

BOARD OF SUPERVISORS



July 26, 2021 Agenda





AGENDA

**BEDFORD COUNTY BOARD OF SUPERVISORS
AND BROADBAND AUTHORITY**

**COUNTY ADMINISTRATION BUILDING
JULY 26, 2021**

5:00 PM WORKSESSION

- (1) Call Board of Supervisors to Order
- (2) Discussion with School Superintendent Dr. Marc Bergin

6:00 PM

- (3) **Closed Session** pursuant to Section 2.2-3711 (A) (7), Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter (specifically, pertaining to the Broadband project).
 - (4) Recess the Board of Supervisors for a supper break by 6:30 pm.
-



At a worksession of the Board of Supervisors and the Broadband Authority of the County of Bedford, Virginia held at the County Administration Building on the 26th day of July 2021:

Supervisor _____ made a motion to enter into Closed Session pursuant to Section 2.2-3711 (A) (7), Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter (specifically, pertaining to the Broadband project).

Voting yes:

Voting no:

Motion _____.

Supervisor _____ made a motion to go back into regular session.

Voting yes:

Voting no:

Motion _____.

WHEREAS, the Bedford County Board of Supervisors and Broadband Authority has convened a Closed Meeting, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by the Bedford County Board of Supervisors and Broadband Authority that such closed meeting was conducted in conformity with Virginia Law.

NOW, THEREFORE BE IT RESOLVED, that the Bedford County Board of Supervisors and Broadband Authority does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting was heard, discussed or considered by the Bedford County Board of Supervisors and Broadband Authority.

MEMBERS:

VOTE:

Tommy Scott, Chair

Tammy Parker, Vice-Chair

Mickey Johnson

Edgar Tuck

Charla Bansley

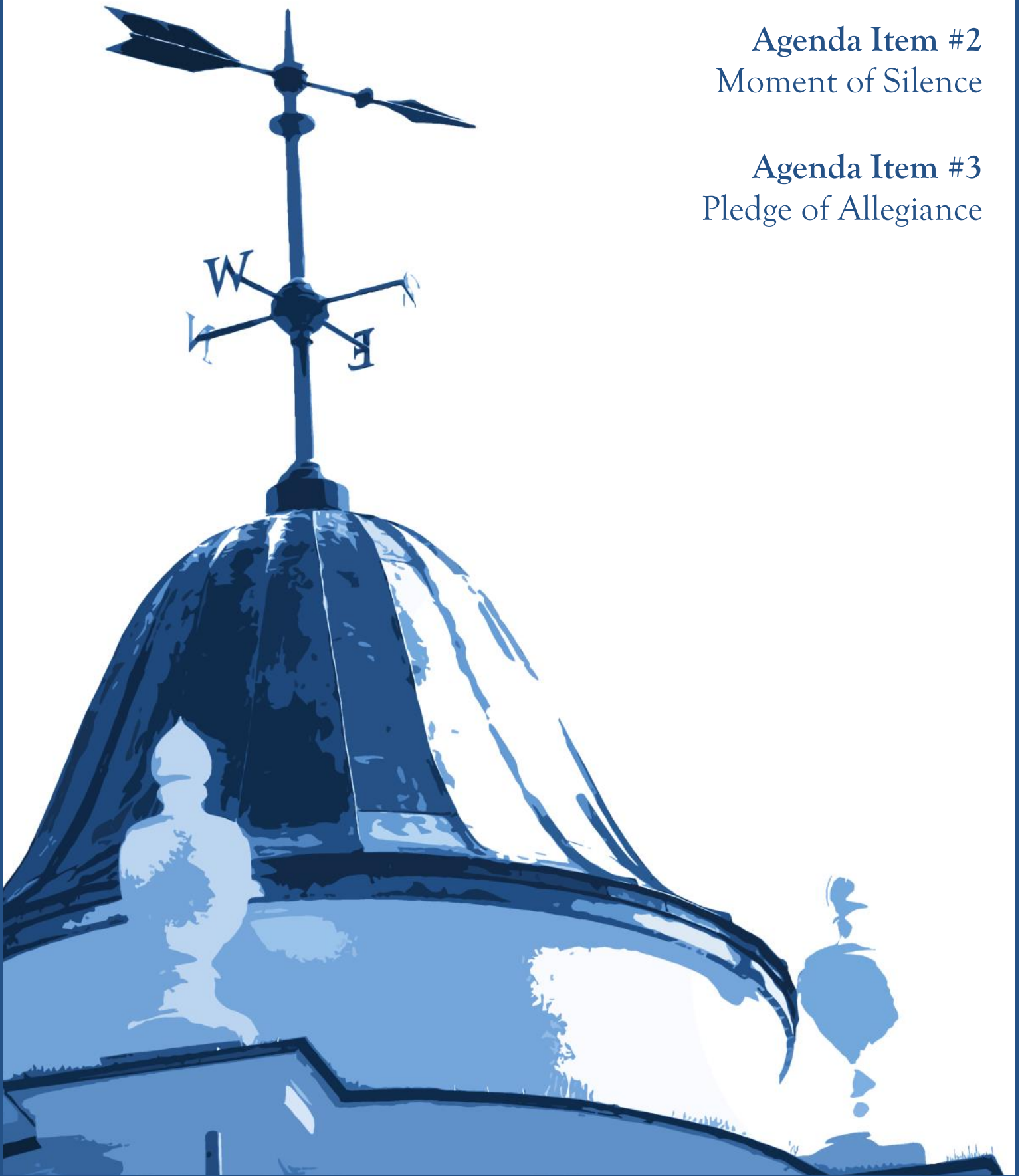
John Sharp

Bob Davis

Agenda Item #1
Call to Order & Welcome

Agenda Item #2
Moment of Silence

Agenda Item #3
Pledge of Allegiance



Agenda Item #4
Approval of Agenda





AGENDA

BEDFORD COUNTY BOARD OF SUPERVISORS

COUNTY ADMINISTRATION BUILDING

JULY 26, 2021

7:00 P.M. REGULAR MEETING

(1) Call to Order & Welcome

(2) Moment of Silence

(3) Pledge of Allegiance

(4) Approval of Agenda

(5) Citizen Comments

(6) Consent Agenda

- a. Consideration of a resolution directing the County Administrator to draft a letter to the Virginia Department of Agriculture and Consumer Services regarding Veterinary Laboratory Compensation. *(Resolution #R 072621-01)*

(7) Approval of Minutes – April 26, 2021

(8) Public Hearings & Presentations

- a. **Public Hearing** – Consideration of an ordinance submitted on behalf of Cottontown Investments, LLC, to amend and readopt the Bedford County Zoning Ordinance by changing the Zoning District Designation of Tax Map #101-A-7E. *(Ordinance #O 072621-02)*

- *Staff presentation by Planner Myranda Morrison*

(9) Action & Discussion Items

- a. Consideration of a resolution directing the County Administrator to submit an application notice to the Virginia Department of Housing and Community Development for the 2022 Virginia Telecommunications Initiative Grant Cycle. *(Resolution #R 072621-03)*

- *Staff Presentation by Deputy County Administrator Amanda Kaufman*

(10) Board Committee Reports - none

(11) Board Comments

(12) Board Appointments - none

(13) County Administrator Report

(14) County Attorney Report

(15) Board Information

- a. Bedford Communications report for June 2021

(16) Board Calendar and Reminders

- August 9 – Worksession at 5:00; Regular Meeting at 7:00 pm
- September 13 – Worksession at 5:00 pm; Regular Meeting at 7:00 pm
- September 27 – Worksession at 5:00 pm; Regular Meeting at 7:00 pm

Adjourn

Agenda Item #5
Citizen Comments



Agenda Item #6
Consent Agenda





BEDFORD COUNTY BOARD OF SUPERVISORS

Agenda Item Summary

AGENDA ITEM # 6a

RESOLUTION #R 072621-01

MEETING DATE: July 26, 2021

MEETING TYPE: Regular Meeting

AGENDA SECTION: Consent

ITEM TITLE: Resolution Directing County Administrator to Draft Letter to the Virginia Department of Agriculture and Consumer Services Regarding Veterinary Laboratory Compensation

RECOMMENDATION

Staff recommends approval.

SUMMARY

Staff was notified by members of the Bedford County Agriculture Economic Development Advisory Board about concerns regarding the local veterinary lab compensation.

The Lynchburg laboratory has not had a veterinary diagnostician since October 2020; a director since February 2021; and a bacteriologist/parasitologist since April 2021.

The Ag Board is concerned that the compensation offered for these positions by the State is not adequate to attracting qualified candidates. As a result, local livestock producers need to take their lab work to Harrisonburg or Virginia Tech.

Additional information is provided in the letter from Bedford County Ag Board member, Don Gardner, which is attached to this memo.

FISCAL IMPACT

No fiscal impact.

PRIOR ACTIONS

None

CONTACTS

Robert Hiss

ATTACHMENTS

Letter from Bedford County Ag Board Member, Don Gardner



At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on the July 26, 2021, beginning at 7:00 pm:

MEMBERS:

Tommy W. Scott, Chair
 Tammy Parker, Vice-Chair
 Mickey Johnson
 Edgar Tuck
 Charla Bansley
 John Sharp
 Bob Davis

VOTE:

On motion of Supervisor _____, which carried by a vote of _____, the following was adopted:

A RESOLUTION

RESOLUTION DIRECTING COUNTY ADMINISTRATOR TO DRAFT LETTER TO THE VIRGINIA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES REGARDING VETERINARY LABORATORY COMPENSATION

WHEREAS, the Bedford County Agriculture Economic Development Advisory Committee brought the issue of veterinary laboratory compensation to staff's attention; and

WHEREAS, there are concerns the compensation offered by the State is not adequate to attracting and retaining qualified candidates; and

WHEREAS, without local diagnostic services, livestock producers need to go to Harrisonburg or Virginia Tech for lab work; and

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors, that the County Administrator is authorized to draft a letter regarding these concerns to the Virginia Department of Agriculture and Consumer Services.



COUNTY OF BEDFORD, VIRGINIA

COUNTY ADMINISTRATION BUILDING
122 EAST MAIN STREET, SUITE 202
BEDFORD, VIRGINIA 24523

6a

AGRICULTURE ECONOMIC DEVELOPMENT ADVISORY BOARD

June 9, 2021

Dear Bedford County Ag Board,

The Lynchburg, Virginia Department of Agriculture and Consumer Services Diagnostic Laboratory on 460 East is experiencing an ongoing problem. This lab has been a source of disease diagnosis help to the citizens and veterinarians in south central Virginia for many years. The old facility was replaced 30 some years ago and has provided state of the art diagnostics in a modern facility. Sadly, it is currently almost a shell of its past self and since last October 2020 has been without a veterinary diagnostician. It has been without a director since February 2021 and since April without a bacteriologist/parasitologist.

How did this come about? Sixteen years ago, it had a high case load and was buzzing with activity. The clientele is still there and would very much like to patronize the facility. However, since it has been off the grid for so long that when a problem arises, the Lynchburg Lab is no longer considered an option for the solution. Prior to the last veterinary diagnostician that was there, it was without one for about six months. Over time, the case load has dropped because of having the reputation of being an unreliable service provider.

I have some personal knowledge of this situation since my wife Dr. Susan Gardner was the diagnostician there for 10 years prior to her retirement. The root cause of this lack of staffing is the pay scale offered by the Commonwealth of Virginia. The pay that has been offered for dedicated, motivated professionals who have been described in the job description has lagged way behind the salaries offered by private and other states employers. You are not going to get the motivated leaders to manage the lab and clientele by offering a salary that is currently being offered to veterinarians who just graduated from vet school with no practice experience. Inexperienced people do not have the management experience required to run such a facility or have the practice experience to know what questions to ask an incoming case's owner.

Even though there has not been a diagnostician there for 8 months, the job was just advertised in May. They were asking for not only a graduate veterinarian, but one who also had a postgrad degree in pathology. The salary offered was commensurate with an inexperienced, new graduate, veterinarian. After 30 days there were no takers. The position has been re-advertised, but the salary is not competitive for the job as described.

All the previous employees that left in the recent years have gone to jobs with better pay. I am not sure what the exact process is, or who in the state government determines salary levels, but they are woefully out of touch with the reality of the marketplace. What a shame that a multi-million-dollar facility is basically not used. Many livestock producers, including myself, are having to carry necropsies to Virginia Tech or Harrisonburg because the inadequate salary levels are so out of date that the lab is not properly staffed.

Private veterinarians can do diagnostics and necropsies. Routine disease processes create changes in tissues that can usually be seen with the naked eye. However, when you run up on a situation that has everyone scratching their heads and does not fit recognizable disease profiles you need to do lab type work. Sterile cultures, tissues for histopathology, samples for toxicology, blood chemistries and other materials for investigation are hard to take and prepare out in the field. You rarely have all the preservative materials or containers you need and the environment you are in is usually challenging. Working to disassemble a 1000-pound animal on the ground by yourself is very difficult work. Most veterinarians would rather not tackle it knowing the outcome is likely to be unproductive and quite expensive. This is where the diagnostic lab fills a vital need to help practicing veterinarians back up their field observations with facts.

I am not sure how many people know about this situation and how it came about. It is my purpose to bring it to the attention of the appropriate leaders so that a workable solution can be found to return this much needed facility to productive use.

Sincerely,

Don Gardner, DVM
Vice Chairman Bedford Agricultural Economic Development Advisory Board
1751 Gardner Farm Rd.
Huddleston, VA 24104
DLGGAR@aol.com
540-871-0246

Agenda Item #7
Approval of Minutes





AGENDA

BEDFORD COUNTY BOARD OF SUPERVISORS

TOWN OF BEDFORD MUNICIPAL BUILDING

APRIL 26, 2021

6:00 PM WORKSESSION

- (1) Call Board of Supervisors to Order
- (2) Budget discussion
- (3) Recess the Board of Supervisors for a dinner break by 6:30 pm.

7:00 P.M. REGULAR MEETING

- (1) **Call to Order & Welcome**
- (2) **Moment of Silence**
- (3) **Pledge of Allegiance**
- (4) **Approval of Agenda**
- (5) **Citizen Comments**
- (6) **Consent Agenda**
 - a. Consideration of a resolution appropriating State funding for the Southern Virginia Internet Crimes Against Children Task Force. *(Resolution #R 042621-01)*
- (7) **Approval of Minutes** – February 22, 2021
- (8) **Public Hearings & Presentations**
 - a. **Public Hearing** – Proposed FY2021-2022 Budget
 - b. **Public Hearing** – FY2021 Tax Rate Ordinance Rate *(Ordinance #O 042621-02)*
 - c. **Public Hearing** – Consideration of a resolution submitted on behalf of Eastlake Community Church for approval of Special Use Permit #SU21-0001 to establish the “Educational Facilities, Primary/Secondary” use on parcels identified as Tax Map #222-A-15 and #223-A-1. *(Resolution #R 042621-03)*
 - *Staff presentation by Planner Mariel Fowler*

32 **d. Public Hearing** – Consideration of a resolution submitted on behalf of Wallace
 33 and Gaile Hensley for approval of Special Use Permit #SU21-0002 to establish an
 34 “Office, Medical” use on a portion of a parcel identified as Tax Map #238-A-14B.
 35 *(Resolution #R 042621-04)*

36 • *Staff presentation by Planner Mark Jordan*

37 **e. Public Hearing** – Consideration of an ordinance amending select provisions of the
 38 Bedford County Subdivision Ordinance. *(Ordinance #O 042621-05)*

39 • *Staff presentation by Community Development Director Jordan Mitchell*

40 **f. Public Hearing** – Consideration of an ordinance amending select provisions of the
 41 Bedford County Zoning Ordinance. *(Ordinance #O 042621-06)*

42 • *Staff presentation by Community Development Director Jordan Mitchell*

43 **(9) Action & Discussion Items**

44 **a.** Consideration of a resolution authorizing the adoption of the Central Virginia
 45 Planning District Commission Hazard Mitigation Plan – 2020 Update. *(Resolution*
 46 *#R 042621-07)*

47 • *Staff Presentation by Fire & Rescue Chief Jack Jones, Jr.*

48 **b.** Consideration of a request for approval of amendments to the ZiTEL contract.
 49 *(Resolution #R 042621-08)*

50 • *Staff presentation by County Administrator Robert Hiss*

51 **c.** Consideration of a resolution accepting final project and releasing retainage
 52 associated with part #1 of Phase II Broadband, completed by ZiTEL, LLC.
 53 *(Resolution #R 042621-09)*

54 • *Staff presentation by Deputy County Administrator Amanda Kaufman*

55 **(10) Board Committee Reports - none**

56 **(11) Board Comments**

57 **(12) Board Appointments**

58 **(13) County Administrator Report**

59 **(14) County Attorney Report**

60 **(15) Board Information - none**

61 **(16) Board Calendar and Reminders**

62 • May 10 – Worksession with VDOT beginning from 5:00 to 6:30 pm; Regular
 63 Meeting at 7:00 pm (Town of Bedford Municipal Building – Council Hall)

64 • May 24 - Worksession from 5:00 – 6:30 pm; Regular Meeting at 7:00 pm (VDOT
 65 Public Hearing on Secondary Six-Year Plan) *(location to be determined)*

66 **Adjourn**

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69 **6:00 PM Worksession**

70 **Board of Supervisors:** Tommy Scott, District 5, Chair; Tammy Parker, District 7, Vice-Chair; Mickey
71 Johnson, District 1; Edgar Tuck, District 2; Charla Bansley, District 3; John Sharp, District 4; and Bob
72 Davis, District 6

73 -----

74 **Staff:** County Administrator Robert Hiss, County Attorney Patrick Skelley, Deputy County Administrator
75 Amanda Kaufman, Finance Director Ashley Anderson, Fire & Rescue Chief Jack Jones, Jr., Deputy Chief
76 Janet Blankenship, Deputy Chief Abbey Johnston, Sheriff Mike Miller, and Executive Assistant Brigitte
77 Lockett

78 _____

79 Chairman Scott called the worksession to order and turned the meeting over to County
80 Administrator Robert Hiss and Finance Director Ashley Anderson for an update on the budget.

81 Mr. Hiss noted this latest budget draft incorporated the Board's requested adjustments to the pay
82 scales for EMTs (increasing starting pay for new hires to \$38,200) and paramedics (increasing starting pay
83 to \$42,000). If the 5% raise all employees will receive this year does not bring EMTs already on staff up to
84 \$40,000, or paramedics up to \$42,000, their pay will be increased accordingly. The impact to the budget
85 will be \$15,675 (including salary and benefits). Any pay compression issues will be worked out over the
86 next budget cycle. Mr. Hiss and Mrs. Anderson then answered clarifying questions from the Board.

87 Mr. Hiss noted that more experienced new hires may begin employment higher than the "starting"
88 pay. Vice-Chair Parker stressed that we give the same compensation consideration to the paramedics that
89 is being shown to the EMTs. In response to a question from Supervisor Davis, Mr. Hiss said staff is
90 researching merit-based pay adjustments for future budget cycles.

91 Chairman Scott received consensus from the Board for staff to move forward with these
92 recommended pay adjustments.

93 Mr. Hiss suggested that, if the public hearing goes well this evening, we could move the budget
94 adoption to the first meeting in May; the Board concurred.

95 Mrs. Anderson then briefly updated the Board on the Tyler-Munis software update as it applies to
96 the budget process. She noted that currently they do everything manually, so the new system will
97 significantly decrease the opportunity for errors. Mr. Hiss stated the Treasurer's office and the
98 Commissioner's office also have modules in Tyler-Munis that should be ready to go live in October. Once
99 everything is live, the integration between Finance, the Treasurer, and the Commissioner will offer
100 enhanced accuracy and workflows for a more efficient process throughout.

101 There being no further discussion, the Board recessed for a supper break at 6:17 pm.

102 _____

103

104

105

106 **7:00 PM Regular Meeting**

107 **Board of Supervisors:** Tommy Scott, District 5, Chair; Tammy Parker, District 7, Vice-Chair; Mickey
108 Johnson, District 1; Edgar Tuck, District 2; Charla Bansley, District 3; John Sharp, District 4; and Bob
109 Davis, District 6

110 -----

111 **Staff:** County Administrator Robert Hiss, County Attorney Patrick Skelley, Deputy County Administrator
112 Amanda Kaufman, Finance Director Ashley Anderson, Fire & Rescue Chief Jack Jones, Jr., Deputy Chief
113 Janet Blankenship, Deputy Chief Abbey Johnston, Sheriff Mike Miller, and Executive Assistant Brigitte
114 Lockett

115 _____

116 (1) Chairman Scott called the Board of Supervisors to order and welcomed those in attendance.

117 (2) Chairman Scott asked the room to observe a moment of silence.

118 (3) Chairman Scott led the room in the pledge of allegiance.

119 _____

120 (4) **Approval of Agenda**

121 Mr. Hiss noted a closed session with the Broadband Authority has been added to the end of the
122 meeting.

123 **Supervisor Johnson made a motion approve the agenda as amended.**

124 **Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis,**
125 **and Mrs. Parker**

126 **Voting no: None**

127 **Motion passed.**

128 _____

129 (5) **Citizen Comments**

- 130 • Troy Brawley, 1560 Fuqua Mill Road, Bedford, addressed the Board regarding the disturbances
131 caused at his and his mother's homes due to the disc golf tournaments that are now taking place
132 at the new Independence Park. There is heavy traffic, there is not enough parking so the road
133 ends up being blocked by event participants and spectators, they have no privacy because the
134 players actually walk through their yards, and it is in general very disruptive. They've lived on
135 these properties for over 20 years, and it's always been a secluded area. Mr. Brawley asked that
136 something be done to alleviate the traffic and parking issues, as well as fencing and buffering
137 being erected to protect the property owners' privacy.

138 _____

139 (6) **Consent Agenda**

140 Mr. Hiss reviewed the following item on the consent agenda:

- 141 a. Consideration of a resolution appropriating State funding for the Southern Virginia Internet
142 Crimes Against Children Task Force. (*Resolution #R 042621-01*)

143 Supervisor Johnson noted there is an incredible amount of data that is analyzed through this
144 program.

145 **Supervisor Johnson made a motion to approve the consent agenda.**

146 **Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis,**
147 **and Mrs. Parker**

148 **Voting no: None**

149 **Motion passed.**

150 _____

151 **(7) Approval of Minutes**

152 **Supervisor Tuck made a motion to approve the minutes of February 22, 2021.**

153 **Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis,**
154 **and Mrs. Parker**

155 **Voting no: None**

156 **Motion passed.**

157 _____

158 **(8) Public Hearings & Presentations**

159 **(8a)** Chairman Scott read the following statement prior to opening the public hearing on the proposed
160 budget:

161 “Before I open the first Public Hearing on the agenda, I wanted to explain the procedure we’ll
162 follow tonight:

163 State law requires us to hold separate public hearings for the budget and for the proposed tax rates.

164 Everyone who wishes to speak should sign up using one of the registration forms found at the table
165 in the hall. You may comment on either the budget or the tax rates, or both, after your name is called. That
166 means if you have signed up to speak on the budget, you may also speak on the tax rates at the same time.
167 You don’t have to wait until we formally open the separate hearing for the budget and the tax rates.
168 However, we are still required to open and close two separate public hearings.

169 When your name is called, please come forward to the podium and restate your name and address
170 for the record. Speakers will be called in the order in which they signed up.

171 We will hear from everyone who wishes to speak tonight. To make sure that everyone has a chance
172 to speak in a timely fashion, I will limit the amount of time for each speaker to three minutes.

173 We are here tonight to get your input; we want to hear from you. While this is your time to have
174 your say, it is not the time for us to answer questions or debate issues.

175 Following the public hearing on the budget and the tax rate ordinance, the Board will take action
176 as to the tax rates for 2021. The budget will be voted on by the Board at a future meeting. If you have
177 specific questions about the budget, please feel free to discuss them with our staff or any Board member
178 after the meeting.”

179 Mr. Hiss gave a brief overview of the proposed budget, noting there are no proposed tax increases.
 180 Chairman Scott then opened the citizen comment portion of the public hearing. There being no one desiring
 181 to speak, this public hearing was closed.

182 -----

183 **(8b)** Mr. Hiss reiterated there are no proposed increases to the tax rates. The only change is the
 184 codification of business rental boats being taxed at the personal property rate.

185 Chairman Scott opened the public hearing on the FY2021 Tax Rate Ordinance; there being no
 186 citizens desiring to speak, the public hearing was closed.

187 **Supervisor Tuck made a motion to approve Ordinance #O 042621-02.**

188 **WHEREAS**, the Code of Virginia requires all Counties to annually adopt a budget; and

189 **WHEREAS**, the Board of Supervisors has duly advertised and held a public hearing on the subject of
 190 tax rates;

191 **NOW, THEREFORE, BE IT ORDAINED** by the Board of Supervisors of the County of Bedford,
 192 Virginia, that there be, and is hereby levied, the following tax and tax rates for tax year 2021:

193 **(1) \$0.50** per one hundred dollars of assessed valuation on all taxable real estate located in this
 194 County;

195 **(2) \$0.50** per one hundred dollars of assessed valuation on the property classified in Section 58.1-
 196 3506 A 10, Code of Virginia 1950, as amended: manufactured homes;

197 **(3) \$2.35** per one hundred dollars of assessed valuation for classifications of tangible personal
 198 property as defined in §§58.1-3503 and 3506 of the Code of Virginia: automobiles, trucks,
 199 motorcycles, camping trailers, travel trailers, motor homes and other recreational vehicles,
 200 trailers, boats, watercraft and aircrafts.

201 **(4) \$1.70** per one hundred dollars of assessed valuation for certain other classifications of tangible
 202 personal property as defined in §58.1-3506 of the Code of Virginia: heavy construction
 203 equipment, ~~forest harvesting~~ and silviculture equipment, rental boats, computer hardware,
 204 programmable computer equipment and peripherals.

205 **(5) \$0.00** per \$100.00 of assessed valuation on the property classified in Section 58.1-3506 A 14 of
 206 the Code of Virginia: vehicles for the transportation of the physically handicapped.

207 **(6) \$0.00** per \$100.00 of assessed valuation on the property classified in Section 58.1-3506 A 19,
 208 vehicles for the transportation of qualified disabled veterans.

209 **(7) \$1.20** per \$100.00 of assessed valuation on the property classified in Sections 58.1-3506 A5, A7,
 210 and A18, 58.1-3507 and 58.1-3508 of the Code of Virginia, commonly known as machinery and
 211 tools.

212 **Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis,**
 213 **and Mrs. Parker**

214 **Voting no: None**

215 **Motion passed.**

216 -----

217 **(8c)** Planner Mariel Fowler addressed the Board with a resolution submitted on behalf of Eastlake
218 Community Church for approval of Special Use Permit #SU21-0001 to establish the “Educational
219 Facilities, Primary/Secondary” use on parcels identified as Tax Map #222-A-15 (located off Hendricks
220 Store Road) and #223-A-1 (located at 1201 Timberwood Lane) in Moneta. Mrs. Fowler displayed a variety
221 of maps and photographs illustrating both the current and proposed future use, and outlined the details of
222 the request as given in the resolution below.

223 Mrs. Fowler stated the Planning Commission held a public on March 16, 2021 for this request; no
224 citizens spoke for or against the application. The Planning Commission recommended approval with a vote
225 of 6--0 (with one abstention) with the conditions given in the resolution.

226 Doyle Allen, applicant representative from Hurt and Proffitt, also briefly addressed the Board,
227 noting the types of buffers that will be used, where the access roads will be located, etc.

228 The citizen comment portion of the meeting was opened; there being no one desiring to speak, this
229 portion of the meeting was closed.

230 Supervisors Tuck and Johnson abstained from voting, as they are members of this church.

231 Chairman Scott noted that, for future reference, if a Supervisor participates in the discussion of an
232 agenda item then they are required to vote on that item. They also cannot abstain without giving the reason
233 for their abstention, such as conflict of interest.

234 **Supervisor Sharp made a motion to approve Resolution #R 042621-03.**

235 **WHEREAS**, Eastlake Community Church, Trustees has submitted Special Use Permit application
236 #SU21-0001 to establish the “Educational Facilities, Primary, Secondary” use (three athletic fields) in the
237 R-2 (Medium Density Residential) and AR (Agricultural/Residential) zoning district on properties
238 identified as Tax Map Numbers #222-A-15 and 233-A-1 owned by Eastlake Property Holdings, LLC; and

239 **WHEREAS**, the application has been submitted pursuant to Section 30-79-2 of the Zoning
240 Ordinance, which allows the “Educational Facilities, Primary/Secondary” use in the R-2 and AR zoning
241 district after Special Use Permit has been approved in accordance with Section 30-19 of the Zoning
242 Ordinance; and

243 **WHEREAS**, the Board of Supervisors has carefully considered the public record, the public
244 testimony, and the recommendations of the Planning Commission; and

245 **WHEREAS**, the Board of Supervisors finds that the requested special use meets the goals and
246 objectives of the Comprehensive Plan and the purposes of the Zoning Ordinance; and

247 **NOW, THEREFORE, BE IT RESOLVED**, by the Bedford County Board of Supervisors that the Board
248 does hereby approve of a Special Use Permit pursuant to application #SU21-0001 with the following
249 conditions:

- 250 1. Section 30-83-6 *General Standards* as stated below shall apply in perpetuity until the
251 “Educational Facilities, Primary/Secondary” use has been discontinued:

252 **(a)** *General Standards*

253 (1) Any outdoor activity area, ball field or court, or stadium which adjoins a residential
 254 use type shall be landscaped with one (1) row of small evergreen trees in accordance
 255 with article V along the property line adjoining the residential use type. Where
 256 nighttime lighting of such areas is proposed large evergreen trees shall be required in
 257 a location appropriate to screen adjoining residences.

258 (2) Any area constructed in conjunction with an educational facility intended for the
 259 overnight storage of school buses which adjoins a residential use type shall provide a
 260 Type C buffer yard as specified in Article V of this ordinance.

261 (b) In the AR district, the maximum building coverage shall be twenty (20) percent and the
 262 maximum lot coverage fifty (50) percent of the total lot area.

263 2. A row of large evergreen trees (minimum 6 feet in height at the time of planting spaced every
 264 15 linear feet) shall be placed along all boundary lines where the use adjoins a residential use
 265 type to assist in mitigating noise and visual impacts due to the clear terrain in the surrounding
 266 area, and the proximity of the existing homes to the proposed sports field locations. This
 267 condition shall apply even if nighttime lighting is not proposed.

268 Any proposed lighting associated with the use shall be directed downward and away from adjoining
 269 properties.

270 **Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis,**
 271 **and Mrs. Parker**

272 **Voting no: None**

273 **Motion passed.**

274 -----

275 (8d) Planner Mark Jordan addressed the Board with a resolution submitted on behalf of property owners
 276 of Wallace and Gaile Hensley for approval of Special Use Permit #SU21-0002 to establish an "Office,
 277 Medical" use on a portion of a parcel identified as Tax Map #238-A-14B. Mr. Jordan stated the property
 278 owners are donating the land for this application to Phyllis Everett, Sapien Health PLLC, 21430
 279 Timberlake Road, Lynchburg. The subject property is located at 12087 and 11953 Leesville Road, Lynch
 280 Station, VA, is 1.530 acres in size, and is zoned AP (Agricultural Preserve).

281 Mr. Jordan reviewed the details of the request while displaying a variety of maps and photographs
 282 illustrating both the current and proposed future use of the property, which are also outlined in the resolution
 283 below. He stated that at the Planning Commissions public hearing for this application on March 16, 2021,
 284 there were no citizen comments. The Planning Commission voted 7-0 to recommend approval with the
 285 conditions given in the resolution.

286 Mr. Hensley addressed the Board to voice his support for this application. Mr. Hensley noted in his
 287 comments that Dr. Everett has had to move several times due to the facilities she was using becoming
 288 unavailable for her future use. He said that Dr. Everett, through her medical practice, saved his wife's life
 289 and this is why he is supporting her with this land gift and support of a special use permit.

290 The citizen comment portion of the public hearing was opened.

291 Dr. Everett addressed the Board to thank them for their consideration and to thank Mr. Hensley for
292 his support and the land he has gifted for her facility. She gave a brief overview of the services she and her
293 staff provide, and then answered brief questions from the Board.

294 There being no one else desiring to speak, this portion of the public hearing was closed.

295 Supervisor Bansley said she is thankful for the work Dr. Everett is doing in the community.

296 **Supervisor Bansley made a motion to approve Resolution #R 042621-04.**

297 **WHEREAS**, Wallace and Gaile Hensley has submitted Special Use Permit application #SU21-0002
298 to establish an “Office, Medical” use in an AP (Agricultural Rural Preserve) zoning district on a 1.530-acre
299 portion of property identified as Tax Map Number #238-A-14B; and

300 **WHEREAS**, the application has been submitted pursuant to Section 30-79-2 of the Zoning
301 Ordinance, which allows an “Office, Medical” use in the AP zoning district after Special Use Permit has
302 been approved in accordance with Section 30-19 of the Zoning Ordinance; and

303 **WHEREAS**, the Board of Supervisors has carefully considered the public record, the public
304 testimony, and the recommendations of the Planning Commission; and

305 **WHEREAS**, the Board of Supervisors finds that the requested special use meets the goals and
306 objectives of the Comprehensive Plan and the purposes of the Zoning Ordinance; and

307 **NOW, THEREFORE, BE IT RESOLVED**, by the Bedford County Board of Supervisors that the Board
308 does hereby approve of a Special Use Permit pursuant to application #SU21-0002 with the following
309 conditions:

- 310 1. Section 30-32 (Agricultural Rural Preserve), Section 30-77 (Corridor Overlay) and Article IV,
311 Section 30-84-2 (Use and Design Standards – Office, medical) shall apply in perpetuity or until
312 the use has been discontinued.
- 313 2. The site shall be developed in general conformance with the concept plan prepared by Rodney
314 F. Pierson, P.E., Pierson Engineering and Surveying, dated January 7, 2021.
- 315 3. Any proposed lighting will be directed downward and will be designed, located, and arranged
316 so as not to direct glare on the adjoining street or residential properties.

317 **Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis,**
318 **and Mrs. Parker**

319 **Voting no: None**

320 **Motion passed.**

321 -----

322 **(8e)** Community Development Director Jordan Mitchell addressed the Board with a brief review of an
323 ordinance amending select provisions of the Bedford County Subdivision Ordinance, the details of which
324 are given in the ordinance below. Mr. Mitchell stated that the Planning Commission held a public hearing

325 on March 16, 2021 for these amendments, during which there were no citizen comments. The Planning
326 Commission has recommended approval by a vote of 7-0.

327 The citizen comment portion of the public hearing was opened; there being no one desiring to
328 speak, this portion of the public hearing was closed.

329 **Vice-Chair Parker made a motion to approve Ordinance #O 052621-05.**

330 **BE IT HEREBY ORDAINED**, by the Board of Supervisors of Bedford County, Virginia, that after
331 having conducted a duly advertised public hearing and upon receiving the recommendation forwarded by
332 the Bedford County Planning Commission, that the regulations of the Bedford County Subdivision
333 Ordinance be amended and readopted as follows:

334 **Part I.**

335 That **Section 31-90, Filing**, of a Preliminary Plan be amended to revise the filing requirements in
336 relation to digital review (energov system):

337 Sec. 31-90. - Filing.

338 (a) Prior to county review, a subdivider shall file with the subdivision agent a completed
339 application with fee payment for preliminary plan review. A digital file of the preliminary plan is required
340 at the time of submittal. If hard copies of the preliminary plan are required, the subdivision agent will notify
341 the subdivider. A surveyor or engineer must prepare a preliminary plan.

342 **Part II.**

343 That **Section 31-91, Content**, of a Preliminary Plan be amended to revise the content that is
344 required in the Vicinity Map:

345 Sec. 31-91. - Content.

346 The preliminary plan shall include the following information:

347 (2) *Vicinity sketch map.* A vicinity sketch map showing the location of the proposed
348 subdivision with respect to adjoining property including the area within one (1) to three (3) mile radius of
349 the proposed subdivision. In addition, this map shall show the locations, names, and route numbers of all
350 existing roads and may provide the names and locations of railroads, political boundaries, subdivisions,
351 public schools, parks, libraries, and fire and rescue stations. The vicinity map shall be shown on an insert
352 on the first sheet with the scale of the map referenced and a north arrow.

353 **Part III.**

354 That **Section 31-107, Filing**, of a Final Plat be amended to revise the filing requirements in relation
355 to digital review (energov system):

356 Sec. 31-107. - Filing.

357 (a) After approval of the preliminary plan for a major subdivision or where a preliminary plan
358 is not required, a subdivider shall file with the subdivision agent an application for final plat approval. A
359 digital file of the final plat is required at the time of submittal. If hard copies of the final plat are required,
360 the subdivision agent will notify the subdivider.

361 **Part IV.**

362 That **Section 31-290, Access to Adjoining Property**, of a Final Plat be amended to state that access
363 to adjoining property is only required when the Virginia Department of Transportation requires it:

364 Sec. 31-290. - Access to adjoining property.

365 When required by the Virginia Department of Transportation, street(s) shall be dedicated at
366 strategic locations to provide for future access to adjoining properties which may be subdivided in the
367 future. Each street connection shall intersect property lines at a ninety (90) degree angle or as otherwise
368 approved by the subdivision agent. Whenever a parcel of land located adjacent to an existing subdivision
369 is to be subdivided, a street shall be located so as to connect with the platted street connection of the adjacent
370 existing subdivision. The developer of the new subdivision shall be required to improve the connecting
371 street including the dedicated street connection of the existing subdivision.

372 **Part V.**

373 Should any portion or provision of this ordinance be held by any court to be unconstitutional or
374 invalid, that decision shall not affect the validity of the ordinance as a whole, or any part of the ordinance
375 other than the part held to be unconstitutional or invalid.

376 This ordinance shall become effective immediately upon its adoption.

377 **Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis,**
378 **and Mrs. Parker**

379 **Voting no: None**

380 **Motion passed.**

381 -----

382 **(8f)** Community Development Director Jordan Mitchell addressed the Board with an ordinance
383 amending select provisions of the Bedford County Zoning Ordinance. Mr. Mitchell reviewed the
384 recommended amendments, which were originally suggested by the Board of Supervisors and are detailed
385 in the ordinance below. He stated that the Planning Commission held a public hearing on March 16, 2021
386 for these amendments; there were no citizen comments. The Planning Commission has recommended
387 approval by a vote of 7-0.

388 Mr. Mitchell then answered minor clarifying questions from the Board.

389 The citizen comment portion of the public hearing was opened; there being no one desiring to
390 speak, this portion of the public hearing was closed.

391 **Vice-Chair Parker made a motion to approve Ordinance #O 042621-06.**

392 **BE IT HEREBY ORDAINED**, by the Board of Supervisors of Bedford County, Virginia, that after
393 having conducted a duly advertised public hearing and upon receiving the recommendation forwarded by
394 the Bedford County Planning Commission, that the regulations of the Bedford County Zoning Ordinance
395 be amended and readopted as follows:

396 **Part I.**

397 That **Section 30-79, Permitted Use Table**, be amended to permit a “Broadcasting Tower, Radio”
 398 use in the AP zoning district by special use with more stringent standards specified in article IV:

399 Sec. 30-79. - Permitted uses by district.

400 *Sec. 30-79-2. Permitted use table.*

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

402 "R" Indicates a use by right

403 "S" Indicates a special use

404 "*" 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																	
Broadcasting Tower, Radio	S*		S*							S*	S*			S*	S*		

405

406 **Part II.**

407 That **Section 30-82-3, Home Occupation, Type I and Type II**, general standards be amended to
 408 increase the percentage of the home to 50% from 25% and the storage of goods or products to 20% from
 409 10%:

410 *Sec. 30-82-3. Home Occupation, Type I and Type II*

411 (b) General standards:

412 (1) More than one (1) home occupation may be permitted provided the total maximum
 413 floor area requirement is not exceeded. The maximum floor area permitted for a home
 414 occupation(s) shall be fifty (50) percent of the finished floor area of the dwelling unit. An accessory
 415 building or structure may be used with the home occupation, provided the total floor area devoted
 416 to the home occupation in the accessory structure and dwelling unit combined does not exceed Fifty
 417 (50) percent of the finished floor area of the dwelling unit. Storage of goods or products shall not
 418 exceed twenty (20) percent of the finished floor area.

419 **Part III.**

420 That **Section 30-100-2, Yard, setback, height, and distance between buildings requirements**,
 421 be amended to clarify subsection “d” for the purposes of calculating setbacks.

422 *Sec. 30-100-2. Yard, setback, height, and distance between buildings requirement*

423 (d) A structure built over the common lot line, between two (2) lots under the same ownership,
 424 will in effect combine these lots and they will hereafter function as one (1) lot for the purpose of calculating
 425 setbacks for new construction activity related to the structure (including decks, porches, and any additions
 426 to the structure).

427

428

429 **Part IV.**

430 That **Section 30-100-5, Single-family detached dwellings; number permitted on a single lot**, be
431 amended to state that the zoning administrator can waive requirements of zoning ordinance and subdivision
432 ordinance in order to facility a subdivision of a lot with two or more single family dwelling units on it.

433 *Sec. 30-100-5. Single-family detached dwellings; number permitted on a single lot*

434 Only one (1) single-family detached dwelling shall be permitted on any lot. The zoning
435 administrator can waive any requirement(s) in the zoning and subdivision ordinance in order to facilitate
436 the subdivision of any existing lot that has two (2) or more single-family detached dwellings.

437 **Part V.**

438 That **Section 30-100-9, Location and Design of Fences**, be amended to add subsection “b” to limit
439 the height of a fence in residential zoning districts to six (6) feet in height in front of the building line for
440 properties with residential uses:

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

442 (a) Except as provided for in sections 30-92 and 30-100-8, fences may be constructed in any
443 location, on any lot.

444 (b) On any lot in a residential zoning district (R-1, R-2, R-3, R-4, and PRD) with a residential
445 use, fences located in front of the building line shall not exceed six (6) feet in height.

446 **Part VI.**

447 Should any portion or provision of this ordinance be held by any court to be unconstitutional or
448 invalid, that decision shall not affect the validity of the ordinance as a whole, or any part of the ordinance
449 other than the part held to be unconstitutional or invalid.

450 This ordinance shall become effective immediately upon its adoption.

451 **Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis,**
452 **and Mrs. Parker**

453 **Voting no: None**

454 **Motion passed.**

455 _____

456 **(9) Action & Discussion Items**

457 **(9a)** Fire & Rescue Chief Jack Jones, Jr. addressed the Board with a resolution authorizing the adoption
458 of the Central Virginia Planning District Commission Hazard Mitigation Plan – 2020 Update. Chief Jones
459 gave an overview of the process that was followed to develop the updated Plan, noting that having this plan
460 in place is a condition for eligibility to receive state and federal funding for hazard risks, mitigation efforts,
461 etc. He noted it is a very detailed plan that took over two years to complete, and then answered minor
462 clarifying questions from the Board.

463
464 **Supervisor Tuck made a motion to approve Resolution #R 042621-07.**

465 **WHEREAS**, the County of Bedford and the entire Central Virginia Planning District region have
466 exposure to natural hazards that can affect the safety to life, property, businesses, and local economy; and

541 _____

542 **(11) Board Member Comments**

543 Vice-Chair Parker directed staff into look the issues Mr. Brawley raised regarding Independence
544 Park during the citizen comment period, and to research buffering measures for the home owners.
545 Supervisor Johnson suggested having tournament attendees meet at the Walmart parking lot and then
546 shuttled into the park.

547 Supervisor Johnson stated that the Sheriff's Office is budgeted for four canines, but currently has
548 two. He has been made aware of a program by Officer Sonny Daniels that will supply the County with two
549 more canines for free. He felt it was worth mentioning, as he feels this Officer is saving the County funds.

550 Supervisor Davis stated he is receiving a lot of citizen complaints in opposition to the VDOT
551 SmartScale project at Camp Jaycee. He would like this project discussed at a future Board meeting. Mr.
552 Hiss briefly reviewed the history behind this project, noting the Board could discuss rescinding their support
553 for this but only SmartScale can cancel the project.

554 Chairman Scott asked if Mr. Mitchell could check Independence Park to be sure we are addressing
555 the negative impacts raised by Mr. Brawley earlier. A brief discussion followed between the Supervisors.
556 Sheriff Miller stated his staff could also take measures to assist the residents living in the area, such as
557 posting "no parking" signs, etc..

558 _____

559 **(12) Board Appointments – *there were no appointments***

560 _____

561 **(13) County Administrator Report**

562 Mr. Hiss noted the old computer system being used at the Welcome Center to process credit cards
563 is finally being replaced, and Parks and Recreation will soon be using a similar system. He asked the Board
564 to consider how they wanted the transaction fees to be handled (whether the County will absorb the fee, or
565 pass the fee on to the consumer as we do with transactions in the Treasurer's office.)

566 _____

567 **(14) County Attorney Report**

568 Attorney Skelley stated he had nothing to report, and called for a motion to go into closed session.

569 **Supervisor Bansley made a motion to enter into Closed Session pursuant to Section 2.2-3711**
570 **(A) (7)**, Consultation with legal counsel and briefings by staff members or consultants pertaining to actual
571 or probable litigation, where such consultation or briefing in open meeting would adversely affect the
572 negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable
573 litigation" means litigation that has been specifically threatened or on which the public body or its legal
574 counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this
575 subdivision shall be construed to permit the closure of a meeting merely because an attorney representing
576 the public body is in attendance or is consulted on a matter (specifically, pertaining to the Broadband project
577 and the SOMA contract).

614 Mr. Hiss reviewed the followed meeting calendar with the Board, and received consensus from the
615 Board to hold the vote on the proposed budget on May 10:

- 616 • May 10 – Worksession with VDOT beginning from 5:00 to 6:30 pm; Regular Meeting at 7:00 pm
617 (Town of Bedford Municipal Building – Council Hall)
- 618 • May 24 - Worksession from 5:00 – 6:30 pm; Regular Meeting at 7:00 pm (VDOT Public Hearing
619 on Secondary Six-Year Plan) (*location to be determined*)

620

621 **Adjourn**

622 **Vice-Chair Parker made a motion to adjourn at 9:34 pm.**

623 **Voting yes: Mr. Johnson, Mr. Tuck, Mrs. Bansley, Mr. Sharp, Mr. Scott, Mr. Davis,**
624 **and Mrs. Parker**

625 **Voting no: none**

626 **Motion passed.**

Agenda Item #8
Public Hearings and Presentations





BEDFORD COUNTY BOARD OF SUPERVISORS

Agenda Item Summary

AGENDA ITEM # 8a

ORDINANCE #O 072621-02

MEETING DATE: July 26, 2021

MEETING TYPE: Regular Meeting

AGENDA SECTION: Public Hearings & Presentations

ITEM TITLE: Rezoning Application #RZ21-0002 - Cottontown Investments, LLC. (PRD to R-4)

RECOMMENDATION

Staff will provide a Planning Commission recommendation during the public hearing.

SUMMARY

Cottontown Investments, LLC. is requesting to rezone Tax Map Number 101-A-7E from PRD (Planned Residential Development district) to R-4 (High-Density Multifamily Residential district) for the purpose of establishing a “multifamily dwelling” use. The subject parcel is currently under development with 180 multifamily dwelling units and 96 extended stay hotel units. The applicant has offered a voluntary proffer that would limit the property to 300 dwelling units.

FISCAL IMPACT

No fiscal impact.

PRIOR ACTIONS

The Planning Commission held a public hearing for the application on June 15, 2021, Several citizens spoke during the hearing citing the size of the existing buildings as too large, erosion and sediment control issues, dishonest developer practices (told development would be villas and not apartments when single-family home was purchased), and traffic issues. The Planning Commission kept the public hearing open so that additional comments can be taken at their regular meeting on July 20, 2021 due to the public hearing sign being stolen from the subject property. Staff will report the details of the continued public hearing and any recommendation that is made to the Board of Supervisors on July 26, 2021.

CONTACTS

Jordan Mitchell, Director of Community Development
Myranda Morrison, Planner

ATTACHMENTS

- 1) RZ21-0002 PC Packet (as amended July 6, 2021)
- 2) BOS Draft Ordinance (Draft)



At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on July 26, 2021, beginning at 7:00 pm:

MEMBERS:

Tommy W. Scott, Chair
 Tammy Parker, Vice-Chair
 Mickey Johnson
 Edgar Tuck
 Charla Bansley
 John Sharp
 Bob Davis

VOTE:

On motion of Supervisor _____, which carried by a vote of _____, the following was adopted:

**AN ORDINANCE
 TO AMEND AND READOPT THE BEDFORD COUNTY ZONING
 ORDINANCE BY CHANGING THE ZONING DISTRICT DESIGNATION
 OF TAX MAP #101-A-7E**

WHEREAS, Cottontown Investments, LLC. have submitted Rezoning application #RZ21-0002 to rezone Tax Map #101-A-7E from PRD, Planned Residential district, to R-4, High Density Multifamily Residential district, in order to establish a “Multifamily Dwellings” use on the property; and

WHEREAS, the application has been submitted pursuant to Section 30-14 of the Zoning Ordinance; and

WHEREAS, the Board of Supervisors has carefully considered the public record, the public testimony, and the recommendations of the Planning Commission; and

WHEREAS, the Board of Supervisors finds that the public necessity, general welfare, and good zoning practice requires adoption of an ordinance to amend the zoning district designation of the subject property; and

WHEREAS, the Board of Supervisors finds that the requested rezoning meets the goals and objectives of the Comprehensive Plan and the purposes of the Zoning Ordinance; and

WHEREAS, the Board of Supervisors does accept the voluntary proffer offered by the property owners as follows:

1. The project shall have a maximum of 300 dwelling units on the property.

NOW, THEREFORE, BE IT ORDAINED, by the Bedford County Board of Supervisors that the Board does hereby amend and readopt the Zoning Ordinance by changing the zoning district designation of a parcel identified as 101-A-7E from PRD to R-4; and

BE IT FURTHER ORDAINED, that should any portion or provision of this ordinance be held by any court to be unconstitutional or invalid, that decision shall not affect the validity of the ordinance as a whole, or any part of the ordinance other than the part held to be unconstitutional or invalid.

MEMORANDUM

TO: Planning Commission

FROM: Myranda Morrison, Planner *MM*

DATE: June 15, 2021, Amended July 6, 2021

SUBJECT: **Rezoning Application #RZ21-0002: Cottontown Investments, LLC. – PRD to R-4**

SYNOPSIS

Cottontown Investments, LLC is requesting to rezone Tax Map Number 101-A-7E from PRD (Planned Residential Development district) to R-4 (High-Density Multifamily Residential district) for the purpose of establishing a “Multifamily Dwellings” use. The property is located within Election District #3.

BACKGROUND

Applicant

The applicant is Cottontown Investments, LLC, PO Box 148 Forest, VA 24551.

Property Owner

The property owner is Cottontown Investments, LLC, PO Box 148 Forest, VA 24551.

Engineer

The engineer for the applicant is Norm Walton, Perkins & Orrison, 317 Brook Park Pl Forest, VA 24551.

Location

Tax Map Number 101-A-7E is located at 1029, 1072, 1073, 1106, 1107, 1128, 1176, 1228, 1288, 1342, and 1390 Cottontown Manor Dr.

Proposed Change

Cottontown Investments, LLC. is requesting to rezone Tax Map Number 101-A-7E from PRD (Planned Residential Development district) to R-4 (High-Density Multifamily Residential district) for the purpose of establishing a “Multifamily Dwellings” use on the property requested for rezoning.

ANALYSIS

Zoning/Land Use Compatibility

The subject parcel is zoned PRD and is currently the “Cottontown Manor” development. The development that is currently under construction consists of 180 multifamily dwelling units and 96 extended stay hotel units. The current uses of the property are by-right in the PRD zoning district. The surrounding properties (within a 1-mile radius) are zoned PRD (Planned Residential Development), R-1 (Low-Density Residential), C-2 (General Commercial), and PID (Planned Industrial Development). The uses of adjoining properties are residential (single family dwelling, detached) and the railroad.

Zoning Ordinance

The purpose of the PRD and R-4 zoning districts are as follows:

PRD District

The purpose of this district is to provide for the development of planned residential communities that incorporate a variety of housing options as well as certain limited commercial and office uses designed to serve the inhabitants of the district. The PRD district is intended to allow greater flexibility than is generally possible under conventional zoning district regulations by encouraging ingenuity, imagination and high-quality design to create a superior living environment for the residents of the planned community. Incorporation of significant areas of open space is a primary component of these provisions as a means to maintain critical natural and cultural resources, balanced with development at densities which compensate, or in certain situations reward with bonuses, for maintenance of these resources. The PRD district is particularly appropriate for parcels which contain a number of constraints to conventional development. In addition to an improved quality of design, the PRD district creates an opportunity to reflect changes in the technology of land development, provide opportunities for new approaches to home ownership, and provide for an efficient use of land which can result in reduced development costs.

R-4 District

The purpose of the R-4, High Density Multi-Family Residential district is to provide areas in the county within the urban service area where existing high density residential development (typically twelve to eighteen units per acre) has been established and land areas which generally appear to be appropriate for such development. R-4 areas should serve as a buffer between less intensive and more intensive districts. R-4 areas are designated based on direct access to major streets, and where sewer, water, and schools, and other public services have suitable capacity to accommodate development at the stated density. An additional consideration is that the parcel sizes allow for well planned residential development. A variety of housing densities and styles is encouraged in order to permit a diversity and flexibility in design and layout. Additional standards are established to provide for amenities in higher density developments.

The applicant has submitted a concept plan that proposes to establish a “Multifamily Dwellings” use. The proposed use is defined below and is listed as a by-right use in the R-4 zoning district:

Multifamily Dwellings: Uses including storage, warehousing and distribution of goods within enclosed structures, or outdoors, primarily for commercial purposes rather than as an activity incidental to another purpose. Typical uses include wholesale distributors, storage warehouses, moving, and storage firms.

Comprehensive Plan

The Bedford County 2030 Comprehensive Plan contains goals and objectives that relate to this rezoning request. They include:

Land Use

An orderly, efficient, and compatible growth and land use pattern that is sensitive to the natural environment.

Housing

A variety of safe, sanitary and affordable housing for all County residents.

The Future Land Use map identifies the subject parcel as “Residential” with the surrounding area (within a 1-mile radius) also designated as “Residential” and adjoining the “Mixed Use” designation to the south. The 2030 Comprehensive Plan Land Use designation is excerpted below for the property associated with this rezoning request:

Residential

Residential areas located in close proximity to urban services and roads capable of handling higher traffic volumes. These are areas for single-family detached and attached units and apartments/condominiums. Small-scale neighborhood and/or lifestyle commercial (such as small convenience markets and marinas) is allowed where appropriate in this zone. Clustering of housing units is supported in this district.

Voluntary Proffers

Voluntary proffers have been offered by the applicant. This proffer would limit the property to a maximum of 300 dwelling units should it be accepted (see attachment).

Project Impacts

While the rezoning itself will not have impacts, the proposed use of the property will have impacts. A site plan will be required to establish the new use/change of use and will address any impact on stormwater management and traffic. VDOT has given conditional approval for the use in relation to the existing commercial entrance at Forest Road. The property is served by public water and sewer.

The subject parcel is zoned for Boonsboro Elementary School (“BES”), Forest Middle School (“FMS”), and Jefferson Forest High School (“JFHS”). JFHS is projected to be at 83% capacity, FMS projected to be at 74% capacity, and BES at 87% capacity for 2021-22. The School Board has closed Boonsboro ES to all non-residents and in-county school zones transfers to address the larger capacity projections. JFHS and FMS do not have any current limitations on enrollment. The development currently has six (6) students enrolled in the Bedford County school system (three at BES and three at JFHS).

Attachments

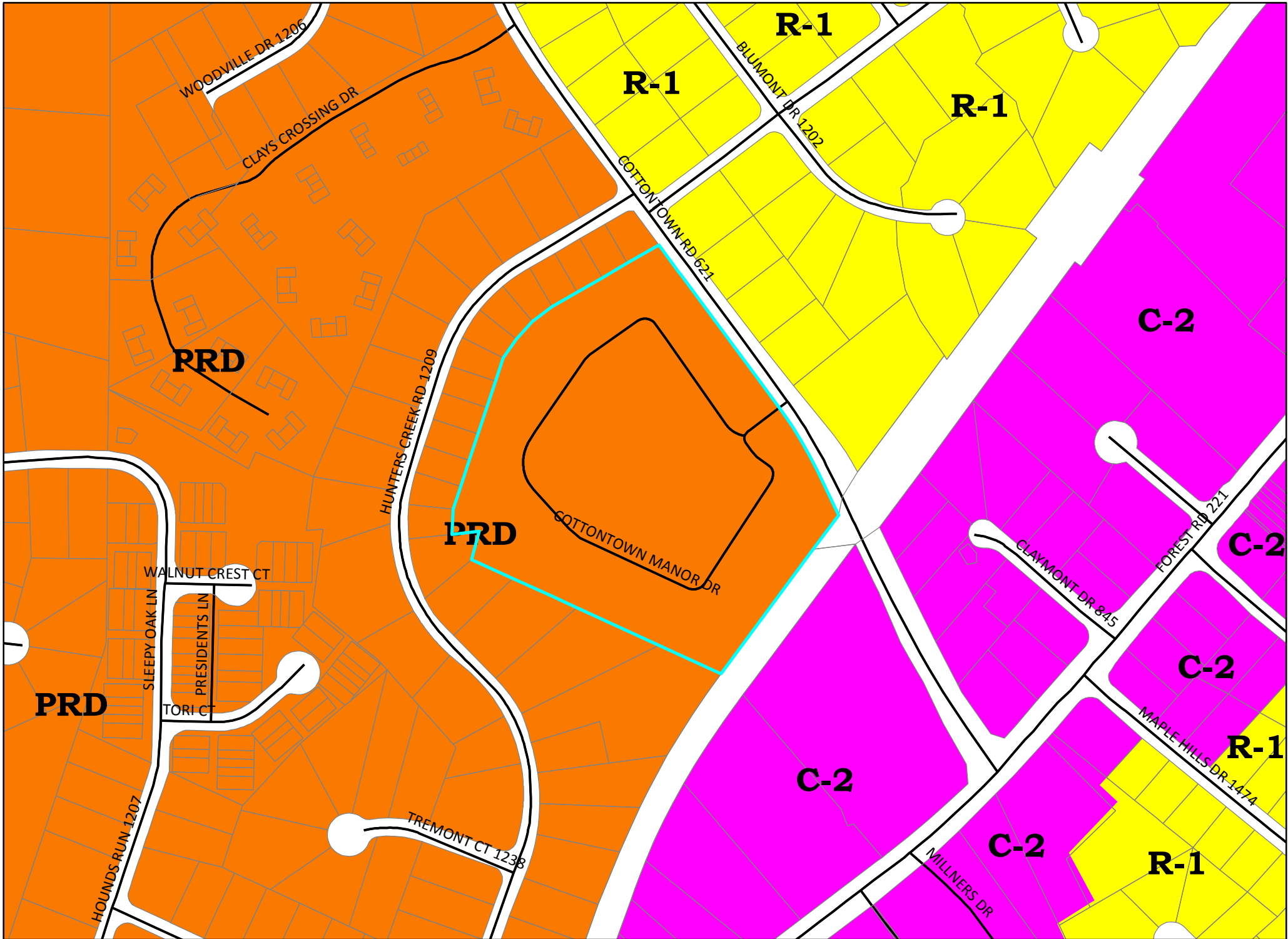
1. Location Map
2. Zoning Map

3. Future Land Use Map
4. Aerial Photograph (VGIN 2018)
5. Concept Plan
6. Proffer Statement
7. Section 30-47, Article III, PRD Planned Residential Development District
8. Section 30-46, Article III, R-4 High Density Multifamily Residential District

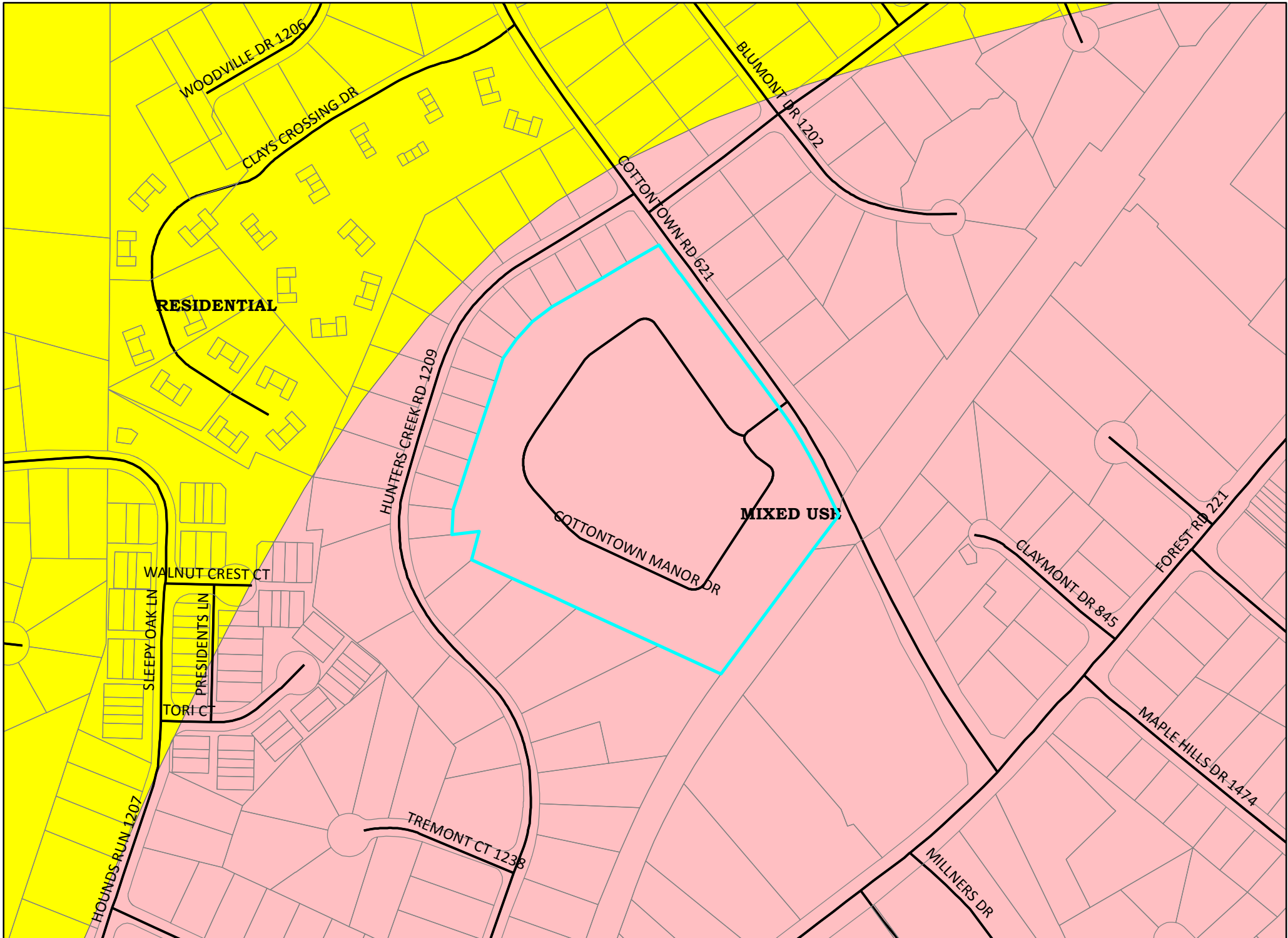
Location Map



Zoning Map



Future Land Use Map

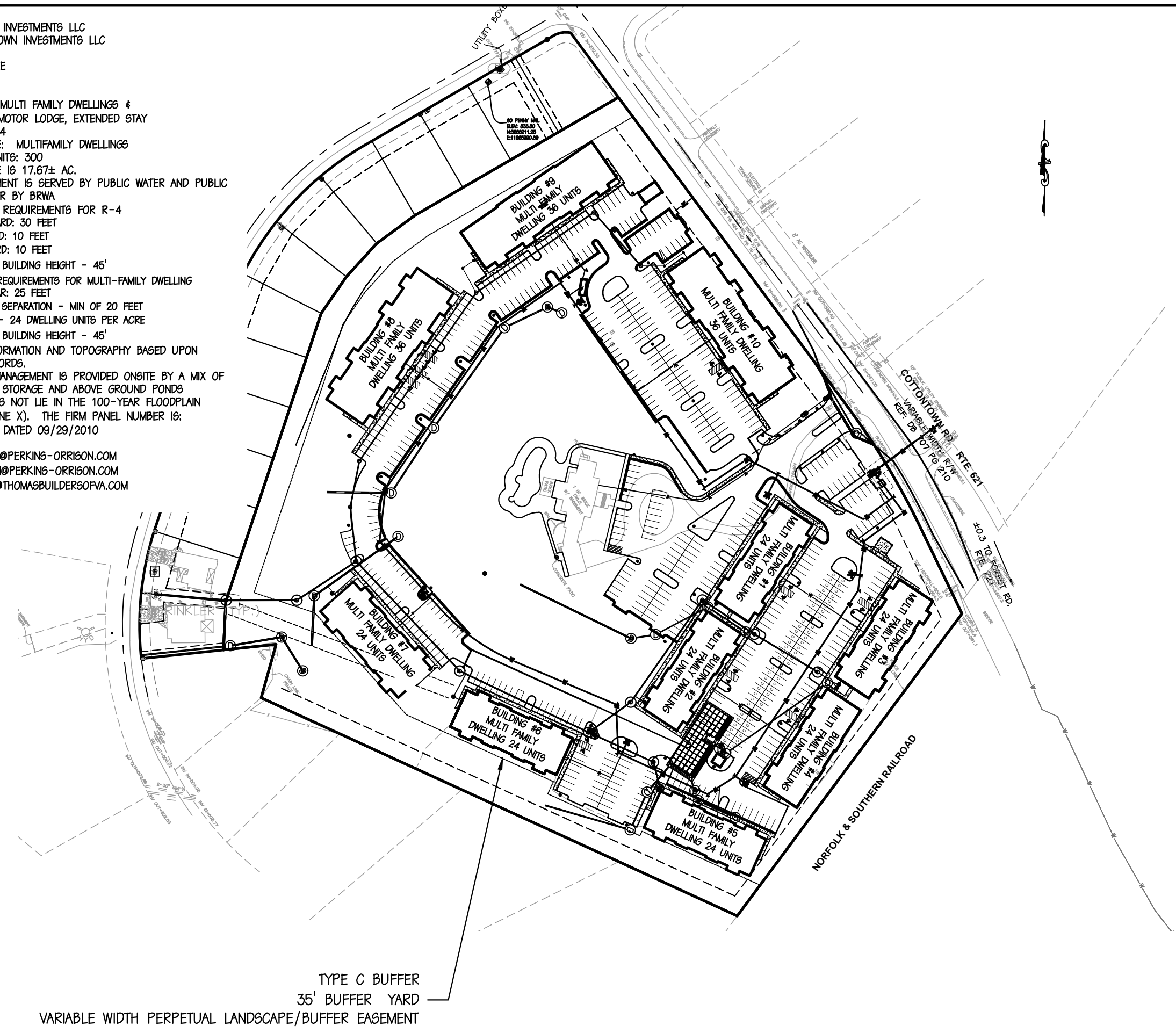


Aerial Photograph (VGIN 2018)



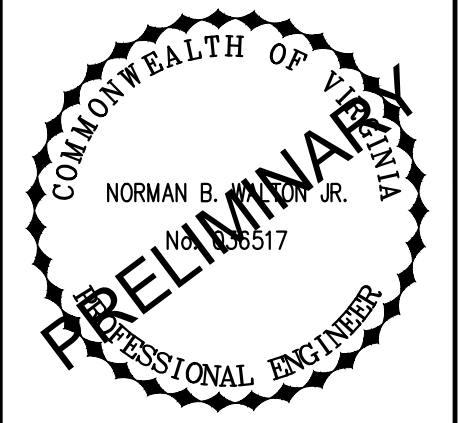
NOTES:
OWNER: COTTONTOWN INVESTMENTS LLC
DEVELOPER: COTTONTOWN INVESTMENTS LLC

1. TM#: 101-A-7E
2. ZONING:
EXISTING: PRD
EXISTING USE: MULTI FAMILY DWELLINGS & HOTEL/MOTEL/MOTOR LODGE, EXTENDED STAY
PROPOSED: R-4
PROPOSED USE: MULTIFAMILY DWELLINGS
3. NUMBER OF UNITS: 300
4. TOTAL ACREAGE IS 17.67± AC.
5. THIS DEVELOPMENT IS SERVED BY PUBLIC WATER AND PUBLIC SANITARY SEWER BY BRWA
6. SETBACKS/LOT REQUIREMENTS FOR R-4
 - a. FRONT YARD: 30 FEET
 - b. SIDE YARD: 10 FEET
 - c. REAR YARD: 10 FEET
 - d. MAXIMUM BUILDING HEIGHT - 45'
- 5A. SETBACKS/LOT REQUIREMENTS FOR MULTI-FAMILY DWELLING
 - a. REAR YARD: 25 FEET
 - b. BUILDING SEPARATION - MIN OF 20 FEET
 - c. DENSITY - 24 DWELLING UNITS PER ACRE
 - d. MAXIMUM BUILDING HEIGHT - 45'
6. BOUNDARY INFORMATION AND TOPOGRAPHY BASED UPON AVAILABLE RECORDS.
7. STORMWATER MANAGEMENT IS PROVIDED ONSITE BY A MIX OF UNDERGROUND STORAGE AND ABOVE GROUND PONDS
8. PROPERTY DOES NOT LIE IN THE 100-YEAR FLOODPLAIN (UNSHADED ZONE X). THE FIRM PANEL NUMBER IS: 51019C0240D, DATED 09/29/2010
9. EMAIL LIST
 - a. NWALTON@PERKINS-ORRISON.COM
 - b. JDORMAN@PERKINS-ORRISON.COM
 - c. DCYRUS@THOMASBUILDERSOFVA.COM



PO BOX 1567 17 W. NELSON STREET
LEXINGTON, VIRGINIA 24450
PHONE: 540-464-9001 FAX: 540-464-5009
EMAIL: PNO@PERKINS-ORRISON.COM

27 GREEN HILL DRIVE
FOREST, VIRGINIA 24551
PHONE: 434-525-5985 FAX: 434-525-5986



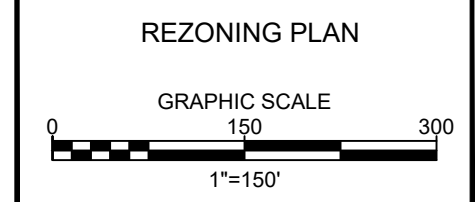
JOB:
**REZONING PLAN FOR
COTTONTOWN MANOR**

BEDFORD COUNTY, VA

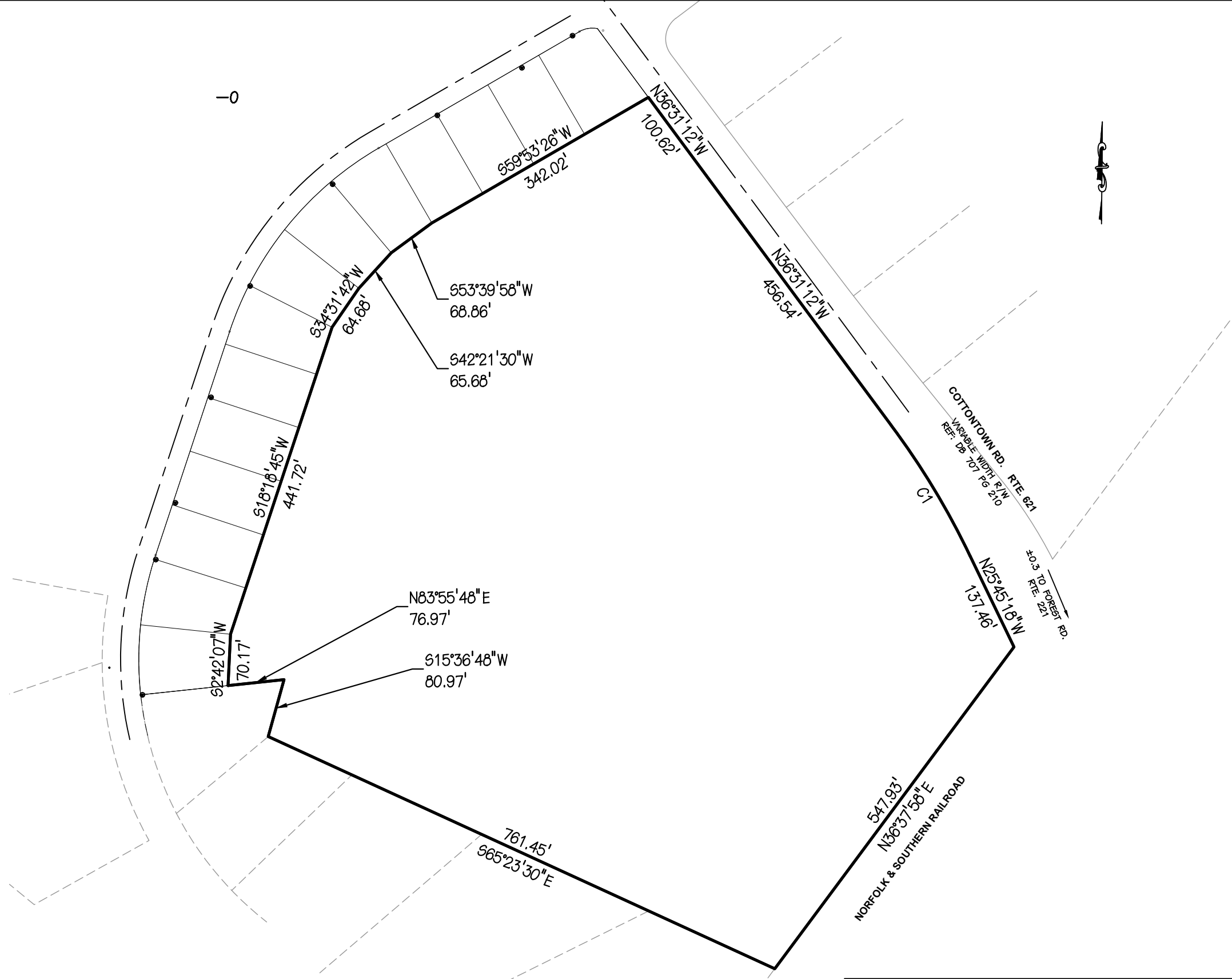
CLIENT:
**COTTONTOWN
INVESTMENTS LLC**

MARK	DATE	DESCRIPTION
1	06/01/21	ADD TYPE C BUFFER

ISSUE: 05/07/21
CONTOUR INTERVAL: NA
DRAWN BY: MJD
CHECKED BY: NBW



JOB NO 14339 SHEET NO 1 OF 2

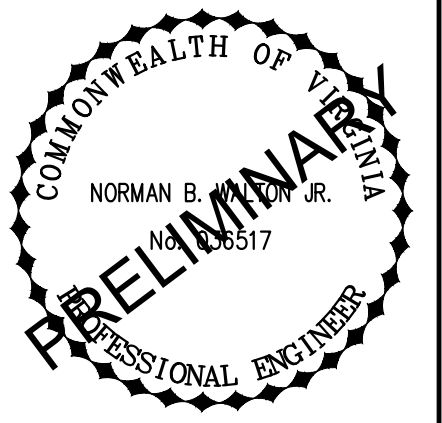


CURVE TABLE					
CURVE	LENGTH	RADIUS	BEARING	CHORD	DELTA
C1	209.78'	1115.92'	N31°08'26"W	209.47'	10°46'16"

PERKINS & ORRISON
 ENGINEERS ▲ PLANNERS ▲ SURVEYORS

PO BOX 1567 17 W. NELSON STREET
 LEXINGTON, VIRGINIA 24450
 PHONE: 540-464-9001 FAX: 540-464-5009
 EMAIL: PNO@PERKINS-ORRISON.COM

27 GREEN HILL DRIVE
 FOREST, VIRGINIA 24551
 PHONE: 434-525-5985 FAX: 434-525-5986

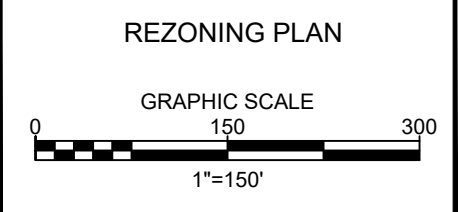


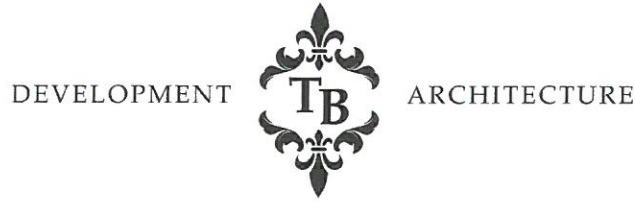
JOB:
**REZONING PLAN FOR
 COTTONTOWN MANOR**

BEDFORD COUNTY, VA
 CLIENT:
**COTTONTOWN
 INVESTMENTS LLC**

MARK	DATE	DESCRIPTION
1	06/01/21	ADD TYPE C BUFFER

ISSUE: 05/07/21
 CONTOUR INTERVAL: NA
 DRAWN BY: MJD
 CHECKED BY: NBW





Thomas Builders of Virginia, Inc.

To Whom It May Concern,

We, the developer, wish to offer the following voluntary proffer associated with the Cottontown Manner project:

The project shall have a maximum of 300 dwelling units on the property.

We appreciate your consideration in this matter.

Respectfully Submitted,

Daniel C. Cyrus

Cottontown Investments LLC

Commonwealth of Virginia:

County of Bedford

The foregoing instrument was acknowledged before me this 7 day of May,

2021, by Daniel C. Cyrus (name of person acknowledged).

DEVELOPMENT



ARCHITECTURE

Kathryn Cyrus Hub

Signature of Notarial Officer

Notary Registration Number: 7794262

My Commission Expires: November 30, 2022

(Seal)



SEC. 30-47 PRD PLANNED RESIDENTIAL DEVELOPMENT DISTRICT

Sec. 30-47-1 Purpose

The purpose of this district is to provide for the development of planned residential communities that incorporate a variety of housing options as well as certain limited commercial and office uses designed to serve the inhabitants of the district. The PRD district is intended to allow greater flexibility than is generally possible under conventional zoning district regulations by encouraging ingenuity, imagination and high quality design to create a superior living environment for the residents of the planned community. Incorporation of significant areas of open space is a primary component of these provisions as a means to maintain critical natural and cultural resources, balanced with development at densities which compensate, or in certain situations reward with bonuses, for maintenance of these resources. The PRD district is particularly appropriate for parcels which contain a number of constraints to conventional development. In addition to an improved quality of design, the PRD district creates an opportunity to reflect changes in the technology of land development, provide opportunities for new approaches to home ownership, and provide for an efficient use of land which can result in reduced development costs.

Sec. 30-47-2 Permitted Uses

- (A) Permitted uses shall be as listed in Section 30-79. However, no use shall be permitted except in conformity with the uses specifically included in the final master plan approved pursuant to Section 30-47-5.
- (B) Other use types which are not listed above and which are determined to be appropriate and compatible with the proposed development and surrounding uses may be permitted as special uses in the PRD district where they are specifically proposed in the initial preliminary master plan and approved pursuant to Section 30-47-5.

Sec. 30-47-3 Site Development Regulations

- (A) Each planned residential development shall be subject to the following site development standards.
 1. Minimum acreage required to create a new planned residential district or a planned residential development within an existing planned residential district shall be 10 acres of contiguous land or land which is adjacent to an existing Planned Residential Development.
 2. Minimum lot sizes for allowable uses in this district shall be as shown for the same use in Article IV. Townhouses and two family dwellings shall comply with the requirements as set forth for an R-2 zoning district in Article IV. Multi family dwellings shall comply with the requirements as set forth for an AV zoning district in Article IV. Single family dwellings shall comply with the site development regulations as set forth for an R-2 zoning district in Article III.
 3. Commercial and office uses may be constructed concurrently with the residential uses, provided the percentage of commercial uses does not exceed either the percentage of residential development or the maximum gross area development of 10%.

4. Minimum common open space and/or recreational areas: 15 percent of the gross area of the PRD district.
5. Criteria for all open space:
 - a. Minimum countable open space: 5,000 contiguous square feet.
 - b. Minimum horizontal dimension: 50 feet, except that areas with a horizontal distance of not less than 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.
 - c. Common open space shall not include proposed street right-of-ways, open parking areas, driveways, or sites reserved for schools or places of religious assembly.
 - d. Common open space and/or recreational areas shall be of an appropriate nature and location to serve the residents of the district.
6. Open space bonus: 5 percent increase in gross density for each additional 5 percent of open space to a maximum gross space bonus of 25 percent.
7. A 7.5 percent bonus to the gross density may be approved by the zoning administrator when a historic site will be preserved and maintained as an integral part of the development proposal. The historic site must be included in the county Historic Resources Inventory and meet one of the following:
 - a. The historic site shall be listed on the Virginia Landmarks Register and the National Register of Historic Places;
 - b. The historic site shall have been determined to be eligible for listing on the registers cited in a. above by the State Review Board for Historic Preservation; or,
 - c. The historic site shall have been officially designated by the board of supervisors as having county or local significance.
8. Maximum area for commercial and/or office uses: 10 percent of the gross area of the PRD. In addition, the following standards shall apply:
 - a. Commercial and office uses shall be expressly designed for the service and convenience of the PRD;
 - b. Commercial and office uses shall be screened and landscaped so as to be compatible with adjoining residences;
 - c. Commercial and office uses may be constructed concurrently with the residential uses, provided the percentage of commercial uses does not exceed either the percentage of residential development or the maximum gross area development of 10%.

9. Minimum setback requirements shall be specifically established during the review and approval of the master plan. The following guidelines shall be used in establishing the building spacing and setbacks:
 - a. Building spacing shall provide privacy within each dwelling unit;
 - b. Building spacing shall ensure that each room has adequate light and air;
 - c. Areas between buildings used as service yards, storage of trash, or other utilitarian purposes should be designed so as to be compatible with adjoining dwellings;
 - d. Building spacing and design shall provide privacy for outdoor activity areas (patios, decks, etc.) associated with individual dwelling units.
10. Streets in the PRD district shall be designed and constructed to meet VDOT and county standards, unless specifically modified and approved by the board of supervisors.
11. In order to promote safe ingress and egress for the development, the minimum separation distance between entrances to the public right-of-way shall be 300 feet, except for single-family dwellings which shall front internal streets. Additional access between adjoining lots such as frontage roads and shared parking areas are strongly encouraged.
12. Maximum height of structures: 45 feet. Structures may exceed the height limitation provided a special use permit is approved in accordance with Section 30-19.

Sec. 30-47-4 Relationship to Existing Development Regulations

All zoning regulations shall apply to the development of the PRD, unless modified in the approval of the final master plan.

Sec. 30-47-5 Application Process

- (A) 1. Prior to submitting a formal application for review and approval under these provisions, the applicant and county staff shall meet to discuss the requirements of this section. The purpose of the meeting is to obtain a mutual understanding of the application requirements and process. The applicant is encouraged to submit information on the scope and nature of the proposal to allow staff to become familiar with the proposal in advance of this meeting.
2. In areas presently designated PRD, Planned Residential Development District, no amendment to this ordinance or rezoning is required to develop a planned residential development and the planned residential development plan may be approved administratively as the site development plan, provided the other requirements of this section are met.
3. Where planned residential developments are proposed in areas not zoned accordingly, an amendment to this ordinance or a rezoning is required and the provisions of the subsection shall apply.

- (B) The written and graphic information submitted by the applicant as part of the application process shall constitute proffers pursuant to Section 30-15 of this ordinance. Once the board of supervisors has approved the final master plan, all accepted proffers shall constitute conditions pursuant to Section 30-15.
- (C) To initiate an amendment, the applicant shall complete a rezoning application packet. This information shall be accompanied by graphic and written information, which shall constitute a preliminary master plan. All information submitted shall be of sufficient clarity and scale to clearly and accurately identify the location, nature, and character of the proposed district. At a minimum this information shall include:
1. A legal description and plat showing the site boundaries, and existing street lines, lot lines, and easements.
 2. Existing zoning, land use, and ownership of each parcel proposed for the district.
 3. A general statement of planning objectives to be achieved by the PRD district, including a description of the character of the proposed development, the existing and proposed ownership of the site, the market for which the development is oriented, and objectives towards any specific man-made and natural characteristics located on the site.
 4. A description and analysis of existing site conditions, including information on topography, archeological and historic resources, natural water courses, floodplains, unique natural features, tree cover areas, etc.
 5. A land use plan designating specific uses for the site, both residential and non-residential uses, and establishing site development regulations, including setback, height, building coverage, lot coverage, and density requirements.
 6. A circulation plan, including location of existing and proposed vehicular, pedestrian, bicycle, and other circulation facilities and location and general design of parking and loading facilities. General information on the trip generation, ownership and maintenance and proposed construction standards for these facilities should be included. A Traffic Impact Analysis may be required by the zoning administrator.
 7. A public services and utilities plan providing requirements for and provision of all utilities, sewers, and other facilities to serve the site.
 8. An open space plan, including areas proposed for passive and active recreational uses, natural and undisturbed areas, and proposed buffer areas proposed around the perimeter of the site. Information on the specific design and location of these areas and their ownership and maintenance should be included.
 9. Generalized statements pertaining to architectural and community design guidelines shall be submitted in sufficient detail to provide information on building designs, orientations, styles, lighting plans, etc.
 10. A development schedule indicating the location, extent and sequence of proposed development. Specific information on development of the open space, recreational areas, and non-residential uses should be included.

- (D) The completed rezoning application and supporting preliminary master plan materials shall be submitted to the planning commission for review and analysis. The planning commission shall review this information and make a report of its findings to the board of supervisors. The planning commission shall as part of its review hold a public hearing pursuant to Section 15.2-2204 of the Code of Virginia, as amended. The proposed district shall be posted with signs indicating the date and time of the planning commission public hearing.
- (E) The planning commission shall make a report of its findings to the board of supervisors within 90 days of the receipt of the materials, unless the applicant requests, or agrees to an extension of this time frame. The planning commission's report shall recommend approval, approval with modifications, or disapproval of the preliminary master plan. Failure of the planning commission to make a report of its findings to the board of supervisors within this period shall constitute a planning commission recommendation of approval.
- (F) If the planning commission recommends denial of the preliminary master plan, or approval with modification, the applicant shall, if requested, have 60 days to make any modifications. If the applicant desires to make any modifications to the preliminary master plan, the board of supervisor's review and action shall be delayed until such changes are made and submitted for review.
- (G) The board of supervisors shall review the preliminary master plan, and act to approve or deny the plan within 90 days. Approval of the preliminary master plan shall constitute acceptance of the plan's provisions and concepts as proffers pursuant to Section 30-15 of this ordinance. The plan approved by the board of supervisors shall constitute the final master plan for the PRD. Once approved by the board of supervisors, the zoning administrator shall authorize the revisions to the official zoning map to indicate the establishment of the PRD district.

Sec. 30-47-6 Revisions to Final Master Plan

- (A) Major revisions to the final master plan shall be reviewed and approved following the procedures and requirements of Section 30-47-5. Major revisions include, but are not limited to changes such as:
1. Any increase in the density of the development;
 2. Substantial change in circulation or access;
 3. Substantial change in the mixture of dwelling unit types included in the project;
 4. Substantial changes in grading or utility provisions;
 5. Substantial changes in the mixture of land uses or an increase in the amount of land devoted to non-residential purposes;
 6. Reduction in the approved open space, landscaping or buffering;
 7. Substantial change in architectural or site design features of the development;
 8. Any other change that the zoning administrator finds is a major divergence from the approved final master plan.

- (B) All other changes in the final master plan shall be considered minor amendments. The zoning administrator, upon receipt of a written request of the owner, may approve such minor amendments.
1. If the zoning administrator fails to act on a request for a minor amendment to the master plan within 15 calendar days, it shall be considered approved.
 2. A request which is disapproved by the zoning administrator shall be considered a major amendment and shall be subject to the approval process outlined above for such amendments.

Sec. 30-47-7 Approval of Preliminary and Final Site Development Plans

- (A) Following the approval of the final master plan, the applicant or its authorized agent, shall be required to submit preliminary and final site development plans for approval. Final site development plans for any phase or component of the PRD that involves the construction of structures or facilities, shall be approved prior to the issuance of a building and zoning permit, and the commencement of construction.
- (B) Subdivision review under the subdivision regulations will be carried out simultaneously with the review of a planned residential development under this section. The plans required under this section shall be submitted in a form which will satisfy the requirements of the subdivision regulations, as determined by the zoning administrator.
- (C) Preliminary and final site development plans submitted for review shall in compliance with the final master plan approved by the board of supervisors. Bedford County shall review and approve or disapprove any final site development plan within 60 days of its submittal.
- (D) No Planned Residential Development shall be approved and no work shall be authorized on construction until all property included in the final master plan is in common ownership.

Sec. 30-47-8 Failure to Begin Development

Failure of the applicant to submit a preliminary site development plan for at least one portion of the planned residential development within 18 months of the approval of the final master plan, shall constitute an application on the part of applicant to rezone the PRD to the district designations in effect prior to the approval of the final master plan.

Sec. 30-47-9 Control Following Approval of Final Development Plans

The zoning administrator shall periodically inspect the site and review all building permits issued for the development to ensure that the development schedule is generally complied with. The provision and construction of all of the common open space and public and recreational facilities shown on the final development plan must proceed at the same rate as the construction of dwelling units. If the zoning administrator finds that the development schedule has not been followed, no permits, except for the above mentioned facilities, shall be issued until the developer complies with the development schedule, unless the developer has provided a performance bond or similar instrument to guarantee that such common open space and/or public and recreational facilities will be provided for at a specific date.

Sec. 30-47-10 Existing Planned Unit Developments

Any Planned Unit Development approved under procedures in force before the effective date of this Ordinance shall be designated as Planned Residential Development Districts and shall be governed by requirements or restrictions applicable at the time of their approval.

SEC. 30-46 R-4 HIGH DENSITY MULTI-FAMILY RESIDENTIAL DISTRICT**Sec. 30-46-1 Purpose**

The purpose of the R-4, High Density Multi-family Residential district is to provide areas in the county within the urban service area where existing high density residential development (typically twelve to eighteen units per acre) has been established and land areas which generally appear to be appropriate for such development. R-4 areas should serve as a buffer between less intensive and more intensive districts. R-4 areas are designated based on direct access to major streets, and where sewer, water, and schools, and other public services have suitable capacity to accommodate development at the stated density. An additional consideration is that the parcel sizes allow for well planned residential development. A variety of housing densities and styles is encouraged in order to permit a diversity and flexibility in design and layout. Additional standards are established to provide for amenities in higher density developments.

Sec. 30-46-2 Permitted Uses

Permitted uses shall be as listed in Section 30-79.

Sec. 30-46-3 Site Development Regulations

General Standards. For additional, modified, or more stringent standards for specific uses, see Article IV - Use and Design Standards.

(A) Minimum lot requirements

1. Lots served by private well and sewage disposal system:
 - a. Area: 1 acre (43,560 square feet).
 - b. Frontage: 100 feet on a publicly owned and maintained street.
 - c. Lot Width: 100 feet.
2. Lots served by either public sewer or water:
 - a. Area: 20,000 square feet.
 - b. Frontage: 75 feet on a publicly owned and maintained street.
 - c. Lot Width: 75 feet.
3. Lots served by both public sewer and water:
 - a. Area: 10,000 square feet.
 - b. Frontage: 60 feet on a publicly owned and maintained street.
 - c. Lot Width: 60 feet.
4. For minimum lot size and permitted densities for multi-family dwellings and townhouses refer to Article IV, Use and Design Standards.

(B) Minimum setback requirements

1. Front yard:
 - a. Principal structures: 30 feet.
 - b. Accessory structures: 30 feet or behind the front building line, whichever distance is less.
2. Side yard:
 - a. Principal structures: 10 feet.
 - b. Accessory structures: 10 feet when between front and rear building lines and 3 feet when behind the rear building line and 10 feet when in front of the front building line.
3. Rear yard:
 - a. Principal structures: 10 feet.
 - b. Accessory structures: 3 feet.
4. Where a lot fronts on more than one street, front yard setbacks shall apply to all streets.

(C) Maximum height of structures

1. Height limitations:
 - a. Principal structures: 45 feet. Principal structures may exceed the principal structure height limitation provided a special use permit is approved in accordance with Section 30-19.
 - b. Accessory structures: 15 feet.

(D) Maximum coverage

1. Building coverage: 35 percent of the total lot area for all buildings and 7 percent for accessory buildings.
2. Lot coverage: 75 percent of the total lot area.

Agenda Item #9
Action and Discussion Items





BEDFORD COUNTY BOARD OF SUPERVISORS

Agenda Item Summary

AGENDA ITEM # 9a

RESOLUTION #R 072621-03

MEETING DATE: July 26, 2021

MEETING TYPE: Regular Meeting

AGENDA SECTION: Action Items

ITEM TITLE: Resolution Directing County Administrator to Submit an Application Notice to the Virginia Department of Housing and Community Development for the 2022 Virginia Telecommunication Initiative grant cycle.

RECOMMENDATION

Staff recommends approval of this resolution.

SUMMARY

Expanding broadband infrastructure into areas of the County that are unserved or underserved with quality internet continues to be a top priority of the Board of Supervisors.

A Request for Proposal (RFP) was released for Phase III of the Bedford County Broadband Initiative in mid-May and was open through June 17th. The County received multiple proposals for broadband expansion and these proposals are currently under review. In order to maximize the contributions of the County and private providers, staff would like to pursue funding opportunities through the Virginia Department of Housing and Community Development's Virginia Telecommunication Initiative (VATI) grant program. Staff are still exploring opportunities for regional partnerships to strengthen the VATI application.

Prior to submitting a formal application to the VATI program, localities are required to first submit an application notice (a copy of this letter is attached to this memo). The final applications are due on September 14, 2021. Staff will bring forward additional agenda items for Board discussion and consideration in advance of submitting an application.

FISCAL IMPACT

No fiscal impact at this time. There will be fiscal impacts when submitting a formal grant application to VATI and those will be presented to the Board at that time.

PRIOR ACTIONS

2019: Bedford County received funding through the VATI program for Phase I of the Bedford County Broadband Initiative on a project with Blue Ridge Towers

CONTACTS

Amanda Kaufman
Robert Hiss

ATTACHMENTS

Letter of Intent - 2022 VATI Program



At a regular meeting of the Board of Supervisors of the County of Bedford, Virginia held at the Bedford County Administration Building on the July 26, 2021, beginning at 7:00 pm:

MEMBERS:

Tommy W. Scott, Chair
 Tammy Parker, Vice-Chair
 Mickey Johnson
 Edgar Tuck
 Charla Bansley
 John Sharp
 Bob Davis

VOTE:

On motion of Supervisor _____, which carried by a vote of _____, the following was adopted:

A RESOLUTION

RESOLUTION DIRECTING COUNTY ADMINISTRATOR TO SUBMIT AN APPLICATION NOTICE TO THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THE 2022 VIRGINIA TELECOMMUNICATION INITIATIVE GRANT CYCLE.

WHEREAS, expanding broadband infrastructure into areas of the County that are unserved or underserved with quality internet continues to be a top priority of the Board of Supervisors; and

WHEREAS, the Virginia Telecommunication Initiative (VATI) grant program funds projects that address the digital divide and seek to achieve universal broadband coverage; and

WHEREAS, proposals to expand internet access in Bedford County were received through a Request for Proposal (RFP) process and are currently under review; and

WHEREAS, County funds could be maximized through leveraging available funds through the VATI program; and

WHEREAS, prior to submitting a formal application, an Application Notice must first be submitted.

NOW, THEREFORE, BE IT RESOLVED, by the Bedford County Board of Supervisors, that, the County Administrator is directed to submit an Application Notice to the Virginia Department of Housing and Community Development for the 2022 Virginia Telecommunication Initiative grant cycle.



COUNTY OF BEDFORD, VIRGINIA

County Administration Building
122 East Main Street, Suite 202
Bedford, Virginia 24523

BOARD OF SUPERVISORS

July 26, 2021

Tamarah Holmes, Ph.D
Director
Office of Broadband
Department of Housing and Community Development
600 East Main Street, Ste 300
Richmond, VA 23219

Dear Dr. Holmes:

I am providing this VATI Application Notice to notify the Virginia Department of Housing and Community Development that Bedford County Broadband Authority and one or more private internet service providers plan to submit an application(s) for the FY2022 Virginia Telecommunication Initiative (VATI).

Bedford County intends to submit an application for universal broadband coverage, located generally across the entire County. Further, Bedford County is actively exploring opportunities for regional partnerships to strengthen this application.

Amanda Kaufman, Deputy County Administrator, will be our main point of contact for the purposes of the application process, and can be reached at: 122 E. Main Street, Bedford, Virginia 24523 or at (540) 586-7601 or akaufman@bedfordcountyva.gov.

Bedford County understands that this VATI Application Notice is required to submit an application for the 2022 the Virginia Telecommunication Initiative and that this notice is not binding on the entity represented by the undersigned, Virginia Department of Housing and Community Development.

In Service,

Robert Hiss
Bedford County Administrator

Agenda Item #10
Board Committee Reports



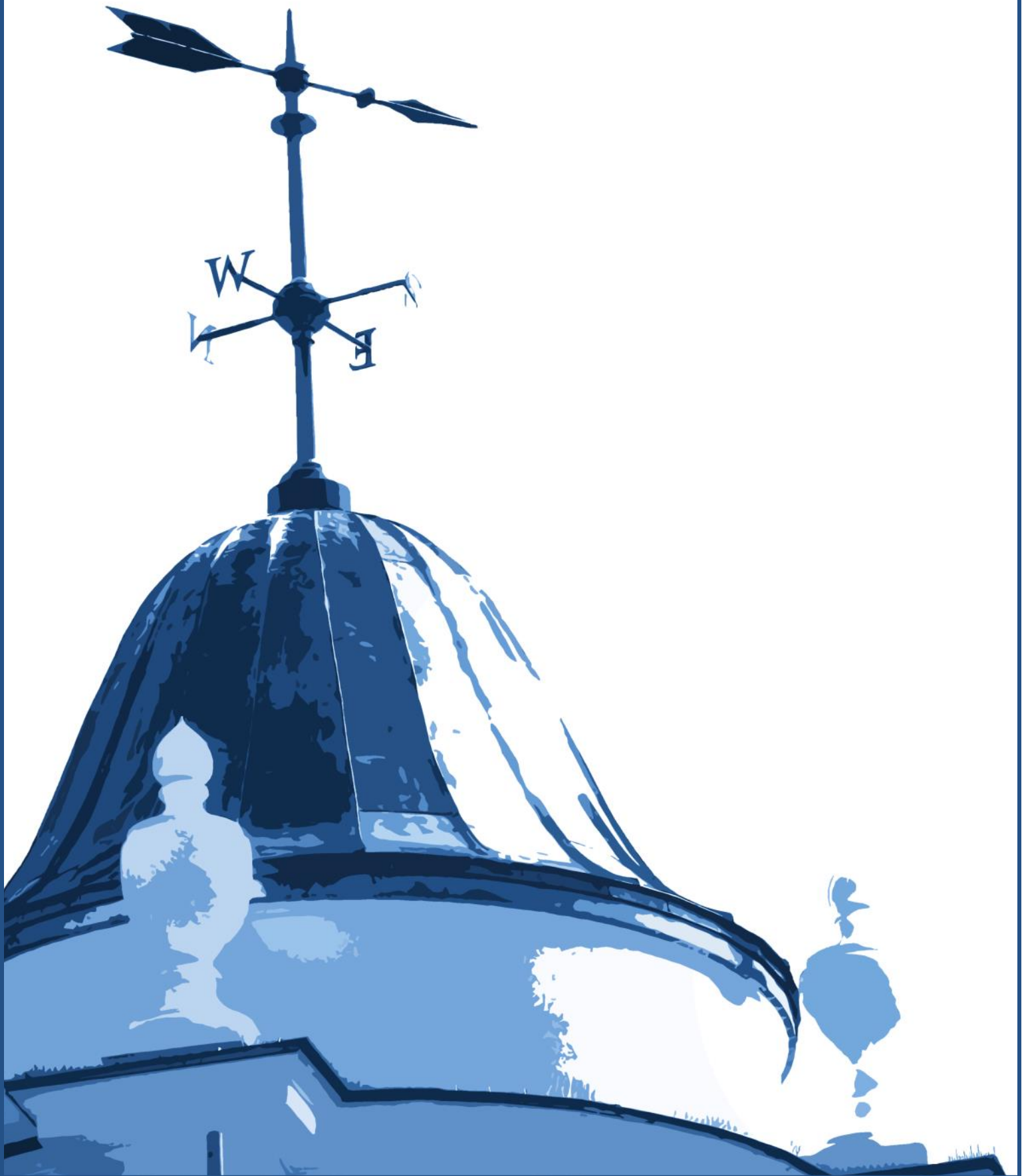
Agenda Item #11
Board Member Comments



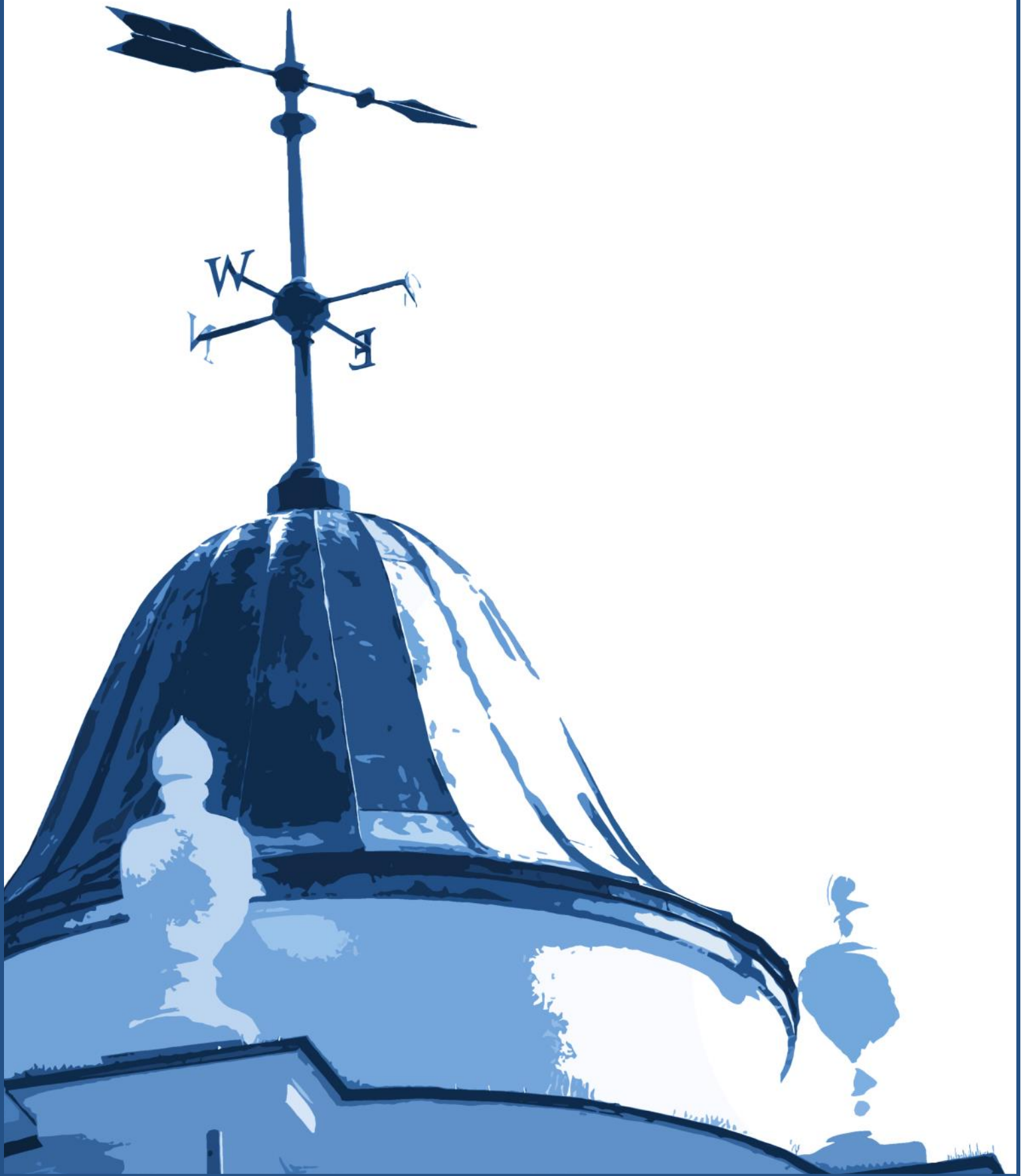
Agenda Item #12
Board Appointments



Agenda Item #13
County Administrator Report



Agenda Item #14
County Attorney Report



Agenda Item #15
Board Information



BEDFORD COMMUNICATIONS**Number Of Calls Report by Day of Week - Hour of Day****First Date:** 06/01/2021**Jurisdiction:** BEDFORD**Last Date:** 06/30/2021

07/01/2021 16:30:05

<i>Day/ Hour</i>	1-Sun	2-Mon	3-Tue	4-Wed	5-Thu	6-Fri	7-Sat	<i>Total</i>
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1	22	9	18	20	21	15	14	119
2	16	14	13	13	5	9	12	82
3	18	8	13	15	13	13	9	89
4	11	11	13	12	12	10	16	85
5	9	11	28	12	8	7	5	80
6	14	19	30	26	15	17	11	132
7	24	29	28	31	33	29	14	188
8	32	56	79	75	55	48	21	366
9	30	68	104	94	69	46	33	444
10	19	82	84	82	69	73	50	459
11	29	59	81	83	64	49	37	402
12	24	57	72	99	60	52	40	404
13	42	65	89	81	70	63	48	458
14	29	77	102	77	62	54	47	448
15	43	86	89	90	60	59	44	471
16	34	57	65	82	51	60	48	397
17	35	50	73	76	45	50	43	372
18	47	36	61	45	40	52	56	337
19	51	38	48	45	40	39	38	299
20	30	43	49	54	47	41	40	304
21	27	32	29	108	35	41	45	317
22	28	25	26	78	31	45	36	269
23	25	21	32	51	22	33	36	220
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BEDFORD COMMUNICATIONS

Number Of Calls Report by Day of Week - Hour of Day

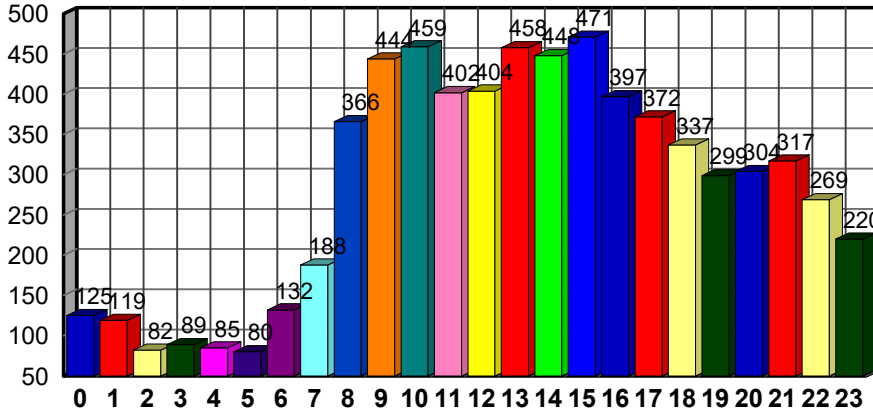
First Date: 06/01/2021

Jurisdiction: BEDFORD

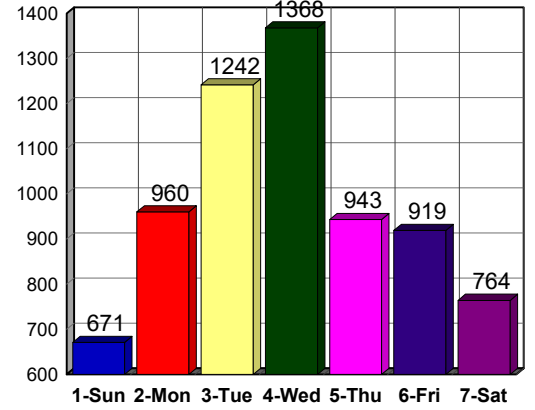
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Calls By Hour Of Day

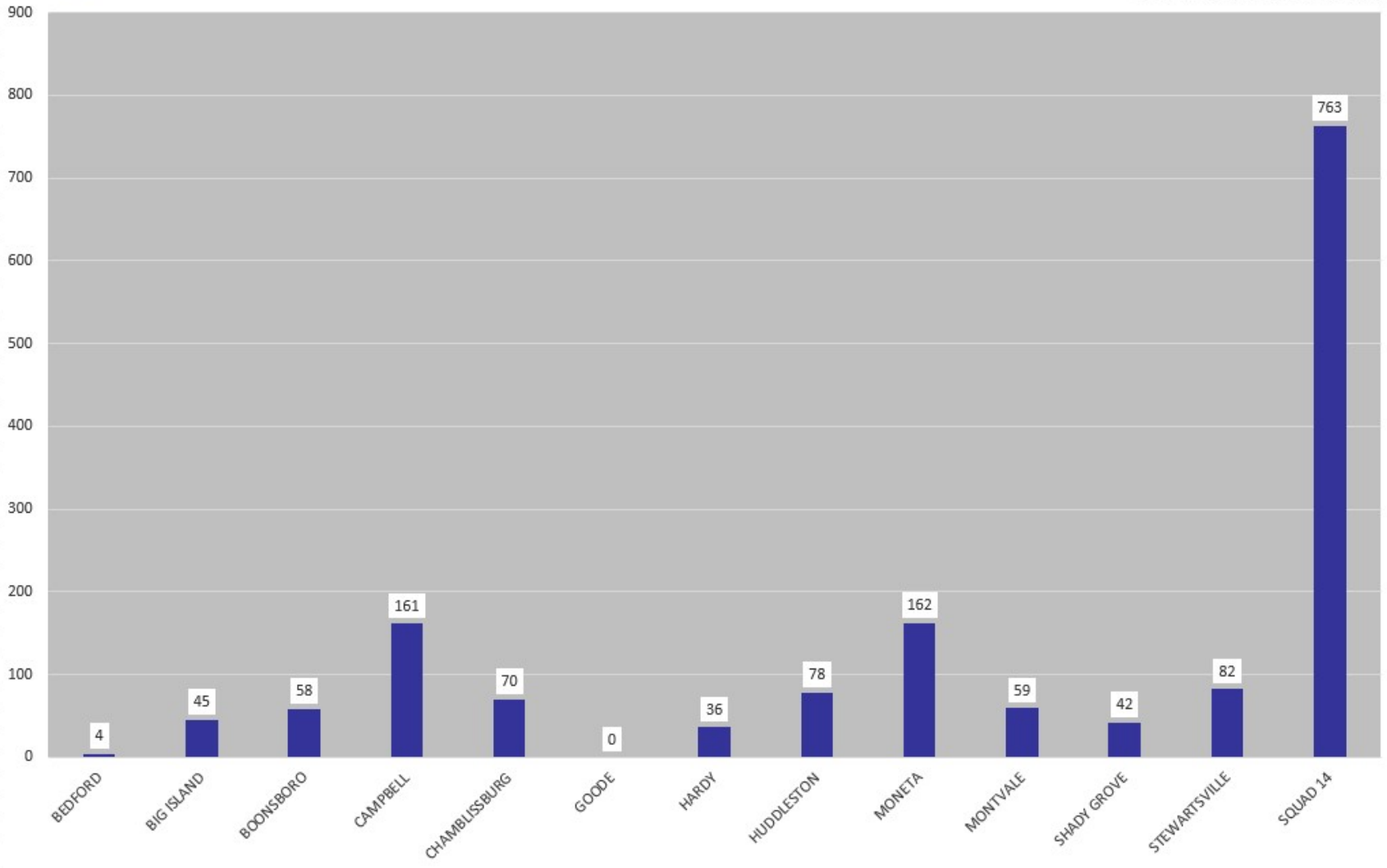


Calls By Day Of Week



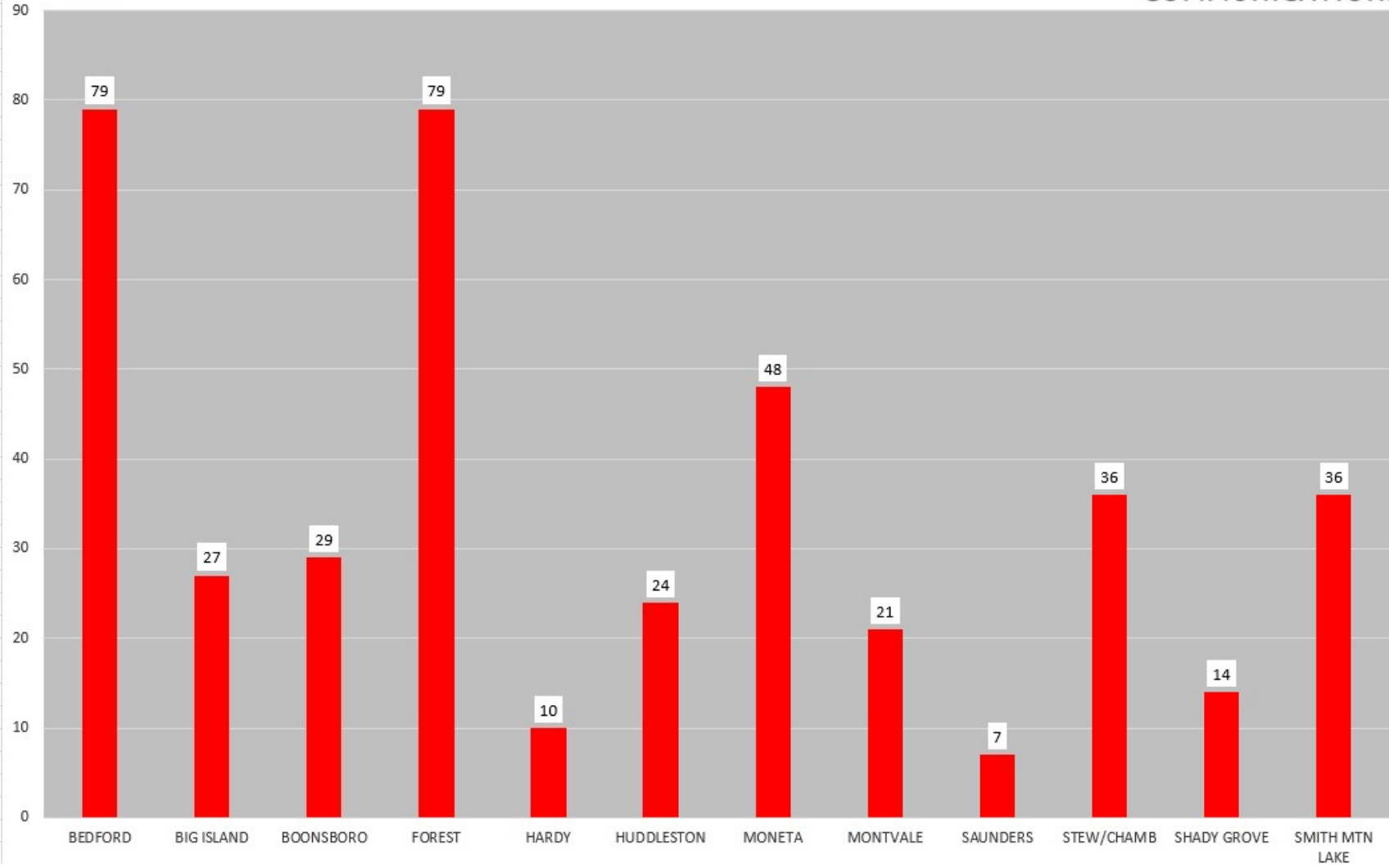


County of Bedford E-911 Communications JUNE 2021 Total EMS Calls Dispatched



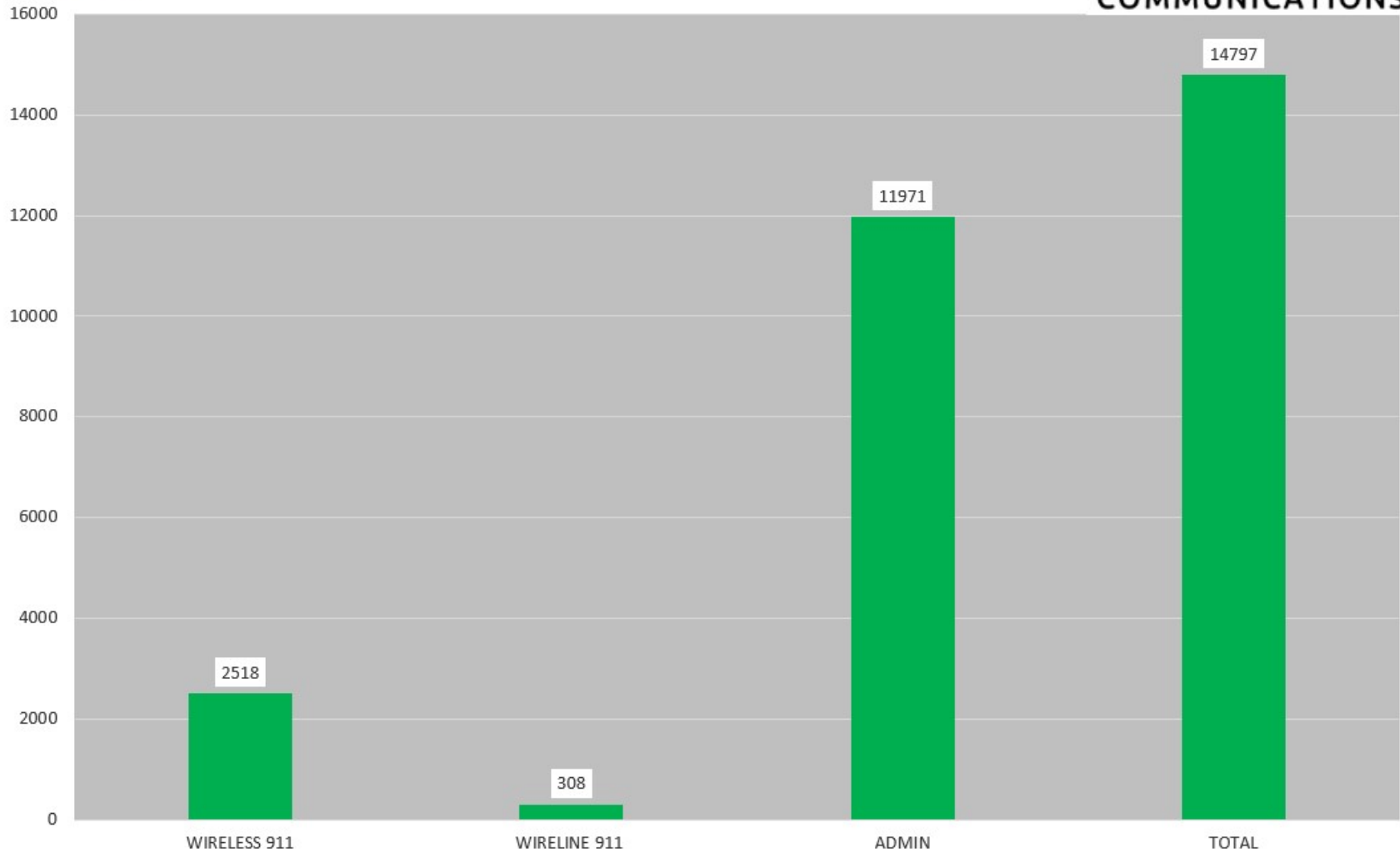


County of Bedford E-911 Communications
JUNE 2021
Total Fire Calls Dispatched

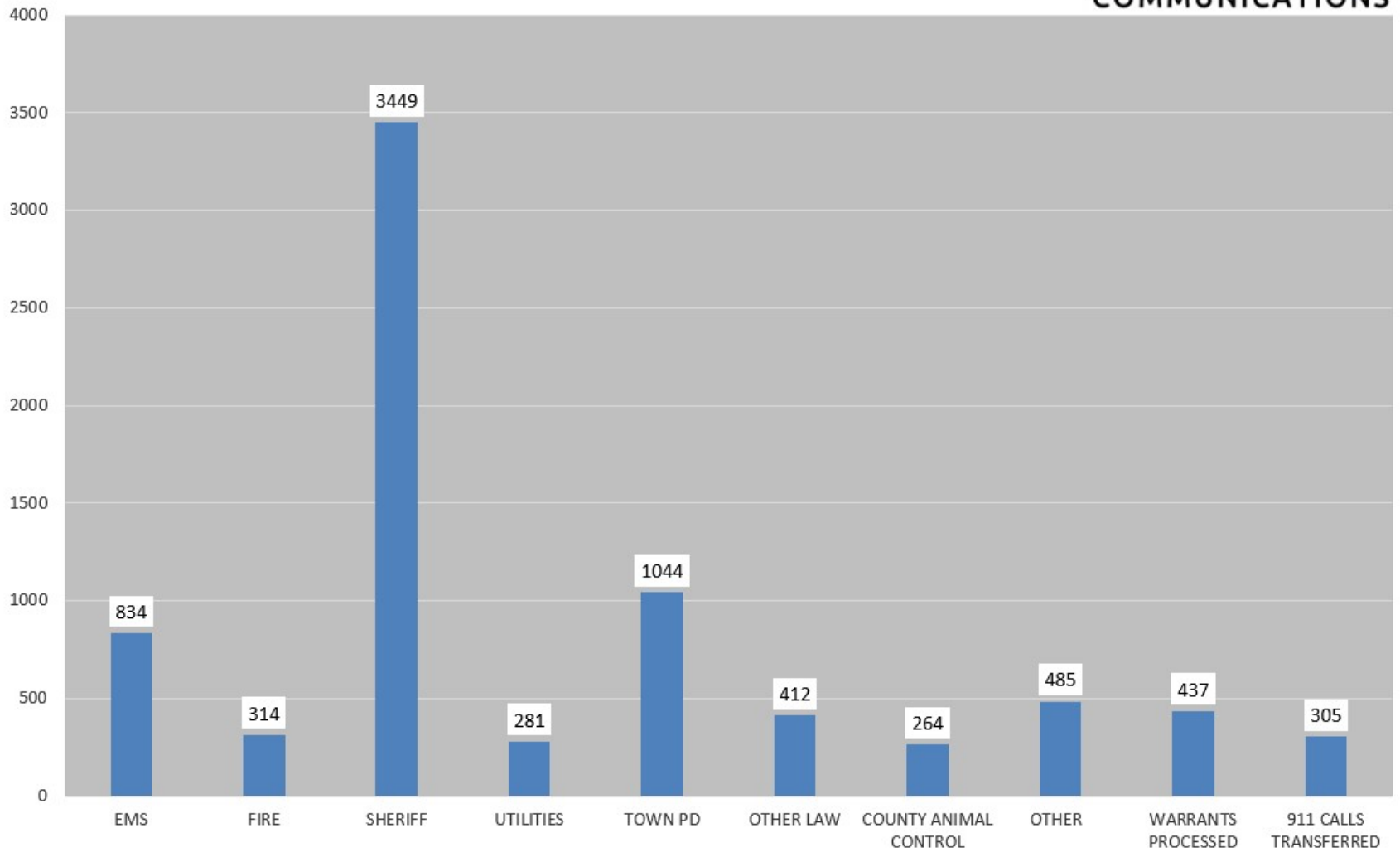




County of Bedford E-911 Communications Total Telephone Calls JUNE 2021



County of Bedford E-911 Communications Total Calls For Service JUNE 2021



Agenda Item #16

Board Calendars & Reminders

- August 9 – Worksession at 5:00; Regular Meeting at 7:00 pm
- September 13 – Worksession at 5:00 pm; Regular Meeting at 7:00 pm
- September 27 – Worksession at 5:00 pm; Regular Meeting at 7:00 pm
-

