

*Minutes of the Town of Bedford*

**PLANNING  
COMMISSION**

The Planning Commission held a regularly scheduled meeting on Thursday, July 6, 2023, at 5:30 p.m. in the Town Municipal Building Council Hall.

Planning Commission members present: Jason Horne, Chair; Lonnie R. Bailey, Vice Chair; Frances Coles, Secretary; Brock Malcolm; and Cynthia Gunnoe

Planning Commission members absent: Darren Shoen, Town Council Representative; and Curtis Marshall

Town Staff present: Mary Zirkle, Director of Planning and Community Development and Cathy Johnson, Clerk of the Commission

Town Staff absent: None

**CALL TO ORDER:**

The Chairman called the meeting to order at 5:30 p.m.

**DETERMINATION OF QUORUM:**

There was a quorum to conduct business with five members present.

**REMARKS BY CHAIRMAN & MEMBERS:**

None.

**APPROVAL OF MINUTES:**

Upon a motion by Ms. Coles and seconded by Mr. Malcolm, with five members voting aye, the June 1, 2023, minutes were approved as presented.

**STAFF & COMMITTEE REPORTS:**

Ms. Zirkle stated that a rezoning request application for a proposed hotel on Burks Hill Road will come to the Commission next month.

## **PUBLIC HEARINGS:**

The Chair opened the public hearing to consider a request for a conditional use permit to install a “private utility” roof mounted solar array at 701 Burks Hill Road, Bedford, VA (Tax Parcel 213-6-8T). The property is zoned PRD-TNO. The property owners are Natoya Harris & Tiffany H. Preston. The applicant is MC Development of VA dba Atlantic Home Restorations, 11990 Market Street #1406, Reston, VA 20190.

Gary Hawthorne was present to represent the applicant MC Development of VA dba Atlantic Home Restorations on behalf of the property owners at 701 Burks Hill Road. Mr. Hawthorne stated that the solar panels will be installed on the front and back of the roof to get sun from both sides due to the tree coverage on the lot. He added that due to the type of modern panels there will not be a problem with glare.

The Chair opened the floor for any citizens present to speak for or against the request. Since there were no citizens present to speak, the Chair closed the public hearing.

## **NEW BUSINESS:**

The Chair opened discussion to recommend or not recommend consideration of a conditional use permit to install a “private utility” roof mounted solar array at 701 Burks Hill Road, Bedford, Virginia (Tax Parcel 213-6-8T). The property is zoned PRD-TNO. The property owners are Natoya Harris & Tiffany H. Preston. The applicant is MC Development of VA dba Atlantic Home Restorations, 11990 Market Street #1406, Reston, Virginia 20190.

The Chair asked for a motion. Ms. Gunnoe moved to recommend approval for a conditional use permit to install a roof mounted solar array for Natoya Harris & Tiffany Preston at 701 Burks Hill Road, Bedford, Virginia (Tax Parcel 213-6-8T). Mr. Malcolm seconded.

With five members present, the Planning Commission voted 5-0, with two members absent, to recommend approval for a conditional use permit to install a roof mounted solar array at 701 Burks Hill Road, Bedford, Virginia (Tax Parcel 213-6-8T) to Town Council. [Note for the record – before the recommendation was heard at Council, a determination was made that roof-mounted solar arrays for residential use are not considered “private utilities” based on State Code. The CUP request was not heard by Council and an electrical building permit was issued.]

## **UNFINISHED BUSINESS:**

Mr. Todd Gordon, Senior Planner of EPR, PC was present to discuss the continuation of zoning ordinance updates. Mr. Gordon reviewed and discussed the Special Provisions section with staff and the Commissioners.

The Planning Commissioners discussed the recommendations presented by EPR, PC. The following were questions and/or concerns:

- Define “private utility” and “commercial utility”. Create standards for “private utility” solar arrays roof mounted to be a permitted use and “commercial utility” as a conditional use permit.

Staff stated that net metering is not allowed in the Town.

- Section 901.03 (Accessory dwelling units): (6) *architecturally compatible* or aesthetically with the neighborhood. (7) *remove paved parking but add paved entrance*. (8) Strike through *no separate meters shall be allowed*.
- Section 904 (Signs) will be included in the Special Provisions section but have been discussed in a previous Commission meeting.
- Section 905 (Mobile home parks) will remain but the Town will not necessarily see new mobile home parks. It is required in the Comp Plan to provide for affordable housing.
- Section 906.04 (Utilities and streets for Multifamily, townhouse and condominium development): (a.) *change utility references from Town to Bedford Regional Water Authority*. The Planning Commission discussed if multifamily developments could be on a drainfield instead of public sewer. Staff asked where will the Planning Commissioners picture multifamily developments in the Town? Staff stated that annexed properties will be zoned R-1 and will have to be zoned R-3 or rezoned to allow a multifamily development.
- Added Section 907.05 – Small wireless facilities attached to existing structures under Section 907 (Commercial communications equipment).
- Section 909 (Drive Through Facilities) is a new section that provides a minimum of stacking spaces in accordance with the standards to avoid traffic impact on the streets.
- Section 910 (Vehicle Storage or Impoundment Lots). Staff asked if the Planning Commission wanted to allow vehicle storage or impoundment lots as a use in Town and if so where. The Planning Commission decided this was not appropriate in town and to take out Section 910.
- Section 912 (Outdoor display areas): (b) Remove *exceptions may be granted by the Zoning Administrator*. The Commissioners did not want to burden the Zoning Administrator and thought that a conditional use will be best.
- Section 914 (Hotel): This standard is to avoid windows and doors opening on the street level in B-1 districts. It clarifies how a hotel would work in downtown.
- Section 915 (Travel Parks) added to Special Provisions section for consistency.
- Relocated Section 702 (Off-Street parking, driveways, and entrances) and Section 705 (Landscaping) from Non-Conforming Uses to the Special Provisions section.

Mr. Gordon stated that the Planning Commission is behind schedule. The scope of the project completion was 18 months, but will need to be extended into the late Fall (November/December 2023). Mr. Gordon and staff stated that the Zoning Map will be reviewed and discussed at the next meeting. Staff discussed the need to change the colors on the zoning map for clarity.

Ms. Zirkle stated that the new Town boundary consisting of Phase 2 reversion zoned parcels are coming in as R-1, Single Family Residential District zoning parcels. Agricultural uses can continue since they are allowed in the Town R-1, Single Family Residential District, and by state law land use continues. She discussed that non-conformity uses can stay but not change or grow in nature.

Related to residential zoning changes, Ms. Zirkle stated that a rezoning proposal to rezone a tract of land on Fuqua Mill Road from B-2/M-1, (General Business/Manufactured) to R-3, (High Density Residential) for a multifamily development is coming before the Planning Commission in August.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 6:35 p.m. The next regularly scheduled meeting is Thursday, August 3, 2023.

Respectfully submitted,  
Cathy Johnson, Clerk of the Commission

Approved on August 3, 2023.



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Frances B. Coles, Secretary