



Woodstock Town Council Meeting Agenda
Tuesday, December 6, 2022
Municipal Office Council Chambers

7:30 pm Council Meeting

1. Call to Order
2. Pledge of Allegiance
3. Prayer
4. Meeting Minutes
 - a. *Action on the minutes from the Joint Public Hearing held on Tuesday, November 1, 2022*
 - b. *Action on the minutes from the Special Town Council meeting held on Wednesday, November 9, 2022*
 - c. *Action on the minutes from the Finance Committee meeting held on Tuesday, November 15, 2022*
5. Visitor Comments
6. Special Reports
 - a. *Woodstock Fire Department*
 - b. *Woodstock Rescue Squad*
 - c. *Woodstock Enhancement Committee*
7. Committees
 - a. Water & Sewer Committee
 - b. Street Committee
 - a. *Set Meeting Date*
 - c. Finance Committee
 - a. *Set Meeting Date*
 - d. Personnel Committee
 - e. Ordinance Committee
 - f. Tourism & Economic Development
 - g. Park Commission

- h. Planning Commission
 - a. *Recommendation for first reading for an ordinance amendment to Chapter 90, Articles I, II and IV pertaining to the definition, use regulations, supplementary regulations, and off-street parking requirements of Cottage Apartments or Condominiums [Received favorable recommendation from Planning Commission]*
 - b. *Recommendation for first reading for an ordinance amendment to Chapter 90, Article IV pertaining to the number of freestanding signs permitted in the Interstate Intersection Corridor. [Received favorable recommendation from Planning Commission]*
- 8. Old Business
- 9. New Business
- 10. Town Manager's Report
- 11. Mayor's Report
- 12. Council Person Reports
- 13. Communications
 - a. *Planning Commission Meeting – December 12 (Rescheduled due to holidays)*
 - b. *Municipal Offices Closed – Friday, December 23 and Monday December 26 (Christmas Day – Observed)*
 - c. *Municipal Offices Closed – Monday, January 2 (New Year's Day – Observed)*
- 14. Executive Session
- 15. Adjournment

Cc: Mayor
Town Council
Town Clerk
Town Attorney
Chief of Police
Department Heads
Planning Commission Chairman Keith Lantz
Supervisor Karl Roulston
Shenandoah County Chamber of Commerce
Woodstock Fire Department
Woodstock Rescue Squad
Woodstock Enhancement Committee Chair
Media

WOODSTOCK TOWN COUNCIL AND PLANNING COMMISSION

JOINT PUBLIC HEARING

November 1, 2022

On Tuesday, November 1, 2022, the Woodstock Town Council and Planning Commission held a Joint Public Hearing in the Council Chambers of the Municipal Building at 7:25 pm to receive citizen comments on 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.

Present were Mayor McCleary; Vice-Mayor Lambert, Council members Funkhouser, and Heishman, Planning Commission Chair Keith Lantz, and Vice-Chair Gary Leake, Commissioners Cooper, and Schennum; Urban Design | Neighborhood Planner Jill Jefferson, Town Manager Aaron Grisdale, and Deputy Town Manager Michelle Bixler.

Mayor McCleary called the Public Hearing to order at 7:24pm, and the clerk read the Notice of Public Hearing. Mayor McCleary opened the floor for public comment.

Three citizens attended the meeting with questions regarding a particular parcel in which they have heard a CAC may be built but had no actual comments on the proposed amendment.

Ms. Linda Murphy stated she was not clear on exactly what a CAC was and would like to know more on CAC developments. Mayor McCleary and Mr. Grisdale advised the citizens to contact the Urban Design | Neighborhood Planner Ms. Jefferson to set up a meeting to receive more information on CAC's so that they may better understand the proposed amendment.

There being no further comments, Mayor McCleary closed the Public Hearing at 7:30 pm.

Mayor

ATTEST:

Clerk

SPECIAL TOWN COUNCIL MEETING

NOVEMBER 9, 2022

The Woodstock Town Council held a special meeting on Wednesday, November 9, 2022, at 5:30 pm in the Council Chambers of the Municipal Building. Present were Mayor McCleary, Vice-Mayor Lambert, Council members Cross, Funkhouser, Gutshall, Haun and Heishman; Town Manager Aaron Grisdale, Deputy Town Manager Michelle Bixler, Urban Design | Neighborhood Planner Jill Jefferson, and Town Attorney Jay Neal.

Mayor McCleary called the meeting to order at 5:30 pm, followed by the Pledge of Allegiance to the Flag and the prayer by Councilman Heishman.

MINUTES:

- i. Mr. Funkhouser made a motion to approve the minutes from the Joint Public Hearing held on Tuesday, October 4, 2022. Ms. Gutshall seconded the motion and it carried unanimously.
- ii. Mr. Funkhouser made a motion to approve the minutes from the Town Council Meeting held on Tuesday, October 4, 2022. Ms. Gutshall seconded the motion and it carried unanimously.
- iii. Ms. Gutshall made a motion to approve the minutes from the Park Commission meeting held on Thursday, October 13, 2022. Mr. Funkhouser seconded the motion and it carried unanimously.
- iv. Mr. Heishman made a motion to approve the minutes from the Finance Committee meeting held on Tuesday, October 18, 2022. Mr. Heishman seconded the motion and it carried unanimously.
- v. Mr. Heishman made a motion to approve the minutes from the Water and Sewer Committee meeting held on Tuesday, October 18, 2022. Ms. Gutshall seconded the motion and it carried unanimously.

VISITOR COMMENTS: No comments

SPECIAL REPORTS: No reports

COMMITTEES:

Water & Sewer Committee:

- a. *Recommendation to authorize the Town Manager to enter into a retainer agreement with Napoli Shkolnik PLLC pertaining to the PFAS Cost Recovery Program*

Mr. Heishman reported that the Water and Sewer Committee met on Tuesday, October 18th to discuss the Town entering into a retainer agreement with Napoli Shkolnik PLLC. The Water and Sewer Committee recommends Council authorize the Town Manager to enter into a retainer agreement.

Recommendation from the committee does not require a second.

Mayor McCleary called for a vote.

Haun – Aye, Gutshall – Aye, Cross – Aye, Funkhouser – Aye, Lambert – Aye, Heishman – Aye

Street Committee: No report

Finance Committee: Ms. Lambert stated that the Finance Committee met on Tuesday, October 18, 2022, and have recommended action on the following:

- i. *Recommendation on a resolution approving a plan of finance to be undertaken by the Economic Development Authority of the Town of Woodstock for the benefit of Shenandoah University.*

Recommendation from the committee does not require a second.

Mayor McCleary called for a roll call vote.

Haun – Aye, Gutshall – Aye, Cross – Aye, Funkhouser – Aye, Lambert – Aye, Heishman – Aye

- ii. *Recommendation on a resolution to declare an intent to reimburse pertaining to bicycle and pedestrian infrastructure improvements.*

Recommendation from the committee does not require a second.

Mayor McCleary called for a roll call vote.

Haun – Aye, Gutshall – Aye, Cross – Aye, Funkhouser – Aye, Lambert – Aye, Heishman – Aye

Ms. Lambert stated that the next Finance Committee meeting is scheduled for Tuesday, November 15, 2022, at 5:30pm.

Personnel Committee: No report.

Ordinance Committee: No report

Tourism & Economic Development: No report.

Park Commission: Ms. Gutshall reported that the Park Commission did meet on Thursday, October 13, 2022. They discussed the resurfacing of the tennis courts at the W.O. Riley Park, and they agreed that lining for pickleball should done on both courts once they have been resurfaced. The Park Commission also discussed the Larry D. Bradford Fairview Park Master Plan. Mr. Grisdale provided a timeline of the plans to begin implementing the Master Plan.

Planning Commission: Chairman Keith Lantz reported that the commission met on October 24, 2022, and discussed the proposed amendment to the Interstate Interchange Sign Ordinance. The Commission tabled the amendment requesting time to obtain more information and options for the amendment. They will discuss again at the next meeting scheduled for November 28, 2022.

OLD BUSINESS:

- a.* Second reading for a rezoning of a parcel totaling approximately 4,399 square feet from R-3 (High Density Residential District) to B-1 (Central Business District). The property is identified as TM 45A2-((16))-002 and is located at 213 West Court Street. (Received favorable recommendation from Planning Commission)

Ms. Gutshall made a motion for a second reading of the rezoning ordinance. Ms. Cross seconded the motion and it passed unanimously.

Mayor McCleary asked the clerk to read the rezoning ordinance.

Ms. Helsley provided a second reading of the ordinance.

Mr. Haun made a motion to approve the rezoning ordinance and Mr. Funkhouser seconded the motion.

Mayor McCleary called a roll call vote:

Haun – Aye, Gutshall – Aye, Cross – Aye, Funkhouser – Aye, Lambert – Aye, Heishman – Aye

- b.* Second reading for a rezoning of a parcel totaling approximately 15,720 square feet from I-1 (Industrial District) to B-1 (Central Business District). The property is identified as TM 45A2-((A))-338 and is located at 216 Dingleline Street. (Received favorable recommendation from Planning Commission)

Ms. Gutshall made a motion for a second reading of the rezoning ordinance. Ms. Cross seconded the motion and it passed unanimously.

Mayor McCleary asked the clerk to read the rezoning ordinance.

Ms. Helsley provided a second reading of the ordinance.

Mr. Haun made a motion to approve the rezoning ordinance and Ms. Cross seconded the motion.

Mayor McCleary called a roll call vote:

Haun – Aye, Gutshall – Aye, Cross – Aye, Funkhouser – Aye, Lambert – Aye, Heishman – Aye

NEW BUSINESS: None

TOWN MANAGER'S REPORT: Mr. Grisdale announced the passing of Mr. L.J. Neff who has been a member of the Public Works team. Seconded half taxes have been mailed out and will be due on December 5, 2022. He reported that 2022 street paving has now been completed. Leaf pick- up is still occurring throughout town. A strategic planning work session has been scheduled for Monday, December 5, 2022, at 5:30pm. In closing Mr. Grisdale congratulated the councilmembers who were re-elected to service again on the council.

MAYOR'S REPORT: Mayor McCleary expressed his condolences on the passing of Mr. L.J. Neff. He too congratulated Mr. Heishman, Mr. Haun and Ms. Cross on their re-election and looks forward to another four years of working together.

COUNCIL PERSON REPORTS:

- (1) Councilman Heishman asked that everyone remember our veterans not just this week but every day. He looks forward to serving the town another four years and is proud to work with a great group. He too congratulated the other council members and Mayor McCleary on their re-election. Mr. Heishman met with the family of LJ Neff and asked that everyone keep his family and friends in their prayers.
- (2) Councilwoman Lambert congratulated the council members who were re-elected to serve as well as Mayor McCleary. She also expressed her condolences for the family and friends of Mr. Neff.
- (3) Councilman Funkhouser congratulated his fellow council members on their re-election. He spoke of Mr. Neff's passing and stating it gives him comfort knowing that Mr. Neff and Mr. Bradford are together again as they were very close. Mr. Funkhouser wished everyone a Happy Thanksgiving.
- (4) Councilwoman Cross spoke of the great turnout for Halloween on Court Square. She stated that at Flour and Water over 400 cookies were handed out in a matter of 30 minutes. Other businesses also saw lots of ghost and goblins and ran out of candy. Ms. Cross spoke of Mr. Neff's dedication to the town and how much he will be missed.
- (5) Councilwoman Gutshall congratulated her fellow council members on their re-elections. She too expressed her condolences and told a heart-warming story of interactions with Mr. Neff.
- (6) Councilman Haun expressed his condolences to the family of Mr. LJ Neff. He stated he was happy to hear that the Larry D. Bradford Fairview Park Master Plan is being revisited. Mr. Haun spoke of the great turnout for the Halloween event on Court Square as well as how quickly the clean up takes place. In closing he thanked our Veterans for their service to this country.

COMMUNICATIONS:

- a. *Municipal Offices Closed – Friday, November 11 (Veterans Day)*
- b. *Planning Commission Meeting – November 28*
- c. *Light Up Woodstock – Friday, December 2 (Beginning at 5:30pm)*

There being no further business Ms. Gutshall made a motion that the meeting be adjourned. Mr. Funkhouser seconded the motion, and it was carried unanimously. Meeting was adjourned at 5:57 pm.

Mayor

ATTEST:

Clerk

Finance Committee Meeting

November 15, 2022

On Tuesday, November 15, 2022, at 5:30 pm the Finance Committee met in the Planning Commission Room of the Municipal Office. Present were Vice-Mayor Lambert, Council members Funkhouser, and Heishman; Aaron Grisdale, Town Manager, Michelle Bixler, Deputy Town Manager, and Tammy DePhillip, Director of Finance

Ms. Lambert called the meeting to order at 5:30 pm to discuss the following:

(1) Discussion pertaining to refuse collection rates

Ms. Lambert began by explaining that a letter had been sent to the Town from Waste Management requesting an increase in rates to help offset costs they are incurring due to inflation. She turned the meeting over to Mr. Grisdale for further information.

Mr. Grisdale reviewed the information in the letter with the committee and explained the current contract provisions for when a rate increase can be requested. Following discussion, the Committee requested that Mr. Grisdale get more information from Waste Management with more specific details as to the justification for increase. The Committee consensus was to take no action on the request at this time. The Committee also asked Mr. Grisdale to subsequently explore the consideration further once additional information was received from Waste Management.

There being no further business the Finance Committee adjourned at 5:48 pm.

Finance Committee Chairwoman

ATTEST:

Clerk

November 28, 2022

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, and 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 and Chapin cottage house image below, right).



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, 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 for every square foot of gross residential floor area, not including parking or driveway areas, devoted to recreational use. 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.

The proposed CAC units would be permitted use in R-3 district with a site plan, 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 to discuss the proposed CAC text amendment. A comment was electronically received by a resident and is attached to this agenda packet (C. May).

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. The Planning Commission, during their November 28 meeting, voted to favorably recommend the text amendment for Town Council. For these reasons, staff recommends the Town Council consider approving the proposed text amendment.

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

MOVE, that the Town Council approve 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 Town Council table the text amendment of Sections 90-1, 90-393, 90-152.8, 90-224, and 90-387 on CACs until the January 2023 meeting to allow adequate time for the applicant to address comments and concerns the Council has identified, which include:

1. Other

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

MOVE, that the Town Council deny 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.).

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

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

December 6, 2022

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 broader discussions for a zoning text amendment pertaining to freestanding signage in the Interstate Intersection Corridor, the Planning Commission forwarded a narrow portion of the discussion to Town Council for consideration. This initial recommendation allows for more than one freestanding sign per parcel. The number of freestanding signs is tied to the number of main buildings on the parcel. The remainder of the signage changes continue to be discussed at the Planning Commission and will likely come forward to the Council in early 2023.

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 Town Council approve the proposed text amendment for the number of freestanding signs in the IIC.

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

MOVE, that Town Council approve of the text amendment 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 Town Council table the text amendment of Section 90-385 Signs on Interstate Intersection Corridor until the January 2023 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 Town Council deny 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.}.

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.

(2) Freestanding signs.

a. For properties with two or more main buildings on a parcel, one freestanding sign per main building is permitted on the parcel.

Adopted this ___ day of January, 2022.

Mayor

ATTEST:

Clerk