



Town of Bedford, Virginia

Department of Planning & Community Development

215 E. Main Street Bedford, VA 24523

(540) 587-6021 • cjohnson@bedfordva.gov

For staff use

Date received: _____ Received by: _____

\$150 Fee: _____ 2 Site plan copies: _____

Zoning District: _____

Owner's Authority Letter if applicable: _____

CONDITIONAL USE PERMIT APPLICATION

Please print or type. If not applicable, write N/A.

APPLICANT INFORMATION

Property Owner Name: _____

Address: _____

Phone: _____ Email: _____

Applicant Name: _____

Address: _____

Phone: _____ Email: _____

Primary Contact: _____

Address: _____

Phone: _____ Email: _____

PROPERTY INFORMATION

Location address: _____

Business Name (current or future): _____

Zoning District: _____

Current Use of Property: _____

Tax Map Number: _____ **RPC Number:** _____

APPLICATION INFORMATION

What specific land use are you requesting from the Land Development Regulations / Zoning Ordinance?

Please summarize the grounds upon which this request is based (attach additional sheets if necessary).

To evaluate the proposed conditional use, please address the following concerns:

1. How is the requested conditional use consistent with the comprehensive plan?

2. How will the proposed conditional use affect the current and future traffic in the vicinity?

3. How will the proposed conditional use at the specified location contribute to or promote the welfare or convenience of the public?

CERTIFICATION

I hereby certify that this application is complete and accurate to the best of my knowledge. I authorize staff for the Town of Bedford to enter the property for purposes of reviewing this request and for placing a sign as notice of public hearings. I have provided a site plan and the required application fee. I understand that I am responsible for all advertising fees associated with placing required legal notices in newspapers or other media.

Applicant Signature: _____ Date: _____

Print Name: _____

Staff Use Only:

Planning Commission meeting date(s) _____

Recommendation from Planning Commission _____

Town Council public hearing date(s) _____

Action taken by Town Council (Approval/ Denial) _____

Were conditions placed on the Conditional Use? _____

Zoning permit issuance date _____

Building permit issuance date _____

Business license issuance date if commercial _____

1002.03. Application procedure for a conditional use. Applications for a zoning permit for a conditional use shall be submitted to the zoning administrator, who shall refer the application to the commission and the council for public hearing. Applications for zoning permits for conditional uses must be submitted in accordance with the following procedures:

- a. An application shall be accompanied with two copies of an acceptable site plan as specified in section 1002.02.
- b. Each application for a zoning permit for a conditional use shall be accompanied by payment of a fee to be determined by the council to help defray the cost of publicizing and conducting the public hearings. Such fee will be over and above any fees required by the council for application for a zoning permit for a permitted use.
- c. For applications concerning five parcels or less, the applicant shall post a sign, at least three square feet in area, and approved by the zoning administrator, notifying the public of the requested zoning change on the property for which zoning request has been received. A sign shall be placed within ten feet of the property line at each street on which the property abuts. The sign shall be posted for at least ten days prior to the first required public hearing and kept in place until the day of the last public hearing. Inadvertent failure to post signage (e.g., by signs blowing down or being stolen) shall not invalidate a conditional use permit otherwise issued in accordance with this ordinance. The zoning administrator must in all cases notify the adjoining and adjacent property owners according to procedures outlined in the Code of Virginia, as amended. The actual costs of mailing shall be charged to the applicant.
- d. The application shall be sent to the commission for review, recommendation, and public hearing thereon, and said commission shall have 100 days within which to submit a report. If the commission fails to submit a report within a 100 day period, it shall be deemed to have recommended approval of the proposed conditional use.
- e. The council shall consider the proposed conditional use after notice and public hearing in accordance with Code of Virginia, § 15.2-2204, and shall take action on the proposed conditional use within 180 days from the date of the public hearing. This time period may be extended by agreement of the applicant and council.
- f. In evaluating the proposed conditional use, the council shall address the following concerns:
 1. Whether the proposed conditional use is consistent with the comprehensive plan.
 2. Whether the proposed conditional use will adequately provide for safety from fire hazards and have effective measures of fire control.
 3. The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.
 4. The glare or light that may be generated by the proposed use in relation to uses in the immediate area.
 5. The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this chapter.
 6. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.
 7. The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.

8. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.
9. The timing and phasing of the proposed development and the duration of the proposed use.
10. Whether the proposed conditional use will result in the preservation or destruction, loss or damage of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.
11. Whether the proposed conditional use at the specified location will contribute to or promote the welfare or convenience of the public.
12. The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety, efficient traffic movement and access in case of fire or catastrophe.
13. Whether, in the case of existing structures proposed to be converted to uses requiring a conditional use permit, the structures meet all code requirements of the Town of Bedford.
14. Whether the proposed conditional use will be served adequately by essential public facilities and services.
15. The effect of the proposed conditional use on groundwater supply.
16. The effect of the proposed conditional use on the structural capacity of the soils.
17. Whether the proposed use will facilitate orderly and safe road development and transportation.
18. The effect of the proposed conditional use on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality.
19. Whether the proposed conditional use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the comprehensive plan.
20. Whether the proposed conditional use considers the needs of agriculture, industry, and businesses in future growth.
21. The effect of the proposed conditional use in enhancing affordable shelter opportunities for residents of the town.
22. The location, character, and size of any outdoor storage.
23. The proposed use of open space.
24. The location of any major floodplain and steep slopes.
25. The location and use of any existing non-conforming uses and structures.
26. The location and type of any fuel and fuel storage.
27. The location and use of any anticipated accessory uses and structures.
28. The area of each use, if appropriate.
29. The proposed days/hours of operation.
30. The location and screening of parking and loading spaces and/or areas.
31. The location and nature of any proposed security features and provisions.

- 32. The number of employees.
 - 33. The location of any existing and/or proposed adequate on and off-site infrastructure.
 - 34. Any anticipated odors which may be generated by the uses on site.
 - 35. Whether the proposed conditional use includes sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.
 - 36. Refuse and service areas, with particular reference to the items in (1) and (2).
 - 37. Utilities, with reference to location, availability and compatibility.
 - 38. Any other matter reasonably related to the public health, safety, and general welfare
- g. Conditions set forth in Article VI for the various conditional uses are minimum requirements. In approving a proposed conditional use the council may stipulate such additional requirements as are necessary or appropriate to the public interest. The council may require the applicant to furnish to the zoning administrator a performance bond in an amount sufficient for and conditional upon the fulfilling of any and all conditions and requirements stipulated by the council.
 - h. If the council approves the application for a zoning permit for a proposed conditional use, the zoning administrator shall issue a zoning permit, indicating the conditional nature of the use, in accordance with section 1002.02 of this ordinance.
 - i. If the council disapproves the application for a zoning permit for a proposed conditional use, the council shall inform the applicant of the decision in writing within 60 days from the date of the public hearing. The zoning administrator shall retain one copy of the site plan, and two copies of the refusal, and shall keep them as a public record.
 - j. A property owner, or his appointed agent, shall not initiate action for a zoning permit relating to substantially the same conditional use affecting the same parcel of land more often than once every 12 months.
- 1002.04. Expiration.** Any zoning permit shall automatically expire six months from the date of issuance if the person, firm, or corporation to which the permit was issued has not clearly demonstrated that the permit is being exercised for the purpose for which it was issued, or if the work so authorized is suspended or discontinued for a period of one year.