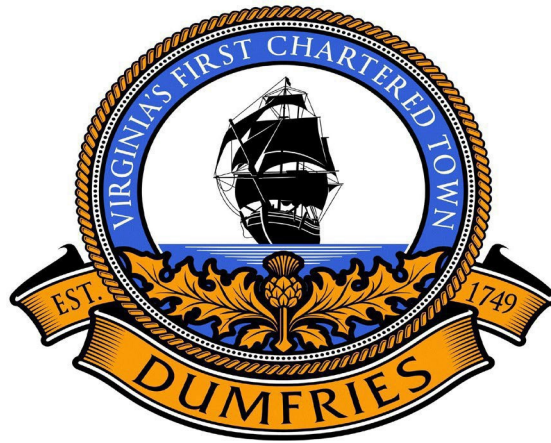


# Town of Dumfries Council Meeting Packet



Derrick R. Wood, Mayor  
Monaé S. Nickerson, Vice Mayor  
Selonia B. Miles, Chair Pro Tem  
Tyrone Brown, Councilmember  
Brian K. Fields, Councilmember  
Shaun Peet, Councilmember  
Caetrina A. Peterson, Councilmember

Tangela Innis, Town Manager  
Sharon E. Pandak, Town Attorney  
Tangi R. Hill, Town Clerk

October 3, 2023



## DUMFRIES, VIRGINIA

Virginia's Oldest Continuously Chartered Town  
CHARTERED 1749 INCORPORATED 1961

John Wilmer Porter Municipal Building  
17739 Main Street, Suite 200  
Dumfries, Virginia 22026  
Tel: 703-221-3400 / Fax: 703-221-3544  
[www.dumfriesva.gov](http://www.dumfriesva.gov)

**DUMFRIES TOWN COUNCIL  
MEETING TUESDAY, OCTOBER 3, 2023,  
AT 7:00 PM  
COUNCIL CHAMBERS**

- I. Call to Order and Roll Call
- II. Invocation – Dr. James R. Knill, Senior Pastor of Concordia Lutheran Church in Triangle, Virginia
- III. Pledge of Allegiance
- IV. Adoption of Agenda
- V. Awards and Proclamations
  - A. Prince William Community Foundation and World Food Day Proclamation – Vice Mayor Nickerson (Page 1)
  - B. Community Planning Month Proclamation – Mayor Derrick Wood (Pages 2-3)
  - C. Domestic Violence Awareness Month Proclamation – Chair Pro Tem Miles (Page 4)
  - D. Prostate Cancer Awareness Month Proclamation – Councilman Tyrone Brown (Page 5)
- VI. Approval of Minutes
  - A. Minutes of the September 19, 2023, Meeting and September 28, 2023, Special Meeting (Pages 6-10)
- VII. Citizen Comment Period
- VIII. Mayor and Council Comments
- IX. Reports and Presentations
  - A. Historic Dumfries Virginia Presentation – Abbigail Alm, HDVI Site Manager (Pages 11-12)
  - B. Chiropractic Health Month Presentation – Dr. Reza Eftekhari, Metropolitan Headache and Spine Center (Pages 13-17)

## X. Action Items (Public Hearing)

- A. Public Hearing to Amend the Zoning Text Ordinance to Chapter 70 (Zoning), Article I and V, of the Code of the Town of Dumfries to Update the Nonconforming Signs and Highway Realignment or Condemnation Sections to Comply with Code of Virginia §33.2-1230 – Reginald Tabor, Director of Planning, Community, and Economic Development (Pages 18-33)
- B. Public Hearing to Adopt the Resolution for the Naming of the Rescue Building – Jonet Prevost-White, Director of Public Works (Pages 34-40)
- C. Public Hearing to Adopt the Resolution Amending the Town Code Requiring Criminal Background Checks – Tangelia Innis, Town Manager (Pages 41-43)
- D. Resolution Authorizing the Scheduling of a Public Hearing on a Conditional Use Application, CUP23-002, Submitted by Dumfries Purchaser, LLC to Permit a Convenience Store with Gasoline Sales with Off Premise Wine and Beer Sales, Food Service and Electrical Vehicle Charging Stations as Accessory Uses at 3600 Pointe Center Court (Public Hearing Scheduled for October 17, 2023) (Pages 44-56)
- E. Ordinance Initiating Consideration of a Town Code Zoning Text Amendment to Allow Consideration of a Comprehensive Sign Plan Within the B-1 Zoning District – Reginald Tabor, Director of Planning, Community, and Economic Development (Pages 57-62)
- F. Adoption of the Declaration of Local Emergency by the Town of Dumfries Pursuant to Va. Code §44-146.21 – Tangelia Innis, Town Manager (Pages 63-64)

## XI. Closed Session

- A. Two Personnel Matters Pursuant to Va. Code §2.2-3711.A.(1) Relating to a Discussion, Consideration, or Interview(s) of Prospective Candidate(s) for the Position of Town Attorney; and Discussion of the 90 Days Performance Review of the Town Manager (Pages 65-66)

## XII. Adjournment



**PROCLAMATION RECOGNIZING  
THE PRINCE WILLIAM COUNTY COMMUNITY FOUNDATION'S  
IMPACT ON ALLEVIATING FOOD INSECURITY WITHIN PRINCE WILLIAM COUNTY  
ON WORLD FOOD DAY 2023**

**WHEREAS**, World Food Day is observed globally on October 16<sup>th</sup>, 2023, with the primary aim of raising awareness about the pressing need for sustainable food systems and combating hunger on a global scale; and

**WHEREAS**, the Prince William County Community Foundation (PWCCF) has been at the forefront of community-focused philanthropy tirelessly working to ensure that the residents of Prince William County have a brighter, healthier, and more secure future; and

**WHEREAS**, PWCCF's dedicated mission aims at fostering a community that thrives through collective effort, research, and actions that further the common good and improves the quality of life of its residents; and

**WHEREAS**, the foundation's noble initiatives, the Combating Hunger on Wheels (C.H.O.W.) Wagon and Backpack Buddy Box/Bag Program, have been instrumental in providing multi-faceted support to the county's most vulnerable, emphasizing the dire need to combat food insecurity, especially among children, understanding the profound implications it has on their health, development, and future potential; and

**WHEREAS**, recognizing the food-insecure children are more prone to health issues and behavioral challenges, PWCCF has not only shown commitment but also demonstrated tangible results; distributing 18,400 meals through the C.H.O.W. Wagon program and a commendable 50,420 meals via the Backpack Buddy Box/Bag program as of August 31, 2023; and

**WHEREAS**, the efforts of PWCCF in ensuring that no child goes to bed hungry, by reaching out directly to neighborhoods and schools, epitomizes community service and sets a shining example for organizations worldwide.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of Dumfries, Virginia on the 16<sup>th</sup> day of October 2023, on the occasion of World Food Day, we hereby recognize and extend our deepest gratitude to the Prince William County Community Foundation for its outstanding contribution to combating hunger and for its unwavering commitment to the welfare of the residents of Dumfries and Greater Prince William County.

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By Order of the Town Council  
Derrick R. Wood, Mayor  
October 3, 2023



**COMMUNITY PLANNING MONTH PROCLAMATION  
OCTOBER 2023**

**WHEREAS**, change is constant and affects all cities, towns, suburbs, counties, boroughs, townships, rural areas, and other places; and

**WHEREAS**, community planning and plans can help manage this change in a way that provides better choices for how people work and live, toward the establishment and maintenance of thriving communities; and

**WHEREAS**, community planning provides an opportunity for all residents to be meaningfully involved in making choices that determine the future of their community; and

**WHEREAS**, the full benefits of planning requires public officials and citizens who understand, support, and demand excellence in planning and plan implementation; and

**WHEREAS**, the month of October is designated as National Community Planning Month throughout the United States of America and its territories, and

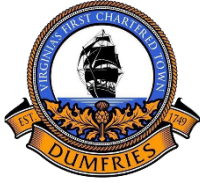
**WHEREAS**, the American Planning Association endorses National Community Planning Month as an opportunity to highlight how planning is essential to recovery and how planners can lead communities to equitable, resilient and long-lasting recovery; and

**WHEREAS**, the celebration of National Community Planning Month gives us the opportunity to publicly recognize the participation and dedication of the members of planning commissions and other citizen planners who have contributed their time and expertise to the improvement of the Town of Dumfries; and

**WHEREAS**, we recognize the many valuable contributions made by professional community and regional planners of the Town of and extend our heartfelt thanks for the continued commitment to public service by these professionals.

**NOW, THEREFORE, BE IT RESOLVED THAT**, the Town Council of Dumfries, Virginia, that the month of October 2023 is hereby designated as **Community Planning Month** in the Town of Dumfries in conjunction with the celebration of **National Community Planning Month**.

By Order of the Town Council  
Derrick R. Wood, Mayor  
October 3, 2023



## **AGENDA ITEM REQUEST FORM**

### **Item Type**

Award     Proclamation     Resolution/Ordinance     Motion     Discussion

### **Statement of Purpose**

A Proclamation proclaiming the month of October as Community Planning Month.

### **Background/References**

National Community Planning Month is acknowledged by the Commonwealth of Virginia and Nationally during the month of October. This Proclamation proclaims October 2023 as Community Planning Month in the Town of Dumfries.

### **Fiscal Impact**

N/A

### **Suggested Motion**

Approve the proclamation.

### **Requested Meeting Date**

October 3, 2023

### **Attachments**

- Proclamation



## **DOMESTIC VIOLENCE AWARENESS MONTH PROCLAMATION OCTOBER 2023**

**WHEREAS**, domestic violence is a pattern of behavior that one person uses to gain power and control over another that can include isolation from friends and family, financial, emotional, and physical abuse, and sexual assault; and

**WHEREAS**, domestic violence is a public health issue that affects all of us in seen and unseen ways, and to address it. Domestic violence knows no boundaries, impacting everyone regardless of race, religion, age, gender, sexual orientation, socioeconomic status, and geographic location; and

**WHEREAS**, our community's largest non-profit, Action in Community Through Service "ACTS", has continually shown its resolve to combat domestic violence, through its ACTS Domestic Violence Services, which offers several programs to assist adults and children to find resources needed to recover from their trauma; and

**WHEREAS**, ACTS Domestic Violence Services through their partnership with the Dumfries Police Department and the Prince William County Police Department assisted 3,415 domestic violence victims in 2022. ACTS Domestic Violence Services Lethality Assessment Protocol (LAP) program successfully helped domestic violence victims get immediate crisis intervention, a path to safety, and emotional support, answered 259 Lethality Assessment Protocol calls when they were on the scene at a domestic violence incident. Their court program helped victims file protective orders and accompanied 909 victims to their court hearings; and

**WHEREAS**, despite the closing one of their two safehouses last year for renovations (scheduled to open again in the Spring of 2024), ACTS has sheltered 65 domestic violence families housing them in hotels when their single safehouse was full; and

**WHEREAS**, ending domestic violence requires the leadership of survivors, support of government leaders, the collaborative efforts of the law enforcement, public health officials, community organizations, and community members, and requires that everyone commit a lifeway of non-violence and respect.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Town Council of Dumfries Virginia, do hereby proclaim the month of October 2023, as **DOMESTIC VIOLENCE AWARENESS MONTH**. We commend our community and call upon all citizens, law enforcement, health officials and all government leaders to speak out against domestic violence and actively support local efforts in the Town of Dumfries and Prince William County to assist our relatives who are survivors of violence to be safe and live their lives free from violence, to hold abusers and systems accountable, and return our Nation to ways of respect, honor, love and compassion.

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By Order of the Town Council  
Derrick R. Wood, Mayor  
October 3, 2023



**PROSTATE CANCER AWARENESS MONTH PROCLAMATION  
SEPTEMBER 2023**

**WHEREAS**, this year alone, more than 280,000 Americans will be diagnosed with prostate cancer; and

**WHEREAS**, when someone is diagnosed with prostate cancer, every second counts. But patients are too often left advocating for basic care while drowning in a flood of medical information. Even when treatment is available, some struggle to afford it or insurance may not cover it; and

**WHEREAS**, stark inequities exist that about one in five African-American men will be diagnosed with prostate cancer;

**WHEREAS**, prostate cancer often in African American men than in men of other races;

**WHEREAS**, African American men are more than twice as likely to die from prostate cancer in this country than other men; and

**WHEREAS**, African American men over 40 have the highest rate of prostate cancer and should consider screenings at age 40; and

**WHEREAS**, African American men with a first-degree relative diagnosed with prostate cancer are considered high risk and should consider screening at age 40; and

**WHEREAS**, African American men present higher prostate-specific antigen (PSA) values than compared to white men; and

**WHEREAS**, we know that everyone's journey with cancer is different and brings a hardship not only to the patient but also to their families.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of Dumfries Virginia, do hereby proclaim the month of September 2023, as **PROSTATE CANCER AWARENESS MONTH**. We honor the lives that ended too soon and all those we can still save by redoubling our efforts to end cancer as we know it. We commend all those caring for loved ones with prostate cancer and all those facing it themselves, we stand with you. We encourage all men of the Town of Dumfries to get their screenings. We encourage the citizens, government agencies, businesses, nonprofit organizations, and other interested groups to join in activities in the Town of Dumfries and Prince William County that will increase awareness of what we can do to prevent and cure prostate cancer.

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By Order of the Town Council  
Derrick R. Wood, Mayor  
October 3, 2023



**DUMFRIES TOWN COUNCIL  
MEETING MINUTES  
TUESDAY, SEPTEMBER 19, 2023**

**MEETING HELD IN COUNCIL CHAMBERS**

*A video recording of this meeting is available on the Town's Website at [www.dumfriesva.gov](http://www.dumfriesva.gov) and YouTube Channel at <https://www.youtube.com/watch?v=KZdxwOuSBLg>*

**Call to Order and Roll Call**

At 7:01 PM, Mayor Derrick Wood called the meeting to order. The following members were recorded as present: Brown, Fields, Miles, Peterson, Nickerson, and Wood.

**Invocation**

The invocation was led by Associate Pastor Marcus Thomas of Potomac Valley Church in Dumfries, Virginia.

**Pledge of Allegiance**

Mayor Derrick Wood asked all to stand for the Pledge of Allegiance.

**Adoption of the Agenda**

On a motion made by Vice Mayor Nickerson, seconded by Chair Pro Tem Miles to adopt the agenda as amended. Vote 6-0-0 (Yes: Fields, Miles, Nickerson, Brown, Peterson, and Wood; No: N/A; Abstain: N/A)

**Awards and Proclamations**

The following proclamations were presented:

Youth Leadership Month Proclamation for Jayden Gordon by Chair Pro Tem Miles

Youth Leadership Month Proclamation for Peter Mitchell by Councilman Fields

Youth Leadership Month Proclamation for Denise Kamgaing by Councilman Brown.

Youth Leadership Month Proclamation for Fernanda Morante Escobedo by Vice Mayor Nickerson.

Healthy Aging Month Proclamation by Mayor Derrick Wood.

Hunger Action Month Proclamation by Mayor Derrick Wood.

### **Approval of Minutes**

Minutes of September 5, 2023, Regular Meeting

On a motion made by Chair Pro Tem Miles, seconded by Councilman Fields to approve the Dumfries Town Council Meeting Minutes of the September 19, 2023, Regular Meeting. Vote 6-0-0 (Yes: Fields, Miles, Nickerson, Brown, Peterson, and Wood; No: N/A; Abstain: N/A).

### **Citizen Comment Period**

No citizens signed up or volunteered for the Citizen Comment Period.

### **Reports and Presentations**

Swearing in of Zoning Administrator Reginald Tabor – Jacqueline C. Smith, Clerk, Prince William County Cler of Circuit Court

Reginald Tabor was sworn in as the Zoning Administrator by Jacqueline C. Smith. Mr. Tabor thanked the council and community for the opportunity to serve the Town of Dumfries.

Introduction of New Dumfries Police Officer – Vernon Gaylen, Chief of Police

Chief Vernon Gaylen introduced the newest police officer in the community, Dylan Aubrecht.

Town Manager's Report – Tangela Innis, Town Manager

Town Manager Tangela Innis gave her report addressing community concerns, civic engagement, finance/procurement, and public works.

## **Action Items (Public Hearing)**

### Consideration of an Ordinance Amending the FY23-24 Budget and Appropriations in the Amount of \$10,072,287 – Stacey Jordan, Chief Financial Officer

After the Public Hearing, on a motion made by Chair Pro Tem Miles, seconded by Councilman Brown, to amend the FY23-24 Budget and Appropriations in the Amount of \$10,072,287. Vote 6-0-0 (Yes: Brown, Fields, Peterson, Miles, Nickerson, and Wood; No: N/A; Abstain: N/A).

### Continuance of the Public Hearing for the Zoning Text Amendment for Billboard Sign for October 3, 2023 – Reginald Tabor, Director of Planning, Community, and Economic Development

The Public Hearing continued for October 3, 2023, adopted by consensus by Town Council members.

### Continuance of the Public Hearing for an Amendment to the Town Code Requiring Criminal Background Checks for October 3, 2023 – Tangelia Innis, Town Manager

The Public Hearing continued for October 3, 2023, adopted by consensus by Town Council members.

### Resolution of the Town Council of the Town of Dumfries, Virginia Declaring its Intention to Reimburse Itself from the Proceeds of One or More Tax-Exempt Financings for Certain Expenditures Made and/or to be Made in Connection with Capital Improvement Projects – Stacey Jordan, Chief Financial Officer

After the Public Hearing, on a motion made by Vice Mayor Nickerson, seconded by Chair Pro Tem Miles, to declare its Intention to Reimburse Itself from the proceeds of One or More Tax-Exempt Financings for Certain Expenditures and/or to be Made in Connection with Capital Improvement Projects. Vote 6-0-0 (Yes: Miles, Fields, Peterson, Brown, Nickerson, and Wood; No: N/A; Abstain: N/A).

Revised Naming Policy & Procedures Document – Jonet Prevost-White,  
Director of Public Works

After the Public Hearing, on a motion made by Vice Mayor Nickerson, seconded by Councilman Brown, to remove Section 4.6 of the Naming Policy & Procedures, and adopt the remaining of the Naming Policy & Procedures. Vote 6-0-0 (Yes: Brown, Nickerson, Peterson, Fields, Miles, and Wood; No: N/A; Abstain: N/A).

Resolution to Schedule a Public Hearing on October 3, 2023, to Consider the Naming of the Rescue Building – Jonet Prevost-White, Director of Public Works

On a motion made by Councilman Brown, seconded by Chair Pro Tem Miles, to schedule a Public Hearing on October 3, 2023, to Consider the Naming of the Rescue Building. Vote 6-0-0 (Yes: Peterson, Brown, Fields, Miles, Nickerson, and Wood; No: N/A; Abstain: N/A).

Resolution Establishing the Dumfries Youth Council – Mayor Derrick Wood

On a motion made by Mayor Wood, seconded by Vice Mayor Nickerson, for a Resolution Establishing the Dumfries Youth Council with all the recommended language changes: a majority of Youth Council Members, at least four, must be residents of the Town of Dumfries and priority will go to residents of Town,

The purpose of the Dumfries Youth Council is to increase youth participation in local government, to organize and perform service projects that will benefit the Dumfries community, and members will be required to complete one capstone project.

Prospective Youth Council Members must write a one-page essay and/or provide a letter of recommendation. Youth Council Members will not be financially compensated. The minimum age to start will be the 8<sup>th</sup> grade.

Members will identify and seek approval for their capstone project from the Staff Liaison. The Staff Liaison will be appointed by the Town Manager. The Council Liaison was created on rotation by each Town Council member.

Vote 6-0-0 (Yes: Peterson, Fields, Brown, Miles, Nickerson, and Wood; No: N/A; Abstain: N/A).

## **Closed Session**

One Personnel Matter Pursuant to Va. Code §2.2-3711. A. 1 for the Discussion of the 90 Days Performance Evaluation of the Town Manager; and One Matter Pursuant to Va. Code §2.2-3711. A. 3 for the Discussion and Acquisition of Real Property

On a motion made by Mayor Wood, seconded by Vice Mayor Nickerson, the Council convened in Closed Session at 8:36 PM for One Personnel Matter Pursuant to Va. Code §2.2-3711. A. 1 for the Discussion of the 90 Days Performance Evaluation of the Town Manager; and One Matter Pursuant to Va. Code §2.2-3711. A.3 for the Discussion and Acquisition of Real Property. Vote 6-0-0 (Yes: Fields, Miles, Nickerson, Peterson, Brown, and Wood; No: N/A; Abstain: N/A).

On a motion made by Mayor Wood, seconded by Chair Pro Tem Miles, the Council concluded Closed Session and reconvened in Open Session at 9:30 PM certifying that only the matter required in closed session was discussed. Vote 6-0-0 (Yes: Fields, Miles, Nickerson, Peterson, Brown, and Wood; No: N/A; Abstain: N/A).

## **Adjournment**

Mayor Wood adjourned the meeting at 9:31 PM.

Historic Dumfries Virginia, Inc. Report to the Town of Dumfries  
Quarter 3: July – September 2023

Dear Mayor Wood & Town of Dumfries Council,

Thank you all for the opportunity to present on Historic Dumfries Virginia, Inc. and to introduce myself. My name is Abbigail Alm, and I'm the new site manager for the Weems-Botts Museum - I graduated with a BA in archaeology and art history from Randolph-Macon College, with experience working in small museums and their local histories. I'm grateful for this opportunity and excited to expand upon Dumfries' storied history within the museum!

We have also seen some turnover among the HDVI board of directors: Bob Borka has resigned, and vice president Bret Coulson has stepped up as the new president, and our new vice president is Patrick Thompson, former board member-at-large.

I want to thank the Town of Dumfries for its continued support of HDVI and I anticipate future collaborations in making Dumfries a great destination!

Thank you!

Abbigail Alm  
HDVI Site Manager  
(703) 221-2218  
info@historicdumfriesva.org

**Visitation Data:**

2023	Total	Tour	Library	Remote	Rental	Comm. Meeting	Events	Programs	Outreach	Non-Pro gram	V.C.	Park
July	520	0	0	0	235	0	0	5	0	0	0	280
August	187	25	1	0	0	0	0	1	0	0	0	160
September	412	2	2	0	75	0	0	12	42	6	3	270

Tour/Operating Hours

- July: Closed
- August: Tours by appointment (Regular hours Sat & Sun 11-3pm)
- September: Tours by appointment (Regular hours Sat & Sun 11-3pm)
- October: Tours by appointment (Regular hours Sat 3-5pm & Sun 11-3pm)
- November: Tours by appointment (Regular hours Sat & Sun 11-3pm)
- December: Tours by appointment (Regular hours Sat & Sun 11-3pm)

July-September Public Programs:

- July 2023
  - Saturday, July 15th, 10:00am: Children's Day at the Museum Sponsored by Churchill Downs Group (CDG): Spinning Wool for the Home Front & The Prince William Resolves
- August 2023
  - Saturday, August 19th, 10:00am: Children's Day at the Museum Sponsored by CDG: Going to School in Historic Dumfries
- September 2023
  - Saturday, September 30th, 10:00am: Children's Day at the Museum Sponsored by CDG: Crafting Colonial Toys & Games

July-September Privately Scheduled Programs/Meetings/Conferences:

- July 2023
  - Wednesday, July 26th: Meeting with PWC HP re: 2024 250<sup>th</sup> PW Resolves Commemoration
- August 2023

- Wednesday, August 30th: Meeting at Williams Ordinary to discuss ideas for a new exhibit at the Williams Ordinary about Prince William County's involvement in the Revolutionary War
- September 2023
  - Saturday, September 9th: Germanna Community College Culture Day
  - Monday, September 18th: Meeting with Tangela Innes, Monae Nickerson, & Selonia Miles to discuss future collaborations in new displays/exhibitions on contemporary Dumfries history & preserving the Fraley House
  - Wednesday, September 20th: Historic House Museum Consortium Workshop: "Comprehensive and Conscientious Interpretation of Enslavement: Preparing your Organization to Do the Work"
  - Wednesday, September 27th: Meeting to plan potential activities & attractions for Dumfries 275
  - Thursday, September 28th: Meeting with PSHS Transition Specialist Roger Styron & special education teachers to prepare for community-based instruction at the museum
  - Saturday, September 30th: Volunteer training for October ghost tours
  - Saturday, September 30th: Meeting with Blue Nile Falls CPA to discuss audit

Structures & Merchant Park: Repair, Upkeep

- Merchant Park:
  - Ongoing: ToD mowing, upkeep of outside restrooms
  - August: Jeremiah Burns weeded perimeter of historic house & trimmed hedges in the park
  - September 2023: Woodbridge Kiwanis Club pavilion & playground cleanup

Mentorship/Externship Programs

- Prince William County Public Schools
  - PWCS Special Education Department with Potomac High School, Transition Support Services
  - HDVI & The Weems-Botts Museum: Host-Site Location, October 2023 – May 2024

# Benefits of Chiropractic Medicine in Pain Management

DR. REZA EFTEKHAR, D.C.

ASSISTANT PROFESSOR

SCHOOL OF MEDICINE

GEORGE WASHINGTON UNIVERSITY

#1 CHIROPRACTOR IN THE DMV





# CHIROPRACTIC MEDICINE

- Education
- Common conditions

# ALLOPATHIC MEDICINE

- Opioid Epidemic
  - 3 million Americans suffer from opioid use disorder (OUD)
  - Half million people in the US depend on heroin
  - Fentanyl: 100 times more potent than heroin
  - 295 people lose their lives every single day to do drug overdoses
  - 3 out of 4 heroin users started off with prescription medication

# MINORITY COMMUNITY

- There are many evidenced-based studies, show that pain in minority communities, especially Black Americans, are underestimated and undertreated compared to Whites.
- According to a published study in the National Academy of Sciences (Hoffman, et al 2016)
  - The medical community falsely believes that Black people are biologically more tolerant of pain
- As a result, minorities are less likely to receive appropriate treatment for pain

# CHIROPRACTIC APPROACH

- Address underlying causes of pain holistically
  - Ergonomics
  - Discovering root cause of pain
  - Correction of biomechanics and posture
- Reduce the need for opioids and unnecessary invasive procedures and surgeries
- Injury prevention

**AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON OCTOBER 3, 2023 ON A MOTION DULY MADE BY \_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE FOLLOWING ORDINANCE WAS ADOPTED BY THE TOWN COUNCIL WITH THE FOLLOWING VOTE:**

Tyrone A. Brown, \_\_\_\_;  
Brian K. Fields, \_\_\_\_;  
Selonia B. Miles, \_\_\_\_;  
Monae S. Nickerson, \_\_\_\_;  
Shaun R. Peet, \_\_\_\_.  
Caetrina A. Peterson, \_\_\_\_;;  
Derrick R. Wood, \_\_\_\_;

**ORDINANCE APPROVING AMENDMENTS TO CHAPTER 70 (ZONING), ARTICLE I AND V, OF THE CODE OF THE TOWN OF DUMFRIES TO UPDATE THE NONCONFORMING SIGNS AND HIGHWAY REALIGNMENT OR CONDEMNATION SECTIONS TO COMPLY WITH CODE OF VIRGINIA §33.2-1230**

**WHEREAS**, at its October 3, 2023, meeting, the Town Council discussed Chapter 70 (Zoning), Article I and V, of the Town Code, regarding whether to update the nonconforming signs and highway realignment or condemnation to sections to comply with Code of Virginia §33.2-1230; and

**WHEREAS**, the Town Council wants to consider this proposed amendment; and

**WHEREAS**, Sec. 70-646 (a) of the Town Code gives Town Council the authority to adopt amendments to the Zoning Ordinance by ordinance whenever the public necessity, convenience, general welfare, or good zoning practice require; and

**WHEREAS**, the Town Council desires the Planning Commission reviewed the proposed amendment and voted to recommend approval of these proposed amendments to Chapter 70, Article I and V, of the Town Code.

**NOW, THEREFORE, BE IT ORDAINED** that the Town Council of the Town of Dumfries does hereby adopt the appended amendments to Chapter 70, Article I and V, of the Town Code in accordance with Exhibit A, that:

1. Allows a legal nonconforming, lawfully erected billboard sign which is impacted by the use of the power of eminent domain may be relocated by its owner to another location as close as practicable to the same property.

By Order of Council:

Attest:

\_\_\_\_\_  
Derrick R. Wood, Mayor

\_\_\_\_\_  
Tangi R. Hill, Town Clerk

## Exhibit A

### PROPOSED AMENDMENTS TO ZONING ORDINANCE

Sec. 70-14. – Signs

\* \* \* \*

(k) *Nonconforming signs.*

1. Signs, other than outdoor advertising signs, which do not conform to the regulations and restrictions prescribed for the zoning district in which they are situated, but which were erected in accordance with all applicable regulations in effect at the time of their erection may remain erected only so long as the then existing use which they advertise or identify remains.
2. No nonconforming sign shall be worded so as to advertise or identify any use other than that in effect at the time it became a nonconforming sign; however, signs designed for and used to display changeable messages may continue to be used for that purpose.
3. No nonconforming sign shall be moved on the same lot nor to another lot unless the moving will relocate the sign into a zoning district or an area in which it will conform.
4. No nonconforming sign shall be altered except in conformity with the provisions of this section. If damaged to an extent greater than 50 percent of its replacement value, it shall not be rebuilt.
5. Any sign which is not in conformity with the provisions of this section, and which is not or ceases to be a lawful, nonconforming sign, shall be subject to removal under the provisions of subsection (m) of this section.

[New]

6. Notwithstanding the foregoing nonconforming signs provisions, pursuant to Code of Virginia §33.2-1230, a legal nonconforming, lawfully erected billboard sign which is impacted by the use of the power of eminent domain may be relocated by its owner to another location as close as practicable to the same property and in accordance with the provisions of said statute. The owner shall make application for Town approval in this regard. Said relocated billboard sign will remain nonconforming notwithstanding a new location.

\* \* \* \*

Sec. 70-582. - Highway realignment or condemnation.

(a) Any lot which, by reason of realignment of a public street or highway or by reason of condemnation proceedings, has been reduced in size to an area less than that required by law or ordinance, shall be considered a nonconforming lot of record subject to the provisions set forth in this section; and any lawful use or structure existing at the time of such highway realignment or condemnation proceedings which would thereafter no longer be permitted under the terms of this chapter shall be considered a nonconforming use or structure as that term is used in this chapter.

(b) Pursuant to Code of Virginia §33.2-1230 and Sec. 70-14(k) of this ordinance, a legal nonconforming, lawfully erected billboard sign which is impacted by the use of the power of eminent domain may be relocated by its owner to another location as close as practicable to the same property and in accordance with the provisions of said statute. The owner shall make application for Town approval in this regard. Said relocated billboard sign will remain nonconforming notwithstanding a new location.



**Town Council Meeting**  
**ZTA23-001**  
**October 3, 2023**

Reginald Tabor, Director, Planning and Economic Development



# Zoning Text Amendment 23-002

Zoning Text Amendment  
Nonconforming Signs and Highway  
Realignment or condemnations



# DESCRIPTION OF THE AMENDMENT

Proposal:

- The proposed amendment aims to address a specific situation where legal nonconforming billboard signs are impacted by eminent domain actions, allowing their relocation to a nearby location as practicable.



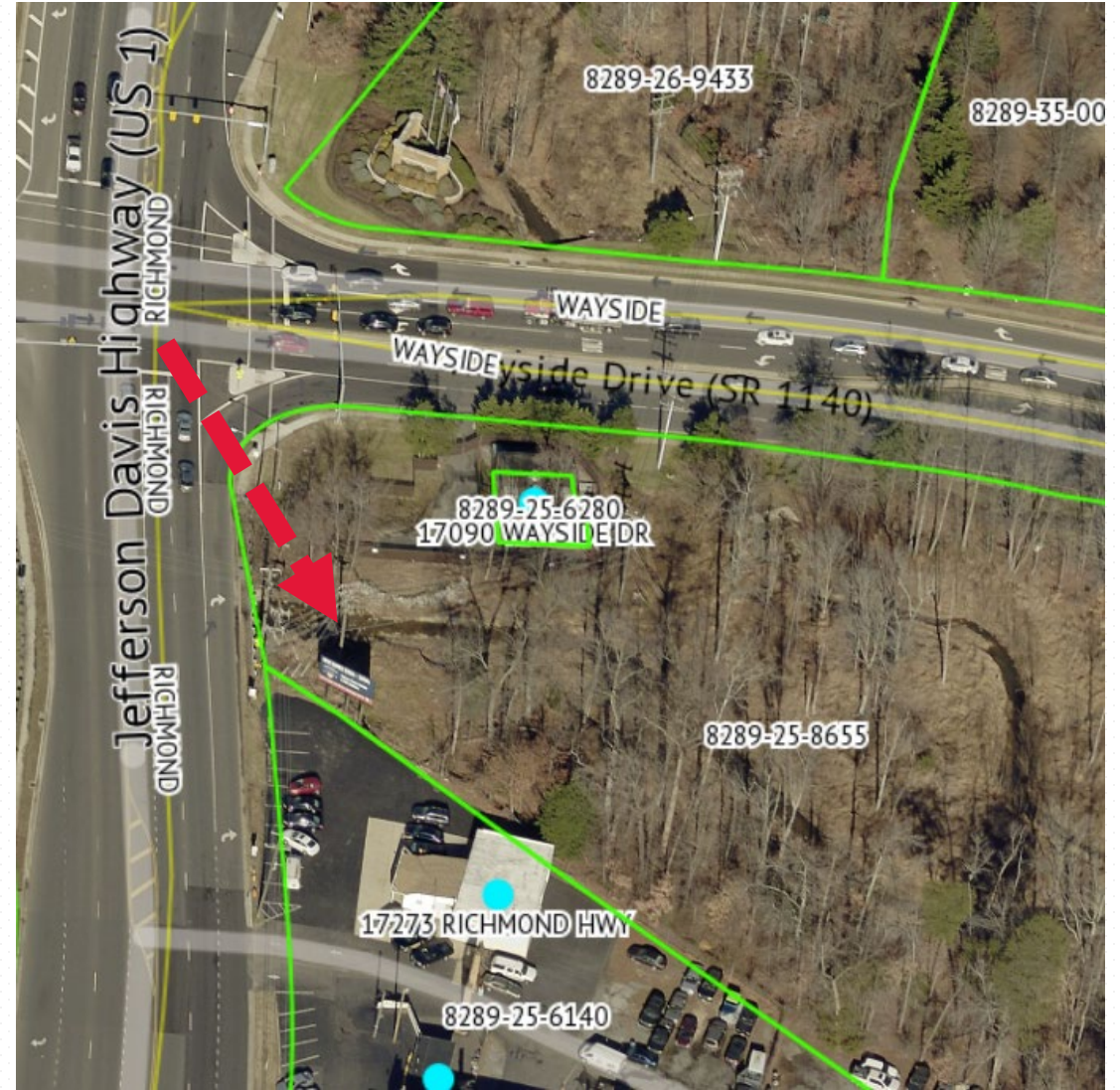
# Zoning Text Amendment 23-002

- Stand-alone Billboards within the Town of Dumfries were constructed prior to the adoption of the Town's Code Chapter 70. Zoning, and they are therefore considered nonconforming uses.
- In accordance with Code Section 70-576 Continuation,  
“No such nonconforming use and/or structure shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use and/or structure on January 18, 1979...” The proposed amendment would allow a legal nonconforming billboard sign that is impacted by eminent domain action to be relocated to another area on the same parcel.
- Currently, there are four (4) Billboards within the Town of Dumfries that may be impacted by a pending eminent domain action associated with the Route 1 widening project.



# LOCATION

17090 Wayside Drive  
South of Wayside Drive and  
East of Route 1



# LOCATION

Right of Way East of Route 1 and  
North of Old Stagecoach Road



# LOCATION

17901 Dumfries Shopping Plaza  
East of Fraley Boulevard  
(Route 1)



# LOCATION

18035 Tebbs Lane  
North of Tebbs Lane and  
West of Main Street (Route 1)



# STAFF RECOMMENDATION

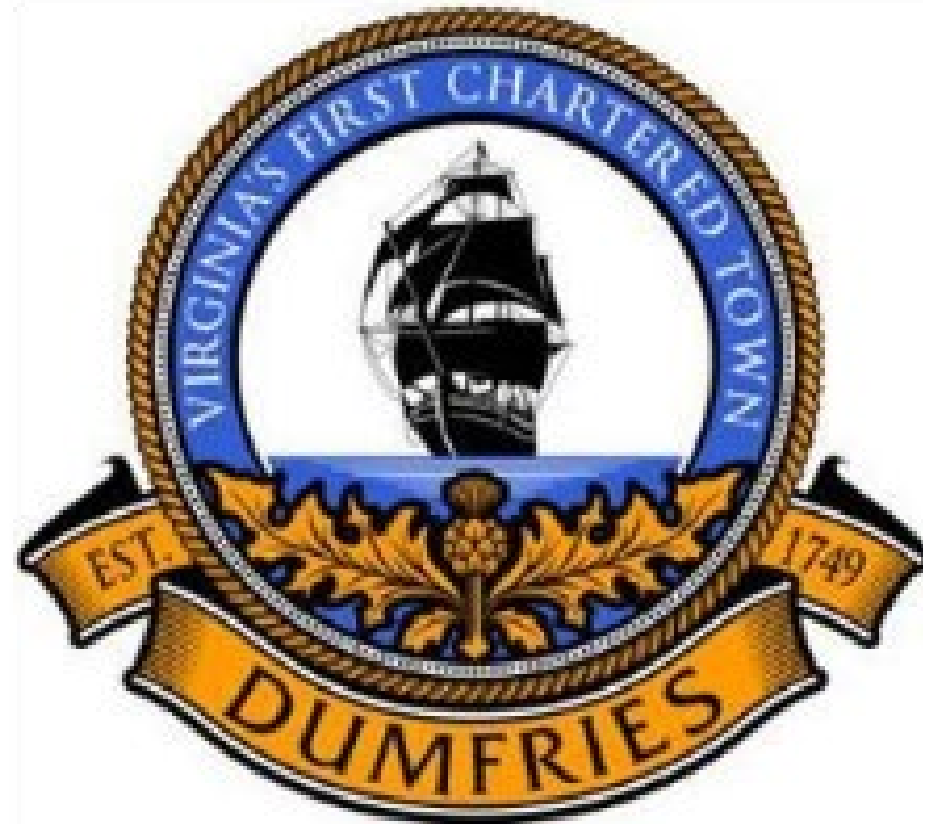
- Staff recommends that the Town Council approves this Code Text Amendment as recommended by the Planning Commission.





Thank you!

Questions?





**DUMFRIES, VIRGINIA**  
Virginia's Oldest Continuously Chartered Town

CHARTERED 1749 INCORPORATED 1961

John Wilmer Porter Municipal Building  
17739 Main Street, Suite 200  
Dumfries, Virginia 22026  
Tel: 703-221-3400/Fax: 703-221-3544  
[www.dumfriesva.gov](http://www.dumfriesva.gov)

## **Staff Report**

**Zoning Text Amendment:** To amend Chapter 70 (Zoning), Article I and V, of the code of the Town of Dumfries to update the nonconforming signs and highway realignment or condemnation sections to comply with code of Virginia §33.2-1230.

### **PURPOSE**

On September 5, 2023, the Town of Dumfries' Town Council adopted a resolution to initiate zoning text amendments to Chapter 70, Article I and V of the Town Zoning Code. The proposed amendment aims to address a specific situation where legal nonconforming billboard signs are impacted by eminent domain actions, allowing their relocation to a nearby location as practicable.

### **BACKGROUND**

Stand-alone Billboards within the Town of Dumfries were constructed prior to the adoption of the Town's Code Chapter 70. Zoning, and they are therefore considered nonconforming uses. Currently, there are four (4) Billboards within the Town of Dumfries. Two of the Billboards would be impacted by a pending eminent domain action associated with the Route 1 widening project.

In accordance with Code Section 70-576 Continuation, "No such nonconforming use and/or structure shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use and/or structure on January 18, 1979..." The proposed amendment would allow a legal nonconforming billboard sign that is impacted by eminent domain action to be relocated to another area on the same parcel.

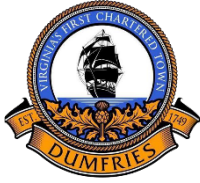
This text amendment aligns with Code of Virginia §33.2-1230 and provides a mechanism for owners to relocate impacted signs while preserving their nonconforming status. This approach strikes a balance between public interest and the rights of property owners. The proposed amendment introduces a limited provision that applies only to legal nonconforming billboard signs affected by eminent domain. This is unlikely to have a significant impact on the overall visual landscape of the town. It provides an avenue for property owners to retain the use of their signs

even after relocation due to eminent domain, while adhering to specific relocation guidelines.

**SUMMARY & RECOMMENDATION**

Based on the analysis presented, staff recommends the approval of the proposed zoning text amendment to sections Sec. 70-14(k) and Sec. 70-582(a) and (b) of the Zoning Ordinance (attached as Exhibit A). The amendment aligns with state law, balances property owner rights with public interests, and addresses a specific scenario involving nonconforming billboard signs impacted by eminent domain. The introduced provisions are thoughtfully crafted to have a limited impact while serving a necessary purpose. As such, staff recommends that the Town Council approve these zoning text amendments as referenced in the approval resolution.

**STAFF CONTACT:** Reginald Tabor, (703) 221-3400 x 121.



## **AGENDA ITEM REQUEST FORM**

### **Item Type**

Award     Proclamation     Resolution/Ordinance     Motion     Discussion

### **Statement of Purpose**

An Ordinance approving Amendments to Chapter 70 (Zoning), Article I And V, of The Code of The Town of Dumfries.

### **Background/References**

This Amendment Is to Update the Nonconforming Signs and Highway Realignment or Condemnation Sections to Comply with Code of Virginia §33.2-1230.

### **Fiscal Impact**

N/A

### **Suggested Motion**

Approve Resolution to Initiate Zoning Text Amendments To Chapter 70 (Zoning), Article I And V, Of The Code Of The Town Of Dumfries

### **Requested Meeting Date**

September 5, 2023

### **Attachments**

- Resolution

**AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON OCTOBER 3, 2023 ON A MOTION DULY MADE BY \_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE TOWN COUNCIL WITH THE FOLLOWING VOTE:**

Tyrone A. Brown, ;  
Brian K. Fields, ;  
Selonia B. Miles, ;  
Monae S. Nickerson,;  
Shaun R. Peet, ;  
Caetrina A. Peterson,;  
Derrick R. Wood, ;

**RESOLUTION TO RENAME THE DUMFRIES-TRIANGLE RESCUE SQUAD**

**WHEREAS**, the Town of Dumfries Town Council adopted the revised Naming of Town Facilities and Parks Policy & Procedures on September 5, 2023 to establish a policy and procedures for the naming and renaming of Town facilities; and

**WHEREAS**, staff received two request to rename the Dumfries-Triangle Rescue Squad located at 3800 Graham Park Road; and

**WHEREAS**, Mrs. Gwen Washington has requested the building renamed in honor of her late husband Clyde Washington Jr. to the Clyde Washington Jr. Community and Recreation Center; and

**WHEREAS**, Mrs. Carrol Keys Morgan has also requested the building be renamed in honor of her father William Francis Keys; and

**WHEREAS**, Staff has reviewed the requests and made a recommendation to the Town Manager and to the Dumfries Town Council; and

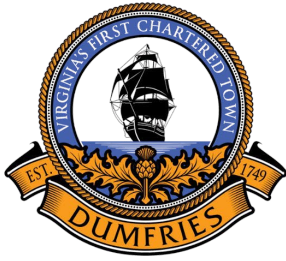
**WHEREAS**, because of his years of coaching, nurturing and developing the young people of Dumfries for whom this building will serve.

**NOW, THEREFORE, BE KNOWN** the Town Council of the Town of Dumfries does hereby rename the Dumfries-Triangle Rescue Squad The Clyde Washington Jr. Community and Recreation Center.

By Order of Council:

\_\_\_\_\_  
Derrick R. Wood, Mayor

ATTEST: \_\_\_\_\_  
Tangi R. Hill, Town Clerk



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[www.dumfriesva.gov](http://www.dumfriesva.gov)

## MEMORANDUM

**DATE:** September 13, 2023  
**TO:** Tangela Innis, Town Manager  
**FROM:** Jonet Prevost-White, Director of Public Works  
**SUBJECT:** Staff Report for Renaming of the Dumfries-Triangle Rescue Squad Request

In October of 2021 the Town purchased an existing building with the intent to transition the space into a Community Center. The 15,000 square foot building was built in 1978 and includes office space and a large assembly space.

Staff have received two applications to rename this building now known as the Dumfries-Triangle Rescue Squad located at 3800 Graham Park Road.

The first request is from Ms. Carrol E. Keys Morgan to rename the building in honor of her father William Francis Keys *"in recognition of his previous ownership of that property and the previous dedication of that building to him as a founder of the Dumfries-Triangle Rescue Squad who volunteered thousands of hours as a fireman and rescue squad EMT for the benefit of his beloved Dumfries community. He and his wife Caroline C. Keys were long-time supporters of the volunteer rescue squad and also served as volunteers in other organizations including the Potomac Hospital Auxiliary as volunteer EMTs."* Ms. Keys Morgan also states that he acquired the Graham Park Road property in 1943 after his Keys' family farm on Joplin Road was confiscated by the U.S. Government for expansion of the Quantico Marine Corps Base. Ms. Keys Morgan requests that if the building cannot be named after him, the open space next to the building be renamed in his honor. No map was provided to show the specific area in question.

The second request is from Mrs. Gwen Washington. Mrs. Washington states that her husband, *"...was a remarkable man who wore many hats, leaving an indelible mark in various aspects of Dumfries' fabric. For an incredible 28 years, Clyde served the citizens of the Town of Dumfries that he loved. His years of serving made him the longest serving Councilmember in the history of our beloved town. His dedication to public service and his love for our community were unparalleled, making him an exceptional leader and a role model for all."* In addition to being a part of Town government, he was also a teacher and a sports coach who dedicated his life to nurturing young minds. Mrs. Washington request that the building be renamed the Clyde Washington Jr. Community and Recreation Center.

Since the building will no longer be used to host the volunteer rescue squad, staff believes the name should be fitting of the future use of the building. With Mr. Washington's proven dedication to the Town and the young citizens for whom the center will serve, staff recommends the building be named the Clyde Washington Jr. Community and Recreation Center.

**From:** [Tangela Innis](#)  
**To:** [Jonet Prevost-White](#)  
**Subject:** FW: Renaming of Dumfries Volunteer Rescue Squad building/land  
**Date:** Tuesday, September 12, 2023 11:18:15 AM  
**Attachments:** [image001.png](#)

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***Tangela Innis, CPPB, MBA, VCO, VCA  
Town Manager  
Town of Dumfries  
17739 Main Street, Suite 200  
Dumfries, VA 22026  
Telephone: (703) 221-3400, ext. 113  
Mobile: (703) 656-0929***



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**From:** Derrick Wood <[hondwood@dumfriesva.gov](mailto:hondwood@dumfriesva.gov)>  
**Sent:** Tuesday, August 8, 2023 5:11 PM  
**To:** Tangela Innis <[tinnis@dumfriesva.gov](mailto:tinnis@dumfriesva.gov)>; Tangi Hill <[thill@dumfriesva.gov](mailto:thill@dumfriesva.gov)>  
**Subject:** Fw: Renaming of Dumfries Volunteer Rescue Squad building/land

Please print and provide for council as an additional submission.

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**From:** James morgan <[xmorgan@hotmail.com](mailto:xmorgan@hotmail.com)>  
**Sent:** Tuesday, August 8, 2023 3:08 PM  
**To:** Derrick Wood <[hondwood@dumfriesva.gov](mailto:hondwood@dumfriesva.gov)>  
**Subject:** Renaming of Dumfries Volunteer Rescue Squad building/land

August 8, 2023

Dear Mayor Wood,

I heard that the Dumfries City Council is planning to rename the former Dumfries Volunteer Rescue Squad Building located on Graham Park Road as it transitions to a community center. Please consider naming the building to honor my father the late Wm. Francis Keys in recognition of his previous ownership of that property and the previous dedication of that building to him as a founder of the Dumfries-Triangle Rescue Squad who volunteered

thousands of hours as a fireman and rescue squad EMT for the benefit of his beloved Dumfries community. He and his wife Caroline C. Keys were long-time supporters of the volunteer rescue squad and also served as volunteers in other organizations including the Potomac Hospital Auxiliary as volunteer EMTs.

If renaming the building in his honor is not possible, perhaps you would consider naming the adjacent open space be named the Wm. Francis Keys Park, as our former neighbor Blair Ginn's adjacent land is named Ginn Park.

My father acquired the Graham Park Road property in 1943 after his Keys' family farm on Joplin Road was confiscated by the U.S. Government for expansion of the Quantico Marine Corps Base. The Keys' family farm had been in his family for generations since his Scottish ancestors were forced to immigrate to the colonies in the mid 1700's after being dispossessed of their lands. Members of the Keys family continued to reside in the Dumfries area since that time.

I respectfully ask that you consider renaming the Dumfries Volunteer Rescue Squad building or the open space as a park in honor of my father Wm. Francis Keys and his contributions to the Dumfries community. I would be happy to provide additional family history if requested.

Sincerely,

Ms. Carrol E. Keys Morgan

9305 Indiantown Road  
King George, VA 22485  
Phone: 540-760-6928  
Email: [xmorgan@hotmail.com](mailto:xmorgan@hotmail.com)



Subject: Honoring the Legacy of Clyde Washington Jr. - The Longest-Serving Councilmember, eight-year Vice Mayor, Beloved Coach, and Esteemed Teacher

Dear Town of Dumfries,

I hope this message finds you well and thriving. Today, I write with a heart filled with immense love and admiration for my late husband, Clyde Washington Jr. In remembrance of his incredible life and lasting impact on our community, I humbly request your consideration to honor his memory in a special and meaningful way.

Clyde Washington Jr. was a remarkable man who wore many hats, leaving an indelible mark in various aspects of Dumfries' fabric. For an incredible 28 years, Clyde served the citizens of the Town of Dumfries that he loved. His years of serving made him the longest serving Councilmember in the history of our beloved town. His dedication to public service and his love for our community were unparalleled, making him an exceptional leader and a role model for all.

Beyond his council duties, Clyde devoted himself to the noble professions of coaching and teaching. For 25 years in Prince William County, he passionately shared his knowledge and wisdom as an esteemed educator. Overall, Clyde was an educator for over 35 years. Teaching vocational education and coaching football at Gar-Field High School, Clyde touched the lives of countless students, shaping their minds and inspiring them to reach their fullest potential.

Clyde's impact as a mentor and coach, extended far beyond the sports field. He believed in the power of guidance and encouragement, which led him to support aspiring leaders like Councilman Willie Toney, helping them realize their dreams and ambitions. Clyde's nurturing and supportive nature played a vital role in shaping future leaders and fostering a sense of community within our town.

As we honor Clyde's legacy, it is only fitting to commemorate his life's work by naming the Old Rescue building after him. Renaming it the Clyde Washington Jr. Community and Recreation Center would be a beautiful tribute to his unwavering commitment to public service, his profound influence as an educator, and his dedication to nurturing young minds.

The Town of Dumfries holds a special place in Clyde's heart, and he always strived to make it a better place for all its residents. The Clyde Washington Jr. Community and Recreation Center would stand as a symbol of his selfless service, inspiring

future generations to continue his legacy of compassion, mentorship, and community building.

I understand that the decision rests with the Town Council, and I humbly request your thoughtful consideration of this proposal. Clyde's tireless dedication to Dumfries and his profound impact on its citizens make him truly deserving of this honor.

In the spirit of cherishing his memory, let us unite to create a lasting tribute to a man who devoted his life to the growth and prosperity of our town. The Clyde Washington Jr. Community and Recreation Center would be a beacon of inspiration, a testament to his enduring contributions, and a symbol of our town's gratitude.

Thank you for taking the time to read my heartfelt request. May Clyde's memory continue to shine brightly in the hearts of all who knew him, and may his legacy forever guide us towards building a stronger, more united Town of Dumfries.

With heartfelt gratitude and warm regards,

Gwen Washington And Family



## **AGENDA ITEM REQUEST FORM**

### **Item Type**

Award     Proclamation     Resolution/Ordinance     Motion     Discussion

### **Statement of Purpose**

Request to Rename the Dumfries Triangle-Rescue Squad

### **Background/References**

Two applications have been submitted to rename the Dumfries-Triangle rescue Squad from Mrs. Gwen Washington and Ms. Carol Keys Morgan

### **Fiscal Impact**

Cost for signage on the building

### **Suggested Motion**

Approved

### **Requested Meeting Date**

September 19, 2023

**Attachments:** Staff Report, Request from to rename the DTRS from Mrs. Washington, and Ms. Keys Morgan

**AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL HELD ON  
OCTOBER \_\_\_\_, 2023: ON A MOTION DULY MADE BY  
\_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE  
FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:**

**Tyrone A. Brown, \_\_\_\_;  
Brian K. Fields, \_\_\_\_;  
Selonia B. Miles, \_\_\_\_;  
Monae S. Nickerson, \_\_\_\_;  
Shaun R. Peet, \_\_\_\_;  
Caetrina A. Peterson, \_\_\_\_;  
Derrick R. Wood, \_\_\_\_;**

**ORDINANCE APPROVING AMENDMENTS TO THE TOWN CODE TO  
REQUIRE CRIMINAL BACKGROUND CHECKS OF APPLICANTS FOR  
TOWN EMPLOYMENT**

**WHEREAS**, as permitted by Va. Code §§ 15.2-1505.1, 15.2-1505.3, 19.2-389, and other relevant statutes, the Town may adopt an ordinance which requires applicants upon an offer of Town employment to submit to a criminal history background check through the authorized state and federal entities, including but not limited to the Virginia State Police Central Criminal Record Exchange, which will report to the Town Manager or her designees;

**WHEREAS**, the Council desires to consider adoption of the proposed ordinance;

**NOW, THEREFORE, BE IT ORDAINED** that the Town Council of the Town of Dumfries does hereby adopt the appended amendments to Section 2-58, of the Town Code in accordance with Exhibit A, that:

By Order of Council:

\_\_\_\_\_  
Derrick R. Wood, Mayor

ATTEST: \_\_\_\_\_  
Tangi R. Hill, Town Clerk

## **Exhibit A**

### **Sec. 2-58. Background checks.**

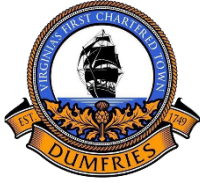
(a) Pursuant to Code of Virginia §§ 15.2-1505.1, 15.2-1505.3, 19.2-389 and other relevant statutes, the Town Council adopts this ordinance to enable the Town Manager or designee, in the interest of public welfare and safety, to require fingerprinting and access state and national criminal history record information regarding applicants for Town employment and volunteers, when permitted by law, as set forth in this section. The Town Manager or designee shall determine the type and scope of the criminal history record checks and any other background checks required for the affected positions.

(b) The Town Manager or designee shall require a criminal history record information investigation on all applicants for positions in the Police Department. Applicants shall include those for initial hire and those current employees who laterally transfer, promote, or demote to such a position, and volunteers as permitted by law.

(c) In addition to subsection (b) applicants, the Town Manager or designee shall require a criminal history record information investigation for finalists identified in the personnel selection process for all applicants, including volunteers as permitted by law, in all departments that report to the Town Manager and for all positions that report to the Town Council. Applicants shall include finalists for initial hire and those current employees who laterally transfer, promote, or demote to such a position, and volunteers as permitted by law.

(d) The Town Manager or designee may require a periodic criminal history record information investigation and other background checks, and determine their type and scope, for current employees and volunteers when authorized by federal or state law.

(e) Any applicant, employee, or volunteer described in this ordinance shall, if required, submit to fingerprinting, and provide personal descriptive information and any other necessary paperwork to be forwarded along with the fingerprints through the Virginia State Police Central Criminal Records Exchange to the Federal Bureau of Investigation for the purpose of obtaining state and national criminal history record information regarding such applicant, employee, or volunteer.



## **AGENDA ITEM REQUEST FORM**

### **Item Type**

Award     Proclamation     Resolution/Ordinance     Motion     Discussion

### **Statement of Purpose**

Amendment to the Town Code Requiring Background Checks for Employees

### **Background/References**

Public Hearing notices advertised on 9/21/2023 and 9/28/2023.

### **Fiscal Impact**

### **Suggested Motion**

Adoption

### **Requested Meeting Date**

October 3, 2023

### **Attachments**

**AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL HELD ON October 3, 2023: ON A MOTION DULY MADE BY \_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:**

Tyrone A. Brown, \_\_\_\_;  
Brian K. Fields, \_\_\_\_;  
Selonia B. Miles, \_\_\_\_;  
Cydney A. Neville, \_\_\_\_;  
Monae S. Nickerson, \_\_\_\_;  
Shaun R. Peet, \_\_\_\_;  
Derrick R. Wood, \_\_\_\_;

**RESOLUTION AUTHORIZING THE TOWN MANAGER TO ADVERTISE PUBLIC HEARINGS ON CONDITIONAL USE APPLICATION, CUP23-002, SUBMITTED BY DUMFRIES PURCHASER, LLC TO PERMIT A CONVENIENCE STORE WITH GASOLINE SALES WITH OFF PREMISE WINE AND BEER SALES, FOOD SERVICE AND ELECTRICAL VEHICLE CHARGING STATIONS AS ACCESSORY USES AT 3600 POINTE CENTER COURT.**

**WHEREAS**, a Conditional Use Permit (CUP23-002) was filed by Dumfries Purchaser, LLC to permit a convenience store with gasoline sales with off premise wine and beer sales, food service and electrical vehicle charging stations as accessory uses at 3600 Pointe Center Court; and

**WHEREAS**, the Town Council desires the Department of Planning and Economic Development to provide a staff report and recommendation to the Planning Commission and to the Town Council for CUP23-002; and

**WHEREAS**, the Town Council desires CUP23-002 be forwarded to the Planning Commission for public hearing, review and recommendation to Town Council; and

**WHEREAS**, pursuant to the requirements in the Town Code and all other applicable laws, the Town Council further desires to deliberate upon and review CUP23-002 and provide the public the opportunity to be heard on the application.

**NOW, THEREFORE, BE IT RESOLVED** by Town Council that the Town Manager is authorized to advertise for public hearings to consider an action on conditional use permit application CUP23-002 before the Planning Commission and Town Council, respectively.

By Order of Council:

ATTEST:

\_\_\_\_\_  
Tangi R. Hill, Town Clerk

\_\_\_\_\_  
Derrick R. Wood, Mayor



**John Wilmer Porter Building**  
 17739 Main Street  
 Dumfries, Virginia 22026  
 (703)221-3400 ext. 115

date stamp

paid stamp

Taxes current  Yes  No

## APPLICATION FOR A CONDITIONAL USE PERMIT

*Please refer to the fee schedule for applicable application fee  
 The applicant is responsible for costs of public hearing advertisements (determined later)*

Name of Business or Organization: Dumfries Purchaser, LLC  
*If organization is a non-profit, please provide a copy of your 501(c)3*

Site address in Town: 3600 Pointe Center Ct.

I hereby submit this request for a Conditional Use Permit in accordance with Section 70-247(b)(3) & (10) of the Town of Dumfries Zoning Ordinance, to:

Permit the use of 3600 Pointe Center Drive as a convenience store with gasoline sales with off premise wine and beer sales, food service and electrical vehicle charging stations as accessory uses.

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State specifically all activities and materials required by this proposed use, attach additional pages if necessary.

### Conditional Use Permit Type

- |            |                          |            |                                     |
|------------|--------------------------|------------|-------------------------------------|
| Category A | <input type="checkbox"/> | Category C | <input checked="" type="checkbox"/> |
| Category B | <input type="checkbox"/> | Category D | <input type="checkbox"/>            |



The following are all of the individuals, firms, or corporations owning property adjacent to both sides and rear, and the property in front of (across the street from) the property to be used in conjunction with the Conditional Use Permit: (Attach additional pages if necessary)

Name: Ali Pahlavani, TR Property Address: 17675 Fraley Blvd

Mailing Address: 8838 Ox Road, Lorton, VA 22079

GPIN #: 8289-02-0731

Name: Possum Point Properties, LLC Property Address: 3448 Canal Blvd.

Mailing Address: 3015 Libby Ter, Richmond, VA 23223

GPIN #: 8289-02-1513

Name: Virginia Concrete Co. Inc c/o FAS DEPT 1401-843 Property Address: 3450 Canal Road

Mailing Address: PO Box 385014, Birmingham, AL 35238

GPIN #: 8289-02-3007

Name: Aggregate Industries Land Company, Inc. c/o Tax Department Property Address: 3540 Canal Road

Mailing Address: 6211 N Ann Arbor Rd, Dundee, MI 48131

GPIN #: 8289-02-6414

Name: JJ Capital One, LLC Property Address: 17650 Possum Point Road

Mailing Address: 398 Portland Drive, Fredericksburg, VA 22405

GPIN #: 8289-02-6440

Name: William & Olenka Deza, Surv. Property Address: 17636 Overlook Road

Mailing Address: 17636 Overlook Road, Dumfries, VA 22026

GPIN #: 8289-02-9068

Name: Storage Equity I, LLC c/o CW Investments Property Address: 17625 Possum Point Road

Mailing Address: PO Box 332, Charlottesville, VA 22902-0332

GPIN #: 8289-02-7889

**Property List continues on next page.**

*I hereby certify that I have the authority to make the foregoing application on behalf of the named business or organization, that the information given is correct, that I have read and I understand the applicable zoning ordinances for the zoning district, and that this project will comply with all applicable Codes and Ordinances of the Town of Dumfries and the State of Virginia.*

Applicant

Name Please see next page for signature. Signature \_\_\_\_\_  
 \_\_\_\_\_  
 Please Print  
 Address \_\_\_\_\_ Phone \_\_\_\_\_  
 \_\_\_\_\_ Email \_\_\_\_\_

The following are all of the individuals, firms, or corporations owning property adjacent to both sides and rear, and the property in front of (across the street from) the property to be used in conjunction with the Conditional Use Permit: (Attach additional pages if necessary)

Name: Kadah Family LTD Partnership ATTN: Paul Spellman Property Address: 2525 Pointe Center Ct.

Mailing Address: 1125 Emancipation HWY #350, Fredericksburg, VA 22401

GPIN #: 8289-02-4475

Name: Liberty Village, LLC Property Address: 17606 Main Street

Mailing Address: 17608 Main Street, Dumfries, VA 22026-2359

GPIN #: 8289-02-0582

Name: Liberty Village, LLC Property Address: 17651 Graham Street

Mailing Address: 17608 N Main Street, Dumfries, VA 22026

GPIN #: 8189-92-8977

Name: Hossein & Dana Ann Pahlavaninejad Surv. Property Address: 17651 Main Street

Mailing Address: 19891 Mattaponi Trail, Milford, VA 22514

GPIN #: 8289-02-0056

Name: \_\_\_\_\_ Property Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

GPIN #: \_\_\_\_\_

Name: \_\_\_\_\_ Property Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

GPIN #: \_\_\_\_\_

Name: \_\_\_\_\_ Property Address: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

GPIN #: \_\_\_\_\_

*I hereby certify that I have the authority to make the foregoing application on behalf of the named business or organization, that the information given is correct, that I have read and I understand the applicable zoning ordinances for the zoning district, and that this project will comply with all applicable Codes and Ordinances of the Town of Dumfries and the State of Virginia.*

Name Madi Ford, Dumfries <sup>Applicant</sup> Purchaser, LLC Signature MJF  
 Address 4938 Hampden Lane, 216 Phone (800) (240) 630-2559  
Bethesda, Maryland Email madi@audelopartners.com  
20814

Form updated 2020

**INTEREST DISCLOSURE AFFIDAVIT**

**STATE OF MARYLAND,  
COUNTY OF MONTGOMERY**

This 15<sup>th</sup> day of June, 2023

I, Madelaine V. Fowd (Owner), hereby make oath that no member of the Town Council of the Town of Dumfries, Virginia, nor the Planning Commission of the Town of Dumfries, Virginia, has interest in such property, either individually, by ownership of stock in a corporation owning such land, or partnership, or as holder of ten (10) percent or more of the outstanding shares of stock in or as a director or officer of any corporation owning such land, directly or indirectly, by such member or members of his immediate household, except as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

MFL, Managing Member  
Owner/Contract Purchaser/Authorized Agent Dumfries Purchaser LLC  
(circle one)

**STATE OF MARYLAND:  
County of Montgomery**

Subscribed and sworn to before me this 15<sup>th</sup> day of June, 2023 in my County and State aforesaid, by the aforementioned Principal.

[Signature]  
NOTARY PUBLIC

My Commission Expires: September 8th, 2025

If an attorney will represent you in all matters regarding this application, please fill out this

**Jose G. Ilagan**  
\*Notary Public\*  
State of Maryland  
My commission expires Sept. 8th, 2025

**Statement of Justification  
Conditional Use Permit Application**

**3600 Pointe Center Court Wawa**

June 23, 2023

**Introduction.** Dumfries Purchaser, LLC (the “Applicant”) is the owner of an approximately 3.6-acre property located at 3600 Pointe Center Court, identified as Prince William County GPIN 8289-02-2144 (the “Property”). The Property is located on the southern corner of the intersection of Route 1 (Fraley Boulevard) and Possum Point Road. The Property is zoned B-1, General Business and is designated as Mixed Use in the Town of Dumfries’s (the “Town”) Comprehensive Plan Future Land Use Map. The Property contains an office building with approximately 50,000 square feet of which nearly 44,000 square feet sits vacant.

With a non-existent market demand for office space, especially suburban office, the Applicant seeks to redevelop the Property into a tax revenue producing, market supported use that will benefit the Town, its residents, and its visitors, for years to come. Specifically, the Applicant has partnered with Wawa, Inc. to bring the Town its first prototypical Wawa store that includes fuel pumps, electric vehicle (“EV”) charging stations, a retail/convenience store, and the popular readymade and made-to-order food options such as sandwiches, pizza, burgers, soups and salads – with options for delivery and catering (the “Proposed Use”). As is common with many convenience stores, including Wawa, beer and wine would be available for sale and off-premise consumption, subject to obtaining necessary approvals from the Virginia Alcoholic Beverage Control. The Applicant and Wawa are excited about the opportunity to bring the Town a vibrant and exciting use of the Property that also provides a retail amenity and 24-hour food service that will benefit the Town.

The Applicant pursues this Conditional Use Permit to allow the Proposed Use on the Property. As confirmed in a Zoning Determination letter issued by the Town’s Zoning Administrator, and dated June 13, 2023, the Proposed Use constitutes a convenience store with gasoline sales with off-premises beer and wine sales, food service, and EV charging stations as accessory uses, which is permitted in B-1 with the approval of a conditional use permit. Specifically, the convenience store with gasoline sales and off-premises beer and wine sales requires the Conditional Use Permit sought by this application.

**Overview of the Proposal.** The Proposed Use, as outlined above, includes a convenience store building of approximately 5,915 square feet<sup>1</sup>, 8 double-sided fuel pumps (i.e., 16 fueling positions), EV chargers, and associated parking, which is proposed to more than double the Town’s minimum parking requirements for this type of use. The Applicant intends to maintain the existing site access points, which includes two along Possum Point Road and one from the right-of-way known as Canal Road. The Applicant also reserves potential right-of-way dedication areas along Route 1 (Fraley Boulevard) and Canal Road that aligns with the Virginia Department of Transportation’s (“VDOT”) current plans for the Route 1 widening project. At the request of Prince William County Department of Transportation

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<sup>1</sup> Please note that food products, beverages, and other items are only sold in an approximately 3,482 square feet portion of the building with the remaining areas used for storage and other ‘back-of-house’ aspects of the operation.

and/or VDOT, the Applicant will engage in negotiations regarding the potential dedication of this right-of-way, in addition to any permanent or temporary easements that may be needed for the Route 1 widening project.

The Applicant proposes a 10-foot-wide Landscape Area around the perimeter which should enhance the on-site landscaping beyond what exists today. Approximately forty-one (41%) percent of the Property is proposed to be maintained as green space.

The proposal includes a freestanding sign at the corner of Route 1 (Fraley Boulevard) and Possum Point Road as well as building façade signage, shown generally on the submitted building renderings. The proposed signage will comply with the Town’s applicable signage regulations.

Included with the application materials are illustrative renderings of the proposed fuel canopy, trash enclosure, and convenience store building. As demonstrated in the convenience store rendering, the proposal includes a first-rate architectural design with recesses along the building facades, variation in the roofline, and a mix of high-quality exterior building materials including, but not limited, to brick, wood, and metal finishes. The proposed canopy and trash enclosure includes similar building materials and design features as the convenience store building in an effort to provide a cohesive architectural theme throughout the development. Coupled with the enhanced landscaping, the proposed architectural elements will increase the visual appeal of the Property and improve the overall aesthetic of the Route 1 corridor within the Town.

**Comprehensive Plan.** The proposed Conditional Use Permit is compatible with the Dumfries Comprehensive Plan adopted July 8, 2014, as amended through November 2020. As noted previously, the Property is designated as Mixed-Use. On Page 82 of the Town’s Comprehensive Plan, mixed-used areas are described as being designed to enhance the Town’s non-residential tax base and create a walkable environment that weaves together land uses, jobs, housing options, restaurants and shopping within a compact area. The Proposed Use will contribute to the non-residential tax base and provide jobs within the community, which aligns with these stated goals.

Furthermore, the primary objectives for the land use recommendations of the Comprehensive Plan found on page 76 include a goal of providing aesthetic retail services near residential areas as an important amenity to residents. The Proposed Use provides a convenient food and shopping location for the nearby residences off Possum Point Road and the recently approved residential development known as Aras on Main. The Route 1 widening project includes pedestrian facilities in the immediate vicinity which will encourage different modes of transportation, will allow for a walkable environment, and will provide a desired amenity in close proximity to existing, and future, Town residents.

While the existing market conditions in and around the Town do not support the commonly envisioned, dense, vertical mixed-use development, it can achieve a mix of uses within a relatively compact area that can serve as an interim step in realizing the long-term goals of a vibrant mixed use town center. The Applicant suggests that this proposal along with some of the other exciting developments nearby (i.e., The Rose and Aras on Main) will create a strong foundation of commercial and residential uses near the Town’s center that will spur future growth and development within the Town that aligns with its current and future goals.

It is also important to note that the Town is in the process of updating its Comprehensive Plan, which may change the above analysis; however, the Proposed Use should fit nicely into the existing and future plans for this corridor.

**Transportation.** Included with the application materials is a Traffic Impact Analysis (“TIA”) that evaluates the potential impacts of the vehicle trips generated by the Proposed Use on the surrounding transportation network. The TIA accounts for the Route 1 widening project and concludes that the Proposed Use will not have a substantial impact on the surrounding transportation network. With the Proposed Use, there are two locations within the scoped study area that experience unacceptable levels of service; however, these circumstances are anticipated to be mitigated to an acceptable level of service through the improvements associated with the Route 1 widening project. For more detail, please see the TIA.

Additionally, as shown on the Conditional Use Permit Plan and proposed by Condition 7.b, the Applicant agrees to engage in negotiations related to dedication of right-of-way along the Property’s Route 1 Fraley Boulevard frontage and Canal Road to account for the anticipated right-of-way needed for the Route 1 widening project. In addition, the Applicant agrees to engage in similar negotiations concerning temporary and/or permanent easements that may be necessary in connection with the widening.

**DRAFT**  
**CONDITIONAL USE PERMIT CONDITIONS**  
**Applicant/Owner: Dumfries Purchaser, LLC (the "Applicant")**  
**Prince William County GPIN: 8289-02-2144 (the "Property")**  
**Conditional Use Permit Area: ± 3.6 acres**  
**Zoning: B-1, General Business**

**Date: June 23, 2023**

The following conditions are intended to offset the impacts of the proposal and to render the application consistent with the applicable chapters of the Comprehensive Plan and the surrounding areas. If the conditions of this Conditional Use Permit or the Conditional Use Permit Plan are in conflict with the Zoning Ordinance and/or any other applicable regulations, the more restrictive standards shall apply, except as specifically allowed by this conditional use permit. For purposes of these conditions, Applicant shall mean the Applicant, its successors and assigns.

The Applicant shall file a site plan within three (3) years of approval of this conditional use permit by the Town Council and shall have up to five (5) years from the date of final site plan approval to commence the proposed use. Issuance of an occupancy permit constitutes commencement of the use.

1. Site Development: The Property shall be developed in conformance with the conditional use permit plan entitled, "Conditional Use Permit for Wawa," prepared by Bohler Engineer, dated June 23, 2023, (hereinafter, the "CUP Plan") subject to minor modifications in connection with final site plan review or final engineering.
2. Use Parameters
  - a. Use Limitation: The use approved with this conditional use permit shall be limited to convenience store with gasoline sales and off-premises wine and beer sales with food service and electric vehicle charging stations as accessory uses. The uses permitted with this conditional use permit do not limit or restrict the by-right uses otherwise allowed on the Property.
  - b. Hours of Operation: Hours of operation may be twenty-four (24) hours per day, seven (7) days a week.
  - c. Cessation of Use: If the sale of motor vehicle fuel should cease for a period of more than one year, the Applicant or any subsequent owner of the Property shall notify the Town of the cessation of use and shall be required to submit a demolition plan

to Building Development for the removal of the following structures within ninety (90) days of approval of the demolition plan:

- i. Underground fuel storage tanks;
- ii. Fuel dispensers;
- iii. Pump islands;
- iv. Overhead canopy;
- v. Air and water dispensers; and
- vi. Signage related to motor vehicle fuel sales.

In the event that all uses are discontinued and the site is vacant, the Applicant shall stabilize the site using erosion control measures acceptable to the Prince William County Division of Environmental Services.

### 3. Community Design

- a. Architecture: The design and building materials for the building, fuel station canopy, and trash enclosure, shall conform with the following architectural elevations:

- i. "Wawa U59FB-L RT 1," prepared by HRA, and dated June 23, 2023; and
- ii. "Wawa Stacked 8 Fuel Canopy – Trash Compound," prepared by HFA, and dated June 23, 2023 (collectively, the "Elevations").

The Elevations may be subject to modification approved by the Town in connection with site plan review. Additional changes to the design and materials may be made provided that any such changes are approved by the Planning Director or its designee prior to the issuance of a building permit release letter. Conformance with the Elevations shall be limited to the building design and materials and shall not create an obligation to provide the signage shown thereon.

- b. Landscaping: Landscaping shall be provided in conformance with the CUP Plan.

### 4. Fire and Rescue

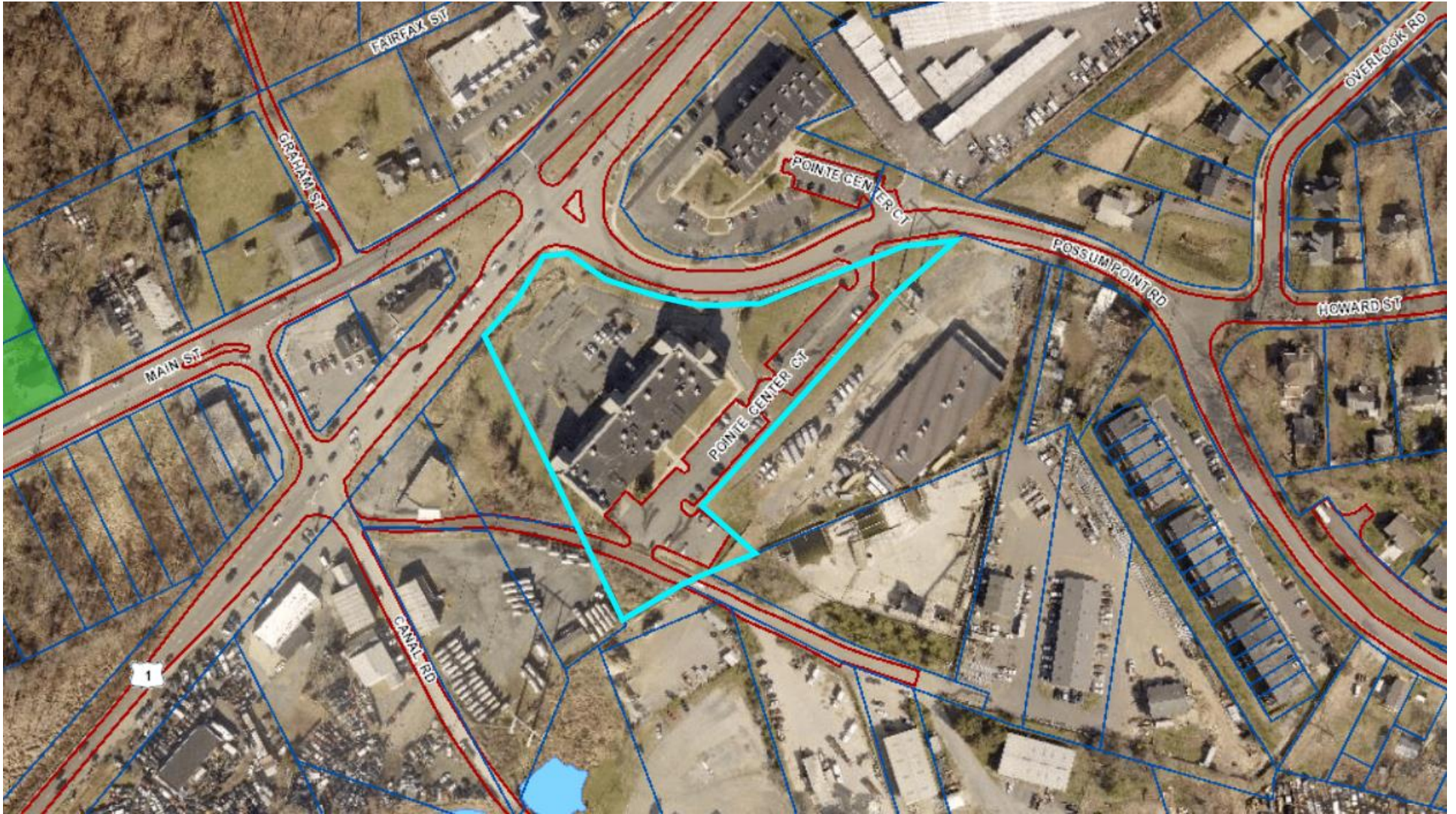
- a. Emergency Spill Contingency/Notification: Prior to final site plan approval, the Applicant shall prepare and submit an emergency spill notification contingency plan and shall have the same approved by the Prince William County Fire Marshal and posted on the premises before the issuance of any occupancy permits. The Applicant shall be responsible for notifying the Fire Marshal's Office immediately in



the event of a spill of any petroleum or chemical waste on the Property. The Applicant shall assume full responsibility for the costs incurred in the cleanup of such spills.

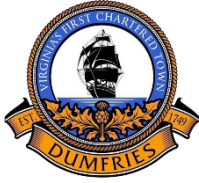
5. Maintenance of Property: The Applicant shall maintain the site and shall pick up trash, litter, and debris on a daily basis.
6. Signage: All signage shall be in accordance with the Zoning Ordinance.
7. Transportation:
  - a. Access: Access to the site shall be provided as shown on the CUP Plan.
  - b. Potential Right-Of-Way Dedication: If requested by Prince William County Department of Transportation ("PWCDOT") and/or Virginia Department of Transportation ("VDOT"), the Applicant shall engage in negotiations regarding the dedication of right-of-way associated with the Route 1 Fraley Boulevard widening (UPC 119481). The Applicant shall also engage in related negotiations concerning any necessary temporary or permanent easements on the Property associated with the Route 1 widening.
8. Water & Public Sewer Connection: The Property shall connect to public water and public sewer.

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3600 Pointe Center Court

Parcel ID: 8289-02-2144



## **AGENDA ITEM REQUEST FORM**

### **Item Type**

Award     Proclamation     Resolution/Ordinance     Motion     Discussion

### **Statement of Purpose**

A resolution initiating consideration of a Conditional Use Permit Application to permit a convenience store with gasoline sales with off premise wine and beer sales, food service and electrical vehicle charging stations as accessory uses at 3600 Pointe Center Court.

### **Background/References**

The Town of Dumfries received a Conditional Use Permit (CUP) Application to permit a convenience store with gasoline sales with off premise wine and beer sales, food service and electrical vehicle charging stations as accessory uses at 3600 Pointe Center Court. This is an initiation of the review and approval process for a CUP.

### **Fiscal Impact**

Revenue from the proposed development if it is approved and when becomes operational.

### **Suggested Motion**

Staff recommends adoption of the resolution.

### **Requested Meeting Date**

October 3, 2023

### **Attachments**

- Resolution

**AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL HELD ON OCTOBER 17, 2023: ON A MOTION DULY MADE BY \_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE FOLLOWING ORDINANCE WAS ADOPTED BY THE DUMFRIES TOWN COUNCIL WITH THE FOLLOWING VOTE:**

Tyrone A. Brown, \_\_\_\_\_;  
Brian K. Fields, \_\_\_\_\_;  
Selonia B. Miles, \_\_\_\_\_;  
Cydney A. Neville, \_\_\_\_\_;  
Monae S. Nickerson, \_\_\_\_\_;  
Shaun R. Peet, \_\_\_\_\_;  
Derrick R. Wood, \_\_\_\_\_;

**ORDINANCE APPROVING ZONING TEXT AMENDMENT ZTA2022-001, TO AMEND CHAPTER 70, SECTION 70-14 TO ALLOW A COMPREHENSIVE SIGN PLAN IN THE B-1 ZONING DISTRICT IN THE ZONING ORDINANCE**

**WHEREAS**, at its October 3, 2023, meeting, the Town Council initiated amendments to the Town Code, Chapter 70, Section 70-14. (15) To allow Comprehensive Sign Plan To The B-1 District; and

**WHEREAS**, pursuant to Va. Code § 15.2-2286(A)(7) the Town Council has the authority to amend Chapter 70 of the Code of the Town of Dumfries, the Town's Zoning Ordinance; and

**WHEREAS**, in its initiating resolution for the proposed zoning text amendment ZTA2023-XXX, the Town Council referred the proposed zoning text amendments to the Planning Commission and requested the Planning Commission to review the proposed zoning text amendments and provide Town Council with its recommendation thereon; and

**WHEREAS**, on October 16, 2023, the Planning Commission conducted a duly advertised and noticed public hearing on the proposed zoning text amendments and recommended to the Town Council approval of the proposed zoning text amendment ZTA2022-001; and

**WHEREAS**, the Town staff has presented to the Town Council a staff report on the proposed zoning text amendments, which recommends approval of the proposed zoning text amendment ZTA2023-XXX; and

**WHEREAS**, on October 17, 2023, the Town Council conducted a duly advertised and noticed public hearing at which members of the public were offered an opportunity to speak to the Town Council regarding the proposed zoning text amendments; and

**WHEREAS**, the Town Council is of the opinion that the proposed zoning text amendments are reasonable and proper and should be approved.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Dumfries on this 5th day of October 2022 does hereby approve and adopt the proposed zoning text amendment, ZTA2023-XXX as follows:

ATTEST:

\_\_\_\_\_  
Tangi R. Hill, Town Clerk

\_\_\_\_\_  
Derrick R. Wood, Mayor

## Sec.70-1 Definitions

*Communications facilities, public.* Any land area, structure, and equipment affixed to land or structures, singly or in any combination, used in telecommunications, telephone, telegraph, radio or television operations, or other operations involving the transmitting, receiving or exchanging of information over wires, cables, fibers, light beams or by energy signals through the atmosphere; where without regard to actual ownership, such use is for any purpose other than private use as defined by this chapter in the term "private communications facilities."

Comprehensive Sign Plan- A graphic representation, with sign specifications, detailing a plan of all signage proposed for a particular structure, lot, or development.

*Comprehensive plan.* The comprehensive plan for the Town of Dumfries, Virginia including those maps, plats, charts, and descriptive matter that have been formally adopted by the Town Council and as amended.

## Sec. 70-14(j). – *Illumination*

- (1) The light from any illuminated sign shall not cause direct glare into or upon any building or property other than the building or property to which the sign may be related.
- (2) No colored lights shall be used at any location or in any manner so as to be confused with, or constituted as, traffic-control devices.
- (3) Neither the direct nor reflected light from primary light sources shall create a traffic hazard to operators of motor vehicles on public thoroughfares.
- (4) No exposed reflective-type bulbs and no strobe or incandescent lamp which exceeds 15 watts shall be used on the exterior surface of any sign so as to expose the face of the bulb, light, or lamp to any public street or adjacent property.
- (5) Electronic display signs shall be permitted in the following ways:
  - a. Electronic display signs require a sign permit as provided in Sec. 70-14(b) of this chapter.
  - b. Electronic display signs are only permitted on public property and for public use, or as a part of an approved Comprehensive Sign Plan within the PMUD or B-1 Zoning Districts. All Electronic Display Sign Requirements shall apply to Comprehensive Sign Plans.
  - c. Any electronic display signs shall contain only static messages, changed through subtle transitions that do not have the appearance of moving, scrolling, fading, flashing, or travelling text or images.
  - d. Each message shall be displayed for a minimum of five (5) seconds between transitions.

- e. The electronic display sign shall contain a default mechanism that shall cause the sign to revert immediately to a black screen if the sign malfunctions.
- f. The background of the sign face of the electronic display shall not be white, off-white, or yellow.
- g. The electronic display shall include a photocell to control brightness and shall automatically dim at sunset to a nighttime level of 40-100 nits.
- h. Electronic display signs shall be permitted as freestanding signs, or as a building sign that is approved as part of a Comprehensive Sign Plan.
- i. Unless a comprehensive sign plan is submitted, only one electronic display sign is allowed per lot, such that the electronic display portion of a freestanding sign shall not exceed 75 square feet and the electronic display portion of a building-mounted sign shall not exceed 1.5 times the building's linear frontage. Additional electronic signs with additional size maximums may be permitted as part of a Comprehensive Sign Plan.
- j. The area of the display screen or the portion of an electronic display sign that can otherwise change its content shall not exceed more than 50% of the maximum allowable area of that freestanding sign.
- k. When in the viewshed of residential community(s), the Comprehensive Sign Plan shall define the hours of operation of the electronic display sign.

**Sec. 70-14. – Sign Regulations in the B-1 Zoning District**

Alternative Sign Regulations: Comprehensive Sign Plan (CSP). Alternative sign regulations for permitted signs may be approved with the submission of a Comprehensive Sign Plan which complies with all regulations set forth in Section 70-14 of the Zoning Ordinance. Signage in the PMUD Zoning District shall not require an certificate of appropriateness from the Architectural Review Board.

Applications for approval of Comprehensive Sign Plans shall be made in accordance with the procedures for a Conditional Use application as set forth in Section 70-10 except that the Issues for Consideration shall be as set forth in Section 70-14(e)(11). The fee shall be that of a Category C Conditional Use Permit application as outlined in the Town Fee Schedule.

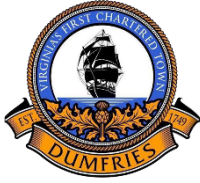
(a) Approval of revisions to approved Comprehensive Sign Plans may be requested and shall be limited to 1) addition of a sign category and/or individual use/user not addressed in the approved CSP, or 2) revision to a sign category that was addressed in the approved CSP. Such revisions

shall be reviewed for consistency with the approved Comprehensive Sign Plan. Requests for revisions shall be submitted to the Planning Director or its designee and shall be evaluated administratively by the standards set forth in Section 70-14(2)(11)(i).

1. In addition, any application for a Comprehensive Sign Plan shall include the following materials: A statement of justification, addressing whether and how each sign proposed by the Comprehensive Sign Plan would:

- a. Assist motorists, bicyclists and/or pedestrians in finding a location without difficulty or confusion;
- b. Clearly identify places of business or communities, while avoiding unnecessary redundancy;
- c. Demonstrate compatibility with, and be subordinate to, the structures and land uses referenced by the sign;
- d. Address light pollution impacts with night- sky friendly equipment and operations;
- e. Incorporate energy efficient measures, where possible; and
- f. Provide a sufficient number of graphic messages or displays without creating competing demands for visual attention.
- g. Minimize impacts on Historic Properties, if applicable to the site.





## **AGENDA ITEM REQUEST FORM**

### **Item Type**

Award     Proclamation     Resolution/Ordinance     Motion     Discussion

### **Statement of Purpose**

A resolution initiating consideration of a Town Code Zoning Text Amendment to allow consideration of a Comprehensive Sign Plan within the B-1 Zoning District.

### **Background/References**

The Town Council adopted an ordinance on October 5, 2022, allowing for consideration of a Comprehensive Sign Plan for properties within an approved Planned Mixed-Use District (PMUD). This proposed amendment would allow for a Comprehensive Sign Plan to be considered within the B-1 Zoning District.

### **Fiscal Impact**

N/A

### **Suggested Motion**

Staff recommends adoption of the resolution.

### **Requested Meeting Date**

October 3, 2023

### **Attachments**

- Resolution

**AT A MEETING OF THE DUMFRIES TOWN COUNCIL HELD ON TUESDAY, October 3, 2023: ON A MOTION DULY MADE BY \_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE ORDINANCE WAS ADOPTED BY THE FOLLOWING VOTE:**

Tyrone A. Brown, ;  
Brian K. Fields,;  
Selonia B. Miles,;  
Monaé S. Nickerson,;  
Shaun R. Peet,;  
Caetrina A. Peterson,;  
Derrick R. Wood,;

**EMERGENCY ORDINANCE TO EXTEND ESTABLISHED EMERGENCY PROCEDURES FOR THE CONTINUITY AND OPERATION OF THE GOVERNMENT DUE TO SEVERE FLOODING AND TROPICAL STORM IMPACTS**

**WHEREAS**, on September 22, 2022, the Governor of the Commonwealth of Virginia, in Executive Order Number Twenty-Seven (2023) declared a state of emergency and disaster within the Commonwealth of Virginia pursuant to Va. Code § 44-146.16 to prepare and coordinate response to severe weather involving severe flooding and tropical storm impacts, the first of which began on Friday, September 22, 2023, through Sunday, September 24, 2023; and

**WHEREAS**, on September 22, 2023, Tangela Innis, Town Manager and the Director of Emergency Management, declared a state of local emergency in the Town of Dumfries, pursuant to Va Code § 44-146.21, which is hereby affirmed by the Town Council; and

**WHEREAS**, the Town continues to work to mitigate impacts of storm, in addition to being seriously impacted by this weather event; and

**WHEREAS**, the aforementioned weather events constituted an emergency of such magnitude to warrant a coordinated response by the various departments of the Town of Dumfries; and

**WHEREAS**, Section 3.08 of the Town Charter provides, in pertinent part, that the Town Council has the authority to adopt emergency measures to meet a public emergency affecting life, health, property or the public peace; and

**WHEREAS**, Va. Code § 15.2-1413 provides that, notwithstanding any contrary provision of law, general or special, any locality, may, by ordinance, provide a method to assure continuity in its government, in the event of an enemy attack or other disaster; and

**WHEREAS**, Va. Code § 2.2-3708.2 provides for electronic meetings in the event of an emergency; and

**WHEREAS**, this declaration of emergency shall activate the local Emergency Operations Plan and authorize the furnishing of aid and assistance thereunder; and

**WHEREAS**, state law and the town code require that such Declaration of Local Emergency be approved and confirmed by Town Council, as the governing body of the Town of Dumfries, Virginia at the next scheduled meeting or 14 days following the declared emergency;

**NOW, THEREFORE BE IT ORDAINED**, pursuant to Section 3.08 of the Town Charter and Va. Code §§ 15.2-1413 and 2.2-3708.2 that the Town Council for the Town of Dumfries does hereby approve and confirm the Declaration of Local Emergency, dated September 22, 2023 at 4:14 p.m.

By Order of Council:

\_\_\_\_\_  
Derrick R. Wood, Mayor

ATTEST:

\_\_\_\_\_  
Tangi R. Hill, Town Clerk

**MOTION:**

**MEETING DATE: October 3, 2023**

**SECOND:**

**RE: AUTHORIZE CLOSED MEETING**

**WHEREAS**, the Town Council of the Town of Dumfries desires to discuss in closed meeting the following matters:

1. Two Personnel Matters pursuant to Va. Code §2.2-3711.A.(1) relating to
  - a) Discussion, Consideration, or Interview(s) of Prospective Candidate(s) for the Position of Town Attorney; and
  - b) Discussion of the 90 Days Performance Review of the Town Manager; and

**WHEREAS**, pursuant to Va. Code §§2.2-3711.A.(1), discussion of such matters may occur in closed meeting.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Dumfries does hereby authorize discussion of the aforesated matters in closed meeting.

**VOTE**

**AYES:**

**NAYS:**

**ABSTAIN:**

**ABSENT:**

**MOTION:**

**MEETING DATE: October 3, 2023**

**SECOND:**

**RE: CERTIFICATION OF CLOSED MEETING**

**WHEREAS**, the Town Council of the Town of Dumfries has convened in closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

**WHEREAS**, Va. Code §2.2-3712 requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Dumfries hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.

**VOTE**

**AYES:**

**NAYS:**

**ABSTAIN:**

**ABSENT:**