

Sec. 30-55. - Reserved.

Sec. 30-56. - INT Interchange district (reserved).

Sec. 30-57. - PCD Planned commercial development district.

*Sec. 30-57-1. Purpose.*

The intent of the planned commercial development (PCD) district is to promote the efficient use of commercial land by allowing a wide range of land uses of various densities and flexible application of development controls. The goals may be accomplished while also protecting surrounding property, the natural features, and scenic beauty of the land.

The planned commercial development district is provided in recognition that many commercial, office and residential establishments seek to develop within unified areas, usually under single ownership or control. Because these concentrations of retail, service, and office establishments are generally stable and offer unified internal arrangement and development, potentially detrimental design effects can be recognized and addressed during the review of the development. For these reasons, the provisions for the PCD allow greater development latitude. Districts should be proposed and planned for areas that provide for adequate development and expansion space, controlled access points, landscaped parking areas, and public utilities. Development of the PCD will take place in general accordance with an approved master plan, which may allow for clustering of uses and densities in various areas of the site.

Planned commercial development districts should be a visual asset to the community. Buildings within the district are to be architecturally similar in style and the relationship among individual establishments should be harmonious. The site should be well landscaped and parking and loading areas are to be screened.

*Sec. 30-57-2. Permitted uses.*

Permitted uses shall be as listed in section 30-79. However, no use shall be permitted except in conformity with the uses specifically included in the final master plan as approved pursuant to section 30-57-6. Existing or proposed residential uses shall be limited to not more than thirty (30) percent of the total acreage contained within the parcel, at the time of enactment of this ordinance.

*Sec. 30-57-3. Site development regulations.*

- (a) Each planned commercial development shall be subject to the following site development standards:
- (1) Minimum acreage required to create a new planned commercial district or a planned commercial development within an existing planned commercial district shall be five (5) acres or contiguous land or land which is adjacent to an existing planned commercial development.
  - (2) Minimum lot sizes for allowable uses in this district shall be as shown for the same use in article IV. Townhouses and two-family dwellings shall comply with the requirements as set forth for an R-2 zoning district in article IV. Multifamily dwellings shall comply with the requirements as set forth for an AV zoning district in article IV. Single-family dwellings shall comply with the site development regulations as set forth for an R-2 zoning district in article III.
  - (3) Minimum front setbacks: All structures proposed to front on existing public streets external to the PCD shall be located a minimum of thirty (30) feet from the existing public right-of-way.
  - (4) Lots within the PCD district shall comply with the buffer yard requirements of section 30-92-4 of this ordinance and the minimum standards as set forth below.
  - (5) Lot coverage:
    - a. Lots served by a private well and sewage disposal system:
      1. Area: One and one-half (1.5) acres (sixty-five thousand three hundred forty (65,340) square feet).

2. Frontage: One hundred (100) feet on a publicly owned and maintained street.
  - b. Lots served by either public water or sewer, or both:
    1. Area: Twenty thousand (20,000) square feet.
    2. Frontage: Seventy-five (75) feet on a publicly owned and maintained street.
  - c. Maximum lot coverage shall be determined through the preliminary development plan process but in no case shall exceed seventy-five (75) percent.
- (6) Public streets in the PCD district shall be built in accordance with VDOT and Bedford County standards. In reviewing the PCD preliminary master plan, the planning commission may recommend, and the board of supervisors may approve, one (1) or more private streets within the proposed district. Private street standards, specifications and a proposed maintenance agreement shall be submitted with the preliminary master plan.
  - (7) The applicant may propose a reduction to the number of parking spaces required by this ordinance for each use type, if justified. This proposal will be reviewed with consideration given to potential future uses of the site, parking demand and expansion potential.
  - (8) Maximum height of structures: Forty-five (45) feet. Structures may exceed the height limitation provided a special use permit is approved in accordance with section 30-19
  - (9) Utilities shall be placed underground.
  - (10) Arrangement of areas:
    - a. The location and arrangement of structures, parking, access drives, outdoor lighting, signs and other uses and developments within the PCD, in addition to achieving these development standards, shall be accomplished in accordance with an approved final master plan to assure compatibility with the existing and future land use in the vicinity.
    - b. Areas designed for future expansion or not intended for immediate improvement or development shall be specified as reserve areas on the preliminary development plan. The future use and the limitations on future use of such area shall be specified, or else such areas shall not be included as part of the PCD application. Reserve areas included in the PCD shall be landscaped or otherwise maintained in a neat and orderly manner.
  - (11) In order to promote safe ingress and egress for the development, the minimum separation distance between entrances to the public right-of-way shall be three hundred (300) feet. Additional access between adjoining lots, such as frontage roads and shared parking lots, are strongly encouraged.
  - (12) Fire prevention systems and hydrants: The placement of fire hydrants or other fire prevention systems shall be reviewed by the local fire marshal to insure compliance with the standards set forth by the National Fire Protection Association, or NFPA.

(Ord. of 9-8-2003; Ord. of 9-13-2004)

*Sec. 30-57-4. Site development recommendations.*

- (a) The planned commercial development district should be designed and developed to be a visual asset to Bedford County. Since the relationship of the development and community and the prospects for economic success of the project have much to do with the physical character of the development, these following factors shall be considered in reviewing a planned commercial district application:
  - (1) The principal entrance into the PCD district should be sufficiently landscaped to comply with the purposes of this district. In addition, the first one hundred (100) linear feet of street, leading through this principal entrance into the PCD, should have a landscaped median of sufficient width and planting density to meet the purposes of this district.

- (2) Parking within the PCD should be located to the side or rear of the principal structures on the lot, wherever feasible. During review, consideration will be given to topographical constraints, innovative site design, buffering and landscaping factors.

*Sec. 30-57-5. Relationship to existing development regulations.*

All zoning regulations shall apply to the development of the PCD district, unless modified by the board of supervisors in the approval of the final master plan.

*Sec. 30-57-6. Application process.*

- (a)
  - (1) The time frames outlined in section 30-57 are the maximum time frames mandated by the Code of Virginia. Bedford County will make every reasonable effort to complete the application process within a shorter time frame.
  - (2) In areas presently designated PCD, planned commercial development district, no amendment to this ordinance or rezoning is required to develop a planned commercial development and the planned commercial development plan may be approved administratively as the site development plan, provided the other requirements of this section are met.
  - (3) Where planned commercial developments are proposed in areas not zoned accordingly, an amendment to this ordinance or a rezoning is required and the provisions of the subsection shall apply.
- (b) Prior to submitting a formal application for review and approval under these provisions, the applicant and county staff shall meet to discuss the requirements of section 30-57. The purpose of the meeting is to obtain a mutual understanding of the application requirements and process. The applicant is encouraged to submit information on the scope and nature of the proposal to allow staff to become familiar with the proposal in advance of the meeting.
- (c) Any application to rezone land to the PCD designation, shall constitute an amendment to the zoning ordinance pursuant to section 30-14. The written and graphic information submitted by the applicant as part of the application process shall constitute proffers pursuant to section 30-15 of this ordinance. Once the board of supervisors has approved the final master plan, all accepted proffers shall constitute conditions pursuant to section 30-15
- (d) To initiate an amendment, the applicant shall complete a rezoning application. This information shall be accompanied by graphic and written information, which shall constitute a preliminary master plan. All information submitted shall be of sufficient clarity and scale to clearly and accurately identify the location, nature, and character of the proposed district. At a minimum the information shall include:
  - (1) A legal description and plat showing the site boundaries, and existing street lines, lot lines, and easements.
  - (2) Existing zoning, land use and ownership of each parcel proposed for the district.
  - (3) A general statement of planning objectives to be achieved by the PCD district, including a description of the character of the proposed development, the existing and proposed ownership of the site, the market for which the development is oriented, and objectives towards any specific human-made and natural characteristics located on the site.
  - (4) A description and analysis of existing site conditions, including information on topography, historic resources, natural water courses, floodplains, unique natural features, tree cover areas, known archeological resources, etc.
  - (5) The proposed conceptual location and number of structures within each land use of the proposed development.
  - (6) The gross square footage for each use type proposed in the PCD.
  - (7) The proposed size, location and use of other portions of the tract, including landscaping and parking.

- (8) A traffic circulation plan, including the location of access drives, parking and loading facilities, pedestrian walks, and the relationship to existing and proposed external streets and traffic patterns. General information on the trip generation, ownership, maintenance and proposed construction standards for these facilities should be included. A traffic impact analysis may be required by the zoning administrator.
  - (9) If a reduction to the number of parking spaces is requested, a justification for this request shall be submitted. Based on adequate justification, the planning commission may recommend, and the board may approve such a reduction.
  - (10) Reserved.
  - (11) The proposed schedule of site development. At a minimum, the schedule should include an approximate commencement date for construction and a proposed build-out period.
  - (12) Generalized statements pertaining to architectural design principles and guidelines shall be submitted in sufficient detail to provide information on building designs, orientations, styles, lighting plans, signage plans, landscaping, etc.
  - (13) Signage in the proposed PCD shall be in accordance with article V.
- (e) The completed rezoning application and supporting preliminary master plan materials shall be submitted to the planning commission for review and analysis. The planning commission shall review this information and make a report of its findings to the board of supervisors. The planning commission shall as part of its review hold a public hearing pursuant to Code of Virginia, § 15.2-2204, as amended. The proposed district shall be posted with signs indicating the date and time of the planning commission public hearing.
  - (f) The planning commission shall make a report of its findings to the board of supervisors within ninety (90) days of the receipt of the materials, unless the applicant requests, or agrees to an extension of this time frame. The planning commission's report shall recommend approval, approval with modifications, or disapproval of the preliminary master plan. Failure of the planning commission to make a report of its findings to the board of supervisors within this period shall constitute a planning commission recommendation of approval.
  - (g) If the planning commission recommends denial of the preliminary master plan, or approval with modification, the applicant shall, if requested, have sixty (60) days to make any modifications. If the applicant desires to make any modifications to the preliminary master plan, the board of supervisor's review and action shall be delayed until such changes are made and submitted for review.
  - (h) The board of supervisors shall review the preliminary master plan, and after holding a public hearing act to approve or deny the plan within ninety (90) days. Approval of the preliminary master plan shall constitute acceptance of the plan's provisions and concepts as proffers pursuant to section 30-15 of this ordinance. The plan approved by the board of supervisors shall constitute the final master plan for the PCD. Once approved by the board of supervisors, the zoning administrator shall authorize the revisions to the official zoning map to indicate the establishment of the PCD district.

*Sec. 30-57-7. Revisions to final master plan.*

- (a) Major revisions to the final master plan shall be reviewed and approved following the procedures and requirements of section 30-57-6. Major revisions include, but are not limited to changes such as:
  - (1) Any significant increase in the density of the development;
  - (2) Substantial change in circulation or access;
  - (3) Substantial change in grading or utility provisions;
  - (4) Substantial changes in the mixture of land uses;
  - (5) Substantial change in architectural or site design features of the development;
  - (6) Any other change that the zoning administrator finds is a major divergence from the approved final master plan.

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

*Sec. 30-57-8. Approval of preliminary and final site development plans.*

- (a) Following the approval of the final master plan, the applicant or authorized agent, shall be required to submit preliminary and final site development plans for approval. Final site development plans for any phase or component of the PCD that involves the construction of structures or facilities, shall be approved prior to the issuance of a building and zoning permit, and the commencement of construction.
- (b) It is the intent of this section that subdivision review under the subdivision regulations be carried out simultaneously with the review of a PCD under section 30-52-8. The plans required under this section shall be submitted in a form which will satisfy the requirements of the subdivision regulations, as determined by the zoning administrator.
- (c) Preliminary and final site development plans submitted for review shall be in compliance with the final master plan approved by the board of supervisors. Bedford County Department of Planning shall review and approve or disapprove any final site development plan within sixty (60) days of its submittal.
- (d) No planned commercial development district shall be approved and no work shall be authorized on construction until all property included in the final master plan is in common ownership.

*Sec. 30-57-9. Failure to begin development.*

Unless an extension is granted by the zoning administrator, failure of the applicant to submit a preliminary site development plan for at least one (1) portion of the planned commercial development district within twenty-four (24) months of the approval of the final master plan, shall constitute an application on the part of applicant to rezone the PCD to the district designations in effect prior to the approval of the final master plan.

*Sec. 30-57-10. Control following approval of final development plans.*

The zoning administrator shall periodically inspect the site and review all building permits issued for the development to ensure compliance with the submitted development schedule.

(Ord. of 2-26-2001, App. A; Ord. of 7-8-2002)

Secs. 30-58—30-60. - Reserved.

Sec. 30-61. - I-1 Low-intensity industrial district.

*Sec. 30-61-1. Purpose.*

The purpose of the I-1, Industrial district is to provide areas within the urban service area which are suitable for less intensive industrial activities. I-1 areas are primarily designated based on the suitability of the land in terms of slope and freedom from flooding, as well as the availability of adequate sewer and water capacity, access to arterial road network, and proximity to rail and airport facilities or the interstate highway system. Distributing these areas throughout the county in a planned manner to create employment centers within close proximity to residential growth areas and reduce heavy traffic generation of industrial uses is encouraged. Since land with suitable characteristics for less intensive industrial development is limited in the county, a high degree of protection is promoted where industrial development is located adjacent to existing or future residential areas. The conversion and/or