

BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA

ORDINANCE

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, George L. Gordon, Jr., Government Center, Stafford, Virginia, on the 2nd day of March, 2021:

<u>MEMBERS:</u>	<u>VOTE:</u>
Crystal L. Vanuch, Chairman	Yes
Cindy C. Shelton, Vice Chairman	No
Tinesha O. Allen	No
Meg Bohmke	Yes
Thomas C. Coen	No
L. Mark Dudenhefer	Yes
Gary F. Snellings	Yes

On motion of Ms. Bohmke, seconded by Mr. Snellings, which carried by a vote of 4 to 3, the following was adopted:

AN ORDINANCE TO AMEND AND REORDAIN THE ZONING ORDINANCE, STAFFORD COUNTY CODE SEC. 28-25, "DEFINITIONS OF SPECIFIC TERMS" AND SEC. 28-35, "TABLE OF USES AND STANDARDS" TO ESTABLISH A GROSS DENSITY IN THE A-1, AGRICULTURAL ZONING DISTRICT

WHEREAS, the Comprehensive Plan supports 80 percent of the growth in the County within the Urban Services Area (USA); and

WHEREAS, the Comprehensive Plan discourages growth in the rural areas of the County outside of the USA; and

WHEREAS, growth in the rural areas has exceeded the recommendation and projections in the Comprehensive Plan; and

WHEREAS, the Stafford County Code provides a minimum lot size requirement of three acres within the A-1, Agricultural Zoning District; and

WHEREAS, based on information made available to the Board, including but not limited to, impacts on housing growth, water and sewage, transportation, fire and rescue, quality of life, agricultural uses, tax revenues and public expenditures, the Board has determined that continued residential development under the current three-acre lot size minimum in the rural areas is not consistent with the Comprehensive Plan, is not

sustainable with the County's resources, will negatively impact the County's rural areas, infrastructure, expenditures and taxes, and is not in the best interest of the health, safety and welfare of the community; and

WHEREAS, the Board carefully considered the recommendations of the Planning Commission and staff, and the public testimony, if any, received at the public hearing; and

WHEREAS, the Board desires to establish a minimum gross density in the A-1 Zoning District while maintaining the minimum lot size; and

WHEREAS, the Board finds that public necessity, convenience, general welfare or good zoning practice requires adoption of such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Stafford County Board of Supervisors on this the 2nd day of March, 2021, that the Zoning Ordinance, Stafford County Code Sec. 28-25, "Definitions of specific terms" and Sec. 28-35, "Table of uses and standards," be and they hereby are amended and reordained as follows, with all other portions remaining the same:

Sec. 28-25. - Definitions of specific terms.

Allocated density. The number of dwelling units or rooms allowed by this chapter for a lot divided by the net area of the lot ~~allocated per gross acre by this chapter.~~

Sec. 28-35. - Table of uses and standards.

Table 3.1. District Uses and Standards

A-1 Agricultural.

(d) *Requirements:*

(1) *Intensity:*

Open space requirement for cluster subdivision = fifty (50) percent of total subdivision tract.

Open space ratio for public works, cemetery, club, lodge, fraternal organization, schools, and places of worship 0.50

Open space ratio, other uses 0.80 ratio

(2) *Minimum lot area (acres):*

Conventional subdivision 3

Cluster subdivision 1.5

(3) Gross density:

(a) 1 dwelling unit per 6 acres.

(b) Gross density shall be based on the area of each parent parcel, defined below, as of March 2, 2021. A parent parcel is the lot of record from which any new lot or lots are created after March 2, 2021. Each time a parent parcel is divided, the determination of the number of new dwelling units that can be created will be based upon the difference between the gross density of the parent parcel as of March 2, 2021 less the number of dwelling units which have previously been subdivided from the parent parcel after March 2, 2021.

(c) The gross density of any lot less than 12 acres in size is 1 dwelling unit and such lots cannot be further subdivided.

(34) Maximum density with TDR's : 2.25 du/acre

(TDR developments limited to single-family detached dwellings)

(45) *Minimum yards: (Feet)*

Conventional subdivision:

Front 50

Side 20

Rear 35

Cluster subdivision:

Front 40

Side 10

Rear 35

(56) *Maximum height (in feet) 35*

(67) *Minimum lot width (in feet):*

Conventional subdivision 200

Cluster subdivision 100


- (78) Cluster designed subdivisions are permitted on parcels within the boundary established on the map entitled "Cluster Subdivision Areas." [See section 28-41.]

; and

BE IT FURTHER ORDAINED, that the following is an example to illustrate how gross density of a parent parcel is calculated: "Parcel A" has an area of 100 acres and a gross density of 16 dwelling units as of March 2, 2021. Parcel A is first subdivided into 5 lots consisting of one 88-acre lot, and four 3-acre lots. In order to conform with Parcel A's gross density of 16 dwelling units, no more than 12 lots may result from any further divisions of all or part of the 88-acre lot remaining after the first division of Parcel A; and

BE IT STILL FURTHER ORDAINED that this Ordinance shall be effective upon adoption.

A Copy, teste:



Frederick J. Presley
County Administrator

FJP:JAH: