

## Staff Report

To: Planning Commission  
From: Morgan Brim, Town Planner/Zoning Administrator  
Work Session Date: September 10, 2012  
Re: Regarding agenda items III.A-E

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This staff report will encompass information intended for discussion during the Commission's September Work Session.

### **Discussion Item A - CUP-12-002 Matthew Center – 17286 Dumfries Road**

The Matthew Center is a nonprofit organization that serves the needs of children with autism and their families. They currently have a facility in Manassas and provide a special education school, home program and summer camp. The Matthew Center is proposing to establish a location in Dumfries at the above address. This property is also home to the Pillar Church and Reliable Tire. The building contains a gross floor area of 10,098 square feet. The site and floor plan are attached.

The following tabulation provides basic site information:

<b>Matthews Center</b>	
GPIN	8289-05-7538
Street Address	17286 Dumfries Road
Zoning	B-1
Total Site Area	2.28 AC
Existing Use	Church/Automotive
Proposed Use	Church, Automotive and School
<b>Required Setbacks</b>	
Front	50 Feet from any street or highway
Side	25 Feet when abutting a residential district
Rear	25 Feet when abutting a residential district
<b>Building Tabulation</b>	
Ex. Building GFA	10,098 Sq Ft
Ex. Building Height	15 Feet
Ex. Tire Store	1,700 Sq Ft
Shared between School and Church	1,794 Sq Ft (3 Classrooms and restrooms)
School Private	4,177 Sq Ft (Remaining space)
Church Private	3,480 Sq Ft (Sanctuary, front entrance, front office, mechanical room)
<b>Parking</b>	
Existing Stock	92
Proposed Stock	81



The picture above, from the Prince William County Mapper, shows the current setbacks to the surrounding property lines. The existing building contains a south setback of 130 feet, a west setback of 54 feet and an east setback of 90 feet. The north side of the building contains a front setback of 40 feet. Town Code requires a setback of at least 50 feet from the street or highway. Most likely, the building was originally constructed after the current setback standards were established.

This application will be discussed in greater detail during the Work Session. The applicant will be on location to provide a brief overview of the project and answer questions.

## **Discussion Item B - ZTA-12-002 B-1, B-2 & FB/01 – Use Amendments**

The Town Council has directed the Planning Commission to reconsider the district uses for the B-1, B-2 and FB/0-1 zones that were originally amended in September 2011. Like a rezoning process, a zoning text amendment directly affects the use of land and can have an impact to property owners. State code provides for text amendments, stating “Whenever the public necessity, convenience, general welfare, or good zoning practice requires, the governing body may by ordinance amend, supplement, or change the regulations, district boundaries, or classifications of property” (Virginia Code § 15.2-2286(A)(7)). In keeping with good zoning practice, it is important the Planning Commission adequately reviews text amendments in light of state code. The Comprehensive Plan of Dumfries, zoning district intent sections and police powers provide a measuring stick for the Commission to use in determining the appropriateness of uses with the Town’s zoning districts.

This report considers each zone, B-1, B-2 and FB/0-1 districts, their current uses in relation to the Town’s Comprehensive Code and existing district intent sections. Being located within Prince William County, an analysis of uses found in the County’s zoning ordinance is also provided. The County’s zoning ordinance is the result of several decades of analysis and compilation and consulting it will provide helpful direction as the Commission looks to redraft the Town’s uses.

### **Nonconforming Uses**

“Nonconforming use” is a term attributed to land uses that conformed to zoning and other applicable laws at the time of their commencement, but due to changes in the zoning ordinance, such uses no longer align with code. The regulation of nonconformities is governed by Virginia Code § 15.2-2307, which provides that a zoning ordinance may provide that land, buildings, and structures and the uses thereof which do not conform to the zoning prescribed for the district in which they are situated may be continued provided that three prerequisites are established, as set forth below:

- The then-existing or a more restricted use continues
- The use is not discontinued for more than two years
- Buildings or structures are maintained in their then structural condition

This means automotive uses that were once allowed in the B-1 zone but eliminated in 2011 are considered lawful nonconforming, are unable to expand operations, intensify the nonconformity or change the use of the property without losing nonconforming status. Nonconforming status also extends to elements like signage. A nonconforming use may not expand its signage exposure, because this would result in the expansion of the overall use.

### **Highlight of Changes occurring in September, 2011 Text Amendments**

The Town instituted measurable revisions to the B-1 zone in September 2011. 40 new uses were added to this district, 32 allowable uses and eight conditional uses. 22 uses were also removed, resulting in several Town properties being classified as lawful nonconforming. The most significant changes are the elimination of automotive uses. The B-1 zone contains a high number of car lots, repair shops and towing companies. Funeral homes, mobile home sales, broadcasting stations, pawn shops, processing and manufacturing establishments and rental of tools are among other uses eliminated from the zone. Some uses were also re-categorized from allowable to conditional uses. These uses include amusement parlors, banks with drive-through, bicycle sales and repair, day care centers, live theaters and miniature golf to name a few.

The B-2 zone saw some significant changes. Bicycle sales and repair, coffee shops, furniture and upholstery repair and small household appliance sales and service store are some of the uses eliminated from the B-2 Zone. Re-categorized uses included moving several from allowable to conditional. These included bed and breakfast, day care centers, churches, dog grooming, furniture stores exceeding 20,000 square feet, lock smith, museums, and philanthropic and charitable institutions. Seven uses were also added, five conditional uses and two allowable uses.

The FB/0-1 is a catchall of many of the uses that were eliminated from the B-1 and B-2 zones. Those include all of the automotive uses included, sales, towing, repair, fueling and rentals. Others include motor home sales, funeral homes and processing and manufacturing. Nine uses were also removed from this zone and several were similarly re-categorized from allowable to conditional. The manufacture of precast concrete is one example of an allowable use moved to the CUP category. A complete table comparing the Town's current uses for the B-1, B-2 and FB/0-1 zones with the uses allowed prior the September 2011 amendment is attached.

### **Comprehensive Plan**

The Comprehensive Plan is a guide and not a requirement. However, it is important that zoning decisions align with the comprehensive plan because it places decision makers on a strong foundation legally and helps insure decisions are conducted in a nondiscriminatory fashion. If the comprehensive plan is developed through a well thought out process that includes public input and consideration of studies and analysis of experts, then it is safe to reason zoning decisions made in light of this plan provide vertical consistency between the zoning ordinance and long range planning efforts of the Town. In short, better decisions will occur.

The Land Use Plan of the Comprehensive Plan furnishes direction in formulating uses within commercial zones. The language is not specifically geared towards exact uses that appropriately fit each zone, rather the Land Use Plan paints a general vision the Town has adopted for its major thoroughfares. Points of emphasis often reiterated in the Land Use Plan deal specifically with strengthening the pedestrian environment of the Town, creating connections between land uses, developing an effective multi-modal transportation network and maximizing prime redevelopment areas.

The Land Use Plan states as the primary focal point to "Create places to live that have a stronger pedestrian environment and connections to convenient services." This focus should be emphasized on the main thoroughfares of the Town; Fraley Boulevard, Main Street, Route 234 and Graham Park Road. These thoroughfares are the blood line of the Town and provide the essential connecting fabric between Town neighborhoods. Zoning uses that support walk-ability and connectivity should be strongly encouraged.

The B-1 zone covers Route 1, 234, Graham Park Road and the southern portion of Main Street. The B-1 zone is the largest district in the Town and covers approximately 180 acres of property. The Land Use Plan Fraley Boulevard Goal provides a reliable measuring stick for the B-1 Zone. The entire stretch of Fraley, the southern municipal boundary to the Possum Point and Fraley intersection is zoned B-1. The Fraley Boulevard Goal provides the following goal, policy and action strategies to consider in view of use amendments:

LU-FB-GOAL: Encourage the development of a well-planned, mixed-use employment center that will create higher income jobs, generate economic growth and improve the overall tax base of the Town.

LU-FB-POLICY 1: Encourage a boulevard themed mixed-use employment center incorporating pedestrian features on both the east and west side of Fraley Boulevard (Rt. 1).

#### ACTION STRATEGIES:

LU-FB-1.1 Establish an integrated and coordinated boulevard streetscape that will visually and physically create a pleasant, attractive pedestrian environment, for residents, businesses and visitors.

LU-FB-1.2 Integrate a balanced, coordinated and well-defined multi- system so that pedestrian access is convenient, safe and physically attractive and ensures vehicular circulation functions efficiently.

LU-FB-1.3 Achieve an urban character where buildings relate well to one another and to the street by exemplifying good architectural and urban design practices.

LU-FB-1.4 Integrate multi-story buildings with frontage on sidewalks with attractive landscaping, benches, and parking lots in the rear of the building.

LU-FB-1.5 Encourage the incorporation of tree-lined streets with pedestrian features such as benches.

LU-FB-1.6 Develop an Access Management Plan for Fraley Boulevard.

LU-FB-1.7 Establish well defined pedestrian crossways at intersections as defined by the Access Management Plan.

LU-FB-1.8 Recommend higher density buildings fronting Fraley Boulevard with step down to lower densities to ensure a gradual transition of buildings to adjacent residential neighborhoods.

LU-FB-1.9 Integrate safe, convenient, physically attractive, pedestrian oriented multi-modal trails.

LU-FB-1.10 Incorporate a parallel road along the Dominion Power easement to access properties fronting Fraley Boulevard.

While the Land Use Plan is relatively silent on the types of uses the Town should target for each zone, it provides a general breakdown of the current make-up of the B-1 and B-2 zones, stating “The B-1 zone permits a wide variety of commercial and service activities that serve a wide area. Uses such as banks, gas stations, retail stores and offices exemplify the businesses that are permitted. Uses such as manufacturing and processing, public storage and rental businesses, to name a few, are permitted by conditional use permit. Minimum lot area is 10,000 sq. ft.” and “The B-2 zone Permits a limited range of retail, commercial and convenience uses that serve the public need at the neighborhood level. Uses such as pharmacy, child care, grocery store, professional offices and other service establishments exemplify the businesses that are permitted. Minimum lot area is 10,000 sq. ft.”

The Comprehensive Plan highlights Main Street, as with Fraley Boulevard, it prescribes a general vision for the Main Street area. This section is useful because it links closely with the B-2 zone, by virtue of the majority of Main Street being zoned B-2, not counting the southern portion, essentially the Triangle Shopping Plaza. The goal, policy and action strategies for Main Street are listed below:

LU-MS-GOAL: To create a medium density mixed-use environment integrating complimentary uses with an emphasis on preserving existing neighborhoods; and enhancing the vibrancy, attractiveness and economic well being of the Main Street area.

LU-MS-POLICY 1: Although this area is not a traditional “Main Street” identifying and supporting this area as a unique part of the Town will help strengthen the identity, cohesiveness and pride of the community.

LU-MS-1.1 Integrate and emphasize the redevelopment of the Main Street area as a pedestrian oriented, mixed-use, neighborhood serving center.

LU-MS-1.2 Integrate medium density buildings with retail/office on the first floor with residential above.

LU-MS-1.3 Integrate neighborhood services and uses with an emphasis on encouraging a walkable community.

LU-MS-1.4 Integrate the development of a mix of commercial, office and residential uses while preserving the scale and historical character of the Town.

LU-MS-1.5 Buildings should include small-scale neighborhood supporting retail uses, such as cafes, delis, on the ground level in buildings with three or more stories.

LU-MS-1.6 Building height should be balanced with respect to the proximity of nearby residential neighborhoods.

LU-MS-1.7 Buildings should be built to the street with private parking in the rear or as part of a consolidated parking district.

LU-MS-1.8 Place an emphasis on pedestrian scaled building entrances.

LU-MS-1.9 Integrate and encourage multi-modal accessibility and connectivity.

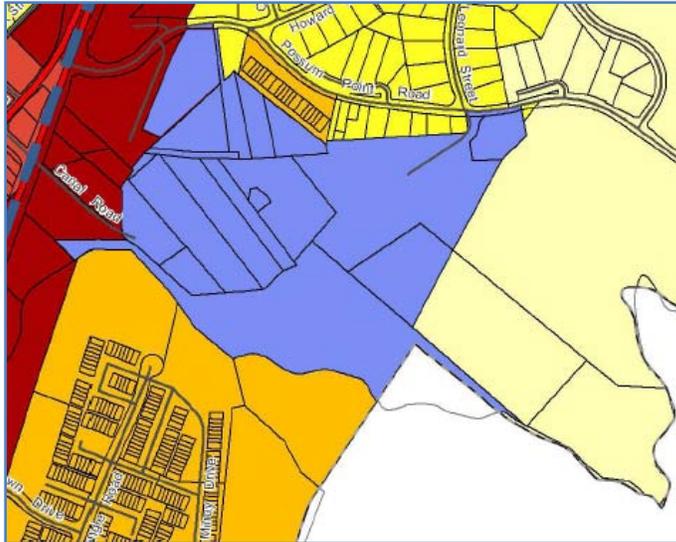
LU-MS-1.10 Integrate streetscape design concepts to include, tree-lined street frontage, landscaped road frontage, wide sidewalks, outdoor seating, trashcans, street lighting, etc.

LU-MS-1.11 Encourage a mixture of both high and medium density living and working areas to improve the economic vibrancy of the area and to create a sense of community that enhances the identity, cohesiveness and pride of the community for its Main Street area.

This section speaks to the creation of a human scale environment that is fully supportive of pedestrian traffic and small scale uses. In determining uses, the Planning Commission should consider uses that are easily accessible by pedestrians. LU-MS-1.8 states “place an emphasis on pedestrian scaled building entrances”. The photo below shows a street in Mercer Island, a suburb of Seattle. Mercer Island has been successful at redeveloping parking lots into mixed use neighborhoods that are oriented around people but accommodate vehicles.



The FB/0-1 zone contains approximately 46 acres of property in the Town. All 46 acres are centralized north of the Williamstown PUD, south of Possum Point Road, east of the office buildings adjacent to the Possum Point and Route one intersection and west of Quantico Bay (Shown below).



The Land Use Plan encourages the replacement of heavy industrial uses with light industrial uses. The current FB/0-1 zone allows for certain light industrial uses like the manufacturing of electronic components, concrete (non-hazmat), medical and dental laboratory, metal fabrication, equipment rental and services and research/development (non-hazmat).

### **B-1, B-2 & FB/0-1 Intent Sections**

The Planning Commission should also consider the intent sections of each zone. A zone's intent section provides an overall framework of the purpose of the zone and vision for its associated properties. The intent section should be derived directly from the Comprehensive Plan. The following are the current intent sections for the B-1, B-2 and FB/0-1 zones:

*(B-1 zone) Sec. 70-246. Intent.*

This district is intended to provide sufficient space in appropriate locations for a wide variety of commercial and miscellaneous service activities, generally serving a wide area and located particularly along certain existing major thoroughfares where a general mixture of commercial and service activity now exists, but which uses are not characterized by extensive warehousing, frequent heavy trucking activity, open storage of material, or the nuisance factors of dust, odor, or noise associated with manufacturing.

*(B-2 zone) Sec. 70-281. Intent.*

This district is intended to provide a limited range of retail, commercial and convenience business uses to serve public need at the neighborhood level. This district is intended to create an environment to encourage a mix of living and working areas that is comfortable for pedestrians and bicyclists as well as automobiles, that contains uses that might not always require a trip by automobile, and to create a sense of community character as the heart of the historic town of Dumfries.

*(FB/0-1 zone) Sec. 70-481. - Purpose and intent.*

This district is intended to provide a limited range of flex business, flex office, and commercial uses.

The current uses in these three zones seem to meet both the Comprehensive Plan and their intent sections. Staff does not suggest eliminating any uses from these zones, however, consideration should instead be given to the addition of uses that would provide more opportunities for redevelopment and to enhance the overall vision dictated in the Comprehensive Plan.

## **Zoning Uses Work Sheet**

Attached is a work sheet for desired outcomes, to be completed by each Planning Commissioner. This work sheet encompasses the B-1, B-2 and FB/0-1 use considerations for allowable, conditional and accessory uses. Each commissioner will indicate which uses they feel should stay, be re-categorized as allowable or conditional or be eliminated from the zone, by placing an "x" in the column associated with each listed use row. This exercise will be repeated for each subjected zone. There is also a section that lists several uses not currently part of the specific zoning district and allows the Commissioners to recommend additions to each zone under consideration.

These work sheets should be completed before the September 17<sup>th</sup> meeting in order to fully discuss each Commissioner's suggestions. Staff will consolidate the Commission's recommendations into a draft ordinance and have it ready for a final discussion on October 15, 2012. A public hearing and decision will be scheduled for the November meeting.

## **Discussion Item C - ZTA-12-003 – Section 70-2 Addition of Civil Penalties for Certain Zoning Violations**

The Town is in need of streamlining its zoning violation and penalties process. The current Town process for zoning violations requires the zoning administrator to send a notice of violation via certified mail to the violator. There is a 30 day appeal period and if the property is still in violation of the zoning ordinance the matter is taken to court. This process is long and consuming of staff resources. Most zoning violations deal with issues that can easily be abated. But the Town lacks the tools to encourage violations to be abated in a timely manner.

Some municipalities are using civil fines, which are issued by the zoning administrator, as a method to gain compliance. Legal proceedings through the court system are still available as a last resort. Municipalities are finding property owners become increasingly motivated to comply with Town Code, when they are presented with promise of a fine. Manassas City issues code violators a warning ticket, which indicates violators will be fined \$200 if the violation is not abated within 30 days of issuance. This fine is augmented by \$500 every ten days until the violation is removed from the property.

State Code § 15.2-2209 provides localities the ability to adopt a uniform schedule of civil penalties for violations of specific provisions in the zoning ordinance. The penalty for any one violation shall not exceed \$200 for the initial summons and not more than \$500 for each additional summons. Every day in which the offense exists, constitutes a separate offense; however the penalty shall not be fined more than once for every ten day frequency and shall not exceed \$5,000. State Code further allows the violator to meet with the Town's Department to pay the fee before the scheduled court date. If the violator does not request to remedy the offense or pay the fee, the case will be tried before the general district court.

Staff was provided the go ahead from the Town Council to bring this amendment to the Planning Commission. It is requested that the Planning Commission propose an amendment to Section 70-2 for the Council to consider. Attached are sample ordinances from localities that have adopted civil penalties. State code providing the enabling legislation is also attached with a draft ordinance for the Commission to consider.

## **Discussion Item D – ZTA-12-004, New Section 70-14(h) Temporary Signs**

The Town Council directs the Planning Commission to amend Section 70-14 of Town Code to add a section permitting religious institutions and nonprofits organizations to use temporary signage up to four times annually on their property. A sign permit will still be required. Draft language is below.

*Section 70-14(h)*

*(h) Temporary signs for religious institutions and nonprofit organizations. Religious institutions and nonprofit organizations are permitted to display a temporary sign banner for a 30 day period four times annually. Banner sign shall not exceed 20 square feet in size. Such signs are permitted in order to advertize special programs, events and grand openings. A permit is required.*

## **Discussion Item E - ZTA-12-005 & 12-006 Roadside Food Vendors & Yard Sale Events.**

The Town Council passed a motion to have the Planning Commission provide a second option for Section 70-22 which allows food vendors to operate within a roadside setting. The Council has also requested that the Commission clarify allowances for yard sale events. Considerations would include location, size of events, standards attached to events and requirements for permits. Staff would like to reintroduce these amendments to the Commission during this work session and obtain feedback. A draft ordinance will be constructed using the Commission's feedback.

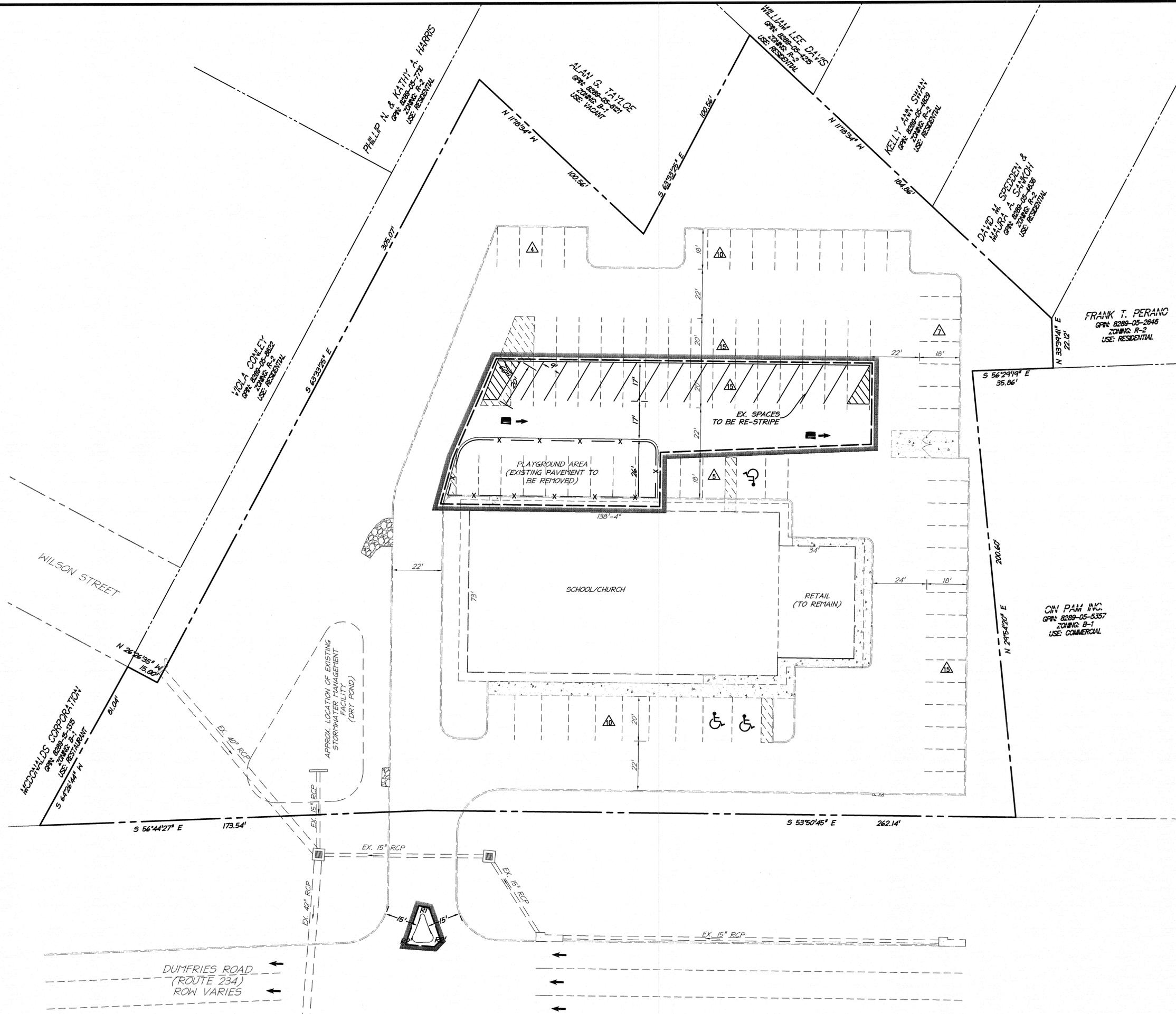
## **Staff Report Attachments**

1. Matthew Center site plan
2. Matthew Center floor plan
3. B-1, B-2 & FB/0-1 Current uses
4. B-1, B-2 & FB/0-1 Uses compared to Prince William County
5. B-1, B-2 & FB/0-1 Current uses compared to uses allowed prior September, 2011
6. B-1, B-2 & FB/0-1 Definitions from other municipalities
7. B-1, B-2 & FB/0-1 Worksheet
8. State Code 15.2-2209 and Codes from other localities regarding civil penalties
9. Draft ordinance Section 70-2.1 & 70-2.2 Civil penalties

**LEGEND**

- : EX. BOUNDARY
- - - : EX. EDGE OF PAVEMENT (EP)
- - - : EX. STRIPING
- - - : EX. ROOF OVERHANG
- - - : EX. BUILDING
- ▨ : EX. CONCRETE AREAS
- △ : EX. PARKING SPACES
- : LIMITS OF CONSTRUCTION
- - - : PROP. EDGE OF PAVEMENT
- x - x - : PROP. FENCE
- PROP : PROPOSED
- EX : EXISTING

- NOTES:**
1. THE EXISTING STORMWATER MANAGEMENT FACILITY SHALL BE UTILIZED TO CONTROL RUNOFF.
  2. WITH THE CHANGE OF USE AND REDUCTION OF IMPERVIOUS AREA NO BMP ARE PROPOSED WITH THIS DEVELOPMENT.
  3. NO ADDITIONS TO THE BUILDING OR PARKING ARE PROPOSED.
  4. 10 PARKING SPACES WILL BE REMOVED IN ORDER TO ADD A PLAY AREA.



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CONDITIONAL  
 USE PERMIT  
 PLAN

**MATTHEW'S CENTER**  
 TOWN OF DUMFRIES, VIRGINIA

PROJECT NO: 12099001.00  
 SCALE: 1:20  
 DATE: AUGUST 2012  
 DESIGN: NH  
 DRAWN: NH  
 CHECKED: MK  
 SHEET No.

**SPECIFICATIONS**

- A. FURNISH ALL LABOR, SUPERVISION, MATERIALS, EQUIPMENT, APPARATUS AND APPURTENANCES REQUIRED FOR A COMPLETE WORKING AND COORDINATED ELECTRICAL SYSTEM AS SHOWN ON THE DRAWINGS AND SPECIFIED HEREIN.
- B. ALL WORK SHALL BE DONE IN FULL COMPLIANCE WITH THE NATIONAL ELECTRIC CODE; ALL APPLICABLE STATE AND LOCAL CODES, REQUIREMENTS, AND ORDINANCES; AND APPLICABLE REQUIREMENTS OF NFPA, UL, AND OTHER APPLICABLE STANDARDS.
- C. COORDINATE THE WORK OF THIS SECTION WITH THE WORK OF OTHER SECTIONS IN AMPLIFIED TIME FOR THE PROPER INSTALLATION AND CONNECTION. CAREFULLY CHECK SPACE REQUIREMENTS WITH OTHER TRADES TO ENSURE THAT ALL EQUIPMENT AND MATERIALS CAN BE INSTALLED IN THE SPACES ALLOTTED THERETO.
- D. ALL WIRING SHALL BE COPPER CONDUCTORS WITH TYPE THHN/THWN INSULATION, UNLESS OTHERWISE NOTED. CONTROL WIRING SHALL BE STRANDED, NO. 14 AWG MINIMUM. POWER WIRING SHALL BE SOLID OR STRANDED, NO. 12 AWG MINIMUM. POWER WIRING SIZED NO. 8 AWG AND LARGER SHALL BE STRANDED. STRANDED WIRE SHALL NOT BE TERMINATED UNDER SCREW TERMINALS UNLESS THE TERMINALS ARE SPECIFICALLY LISTED FOR USE WITH STRANDED CONDUCTORS.
- E. CONDUCTOR SPLICES, TAPS, AND TERMINATIONS SHALL BE MADE USING CONNECTORS OR LUGS APPROVED FOR THE INTENDED USE. PREINSULATED SPRING CONNECTORS MAY BE USED FOR CONNECTIONS AND SPLICES OF WIRE SIZES UP TO NO. 8 AWG.
- F. ALL POWER WIRING SHALL BE COLOR CODED TO MATCH THE BASE BUILDING COLOR CODING SCHEDULE. COLOR CODING SHALL BE VIA COLOR CODED INSULATION OR COLOR CODED TAPE AT EVERY CONDUCTOR SPlice, TERMINATION OR TAP. IF NO COLOR SCHEME EXISTS, USE THE COLORS LISTED BELOW.
 

208/120 VOLTS	
PHASE A	BLACK
PHASE B	RED
PHASE C	BLUE
NEUTRAL	WHITE
GROUND	GREEN
- G. ALL POWER WIRING SHALL BE INSTALLED IN AN APPROVED RACEWAY. ALL CONTROL WIRING SHALL BE INSTALLED IN AN APPROVED RACEWAY. CONDUIT SHALL BE CONCEALED TO THE MAXIMUM EXTENT POSSIBLE AND WHEN EXPOSED, SHALL BE RUN PARALLEL AND PERPENDICULAR TO BUILDING LINES. ALL CONDUIT SHALL BE INDEPENDENTLY SUPPORTED FROM THE BUILDING STRUCTURE.
- H. RIGID METAL CONDUIT (RMC) OR INTERMEDIATE METAL CONDUIT (IMC) SHALL BE USED FOR ALL RACEWAYS EXCEPT ELECTRICAL METALLIC TUBING (EMT) MAY BE USED IN LIEU OF RMC OR IMC FOR RACEWAYS INSTALLED INDOORS WHERE CONCEALED OR EXPOSED ABOVE 6- FEET ABOVE THE FINISHED FLOOR. EMT SHALL NOT BE USED IN DAMP OR WET LOCATIONS, WHERE IN CONTACT WITH CONCRETE OR MASONRY IN EXTERIOR WALLS OR SLABS ON GRADE, OR WHERE SUBJECT TO PHYSICAL DAMAGE.
- I. FLEXIBLE CONDUIT, IN LENGTHS NOT TO EXCEED 6- FEET, SHALL BE USED TO EXTEND CONDUIT CONNECTIONS TO MOTORS, TRANSFORMERS AND OTHER PERMANENTLY CONNECTED APPLIANCES, EQUIPMENT OR DEVICES WHICH ARE VIBRATION PRODUCING, OR REQUIRE ACCESS FOR MAINTENANCE OR ADJUSTMENT. LIQUID-TIGHT FLEXIBLE METAL CONDUIT SHALL BE USED FOR ALL FLEXIBLE CONNECTIONS IN DAMP OR WET AREAS.
- J. PVC CONDUIT SHALL NOT BE USED.
- K. TYPE MC (METAL CLAD) CABLE MAY BE USED, WHERE APPROVED BY THE LOCAL AUTHORITY HAVING JURISDICTION. TYPE MC CABLE SHALL UTILIZE COPPER CONDUCTORS WITH THHN INSULATION AND A FULL SIZE GREEN THHN INSULATED GROUND WIRE AND AN ALUMINUM OR GALVANIZED STEEL FLEXIBLE ARMOR.
- L. OUTLET AND JUNCTION BOXES SHALL BE MINIMUM 4" SQUARE OR OCTAGONAL BY 2-1/8" DEEP WITH COVERPLATES AS REQUIRED. LARGER BOXES SHALL BE PROVIDED WHERE REQUIRED BY THE NEC.
- M. WIRING DEVICES SHALL BE STANDARD FACE, SPECIFICATION GRADE, IN IVORY. RECEPTACLES SHALL BE RATED 20-AMPS, 125-VOLTS (NEMA 5-20R) UNLESS OTHERWISE NOTED. SWITCHES SHALL BE TOGGLE-TYPE RATED 20-AMPS, 120/277-VOLTS UNLESS OTHERWISE NOTED. COVER PLATES SHALL BE THERMOPLASTIC IN IVORY TO MATCH THE WIRING DEVICES. GANG DEVICES UNDER A COMMON PLATE WHERE LOCATED ADJACENT TO EACH OTHER. PROVIDE LEVITON DEVICES AS LISTED BELOW, OR EQUAL.
 

DUPLEX RECEPTACLE	#5362-1
DUPLEX GFCI RECEPTACLE	#6899-1
SINGLE-POLE SWITCH	#1221-21
- N. WALL MOUNTED ROOM OCCUPANCY SENSORS SHALL BE MOTION-ACTIVATED, PASSIVE INFRARED DETECTION TECHNOLOGY THAT TURNS LIGHTS "ON" WHEN ROOM IS OCCUPIED AND "OFF" WHEN ROOM IS UNOCCUPIED. SWITCH SHALL FIT IN A STANDARD SWITCH BOX. PROVIDE A PUSH BUTTON MANUAL OVERRIDE TO ALLOW CONTROL AS A STANDARD "ON/OFF" SWITCH AS WELL AS "AUTO" MODE. SWITCH SHALL BE CAPABLE OF CONTROLLING UP TO 1800 VA AT 120-VOLTS OR 4000 VA AT 277-VOLTS OF FLUORESCENT ELECTRONIC BALLAST OR 1800-WATTS AT 120-VOLTS OF INCANDESCENT LOADS. SWITCH AND COVER PLATE SHALL BE IVORY. PROVIDE LEVITON #6768-1 OR EQUAL.
- O. ALL ELECTRICAL EQUIPMENT USED ON THE PROJECT SHALL, TO THE MAXIMUM EXTENT POSSIBLE, BE THE PRODUCT OF A SINGLE MANUFACTURER. ALL NEW ELECTRICAL EQUIPMENT SHALL BE FULLY COMPATIBLE WITH EXISTING EQUIPMENT. WHERE NEW COMPONENTS ARE ADDED TO EXISTING ELECTRICAL EQUIPMENT, THEY SHALL BE MANUFACTURED BY THE EXISTING EQUIPMENT MANUFACTURER.
- P. UPDATE PANEL DIRECTORIES (INDICATING CIRCUIT NUMBERS, LOADS SERVED, AND CONNECTED LOADS) INSIDE EACH PANELBOARD FOR ALL CIRCUITS AFFECTED BY THIS WORK TO COMPLY WITH NEC 408.4.

**ABBREVIATIONS**

- A AMP
- ABV ABOVE
- ADJ ADJUSTABLE
- AFF ABOVE FINISHED FLOOR
- AIC AMPS INTERRUPTING CURRENT (SHORT CIRCUIT RATING)
- ARCH ARCHITECT, ARCHITECTURAL
- BJ BONDING JUMPER
- BKR BREAKER
- C CONDUIT
- CD CANDELA
- CKT CIRCUIT
- CLG CEILING
- CU COPPER
- DISC DISCONNECT
- DN DOWN
- DP DISTRIBUTION PANEL
- DS DISCONNECT SWITCH
- DWG DRAWING
- EA EACH
- EG EQUIPMENT GROUND
- ELEC ELECTRICAL
- ELEV ELEVATOR
- EMT ELECTRICAL METALLIC TUBING
- EQPT EQUIPMENT
- EX EXISTING
- FA FIRE ALARM
- FLR FLOOR
- FTL<sup>s</sup> FEED THROUGH LUGS
- GEC GROUNDING ELECTRODE CONDUCTOR
- GFCI GROUND FAULT CIRCUIT INTERRUPTER
- GFI GROUND FAULT INTERRUPTER
- GND.G GROUND
- HP HORSEPOWER
- HVAC HEATING, VENTILATING, & AIR-CONDITIONING
- HZ HERTZ
- IMC INTERMEDIATE METAL CONDUIT
- KVA KILOVOLT-AMPS
- KW KILOWATT
- L<sup>TG</sup> LIGHTING
- LTS LIGHTS
- MAX MAXIMUM
- MCB MAIN CIRCUIT BREAKER
- MDP MAIN DISTRIBUTION PANEL
- MIN MINIMUM
- MLO MAIN LUGS ONLY
- MSG MAIN SWITCHGEAR
- MTD MOUNTED
- N NEW, NEUTRAL
- NEC NATIONAL ELECTRICAL CODE
- NEMA NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION
- NFPA NATIONAL FIRE PROTECTION ASSOCIATION
- P POLE(S)
- PH PHASE(S)
- PNL PANEL
- RCPT(S) RECEPTACLE(S)
- RMC RIGID METAL CONDUIT
- SWBD SWITCHBOARD
- TEL TELEPHONE
- TYP TYPICAL
- V VOLT
- VA VOLT-AMPERE
- W WATT, WIRE(S)
- WP WEATHERPROOF
- XFMR TRANSFORMER

**ELECTRICAL SYMBOLS**

- 2' x 4' FLUORESCENT FIXTURE
- 1' x 4' FLUORESCENT FIXTURE
- 4' FLUORESCENT STRIP FIXTURE
- DOWNLIGHT, LETTER DENOTES TYPE
- EMERGENCY EXIT SIGN
- EMERGENCY LIGHT PACK
- EMERGENCY/EXIT WITH DUAL EMERGENCY LIGHT HEADS
- EMERGENCY, LIGHT PACK, CEILING MOUNTED
- WALL MOUNTED LIGHT FIXTURE
- PHOTOCELL
- DUPLEX RECEPTACLE, GFCI TYPE, RECESSED OR SURFACE MOUNTED
- JUNCTION BOX
- FRACTIONAL HORSEPOWER EXHAUST FAN
- DISCONNECT (SAFETY) SWITCH
- SINGLE POLE SWITCH
- MOTION/OCCUPANCY SENSOR SWITCH
- SWITCHING LEG
- BRANCH CIRCUIT, ARROW DENOTES HOMERUN TO INDICATED PANEL

**GENERAL DRAWING NOTES:**

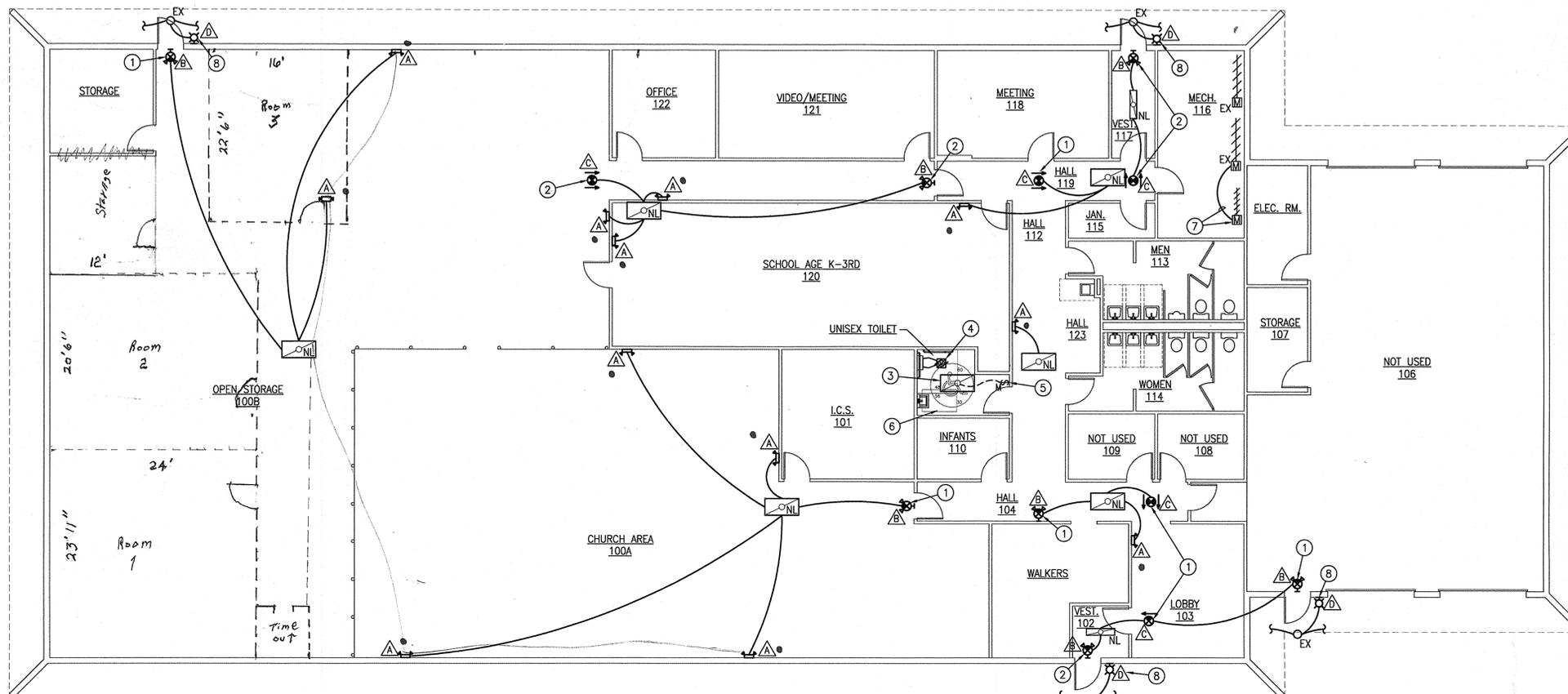
- A. ALL LIGHTING FIXTURES ARE EXISTING TO REMAIN EXCEPT AS NOTED. NEW WORK INCLUDES REPLACING AND ADDING EMERGENCY AND EGRESS LIGHTING UNITS.
- B. ALL POWER DISTRIBUTION IS EXISTING TO REMAIN EXCEPT AS NOTED. NO NEW LOADS ARE BEING ADDED EXCEPT A 50-WATT TOILET EXHAUST FAN AND A 50 VA MOTORIZED OUTSIDE AIR DAMPER. THESE ITEMS WILL BE CONNECTED TO EXISTING BRANCH CIRCUITS. NO NEW BRANCH CIRCUITS ARE BEING ADDED.

**KEYED DRAWING NOTES:**

- ① REPLACE EXISTING EMERGENCY EXIT SIGN WITH NEW. CONNECT TO EXISTING NIGHT LIGHT CIRCUIT.
- ② NEW EMERGENCY EXIT LIGHT. CONNECT TO EXISTING NIGHT LIGHT CIRCUIT.
- ③ EXISTING LIGHT FIXTURE TO REMAIN.
- ④ CONNECT NEW TOILET EXHAUST FAN TO EXISTING BRANCH CIRCUIT SUPPLYING ROOM LIGHT. CONTROL FAN WITH LIGHT FROM SWITCH AT DOOR.
- ⑤ PROVIDE MOTION SENSOR LIGHT SWITCH.
- ⑥ REMOVE EXISTING RECEPTACLES IN THE ROOM THAT INTERFERE WITH PLUMBING WORK. PROVIDE GFCI RECEPTACLES FOR ANY DEVICES THAT REMAIN.
- ⑦ PROVIDE POWER FOR MOTORIZED DAMPER IN OUTSIDE AIR DUCT. TAP CIRCUIT SUPPLYING EXISTING DAMPERS FOR OTHER FURNACES. COORDINATE WITH MECHANICAL CONTRACTOR.
- ⑧ PROVIDE POWER TO EXTERIOR EMERGENCY LIGHT FROM CIRCUIT SUPPLYING SOFFIT LIGHTS. PROVIDE AN UNSWITCHED PHASE CONDUCTOR TO THE BATTERY TO COMPLY WITH NEC 700.12(F).

**LIGHTING FIXTURE SCHEDULE**

FIXTURE TYPE	DESCRIPTION	MANUFACTURER & CATALOG NO.	VOLTAGE	LAMP DATA		FIXTURE WATTAGE	DIFFUSER	REMARKS
				NO.	TYPE			
	EMERGENCY LIGHTING UNIT	LIGHTALARMS #LCA-2MRS	120	2	6-VOLT, 5-WATT, MR16	15	NONE	WHITE HSG; 90-MIN BATTERY
	EMERGENCY EXIT LIGHT WITH DUAL HEADS	LIGHTALARMS #UQLXN500R-2SQ	120	-/2	RED LED/6-V, 5.4-W	5	RED STENCIL FACE	WHITE HSG; 90-MIN BATTERY
	EMERGENCY EXIT LIGHT	LIGHTALARMS #UQLXN500R	120	-	RED LED	5	RED STENCIL FACE	WHITE HSG; 90-MIN BATTERY
	EXTERIOR EMERGENCY LIGHTING UNIT	WF HARRIS #1200-EM-CP-2-26PLT-HPF-120-EM2	120	2	26W CFL	55	CLEAR PRISMATIC	WALL-MTD 12" ABOVE DOOR



**1 FLOOR PLAN**  
E-1 1/8"=1'-0"

**SAI ENGINEERING INCORPORATED**  
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**CODE COMPLIANCE UPGRADES**  
**PILLAR CHURCH**  
17288 DUMFRIES RD.  
DUMFRIES, VA 22026

**SPECIFICATIONS, ABBREVIATIONS, SYMBOLS, AND FLOOR PLAN**

DATE: 03-17-11

REVISIONS:	NO.	DATE	DESCRIPTION

JOB NO: 11027  
SCALE: AS NOTED  
DWN. BY: DWK  
CKD. BY: MRP

SEAL:

**E-1**

Town of Dumfries Zoning Ordinance revisions effective September 20, 2011  
(to be updated to Municode.com at a later date)

B-1 Zone

**Section 70-247(A). Allowable Uses**

- (a) Structures to be erected or land to be used shall be for one of the following uses. Only one main structure and its accessory building shall be erected on any lot or parcel of land in this district.
- (1) Antique shop
  - (2) Apparel, clothing store
  - (3) Art gallery
  - (4) Art supply store
  - (5) Bakery, provided all products produced on the premises shall be sold at retail on the premises
  - (6) Banks and financial institutions without drive-through windows
  - (7) Barber, beauty shop
  - (8) Beauty supply and accessories
  - (9) Bookstore, newsstand
  - (10) Bowling alley
  - (11) Candy store
  - (12) Clock shop sales and repair
  - (13) Computer store or personal electronic sales and service
  - (14) Data or computer services
  - (15) Dog grooming, without indoor or outdoor kennel facilities
  - (16) Drug store a without drive-through window
  - (17) Fast food restaurants without a drive-through window
  - (18) Fire station
  - (19) Florist, gift shop
  - (20) Food store: Grocery store, supermarket (excluding convenience or quick service food stores)
  - (21) Furniture store
  - (22) Government offices
  - (23) Hardware, paint and wallpaper store
  - (24) Hobby, craft shop
  - (25) Hospitals
  - (26) Hotels and motels
  - (27) Jewelry, engraving store
  - (28) Library
  - (29) Locksmith
  - (30) Medical and/or dental office and clinic
  - (31) Museums
  - (32) Musical instruments, sheet music, and recorded music sales
  - (33) Office, general business or professional
  - (34) Photographic equipment sales and service and photographic studio
  - (35) Printing, photocopying, photographic processing or blueprinting
  - (36) Repair services or businesses, including repair of lamps, microwave ovens, radios, shoes, television sets, toasters, toys, watches, and similar items
  - (37) Rescue squads
  - (38) Research and development (Non-hazmat)

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- (39) Restaurant, full-service, cafe, catering business, delicatessens or ice cream parlors, for service of food for consumption primarily on the premises, including outdoor eating area, but not drive-in or fast food restaurants
- (40) Retail stores and businesses
- (41) Roller rinks
- (42) Shoe sales and repair store
- (43) Sporting goods store
- (44) Stamp and coin stores
- (45) Stationery store
- (46) Tailor, seamstress shop
- (47) Tanning salon
- (48) Tobacco store
- (49) Tourist information and orientation facilities
- (50) Toy store
- (51) Universities, colleges, and seminaries

**Section 70-247(B). Uses Allowable Pursuant to a Conditional Use Permit.**

- (a) Structures to be erected or land to be used for one of the following uses shall be allowed subject to a Conditional Use Permit in accordance with Sec. 70-10 of the Zoning Ordinance. Only one main structure and its accessory building shall be erected on any lot or parcel of land in this district.

- (1) Amusement parlors
- (2) Banks and financial institutions with a drive-through
- (3) Bicycle sales and repair
- (4) Child care or adult day care center
- (5) Churches and places of worship
- (6) Contractors, where all services are performed offsite and where there is no storage of supplies or equipment outside the building
- (7) Convenience stores and service establishments such as, but not limited to automatic self-service laundries
- (8) Cultural arts and entertainment centers
- (9) Drug store with a drive-through window
- (10) Fast food restaurants with a drive-through window
- (11) Garages and public parking
- (12) Household appliance sales and service store
- (13) Live theaters, live entertainment centers
- (14) Miniature golf courses and golf driving ranges
- (15) Movie theaters and assembly halls
- (16) Off premises sales of beer and wine
- (17) Pet shops, including boarding kennels on the premises
- (18) Philanthropic and charitable institutions
- (19) Private clubs and lodges
- (20) Residential, multifamily, located above a commercial, retail or office use on the ground floor
- (21) School, K-12
- (22) Uses with a drive-through window
- (23) Veterinary hospitals and boarding kennels
- (24) Video sales and rental store

Town of Dumfries Zoning Ordinance revisions effective September 20, 2011  
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- (25) Wholesale businesses, with parking to the rear of the building

**Section 70-247(C). Accessory Uses.**

Accessory uses, buildings, and structures permitted in accordance with section 70-16.

- (1) Public utilities such as poles, lines, distribution transformers, pipes, meters, water and sewer lines. New and/or upgraded/improved electric and communications utilities shall be installed underground
- (2) Parking lots, parking spaces, parking areas and parking structures

**B-2 Zone**

**Section 70-281. Intent.**

This district is intended to provide a limited range of retail, commercial and convenience business uses to serve public need at the neighborhood level. This district is intended to create an environment to encourage a mix of living and working areas that is comfortable for pedestrians and bicyclists as well as automobiles, that contains uses that might not always require a trip by automobile, and to create a sense of community character as the heart of the historic town of Dumfries.

**Section 70-282(A). Allowable Uses.**

- (a) Structures to be erected or land to be used shall be for one of the following uses. Only one main structure and its accessory building shall be erected on any lot or parcel of land in this district.
- (1) Antique shop
  - (2) Apparel, clothing store
  - (3) Art gallery
  - (4) Art supply store
  - (5) Bakery, provided all products produced on the premises shall be sold at retail on the premises
  - (6) Banks and financial institutions without drive-through windows
  - (7) Barber, beauty shop
  - (8) Beauty supply and accessories
  - (9) Bookstore, newsstand
  - (10) Candy store
  - (11) Clock shop sales and repair
  - (12) Computer store or personal electronic sales and service
  - (13) Drug store a without drive-through window
  - (14) Florist, gift shop
  - (15) Food store: Grocery store, supermarket (excluding convenience or quick service food stores)
  - (16) Government offices
  - (17) Hardware, paint and wallpaper store
  - (18) Hobby, craft shop
  - (19) Jewelry, engraving store
  - (20) Library
  - (21) Medical and/or dental office and clinic

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- (22) Musical instruments, sheet music, and recorded music sales
  - (23) Office, general business or professional
  - (24) Park, public
  - (25) Photographic equipment sales and service and photographic studio
  - (26) Recreation facility, public
  - (27) Repair services or businesses, including repair of lamps, microwave ovens, radios, shoes, television sets, toasters, toys, watches, and similar items
  - (28) Restaurant, full-service, cafe, catering business, delicatessens or ice cream parlors, for service of food for consumption primarily on the premises, including outdoor eating area, but not drive-in or fast food restaurants
  - (29) Shoe sales and repair store
  - (30) Stamp and coin stores
  - (31) Stationery store
  - (32) Tailor, seamstress shop
  - (33) Tanning salon
  - (34) Tobacco store
  - (35) Tourist information and orientation facilities
  - (36) Toy store
  - (37) Universities, colleges, and seminaries
- (b) Off-street parking shall be located to the rear or side of the principal structure
- (c) For permitted uses in this district, the primary entrance of the principal structure shall face the street.
- (d) Direct access to a public right-of-way shall not be permitted through the rear or side yard of double-frontage lots.

**Section 70- 282(B). Uses Allowable Pursuant to a Conditional Use Permit.**

- (a) Structures to be erected or land to be used for one of the following uses shall be allowed subject to a Conditional Use Permit in accordance with Sec. 70-10 of the Zoning Ordinance. Only one main structure and its accessory building shall be erected on any lot or parcel of land in this district.
- (1) Amusement parlors
  - (2) Banks and financial institutions with a drive-through
  - (3) Bed and breakfast inn
  - (4) Child care or adult day care center
  - (5) Churches and places of worship
  - (6) Cultural arts and entertainment centers
  - (7) Dog grooming, without indoor or outdoor kennel facilities
  - (8) Drug store with a drive-through window
  - (9) Furniture store, with retail floor area not exceeding 20,000 square feet
  - (10) Locksmith
  - (11) Museum
  - (12) Off premises sales of beer and wine
  - (13) Philanthropic and charitable institutions
  - (14) Residential, multifamily, located above a commercial, retail or office use on the ground floor
  - (15) School, K-12

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- (16) Uses with a drive-through window

**Section 70-282(C). Accessory Uses.**

Accessory uses, buildings, and structures permitted in accordance with section 70-16.

- (1) Parking lots, parking spaces, parking areas and parking structures
- (2) Public utilities such as poles, lines, distribution transformers, pipes, meters, water and sewer lines. New and/or upgraded/improved electric and communications utilities shall be installed underground

**FB/O-1 Zone**

**Sec. 70-482. - Allowable Uses.**

Structures to be erected or land to be used shall be for one of the following uses. Only one main structure shall be erected on any lot or parcel in this district. Two or more main buildings may be constructed with a conditional use permit.

- (1) Allowable uses in B-1 and B-2 zoning districts
- (2) Alarm systems operations office
- (3) Ambulance service (commercial)
- (4) Bicycle sales and repair
- (5) Building Supplies and service with storage under cover
- (6) Business school
- (7) Churches and places of worship
- (8) Civic club
- (9) Commercial artist or photographer's studio
- (10) Contractors, where all services are performed offsite and where there is no storage of supplies or equipment outside the building
- (11) Convenience stores and service establishments such as, but not limited to automatic self-service laundries
- (12) Cultural arts and entertainment centers
- (13) Electronic component assembly or repair
- (14) Furniture and upholstery repair
- (15) Glass and mirror sales and service establishments (excluding automobile glass repair or replacement)
- (16) Medical and/or dental laboratory
- (17) Package, telecommunications and courier services
- (18) Photographic processing laboratory
- (19) Recording studio
- (20) Repair services or businesses, including repair of guns, bicycles, washers, dryers, stoves, refrigerators, and similar items
- (21) Self-storage facility without a live-in manager
- (22) Trade or convention center

**Sec. 70-483. - Uses Allowable Pursuant to a Conditional Use Permit.**

- (a) Structures to be erected or land to be used for one of the following uses shall be allowed subject to a Conditional Use Permit in accordance with Sec. 70-10 of the Zoning Ordinance. Only one main structure and its accessory building shall be erected on any lot or parcel of land in this district.

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- (1) Automobile Uses
  - a. Automobile and truck sales and sales and service establishments meeting the following conditions:
    - i) Automobile sales, lot size shall be not less than 20,000 square feet.
    - ii) Automobile sales and service, lot size shall be not less than one acre.
    - iii) Truck sales and truck sales and service, lot size shall be not less than one and two acres respectively.
    - iv) All automobiles or trucks whether for sale, lease or waiting for service or repair, when not inside a work bay, shall be placed in a marked parking space conforming to section 70-13
    - v) Site plans for new establishments or tenant layouts for alteration of existing establishments shall contain a certified parking plan, a vehicle delivery statement, a landscaping plan and a lot parking calculation table. Site plans shall conform to article III, division 11 of this chapter and tenant layouts shall be drawn to scale.
    - vi) Vehicle lifts and pits, dismantled and wrecked vehicles and all parts and supplies shall be located inside a building enclosed on all sides and all repair and servicing of all vehicles shall be conducted in a building enclosed on all sides. Truck stops are excluded from this zoning district.
    - vii) Existing motor vehicle sales and service and rental establishments shall have 90 days after approval of the ordinance from which this section is derived to mark the parking spaces on their lot as required by subsection (2)d of this section
  - b. Automobile rental agencies meeting the following conditions:
    - i) Fueling of vehicles will be conducted off the premises.
    - ii) Mechanical repairs on the premises is strictly prohibited with the exception of adding fluids, changing a flat tire, and routine interior cleaning.
    - iii) Minimum off-street parking must be provided in accordance with section 70-13
    - iv) The storage of wrecked or inoperative vehicles on-site is strictly prohibited.
    - v) The size of a rental vehicle parked on-site is limited to a three-quarter-ton vehicle with a GVW (gross vehicle weight) not to exceed 7,500 pounds.
- (2) Banks and financial institutions with a drive-through
- (3) Child care or adult day care center
- (4) Commercial radio or television broadcasting stations, studios, or offices
- (5) Electronic equipment and component manufacturing
- (6) Funeral Homes without crematories and live animal slaughter
- (7) Gasoline filling stations
- (8) Laundry, cleaning, and dyeing works in which no combustible solvent is used
- (9) Manufacture of precast concrete decorative and/or structural architectural components, (nonHAZMAT)
- (10) Marina
- (11) Metal fabrication
- (12) Mobile Home sales
- (13) Model car racetracks
- (14) Pawn Shops operated by a licensed pawnbroker
- (15) Philanthropic and charitable institutions
- (16) Private clubs and lodges
- (17) Processing or manufacturing establishments that are not objectionable because smoke, odor, dust or noise, but only when such processing or manufacturing is incidental to a retail

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business conducted on premises and more than 10 employees employed on the premises engaged in processing or manufacturing activities may be permitted

- (18) Public maintenance and storage facilities
- (19) Rental of tools, appliances, machinery, party supplies and similar equipment to the general public, and wherein the items to be rented are stored and/or repaired within a building
- (20) Shooting range, indoor
- (21) Stand-alone car wash
- (22) Wholesale business, with parking to the rear of the building

**Sec. 70-484. – Accessory Uses.**

Accessory uses, buildings, and structures permitted in accordance with section 70-16.

- (1) Commercial parking
- (2) Off-street parking
- (3) Outside storage of materials and supplies incidental to the conduct of any use listed above, provided such storage shall be screened or fenced and such screen or fence shall be not less than six feet in height.
- (4) Public utilities such as poles, lines, distribution transformers, pipes, meters, water and sewer lines. New and/or upgraded/improved electric and communications utilities shall be installed underground

# Current Zoning Uses - Town of Dumfries Compared to Prince William County

Legend	
✓	Prince William County
✓	Town of Dumfries
✓	Use is found in Prince William Co. not Twn. of Dumfries
Alw.	Allowable Use
Cond.	Conditional Use
Accessory	Accessory Use or Secondary Use in Prince William Code

Zoning Use	B-1				B-2				FB / 0-1		O(F)		M-1				
	Dumfries		Prince Wm.		Dumfries		Prince Wm.		Dumfries		Prince Wm.		Dumfries		Prince Wm.		
	Alw.	Cond.	Alw.	Cond.													
Alarm Systems Operations Office			✓						✓							✓	
Ambulance Service, commercial			✓						✓		✓					✓	
Ambulance service, maintenance facility.				✓												✓	
Amusement Parlors		✓				✓											
Animal shelter.																✓	
Antique Shop	✓				✓				✓								
Any permitted use greater than 12,000 square feet of floor area. The requirement for a Special Use Permit shall not apply to grocery stores.								✓									
Apparel, clothing store	✓				✓				✓								
Art Gallery	✓				✓				✓								
Art Supply Store	✓				✓				✓								
Asphalt/concrete plant.																	✓
Assembly (HAZMAT).																	✓
Assembly (non-HAZMAT).											✓					✓	
Assembly of electrical appliances, electronic instruments and devices, radios, television sets, and phonographs; electroplating and the manufacture of small parts and components such as coils, condensers, transformers and crystal holders.														✓			
Assisted living facility			✓			✓											
Automobile recycling, on parcels of 25 acres or larger where all vehicle storage is not located in a floodplain, with a conditional use permit.														✓			
Automobile assembling, painting, upholstering, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping, battery manufacturing and the like.														✓			
Automobile sales and service										✓						✓	
Automobile rental agency										✓						✓	
Bakery, all products produced/sold on premises	✓				✓				✓								
Bakery, industrial.																✓	
Banks / Financial Institutions -w/o drive throughs	✓		✓		✓		✓		✓		✓						









Nursing or convalescent care facility.			✓				✓													
Nursing or convalescent care facility (secondary to hospital only).																				Accessory
Off Premises Beer / Wine Sales		✓					✓													
Off Street Parking and Loading Areas																			✓	
Office equipment sales, lease and service.			✓				✓												Accessory	
Office, general or professional	✓		✓			✓	✓			✓		✓			✓			✓	✓	
Optical and eye care facility.			✓				✓													
Outside storage of equipment, materials, and products, secondary only.																			✓	
Outside Storage, screened or fenced (min. 6 ft. height)																			Accessory	
Package, Telecommunications, Courier Services			✓				✓			✓		✓								✓
Park, public							✓			✓										
Parking Lots, Spaces, Areas, or Structures																			Accessory	
Parking, commercial or off-street																			Accessory	✓
Parking, commercial, secondary only.																			✓	✓
Pawn Shops, operated by licesed pawnbroker																			✓	
Pet grooming service.			✓				✓													
Pet Shops, including boarding kennels		✓																		
Philanthropic / Charitable Institutions		✓					✓												✓	
Photographic equipment/service sales, studio	✓		✓				✓					✓								
Photographic processing laboratory.																			✓	✓
Place of religious worship or assembly.																				
Plumbing or Storage Yard																			✓	
Printing, Photocopy, Photo processing/blueprinting	✓																		✓	
Private Clubs / Lodges			✓																✓	
Private school (no boarding).			✓				✓												✓	
Processing / Manufacturing Establishments...																			✓	
Public Maintenance / Storage Facility																			✓	
Public Rental of Equipment, when stored within building																			✓	
Public Utilities, new installed underground																			Accessory	✓
Publishing and printing.																			✓	✓
Quick service food store.			✓				✓													Accessory
Racetrack (equestrian).							✓													
Racetrack (motorized vehicles).							✓													
Publishing and printing.																				✓
Railroad freight depot.																				✓
Railroad passenger station.							✓												✓	✓
Range, shooting (indoor).							✓												✓	
Range, shooting (indoor/outdoor).																				✓
Recreation facility, commercial (indoor).			✓																Accessory	Accessory
Recreation facility, commercial (outdoor); paintball facilities prohibited.							✓												✓	
Recreation facility for employees.																			Accessory	



Taxi or limousine dispatching or service facility.				✓								✓			✓	
Testing and experimental labs (HAZMAT processes).												✓				✓
Theater (drive-in).			✓													
Theater (indoor).			✓			✓										
Tobacco Store	✓				✓				✓							
Tool and equipment rental (minor).			✓			✓						Accessory				
Tool and equipment rental, service and repair, heavy and minor.																✓
Totally fireproof high-rise office building.																
Tourist Info. / Orientation Facilities	✓				✓				✓					✓		
Toy Store	✓				✓				✓							
Trade / Convention Center			✓						✓			✓				
Trade, technical and vocational school.			✓									✓				✓
Trailer sales (retail), lease, storage, repair and maintenance.																✓
Travel agency.			✓					✓				Accessory				
Truck stop with related facilities.				✓												
Universities / Colleges / Seminaries	✓		✓		✓				✓			✓				
Uses with drive through Window		✓				✓										
Veterinary Hospitals / Boarding Kennels		✓	✓					✓				✓	✓			✓
Video Sales / Rental Store		✓														
Warehouse (HAZMAT).																✓
Warehousing (non-HAZMAT).												Accessory				✓
Watchman's dwelling.				Accessory								✓				
Waterfront or maritime uses.																✓
Water transportation facility.				✓												✓
Wedding Chapel (except in shopping centers or shopping malls).			✓					✓								
Wholesale Businesses, with parking at rear of building		✓								✓			✓			
Wholesaling.												Accessory				✓

## B-1 Zone Current Uses Compared to Prior September 2011 Uses

Uses	Same Alw.	Moved Alw. To Cond.	New Alw.	New Cond.	Removed
Amusement parlors		✓			
Antique shop			✓		
Apparel, clothing store			✓		
Art gallery			✓		
Art supply store			✓		
Automobile and truck sales and sales and service establishments subject to securing a conditional use permit.					✓
Automobile rental agencies are permitted, with set conditions.					✓
Bakery, provided all products produced on the premises shall be sold at retail on the premises			✓		
Banks and financial institutions with a drive-through		✓			
Banks and financial institutions without drive-through windows	✓				
Barber, beauty shop			✓		
Beauty supply and accessories	✓				
Bicycle sales and repair		✓			
Bookstore, newsstand			✓		
Bowling alley	✓				
Building supplies and service with storage under cover.					✓
Candy store			✓		
Car washes.					✓
Child care or adult day care center		✓			
Churches and places of worship		✓			
Clock shop sales and repair			✓		
Commercial radio or television broadcasting stations, studios or offices not requiring on-site receiving/transmitting antennas and/or towers.					✓
Computer store or personal electronic sales and service	✓				
Contractors, where all services are performed offsite and where there is no storage of supplies or equipment outside the building		✓			

Convenience stores and service establishments such as, but not limited to automatic self-service laundries		✓			
Cultural arts and entertainment centers				✓	
Data or computer services	✓				
Dog grooming, without indoor or outdoor kennel facilities			✓		
Drug store a without drive-through window			✓		
Drug store with a drive-through window				✓	
Fast food restaurants with a drive-through window				✓	
Fast food restaurants without a drive-through window	✓				
Fire station	✓				
Florist, gift shop			✓		
Food store: Grocery store, supermarket (excluding convenience or quick service food stores)			✓		
Funeral homes.					✓
Furniture store			✓		
Garages and public parking		✓			
Government offices			✓		
Hardware, paint and wallpaper store			✓		
Hobby, craft shop			✓		
Hospitals	✓				
Hotels and motels	✓				
Household appliance sales and service store				✓	
Jewelry, engraving store			✓		
Library	✓				
Live theaters, live entertainment centers		✓			
Locksmith			✓		
Medical and/or dental office and clinic	✓				
Miniature golf courses and golf driving ranges		✓			

Mobile home sales, display and storage, or sales, display and storage of travel trailers and campers; provided that, all units shall be in usable condition. None shall be placed in a required front yard. The minimum parcel area shall be the display area and shall be enclosed by a continuous visual screen with a minimum height of eight feet. Such screen shall consist of a compact evergreen hedge or foliage screening, or louvered fence or wall, and the entire area shall be similarly screened from any contiguous residential development.					✓
Model car racetracks, subject to securing a conditional use permit.					✓
Movie theaters and assembly halls		✓			
Museums	✓				
Musical instruments, sheet music, and recorded music sales			✓		
Off premises sales of beer and wine				✓	
Office, general business or professional	✓				
Off-street parking and loading areas					✓
Pawnshop operated by a licensed pawnbroker, subject to securing a conditional use permit.					✓
Pet shops, including boarding kennels on the premises		✓			
Philanthropic and charitable institutions		✓			
Photographic equipment sales and service and photographic studio			✓		
Printing, photocopying, photographic processing or blueprinting	✓				
Private clubs and lodges		✓			
Processing or manufacturing establishments that are not objectionable because of smoke, odor, dust or noise, but only when such processing or manufacturing is incidental to a retail business conducted on the premises and more than ten persons employed on the premises engaged in processing or manufacturing activities may be permitted with a conditional use permit.					✓
Public storage units, subject to securing a conditional use permit.					✓
Public utilities such as poles, lines, distribution transformers, pipes, meters, water and sewer lines. New electric and communications utilities shall be installed underground.					✓

Rental of tools, appliances, machinery, party supplies and similar equipment to the general public, and wherein the items to be rented are stored and/or repaired within a building, and subject to securing a conditional use permit					✓
Repair services or businesses, including repair of bicycles, guns, radios, television sets, electrical appliances, locks, refrigerators, and other home appliances, shoes, toys, typewriters, watches, and clocks.					✓
Repair services or businesses, including repair of lamps, microwave ovens, radios, shoes, television sets, toasters, toys, watches, and similar items		✓			
Rescue squads	✓				
Research and development (Non-hazmat)			✓		
Residential, multifamily, located above a commercial, retail or office use on the ground floor				✓	
Restaurant, full-service, cafe, catering business, delicatessens or ice cream parlors, for service of food for consumption primarily on the premises, including outdoor eating area, but not drive-in or fast food restaurants	✓				
Retail stores and businesses	✓				
Roller rinks	✓				
Satellite receiving antennas may be permitted with a conditional use permit.					✓
School, K-12		✓			
Self-storage facility with a live-in manager, subject to securing a conditional use permit.					✓
Service stations, provided that all repairs take place in a fully enclosed building. Storage of vehicles shall be in a totally enclosed or screened area.					✓
Shoe sales and repair store			✓		
Signs					✓
Sporting goods store			✓		
Stamp and coin stores			✓		
Stationery store			✓		

Storage of materials and supplies incidental to the conduct of any use listed above, provided such storage is entirely enclosed and is conducted in the same building immediately adjacent thereto.					✓
Tailor, seamstress shop			✓		
Tanning salon			✓		
Theaters, motion picture theaters, and assembly halls.					✓
Tobacco store			✓		
Tourist homes.					✓
Tourist information and orientation facilities			✓		
Toy store			✓		
Universities, colleges, and seminaries			✓		
Uses with a drive-through window				✓	
Veterinary hospitals and boarding kennels		✓			
Video sales and rental store				✓	
Wholesale businesses, with parking to the rear of the building		✓			

### B-2 Zone Current Uses Compared to Prior September 2011 Uses

Uses	Same Alw.	Same Cond.	Moved Alw. To Cond.	New Alw.	New Cond.	Removed
Amusement parlors					✓	
Antique shop	✓					
Apparel, clothing store	✓					
Art gallery	✓					
Art supply store	✓					
Bakery, provided all products produced on the premises shall be sold at retail on the premises	✓					
Banks and financial institutions with a drive-through					✓	
Banks and financial institutions without drive-through windows	✓					
Barber, beauty shop	✓					
Beauty supply and accessories	✓					
Bed and breakfast inn			✓			
<b>Bicycle sales and repairs.</b>						✓
Bookstore, newsstand	✓					
Candy store	✓					
Child care or adult day care center			✓			
Churches and places of worship			✓			
Clock shop sales and repair	✓					
Coffee shop.						✓
Computer store or personal electronic sales and service	✓					
Cultural arts and entertainment centers					✓	
Dog grooming, without indoor or outdoor kennel facilities			✓			
Drug store a without drive-through window	✓					
Drug store with a drive-through window					✓	
Florist, gift shop	✓					
Food store: Grocery store, supermarket (excluding convenience or quick service food stores)	✓					
Furniture and upholstery repair.						✓
Furniture store, with retail floor area not exceeding 20,000 square feet			✓			

Glass and mirror sales and service establishments (excluding automobile glass repair or replacement).						✓
Government offices	✓					
Hardware, paint and wallpaper store	✓					
Hobby, craft shop	✓					
Jewelry, engraving store	✓					
Library	✓					
Locksmith			✓			
Medical and/or dental office and clinic	✓					
Museum			✓			
Musical instruments, sheet music, and recorded music sales	✓					
Off premises sales of beer and wine		✓				
Office, general business or professional	✓					
Park, public	✓					
Parking lots, parking spaces, parking areas and parking structures.						✓
Philanthropic and charitable institutions			✓			
Photographic equipment sales and service and photographic studio	✓					
Printing, photocopying, photographic processing or blueprinting services						
Recreation facility, public	✓					
Repair services or businesses, including repair of lamps, microwave ovens, radios, shoes, television sets, toasters, toys, watches, and similar items				✓		
Residential, multifamily, located above a commercial, retail or office use on the ground floor		✓				
Restaurant, full-service, cafe, catering business, delicatessens or ice cream parlors, for service of food for consumption primarily on the premises, including outdoor eating area, but not drive-in or fast food restaurants	✓					
School, K-12		✓				
Shoe sales and repair store	✓					
Small household appliance sales and service store.						✓
Sporting goods store.						✓
Stamp and coin stores	✓					
Stationery store	✓					
Tailor, seamstress shop	✓					
Tanning salon	✓					

Tobacco store	✓					
Tourist information and orientation facilities	✓					
Toy store	✓					
Universities, colleges, and seminaries				✓		
Uses with a drive-through window					✓	
Video sales and rental store.						✓

### FB/01 Zone Current Uses Compared to Prior September 2011 Uses

Uses	Same Alw.	Same Cond.	Moved Alw. To Cond.	New Alw.	New Cond.	Removed
Alarm systems operations office	✓					
Allowable uses in B-1 and B-2 zoning districts	✓					
Ambulance service (commercial)	✓					
Automobile and truck sales and services					✓	
Automobile rental agencies					✓	
Banks and financial institutions with a drive-through					✓	
Bicycle sales and repair				✓		
Building Supplies and service with storage under cover				✓		
Business school	✓					
Child care or adult day care center					✓	
Churches and places of worship				✓		
Civic club	✓					
College, university or seminary.						✓
Commercial artist or photographer's studio	✓					
Commercial parking.						✓
Commercial radio or television broadcasting stations, studios, or offices		✓				
Contractors, where all services are performed offsite and where there is no storage of supplies or equipment outside the building				✓		
Convenience stores and service establishments such as, but not limited to automatic self-service laundries				✓		
Cultural arts and entertainment centers	✓					
Data or computer services.						✓
Electronic component assembly or repair	✓					
Electronic equipment and component manufacturing		✓				
Financial institutions.						✓

slaughter					✓	
Furniture and upholstery repair				✓		
Gasoline filling stations					✓	
Glass and mirror sales and service establishments (excluding automobile glass repair or replacement)				✓		
Heliport/helistop.						✓
Laundry, cleaning, and dyeing works in which no combustible solvent is used					✓	
Manufacture of precast concrete decorative and/or structural architectural components, (nonHAZMAT)			✓			
Marina		✓				
Medical and/or dental laboratory	✓					
Medical and/or dental office and clinic.						✓
Metal fabrication		✓				
Mobile home sales					✓	
Model car racetracks					✓	
Outside storage of materials and supplies incidental to the conduct of any use listed above, provided such storage shall be screened or fenced and such screen or fence shall be not less than six feet in height.						✓
Package, telecommunications and courier services	✓					
Pawn shops operated by a licensed pawnbroker		✓				
Philanthropic and charitable institutions					✓	
Photographic processing laboratory	✓					
Private clubs and lodges					✓	

Processing or manufacturing establishments that are not objectionable because smoke, odor, dust or noise, but only when such processing or manufacturing is incidental to a retail business conducted on premises and more than 10 employees employed on the premises engaged in processing or manufacturing activities may be permitted					✓	
Public maintenance and storage facilities			✓			
Radio or television broadcasting station (antennas or towers off site subject to special use permit).						✓
Recording studio	✓					
Rental of tools, appliances, machinery, party supplies and similar equipment to the general public, and wherein the items to be rented are stored and/or repaired within a building					✓	
Repair services or businesses, including repair of guns, bicycles, washers, dryers, stoves, refrigerators, and similar items				✓		
Research and development (nonHAZMAT).						✓
Self-storage facility without a live-in manager				✓		
Shooting range, indoor		✓				
Stand-alone car wash					✓	
Trade or convention center	✓					
Wholesale business, with parking to the rear of the building					✓	

## B1 AND B2

Prince William County

<http://library.municode.com/index.aspx?clientId=14114>

*Data and Computer Services:* A use involving a building and premises in which the majority of the space is occupied by computers and/or telecommunications and related equipment and where information is processed, transferred and/or stored. May include data centers, data technology centers, internet service providers, network operations centers, web hosting facilities and other similar establishments primarily engaged in providing direct access through telecommunications networks to computer-held information.

*Hardware store:* A facility of thirty thousand (30,000) or fewer square feet gross floor area, primarily engaged in the retail sale of various basic hardware lines, such as tools, builders' hardware, plumbing and electrical supplies, paint and glass, housewares and household appliances, garden supplies and cutlery; if greater than thirty thousand (30,000) square feet, such a facility is a "Home Improvement Center".

*Research and development:* A facility primarily used for the administration and conduct of investigation, examination, prototype production, experimentation, testing, and/or training aimed at the discovery and interpretation of facts, theories, and/or the practical application of the above to products or processes. Prototype manufacturing shall be permitted as an accessory use.

*Wholesaling:* The business of selling merchandise to retailers, to industrial, commercial, institutional, or professional business users, or to other wholesalers.

Fairfax

<http://www.fairfaxcounty.gov/dpz/zoningordinance/articles/art20.pdf>

*FAST FOOD RESTAURANT:* Any establishment, which provides as a principal use, the sale of food, frozen desserts, or beverages in ready-to-consume state for consumption either within the restaurant, within a motor vehicle parked on the premises, or off-premises, and whose design or principal method of operation includes one or more of the following characteristics:

1. Food, frozen desserts, or beverages are served in edible containers or in paper, plastic or other disposable containers. Eating utensils, if provided, are disposable.

2. Food, frozen desserts, or beverages are usually served over a general service counter for the customer to carry to a seating facility within the restaurant, to a motor vehicle or off-premises. If consumed on premises, customers generally are expected to clear their own tables and dispose of their trash.

3. Forty-five (45) percent or more of the gross floor area of the establishment is devoted to food preparation, storage and related activities which space is not accessible to the general public.

4. Food, frozen desserts, or beverages are served to the occupants of motor vehicles while seated therein, such as through a drive-in window.

For the purpose of this Ordinance, a fast food restaurant shall not be deemed an eating establishment.

*REPAIR SERVICE ESTABLISHMENT:* Any establishment containing no more than 5000 square feet of net floor area wherein the primary occupation is the repair and general service of common home appliances such as musical instruments, sewing machines, televisions and radios, washing machines, vacuum cleaners, power tools, electric razors, refrigerators, and lawnmowers;

or any establishment wherein the primary occupation is interior decorating services which include reupholstering and/or the making of draperies, slipcovers and similar articles, but not to include furniture or cabinet-making establishments. Repair service establishments shall not include the use of more than three (3) vehicles other than passenger cars

*WHOLESALE TRADE ESTABLISHMENT:* Any establishment for the sale of merchandise in gross for resale, and any establishment for the sale of merchandise principally to institutional, commercial, contractors and industrial users, but not including retail sales to the general public except as a subordinate ancillary activity and any display area accessible to the general public shall be limited to the lesser of either ten (10) percent of the gross floor area of the establishment or 1000 square feet. For the purpose of this Ordinance, a warehouse shall not be deemed a wholesale trade establishment.

## **FB/O-1**

*EVERYTHING FROM B1 AND B2 INCLUDED*

Prince William County

<http://library.municode.com/index.aspx?clientId=14114>

*Alarm system* shall mean electronic security services for on- or off-site locations, to include offices, dispatcher or other personnel employed as part of the service.

*Business school* shall mean a noncollege degree-granting school offering courses in office machine operation, computers, data processing, software, secretarial, and related skills, schools, including educational correspondence courses, tutoring, and continuing education; offices and classroom facilities are permitted by right, however, laboratory or other specialized training facilities are to be evaluated based upon the zoning district in which the school is located.

*Car wash, self-service* shall mean a cleaning facility for motor vehicles where the cleaning is physically performed by someone other than an employee, using supplies and water from the facility, and including coin-operated facilities.

*Car wash, not self-service* shall mean any staffed cleaning facility for motor vehicles, in which the cleaning is performed by employees.

*Civic club* shall mean a facility used by a group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution and bylaws. These clubs and organizations may engage in any activity that is consistent with their nonprofit status.

*Commercial artist or photographer's studio* shall mean Facility primarily engaged in painting, photographic, graphic art and other art forms or video services. Film development facilities shall occupy 25 percent or less of the gross floor area of the principal use.

*Medical or dental laboratory* shall mean establishment engaged in providing professional analytic or diagnostic services to the medical, dental, or other health service professions, or to the patient on a prescription basis; includes denture laboratories and prosthetic facilities. Eyeglass and contact lens and denture manufacturing is permitted; all other manufacturing prohibited.

*Self-storage center* shall mean a building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers and other residential uses; and may include refrigerated facilities. See also "Cold storage facility".

*Telecommunications* shall mean a process that permits the passage of information from a sender to one or more receivers in a usable form, such as printed copy, fixed or moving pictures, and/or visible or audible signals, by means of any electromagnetic system, such as electrical transmission by wire or radio. This includes such uses as telegraph and telephone.

*Trade or convention or conference center* shall mean a facility used for business or professional conferences and seminars, often with accommodations for sleeping, eating and recreation.

*Tool and equipment rental, maintenance and repair (minor)* shall mean a facility engaged in rental and/or repair and maintenance of handheld tools or minor motorized equipment to or for the general public or to contractors. Such tools or equipment are transportable in a passenger car or truck less than 7,500 pounds gross vehicle weight.

*Tool and equipment rental, maintenance and repair (heavy)* shall mean a facility engaged in rental and/or repair and maintenance of tools or heavy equipment to the general public or to contractors. Such tools or equipment are not transportable in a passenger car or truck less than 7,500 pounds gross vehicle weight.

## STII NEEDED

### **B-1 AND B-2**

Apparel, clothing store  
Art supply store  
Bakery  
Barber, beauty shop  
Beauty supply and accessories  
Bookstore  
Bowling Alley  
Candy Store  
Clock shop sales and repair  
Computer store or general electronic sales and service  
Dog grooming, w/o indoor or outdoor kennel  
Drug store w/o drive through  
Fire Station  
Government offices  
Jewelry, engraving store  
Library  
Locksmith  
Photographic equipment sales, services, and studio  
Printing, photocopying, photo processing or blueprinting  
Rescue Squad

### **FB-O1**

Ambulance services  
Bicycle sales and repair shop  
Building supplies and service  
Cultural arts and entertainment centers  
Electronic component assembly and repair  
Furniture and upholstery repair  
Glass and mirror sales and service establishments  
Recording studio  
Public maintenance and storage facility

Rental of tools, appliances, machinery, ext.  
Shooting range

## Planning Commission Work Sheet for Zoning Uses

Name:

Date:

*Place an "X" to indicate your desired zoning use outcome.*

### B-1 Zone Allowable Uses

Use	No Change	Move to CUP	Eliminate from Zone
Antique shop			
Apparel, clothing store			
Art gallery			
Art supply store			
Bakery, provided all products produced on the premises shall be sold at retail on the premises			
Banks and financial institutions without drive-through windows			
Barber, beauty shop			
Beauty supply and accessories			
Bookstore, newsstand			
Bowling alley			
Candy store			
Clock shop sales and repair			
Computer store or personal electronic sales and service			
Data or computer services			
Dog grooming, without indoor or outdoor kennel facilities			
Drug store a without drive-through window			
Fast food restaurants without a drive-through window			
Fire station			
Florist, gift shop			
Food store: Grocery store, supermarket (excluding convenience or quick service food stores)			
Furniture store			
Government offices			
Hardware, paint and wallpaper store			
Hobby, craft shop			
Hospitals			
Hotels and motels			
Jewelry, engraving store			
Library			
Locksmith			
Medical and/or dental office and clinic			
Museums			
Musical instruments, sheet music, and recorded music sales			

Office, general business or professional			
photographic studio			
Printing, photocopying, photographic processing or blueprinting			
Repair services or businesses, including repair of lamps, microwave ovens, radios, shoes, television sets, toasters, toys, watches, and similar items			
Rescue squads			
Research and development (Non-hazmat)			
(to be updated to Municode.com at a later date)			
Restaurant, full-service, cafe, catering business, delicatessens or ice cream parlors, for service of food for consumption primarily on the premises, including outdoor eating area, but not drive-in or fast food restaurants			
Retail stores and businesses			
Roller rinks			
Shoe sales and repair store			
Sporting goods store			
Stamp and coin stores			
Stationery store			
Tailor, seamstress shop			
Tanning salon			
Tobacco store			
Tourist information and orientation facilities			
Toy store			
Universities, colleges, and seminaries			
<b>B-1 Zone Conditional Uses</b>			
<b>Use</b>	<b>No Change</b>	<b>Move to Allowable</b>	<b>Eliminate from Zone</b>
Amusement parlors			
Banks and financial institutions with a drive-through			
Bicycle sales and repair			
Child care or adult day care center			
Churches and places of worship			
Contractors, where all services are performed offsite and where there is no storage of supplies or equipment outside the building			
Convenience stores and service establishments such as, but not limited to automatic self-service laundries			
Cultural arts and entertainment centers			
Drug store with a drive-through window			
Fast food restaurants with a drive-through window			
Garages and public parking			
Household appliance sales and service store			

Live theaters, live entertainment centers			
Miniature golf courses and golf driving ranges			
Movie theaters and assembly halls			
Off premises sales of beer and wine			
Pet shops, including boarding kennels on the premises			
Philanthropic and charitable institutions			
Private clubs and lodges			
Residential, multifamily, located above a commercial, retail or office use on the ground floor			
School, K-12			
Uses with a drive-through window			
Veterinary hospitals and boarding kennels			
Video sales and rental store			
Wholesale businesses, with parking to the rear of the building			

**B-1 Zone Accessory Uses**

Use	No Change	Eliminate from Zone
transformers, pipes, meters, water and sewer lines. New and/or upgraded/improved electric and communications utilities shall be installed underground		
Parking lots, parking spaces, parking areas and parking structures		

**B-1 Zone Use Possible Additions**

Use	Don't Add	Add as Allowable	Add as CUP	Add as Accessory
Ambulance service, maintenance facility.				
Animal shelter.				
Any permitted use greater than 12,000 square feet of floor area. The requirement for a Special Use Permit shall not apply to grocery stores.				
Assisted living facility				
Automobile sales and service				
Automobile rental agency				
Bed and Breakfast Inn				
Boat sales (excluding non motorized), rental or lease, storage, service, or repair.				
Brewery and bottling associated with a restaurant.				
Bus station, commercial.				
Cafeteria/lunchroom/snack bar/automat.				
Carpenter or Cabinet Shop				
Catering—Commercial (off premises).				
Catering—Commercial (on or off premises).				
Civic Club				

Commercial Artist, Photographer, Recording Studio				
Commercial bus station.				
Commercial kennel.				
Commercial parking.				
Company vehicle service facility.				
Continuing care retirement community.				
Crematory, secondary to a hospital, mortuary, or funeral home.				
Donated materials collection center.				
Dry cleaning pick-up facility.				
Dry cleaning/garment processing facility, retail, less than 3,000 square feet.				
Dry cleaning/garment processing facility, retail, greater than 3,000 square feet.				
Event center/meeting hall.				
Farmer's market.				
Flea market.				
Food service, institutional.				
Fraternity, sorority, secondary to college, university or seminary (on campus only).				
Funeral Homes, w/o crematories or live animal slaughter				
Furniture repair, dipping and stripping, upholstery.				
Garden center.				
Gasoline Filling Stations				
Glass / Mirror Sales and Services, excluding automobiles				
Greenhouse or nursery.				
Gunsmith shop.				
Helistop.				
Institute for special education and training.				
Interior design and decorating shop.				
Laundromat.				
Laundry / Cleaning Works, no combustible solvent use				
Laundry, industrial.				
Kennel, commercial.				
Lawn mower service.				
Live entertainment				
Marina				
Medical care facility, specialized.				
Medical / Dental Laboratory				
Medical or dental laboratory, secondary to medical or dental clinic.				
Mixed use building				
Mobile home or office sales, lease or service.				

Mobile Home Sales				
Model Car Racetracks				
Mortuary, funeral or wedding chapel.				
Motorcycle sales, rental or lease, service or repair.				
Motor vehicle impoundment yard.				
Motor vehicle parts, retail.				
Motor vehicle parts, with service.				
Motor vehicle repair, machine shop.				
Motor vehicle sales, rental or lease (recreational).				
Motor vehicle towing.				
Petting zoo.				
Paint ball.				
Publishing and printing.				
Quick service food store.				
Racetrack (equestrian).				
Racetrack (motorized vehicles).				
Railroad passenger station.				
Range, shooting (indoor).				
Range, shooting (indoor/outdoor).				
Recreation facility, commercial (indoor).				
Recreation facility, commercial (outdoor).				
Recycling collection points				
Religious institution.				
Religious institutions, with related facilities, excluding cemeteries.				
Restaurant.				
Restaurant, carry-out.				
Restaurant, drive-in/drive-up, drive through.				
School of special instruction.				
Self Storage Facility				
Shooting Range, indoors				
Stand-alone Car Wash				
Taxi or limousine dispatching or service facility.				
Theater (drive-in).				
Theater (indoor).				
Tool and equipment rental (minor).				
Trade / Convention Center				
Trade, technical and vocational school.				
Travel agency.				
Truck stop with related facilities.				
Waterfront or maritime uses.				
Water transportation facility.				
Wedding Chapel .				
Stadium or arena, indoor or outdoor.				
Watchman's dwelling.				
<b>Other uses:</b>				

**B-2 Zone Allowable Uses**

Use	No Change	Move to CUP	Eliminate from Zone
Antique shop			
Apparel, clothing store			
Art gallery			
Art supply store			
Bakery, provided all products produced on the premises shall be sold at retail on the premises			
Banks and financial institutions without drive-through windows			
Barber, beauty shop			
Beauty supply and accessories			
Bookstore, newsstand			
Candy store			
Clock shop sales and repair			
Computer store or personal electronic sales and service			
Drug store a without drive-through window			
Florist, gift shop			
Food store: Grocery store, supermarket (excluding convenience or quick service food stores)			
Government offices			
Hardware, paint and wallpaper store			
Hobby, craft shop			
Jewelry, engraving store			
Library			
Medical and/or dental office and clinic			
Musical instruments, sheet music, and recorded music sales			
Office, general business or professional			
Park, public			
Photographic equipment sales and service and photographic studio			
Recreation facility, public			
Repair services or businesses, including repair of lamps, microwave ovens, radios, shoes, television sets, toasters, toys, watches, and similar items			
Restaurant, full-service, cafe, catering business, delicatessens or ice cream parlors, for service of food for consumption primarily on the premises, including outdoor eating area, but not drive-in or fast food restaurants			
Shoe sales and repair store			
Stamp and coin stores			
Stationery store			
Tailor, seamstress shop			

Tanning salon				
Tobacco store				
Tourist information and orientation facilities				
Toy store				
Universities, colleges, and seminaries				
<b>B-2 Zone Conditional Uses</b>				
<b>Use</b>	<b>No Change</b>	<b>Move to Allowable</b>	<b>Eliminate from Zone</b>	
Amusement parlors				
Banks and financial institutions with a drive-through				
Bed and breakfast inn				
Child care or adult day care center				
Churches and places of worship				
Cultural arts and entertainment centers				
Dog grooming, without indoor or outdoor kennel facilities				
Drug store with a drive-through window				
Furniture store, with retail floor area not exceeding 20,000 square feet				
Locksmith				
Museum				
Off premises sales of beer and wine				
Philanthropic and charitable institutions				
Residential, multifamily, located above a commercial, retail or office use on the ground floor				
School, K-12				
Uses with a drive-through window				
<b>B-2 Zone Accessory Uses</b>				
<b>Use</b>	<b>No Change</b>	<b>Eliminate from Zone</b>		
Parking lots, parking spaces, parking areas and parking structures				
(2) Public utilities such as poles, lines, distribution transformers, pipes, meters, water and sewer lines. New and/or upgraded/improved electric and communications utilities shall be installed underground				
<b>B-2 Zone Use Considerations</b>				
<b>Use</b>	<b>Don't Add</b>	<b>Add as Allowable</b>	<b>Add as CUP</b>	<b>Add as Accessory</b>
Any allowable use greater than 12,000 square feet of floor area requires a conditional use permit.				
Bicycle Sales / Repairs				
Buisness School				
Cafeteria/lunchroom/snack bar/automat.				
Civic Club				

Commercial Artist, Photographer, Recording Studio				
Commercial parking.				
Commissary or Catering Establishment				
Cultural Arts / Entertainment Centers				
Data or Computer services				
Donated materials collection center.				
Dry cleaning pick-up facility.				
Dry cleaning/garment processing facility, retail, less than 3,000 square feet.				
Event center/meeting hall.				
Farmer's market.				
Fast Food Restaurants, w/o drive through				
Hospitals				
Hotels / Motels				
Live entertainment				
Live Theaters / Entertainment Centers				
Marina				
Mixed use building				
Model Car Racetracks				
Office equipment sales, lease and service.				
Package, Telecommunications, Courier Services				
Pet grooming service.				
Photographic processing laboratory.				
Place of religious worship or assembly.				
Printing, Photocopy, Photo processing/blueprinting				
Private school (no boarding).				
Public Rental of Equipment, when stored within building				
Quick service food store.				
Range, shooting (indoor).				
Recycling collection points				
Restaurant.				
Restaurant, carry-out.				
Restaurant, drive-in/drive-up, drive through.				
Restaurant.				
Restaurant, carry-out.				
Restaurant, drive-in/drive-up, drive through.				
School of special instruction.				
Sporting Goods Store				
Theater (indoor).				
Tool and equipment rental (minor).				
Trade / Convention Center				
Travel agency.				
Uses with drive through Window				
Video Sales / Rental Store				



**FB/0-1 Zone Allowable Uses**

<b>Use</b>	<b>No Change</b>	<b>Move to CUP</b>	<b>Eliminate from Zone</b>
Allowable uses in B-1 and B-2 zoning districts			
Alarm systems operations office			
Ambulance service (commercial)			
Bicycle sales and repair			
Building Supplies and service with storage under cover			
Business school			
Churches and places of worship			
Civic club			
Commercial artist or photographer's studio			
Contractors, where all services are performed offsite and where there is no storage of supplies or equipment outside the building			
Convenience stores and service establishments such as, but not limited to automatic self-service laundries			
Cultural arts and entertainment centers			
Electronic component assembly or repair			
Furniture and upholstery repair			
Glass and mirror sales and service establishments (excluding automobile glass repair or replacement)			
Medical and/or dental laboratory			
Package, telecommunications and courier services			
Photographic processing laboratory			
Recording studio			
Repair services or businesses, including repair of guns, bicycles, washers, dryers, stoves, refrigerators, and similar items			
Self-storage facility without a live-in manager			
Trade or convention center			

**FB/0-1 Zone Conditional Uses**

<b>Use</b>	<b>No Change</b>	<b>Move to Allowable</b>	<b>Eliminate from Zone</b>
Automobile and truck sales and service establishments			
Automobile rental agencies			
Banks and financial institutions with a drive-through			
Child care or adult day care center			
Commercial radio or television broadcasting stations, studios, or offices			
Electronic equipment and component manufacturing			

Funeral Homes without crematories and live animal slaughter			
Gasoline filling stations			
Laundry, cleaning, and dyeing works in which no combustible solvent is used			
Manufacture of precast concrete decorative and/or structural architectural components, (nonHAZMAT)			
Marina			
Metal fabrication			
Mobile Home sales			
Model car racetracks			
Pawn Shops operated by a licensed pawnbroker			
Philanthropic and charitable institutions			
Private clubs and lodges			
Processing or manufacturing establishments that are not objectionable because smoke, odor, dust or noise, but only when such processing or manufacturing is incidental to a retail business conducted on premises and more than 10 employees employed on the premises engaged in processing or manufacturing activities may be permitted			
Public maintenance and storage facilities			
Rental of tools, appliances, machinery, party supplies and similar equipment to the general public, and wherein the items to be rented are stored and/or repaired within a building			
Shooting range, indoor			
Stand-alone car wash			
Wholesale business, with parking to the rear of the building			
<b>FB/0-1 Zone Accessory Uses</b>			
<b>Use</b>	<b>No Change</b>	<b>Eliminate from Zone</b>	
Commercial parking			
Off-street parking			
Outside storage of materials and supplies.			
Public utilities such as poles, lines, distribution transformers, pipes, meters, water and sewer lines. New and/or upgraded/improved electric and communications utilities shall be installed underground			

**FB/0-1 Zone Use Considerations**

<b>Use</b>	<b>Don't Add</b>	<b>Add as Allowable</b>	<b>Add as CUP</b>	<b>Add as Accessory</b>
Ambulance service, maintenance facility.				
Animal shelter.				
Assembly (non-HAZMAT).				
Bakery, industrial.				
Brewery and bottling facility.				
Bus station, commercial.				
Cafeteria/lunchroom/snack bar/automat.				
Carpenter or Cabinet Shop				
Car wash (manned or self-service).				
Catalog sales, contractors, tradesman or industrial equipment				
Catering—Commercial (off premises).				
Catering—Commercial (on or off premises).				
Commercial kennel.				
Commercial parking.				
Company vehicle service facility.				
Computer Store / Personal electronic sales and service				
Donated materials collection center.				
Electronic Component / Equipment Manufacturing				
Event center/meeting hall.				
Fast Food Restaurants, with drive through				
Flea market.				
Food service, institutional.				
Food Store, -excluding convenience stores				
Furniture repair, dipping and stripping, upholstery.				
Garages / Public Parking				
Institute for special education and training.				
Janitorial service.				
Live Theaters / Entertainment Centers				
Moving and storage.				
Nursing or convalescent care facility (secondary to hospital only).				
Optical and eye care facility.				
Park, public				
Pet grooming service.				
Place of religious worship or assembly.				
Publishing and printing.				
Quick service food store.				
Range, shooting (indoor).				
Recreation facility, commercial (indoor).				
Recreation facility for employees.				
Research and development (HAZMAT).				



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§ 15.2-2209. Civil penalties for violations of zoning ordinance.

Notwithstanding subdivision A 5 of § 15.2-2286, any locality may adopt an ordinance which establishes a uniform schedule of civil penalties for violations of specified provisions of the zoning ordinance. The schedule of offenses shall not include any zoning violation resulting in injury to any persons, and the existence of a civil penalty shall not preclude action by the zoning administrator under subdivision A 4 of § 15.2-2286 or action by the governing body under § 15.2-2208.

This schedule of civil penalties shall be uniform for each type of specified violation, and the penalty for any one violation shall be a civil penalty of not more than \$200 for the initial summons and not more than \$500 for each additional summons. Each day during which the violation is found to have existed shall constitute a separate offense. However, specified violations arising from the same operative set of facts shall not be charged more frequently than once in any 10-day period, and a series of specified violations arising from the same operative set of facts shall not result in civil penalties which exceed a total of \$5,000. Designation of a particular zoning ordinance violation for a civil penalty pursuant to this section shall be in lieu of criminal sanctions, and except for any violation resulting in injury to persons, such designation shall preclude the prosecution of a violation as a criminal misdemeanor, provided, however, that when such civil penalties total \$5,000 or more, the violation may be prosecuted as a criminal misdemeanor.

The zoning administrator or his deputy may issue a civil summons as provided by law for a scheduled violation. Any person summoned or issued a ticket for a scheduled violation may make an appearance in person or in writing by mail to the department of finance or the treasurer of the locality prior to the date fixed for trial in court. Any person so appearing may enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged. Such persons shall be informed of their right to stand trial and that a signature to an admission of liability will have the same force and effect as a judgment of court.

If a person charged with a scheduled violation does not elect to enter a waiver of trial and admit liability, the violation shall be tried in the general district court in the same manner and with the same right of appeal as provided for by law. In any trial for a scheduled violation authorized by this section, it shall be the burden of the locality to show the liability of the violator by a preponderance of the evidence. If the violation remains uncorrected at the time of the admission of liability or finding of liability, the court may order the violator to abate or remedy the violation in order to comply with the zoning ordinance. Except as otherwise provided by the court for good cause shown, any such violator shall abate or remedy the violation within a period of time as determined by the court, but not later than six months of the date of admission of liability or finding of liability. Each day during which the violation continues after the court-ordered abatement period has ended shall constitute a separate offense. An admission of liability or finding of liability shall not be a criminal conviction for any purpose.

No provision herein shall be construed to allow the imposition of civil penalties (i) for activities related to land development or (ii) for violation of any provision of a local zoning ordinance relating to the posting of signs on public property or public rights-of-way.

(1985, c. 417, § 15.1-499.1; 1986, c. 97; 1987, cc. 78, 99; 1988, cc. 513, 813, 869, 895; 1989, c. 566; 1990, cc. 473, 495; 1992, c. 298; 1993, c. 823; 1994, c. 3a2; 1995, c. 49a; 1996, c. 421; 1997, c. 587; 2003, c. 192; 2006, c. 248; 2008, c. 227.)

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Prince William County, Virginia, Code of Ordinances Chapter 32 - ZONING ARTICLE X -  
 VIOLATIONS, INFRACTIONS, AND PENALTIES

**ARTICLE X. - VIOLATIONS, INFRACTIONS, AND PENALTIES**

Sec. 32-1000.01. - General provisions,

Sec. 32-1000.02. - Criminal violations and penalties,

Sec. 32-1000.03. - Infractions and civil penalties.

**Sec. 32-1000.01. - General provisions.**

1. An owner of property shall be responsible for, and subject to prosecution and conviction for, any violation of this chapter found to exist on his property.
2. Any building erected or improvements constructed contrary to any of the provisions of this chapter and any use of any building or land which is conducted, operated or maintained contrary to any of the provisions of this chapter or contrary to any detailed statement or plan approved under the provisions of this chapter shall be and the same is hereby declared to be unlawful.
3. Any person, whether owner, lessee, principal agent, employee or otherwise, who violates any of the provisions of this chapter, or permits any such violation, or fails to comply with any of the requirements hereof, or who erects any building or structure or uses any building or land in violation of the provisions of this chapter shall be subject to the enforcement provisions of this part.
4. Upon becoming aware of any violation of any provisions of this chapter, the zoning administrator may proceed to remedy the violation as provided in section 32-1000.02 or section 32-1000.03. The zoning administrator may also revoke any zoning approval(s) to terminate the violation.
5. The zoning administrator or his/her agent may present sworn testimony to a magistrate or court of competent jurisdiction and if such sworn testimony establishes probable cause that a zoning ordinance violation has occurred, request that the magistrate or court grant the zoning administrator or his/her agent an inspection warrant to enable the zoning administrator or his/her agent to enter the subject dwelling for the purpose of determining whether violations of the zoning ordinance exist. The zoning administrator or his/her agent shall make a reasonable effort to obtain consent from the owner or tenant of the subject dwelling prior to seeking the issuance of an inspection warrant.

*(Ord No 94-1-11-91; Ord. No. 00-10, 1-18-00; Ord No 09-22, 4-21-09)*

**Sec. 32-1000.02. - Criminal violations and penalties.**

1. In the event that the zoning administrator determines that there has been any violation of this chapter, the administrator may, if necessary or appropriate, seek criminal process against the alleged violator. The issuance of a violation notice and correction order shall not be deemed a precondition to the issuance of a warrant or summons. The remedies provided by this chapter shall be cumulative, and nothing herein shall be construed to prevent the zoning administrator from issuing a violation notice and correction order under either section 32-1000.01 or section 32-700.31 of this chapter. In addition, the administrator may seek immediate relief from the court regardless of other action that has been or will be taken.
2. Any violation of the provisions of this chapter, including failure to comply with a violation notice and correction order, shall be a misdemeanor and upon conviction thereof the penalty for such violation shall be a fine of not less than \$10,000 nor more than \$1,000,000. If the violation is uncorrected at the time of the conviction, the court shall order the violator to abate or remedy the violation in compliance with the zoning ordinance, within a time period established by the court. Failure to remove or abate a zoning violation within the specified time period shall constitute a separate misdemeanor offense punishable by a fine of not less than \$100,000 nor more than \$1,000,000, and any failure during any succeeding ten-day period shall constitute a separate misdemeanor offense for each ten-day period punishable by a fine of not less than \$100,000 nor more than \$1,500,000.
3. The remedy provided for in this section shall be in addition to any other remedies provided by law; however, the designation of a particular violation of this ordinance as an infraction pursuant to subsection 1 of section 32-1000.03 shall preclude criminal prosecution or sanctions, except for any infraction also resulting in injury to any person or persons.

*(Ord No 00-10, 1-18-00)*

*State law reference—Code of Virginia, § 19.2-2786*

**Sec. 32-1000.03. - Infractions and civil penalties.**

Any violation of the following provisions of this ordinance, not resulting in injury to any persons, shall be deemed a civil infraction. A violation shall be punishable by a civil penalty of \$200.00 for the first summons, and a fine of not more than \$500.00 for each additional summons.

(a) Violations in agricultural or residential districts, or on properties where the principal use is agricultural or residential. The county attorney is authorized to petition the general district court for subpoena against any person refusing to produce data and information, or refusing to appear as a witness in residential overcrowding cases.

(1)	Section 32-300.13 .....	Exceeding the limitations on occupancy of a dwelling unit.
(2)	Sections 32-250.20, et seq. ....	Erecting or maintaining illegal signs
(3)	Section 32-250.61 .....	Keeping inoperative motor vehicles (No. 02-05-08)
(4)	Sections 32-250.62 and 32-300.02.1. ....	Keeping commercial or prohibited vehicles
(5)	Section 32-300.02.1(d) .....	Location and area of vehicle parking and storage on lots of one acre or less
(6)	Section 32-300.02.2. ....	Repair or service of motor vehicles in a residential district or in an agricultural district on lots less than 10 acres
(7)	Sections 32-300.02.6., 32-300.02.7., 32-300.02.8. or 32-300.02.9. ....	Keeping animals which are not permitted by, or keeping animals in violation of district regulations
(8)	Section 32-300.02.13. ....	Maintaining or engaging in outside storage which is not permitted in district, or which violates district regulations
(9)	Section 32-300.03 .....	Accessory structures or buildings, which are not permitted by, or which violates district regulations
(10)	Sections 32-300.07.2., 32-300.07.3. or 32-300.07.4. ....	Operation of a home occupation, home employment or home business not permitted in district, or in violation of district regulations
(11)	Section 32-300.12 .....	Maintaining a dump heap
(b) Violations in nonresidential zoning districts.		
(1)	Sections 32-250.20 et seq. ....	Erecting or maintaining illegal signs
(2)	Section 32-250.61 .....	Storing inoperative motor vehicles
(3)	Section 32-400.08 .....	Maintaining or engaging in outside storage not permitted in district, or in violation of district regulations
(4)	Section 32-400.10 .....	Violating litter control regulations for commercially zoned properties
(5)	Section 32-400.11 .....	Maintaining a dump heap
(6)	Sections 32-250.62 and 32-400.12 .....	Parking or storing vehicles in violation of district restrictions

2. Each day during which any violation of the provisions numerated in subsection 1. above is found to have existed shall constitute a separate offense. However, in no event shall any such violation arising from the same set of operative facts be charged more frequently than once in any ten-day period, nor shall a series of such violations arising from the same set of operative facts result in civil penalties which exceed a total of \$5,000.00.

3. The designation of a particular violation of this ordinance as an infraction pursuant to subsection 1. above shall be in lieu of criminal sanctions, and except for any violation resulting in injury to any person or

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- persons, such designation shall preclude the prosecution of a violation as a criminal misdemeanor, provided, however, that when such civil penalties total \$5,000.00 or more, the violation may be prosecuted as a criminal misdemeanor.
4. The issuance of a violation notice and correction order shall not be deemed a precondition to the issuance of a civil summons pursuant to this section. The zoning administrator may cause a summons or a ticket to be issued for any scheduled violation and served upon any person responsible for that violation in any manner of service authorized by law.
5. Such summons or ticket shall contain the following information:
- (a) The name and address of the person charged.
  - (b) The nature of the infraction, the subsection of this section and the ordinance provision(s) being violated.
  - (c) The location, date and time that the infraction occurred or was observed.
  - (d) The amount of the civil penalty assessed for the infraction.
  - (e) The manner, location and time in which the civil penalty may be paid to the county.
  - (f) The right of the recipient of the summons to elect to stand trial for the infraction and the date for such trial, or the date for scheduling of such trial by the court.
6. The summons or ticket shall provide that any person summoned for a violation may elect to pay the civil penalty by making an appearance in person or in writing by mail to the county office of finance prior to the date fixed for trial and, by such appearance, may enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged. Such summons or ticket shall provide that a signature to an admission of liability shall have the same force and effect as a judgment of court, however, an admission shall not be deemed a criminal conviction for any purpose.
7. If a person charged with a violation does not elect to enter a waiver of trial and admit liability, the violation shall be tried in the general district court in the same manner and with the same right of appeal as provided by law. If the violation remains uncorrected at the time of the admission of liability or finding of liability, the court may order the violator to abate or remedy the violation in order to comply with the zoning ordinance. Except as otherwise provided by the court for good cause shown, any such violator shall abate or remedy the violation within a period of time as determined by the court, but not later than six months of the date of admission of liability or finding of liability. Each day during which the violation continues after the court-ordered abatement period has ended shall constitute a separate offense. A finding of liability shall not be deemed a criminal conviction for any purpose, except for the provisions of subsection 3., above.
8. The remedies provided for in this section are cumulative and not exclusive and shall be in addition to any other remedies provided by law.

*Ord. No. 94-1, 1-11-94; Ord. No. 95-77, 9-5-95; Ord. No. 00-10, 1-18-00; Ord. No. 03-4, 1-7-03; Ord. No. 04-78, 12-21-04; Ord. No. 08-12, 2-5-08; Ord. No. 09-22, 4-21-09)*

*State law reference—Civil penalties, Code of Virginia, 15.2-2709.*

**Sec. 110-9. - Violations, penalties.****(a) General provisions.**

- (1) Any building erected or improvements constructed contrary to any of the provisions and any use of any building or land which is conducted, operated or maintained contrary to any of the provisions or contrary to any detailed statement or plan approved under the provisions shall be and the same is hereby declared to be unlawful.
- (2) Any person, whether owner, lessee, principal, agent, employee or otherwise, who violates any of the provisions, or permits any such violation, or fails to comply with any of the requirements hereof, or who erects any building or uses any building or land in violation of the provisions shall be subject to the enforcement provisions of this section.
- (3) Upon becoming aware of any violation of any provisions, the zoning administrator may serve a notice of such violation on the person committing or permitting the same, which notice shall require such violation to cease within such reasonable time as is specified in such notice. After such notice is sent and such violation is not ceased within such reasonable time as is specified in the notice, then the zoning administrator may proceed to remedy the violation as provided in subsections (b) or (c) below. The zoning administrator may also revoke a residential or nonresidential use permit to terminate the violation.
- (4) Any written notice of a zoning violation or a written order of the zoning administrator dated on or after July 1, 1993, shall include a statement informing the recipient that a right to appeal the notice of a zoning violation or a written order within 30 days may exist in accordance with Code of Virginia, § 15.2-2311 and part 3 of article 18 of the ordinance, and that the decision shall be final and unappealable if not appealed within 30 days. The appeal period shall not commence until such statement is given.
- (5) The remedies provided for in this section are cumulative and not exclusive and shall be in addition to any other remedies provided by law, including, but not limited to, actions by the zoning administrator pursuant to Code of Virginia, § 15.2-2286(A)(4), or action by the city council under Code of Virginia, § 15.2-2208. In addition to the remedies described herein, the zoning administrator may initiate injunction, mandamus, or any other appropriate action to prevent, enjoin, abate or remove such erection or use in violation of any provision.

**(b) Criminal penalties.**

- (1) Any violation of the following provisions, or any provision of profiers accepted pursuant thereto shall be deemed a misdemeanor and, upon conviction, shall be fined not less than \$10.00 nor more than \$1,000.00 for each offense. Failure to remove or abate a zoning violation within the time period established by the court shall constitute a separate misdemeanor offense punishable by a fine of not less than \$10.00 nor more than \$1,000.00, and any such failure during any succeeding ten day period shall constitute a separate misdemeanor offense for each ten day period punishable by a fine of not less than \$100.00 nor more than \$1,500.00.
  - a. Section [Chapter] 110, article II, division 2: Floodplains;
  - b. Section [chapter] 110, article II, division 4: Site Plans;
  - c. Section [Chapter] 110, article II, division 7: Signs, only as applied to signs placed in the right of way or on public property;
  - d. Section [chapter] 110, article II, division 11: Storm Drainage Facilities; and
  - e. Section [Chapter] 110, Article XX: Historical Overlay District.
- (2) Each day such violation continues shall constitute a separate offense.
- (3) The remedy provided for in this Section shall be in addition to any other remedies provided by law; however, the designation of a particular violation of this Ordinance as a civil penalty shall preclude criminal prosecution or sanctions, except for any infraction also resulting in injury or death to any person or persons.
- (4) If the zoning administrator determines that a violation of the provisions of this chapter enumerated in subsection (b) above has occurred, the zoning administrator shall cause a summons in the form prescribed by the General District Court for the County of Fairfax for such misdemeanors to be mailed by regular or certified mail or hand-delivered to the persons committing or permitting the violation.

**(c) Civil penalties.**

- (1) Any person, whether owner, lessee, principal, agent, employee or otherwise who commits, permits, assists in or attempts any violation of the provisions of chapter 110 of the City Code, other than those set forth in subsection (b) above or those for which a specific enforcement section is included in the article or division applicable to that provision, whether by act or omission, shall be punishable by a civil penalty of \$200.00 for the initial violation and \$500.00 for each additional violation of the same Code section.
- (2) Each day during which any violation enumerated in subsection (c)(1) is found to have existed shall constitute a separate offense. However, in no event shall any such violation arising from the same set of

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- operative facts be charged more frequently than once in any ten-day period, nor shall a series of such violations arising from the same set of operative facts result in civil penalties which exceed a total of \$5,000.00.
- (3) The designation of a particular violation for a civil penalty pursuant to subsection (c)(1) shall be in lieu of criminal sanctions, and except for any violation resulting in injury or death to any person or persons, such designation shall preclude the prosecution of such violation as a criminal misdemeanor.
- (4) If the zoning administrator determines that a violation of the provisions of this chapter enumerated in subsection (c) above has occurred, the zoning administrator shall cause a ticket to be mailed by regular or certified mail or hand-delivered to the persons committing or permitting the violation.
- (5) Such ticket shall contain the following information:
- a. The name and address of the person charged.
  - b. The nature of the violation and the provision being violated.
  - c. The location, date and time that the violation occurred or was observed.
  - d. The amount of the civil penalty assessed for the violation.
  - e. The manner, location and time in which the civil penalty may be paid to the city.
  - f. The right of the recipient of the ticket to elect to stand trial for the violation.
- (6) The ticket shall provide that any person charged with a violation may make an appearance in person or in writing by mail to the office of treasurer and, at such time, may enter a waiver of trial, admit liability and pay the civil penalty established for the offense charged. Such ticket shall provide that signature to an admission of liability shall have the same force and effect as a judgment of court; however, an admission shall not be deemed a criminal conviction for any purpose.
- (7) If a person charged with a violation does not elect to enter a waiver of trial and admit liability, the violation shall be tried in the general district court in the same manner and with the same right of appeal as provided by law. A finding of liability shall not be deemed a criminal conviction for any purpose.

*(Code 1978, § 26-7; Ord. No. 2007-01, 1-9-2007; Ord. No. 2007-17, 7-24-2007; Ord. No. 2009-04, 7-24-2009)*  
*State law reference— State law basis of this section, Code of Virginia, §§ 15-2-2209, 15-2-236(A)(5)*

ADMINISTRATION, AMENDMENTS, VIOLATIONS AND PENALTIES

**PART 9 18-900 VIOLATIONS, INFRACTIONS, AND PENALTIES**

**18-901 General Provisions**

1. Any building erected or improvements constructed contrary to any of the provisions of this Ordinance and any use of any building or land which is conducted, operated or maintained contrary to any of the provisions of this Ordinance or contrary to any detailed statement or plan approved under the provisions of this Ordinance shall be and the same is hereby declared to be unlawful.

2. Any person, whether owner, lessee, principal, agent, employee or otherwise, who violates any of the provisions of this Ordinance, or permits any such violation, or fails to comply with any of the requirements hereof, or who erects any building or uses any building or land in violation of the provisions of this Ordinance shall be subject to the enforcement provisions of this Part.

3. Upon becoming aware of any violation of any provisions of this Ordinance, the Zoning Administrator shall serve a notice of such violation on the person committing or permitting the same, which notice shall require such violation to cease within such reasonable time as is specified in such notice. After such notice is sent and such violation is not ceased within such reasonable time as is specified in the notice, then the Zoning Administrator may proceed to remedy the violation as provided in Sections 902, 903 or 904 below. The Zoning Administrator may also revoke a Residential or Non-Residential Use Permit to terminate the violation.

Any written notice of a zoning violation or a written order of the Zoning Administrator dated on or after July 1, 1993 shall include a statement informing the recipient that a right to appeal the notice of a zoning violation or a written order within thirty (30) days may exist in accordance with Sect. 15.2-2311 of the Code of Virginia and Part 3 of Article 18 of the Ordinance, except that a written notice of violation or a written order of the Zoning Administrator involving the violations set forth in Par. 2 of Sect. 18-303 above shall include a statement informing the recipient that a right to appeal the notice of violation or written order within ten (10) days may exist. The decision shall be final and unappealable if not appealed within the specified time frames set forth in the notice or written order. The appeal period shall not commence until such statement is given.

4. In addition to the remedies provided in Par. 3 above, the Zoning Administrator may initiate injunction, mandamus, or any other appropriate action to prevent, enjoin, abate or remove such erection or use in violation of any provision of this Ordinance. Such action may also be instituted by any citizen who may be aggrieved or particularly damaged by any violation of any provisions of this Ordinance.

**18-902 Criminal Violations and Penalties**

1. Any violation of the provisions of this Ordinance, other than those set forth in Sect. 903 below, shall be deemed a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not less than \$10 and not more than \$1000. Failure to remove or abate a zoning violation within the time period established by the Court shall constitute a separate misdemeanor offense punishable by a fine of not less than \$10 nor more than \$1000, and

## FAIRFAX COUNTY ZONING ORDINANCE

- any such failure during any succeeding ten day period shall constitute a separate misdemeanor offense for each ten day period punishable by a fine of not less than \$100 nor more than \$1500.
2. The remedy provided for in this Section shall be in addition to any other remedies provided by law; however, the designation of a particular violation of this Ordinance as an infraction pursuant to Par. 1 of Sect. 903 below shall preclude criminal prosecution or sanctions, except for any infraction also resulting in injury to any person or persons and/or civil penalties that total \$5000 or more.

## 18-903

**Infractions and Civil Penalties**

1. A violation of the following provisions of this Ordinance shall be deemed an infraction and shall be punishable by a civil penalty of \$200 for the first violation; and subsequent violations arising from the same set of operative facts shall be punishable by a civil penalty of \$500 for each separate offense:
- A. Conduct of a use, accessory use, and/or home occupation in violation of Paragraphs 5, 6, or 8 of Sect. 2-302.
  - B. Occupancy of a dwelling unit in violation of Sect. 2-502.
  - C. Obstruction of sight distance on corner lots in violation of Sect. 2-505.
  - D. Keeping of animals in violation of Sect. 2-512.
  - E. Conducting an accessory use in violation of Paragraphs 9 or 24 of Sect. 10-102.
  - F. Parking a commercial vehicle in an R district in violation of Par. 16 of Sect. 10-102.
  - G. Location of basketball standard in a front yard in violation of Par. 12C of Sect. 10-104.
  - H. Erection of prohibited signs on private property in violation of Paragraphs 1, 4, 5, 6, 7, 11, 12, 13 or 14 of Sect. 12-104.
  - I. Erection, alteration, refacing or relocation of a sign on private property in violation of Sect. 12-301.
  - J. Occupancy or use of structure without approval of a Residential or Non-Residential Use Permit in violation of Sect. 18-701.
2. Each day during which any violation of the provisions enumerated in Par. 1 above is found to have existed shall constitute a separate offense. However, in no event shall any such violation arising from the same set of operative facts be charged more frequently than once in any ten (10) day period, nor shall a series of such violations arising from the same set of operative facts result in civil penalties which exceed a total of \$5000.

ADMINISTRATION, AMENDMENTS, VIOLATIONS AND PENALTIES

3. The designation of a particular violation of this Ordinance as an infraction pursuant to Par. 1 above shall be in lieu of criminal sanctions, and such designation shall preclude the prosecution of a violation as a criminal misdemeanor unless such violation results in injury to any person or persons or the civil penalties under Par. 1 above total \$5000 or more for such violation. If the civil penalties for a violation under Par. 1 above total \$5000 or more, the violation may be prosecuted as a criminal misdemeanor.
4. After having served a notice of violation on any person committing or permitting a violation of the Zoning Ordinance provisions enumerated in Par. 1 above and if such violation has not ceased within such reasonable time as is specified in such notice, then, upon the approval of the County Attorney, the Zoning Administrator shall cause two (2) copies of a summons to be served upon such person.
5. Such summons shall contain the following information:
  - A. The name and address of the person charged.
  - B. The nature of the infraction and the Ordinance provision(s) being violated.
  - C. The location, date and time that the infraction occurred or was observed.
  - D. The amount of the civil penalty assessed for the infraction.
  - E. The manner, location and time in which the civil penalty may be paid to the County.
  - F. The right of the recipient of the summons to elect to stand trial for the infraction and the date for such trial.
6. The summons shall provide that any person summoned for a violation may elect to pay the civil penalty by making an appearance in person or in writing by mail to the Department of Finance at least seventy-two (72) hours prior to the time and date fixed for trial and, by such appearance, may enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged. Such summons shall provide that a signature to an admission of liability shall have the same force and effect as a judgment of court, however, an admission shall not be deemed a criminal conviction for any purpose.
7. If a person charged with a violation does not elect to enter a waiver of trial and admit liability, the violation shall be tried in the General District Court in the same manner and with the same right of appeal as provided by law. A finding of liability shall not be deemed a criminal conviction for any purpose.
8. The remedies provided for in this Section are cumulative and not exclusive and shall be in addition to any other remedies provided by law.

18-904 Civil Penalty for Demolition, Razing or Moving of Buildings in Historic Overlay Districts

## FAIRFAX COUNTY ZONING ORDINANCE

1. When a Building Permit is required, the demolition, razing or moving of a building or structure which is located in a Historic Overlay District without the prior approval of the Architectural Review Board and/or the Board of Supervisors as provided in Sect. 7-204 shall be punishable by a civil penalty.
2. Such civil penalty shall not exceed the market value of the property as determined by the assessed value of the property at the time of destruction or removal of the building or structure, and shall include the value of any structure and the value of the real property upon which any such structure was located.
3. Enforcement under this Section shall be by bringing an action in the name of the County in Circuit Court by the County Attorney, upon request of the Zoning Administrator, and such action shall be brought against the party or parties deemed responsible for such violation. It shall be the burden of the County to show liability of the violator by a preponderance of the evidence.
4. The remedies provided for in this Section are not exclusive and shall be in addition to any other remedies provided by law.

SECTION 37. VIOLATIONS AND PENALTIES

A. Any building erected or improvements constructed contrary to any of the provisions of this Ordinance and any use of any building or land which is conducted, operated or maintained in a manner that is not in compliance with any of the provisions of the Ordinance or in a manner not in compliance with any permit, detailed statement or plan approved under the provisions of this Ordinance shall be and the same is hereby declared to be unlawful.

B. It shall constitute a violation of this ordinance for any person, firm or corporation, either owner, agent or occupant, to do any of the things for which a permit is required by this ordinance without having first obtained the said permit; and any permit issued upon a false statement of any fact which is material to the issuance thereof shall be void. Whenever the fact of such false statement shall be established to the satisfaction of the Zoning Administrator, he shall forthwith revoke the same, by notice in writing to be delivered to the holder of the void permit upon the premises where the violation has occurred, or, if such holder be not found there, by posting the said notice of revocation in some conspicuous place upon the said premises. Any such person, firm or corporation who shall proceed thereafter with such work or use without having obtained a new permit in accordance with this ordinance shall be deemed guilty of violation thereof.

C. It shall constitute a violation of this ordinance for any person, firm or corporation, either owner, agent or occupant, to disobey, neglect or refuse to comply with or resist the enforcement of any of the provisions of this ordinance. Each day upon which the said violation shall continue shall constitute a separate violation.

D. Civil Penalties:

1. Except in case of the violation of any provisions of the Zoning Ordinance listed in section 37.G below, any violation of the provisions of this Ordinance shall be deemed a civil violation and, upon an admission of liability or finding of liability, the owner, lessee, tenant or agent shall be subject to a civil penalty of two hundred dollars (\$200.00) for the first violation. Any person who continues to violate such provision of this ordinance after the imposition of the first penalty, shall be subject to a civil penalty of not more than five hundred dollars (\$500.00), or such lesser amount so that the total amount of fines imposed will not exceed a total of five thousand dollars (\$5,000.00) arising out of the same set of facts, for each subsequent violation. No person shall be cited for a violation more than once in any ten (10) day period, and no person shall be fined more than a total of five thousand dollars (\$5,000.00) for all violations arising out of the same set of facts.

Civil penalties shall be assessed only after a written Violation Notice has been issued to the owner shown in the property tax records, which Violation Notice has provided a reasonable period of time to correct, or in instances where corrective measures will take time to complete, to commence and diligently pursue correction of the violation. Except for good cause shown, a reasonable period of time shall be a minimum of ten (10) days. Civil penalties shall be imposed by the issuance of a civil summons/ticket by the Zoning Administrator or deputy. Any person served with a summons/ticket shall be informed of his/her right to stand trial and of his/her responsibility to request within thirty (30) days, said trial in General District Court. Any person may waive his/her right to trial by appearing in person or by mail and executing a Waiver of Trial and Admission of Liability and paying the fine to the Treasurer of Arlington County, Virginia. Aggrieved persons also have the right to appeal the violation Notice to the Board of Zoning Appeals within 30 days of the date of the Violation Notice. An aggrieved person may elect instead, at his/her option, to appeal a ticket/summons to the Board of Zoning Appeals within 30 days of issuance, or within 10 days for those violations listed in Section 37.D.2 below. In the event a person served with a Violation Notice and/or summons/ticket has, within 30 days of the date of Violation Notice and/or summons/ticket, or within 10 days

for those violations listed in Section 37.D.2, neither:

- a) Requested a hearing date in General District Court; nor
- b) Admitted liability and paid the fine; nor
- c) Filed an appeal of the Violation Notice with the Board of Zoning Appeals, then the determination of a violation shall be final and not subject to further appeal.

2. As provided for in the *Code of Virginia* the following violations shall have the right to appeal a Violation Notice within ten (10) days of the date of issuance:

- a) Parking of commercial trucks in residential zoning districts.
- b) Maximum occupancy limitation of a residential dwelling unit.

E. The demolition, razing or moving of a building or structure which is located in an Historic Overlay District without the prior approval of the Historical Affairs and Landmark Review Board (Review Board) and/or the County Board as provided in Section 31. A shall be punishable by civil penalty.

1. Such penalty shall not exceed twice the market value of the property as determined by the assessed value of the property at the time of destruction or removal of the building or structure, and shall include the value of any structure and the value of the real property upon which any such structure was located.

2. Enforcement under this Section shall be by bringing an action in the name of the County in Circuit Court by the County Attorney, upon request of the Zoning Administrator, and such action shall be brought against the party or parties deemed responsible for such violation.

3. The remedies provided for in this Section are not exclusive and shall be in addition to any other remedies provided by law.

F. *Criminal Penalties.* It shall be unlawful and constitute a misdemeanor for any person, firm, corporation, owner, agent or occupant to violate any of the provisions of this ordinance, referenced in subsection 37.G below. It shall furthermore, be unlawful for any person, firm, or corporation to cause or, with knowledge, permit such action to be taken upon such person's, firm's or corporation's behalf. Any person, firm, corporation, owner, agent or occupant who is convicted of a violation of any of the provisions of this ordinance shall be punished by a fine of not less than ten dollars (\$10.00) nor more than one thousand dollars (\$1,000.00). If the violation is uncorrected at the time of conviction, the court shall order the violator to abate or remedy the violation in compliance with the Zoning Ordinance within a time period established by the court. Failure to remove or abate a zoning violation within the specified time period shall constitute a separate misdemeanor offense punishable by a fine of not less than ten dollars (\$10.00) nor more than one thousand dollars (\$1,000.00) and any such failure during any succeeding 10 day period shall constitute a separate misdemeanor offense for each 10 day period punishable by a fine of not less than one hundred dollars (\$100.00) nor more than one thousand five hundred dollars (\$1,500).

G. The following violations that shall be treated as criminal penalties are:

- 1. Any sign posted on public property or in public rights-of-way in contravention of this Ordinance;
- 2. Any land development activity without applicable permit;
- 3. Any violation of the provisions of the Ordinance that results in physical harm or injury to any person.

When civil penalties total \$5,000 or more, the violation may be prosecuted as a criminal misdemeanor, as provided within the Code of Virginia. Treatment as criminal penalties shall not preclude the Zoning Administrator from pursuing injunctive action.

H. The Zoning Administrator or his/her agent shall have all necessary authority to present sworn testimony to a magistrate or court of competent jurisdiction and if such sworn testimony establishes probable cause that a zoning ordinance violation has occurred, request that the magistrate or court grant the Zoning Administrator or his/her agent an inspection warrant to enable the Zoning Administrator or his/her agent to enter the property and/or building for the purpose of determining whether violations of the zoning ordinance exist. The Zoning Administrator or his/her agent shall make a reasonable effort to obtain consent from the owner or tenant of the property and/or building prior to pursuing the issuance of an inspection warrant.

(Ord. No. 97-16, 7-19-97; Ord. No. 98-12, 4-18-98; Ord. No. 99-23, 11-13-99; Ord. No. 09-02, 2-21-09; No. 10-03, 1-22-11)

## Proposed Text Amendment to Section 70-2. – Penalties

### Sec. 70-2.1- Criminal Violations and Penalties.

- (a) Any person, whether as principal, agent, employed or otherwise, violating, causing, or permitting the violation of any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not less than \$10.00, nor more than \$1,000.00, ~~for each violation. Each day upon which such violation shall continue shall constitute a separate offense.~~ In the case of a continuing violation, further penalties and abatement orders are governed by Virginia Code § 15.2-2286 A.5.
- (b) The remedy provided for in this section shall be in addition to any other remedies provided by, however, the designation of a particular violation of the zoning ordinance as an infraction pursuant to Section 70-2.2 of this Code shall preclude criminal prosecution or sanctions, except for any infraction also resulting in injury to any person or persons or where such civil penalties exceed \$5,000.00.

### Sec. 70-2.2 – Infractions and civil penalties.

- (a) Any violation of the following provisions of this chapter shall be punishable by a civil penalty of \$200.00 for the initial summons and \$500.00 for each additional summons.
- (1) Erecting or maintaining fences in violation of this chapter.
  - (2) Erecting or maintaining signs in violation of this chapter (except for posting of signs on public property or public rights of way, which is not subject to civil penalty).
  - (3) Failure to enclose trash receptacles in violation of this chapter.
  - (4) Failure to use parking and loading spaces in accordance with this Chapter and approved site plans.
  - (5) Obstructions that impair the vehicular sight distance at an intersection, such as structures, fences, plantings or landscaping; and obstructions created by any structure or landscaping of any form along a public right-of-way that will impede the adjoining property owner's sight distance for access onto a public right-of-way.
  - (6) Conducting a home business, as defined in this chapter, without obtaining the appropriate permit, or conducting a home occupation, as defined in this chapter, without obtaining the approval of the zoning administrator.
  - (7) Storage, keeping collecting or bailing of paper, rags, scrap metals, other scrap or discarded materials, or the storage of automobile or other vehicles not in operable condition or the storage of machinery or parts thereof, in violation of this chapter.
  - (8) Alteration of a structure within the historic district without a certificate of appropriateness.
  - (9) Parking and storing vehicles in violation of this chapter.
  - (10) Constructing accessory structures in violation of this chapter.
  - (11) Nonconforming uses in violation of this chapter.
  - (12) Failure to obtain a certificate of occupancy in violation of this chapter.
- (b) Each day during which any violation of the provision enumerated in subsection (a) of this section is found to have existed shall constitute a separate offense. However, in no event shall any such violation arising from the same set of operative facts be charged more frequently than once in any ten-day period, nor shall a series of such violations arising from the same set of operative facts result in civil penalties which exceed a total of \$5,000.00. The existence of a civil penalty shall not preclude enforcement by the zoning administrator under subdivision A.4 of Virginia Code § 15.2-2286 or enforcement by the City Council under Virginia Code § 15.2-2208.

(c) After having served a notice of violation on any person committing or permitting a violation of a zoning ordinance provisions enumerated in subsection (a) of this section and if such violation has not ceased within such reasonable time as is specified in such notice, then, upon the approval of the town attorney, the zoning administrator shall cause two copies of a summons to be personally served upon such person.