7501 Wisconsin Ave, #1500E, Bethesda, MD 20814
6984-49-8187-000	Wayland Corner LC	Decrease	612 Blackwell Road	29 Culpeper Street, Attn: PBMARES LLP, Warrenton, VA 20186
6984-49-7221-000	Warrenton Development Company	Decrease		200 Old Forge Lane, Suite 201, Kennett Square, PA 19348
6984-49-5173-000	KSP Commercial LLC	Decrease	73 W. Lee Hwy.	17273 Berkshire Drive, Jeffersonton, VA 22724
6984-49-6209-000	Warrenton Development Company	Decrease	85 W. Lee Hwy.	200 Old Forge Lane, Suite 201, Kennett Square, PA 19348
6984-49-3295-000	The Fauquier Bank	Both	87 W. Lee Hwy.	10 Courthouse Square, Warrenton, VA 20186
6984-49-0774-000	Seritage SRC Finance LLC	Both	141 W. Lee Hwy.	500 5th Avenue #1530, New York, NY 10110
6984-49-1231-000	C&C Johnson Inc	Decrease	105 W. Lee Hwy.	17312 W. Willard Road, Poolesville, MD 20837
6984-39-9244-000	White Horse Wash LLC	Decrease	111 W. Lee Hwy.	P.O. Box 460, Fairfax, VA 22038

6984-39-7331-000	Warrenton Village LLC	Decrease	127 W. Lee Hwy.	1945 Old Gallows Road, Suite 300, Vienna, VA 22182
6984-39-5343-000	Warrenton Village LLC	Decrease	127 W. Lee Hwy.	1945 Old Gallows Road, Suite 300, Vienna, VA 22182
6984-39-4764-000	Warrenton Village LLC	Decrease	127 W. Lee Hwy.	1945 Old Gallows Road, Suite 300, Vienna, VA 22182
6984-38-6914-000	Navdurga Inc	Increase	150 W. Lee Hwy.	150 W. Lee Hwy., Warrenton, VA 20186
6984-38-9605-000	Northrock Center LLC	Increase	530 Fletcher Drive	7501 Wisconsin Ave, #1500E, Bethesda, MD 20814
6984-38-4963-000	Blalock, Barbara Ann Trust of	Both	170 W. Lee Hwy.	8016 Old Waterloo Road, Warrenton, VA 20186
6984-38-3938-000	Town of Warrenton	Decrease	204 W. Lee Hwy.	
6984-38-1917-000	Warrenton Crossroads LLC	Decrease		P.O. Box 167, Winston Salem, NC 27102
6984-28-8927-000	Warrenton Crossroads LLC	Decrease	256 W. Lee Hwy.	5200 Buffington Road, Atlanta, GA 30349
6984-28-6912-000	SPS Group LLC	Decrease	254 W. Lee Hwy.	P.O. Box 1159, Deerfield, IL 60015
6984-38-0755-000	Warrenton Crossroads LLC	Increase		4457 Ringwood Road, Nokesville, VA 20181
6984-28-5680-000	Wood Village LLC	Increase	549 Winchester Street	7600 Rogues Road, Warrenton, VA 20187
6984-28-7643-000	Wood Village LLC	Increase	549 Winchester Street	7600 Rogues Road, Warrenton, VA 20187
6984-18-8456-000	McDonalds Corporation	Both		P.O. Box 182571, Columbus, OH 43218
6984-18-7352-000	RHC Associates	Decrease	351 Broadview Avenue	P.O. Box 182571, Columbus, OH 43218
6984-18-7224-000	RHC Associates	Both	351 Broadview Avenue	P.O. Box 182571, Columbus, OH 43218
6984-18-6195-000	331 LLC	Decrease	331 Broadview Avenue	184 Broadview Avenue, Warrenton, VA 20186
6984-18-6067-000	331 LLC	Decrease	331 Broadview Avenue	184 Broadview Avenue, Warrenton, VA 20186
6984-18-6000-000	Broadview Properties LLC	Both	319 Broadview Avenue	7260 Periwinkle Ct., Warrenton VA 20186
6984-17-5973-000	Broadview Properties LLC	Increase	319 Broadview Avenue	7260 Periwinkle Ct., Warrenton VA 20186
6984-17-5857-000	Broadview Properties LLC	Increase	319 Broadview Avenue	7260 Periwinkle Ct., Warrenton VA 20186
6984-17-5842-000	Broadview Properties LLC	Increase	319 Broadview Avenue	7260 Periwinkle Ct., Warrenton VA 20186
6984-17-7723-000	Kingston Warrenton LTD Partnership	Increase	296 Jackson Street	1930 Isaac Newton Sq., Suite 200B, Reston, VA 20190
6984-17-7852-000	Kingston Warrenton LTD Partnership	Increase	308 Jackson Street	1930 Isaac Newton Sq., Suite 200B, Reston, VA 20190
6984-17-7982-000	Kingston Warrenton LTD Partnership	Increase	318 Jackson Street	1930 Isaac Newton Sq., Suite 200B, Reston, VA 20190
6984-18-8021-000	Kingston Warrenton LTD Partnership	Increase	328 Jackson Street	1930 Isaac Newton Sq., Suite 200B, Reston, VA 20190
6984-18-8049-000	Kingston Warrenton LTD Partnership	Increase	338 Jackson Street	1930 Isaac Newton Sq., Suite 200B, Reston, VA 20190
6984-18-8188-000	Kingston Warrenton LTD Partnership	Increase	348 Jackson Street	1930 Isaac Newton Sq., Suite 200B, Reston, VA 20190
6984-18-9216-000	Kingston Warrenton LTD Partnership	Increase	358 Jackson Street	1930 Isaac Newton Sq., Suite 200B, Reston, VA 20190
6985-00-1454-000	Town of Warrenton	Increase	Rady Park	
6985-00-3546-000	Town of Warrenton	Increase	710 Fauquier Road	
6985-00-2836-000	Town of Warrenton	Increase	550 Evans Ave	
6985-00-3904-000	Reid, Julia Mae	Increase	560 Evans Ave	560 Evans Ave, Warrenton, VA 20186
6985-01-3080-000	Quinn, Grace & John	Increase	570 Evans Ave	570 Evans Ave, Warrenton, VA 20186
6985-01-4047-000	Eller, Arnold	Increase	580 Evans Ave	580 Evans Ave, Warrenton, VA 20186
6985-01-5125-000	Moffett, Stephen & Suela	Increase	590 Evans Ave	590 Evans Ave, Warrenton, VA 20186
6985-01-6211-000	Poston, Jerry & Paula	Increase	600 Evans Ave	600 Evans Ave, Warrenton, VA 20186
6985-01-7218-000	Hines, Madeline J Trustee	Increase	610 Evans Ave	610 Evans Ave, Warrenton, VA 20186
6974-64-6885-000	Town of Warrenton (WARF)	Both	800 Waterloo Road	
6974-83-8686-000	St Leonards Farm Inc	Both		P.O. Box 814, Warrenton, VA 20188
6974-94-2535-000	Capan, Jeffrey	Increase	552 Frost Ave	552 Frost Avenue, Warrenton, VA 20186
6974-84-0739-000	Town of Warrenton (WWTP)	Both	731 Frost Ave	
6974-85-3273-000	Commonwealth of Virginia	Both	692 Waterloo Street	Bldg 316 Fort Picket, Blackston, VA 23824
6974-84-4737-000	Commonwealth of Virginia	Both	675 Van Roijen Street	470 George Dean Drive, Charlottesville, VA 22903
6974-85-8166-000	Kalis Holdings LLC	Both	641 Frost Ave	1420 Spring Hill Road, Suite 600, McLean, VA 22102

6974-95-2114-000	Kalis Holdings LLC	Increase	569 Frost Ave	1420 Spring Hill Road, Suite 600, McLean, VA 22102
6974-95-0659-000	Grant, Marsha & Robert	Increase	28 Piedmont Street	28 Piedmont Street, Warrenton, VA 20186
6974-95-0789-000	Waln, Deborah & Edward	Increase	38 Piedmont Street	38 Piedmont Street, Warrenton, VA 20186
6974-95-1828-000	Callahan, Shannon	Increase	48 Piedmont Street	48 Piedmont Street, Warrenton, VA 20186
6974-95-1948-000	Dickerson, John & Sidney	Increase	58 Piedmont Street	58 Piedmont Street, Warrenton, VA 20186
6984-05-5147-000	Frost Properties LLP	Increase	5 Broadview Avenue	98 Dolphin Point Drive, Beaufort, SC 29907
6984-05-6104-000	Frost Properties LLP	Increase		98 Dolphin Point Drive, Beaufort, SC 29907
6984-04-5860-000	ABC and J LLC	Increase	346 Waterloo Street	388 Waterloo Street, Warrenton, VA 20186
6984-04-5468-000	ABC and J LLC	Both	365 W Shirley Ave	388 Waterloo Street, Warrenton, VA 20186
6984-03-6972-000	May, Charlene & Scott	Both	285 W. Shirley Ave	281 W. Shirley Ave, Warrenton, VA 20186
6984-03-7857-000	May, Charlene & Scott	Both	283 W. Shirley Ave	281 W. Shirley Ave, Warrenton, VA 20186
6984-03-7783-000	Garrett Street LLC	Both		79 Garrett Street, Warrenton, VA 20186
6984-03-8942-000	Garrett Street LLC	Both	87 Garrett Street	79 Garrett Street, Warrenton, VA 20186
6984-03-8699-000	Lindsay Holdings LLC	Both		3410 King Street, Alexandria, VA 22302
6984-14-0157-000	Fauquier County School Board	Decrease	86 Manor Court	320 Hospital Drive, Suite 40, Warrenton, VA 20186
6984-13-0556-000	Frost Family LLC	Both	239 W. Shirley Ave	98 Dolphin Point Drive, Beaufort, SC 29907
6984-13-1628-000	Rababeh, Alia & Kheder	Decrease	241 W. Shirley Ave	241 W. Shirley Ave, Warrenton, VA 20186
6984-14-2157-000	Fauquier County School Board	Decrease		320 Hospital Drive, Suite 40, Warrenton, VA 20186
6984-13-1484-000	ABG LLC, JFCJ LLC	Increase	213 W. Shirley Ave	105 W. Shirley Ave, Warrenton, VA 20186
6984-14-5086-000	Fauquier County School Board	Decrease	244 Waterloo Street	320 Hospital Drive, Suite 40, Warrenton, VA 20186
6984-13-2386-000	Second Texland Properties Corp	Both	207 W. Shirley Ave	P.O. Box 711, Dallas, TX 75221
6984-13-3296-000	187 West Shirley Avenue LLC	Both	187 W. Shirley Ave	P.O. Box 885, Warrenton, VA 20188
6984-22-1682-000	Frost Family LLC	Increase		98 Dolphin Point Drive, Beaufort, SC 29907
6983-39-5541-000	Warrenton Baptist Church	Increase		123 Main Street, Warrenton, VA 20186
6983-66-0576-000	Assemblies of God Inc, Potomac District	Decrease		14525 John Marshall Hwy., Gainesville, VA 20155