

BEDFORD COUNTY PLANNING COMMISSION MINUTES
January 15, 2019

The Planning Commission held a regular meeting Tuesday, January 15, 2019 in the Bedford County Administration Building Boardroom with all Commissioners present with the exception of Mr. Steele. County staff present was Mr. Patrick Skelley, County Attorney, Mr. Gregg Zody, Director of Community Development, Mr. Mark Jordan, Mr. Jordan Mitchell, Planners and Mrs. Patricia Robinson, Administrative Manager.

Mr. Woodford called the meeting to order and determined a quorum was present to conduct business. Mr. Woodford asked if there were any changes to the agenda. Mr. Mays made a motion to approve the agenda. Mr. Dawson seconded the motion. The motion carried with a vote of 5-0.

Mr. Woodford moved to item 2 Approval of Minutes and asked if there were any changes to the minutes of September 18, 2018. Mr. Burdett made a motion to approve the minutes as presented. Mr. Dawson seconded the motion. The motion carried with a vote of 5-0. Mr. Woodford asked if there were any changes to the minutes of October 16, 2018. Mr. Burdett requested the word "not" be added before the word "enforce" on page 3 line 114. There being no additional changes Mr. Dawson made a motion to approve the minutes as amended. Mr. Burdett seconded the motion. The motion carried with a vote of 5-0.

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

Mr. Woodford moved to item 4a under Old Business and asked for the staff presentation for the text amendment regarding a Bed & Breakfast. Mr. Jordan provided a brief overview of the memorandum included in the meeting packet noting there have been recent changes to the Code of Virginia (24VAC30-551-10) which re-defines a Bed and Breakfast. Mr. Jordan highlighted the differences in a Bed and Breakfast and a Short Term Rental. The proposed amendment would amend the Article II definition of a Bed and Breakfast as well as text in Article IV of the Zoning Ordinance. Staff is recommending the Planning Commission discuss adopting the amended State Code definition for a Bed and Breakfast to bring the definition in the Zoning Ordinance up to date with current standards. Mr. Jordan noted there could be additional changes forthcoming from the General Assembly under HB2156.

Questions/comments from the Planning Commission covered the following: (a) if bill still under consideration why should we act now, (b) what is the difference in this request and the proposed amendment regarding Bed & Breakfast we voted to move to public hearing at our 09/18/18 meeting,

Mr. Jordan noted that text amendment did not go to public hearing with the Board of Supervisors. Mr. Jordan noted there was confusion between what a Short Term Rental is and what a Bed & Breakfast is. For clarification Mr. Jordan noted he conducted additional research and for clarification purposes it has been brought back to the Planning Commission.

Mr. Tillett made a motion to postpone a vote on the proposed text amendment regarding Bed & Breakfast until such time as a decision on HB 2156 has been made by the General Assembly. Mr. Huff seconded the motion. The motion carried with a vote of 6-0.

Mr. Woodford moved to items 5a-f under New Business and asked for the staff presentation. Mr. Mitchell stated the 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 concern from citizens and the development community. Mr. Mitchell provided a brief overview of the proposed text amendments addressing questions from the Commissioners as each amendment was presented. The amendments covered: Signage, Off-Street Parking, Fences, Wireless Communication Facilities, Multifamily Dwelling, and Townhouses.

Questions/comments from the Planning Commissioners covered the following regarding the various proposed text amendments: (a) is this changing the square footage of a sign or only the height of a sign, (b) how many complaints did you receive on fences, (c) don't think we should regulate the height of a fence, (d) why should we tell a taxpayer they can't have a stockade fence and why it should only be 4 feet tall, (e) fences keeps dogs from barking at each other and dogs from parking at individuals walking by, (f) what about when the topography of the land has banks near an entrance which could impede pulling in and out of a driveway – will we tell the landowner to lower the banked area, (g) are we going to begin to regulate hedges next, (h) opposed to the removal of the height limits on signs, (i) what about agricultural uses which already exist in residential districts regarding the Off-Street Parking, (j) regarding the proposed amendment for Sec. 30-91-9 (Required off-street parking) can someone do a study and prove the minimum parking they need is less than required by the zoning ordinance (k) any particular reason we are limiting this change to only the agricultural districts and (l) are bus stops allowed to have lights.

The Planning Commission chose to vote on each text amendment individually following the presentation and discussion of the given proposed amendment.

Mr. Burdett made a motion to move the proposed text amendment regarding Signage (item 5a) Sec. 30-93-13 (Freestanding signage regulation by use) to public hearing as presented. Mr. Tillett seconded the motion. The motion carried with a vote of 6-0.

Mr. Dawson made a motion to move the proposed text amendment regarding Fences (item 5b) Sec. 30-100-9 (Location and design of fences) to public hearing with the following amendment. Remove item (b) of Sec. 30-100-9. Mr. Tillett seconded the motion. The motion carried with a vote of 4-2. Mr. Burdett and Mr. Woodford cast the dissenting votes.

Mr. Tillett made a motion to move the proposed text amendment regarding Off-Street Parking (item 5c) Sec. 30-91-6(a) (Construction standards) to public hearing

as presented. Mr. Dawson seconded the motion. The motion carried with a vote of 6-0.

Mr. Mays made a motion to move the proposed text amendment regarding Off-Street Parking (item 5c) Sec. 30-91-9 (Required off-street parking) to public hearing as presented. Mr. Tillett seconded the motion. The motion carried with a vote of 6-0.

Mr. Tillett made a motion to move the proposed text amendment regarding Wireless Communication Facility (WCF) (item 5d) Sec. 30-79-2 (Permitted Use Table) to public hearing as presented. Mr. Mays seconded the motion. The motion carried with a vote of 6-0.


Mr. Tillett made a motion to move the proposed text amendment regarding Wireless Communication Facility (WCF) (item 5d) Sec. 30-87-3 (WCF Class1, Class 2, Class 3 and Class 4) to public hearing as presented. Mr. Mays seconded the motion. The motion carried with a vote of 6-0.

Mr. Tillett made a motion to move the proposed text amendment regarding Multifamily dwelling (item 5e) Sec. 30-82-11 to public hearing as presented. Mr. Dawson seconded the motion. The motion carried with a vote of 6-0.

Mr. Dawson made a motion to move the proposed text amendment regarding Townhouses (item 5f) Sec. 30-82-14 to public hearing as presented. Mr. Mays seconded the motion. The motion carried with a vote of 6-0.

There being no additional business Mr. Tillett made a motion to adjourn. Mr. Dawson seconded the motion. The motion carried with a vote of 6-0. The meeting adjourned at 07:54 pm.

Respectfully submitted,



Gregg Zody, Secretary

Approved by:



Tom Woodford, Chairman