

**BOARD OF SUPERVISORS  
PUBLIC HEARING  
STAFF REPORT**

**SUBJECT:** Establishment of New Chapter of the Codified Ordinances of Loudoun County Chapter 485 - Residential Parking Management Areas

**ELECTION DISTRICT(S):** Countywide

**CRITICAL ACTION DATE:** At the pleasure of the Board

**STAFF CONTACT(S):** Zachary Kuchta, General Services  
Ernest Brown, General Services  
Theresa Fontana, County Attorney's Office

**PURPOSE:** The purpose of this item is to hold a Public Hearing on September 14, 2022, on the new Proposed Chapter 485 of the Codified Ordinances of Loudoun County, *Residential Parking Management Areas*, which establishes on-street permit parking and eligibility criteria for purchasing an annual residential parking permit within administratively designated Parking Management Areas (PMA) (Attachment 1).

**RECOMMENDATION(S):** Staff recommends that the Board of Supervisors (Board) approve the new Proposed Chapter 485 of the Codified Ordinances of Loudoun County, *Residential Parking Management Areas* which establishes on-street permit parking and eligibility criteria for purchasing an annual residential parking permit within administratively designated Parking Management Areas (PMA) (Attachment 1).

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**BACKGROUND:** On March 9, 2022, the Board held a Public Hearing on the proposed amendments to Chapter 484 of the Loudoun County Codified Ordinances: Parking Meters, to consider establishing a meter rate of \$1.25 (off-peak), \$1.75 (peak), and a Permit Rate of \$10.00 within the PMA, and forwarded (9-0) to the April 5, 2022, Board Business meeting for action.

At the Board Business Meeting on April 5, 2022, the Board adopted (7-0-2: Buffington and Saines absent) the amendments to Chapter 484, which established a meter rate of \$1.25 (off-peak), \$1.75 (peak), and a Permit Rate of \$10.00 within the PMA. Both the parking meters and parking permit areas are designed to encourage Metrorail riders to use the County-owned Metro garage and not the on-street parking, which is needed to meet the present and future needs of the Moorefield residential and mixed-use developments. The on-street parking program will reduce the risk of Metrorail riders monopolizing the on-street parking spaces intended for the residents and retail establishment patrons.

Further, at the Board Business Meeting on April 5, 2022, the Board directed (7-0-2: Buffington and Saines absent) staff to bring back a proposed ordinance to define the criteria for the Residential Parking Zone within the Moorefield On-Street PMA. The creation of Chapter 485 is intended to achieve this Board direction.

At the Board Business Meeting on July 19, 2022, the Board authorized (8-0-1: Saines absent) staff to advertise and schedule a Public Hearing for September 14, 2022, on the new Proposed Chapter 485 of the Codified Ordinances of Loudoun County, *Residential Parking Management Areas* which establishes on-street permit parking and eligibility criteria for purchasing an annual residential parking permit within administratively designated Parking Management Areas (PMA).

Residential permit parking spaces within the PMA will be restricted to holders of valid parking permits under Chapter 484 and the proposed new Chapter 485.

The Code of Virginia [§ 46.2-1230](#), *Authority of counties, cities, and towns to issue parking permits*, allows the County to provide for the issuance of permits for motor vehicles parking on public streets, to set the rates for the permits, and to set the term of validity of the permits.

**ISSUES:** Specifically, while Chapter 484 provides the authority for the County Administrator “to designate and post land owned or leased by the Board as a permit parking zone, to be restricted to holders of valid parking permits” it does not provide for who is eligible to obtain a residential permit. Ordinance 485 is designed to provide implementation authority for administratively created PMAs, the establishment of on-street residential permitted parking in PMAs, and the qualifications required to purchase an annual residential parking permit.

Chapter 485 is also designed to enable the County Administrator or his/her designee to administratively refine and modify the boundaries of PMAs and develop and implement policies to regulate the administration of permits, and parking zones, determine eligibility criteria, and regulate visitor parking.

**FISCAL IMPACT:** The cost of administering a residential parking permit program in the Moorefield PMA would be funded by revenues in the Metro Garages Fund. The estimated cost of administering the permit program would be \$6,100 annually, which would be handled by a contracted third-party vendor who will issue, track, and manage the permit process. The costs will be offset by the meter rates and permit fees previously established. In the early stages of Metro operation, until sufficient revenue is available for the program to be self-sustaining, permit and meter revenue may be supplemented by local gasoline tax revenue

**ALTERNATIVES:**

1. The Board may adopt the new Chapter 485 of the Loudoun County Codified Ordinances, *Residential Parking Management Areas* which establishes on-street permit parking and eligibility criteria for purchasing an annual residential parking permit within administratively designated Parking Management Areas (PMA).
2. The Board may take no action.

**DRAFT MOTIONS:**

1. I move the Board of Supervisors forward Establishment of New Chapter of the Codified Ordinances of Loudoun County Chapter 485 – Residential Parking Management Areas, to October 18, 2022, Board of Supervisors Business Meeting for action.

OR

- 2a. I move that the Board of Supervisors suspend the rules.

AND

- 2b. I move that the Board of Supervisors approve the new Chapter 485 of the Loudoun County Codified Ordinances, *Residential Parking Management Areas* provided as Attachment 1 to September 14, 2022, Board of Supervisors Public Hearing Staff Report.

OR

3. I move an alternate motion.

**ATTACHMENT(S):**

1. New Proposed Chapter 485 of the Codified Ordinances of Loudoun County, *Residential Parking Management Areas*

# **CHAPTER 485**

## **Residential Parking Management Areas**

- [485.01](#) Purpose.
- [485.02](#) Definitions.
- [485.03](#) Parking management area permit eligibility.
- [485.04](#) Administration.
- [485.05](#) Visitor parking.
- [485.06](#) Signs.
- [485.07](#) Parking restrictions.
- [485.08](#) Enforcement, evidence, and penalties.

### **485.01 PURPOSE.**

The purpose of this chapter is to regulate on-street residential parking in administratively designated residential parking permit spaces in residential areas to allow residents located in a PMA to gain access to their property and to preserve the residential character of the PMA and the property values therein.

### **485.02 DEFINITIONS.**

For this chapter, the following words and phrases shall have the meanings ascribed to them in this section, unless the context indicates otherwise:

- (a) “Parking Management Area” or “PMA” means an administratively designated on-street residential parking area or zone, designated by the County Administrator under section 484.03 of Title Eight – Parking, of the Loudoun County Code of Ordinances, and consisting of those residential properties in that designated area that rely on on-street parking to provide access to residential property or provide amenities associated to residential properties.
- (b) “Permit” means the residential parking permit issued by the County for the fee outlined in Chapter 484 of Title Eight.
- (c) “PMA allowable vehicle” shall mean a motor vehicle having a Gross Vehicle Weight Rating (GVWR) of less than 12,000 pounds.
- (d) “Resident” means the current owner or lessee(s) of the owner and members of their household residing within the PMA.
- (e) “Residential property” shall mean property used as a residence; located in a designated PMA.

(f) “Zone” shall mean an area within a PMA that defines a limited parking area for designated residential properties.

#### **485.03 PARKING MANAGEMENT AREA PERMIT ELIGIBILITY.**

Only residents within a PMA are eligible to purchase a parking permit for the on-street parking within their PMA. PMA residents must have their property address located on a public street within the PMA that has on-street parking or have an address on a private street within the PMA but require on-street parking to access their property or property association amenities.

#### **485.04 ADMINISTRATION.**

The County Administrator, or designee, shall be responsible for defining the boundaries of a PMA and developing and implementing policy to regulate the administration of permits, define Zones, and determine eligibility criteria. Permits to allow on-street parking during restricted hours of a PMA shall be issued only as follows:

- (a) Permits shall be issued for a period of up to one year, one per vehicle, with the expiration date, set one year from purchase. Permits may be renewed for additional one-year periods in the manner prescribed herein.
- (b) Permits shall be applied for by electronic means through procedures established by the Department of General Services.
- (c) A resident of a PMA must provide one of the proofs of residency identified below and the current resident’s vehicle registration to be issued a permit. Acceptable forms of proof shall consist of the following:
  - Virginia driver's license
  - Vehicle or personal property insurance policy
  - Proof of payment of a security deposit or paid rent receipt
  - Lease or mortgage documents
  - Virginia voter registration
  - Utility bill
  - Affidavit attesting to corporate vehicle assigned to a resident
- (d) Applications for renewal of permits shall be processed in the same manner as an original permit application.
- (e) Permits shall be PMA and Zone specific. A permit for one PMA or Zone within a PMA, shall not entitle the permit holder to park in any other PMA or another designated Zone within the PMA.

- (f) A resident within the PMA, upon disposing of a vehicle with a permit, may purchase a new permit for a replacement vehicle upon presentation of new vehicle registration.
- (g) Permits are not transferable upon moving from the PMA and shall be deemed canceled. No refunds of the permit fee will be provided.
- (h) Permits shall remain the property of Loudoun County and may be revoked without notice on demand by the County.

**485.05 VISITOR PARKING.**

Visitor permits will be restricted to the designated PMA or PMA Zone and may be limited on a first come first serve basis or by the policy. The County Administrator or Designee shall be responsible for the development and implementation of a policy to regulate visitor parking.

**485.06 SIGNS.**

All signs identifying a PMA shall be erected by the County and shall be in conformance with the applicable Virginia Department of Transportation regulations and shall be of such design and character as to readily inform the operators of vehicles in PMA of the existence, nature, and requirements of the regulations pertaining to the PMA. All signs shall include at least the following information, from top to bottom of the sign, in the order listed below:

- (a) The restriction or prohibition.
- (b) Time of day the restriction or prohibition is applicable, if not at all hours.
- (c) The days of the week the restriction or prohibition is applicable if not every day.
- (d) The indication that permit holders are exempt from the restriction or prohibition.

**485.07 PARKING RESTRICTIONS.**

On-street parking during specified hours in any PMA shall be permitted only upon purchase of a valid parking permit for a PMA allowable vehicle as defined; provided, however, that the parking limitations of this chapter shall not apply to vehicles owned or leased by a public agency or emergency vehicles in the performance of their public service. (Delivery and service vehicles are handled under the visitor permits.)

**485.08 ENFORCEMENT, EVIDENCE, AND PENALTIES.**

- (a) Enforcement of PMA regulations shall be under the jurisdiction of Loudoun County and its uniformed contractors, which shall include the issuance of a civil citation against those persons who violate the following:
  - 1. It shall be unlawful for any person to park a motor vehicle in violation of the provisions of this chapter.

2. It shall be unlawful for any person entitled to a visitor pass to allow said pass to be used by anyone other than a person visiting a residence in the specified PMA.

(b) Each citation issued shall impose a civil penalty of \$50.00 upon the registered owner of the vehicle parked illegally. Proof that the vehicle described in the citation was parked in violation of this ordinance or regulation, together with proof that the defendant was at the time the registered owner of the vehicle, shall constitute prima facie evidence that the registered owner of the vehicle was the person who committed the violation.

(c) Vehicles parked in violation of these provisions may be towed at the owner's expense.

(d) Civil penalties for all parking violations shall be collected in the manner described in Chapter 484 of the Loudoun County Code of Ordinances.