



AGENDA
BEDFORD COUNTY PLANNING COMMISSION

County Administration Board Room
122 E. Main Street, Bedford, VA
Tuesday, January 15, 2019
7:00 p.m. – Regular meeting

1. Approval of Agenda
2. Approval of Minutes
3. Citizen Comment Period
4. Old Business
 - a) Zoning Ordinance Text Amendment Bed & Breakfast
5. New Business
 - a) Zoning Ordinance Text Amendment Signage
 - b) Zoning Ordinance Text Amendment Off-Street Parking
 - c) Zoning Ordinance Text Amendment Fences
 - d) Zoning Ordinance Text Amendment Wireless Communication Facilities
 - e) Zoning Ordinance Text Amendment Multifamily Dwelling
 - f) Zoning Ordinance Text Amendment Townhouses
6. Adjourn

**PLANNING
COMMISSION
MINUTES**

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BEDFORD COUNTY PLANNING COMMISSION MINUTES
September 18, 2018

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4 The Planning Commission held a regular meeting Tuesday, September 18, 2018 in the Bedford
5 County Administration Building Boardroom with all Commissioners present. County staff
6 present was Mr. Patrick Skelley, County Attorney, Mr. Gregg Zody, Director of Community
7 Development, Mr. Mark Jordan, Planner and Mrs. Patricia Robinson, Administrative Manager.
8

9 Mr. Woodford called the meeting to order and determined a quorum was present to conduct
10 business. Mr. Woodford asked if there were any changes to the agenda. There being none Mr.
11 Steele moved to approve the agenda as presented. Mr. Tillett seconded the motion. The motion
12 passed with a vote of 7-0.
13

14 Mr. Woodford moved to item 3 Citizen Comment Period and asked if there were any citizens to
15 speak regarding items not on the agenda. There being none Mr. Woodford closed the Citizen
16 Comment Period.
17

18 Mr. Woodford moved to item 3 Old Business and asked for the staff presentation. Mr. Jordan
19 noted the proposed amendment is to bring the county's definition of a Bed and Breakfast in line
20 with the state code. Mr. Jordan provided the definition of both a Short Term Rental and a Bed
21 and Breakfast. In comparing the definitions, a Bed and Breakfast and a Short Term Rental are
22 similar in that both uses allow guests to stay no more than thirty (30) days. In the case of a Bed
23 and Breakfast, guests may stay overnight for no more than thirty (30) consecutive nights in any
24 one (1) calendar year. A Bed and Breakfast allows a maximum of fifteen (15) bedrooms for
25 overnight guests on a daily or weekly basis, and further provides a provision for serving meals.
26 A Short Term Rental does not provide a provision for serving meals. Staff recommends the
27 Planning Commission discuss adopting the amended State Code definition for a Bed and
28 Breakfast to correct an ambiguity between the two uses and the respective definitions. Mr.
29 Jordan offered to address questions from the Commissioners.
30

31 Questions/comments from the Commissioners to Mr. Jordan covered the following: (a) where
32 does an Air B&B rental fall under this, (b) how are the short term rentals regulations enforced,
33 (c) Air B&B, VRBO can both be listed on these web sites, (d) think we need to consider defining
34 Home Sharing where a homeowner only rents one room, (d) residential home would be the
35 primary use but the rental of a room is not full time, (e) don't think home sharing owners should
36 be required to have a permit and consider exempting them from some of the regulations, (f) think
37 the home sharing use may be unnecessary, (g) there are different scales of rentals, (h) are we
38 allowed to have a definition for a use where the state code does not have a definition, (i) my
39 concern is that our tax code does not accommodate the fact that they are doing something on a
40 part time basis, (j) is there really a problem to be resolved, (k) the taxes are paid on the profit you
41 receive from renting a room, (l) don't think home sharing should have to pay the Short Term
42 Rental Occupancy tax, (m) consider putting an exception clause to allow for home sharing, (n)
43 our current definition for Short Term Rentals states renting of a residence, in part or in whole and
44 (o) we can accept this as written and adjust at a later date if necessary.
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46 Mr. Jordan and the County Attorney addressed the questions from the Commissioners during the
47 discussion.

48
49 Mr. Steele made a motion to move the proposed text amendments to public hearing
50 as presented. Mr. Dawson seconded the motion. There being no further discussion
51 a voice vote was taken. The motion carried with a vote of 7-0.

52
53 Mr. Woodford moved to item 3b regarding the proposed text amendment for Storage Containers
54 and asked for the staff presentation. Mr. Jordan noted the issue which gives rise to this proposed
55 amendment is periodic citizen complaints when storage containers are placed on properties
56 throughout the county, and lack of regulation through the zoning ordinance and the building
57 code. Under the current ordinance, storage containers are not defined, are not regulated as
58 structures, and there are no time constraints or regulations for the placement or the removal.
59 Additionally, when storage containers are placed on properties they become a permanent fixture,
60 and are utilized in place of storage buildings, detached garages, and barns. The proposed
61 amendment would allow storage containers to be placed on a parcel on a temporary basis and the
62 time frame for the placement of the containers based upon the acreage of the property. Mr.
63 Jordan provided the proposed definition. Mr. Zody stated we also need to consider allowing a
64 manufactured home no longer being used as a dwelling to be used for storage and to determine in
65 which districts they would be allowed. Mr. Jordan noted the proposed amendment was drafted
66 for a temporary timeline and not for a permanent timeline.

67
68 Questions/comments from the Planning Commission covered the following: (a) are mobile pods
69 included in this amendment, (b) would allowance of a manufactured home for storage be on a
70 temporary basis or permanent, (c) manufactured homes are a viable structure for storage and a
71 great reuse of the structure, (d) think manufactured home for storage viable in the agricultural
72 districts, (e) do we need to consider screening around the storage containers, (f) permanent
73 structures should be regulated, (g) add a qualification for a permanent storage container under
74 the existing accessory structure, (h) allow temporary storage containers without regulations, (i) if
75 structure has been on parcel too long and deemed as permanent county can require it to come
76 into compliance with county standards, (j) can we add language regarding to rental containers
77 and (k) vote on the proposed text amendment for temporary storage containers and have staff
78 prepare separate language for permanent storage containers.

79
80 Mr. Burdett made a motion to move the proposed text amendment to public hearing
81 with the following amendments: (1) add the word “rental” before the word “like”
82 on line 1 of the Temporary Portable Storage container definition, (2) reword Article
83 A(1) to include language addressing a home being remodeled or renovated, (3)
84 reword Article A(3) and Article B(3) to reflect only one temporary portable storage
85 container is permitted per lot or parcel and (4) add Article E to reflect a zoning
86 permit is required for the placement of a temporary storage container; however no
87 fee is to be required. Mr. Dawson seconded the motion. A roll call vote was taken.
88 The motion carried with a vote of 7-0.

89
90 The Planning Commission requested Mr. Jordan research how other jurisdictions handle
91 the permanent storage containers.

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92
93 Mr. Woodford moved to item 3c regarding the proposed text amendment for Food Trucks and
94 asked for the staff presentation. Mr. Zody stated he had not changed the proposed amendment
95 previously presented to the Commission. Mr. Zody stated the question before the Commission is
96 how do we regulate food trucks? Currently staff issues temporary use permits on a continuing
97 basis. The use is not currently an allowed use in our zoning ordinance. We want to allow for
98 food trucks but need to balance the playing field through some basic guidelines. A discussion
99 followed with Mr. Zody and the Commissioners discussing various options for food trucks.
100 Comments/questions highlighted the following: (a) are we holding the food trucks to the same
101 standards as a restaurant in regards to the Health Department requirements, (b) have you been
102 out to Forest to see the improvements in the parking area at Aylors, (c) have you received any
103 complaints regarding the current parking area at Aylors in the last two months, (d) the original
104 complaint came up due to the parking capacity, (e) Aylors has doubled their parking area and the
105 parking problems have been resolved, (f) don't think we need to regulate food trucks and (g)
106 proposed regulations are overbearing to the food truck industry.

107
108 Mr. Tillett made a motion to table the proposed text amendment indefinitely until
109 such time as the Commission determines there is a problem and requests the
110 amendments come back before them for consideration. Mr. Dawson seconded the
111 motion.

112
113 Discussion followed with Mr. Zody noting he disagreed with Mr. Tillett's opinion. He
114 noted this use needs to be regulated. Future food trucks could park in the right of way or
115 want to locate on another parcel on which we only allow one principal use per parcel. Why
116 do we allow a mobile restaurant to be placed where other restaurants are not allowed? Are
117 we playing favorites? Discussion continued between Mr. Zody and the Commissioners
118 with the following being questions/comments: (a) how can you allow a Sheetz
119 gas/convenience store to pipe loud music but not a food truck, (b) is the Sheetz in violation
120 of the noise ordinance (c) the food trucks are not accessory uses to Aylors business, (d)
121 Lynchburg City says they don't regulate the food trucks other than the Health Department
122 requirements, (e) are these food trucks mobile as in some cities relocating on a regular
123 basis or are these trucks to be stationary, (f) if the food trucks remain on the same location
124 all the time are they no different from a restaurant, (g) think food trucks are ok, (h) two
125 permanent restaurants have stated they feel at a competitive disadvantage because they are
126 brick and mortar, have overhead costs and food trucks can offer similar items at a lower
127 cost, (i) we are not here to protect consumers from getting better prices for their goods and
128 services, (j) is the situation at Aylors which brought this to your attention, (k) has the
129 problem at Aylors been resolved, (l) does a use have to be regulated, (m) only want to
130 regulate things that are a problem, (n) currently food trucks are not an allowed use in the
131 zoning ordinance and (o) we can't issue a permit for a use that does not exist in our
132 ordinance, I cannot issue a temporary use permit.

133
134 Mr. Tillett withdrew his motion to table the proposed text amendment indefinitely.
135 Mr. Dawson withdrew his second to the motion.

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137 Discussion continued with Commissioners and Mr. Zody determining which portions of the
138 proposed text amendments will remain or will be modified.

139
140 Mr. Burdett made a motion to move the proposed text amendment as presented to
141 public hearing with the following amendments:

- 142 (1) under the Location Criteria section – remove item (b)(1)
- 143 delete the number “25” from line one of item (b)(2)
- 144 (2) under the Mobile Food Vehicle Operations section – remove (c)(1),
- 145 (c)(2) and (c)(4)
- 146 change line two of (c)(7) to reflect “10” feet instead of “20” feet
- 147 remove the word “city” from line three of (c)(7)
- 148 insert the word “County” before the word “State” on line three of (c)(7)

149 Mr. Steele seconded the motion. The motion carried with a vote of 7-0

150
151 Mr. Woodford moved to item 4 – New Business. Mr. Zody noted a motion was necessary
152 if the November 20, 2018 meeting is to be cancelled.

153
154 Mr. Tillett made a motion to cancel the November 20, 2018 meeting. Mr. Dawson
155 seconded the motion. The motion carried with a vote of 7-0.

156
157 There being no additional business Mr. Burdett made a motion to adjourn. Mr. Steele seconded
158 the motion. The motion carried with a vote of 7-0. The meeting adjourned at 08:47 pm.

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160 Respectfully submitted,

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163 _____
164 Gregg Zody, Secretary

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166 Approved by:
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168
169 _____
170 Tom Woodford, Chairman

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BEDFORD COUNTY PLANNING COMMISSION MINUTES

October 16, 2018

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4 The Planning Commission held a regular meeting Tuesday, October 16, 2018 in the Bedford
5 County Administration Building Boardroom with all Commissioners present with the exception
6 of Mr. Dawson. County staff present was Mr. Patrick Skelley, County Attorney, Mr. Gregg
7 Zody, Director of Community Development, Mr. Mark Jordan, Mr. Jordan Mitchell, Planners
8 and Mrs. Patricia Robinson, Administrative Manager.

9
10 Mr. Woodford called the meeting to order and determined a quorum was present to conduct
11 business. Mr. Woodford asked if there were any changes to the agenda. Mr. Zody requested to
12 add an item under New Business regarding a proposed text amendment. There being no
13 additional changes Mr. Tillett made a motion to approve the agenda as amended. Mr. Mays
14 seconded the motion. The motion carried with a vote of 6-0.

15
16 Mr. Woodford moved to item 2 Approval of Minutes and asked if there were any changes. Mr.
17 Steele requested minor changes to page 1 lines 32 and 43, page 5 line 195 and page 6 lines 240
18 and 252. Mr. Steele made a motion to approve the minutes as amended. Mr. Tillett seconded the
19 motion. The motion carried with a vote of 6-0.

20
21 Mr. Woodford moved to item 3 Citizen Comment Period and asked if there were any citizens to
22 speak regarding items not on the agenda. There being none Mr. Woodford closed the Citizen
23 Comment Period.

24
25 Mr. Woodford moved to item 4a and opened the public hearing regarding Temporary Storage
26 Containers and asked for the staff presentation. Mr. Jordan stated the proposed text amendment
27 includes the changes requested by the Planning Commission at the September 18, 2018 meeting.
28 He provided a brief overview of the changes previously requested. There were no questions
29 from the Commissioners for Mr. Jordan. Mr. Woodford asked if there were any citizens to speak
30 regarding the proposed text amendment. Mr. Christopher Yeatts 102 Hunting Lane Goode, Va.
31 24556 spoke. He asked if any portable storage container would have to have a zoning permit no
32 matter the length of time it would be on a property. Why not let the Homeowners Association
33 (HOA) take care of this instead of a blanket rule. There being no additional speakers Mr.
34 Woodford closed the public hearing and asked for discussion and/or action by the Planning
35 Commission. Questions/comments from the Planning Commission covered the following: (a)
36 may need to broaden this amendment to allow more than one container per lot or parcel and (b)
37 are we going to have a set number of storage containers allowed or leave it to the discretion of
38 the Zoning Administrator.

39
40 Mr. Burdett made a motion to recommend to the Board of Supervisors approval of
41 the proposed text amendments as presented with the addition of the words
42 “however, additional temporary portable storage containers may be permitted as
43 approved by the Zoning Administrator” after the word “parcel” in A subsection 3
44 and B subsection 3. Mr. Steele seconded the motion. Mr. Tillett stated he was
45 going to oppose the motion. He felt these could be handled through HOA
46 covenants or private dialogue. There being no further discussion a roll call vote

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47 was taken. The motion carried with a vote of 5-1. Mr. Tillett cast the dissenting
48 vote.
49

50 Mr. Woodford moved to item 4b and opened the public hearing regarding Food Trucks and
51 asked for the staff presentation. Mr. Zody stated the proposed text amendment includes the
52 changes requested by the Planning Commission at the September 18, 2018 meeting. He
53 provided a brief overview of the changes previously requested. Mr. Zody noted staff had not
54 received any form of communication from the public regarding this amendment. Mr. Tillett
55 requested the removal of Article D subsection 2 which addresses the requirement for a minor site
56 plan. Why is this necessary since food trucks are mobile? This is previously addressed in
57 Article C subsection 4. Mr. Zody stated he agreed with Mr. Tillett for the removal Article D
58 subsection 2. Mr. Woodford asked if there were any citizens to speaking regarding the proposed
59 text amendment. Mr. Jordan Nickerson 1971 University Boulevard Lynchburg, Va. 24502
60 spoke. He stated he currently has a food truck known as Rookies parked on the Aylor's property
61 in Forest, Va. He asked if the county will limit the number of trucks per parcel. He noted there
62 have been a lot of problems with parking and safety. He doesn't see it as a bad thing to limit the
63 amount given there is a limitation on the amount of parking spaces, entrances and exits.
64 Considering putting a limit on the number of trucks allowed on a parcel is worth discussion.
65 Several Commissioners noted there Mr. Nickerson's concerns are addressed within the proposed
66 amendment. Mr. Zac Kolegue owner of Sourdough Pizza food truck stated he owns the truck
67 parked on the Aylor's property but also has another truck he uses in a different location. He
68 asked if he would be required to have two permits and pay two fees or would one permit be
69 issued for the company as a whole. Does it make a difference if one truck stays at Aylor's and
70 the other truck moves around? Mr. Zody stated two permits would be required. There being no
71 additional speakers Mr. Woodford closed the public hearing and asked for discussion and/or
72 action by the Planning Commission.
73

74 Mr. Tillett made a motion to recommend to the Board of Supervisors approval of
75 the proposed text amendments as presented with the removal of Article D
76 subsection 2. Mr. Burdett seconded the motion. There being no further discussion
77 a roll call vote was taken. The motion carried with a vote of 6-0.
78

79 Mr. Woodford moved to items 4c-4g and opened the public hearing to cover the proposed zoning
80 ordinance text amendments for: item 4c - remove BZA from hearing SUP in Historic District,
81 item 4d - landscaping maintenance bond, item 4e - amend evergreen tree type and item 4f -
82 family subdivision definition. Additionally the public hearing will cover the proposed
83 subdivision ordinance text amendment for item 4g - family subdivision definition. Mr. Mitchell
84 reviewed the information provided in the meeting packet previously discussed by the
85 Commission at their June 19, 2018 meeting. Questions or comments from the Commission
86 covered the following: (a) change the word "less" to "more" on line 2 of item 2 regarding
87 landscaping maintenance bonds. Mr. Woodford asked if there were any citizens to speak
88 regarding the proposed amendments. There being none Mr. Woodford closed the public hearing
89 and asked for discussion and/or action by the Commission.
90

91 Mr. Burdett made a motion to recommend to the Board of Supervisors approval of
92 the proposed text amendments regarding items 4c - 4g as presented with the

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93 following amendment. Change the word “less” to “more” on line 2 of item 2
94 regarding landscaping maintenance bonds pursuant to how it was advertised. Mr.
95 Tillett seconded the motion. There being no further discussion a roll call vote was
96 taken. The motion carried with a vote of 6-0.

97

98 Mr. Woodford moved to item 5 Old Business. There was no Old Business.

99

100 Mr. Woodford moved to item 6 New Business and asked Mr. Zody to address the item he added
101 to the agenda. Mr. Zody noted he is bringing the proposed zoning ordinance text amendment as
102 a result of a recent court case. Staff would like the Planning Commission to consider an
103 amendment which would allow semi-trailer trucks (without trailers) to be parked in the AP, AR,
104 and AV and in all zoning districts. Currently this practice is prohibited, per Sec. 30-91-2(a)(2).
105 The reason for this amendment is that it is, in staff’s opinion, unreasonable to prohibit a resident
106 to not be able to park their work vehicle, e.g. semi-trailer truck, at their home. In the case of the
107 residential districts, staff feels that a Homeowners Association (HOA) covenants could contain
108 language prohibiting certain type of vehicles parked in a particular subdivision development.

109

110 Questions/comments from the Commissioners covered the following: (a) need to add buses, (b)
111 don’t want to eliminate the trailers, (c) some company drivers are required to keep their trailers
112 attached to the truck, (d) trucks and/or trailers should not be parked in the right of way, (e)
113 change “real wheels” in item # 2 of the proposed amendment to “rear axles”, (f) can the county
114 regulations trump the HOA covenants and (g) Bedford County does enforce any HOA rules. The
115 consensus of the Commission was for Mr. Zody to revise the language based on the discussion
116 held and bring it back to the Commission at a future meeting.

117

118 There being no additional business Mr. Tillett made a motion to adjourn. Mr. Steele seconded
119 the motion. The motion carried with a vote of 6-0. The meeting adjourned at 08:02 pm.

120

121 Respectfully submitted,

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123

124

125 _____
Gregg Zody, Secretary

126

127 Approved by:

128

129

130 _____

131 Tom Woodford, Chairman

Proposed Zoning Ordinance Text Amendment

Bed & Breakfast

**Presenter: Mark Jordan
540-586-7616 ext 1394
540-586-2059 (fax)
mjordan@bedfordcountyva.gov**



COUNTY OF BEDFORD, VIRGINIA

COUNTY ADMINISTRATION BUILDING
122 EAST MAIN STREET, SUITE G-03
BEDFORD, VIRGINIA 24523

GREGG B. ZODY, AICP
DIRECTOR

DEPARTMENT OF COMMUNITY DEVELOPMENT DIVISION OF PLANNING

TO: Planning Commission

FROM: Mark E. Jordan, Planner **MEJ**

SUBJECT: Proposed Text Amendment – Bed and Breakfast - Definition

DATE: December 20, 2018

There have been recent changes to the Code of Virginia (24VAC30-551-10), which re-defines a Bed and Breakfast. The recent revised definition of a Bed and Breakfast is listed, according to State Code, as follows:

Bed and Breakfast – Any establishment (i) having no more than 15 bedrooms; (ii) offering to the public, for compensation, transitory lodging or sleeping accommodations; and (iii) offering at least one cooked meal per day, which may but need not be breakfast, to each person to whom overnight lodging is provided. The facility shall have an on-premises sign describing it as a Bed and Breakfast and shall clearly describe itself as a Bed and Breakfast in all marketing materials.

The current definition of a Bed and Breakfast under Article II (Definitions) of the Bedford County Zoning Ordinance is listed, as follows:

Bed and Breakfast: A dwelling in which not more than five (5) bedrooms are provided for overnight guests for compensation, on a daily or weekly basis, with or without meals.

Staff recommends the Planning Commission discuss adopting the amended State Code definition for a Bed and Breakfast to bring the definition up to date with current standards.

Additionally, the current Article IV, Use and Design Standards (Paragraph (2) of Section 30-85-9) limits a Bed and Breakfast to no more than five (5) guest sleeping rooms. The recent changes to the Code of Virginia now allows up to fifteen (15) guest bedrooms, and further requires the placement of an on-premises sign describing the facility as a Bed and Breakfast, and also requires the facility to describe itself as a Bed and Breakfast in all marketing materials. The current Article IV, Use and Design standards are enclosed for reference.

Staff also recommends that the Planning Commission discuss amending Article IV, Section 30-85-9 (Bed and Breakfast) of the Zoning Ordinance to bring the requirements up to date with the Code of Virginia.

CC: Patrick Skelley, County Attorney
Board of Supervisors

(a) *General standards:*

- (1) All vehicles stored on the premises in excess of seventy-two (72) hours shall be placed in a storage yard. The storage yard shall be fully screened from public view and shall be set back at least one hundred (100) feet from any adjoining residential district.
- (2) Body and fender repair services shall be subject to the following:
 - a. The repair facilities are at least one hundred fifty (150) feet from any adjoining residential district.
 - b. Any spray painting takes place within a structure designed for that purpose and approved by the Bedford County Building Official.
- (3) Exterior display or storage of new or used automobile parts is prohibited.

Sec. 30-85-7. Automobile repair services, minor.

(a) *General standards:*

- (1) Exterior display or storage of new or used automobile parts is prohibited.
- (2) Equipment and vehicles stored overnight on the premises shall be behind the front building line or at least thirty-five (35) feet from the public right-of-way, whichever is greater.

(b) *Additional standards in the AV district:*

- (1) When adjoining a residential use type, a Type C buffer yard in accordance with article V shall be provided along the property line which adjoins the residential use type.
- (2) The site shall front directly on and have direct access to a publicly owned and maintained street.

(c) *Additional standards in the EP district:*

- (1) There shall be a maximum of four (4) service bays, one (1) of which may be oversized to permit a bus or recreational vehicle to pull through for service.
- (2) Where adjoining a residential or civic use type, a Type D, vegetative buffer yard in accordance with article V shall be provided along the property line which adjoins the residential or civic use type.
- (3) No independent advertising through local media shall call attention to the Explore Park location of the business.

(Ord. of 6-10-2013, pt IX)

Sec. 30-85-8. Automobile parts/supply, retail.

(a) *General standards:*

- (1) Exterior display or storage of new or used automobile parts is prohibited.
- (2) Equipment and vehicles stored overnight on the premises shall be behind the front building line or at least thirty-five (35) feet from the public right-of-way, whichever is greater.

(b) *Additional standards in the AV district:*

- (1) When adjoining a residential use type, a Type C buffer yard in accordance with article V shall be provided along the property line which adjoins the residential use type.
- (2) The site shall front directly on and have direct access to a publicly owned and maintained street.

Sec. 30-85-9. Bed and breakfast.

(a) *General standards:*

- (1) The owner, owner's family, or owner's representative shall reside on the same parcel occupied by the bed and breakfast establishment.

- (2) No more than five (5) guest sleeping rooms shall be utilized for a bed and breakfast establishment.
- (3) Any building erected, enlarged or modified to accommodate a bed and breakfast shall maintain the appearance of a single-family residence. No rooms shall have direct entrance or exit to the outside of the building, except that emergency exits when required by the fire marshal may be provided for emergency purposes only.
- (4) Guests may stay no more than thirty (30) consecutive nights in any one (1) calendar year. The operator of the bed and breakfast shall maintain a log of all guests, including their name, address, license plate number, and length of stay, and shall make the log available to county staff upon request.
- (5) Meals shall be provided only to overnight guests and no cooking shall be permitted in guest rooms.
- (6) Required parking areas for guests and employees shall be provided on-site.
- (7) Health department approval for sewage disposal, water supply, and kitchen facilities shall be submitted prior to issuance of a certificate of zoning compliance.

(Ord. of 9-8-2003)

Sec. 30-85-9(a). Business support services.

- (a) In the EP district, no independent advertising through local media shall call attention to the Explore Park location of the business.

Sec. 30-85-10. Campground.

- (a) *General standards in the AP, AR, AV, PRD, C-2, PCD and PID districts:*

- (1) The minimum area for a campground shall be ten (10) contiguous acres.
- (2) Each campsite shall be set back a minimum distance of fifty (50) feet from the perimeter property line of the campground.
- (3) The maximum density shall be fourteen (14) sites per gross acre. Each campsite designed for recreational vehicles shall have a minimum space of two thousand (2,000) square feet with a minimum width of thirty (30) feet. Areas devoted solely for tent camping shall provide at least four hundred (400) square feet per campsite.
- (4) Vacation cottages may be constructed within a campground provided that a minimum land area of four thousand (4,000) square feet is designated solely for the first dwelling unit in a cottage, with an additional two thousand (2,000) square feet of land area provided for each additional dwelling unit within the cottage. The maximum floor area of a cottage shall be thirty (30) percent of the site.
- (5) The primary access road shall be paved in accordance with the latest editions of the Virginia Department of Transportation's Subdivision Street Requirements Manual. Such paving shall extend from the public street right-of-way to the entrance station. Interior roads and access to individual sites shall consist at a minimum of an all-weather gravel surface. All interior roads shall be eighteen (18) feet minimum width for two-way travel or ten (10) feet minimum width for one-way travel. No campsite shall have direct access to a public street.
- (6) One (1) manufactured home, or single-family residence, established pursuant to this ordinance, may be located in a campground as a caretaker's residence.
- (7) The following uses and activities shall be prohibited at a campground:
 - a. The sale, storage, use or occupancy of any manufactured home, except as provided above.

Proposed Zoning Ordinance Text Amendments

**Signage
Off-Street Parking
Fences
Wireless Communication
Facilities
Multi-Family Dwelling
Townhouses**

**Presenter: Jordan Mitchell
540-586-7616 ext 1393
540-586-2059 (fax)
jmitchell@bedfordcountyva.gov**



COUNTY OF BEDFORD, VIRGINIA

COUNTY ADMINISTRATION BUILDING
122 EAST MAIN STREET, SUITE G-03
BEDFORD, VIRGINIA 24523

DEPARTMENT OF COMMUNITY DEVELOPMENT DIVISION OF PLANNING

TO: Planning Commission

THROUGH: Gregg Zody, Director of Community Development *GZ*

FROM: Jordan Mitchell, Planner *JM*

DATE: January 7, 2019

SUBJECT: Discussion Items – Zoning Ordinance Text Amendments (Signage, Off-Street Parking, Fences, Wireless Communication Facilities, Multifamily Dwelling, and Townhouses)

Planning staff has been working on zoning ordinance revisions to address concerns that we have seen through implementing the ordinance, changes to the Code of Virginia, and listening to concerns from citizens and the development community. Staff has proposed the following text amendments to address such concerns:

- 1) Amend the signage regulations for parcels that have more than one use but do not qualify as a shopping center or multi-tenant retail sales structure. This amendment will allow for an increase in the maximum height by 25% (up to a maximum of 20 feet in height) in order to accommodate signage for each use.
- 2) Amend the design of fences on properties occupied with residential uses to not permit a stockade style (screening) of fencing to exceed a maximum of 4 feet in height. Currently this Section of the ordinance prohibits any type of fence from exceed 4 feet in height on properties with residential uses.
- 3) Amend the construction standards for off-street parking to exempt agricultural uses and civic uses (in the AP, AR, and AV zoning districts) from being required to construct and maintain a parking area surface that is in accordance with the Virginia Department of Transportation's latest edition of Subdivision Streets Requirements Manuel. This amendment will permit such uses to utilize gravel parking areas instead of being required to surface treat or pave the required off-street parking area.
- 4) Amend Schedule B in the required off-street parking section of the ordinance to allow for greater flexibility for the development community to calculate a minimum parking requirement for a use(s) using an acceptable industry publication or a traffic study.
- 5) Amend the Permitted Use Table to permit a "Wireless Communication Facility, Class 4" use as a use by right with general standards (R*) in the AP, AR, and AV zoning districts. Currently this use is permitted through a special use permit with general standards (S*) in the AP, AR, and AV.
- 6) Amend the general use standards for "Wireless Communication Facility (WCF), Class 1, Class 2, Class 3 and Class 4" uses due to changes to the Code of Virginia (§15.2-2316.4:1 through §15.2-2316.4:3).
- 7) Amend the general use standards for "Multifamily Dwellings" and "Townhouses" to permit a structure for the property owners/tenants to provide for a shelter to wait for transit (School Bus, Public Transportation, etc.) without having to meet a required setback. This structure is limited to a maximum of 500 square feet in size.

COUNTY OF BEDFORD, VIRGINIA

DEPARTMENT OF COMMUNITY DEVELOPMENT DIVISION OF PLANNING

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Staff looks forward to discussing the proposed text amendments with the Planning Commission on January 15, 2019. Should you have any questions prior to the meeting, please contact me at (540) 586-7616 ext. 1393 or by e-mail (jmitchell@bedfordcountyva.gov).

Attachments:

Zoning Ordinance Text Amendments Winter 2019 (DRAFT)

**Zoning Ordinance Text Amendments
Winter 2019**

That **Zoning Ordinance Section 30-93-13, Freestanding signage regulations by use**, be amended to add subsection “E” to permit a 25% increase in the height of a freestanding signage (up to 20 feet in height) for a property having multiple uses that were not approved as a shopping/multi-tenant retail center.

Sec. 30-93 Signs

Sec. 30-93-13 Freestanding signage regulations by use

(e) Lots with multiple uses that are not approved as a shopping/multi-tenant retail center may increase the freestanding height permitted through Sec. 30-93-13(c) and Sec. 30-93-13(d) by 25% for each additional use (up to a maximum height of 20 feet) in order to accommodate freestanding signage for each use on the lot.

That **Zoning Ordinance Section 30-100-9, Location and design of fences**, be amended to limit the height of stockade fencing in the front yard on properties occupied with residential uses to a maximum height of four (4) feet.

Sec. 30-100 Miscellaneous

Sec. 30-100-9. Location and design of fences.

- (a) Except as provided for in sections 30-92 and 30-100-8, fences may be constructed in any location, on any lot.
- (b) On any lot occupied by a residential use type, stockade (screening) fences located in front of the building line shall not exceed four (4) feet in height.

That **Zoning Ordinance Section 30-91-6(a), Construction standards**, be amended to permit agricultural uses and civic uses in the AP, AR, and AV zoning districts from having to pave or surface treat the off-street parking and stacking areas.

Sec. 30-91 Off-street parking, stacking, and loading

Sec. 30-91-6 Construction standards

- (a) All off-street parking and stacking areas with fifteen (15) or more parking spaces, including aisles, stacking spaces, and driveways, except for those required for agricultural uses, civic uses (in the AP, AR, and AV zoning districts), single-family and two-family dwellings,

shall be constructed and maintained with a surface in accordance with the Virginia Department of Transportation's latest edition of the Subdivision Streets Requirements Manual.

That **Zoning Ordinance Section 30-91-9, Required off-street parking**, be amended alter how Schedule B can be used as an alternate required parking calculation that is derived from an acceptable industry publication (i.e. Institute of Transportation Engineers, Urban Land Institute, American Planning Association) or from a study prepared by a traffic engineering firm.

Sec. 30-91-9 Required off-street parking.

Schedule B:

~~Specific requirements shall be determined by the administrator based on requirements for similar uses, location of proposed use, expected demand and traffic generated by the proposed use, and appropriate traffic engineering and planning criteria and information. Determination of requirements may be appealed to the board of zoning appeals. In lieu of using the Minimum Parking Requirements table or Schedule A in Sec. 30-91-9, parking requirements for a use(s) may be calculated through using acceptable industry publications (i.e. Insitute of Transportation Engineers, Urban Land Institute, American Planning Association, etc.) or from a study prepared by a traffic engineering firm. Once the study is submitted, the findings are reviewed by the Zoning Adminstrator to set a minimum parking requirement for a use(s) based on the information provided.~~

That **Zoning Ordinance Section 30-79-2, Permitted Use Table**, be amended to permit “Wireless Communication Facility, Class 4” use by-right with general use standards (R*) in the AP, AR, and AV zoning districts.

Sec. 30-79-2 Permitted Uses Table

Permitted uses by district shall be as shown in the following table where:

"R" Indicates a use by right

"S" Indicates a special use

"*" Indicates more stringent standards as specified in article IV

USES	AP	AR	AV	R-1	R-2	R-3	R-4	PRD	RMH	C-1	C-2	NC	PCD	I-1	I-2	PID	EP
Miscellaneous Uses																	
Wireless Communication facility, Class 4	RS *	RS *	RS *							S*	S*	S*	S*	S*	S*	S*	S*

That **Zoning Ordinance Section 30-87-3, Wireless Communication Facility (WCF), Class 1, Class 2, Class 3 and Class 4**, be amended to remove requirements for special use permit submittals in accordance with changes to Virginia State Code (§15.2-2316.4:1 through §15.2-2316.4:3).

Sec. 30-87-3 Wireless Communication Facility (WCF), Class 1, Class 2, Class 3 and Class 4

- (a) *Intent:* To provide for the siting of wireless communication facilities (WCFs) by establishing guidelines for the construction and modification of towers and associated equipment in accord with the strategic plan for commercial wireless telecommunication facilities, a component of the comprehensive plan. The established guidelines are designed to reduce the adverse impacts and encourage stealth techniques through the placement of towers in locations with appropriate vegetative cover or through alternative tower designs.
- (b) *For purposes of this section:*
- (1) A "distributed antenna system (DAS)" is a network of spatially separated antenna nodes connected to a common source via a transport medium that provides wireless service within a geographic area or structure.
 - (2) A "stealth structure" is any structure designed to conceal or disguise antenna structures and antennas associated with wireless communication facilities including but not limited to, tree poles, flag poles, silos and "lookout" towers.
- (c) *General standards:*
- (1) All WCFs must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the county, state or federal government with the authority to regulate WCFs. If regulations change and WCFs are required to comply with such changes, the owners of the WCFs governed by this ordinance shall bring WCF(s) into compliance within six (6) months of the

effective date of such change in standards or regulations. Failure to comply shall constitute grounds for the removal of the WCFs at the owner's expense.

- (2) WCFs shall be considered either a principal or accessory use.
- (3) WCFs shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and designs chosen must cause the least disturbance to the surrounding view.
- (4) WCFs shall meet the following aesthetic requirements:
 - a. WCFs shall, subject to any applicable FAA standard, be of a neutral color and subject to staff approval so as to reduce visual obtrusiveness. The appearance shall be maintained in the approved neutral color.
 - b. The design of buildings and related structures within the WCF compound area shall, to the extent possible, use materials and colors that will blend into the natural setting and surrounding trees.
 - c. If a WCF is installed on a structure other than a tower (i.e., water tower, light pole, etc.), the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
- (5) The county reserves the right to employ the services of a wireless telecommunications consultant to review all WCF applications. All applicable costs will be the responsibility of the applicant.
- (6) WCFs that exceed 50 feet above ground level shall meet the following setback requirements:
 - a. The minimum setback requirement from the base of the tower to any primary or occupied structure on the subject parcel shall be at least equal to forty (40) percent of the height of the tower, measured from the closest structural member of the tower. Guy lines shall be exempt from the minimum setback requirement in side and rear yards for the respective zoning district, but shall comply with the setback requirements for the front yard.
 - b. Certification shall be provided that the tower will not fall onto any adjoining property in the event of failure or collapse of the structure.
 - c. For any building or structure associated with a WCF, the minimum setback from any property line abutting a road

right-of-way shall be fifty (50) feet and in all other instances shall be no less than twenty-five (25) feet.

- d. More than one (1) tower shall be permitted provided all setback requirements have been met.

(7) Buildings and support equipment associated with WCFs shall comply with the following requirements:

- a. The cabinet or structure shall not be more than twelve (12) feet in height. In addition, for buildings and structures which are less than sixty-five (65) feet in height, the related unmanned equipment structure shall be located on the ground and shall not be located on the roof of the structure.
- b. If the equipment structure is located on the roof of a building, the area of the equipment structure and other equipment and structures shall not occupy more than ten (10) percent of the roof area.
- c. Equipment storage buildings or cabinets shall comply with all applicable building codes.

(8) No advertisement signs shall be allowed on a WCF. Signs of no more than one (1) square foot containing ownership, operational and name plate data shall be allowed.

(9) WCF applications in a PCTDA location as defined in the strategic plan for commercial wireless telecommunications facilities, a component of the comprehensive plan, shall not be exempt from administrative approval or obtaining special use permit approval. Such application will be classified based on the height of the proposed WCF (Class 1-4) and subject to the permitted use table requirements by district.

(d) *Uses by right:* The uses listed in this section are deemed to be uses by right subject to administrative approval. The following provisions shall govern the issuance of approvals for WCFs:

- (1) WCFs located on property owned, leased, or otherwise controlled by Bedford County provided a license or lease authorizing such WCF(s) has been approved by Bedford County or collocated on an existing WCF(s).
- (2) The collocation of WCFs on existing WCFs. The collocation must be accomplished in a manner consistent with the following:
 - a. The WCF which is modified or reconstructed to accommodate the collocation of an additional WCF shall be of the same WCF type as the existing WCF(s).

- b. A WCF which is being rebuilt to accommodate the collocation of an additional WCF may be moved on-site within fifty (50) feet of its existing location. Once the WCF is rebuilt to accommodate the collocation, only one (1) WCF may remain on the site.
- (3) Installing a cable microcell network (distributed antenna system or DAS) through the use of multiple low-powered transmitters/receivers attached to existing wireless systems, such as conventional cable or telephone wires, or similar technology that does not require the use of WCFs.
 - (4) WCF upgrades/equipment maintenance of existing wireless provider on WCF.
- (e) *Special application requirements for uses by right:*
 - (1) Sufficient copies of the wireless facility site development plan that show the type and height of the proposed WCF, proposed means of access, setbacks from the property lines, elevation drawing of the proposed WCF and any other structures and any other information deemed by the zoning administrator to be necessary to assess compliance with this ordinance.
 - (2) A cover letter that outlines what the applicant is proposing to do on-site.
 - (3) Any cost associated with the review of the application by the county and/or its consultant shall be paid by the applicant at submittal.
 - (4) A structural analysis may be requested by the zoning administrator in order to complete a review of an application.
 - (5) The zoning administrator may request additional information if needed while reviewing an application for administrative approval. Failure to provide the requested information shall result in the denial of the application.
- (f) *Uses by special use permits:*
 - (1) Applications for special use permits under this section shall be subject to the procedures and requirements for allowable uses under article I of this ordinance.
 - (2) In granting a special use permit, the planning commission may recommend and the board of supervisors may impose conditions to the extent the board concludes such conditions are necessary to minimize any adverse effect of the proposed WCF on adjoining properties.

- (3) Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical shall be certified by a licensed professional engineer.
 - (4) The maximum height of any WCF shall be made a condition of approved special use permits. Lightning rods shall be exempt from the maximum height calculation.
- (g) *Special application requirements for special use permits:* In addition to any information required for applications pursuant to the Bedford County Zoning Ordinance, applicants for a special use permit for WCFs shall submit the following information:
- (1) A scaled site plan clearly indicating the location, type and height of the proposed WCF, on-site land uses, adjacent land uses (including when adjacent to other jurisdictions), master plan classification of the site, adjacent roadways, proposed means of access, setbacks from property lines, elevation drawings of the proposed WCF and any other structures, topography, parking, and other information deemed by the zoning administrator to be necessary to assess compliance with this ordinance.
 - (2) Legal description of the parent tract and leased parcel (if applicable).
 - (3) The setback distance between the proposed WCF and the nearest residential unit and platted residential properties. This is not required for WCFs that are less than 50 feet above ground level.
 - (4) The applicant shall also identify the type of construction of the existing WCF(s) and the owner/operator of the existing WCF(s), if known.
 - (5) A landscape plan showing specific landscape materials. The board of supervisors may waive this requirement if it deems appropriate upon applicant request with sufficient justification. This is not required for WCFs that are less than 50 feet above ground level.
 - (6) Method of security fencing (no less than six (6) feet in height) with anti-climbing device, and finished color and, if applicable, the method of camouflage and illumination. The board of supervisors may waive this requirement if it deems appropriate upon applicant request.
 - (7) A description of compliance with all applicable federal, state or local laws. This is not required for WCFs that are less than 50 feet above ground level.
 - (8) A statement by the applicant as to whether construction of the WCF will accommodate collocation of additional antennas. This is

not required for WCFs that are less than 50 feet above ground level.

- (9) Identification of the entities providing the backhaul network for the WCF(s) described in the application and other cellular sites owned or operated by the applicant in the county.
- (10) A description of the suitability of the use of existing WCFs, other structures or alternative technology not requiring the use of WCFs or structures to provide the services under consideration.
- (11) A description of the feasible location(s) of future WCFs within Bedford County based upon existing physical, engineering, technological, or geographical limitations in the event the proposed WCF is erected.
- (12) A cost estimate for removal of the WCF and facilities from the site.
- (13) A copy of the initial lease. This is not required for WCFs that are less than 50 feet above ground level.
- (14) A description, including mapping at an appropriate scale, of the search area and coverage objective. This is not required for WCFs that are less than 50 feet above ground level.
- (15) A map depicting all collocation candidates in search area, along with the RF analysis documentation as to their suitability. This is not required for WCFs that are less than 50 feet above ground level.
- (16) High quality photo simulations of the site and proposed WCF.

~~(17) TOWAIR Determination results for FAA registration.~~

- (h) *Additional standards for Class 1, Class 2, Class 3, and Class 4 wireless communication facilities in districts where permitted by right:*

~~(1) WCF antenna support structures shall be constructed of wood in the R-1, R-2, R-3, R-4 and PRD zoning districts.~~

- (12) The siting of any new antenna support structure associated with by right WCFs shall follow the application requirements listed in subsection 30-87-3(g). Such towers would be exempt from any requirements listed in section 30-19

- ~~(i) Additional standards in the AP, AR, AV and NC districts for Class 2 wireless communication facilities:~~

~~(1) WCFs shall be reviewed administratively if less than ten (10) feet above the surrounding tree line. WCFs that are sited in open areas would not meet the requirement of "stealth techniques" in subsection (i)(2) below, and would be subject to the special use permit approval process for WCFs.~~

~~(2) If the zoning administrator through administrative review determines the proposed WCF does not use stealth techniques to reduce the impact of the WCF on surrounding properties and view sheds, a special use permit shall be required.~~

~~(3) The siting of any new antenna support structure associated with by right WCFs shall follow the application requirements listed in subsection 30-87-3(g). Such towers would be exempt from any requirements listed in section 30-19~~

(ij) *Removal of abandoned WCFs:* Any WCF that is not operated for a continuous period of six (6) months shall be considered abandoned, and the owner of such WCF shall remove the same within ninety (90) days of receipt of notice from Bedford County notifying the owner of such abandonment. If there are two (2) or more users of a single WCF, then this provision shall not become effective until all users cease using the WCF.

(jk) *Nonconforming WCFs:*

(1) WCFs that are constructed, and/or installed, in accordance with the provisions of this ordinance shall not be deemed to constitute the expansion of a nonconforming use or structure.

(2) Pre-existing WCFs shall be allowed to continue their usage as they presently exist. Routine maintenance (including replacement with a new tower of like construction and height) shall be permitted on such pre-existing WCFs. New construction other than routine maintenance on pre-existing WCFs shall comply with the requirements of this ordinance.

(3) Notwithstanding subsection 30-87-3(j), bona fide nonconforming WCFs that are damaged or destroyed may be rebuilt without having to first obtain a special use permit. The type, height, and location of the WCFs on-site shall be of the same type and intensity as the original facility approval. Building permits to rebuild the facility shall comply with the then-applicable building codes and shall be obtained within one hundred eighty (180) days from the date the facility is damaged or destroyed. If no permit is obtained or if said permit expires, the WCFs shall be deemed abandoned as specified in subsection 30-87-3(j).

(k) *Denial of a new WCF application: the applicant shall be notified of any tower that is denied in accordance with The Code of Virginia, §15.2-2316.4:2. The reason for the denial shall be made clear in such notification.*

That **Zoning Ordinance Section 30-82-11, Multifamily dwelling**, be amended to permit a structure for those living within an apartment

complex to use to wait for the Bus that does not have to meet a reduced setback requirement so that it may be closer to the roadway. Structure shall be limited in size and quantity.

Sec. 30-82 Residential Uses

Sec. 30-82-11 Multifamily dwelling

(a) *Intent.* The following minimum standards are intended to accommodate multifamily dwellings, ensuring adequate separation and other design characteristics to create a safe and healthy residential environment while protecting adjoining uses which are less intensive.

(b) *General standards:*

- (1) Minimum front yard setback: Thirty (30) feet from any street right-of-way for all structures.
- (2) Minimum side yard setback: Twenty (20) feet for principal structures.
- (3) Minimum rear yard setback: Twenty-five (25) feet for principal structures.
- (4) Additional setbacks in the form of a buffer yard shall be required in accordance with article V where the property adjoins a less intensive zoning district.
- (5) Each multifamily building shall be separated by forty (40) feet between facing living areas. This separation may be reduced to twenty (20) feet when both multifamily buildings contain windowless walls.
- (6) Where buildings are placed at right angles (ninety (90) degrees) to one another and both interior walls are windowless, the minimum separation of buildings shall be twenty (20) feet.
- (7) Standards for open space and recreational areas required below:
 - a. Shall be in addition to any buffer yard required under article V of this ordinance;
 - b. Shall be in addition to, and not be located in, any required front, side or rear yard setback;
 - c. Shall have a horizontal dimension of at least fifty (50) feet, except that areas with a horizontal distance of not less than twenty (20) feet shall be counted as open space provided such areas contain facilities such as, but not limited to, bikeways, exercise trails, tot lots, gazebos, picnic tables, etc.;

- d. Shall not include proposed street rights-of-ways, open parking areas, driveways, or sites reserved for other specific uses; and
- e. Shall be of an appropriate nature and location to serve the residents of the multifamily development.

(8) One (1) structure may be permitted for tenants/property owners to wait for the transportation (School Bus, Public Transit, etc.) that does not have to meet any setback requirement. This structure is limited to a maximum size of 500 square feet and must be placed in a location that is acceptable to the Virginia Department of Transportation.

That **Zoning Ordinance Section 30-82-14, Townhouses**, be amended to permit a structure for those living within a Townhouse community to use to wait for the Bus that does not have to meet a reduced setback requirement so that it may be closer to the roadway. Structure shall be limited in size and quantity.

Sec. 30-82 Residential Uses
Sec. 30-82-14 Townhouses

- (a) Intent. It is the intent of this section that townhouses be allowed in areas where they are or may be appropriately intermingled with other compatible types of housing. The purpose of the following design standards is to ensure the efficient, economical, comfortable and convenient use of land and open space and serve the public purposes of zoning by providing an alternative to conventional arrangements of yards and buildable areas.
- (b) General standards:
 - (1) All townhouse developments shall be served by public sewer and water.
 - (2) The facades of townhouses in a group shall be varied by changed front yards and variations in design so that no more than four (4) abutting townhouses will have the same front yard setback and the same or essentially the same architectural treatment of facades and roof lines.
 - (3) The minimum separation between any building containing a group of five (5) or more townhouse units shall be forty (40) feet from any other townhouse building. The minimum separation between any building containing a group of four or fewer townhouse units shall be twenty (20) feet from any other building containing a group of four (4) or fewer townhouses.

- (4) The height of all townhouses shall be limited to forty-five (45) feet. Accessory buildings shall not exceed fifteen (15) feet.
- (5) Accessory structures for townhouse units shall be permitted only in rear yard areas and shall be no larger than ten (10) feet by ten (10) feet in area.
- (6) Only one (1) yard, either the front yard or the rear yard, or in the case of an end unit, the side yard, shall be improved with a driveway or other impermeable surface intended for the storage of motor vehicles or for access to a garage, or other parking areas.
- (7) The maximum building and lot coverage requirements applying to townhouses shall be computed for the site of the entire development.
- (8) Public street frontage shall not be required for any proposed lot of record platted for townhouse development within R-3 and R-4 districts. In the AV and R-2 districts, the applicant shall designate as part of the special use permit application, the location of any lot that is not proposed to front on a public street.
- (9) One (1) structure may be permitted for tenants/property owners to wait for the transportation (School Bus, Public Transit, etc.) that does not have to meet any setback requirement. This structure is limited to a maximum size of 500 square feet and must be placed in a location that is acceptable to the Virginia Department of Transportation.