

**PLANNING COMMISSION
AGENDA**

Monday, November 28, 2022
Woodstock Municipal Office, Town Council Chamber
7:00 p.m.

- Call to Order
- Roll Call and Existence of Quorum
- Adoption of the Agenda
- Approval of Minutes – October 24, 2022 Planning Commission meeting
- Commissioner Disclosures
- Chairman's Statement
- Remarks by Petitioners
- Council Representative's Report
- Committee Reports
- Old Business
 - *Signs in the Interstate Intersection Corridor Overlay – Text Amendment*
Chapter 90, Article IV, Section 90-385 Signs in the Interstate Intersection Corridor regarding allowable sign height, number, type, and illumination of such signs
- New Business
 - *Cottage Apartment or Condominium – Text Amendment*
Chapter 90, Article IV, Section 90-385 Signs in the Interstate Intersection Corridor regarding allowable sign height, number, type, and illumination of such signs
 - *Planning Updates*
 - *December Planning Commission Meeting Date*
 - *Announcements*
- Adjournment

IF YOU REQUIRE ANY TYPE OF REASONABLE ACCOMMODATION AS A RESULT OF PHYSICAL, SENSORY OR MENTAL DISABILITY IN ORDER TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT JILL JEFFERSON, PLANNER, AT 459-3621. THREE DAYS NOTICE IS REQUIRED.

Town of Woodstock
Planning Commission Meeting Minutes
24 October 2022

The Woodstock Planning Commission held a meeting on Monday, October 24, 2022, at 7:00 p.m. Present were Chairman Lantz, Vice-Chairman Leake, Commissioners Cooper, and Schennum, Deputy Town Manager Michelle Bixler, Urban Designer | Neighborhood Planner Jill Jefferson

- (1) Call to Order: Chairman Lantz called the Planning Commission meeting to order at 7:00 pm. Followed by the Pledge of Allegiance to the Flag.
- (2) Roll Call and Existence of Quorum: The Chairman established that there was a quorum of the Planning Commission.
- (3) Adoption of the Agenda: Vice-Chairman Leake moved that the agenda be adopted. Commissioner Schennum seconded the motion and it carried unanimously.
- (4) Action on the minutes of the previous meeting: Commissioner Schennum made a motion to approve the minutes from the September 26, 2022, meeting. Vice-Chairman Leake seconded the motion and it carried unanimously.
- (5) Commissioner Disclosures: None
- (6) Chairman's Statement: Chairman Lantz stated he was happy to see everyone this evening. We are busy and everything is moving along.
- (7) Remarks by Petitioners: None
- (8) Council Representative's Report: No report
- (9) Staff & Committee Reports: No reports
- (10) Old Business: None
- (11) New Business:

- *Signs in the Interstate Intersection Corridor Overlay – Text Amendment*

Ms. Jefferson began by reviewing where exactly the Interstate Intersection Corridor is located along Fairground Road, I-81, Route 42, and Henry Ford Drive. The current sign ordinance for the Interstate Intersection Corridor is not as flexible as the ordinance for signs in the B-1 district. She also reminded the commissioners of the VDOT Smart Scale projects that will be occurring in the future, and she wanted them to consider how they would like to see the gateway experience to look and feel like.

Ms. Jefferson recapped that the issue of changing text amendments to the sign ordinance came about after residents in the Hisey Park area raised concerns with the illumination of the new Starbucks business. They were concerned not only with that business sign but what effects other signs may come in the future and the adverse impacts tall signs would have on their home values and quality of life.

Vice-Chair Leake had several concerns regarding the amendments and making specific restrictions especially to height and size of signs. He felt that a cookie cutter sign ordinance was not good especially for new businesses seeking to come to the area. The lay of the land in the interstate corridor is not a flat one and so some signs could potentially need to be taller or bigger due to the topo so they could be visible. He also had concerns of businesses reading into the amendments in a way that they might decide to put up billboards rather than signs. Ms. Jefferson reiterated billboards are not legal and would not be an issue.

Vice-Chair Leake made a motion to table the text amendment of section 90-385 Signs on Interstate Intersection Corridor until the November 2022 meeting to allow adequate time for additional research into increased height allowance and study of the effect of specifics changes proposed in the amendments. Commissioner Schennum seconded the motion and it passed unanimously.

- *Shared Parking Text Amendment – Discussion Only*

Ms. Jefferson reviewed with the Commissioners that currently the ordinance for parking requirements in town vary based on the whether the parking is for residential areas, retail, or restaurants and it is based on square footage of the use. Ms. Jefferson has been reviewing the parking ordinance and drafting amendments that would include shared parking in mixed use developments to decrease the impervious surface area for parking. She wanted the Commissioners to be aware of the review and was seeking some direction as to whether there was anything they thought should be included in the text amendments. No comments were provided during this discussion; therefore, Ms. Jefferson suggested the Commissioners continue to share thoughts or suggestions that arise after it bring brought up tonight.

- *Planning Updates*

Mr. Jefferson informed the Planning Commission that a second grant from the Department of Forestry has been awarded to the Town. The first award was to plant 99 trees in public rights of way. This recent approval was for a consultant to conduct a Heat Island Analysis. The Town has invited the Department Forestry to come see the

Town that they have invested in. There is a pending grant from the National Fish and Wildlife Foundation to be issued to the town and county for stormwater improvements. The Glenmont rezoning application remains tabled. She thanked Mr. Jay Neal for his support with the bonds for Sunset Crest. Lastly Ms. Jefferson reminded the commissioners of a Public Hearing to take place on November 1, at 7:20pm to receive public comments on the proposed text amendments for Cottage Apartment or Condominiums.

There being no further business, Vice-Chair Leake made a motion to adjourn followed by a second by Commissioner Schennum. The motion carried unanimously, and the Woodstock Planning Commission adjourned at 7:53 p.m.

Town Clerk

November 28, 2022

Planning Commission Staff Report: Signs in the Interstate Intersection Corridor Text Amendment

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WOODSTOCK, VIRGINIA, CHAPTER 90, ARTICLE IV, SECTION 90-385 SIGNS ON INTERSTATE INTERSECTION CORRIDOR

During the October 24, 2022 Planning Commission meeting, staff was directed to research sign heights and impacts to businesses. In response, staff met with representatives of Buxton marketing services to identify signage requirements of national commercial chains. Marketing experts indicated the first phase is to validate the market and if market conditions support locating to Woodstock, sign height and size is not a dealbreaker for national chains. Two draft ordinances are attached with varied signage regulations for the Interstate Intersection Corridor, summarized in the table below.

The proposed amendment is to Section 90-385 Signs on interstate intersection corridor, and specifies the allowable sign height, square footage allocation, number, type and illumination of signs in the interstate intersection corridor. The proposed text amendment for Section 90-385 contains the following provisions:

Current Code Sec. 90-385	OPTION A	OPTION B
One freestanding sign per lot	One freestanding sign per main building on parcel	Same as Option A
SIZE: Total area of a freestanding sign \leq 200 SF; 400 SF for 2+ businesses on the same pole	If one freestanding sign: size limit is \leq 100 SF; For 2+ main buildings on a lot, additional signs \leq 75 SF	If one freestanding sign: size limit \leq 100 SF; for 2+ businesses on the same sign structure, the total signage permitted is 150 SF.
HEIGHT: Sign height \leq 85 ft above grade	Sign height \leq 45 FT above grade. Additional signs must be \leq 35 FT above grade	Sign height \leq 55 FT above grade. Cumulative height of all freestanding signs is 100 FT; maximum height of 35 FT for 2+ signs
	All freestanding signs must be 100 FT apart and 10 FT from lot line	Same as Option A
	All freestanding signs must be monument style	All freestanding signs up to 45 feet in height shall be monument style

REQUEST DESCRIPTION

Based on concerns from residents in Hisey Park subdivision regarding sign illumination and sign height, as well as a request from a local business dealership for an additional freestanding sign in the Interstate Intersection Corridor, multiple meetings convened by both the Ordinance Committee meetings and Planning Commission to discuss signage along the Interstate Corridor (IIC).

The Ordinance Committee met February, April and June 2022 to review sign allowances in the IIC and to hear from residents in the Hisey Park subdivision regarding sign illumination and sign heights. An additional request from a business dealership regarding limitation to one freestanding sign in the IIC was also discussed. The Ordinance Committee directed staff to research and draft ordinance changes with a focus on adjustments to sign height, illumination, number of signs allowed, and overall proportionality of signs to the property on which they are located. The Ordinance Committee recommended the draft be reviewed by the Planning Commission and address the following:

- Allow up to two signs per commercial site in the IIC, second sign ground mounted, not to exceed roof height.
- Limit the height of all future signs to 35-45 feet
- Limit illumination of signs to not cast light offsite (not cause glare into adjacent homeowners)

The Planning Commission, during their August and October 2022 meetings, discussed a sign text amendment that offered increased flexibility of the number of freestanding signs and addressed illumination, sign height and overall sign size in the IIC.

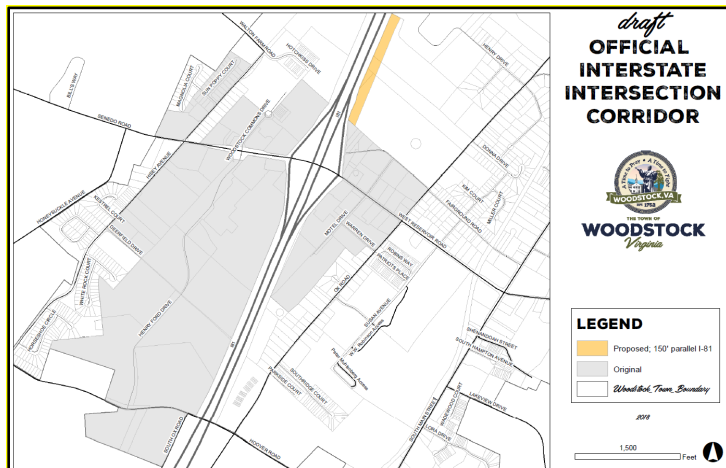
During the October 4th public hearing, a comment from Criswell Jeep reiterated the request for more than one freestanding sign and that the number be based on the number of commercial entrances. Criswell Jeep also requested the second freestanding sign height be considered at 35 feet, rather than 30 feet. In addition, staff received a comment from a resident of Hisey Park subdivision stating her inability to attend the October public hearing and requested a decrease in the sign height and size in the IIC, which was shared with the Planning Commission in the October 24th agenda packet.

The proposed text allows for one monument-style freestanding sign for each main building on the lot. The monument sign shall be constructed of materials that architecturally correspond with the advertised business and shall be at a height which is generally consistent with the height of the building.

AREA DESCRIPTION

The purpose of the Interstate Intersection Corridor Overlay is to provide opportunities for other allowances not permitted elsewhere in the Town Code, such as having larger and taller signs oriented toward the interstate. The Woodstock Town Code Section 90-385, regulating signs in the Interstate Intersection Corridor were amended October 2018 by the Town Council to allow the boundary of the Corridor to include 150 feet along the fairgrounds bordering the interstate; thereby

amending the official map of the Interstate Intersection Corridor. Below is a depiction of the highlighted zones that comprise the current Woodstock Interstate Intersection Corridor boundaries.



STAFF COMMENTS

Our Code includes flexibility on freestanding signs in the B-2, Commercial Highway District, compared to less flexibility for signs in the Interstate Intersection Corridor overlay. Requests from a local business regarding the number and height of freestanding signs and residential community concerns regarding sign height, size and illumination, staff reviewed sign regulations in other localities along interstates and drafted two text amendments (Option A, and Option B) for consideration.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

Economic vitality, aesthetic charm, and beauty of natural scenic area are goals of the Comprehensive Plan. Signs that promote business that are in keeping with the natural landscape are encouraged. The Comprehensive Plan's Community Appearance Chapter 9 objective for the Route 42/Interstate area is "to enhance the west area entry into Woodstock by promoting an attractive and distinctive image and encourage visitors to visit the rest of the town." The Chapter also calls for establishment of a pleasant gateway that will "reduce the visual clutter, yet direct travelers to different parts of town." The placement of signage with required height, quantity of freestanding signs, square footage allocation of the signage, and illumination restrictions in the proposed text amendment meets the objectives in the Community Appearance Chapter of the Comprehensive Plan.

STAFF RECOMMENDATION

The Interstate Intersection Corridor signage text amendment implements the Comprehensive Plan's Community Appearance objectives while promoting businesses, meeting both business and

residential needs. For these reasons, staff recommends the Planning Commission find the proposed text amendment Option A / or Option B favorable for the Town Council.

- A **favorable** motion to recommend approval could read:

MOVE, that the Planning Commission forward to the Town Council recommending approval of the text amendment (Option A or Option B) of Section 90-385 Signs on Interstate Intersection Corridor because the request is consistent with the Comprehensive Plan {include one or more reasons such as consistent with the Community Appearance objectives, etc.}.

- A motion to **table** could read:

MOVE that the Planning Commission table the text amendment of Section 90-385 Signs on Interstate Intersection Corridor until the December 2022 meeting to allow adequate time for the applicant to address comments and concerns the Commission has identified, which include:

1. Other
2. _____

- A motion for an **unfavorable** recommendation on the request could read:

MOVE, that the Planning Commission forward the text amendment request to the Town Council recommending denial of approval of the text amendment of Section 90-385 Signs on Interstate Intersection Corridor because the request is: (include one or more reasons, e.g. inconsistent with the Comprehensive Plan due to _____, etc.).

TEXT AMENDMENT **OPTION A**

AN ORDINANCE TO AMEND CHAPTER 90 OF THE CODE OF THE TOWN OF WOODSTOCK, VIRGINIA:

BE IT ORDAINED by the Council of the Town of Woodstock, Virginia, that Chapter 90, Article IV of the Code of the Town of Woodstock, Virginia, be amended as follows:

ARTICLE IV. - SUPPLEMENTARY REGULATIONS

Section 90-385 - Signs on Interstate Intersection Corridor.

These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.

Due to the nature of the commercial development along State Route 42 (West Reservoir Road) and Interstate 81 (all of which is known as interstate intersection corridor), the following provisions shall apply to signs therein:

- (1) *Official interstate intersection corridor map—Adopted; identification; location and availability to public.*
- (2) *Freestanding signs.*
 - a. For properties with one main building on a parcel, one freestanding sign is permitted not to exceed 100 square feet in size with a maximum height of 45 feet above grade.
 - b. For properties with two or more main buildings on a parcel, one freestanding sign per main building is permitted, provided each sign has a maximum height of 35 feet above grade, a maximum size of 75 square feet, and is of monument style construction. When more than one freestanding sign is constructed, each sign shall be distanced at least 100 feet from all other freestanding signs on the parcel.
 - c. All freestanding signs permitted in this section shall be set back at least 10 feet from all property lines.
 - d. The provisions of this section shall apply to parcels located within the interstate intersection corridor and the provisions of section 90-386 do not apply.
- (3) *Total sign area.* The total square footage of signs, including but not exclusive of freestanding signs, shall be 800 square feet and conform to the following requirements and restrictions:
 - a. The total area of all signs (may be more than one) facing a street, alley or parking area shall not exceed **10** percent of the total wall area of the wall which the sign is being placed.
 - b. The provisions of this section shall apply to parcels located within the interstate intersection corridor and the provisions of section 90-386 do not apply.

TEXT AMENDMENT **OPTION A**

(4) *Validation of signs existing as of July 1, 2006.* All signs existing within the interstate intersection corridor on or before July 1, 2006, although such signs may fail to comply with the existing limitations in section 90-384(b)(9), are hereby accepted and validated as erected. Signs within the interstate intersection corridor erected after **January 1, 2023**, shall fully comply with this article. Signs erected or existing on or before that date which are moved or removed from their existing locations, significantly damaged, or destroyed, shall not be moved to, or replaced at, another location except under the strict provisions and limitations set forth herein, nor shall they be rebuilt at the same location without fully complying with this article. **Should a freestanding sign that is nonconforming due to height or area be modified or replaced, the resulting sign shall have the nonconforming feature (height and/or area) reduced by at least 15%. However, such reduction shall not cause the modified or replacement sign to have a height or area less than permitted in section 90-385(2) above. This section shall not apply if the modification only involves the refacing of the existing nonconforming sign.**

(Ord. of 4-2-91(1), § 29-83.1; Ord. of 3-3-98(2); Ord. of 8-1-2006; Ord. of 5-6-2008; Ord. of 5-5-2009; Ord. of 10-02-2018(2))

(5) Illumination and lighting of signs

- a. In no case shall the illumination for any sign in the Interstate Intersection Corridor Overlay District be directed toward any residential district or toward any adjacent street. All freestanding signs shall be illuminated only during hours of operation.**
- b. Signs should not be internally illuminated. Internally illuminated signs shall have a dark background with light letters.**
- c. Electronic message board signs must include a photo cell to control brightness and must automatically dim at sunset.**

Adopted this ____ day of December, 2022.

Mayor

ATTEST:

Clerk

TEXT AMENDMENT **OPTION B**

AN ORDINANCE TO AMEND CHAPTER 90 OF THE CODE OF THE TOWN OF WOODSTOCK, VIRGINIA:

BE IT ORDAINED by the Council of the Town of Woodstock, Virginia, that Chapter 90, Article IV of the Code of the Town of Woodstock, Virginia, be amended as follows:

ARTICLE IV. - SUPPLEMENTARY REGULATIONS

Section 90-385 - Signs on Interstate Intersection Corridor.

These regulations are intended to promote signs that are compatible with the use of the property to which they are appurtenant, landscape and architecture of surrounding buildings, are legible and appropriate to the activity to which they pertain, are not distracting to motorists, and are constructed and maintained in a structurally sound and attractive condition.

Due to the nature of the commercial development along State Route 42 (West Reservoir Road) and Interstate 81 (all of which is known as interstate intersection corridor), the following provisions shall apply to signs therein:

(1) *Official interstate intersection corridor map*—*Adopted; identification; location and availability to public.*

(2) *Freestanding signs.*

a. For properties with one main building on a parcel, one freestanding sign is permitted not to exceed 100 square feet in size with a maximum height of 55 feet above grade. If businesses on the same lot are located on the same sign structure, total signage permitted is 150 square feet.

b. For properties with two or more main buildings on a lot, one freestanding sign per main building is permitted, provided the cumulative total height of all freestanding signs is 100 feet, each additional sign has a maximum height of 35 feet above grade and a maximum size of 75 square feet. All signs up to 45 feet in height shall be of monument style construction. When more than one freestanding sign is constructed, each sign shall be distanced at least 100 feet from all other freestanding signs on the parcel.

c. All freestanding signs permitted in this section shall be set back at least 10 feet from all property lines.

d. The provisions of this section shall apply to parcels located within the interstate intersection corridor and the provisions of section 90-386 do not apply.

(3) *Total sign area.* The total square footage of signs, including but not exclusive of freestanding signs, shall be 800 square feet and conform to the following requirements and restrictions:

a. The total area of all signs (may be more than one) facing a street, alley or parking area shall not exceed **10** percent of the total wall area of the wall which the sign is being placed.

TEXT AMENDMENT **OPTION B**

b. The provisions of this section shall apply to parcels located within the interstate intersection corridor and the provisions of section 90-386 do not apply.

(4) *Validation of signs existing as of July 1, 2006.* All signs existing within the interstate intersection corridor on or before July 1, 2006, although such signs may fail to comply with the existing limitations in section 90-384(b)(9), are hereby accepted and validated as erected. Signs within the interstate intersection corridor erected after **January 1, 2023**, shall fully comply with this article. Signs erected or existing on or before that date which are moved or removed from their existing locations, significantly damaged, or destroyed, shall not be moved to, or replaced at, another location except under the strict provisions and limitations set forth herein, nor shall they be rebuilt at the same location without fully complying with this article. **Should a freestanding sign that is nonconforming due to height or area be modified or replaced, the resulting sign shall have the nonconforming feature (height and/or area) reduced by at least 15%. However, such reduction shall not cause the modified or replacement sign to have a height or area less than permitted in section 90-385(2) above. This section shall not apply if the modification only involves the refacing of the existing nonconforming sign.**

(Ord. of 4-2-91(1), § 29-83.1; Ord. of 3-3-98(2); Ord. of 8-1-2006; Ord. of 5-6-2008; Ord. of 5-5-2009; Ord. of 10-02-2018(2))

(5) Illumination and lighting of signs

a. **In no case shall the illumination for any sign in the Interstate Intersection Corridor Overlay District be directed toward any residential district or toward any adjacent street. All freestanding signs shall be illuminated only during hours of operation.**

b. **Signs should not be internally illuminated. Internally illuminated signs shall have a dark background with light letters.**

c. **Electronic message board signs must include a photo cell to control brightness and must automatically dim at sunset.**

Adopted this ____ day of December, 2022.

Mayor

ATTEST:

Clerk

Citizens of Woodstock
NOTICE OF PUBLIC HEARING

The Woodstock Town Council and Planning Commission will hold a joint public hearing on Tuesday, October 4, 2022 at 7:25 P.M., in the Council Chambers, 135 N. Main Street, Woodstock, Virginia, to receive citizen comments regarding a proposed amendment to Chapter 90, Article IV, of the Code of the Town of Woodstock, Virginia. The proposed amendment is to Section 90-385 *Signs on interstate intersection corridor*, and specifies the allowable sign height, square footage allocation, number, type, location and illumination of signs in the interstate intersection corridor.

Further information and copies of the proposed ordinance are available at the Woodstock Town Office, 135 N. Main Street, Woodstock, 8:00 AM - 5:00 PM Monday through Friday, 540-459-3621.

Mandy Helsley, Clerk
Town of Woodstock

Keith R. Lantz, Chairman
Woodstock Planning Commission

DATE: October 19, 2022

FROM: Cheri Davidson May – Resident, Woodstock (Hisey Park)

TO: Woodstock – City Council Planning Committee

RE: Impact of Tall Business Signs on Residential Property Values in the I-81 Corridor

On February 28, 2022, I submitted a letter to the Woodstock Town Council concerning the unusually tall business signs that are allowed, by town Code, to be erected within the I-81 Corridor. My primary concern is the impact of the unsightly signs on the property values of homeowners who live within the I-81 Corridor. At the time I submitted my letter in February, I also submitted national research findings that proved the validity of my concern.

By combining US Census data, local home price data, and zoning code data with geographic information systems and statistical tools, Jonathan Snyder (Philadelphia, 2011) proved that homes located within 500 feet of large, unsightly signs are valued at \$30, 826 less than homes of equal quality that are located farther away from the signs. Further, for each additional business sign placed anywhere within a mixed development zone, Snyder proved that homeowner property values decrease by an additional \$947. (These numbers are based on 2011 home prices, and would be much higher at today's home prices.)

As mentioned in my first letter to the Town Council, the residents of Hisey Park, appreciate that businesses in the I-81 Corridor have a need to reasonably advertise and to provide way-finding directions to their establishments. However, we also believe the needs of the business community to advertise must be adequately balanced against the needs of homeowners to protect their property values. To my knowledge, this can only be accomplished through a change to the Town Signage Code.

Currently, residential properties within the I-81 Corridor outnumber commercial businesses by a ratio of approximately 4 – 1. Two apartment and/or condo communities, presently in the active planning stages, will bring that ratio to more than 8 residences to each business entity. Land areas designated for future housing development within the I-81 Corridor will continue to add to the numbers of residential property owners.

Given the current and projected numbers of property owners in the I-81 Corridor, I believe it is essential that the town Code be changed NOW, rather than later. It seems quite deceptive to continue inviting people to invest in home ownership in a mixed development area, all while knowing that new property owners are unaware of the risk to their financial investments. Unjust signage rules that allow businesses to project unsightly signs 85 feet into the air, despite the proven damage of those signs to the value of individual homes, must be changed.

I urge the Planning Committee to approve the proposed signage changes immediately as a necessary step to assure that equity for ALL stakeholders...business entities and residential property owners alike, is recognized and preserved.

Thank you.

November 28, 2022

Planning Commission Staff Report: Cottage Apartment or Condominium Text Amendment

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF WOODSTOCK, VIRGINIA, CHAPTER 90, ARTICLE I, SECTION 90-1 DEFINITION OF COTTAGE APARTMENT OR CONDOMINIUM (CAC); ARTICLE III, SECTION 90-393 CAC, AND SECTION 90-152.8 R-3 HIGH DENSITY RESIDENTIAL DISTRICT; SECTION 90-224 B-2 HIGHWAY COMMERCIAL DISTRICT, AND ARTICLE IV, SUPPLEMENTARY REGULATIONS, SECTION 90-387 OFF-STREET PARKING.

REQUEST DESCRIPTION

Staff proposed text amendment for consideration to include a new sector of housing with a footprint of 500 to 1200 square feet, called Cottage Apartment or Condominiums (CAC). The smaller homes provide attainable housing for those just entering the workforce and for empty nesters, ready to downsize, with open space. The CAC residential units would be permitted in the areas zoned as High Density Residential (R-3) and permitted by special use in Highway Commercial (B-2) Districts. This housing type is an alternative to townhomes and promotes future infill in dense areas where apartments are currently permitted (by special use permits).

Apartments and condominiums are currently allowed in both R-3 and B-2 Districts.

Structurally, CAC single family detached dwellings are located on a common parcel for rent or for sale. The parcel would be 0.5 acres or larger. The use in this type of development shall not include interval ownership, time-sharing arrangements or short-term rental. If rented as apartments, the buildings and amenities would be under common ownership. If sold as condominiums, everything but the living area shall be common ownership, with provisions for an owner's association.

The yard requirements and building footprint include predominantly one-floor units, up to two-and-one-half floors, where the topography is suitable with the front face not exceeding one story. In his book on Pocket Neighborhoods, new urbanist Ross Chapin describes shifts in the American Dream over several generations, leading to super-sized houses in a sea of development, then describes a solution to help restore healthy, livable communities. The contemporary pocket neighborhoods, including New Urban communities, affordable housing, and eco-neighborhoods are gaining interest nationally and are located in a community in Shepherdstown, WV (pictured left below).



The dimensions of the CAC are to be constructed on a minimum of 0.5-acre lots with a setback of 125 feet, include a front yard 30+ feet from a street right of way, with a rear yard of 35 feet, and side yards of 15 feet. The units shall be between 500 to 1,200 square feet in gross residential living space and have a private fenced outdoor space that is 35% or greater of the main level living space. The CAC units shall have access to public street or easement, with curb and gutter, and five-foot sidewalks. The horizontal distance between dwellings within a CAC shall be:

1. Two times the average height of the two groups for front or rear walls facing front or rear walls.
2. One and one-half times the average height for front or rear walls facing side walls.
3. Equal to the height of the highest building for side walls facing side walls.
4. For single level buildings a minimum of eleven feet between may be allowed.
5. Reduced distances between buildings may be allowed provided building construction and material meets requirements for building code and Fire Marshall.

The open space for the CACs shall be 0.25 square feet of usable open space, not including parking or driveway areas, devoted to recreational use, for every square foot of gross residential floor area. This space shall take the form of parks or play areas and be managed by the association. Parking shall be 1.5 spaces per unit and may be permitted in the side yards. Screening shall be provided of sufficient height and density to screen the site from adjoining **non-residential** uses. A landscape plan shall be submitted with the application for the CAC permit. Additionally, screening shall be required between parking spaces and exterior property lines to reduce headlamp glare to others. Screening is also required around trash and rubbish storage.

AREA DESCRIPTION

The purpose of the CAC text amendment is to provide opportunities for other housing allowances in districts zoned R-3 and B-2. In our Code, we provide for single family homes, two-family dwellings, two-family duplexes (semidetached with shared wall), courtyard homes, and multifamily dwellings. Multifamily homes include townhomes (TH), multifamily stacked (MFST) homes, apartment houses and garden apartments in the following zoning districts:

- o Single Family detached R-1, R-2, R-3, B-1 (by SUP and not to exceed 25%)
- o Two-family dwellings – R-2, R-3
- o Multifamily dwellings (not including THs or garden apartments) – R-3
- o Multifamily dwellings (all) – in B-1.
- o Courtyard homes -in R-2, R-3.
- o Duplexes R-2 (by SUP) and R-3 (by SUP)
- o Townhomes and MFST – R-3 (by SUP)
- o Garden Apartments – R-3 (by SUP)
- o Apartments – B-2 (by SUP)

The proposed CAC units would be permitted uses in R-3 district and require a site plan with Planning Commission review and staff approval. Current permitted uses in R-3 include single family detached, two family dwellings, multifamily dwellings (excluding townhouses or garden apartments), and courtyard homes. Current permitted uses by special use permit (SUP) in R-3 include

townhomes, MFST homes, garden apartments, and duplexes. The proposed CAC units would be permitted by SUP in B-2 zoned districts. Currently, apartments are the only permanent residential uses permitted in B-2 by SUP, requiring a public hearing, review by the Planning Commission and approval by Town Council.

STAFF COMMENTS

This alternative form of housing addresses the missing middle housing needs not met by single family homes or multiunit apartment complexes. The CAC text amendment diversifies our housing stock and promotes infill in higher density districts.

The Woodstock Town Council and Planning Commission held a joint public hearing on Tuesday, November 1, 2022 to receive citizen comments regarding a proposed amendment to Chapter 90 of the Code of the Town of Woodstock, Virginia. There were no public comments received during the public hearing. Following the public hearing, staff met with community members of a subdivision near a vacant B-2 parcel to discuss the proposed CAC text amendment. Following the homeowner meeting, one resident electronically submitted comments, attached to this agenda packet.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

The Woodstock Comprehensive Plan housing goal identified in Chapter 4 calls for a balanced community with a wide range of housing and opportunities for present and future residents. An objective to satisfy the goal includes promoting a variety of housing styles and densities. Another objective to meet that housing goal includes a statement to provide adequate housing for all income levels and age groups, especially the retired community and first-time homeowners. In Chapter 8, Land Use, the following goals were identified:

- Goal 3 - Create a variety of housing types, including affordable and workforce housing, to meet the range of anticipated family income distributions of future residential growth.
- Goal 4 - Encourage better spatial organization through the reduction of building setbacks, lot widths, and front and side yards, and the incorporation of smaller lot sizes.

The proposed text amendment meets the goal of diversity of housing types and satisfies the objectives in the Comprehensive Plan to create attainable housing focusing on empty nesters and first-time homeowners.

STAFF RECOMMENDATION

The CAC text amendment helps satisfy the Comprehensive Plan's Housing and Land Use goals by offering a diversity of housing. For these reasons, staff recommends the Planning Commission find the proposed text amendment favorable for the Town Council.

- A **favorable** motion to recommend approval could read:

MOVE, that the Planning Commission forward to the Town Council recommending approval of the text amendments of Sections 90-1, 90-393, 90-152.8, 90-224, and 90-387 on CAC because the request is consistent with the Comprehensive Plan {include one or more reasons such as consistent with the Housing goals and objectives, etc.}.

- A motion to **table** could read:

MOVE that the Planning Commission table the text amendment of Sections 90-1, 90-393, 90-152.8, 90-224, and 90-387 on CACs until the December 2022 meeting to allow adequate time for the applicant to address comments and concerns the Commission has identified, which include:

1. Other

- A motion for an **unfavorable** recommendation on the request could read:

MOVE, that the Planning Commission forward the text amendment request to the Town Council recommending denial of approval of the text amendment of Sections 90-1, 90-393, 90-152.8, 90-224, and 90-387 on CACs because the request is: (include one or more reasons, e.g. inconsistent with the Comprehensive Plan due to _____, etc.).

EDITORS NOTE: The following text represents excerpts of the Zoning Ordinance that are subject to change. Words with ~~strickethrough~~ are proposed for repeal. Words that are **boldfaced and underlined** are proposed for enactment. Existing ordinance language that is not included here is not implied to be repealed simply due to the fact that it is omitted from this excepted text.

AN ORDINANCE TO AMEND CHAPTER 90 OF THE CODE OF THE TOWN OF WOODSTOCK, VIRGINIA:

BE IT ORDAINED by the Council of the Town of Woodstock, Virginia, that Chapter 90, Article I, III and IV of the Code of the Town of Woodstock, Virginia, be amended as follows:

ARTICLE I – IN GENERAL

Section 90-1. - Definitions.

Dwelling means any structure which is designed for residential purposes, except hotels, boardinghouses, lodgishouses, tourist cabins, motels, mobile homes, trailers and tourist homes.

- (4) *Multifamily dwelling* means a structure arranged or designed to be occupied by more than two families, living independently of each other and doing their own cooking and having their own sanitary facilities.

(e) Cottage Apartment or Condominium (CAC) means multiple single family detached dwellings located on a common parcel for rent or sale. If the Cottage Apartment or Condominium development is to be rented as apartments, the parcel, buildings and any amenities shall be under common ownership. For the condominium option, everything shall be under common ownership with the exception of the living area in each building. The use in this type of development shall not include interval ownership, time-sharing arrangements or short term rental. If the Cottage Apartment or Condominium development will be condominiums, provisions shall be included for an owners' association or organization to provide maintenance and ownership of common areas and open space areas.

ARTICLE III – DISTRICT REGULATIONS

DIVISION 4. – R-3 HIGH DENSITY RESIDENTIAL

Section 90-152. - Permitted uses.

- (8) Cottage Apartment or Condominium (CAC), pursuant to section 90-393.**

DIVISION 6. - B-2 HIGHWAY COMMERCIAL DISTRICT

Section 90-224. - Uses permitted by special permit.

The following uses shall be permitted by special permit in the B-2 highway commercial district:

- (8) Cottage Apartment or Condominium (CAC), pursuant to section 90-393.

ARTICLE IV. - SUPPLEMENTARY REGULATIONS

Section 90-387. - Off-street parking—Generally.

(v.) Cottage Apartment or Condominiums. For a CAC, there shall be provided at least one and one half parking space for each dwelling unit.

Section 90-393 Cottage Apartment or Condominium (CAC)

Cottage Apartment or Condominium developments shall require a minimum of one-half acre. The following regulations shall apply to Cottage Apartment or Condominium:

- (1) Area regulations. The number of dwelling units to be constructed on one-half acre or greater shall be determined in accordance with section 90-155.
- (2) Minimum lot width. Minimum lot width shall be 125 feet at the setback line.
- (3) Minimum yard requirements for development site.
 - a. Front yard. No structure shall be located closer than 30 feet to any street right-of-way.
 - b. Rear yard. The rear yard shall be 35 feet.
 - c. Side yard. The side yard shall be 15 feet.
- (4) Building height. The maximum height at the front (main entrance) to the unit shall be limited to one and one-half stories. If existing topographic conditions warrant, the rear and side of units may be a maximum of two and one-half stories, not exceeding a height of 35 feet.
- (5) Building Size: Living space for each unit shall not be less than 500 gross square feet and a maximum of 1200 gross square feet. In addition, have a minimum of private fenced outdoor space of 35% of the main level gross living space.
- (6) Regulations for cottage apartment or condominium development construction.
 - a. Street or easement access. Each cottage apartment or condominium development shall have access on a dedicated public street or on an access easement as specified by the town planning commission. Number of access points to be determined at site plan review.
 - b. Curb and gutter. Concrete curb and gutter shall be installed along all edges of pavement within the development used for vehicular access and parking.
 - c. Sidewalks. Sidewalks shall be of five feet in width, constructed of concrete or brick, shall be installed from parking areas to all dwellings served by such parking areas, to community amenities (i.e., pavilion) and to public street access.

- d. Water and sewer. The proposed development shall be served by approved public water and sewer systems.
- e. Distances. The horizontal distance between dwellings within a CAC shall be:
 - 1. Two times the average height of the two groups for front or rear walls facing front or rear walls.
 - 2. One and one-half times the average height for front or rear walls facing side walls.
 - 3. Equal to the height of the highest building for side walls facing side walls.
 - 4. For single level buildings a minimum of eleven feet between may be allowed.
 - 5. Reduced distances between buildings may be allowed provided building construction and material meets requirements for building code and Fire Marshall.
 - 6. Clustering of units into groups up to twelve to sixteen is encouraged where practical.
- f. Open space—Generally. There shall be provided 0.25 square feet of usable open space, not including parking or driveway areas, devoted to recreational use, for every square foot of gross residential floor area. This space shall take the form of parks or play areas, etc.
- g. Same—Management. Management of open space shall be in accordance with the following:
 - 1. All open space shall be preserved for its intended purpose as expressed in the site plan.
 - 2. There shall be an establishment of a nonprofit association, corporation, trust or foundation of all individuals or corporations owning residential property within the planned development to insure the maintenance of open spaces.
 - 3. When the development is to administer open space through an association, nonprofit corporation, trust or foundation, such organization shall conform to the following requirements:
 - a. The developer must establish the organization prior to the sale of any lots or units.
 - b. Membership in the organization shall be mandatory for all residential property owners, present or future, within the planned community, and such organization shall not discriminate in its members or shareholders.
 - c. The organization shall manage all open space and recreational and cultural facilities, shall provide for the maintenance, administration and operation of such land and improvements and any other land within the planned community and shall secure adequate liability insurance on the land.
 - d. The organization shall conform to the Condominium Act (Code of Virginia, § 55-79.39 et seq.).
 - 4. Should the units be for rental purposes, the developer or rental agent shall be responsible for maintenance and management of open space.

- h. Same—Use; plans. Usable open space devoted to recreational use as required herein shall be designed for use by tenants of the development and shall be improved and equipped by the developer in accordance with plans submitted.
- i. Joint parking facility. Joint parking areas are encouraged with walkable corridors to each unit with deed of ownership (identified on site plans).
- j. Screening. Screening shall be provided of sufficient height and density to screen the site from adjoining non-residential uses. A planting plan, specifying type, size and location of existing and proposed planting material, shall be submitted with the application for the permit.
- k. Parking facilities generally. Parking facilities shall be in accordance with the following:
 - 1. Off-street parking, whether garage or on-lot, shall be provided on the premises in accordance with section 90-387 with 1.5 parking spaces per dwelling unit.
 - 2. Required parking spaces shall be provided on the same lot as the building served.
 - i. All access drives shall be at least 15 feet from any building on the lot and from exterior lot lines.
 - ii. Parking areas shall not be designed or located so as to require or encourage cars to back into a street in order to leave the lot.
 - iii. All dead-end parking lots shall be designed to provide sufficient backup area for the end stalls of the parking area.
 - iv. All accessways and parking areas shall be paved with a double surface treatment or concrete covering.
 - v. Entrances and exit ways and interior accessways shall be designed so as to prevent the blocking of vehicles entering or leaving the site.
 - vi. Any other requirements shall be complied with which are deemed necessary by the planning commission or town council for the public health and safety.
 - vii. Parking shall be allowed in required side yards but no closer than ten feet to property line.
 - viii. Screening shall be required between parking spaces and exterior property lines. The intent is to reduce headlamp glare to others. Type size and material to be provided with requirements of 6.j in this section.
- l. Drainage. A storm runoff and drainage system shall be installed by the developer in accordance with applicable state and local stormwater and sediment and erosion control requirements.
- m. Lighting. Lighting for buildings, accessways and parking areas shall be so arranged as not to reflect toward public streets or spill over to building occupants or surrounding property owners or residents. No lighting shall cause direct glare cast off-site.
- n. Trash and rubbish storage. Exterior storage areas for trash and rubbish shall be

well- screened on three sides and contain vermin proof containers. Interior storage areas for trash and rubbish shall at all times be kept in an orderly and sanitary fashion.

- o. **Site plan. A site plan drawn in accordance with section 90-391 and 392 and shall be reviewed by the planning commission with town staff approval.**

Adopted this ____ day of December, 2022.

Mayor

ATTEST:

Clerk

Citizens of Woodstock
NOTICE OF PUBLIC HEARING

The Woodstock Town Council and Planning Commission will hold a joint public hearing on Tuesday, November 1, 2022 at 7:20 P.M., in the Council Chambers, 135 N. Main Street, Woodstock, Virginia, to receive citizen comments regarding a proposed amendment to the Code of the Town of Woodstock, Virginia Chapter 90, Article I, Section 90-1 Definition of Cottage Apartment or Condominium (CAC); Article III, Section 90-393 CAC, and Section 90-152.8 R-3 High Density Residential District; Section 90-224 B-2 Highway Commercial District, and Article IV, Supplementary Regulations, Section 90-387 Off-Street Parking.

The amendment provides definition and regulations for a new use allowance of Cottage Apartment or Condominiums (CAC), including area regulations, yard requirements, lot size, open space, screening, parking, lighting, and site plan approvals. In High Density Residential Districts (R-3), the CAC would be a permitted use and in districts zoned Highway Commercial (B-2), CACs are permitted by special permit.

Further information and copies of the proposed ordinance are available at the Woodstock Town Office, 135 N. Main Street, Woodstock, 8:00 AM - 5:00 PM Monday through Friday, 540-459-3621.

Mandy Helsley, Clerk
Town of Woodstock

Keith R. Lantz, Chairman
Woodstock Planning Commission

DATE: November 6, 2022

TO: Jill Jefferson

FROM: Cheri Davidson May

RE: "AN ORDINANCE TO AMEND CHAPTER 90 OF THE CODE OF THE TOWN
OF WOODSTOCK, VIRGINIA"

Cc: Dennis Scott; Linda Murphy

Thank you, Jill, for accepting my comments on the proposed change to Woodstock's Town Code. I have two suggestions, and they follow:

1. Under Section 90-393, 6.j (Screening), the proposed amendment says: "Screening shall be provided of sufficient height and density to screen the site from adjoining non-residential uses." The proposed wording appears to recognize the potential need to shield the CAC development from nearby businesses and/or services. The wording does not take into consideration the possibility of a CAC development wishing to shield itself from a nearby residential neighborhood, or that a nearby pre-existing residential neighborhood may wish to be screened from the CAC development. I suggest that the wording be changed to recognize that both pre-existing residential, as well as non-residential sites may need to be screened.

In addition, the proposed amendment requires that a "planting plan" be submitted with the application for a permit. I suggest the words "planting plan" be changed to "screening plan," recognizing that a situation may require something other than trees and plants for appropriate screening. In some instances, a fence may be needed, in which case wording may be needed to establish an understanding that materials used in the fencing must blend in, coordinate with, or be the same as the materials used in the CAC housing units.

Also, in regard to the "Screening," I believe the proposed amendment should clearly specify who is responsible for on-going maintenance of the screening materials, whether they be plantings, or fencing.

2. Section 90-393, 6-n, speaks to *Trash and Rubbish Storage*, saying: "Exterior storage areas for trash and rubbish shall be well-screened on three sides and contain vermin proof containers..." In my experience, the rubbish/trash storage areas can devolve into very unsightly and unsanitary spaces within small, confined areas such as CAC developments. To help the residents of small communities avoid the problems that trash storage can present, I believe the wording of the proposed amendment should include an expectation that the builder/developer of the community establish **permanently** located and affixed trash areas. The materials used for screening on three

sides of the trash storage should be of solid materials that coordinate with, blend in with, or are the same as the materials used in the CAC housing. The screening should be permanently affixed to a solid and unmovable foundation.

While on the topic of storage, the CAC housing units will have limited interior space, therefore, probably limited storage. Often, for some people, the solution in such instances is to purchase free-standing utility sheds from places like Home Depot, and squeeze the sheds onto small properties in whatever way the sheds can be made to fit. And while it may solve a homeowner's storage needs, it can become an eyesore for the surrounding community, especially if a preponderance of home owners do the same thing.

I don't know if the proposed amendment to the Town Code is the appropriate place to address an issue such as this, but it is something to consider, given the size limitations of CAC communities, and the need to keep the outside areas clear of personal clutter in order for the entire community to enjoy a pleasant quality of life.

I will add this case-in-point as an example...Hisey Park, the community where I reside. In Hisey Park, outdoor utility sheds and/or other outdoor storage units are prohibited via the HOA Covenants. *Prior* to the HOA Covenants being turned over to the community to manage, the developer of Hisey Park allowed a new resident to purchase a large, plastic, outdoor storage unit and place it on her side porch. It was visible from the street, and was in clear violation of the established HOA Covenants. I share this only to raise awareness that the possibility of hodge-podge free-standing storage units in a CAC development is real, and if there is a way to prevent this from happening via the Code, I would strongly recommend it.

Thank you, Jill