

LEXINGTON PLANNING COMMISSION

June 13, 2024 - 5:00 P.M

**Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450**

AGENDA

1. **CALL TO ORDER**
2. **APPROVAL OF THE AGENDA**
3. **APPROVAL OF MINUTES**
Minutes from May 23, 2024*
4. **CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA**
5. **NEW BUSINESS**
 - A. SP 2024-02: An application by Kelly Wallace of Welsh Construction, Inc. requesting approval of a site plan for the construction of a picnic structure at EarthSong Community School, located at 227 North Lewis Street (Tax Map #25-1-1-3), owned by Catherine Lueptow.
 - 1) Staff Report*
 - 2) Applicant Statement
 - 3) Public Comment
 - 4) Commission Discussion & Decision
 - B. PS 2024-02: An application by Randall Trout proposing a preliminary subdivision plat (boundary line adjustment) for parcels located at 438 Lime Kiln Road (Tax Map #15-1-17B) and 222 Catalpa Place (Tax Map #15-1-17), owned by Jennifer Fuller-Spears and Anita Cruze.
 - 1) Staff Report*
 - 2) Applicant Statement
 - 3) Public Comment
 - 4) Commission Discussion & Decision
 - C. CUP 2024-02: An application by Rhianna Schlieff of Blue Ridge Outdoor School for approval of a Conditional Use Permit allowing a portion of the building located at 123 W. Washington Street (TM #16-3-C) and owned by Grace Episcopal Church to be used as a day care center.
 - 1) Staff Report*
 - 2) Applicant Statement
 - 3) Public Comment
 - 4) Commission Discussion & Decision

D. CPA 2024-01: An application by the City of Lexington requesting amendments to the Comprehensive Plan Opportunity Area, Future Land Use, Commercial Center and Traditional Neighborhood maps to correct the designations for eight properties located along the southeast end of Maple Lane.

- 1) Staff Report*
- 2) Public Comment
- 3) Commission Discussion & Decision

E. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

- 1) Staff Report*
- 2) Public Comment
- 3) Commission Discussion

6. OTHER BUSINESS

A. Green Infrastructure Status Report*

B. Zoning and Planning Report

C. Key Annual PC Milestones: Ongoing. Remaining items:

- 1) Zoning Text Amendments: Ongoing. Remaining items:
 - a. Cottage Housing
 - b. What else, if any?
- 2) Comp Plan Review: Ongoing
- 3) Major Project Update

7. CITY COUNCIL REPORT

8. ADJOURN

*indicates attachment

MINUTES

**The Lexington Planning Commission
Thursday, May 23, 2024 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450**

Planning Commission:

Presiding: Jon Eastwood
Present: John Driscoll
Mary Stuart Harlow
Leslie Straughan, Council Liaison

Absent: Pat Bradley, Chair
Gladys Hopkins
Shannon Spencer, Vice-Chair

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

CALL TO ORDER

Director Glaeser called the meeting to order at 5:03 p.m.

ELECTION OF TEMPORARY CHAIR

- 1) Nominations & Vote – **J. Driscoll nominated Jon Eastwood to serve as Temporary Chair. No other nominations having been made, Mr. Eastwood was elected by acclamation.**

AGENDA

The agenda was unanimously approved as presented. (L. Straughan / J. Driscoll)

MINUTES

The May 9, 2024 minutes were unanimously approved as presented. (J. Driscoll / L. Straughan)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. EC 2024-04: An application by Serdar Mumcu for approval of a Certificate of Appropriateness (COA) for new signage for Pack and Mail, LLC at 449 E. Nelson Street (Tax Map #30-1-9), owned by Andorra Properties, LLC.

- 1) Staff Report – This was a request for a new double-sided sign panel for Pack & Mail at 449 E. Nelson Street, located in the C-2 zoning district and Entrance Corridor overlay. Director Glaeser reminded the Commission of the wall sign and exterior improvements that were approved for this business's storefront earlier in the year and explained the subject request was to update the Pack & Mail panel in the freestanding multi-tenant sign at the entrance to the Rockbridge Square Shopping Center parking lot.
- 2) Applicant Statement – None
- 3) Public Comment – None

- 4) Commission Discussion & Decision – **L. Straughan moved to approve the Entrance Corridor Certificate of Appropriateness application EC 2024-04 for an illuminated, double-sided freestanding sign panel for the Pack & Mail business at 449 East Nelson Street as proposed by the applicant. M. S. Harlow seconded, and the motion passed unanimously. (4-0)** M. S. Harlow observed the multi-tenant entrance sign contained a panel for a business that no longer existed. She questioned whether the city has a role in assuring signage is relevant or whether that responsibility rests solely with the property owner. A. Glaeser said there is language in the Code that gives the city the authority to have a sign removed for a business that has been closed for two years. He added that, in this case, another tenant was working toward opening in that storefront and he anticipated an application for new signage would be submitted soon.

B. Request to defer CUP 2024-02: An application by John Adamson of Rockbridge Partners, LLC to renew a Conditional Use Permit allowing a portion of the building located at 2 South Main Street (Tax Map #23-1-194) and owned by Rockbridge Partners, LLC to be used as an assembly hall (i.e. *Public Assembly*).

- 1) Staff Report – At the April 25, 2024 meeting, at the applicant’s request, the Commission deferred its decision on this application for 60 days to give the applicant more time to consider his options in light of the expiration of deed restrictions requiring this use on the parcel. A. Glaeser reported the applicant was in the throes of a major development project across the street from this property, had not had an opportunity to adequately investigate this renewal, and was again requesting a deferral.
- 2) Applicant Statement – None
- 3) Public Comment – None
- 4) Commission Discussion & Decision – **L. Straughan moved to defer CUP 2024-02 until the Commission’s August 8, 2024 meeting. M. S. Harlow seconded, and the motion passed unanimously. (4-0)**

C. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

- 1) Staff Report & Commission Discussion – At the May 9th meeting, the Commission reviewed the Winchester cottage housing regulations and agreed to use its structure as a model for the new cottage housing ordinance, while taking care to adjust the details for a greater likelihood of implementation. For this meeting, A. Glaeser provided an overview of the Railroad Cottages - a fully built-out and successful cottage housing development in Falls Church. He suggested it could be helpful to compare an actual development to the code that allowed it, especially with respect to such details as density, lot size, number of units and parking. He noted the development was allowed as a special exception (i.e. conditional use) and as part of a pilot program which allowed only one cottage development per year, though the program is currently being reassessed and extended. He said the aerial rendering was particularly valuable in depicting the development in the context of its immediate surroundings. He forewarned the Commission to expect a similarly significant contrast between the density of an infill cottage development in Lexington and that of its neighbors. He noted the Railroad Cottages, each at about 1,500 square feet, were larger than some cottage units, and the development itself, with less of a

cottage court and with units very close together, was also denser than others. Discussion yielded the following:

- Responding to a question from M. S. Harlow, Director Glaeser encouraged the Commission to consider whether attached, side-by-side units could be appropriate, particularly given that the owner of the property on the corner of Houston and Walker Streets had submitted a proposal that included duplex-style cottages.
- L. Straughan commented that there could be merit to accepting higher density in instances where the common space is well programmed for actual use.
- The minimum lot area in Falls Church is 45,000 square feet (equivalent of four lots for the zoning district), or slightly more than an acre. L. Straughan was concerned a minimum of one acre would lead to too few parcels in Lexington being available for cottage development and suggested using the equivalent of four R-1 zoned lots, or approximately 0.7 acre. J. Eastwood suggested another approach would be to determine a minimum number of cottages needed for a viable development and to then extrapolate for density to arrive at minimum lot size.
- A. Glaeser recommended including a provision, similar to the one in the Falls Church code, for sites occupied by historic structures.
- The maximum floor area (1,000 square feet on the main level and 1,500 square feet total) and maximum height (1 ½ stories or 25 feet) are fairly typical cottage standards.
- A. Glaeser suggested the sprinkler requirement, though an added cost, may allow for closer proximity of units. He assured the Commission that the Building Official and Fire Marshal would review and provide feedback on the proposed ordinance.
- Because Lexington has no lot coverage requirements, A. Glaeser encouraged the Commission to instead focus on standards for low impact design. L. Straughan and J. Eastwood suggested that lot coverage may also be less of an issue because of the common open space and setback requirements.

2) Public Comment –

Local architect Heidi Schweitzer appreciated the City's efforts in exploring the possibility of embracing cottage communities within the zoning code. She said it is a housing type needed in our community.

Max Ivankov of MaxMark Homes said cottage housing allows cities to increase density without sacrificing the quality of the existing housing stock. He supported extending as much flexibility as possible to the planning authorities so that any site might be considered. He recommended adopting sliding scale lot requirements rather than rigid minimums/maximums.

3) Commission Discussion –

L. Straughan asked Director Glaeser to confirm that the Falls Church requirement that “the entire site area of the development be located within 500 linear feet of a designated revitalization area” was in place only during pilot program and has now been expanded. J. Driscoll suggested getting in touch with the HOA for the Railroad Cottages to inquire about “lessons learned.” He added it would also be helpful to know about ownership structure and to get a sense of the market demographics for the Falls Church cottages. A. Glaeser said he would provide an overview of the Third Street Cottages in Langley, Washington for the Commission’s next meeting, and several schematics proposed by the owner of the property at the corner of Walker and Houston Streets for the following meeting.

OTHER BUSINESS

None

CITY COUNCIL REPORT -

L. Straughan announced it was National EMS Week and National Public Works Week. City Council did not have any discussion and took no action on the Echelon tax abatement request at its May 16th meeting. That matter is ongoing. Council heard from several members of the public who had comments about parking issues on Diamond Hill.

ADJOURN

The meeting was adjourned at 6:14 p.m. with unanimous approval. (M. S. Harlow / L. Straughan)

J. Eastwood, Temporary Chair, Planning Commission

Project Name	EarthSong Community School Outdoor Picnic Structure
Property Location	227 North Lewis Street
Zoning	R-1 (General Residential District) Zoning District
Owner/Applicant	Catherine Lueptow / Kelly Wallace

Background

This is an application for the addition of an outdoor picnic structure at EarthSong Community School at 227 N. Lewis Street. The structure is intended to provide shade for the outdoor lunch area created in 2020 in response to the pandemic. The proposal is to construct a shade structure with wooden framing and a corrugated metal roof to cover the 3 picnic tables existing on the site. The structure will measure 12' x 16' and will be approximately 12' in height. Additionally, the Fire Marshal has requested that the exterior stairs be covered with a non-combustible canopy. The applicant has agreed to add that improvement to the project. Additional site details and construction details are included in the application materials.

Location map – yellow star indicates approximate location of structure



227 N. Lewis Street existing conditions



Zoning Authority and Requirements

The Planning Commission has the authority and responsibility to review all site plans required by the zoning ordinance. Site plans are required and shall be submitted for all new structures, all renovated structures and all additions to existing structures.

Yard Setbacks

The proposal will not violate the yard setback requirements. In the R-1 zoning district the minimum front yard setback is 15 feet and the minimum side yard setback is 10 feet. The proposed structure will be located 18 feet from the front property line and 10 feet from the side property line.

Parking

The proposal will not generate a need for additional parking spaces.

Public Works

As a courtesy, the Public Works Director advised that the structure appeared to be in close proximity to a private sewer line and requested the applicant be made aware prior to any excavation.

Fire Protection

At the request of the Fire Marshal, the property owner has agreed to add the installation of a roof/cover over the existing exterior stair to the current project. The installation of a non-combustible canopy over the exterior stair will improve egress from the building.

Police

No comments.

Building Official

No comments.

Section 420-2.7.B of the Lexington Zoning Ordinance

The site plan shall be approved by the Planning Commission if it is found to be adequate with respect to:

- (1) Locations and design of vehicular entrances and exits in relation to streets giving access to the site and in relation to pedestrian traffic.
- (2) Locations and adequacy of automobile parking areas.
- (3) Adequate provision for traffic circulation and control within the site and provision for access to adjoining property.
- (4) Compliance with the requirements for setback and screening.
- (5) Adequacy of drainage, water supply, fire protection and sanitary sewer facilities.
- (6) Compliance with applicable established design criteria, construction standards and specifications for all improvements.
- (7) Approval by the City Health Officer or his agents if septic tank and other sewage disposal facilities other than sanitary sewers are involved.

- (8) Adequacy of proposed landscaping for softening the harsh visual effects of parking lots and for providing screening between the development and the street and surrounding lots.

Staff Conclusions and Recommendations

The proposed site plan complies with all zoning requirements pertaining to site design and use, and staff recommends approval of the site plan for the addition of a picnic structure and the covering of the exterior stair at EarthSong Community School located at 227 N. Lewis Street.

Suggested Motion

I move to approve/deny Site Plan number SP 2024-02 and find the submitted site plan to be in compliance with the Zoning Ordinance.



www.lexingtonva.gov

Planning & Development Department
300 East Washington Street
Lexington, Virginia 24450
Phone: (540) 462-3704 Fax: (540) 463-5310

SITE PLAN APPLICATION AND CHECKLIST

Applicant¹

Name: Kelly Wallace Phone: 540-464-1008
 Company: Welsh Construction, Inc. Fax: 540-464-1653
 Address: 15-A N. Randolph St. Email: Kelly@welshconstruction.com
 Applicant's Signature: Kelly Wallace Date: 5/8/24

Site Plan Preparer

Name: Kelly Wallace Phone: 540-464-1008
 Company: Welsh Construction Inc Fax: 540-464-1653
 Address: 15-A N. Randolph St. Email: Kelly@welshconstruction.com

Property Owner

Name: Catherine Lueptow Phone: 540-464-1346
 Address: 227 N. Lewis St. Lex, VA Email: earthsungschool@gmail.com
 Owner's Signature: Catherine Lueptow Date: 5/8/24

Proposal Information² (attach list of properties if request includes multiple properties)

Address (or location description): 227 N. Lewis St. Lexington, VA 24450
 Tax Map: 25-1-21-3 Deed Book and Page #: _____
 Acreage: .276 Zoning (attach any existing zoning conditions or proffers): R-1

1. Prior to submitting an application, the applicant is required to meet with staff for a pre-application meeting.
2. Any application deemed incomplete by staff will not be accepted.



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Notice to Adjacent Property Owners

Per § 420-222-B(1) of the Lexington City Code, the City shall give written notice to those persons who own property any portion of which abuts the subject property and all property which is across the street from any portion of the subject property as determined by the City's real property tax records. This notice shall give the date, time and place of the Planning Commission meeting at which the site plan is being reviewed, identify the property which is the subject of the application and give a brief description of the proposed action. This notice shall be mailed a minimum of 10 days prior to the date of the meeting of the Planning Commission at which the site plan is first considered.

Posting of the Property

Per § 420-222-B(2) of the Lexington City Code, the City will place a sign provided on the subject property which indicates that an action is pending. The sign will be located to be clearly visible from the street.

THIS SECTION TO BE COMPLETED BY STAFF ONLY

Application Fee: \$350+\$25/acre

Amount Paid: \$350.

Case Number: SP- 2024 - 02

Date Received: 5/9/2024

Received By: Arne

Staff Review

Planning: _____ Public Works: _____

Police: _____ Fire/Rescue: _____

Approvals

Planning Commission

Administrator

Adj. Property Notifications: _____ Action: _____

Meeting Date: _____ Action Date: _____

Action: _____ Signature: _____



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 Lexington, Virginia 24450
 Phone: (540) 462-3704 Fax: (540) 463-5310

Site Plan Checklist

Contents

Every site plan prepared and submitted in accordance with Article XXII of the Lexington City Code shall contain the following information:

- A boundary survey of the tract.
- A certificate, signed by the surveyor or engineer, setting forth the source of title of the owner of the tract and the place of record of the last instrument in the chain of title.
- All existing and proposed streets and easements, their names, numbers and widths, existing and proposed utilities, owners, zoning and present use of adjoining property.
- Location, type and size of vehicular entrances to the site.
- Locations, types, sizes and heights of fencing, retaining walls and screen planting where required.
- All off-street parking, loading spaces and walkways, indicating type of surfacing, size, angle of stalls, width of aisles and a specific schedule showing the number of parking spaces provided and the number required in accordance with Article XX.
- Number of floors, floor area, height and location of each building and proposed general use for each building. If a multifamily residential building, the number, size and type of dwelling units.
- All existing and proposed water and sanitary sewer facilities, indicating all pipe sizes, types and grades and where connection is to be made.
- Provisions for the adequate disposition of natural and storm water, indicating locations, sizes, types and grades of ditches, catch basins and pipes and connections to existing drainage system.
- Existing topography, with a maximum of two-foot contour intervals. Where existing ground is on a slope of less than 2%, either one-foot contours or spot elevations where necessary, but not more than 50 feet apart in both directions.
- Proposed finished grading by contours, supplemented where necessary by spot elevations.
- A landscape buffering and screening plan, if requested by the City Manager, his authorized agent or the Planning Commission.

Preparation and Submission

- Site plans, or any portion thereof, involving engineering, architecture, landscape architecture or land surveying shall be prepared and certified respectively by an engineer, architect, landscape architect or land surveyor duly authorized by the state to practice as such.
- Site plans shall be prepared on a scale of one inch equals 50 feet or larger.



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- A clear, legible, blue or black line copy of the site plan shall be submitted to the Zoning Administrator. The Zoning Administrator shall be responsible for checking the site plan for general completeness and compliance with such administrative requirements as may be established prior to routing copies thereof for review.

Planning Commission Review

All site plans which are appropriately submitted and conform to the standards and requirements set forth in Article XXII of the Lexington City Code shall be forwarded to the Planning Commission for approval.

The site plan shall be approved by the Planning Commission if it is found to be adequate with respect to:

- Locations and design of vehicular entrances and exits in relation to streets giving access to the site and in relation to pedestrian traffic.
- Locations and adequacy of automobile parking areas.
- Adequate provision for traffic circulation and control within the site and provision for access to adjoining property.
- Compliance with the requirements for setback and screening.
- Adequacy of drainage, water supply, fire protection and sanitary sewer facilities.
- Compliance with applicable established design criteria, construction standards, and specifications for all improvements.
- Approval by the City Health Officer or his agents if septic tank and other sewage disposal facilities other than sanitary sewers are involved.
- Adequacy of proposed landscaping for softening the harsh visual effects of parking lots and for providing screening between the development and the street and surrounding lots.

Required Improvements

- Screening, fences, walls, curbs and gutters as required.
- Easements of rights-of-way for all facilities to be publicly maintained. Such easements shall be clearly defined for the purpose intended.
- Curbs and gutters for travel lanes or driveways that provide vehicular travel to and from adjacent parking areas or adjacent property for the purpose of separating such areas or property from parking areas and walkways.
- Adequate "no parking" signs along such travel lanes or driveways to prohibit parking on such.
- An adequate drainage system for the disposition of storm and natural waters.
- Landscaping sufficient to soften the visual effects of parking lots and to provide screening between the development, the street and surrounding lots.

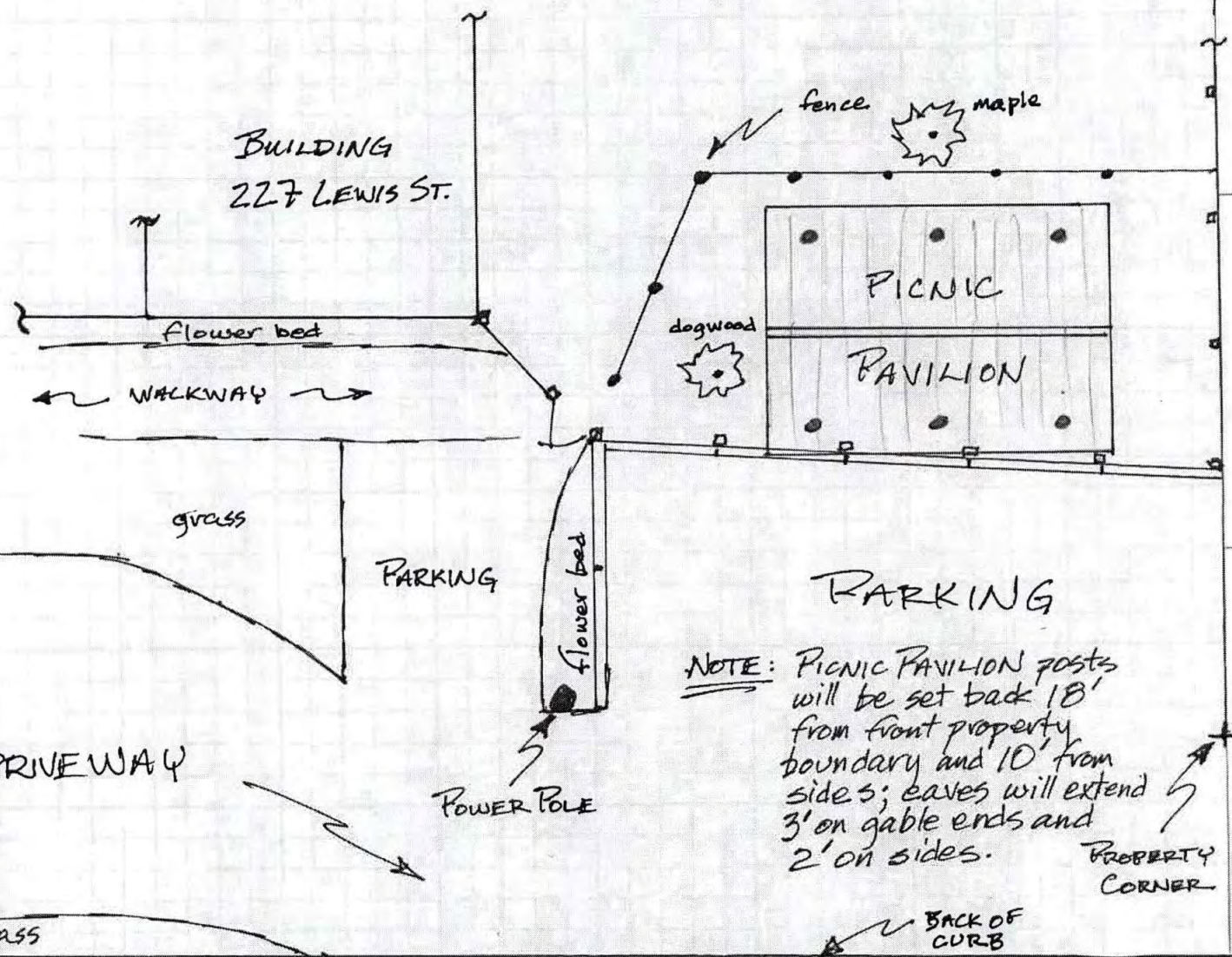
Use of Outdoor Structures at EarthSong Community School

In the summer of 2020, in response to the pandemic, EarthSong created outdoor learning decks, where students can learn and grow out of doors. The learning deck is set up as an extension of the classroom, with shelves of learning materials and classroom supplies available to the students.

At that time we also created a lunch area in the corner of the yard adjacent to the staff parking lot. The lunch area consists of 3 picnic tables where we eat lunch, weather permitting. The tables are in an area that gets direct sun for most of the day, and at this time of year their use is compromised by the heat. The proposed picnic shelter will help to provide shade for the lunch area, so we can continue to use it throughout the hotter months.

NATIONAL
42-381 50 SHEETS 5 SQUARE
42-382 100 SHEETS 5 SQUARE
42-389 200 SHEETS 5 SQUARE

1" = 10'



BUILDING
227 LEWIS ST.

flower bed

WALKWAY

grass

PARKING

flower bed

POWER POLE

DRIVEWAY

grass

fence

maple

dogwood

PICNIC

PAVILION

PARKING

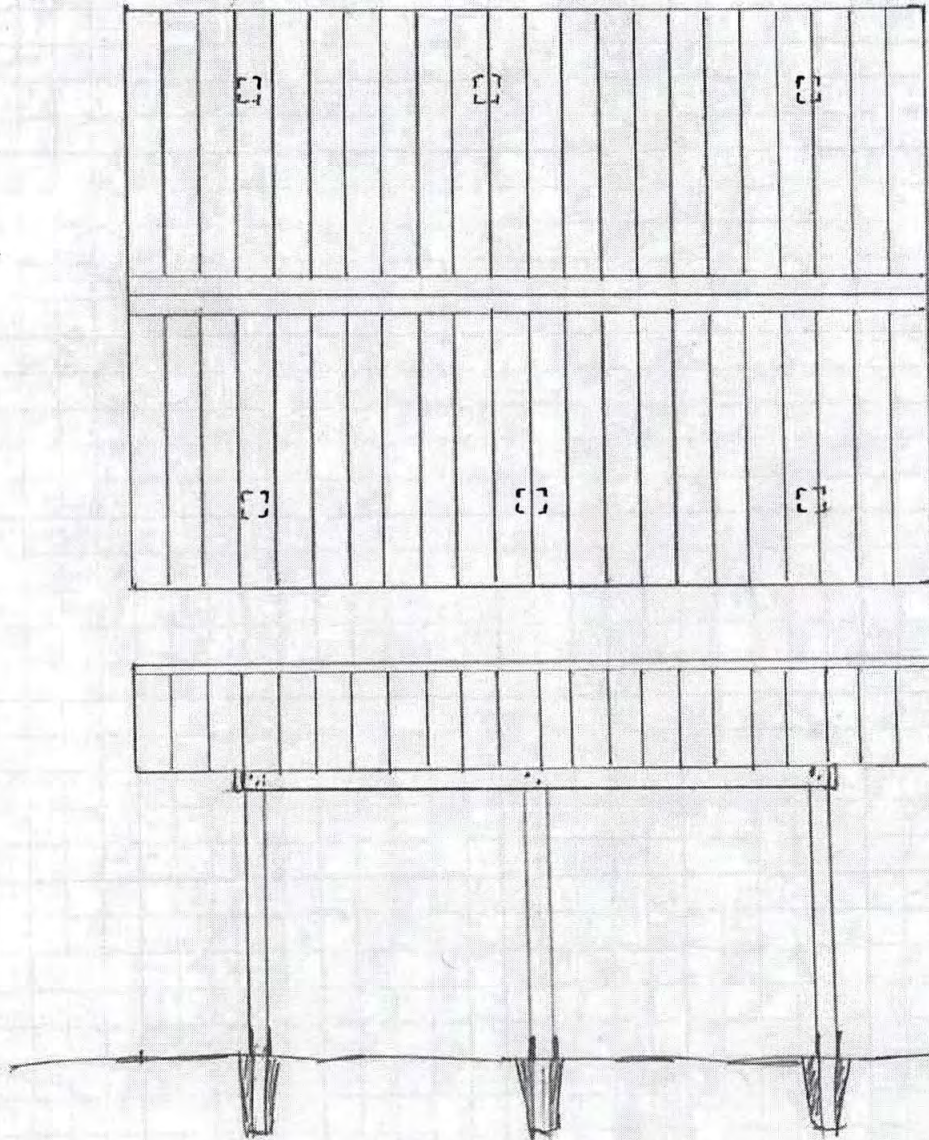
NOTE: Picnic Pavilion posts will be set back 18' from front property boundary and 10' from sides; eaves will extend 3' on gable ends and 2' on sides.

PROPERTY CORNER

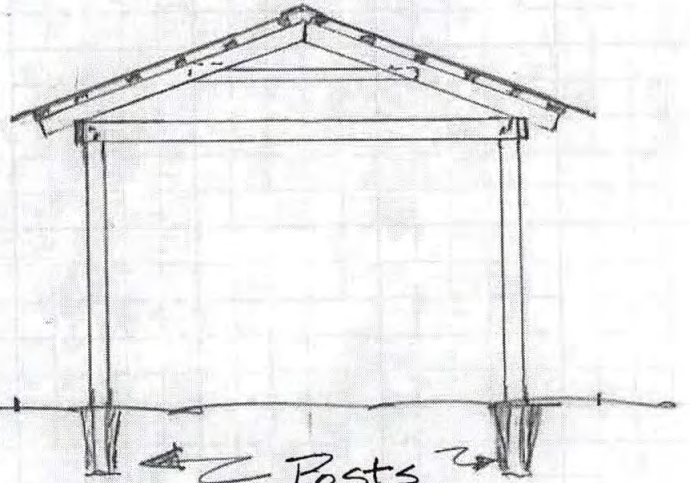
BACK OF CURB

LEWIS STREET

1" = 5'

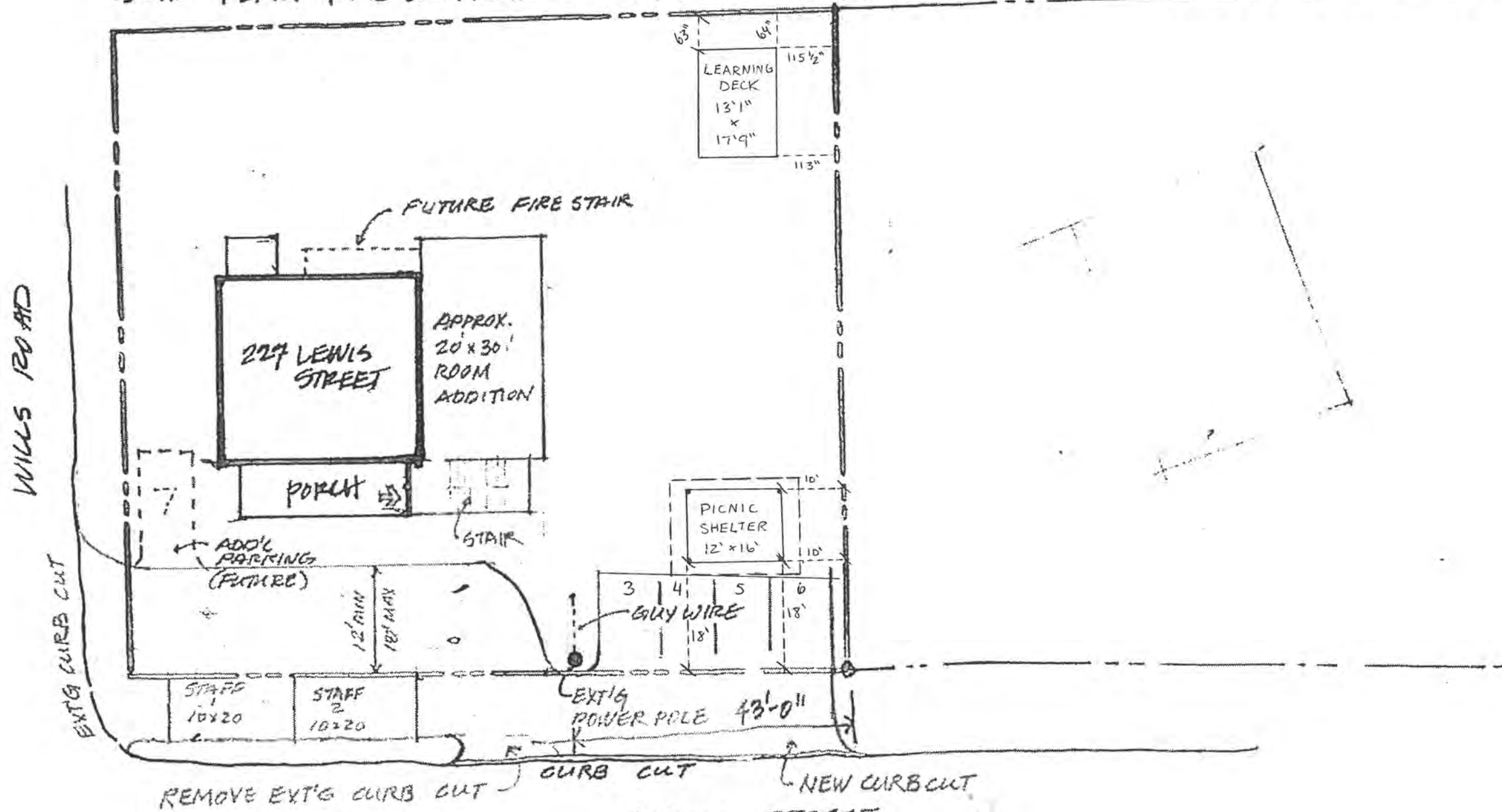


- Corrugated metal roof
- treated 5/4" x 6" purlins
- hand-built rafters



- Posts
- direct bury
 - gravel backfill
 - 18" min. burial depth

SITE PLAN PRESENTED & APPROVED FOR CONDITIONAL USE PERMIT



REMOVE EXT'G CURB CUT } CURB CUT } NEW CURB CUT
 LEWIS STREET
 EARTHSONG COMMUNITY SCHOOL PROPOSED SITE PLAN
 1" = 20'

PS 2024-02 – Boundary Line Adjustment for Parcels Located at 438 Lime Kiln Road and 222 Catalpa Place

Project Name Boundary Line Adjustment for Parcels at 438 Lime Kiln Road & 222 Catalpa Place

Property Location 438 Lime Kiln Rd. (Tax Map # 15-1-17B) and 222 Catalpa Pl. (Tax Map # 15-1-17)

Zoning R-2 (Suburban Residential)

Owner / Petitioner Jennifer Fuller-Spears & Anita Cruze / Randall Trout

Petitioner’s Intent Add a 0.157 ± acre portion of 222 Catalpa Place (Tax Map # 15-1-17) to 438 Lime Kiln Road (Tax Map # 15-1-17B)

*PLANNING COMMISSION RECOMMENDATION: Pending
STAFF RECOMMENDATION: Approval*

location map

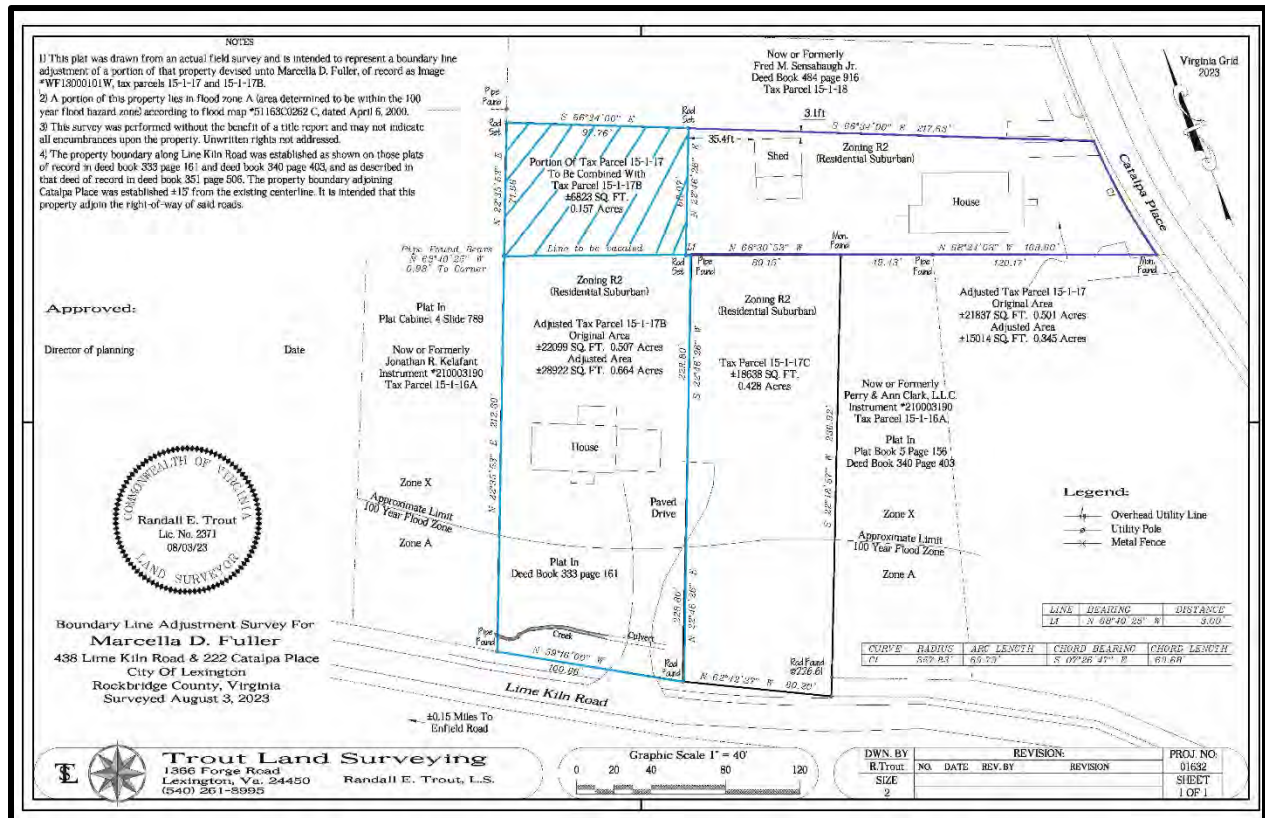


Preliminary Subdivision Application PS 2024-02 – Boundary Line Adjustment for Parcels Located at 438 Lime Kiln Road and 222 Catalpa Place

OVERVIEW OF REQUEST

The applicant requests a boundary line adjustment to add a 0.157 ± acre portion of 222 Catalpa Place (Tax Map # 17-1-17) to 438 Lime Kiln Road (Tax Map # 17-1-17B) in accordance with the following survey provided by Trout Land Surveying. The blue hatched area in the following survey will be transferred from Tax Map parcel #17-1-17 to Tax Map parcel #17-1-17B.

Boundary Line Adjustment Survey



AUTHORITY TO REVIEW

Sections 360-24 and 360-25 of the Lexington Subdivision Ordinance establish the review authority and procedures for the Planning Commission’s and City Council’s review of preliminary subdivision plats. The Planning Commission must review all preliminary plats and may recommend approval or denial. If the Commission recommends denial of a preliminary plat it must state the reason for its recommendation of denial and the specific changes that are necessary for the plat to be recommended for approval.

Upon receipt of the Planning Commission’s recommendation, the City Council shall review the preliminary plat and, within 60 days of the receipt of the Commission’s

Preliminary Subdivision Application
PS 2024-02 – Boundary Line Adjustment for Parcels Located at 438 Lime Kiln Road
and 222 Catalpa Place

recommendation, recommend approval or denial of the preliminary plat. Council may take no action on any preliminary plat until holding a public hearing in accordance with state law. Adjoining property owners shall be notified by first class mail of the pending public hearing, and a legal ad shall be published notifying the general public of the pending Council review.

STAFF REVIEW COMMENTS

As proposed, the boundary line adjustment meets the zoning requirements for parcels in the R-2 zoning district. The revised lot at 222 Catalpa Place will be 15,014 square feet in size and the R-2 minimum lot size is 15,000 square feet. The lot frontage will remain at 69.79 feet, and while this is less than the 80 feet minimum for R-2 zoned lots, the parcel is considered to be a legal nonconforming lot since it existed prior to the zoning regulations.

PLANNING COMMISSION RECOMMENDATION

Pending

STAFF RECOMMENDATION

Finding that the submitted preliminary plat has been properly drawn and that it is accompanied by those items, in proper form, required by the Subdivision Ordinance, and that the proposed subdivision conforms to the requirements and purposes of the Subdivision Ordinance, the Staff recommends that the preliminary plat be **APPROVED** as submitted.

SUGGESTED MOTION

I move to approve/deny Preliminary Subdivision Application PS 2024-02 for the adjustment of boundary lines between 438 Lime Kiln Road (Tax Map # 17-1-17B) and 222 Catalpa Place (Tax Map # 17-1-17), in accordance with the Boundary Line Adjustment Survey for Marcella D. Fuller completed by Trout Land Surveying as submitted by the applicant.



www.lexingtonva.gov

Planning & Development Department
300 East Washington Street
Lexington, Virginia 24450
Phone: (540) 462-3704 Fax: (540) 463-5310

SUBDIVISION APPLICATION AND CHECKLIST

Applicant¹

Name: RANDALL TROUT Phone: 540 261 8995
 Company: TROUT LAND SURVEYING Fax: _____
 Address: 1366 Forge Rd. Lexington Email: EROUTLS11@gmail.com
 Applicant's Signature: [Signature] Date: 5/15/24

Subdivision Plat Preparer

Name: TROUT LAND SURVEYING Phone: 540 261 8995
 Company: TROUT LAND SURVEYING Fax: _____
 Address: 1366 Forge Rd Lexington Email: EROUTLS11@gmail.com

Property Owner

Name: Anita Cruze & Jennifer Fuller-Spears Phone: (540) 460-4530
 Address: 13 Maple Lane, Lexington, VA Email: rita45@gmail.com
 Owner's Signature: [Signatures] Date: 15 May 2024

Proposal Information² (attach list of properties if request includes multiple properties)

Address (or location description): 438 Lime Kiln Rd, 222 Catalpa Place
 Tax Map: 15-1-17, 15-1-17B Deed Book and Page #: WF13000101
 Acreage: 0.501 0.501 Zoning (attach any existing zoning conditions or proffers): _____
 Number of Lots Proposed: BLA 2 parcels

1. Prior to submitting an application, the applicant is required to meet with staff for a pre-application meeting.
2. Any application deemed incomplete by staff will not be accepted.



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300 East Washington Street
Lexington, Virginia 24450
Phone: (540) 462-3704 Fax: (540) 463-5310

Notice to Adjacent Property Owners

The City will give notice of public hearings to be held on the application to those persons who own property, any portion of which abuts the subject property, and all property which is directly across the street from any portion of the subject property, as determined by the City's real property tax records. This notice will give the date, time and place of the hearing, identify the property which is the subject of the application and give a brief description of the proposed action. Notices will be mailed a minimum of ten (10) days prior to the date of the scheduled City Council meeting.

Posting of the Property

The City will place a sign on the subject property which indicates that an action is pending. The sign will be located to be clearly visible from the street.

THIS SECTION TO BE COMPLETED BY STAFF ONLY

Application Fees:

Case Number: ^{PS} ~~SUB~~ 2024 - 02

Subdivision of parcel: \$500 + \$50 for each additional lot created

Boundary line adjustment/vacation: \$125

Amount Paid: \$125.00

Date Received: 5/15/2024 Received By: Kate

Staff Review

Planning: _____ Public Works: _____

Police: _____ Fire/Rescue: _____

Preliminary Plat Approvals

Planning Commission

Meeting Date: _____ Action: _____

City Council

Legal Ad Dates: _____ Adj. Property Notifications: _____

Public Hearing Date: _____ Action: _____

Final Plat Approval

Action: Approved Denied

Planning and Development Director

Date

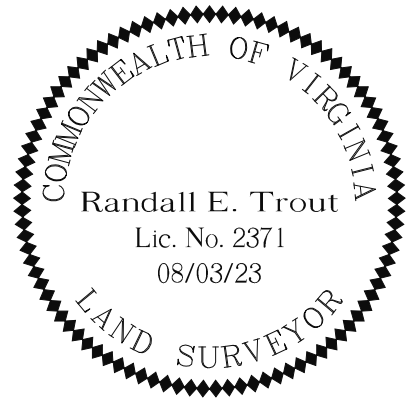
NOTES

- 1) This plat was drawn from an actual field survey and is intended to represent a boundary line adjustment of a portion of that property devised unto Marcella D. Fuller, of record as Image #WF13000101W, tax parcels 15-1-17 and 15-1-17B.
- 2) A portion of this property lies in flood zone A (area determined to be within the 100 year flood hazard zone) according to flood map #51163C0262 C, dated April 6, 2000.
- 3) This survey was performed without the benefit of a title report and may not indicate all encumbrances upon the property. Unwritten rights not addressed.
- 4) The property boundary along Line Kiln Road was established as shown on those plats of record in deed book 333 page 161 and deed book 340 page 403, and as described in that deed of record in deed book 351 page 506. The property boundary adjoining Catalpa Place was established ±15' from the existing centerline. It is intended that this property adjoin the right-of-way of said roads.

Now or Formerly
Fred M. Sensabaugh Jr.
Deed Book 484 page 916
Tax Parcel 15-1-18

Approved:

Director of planning _____ Date _____

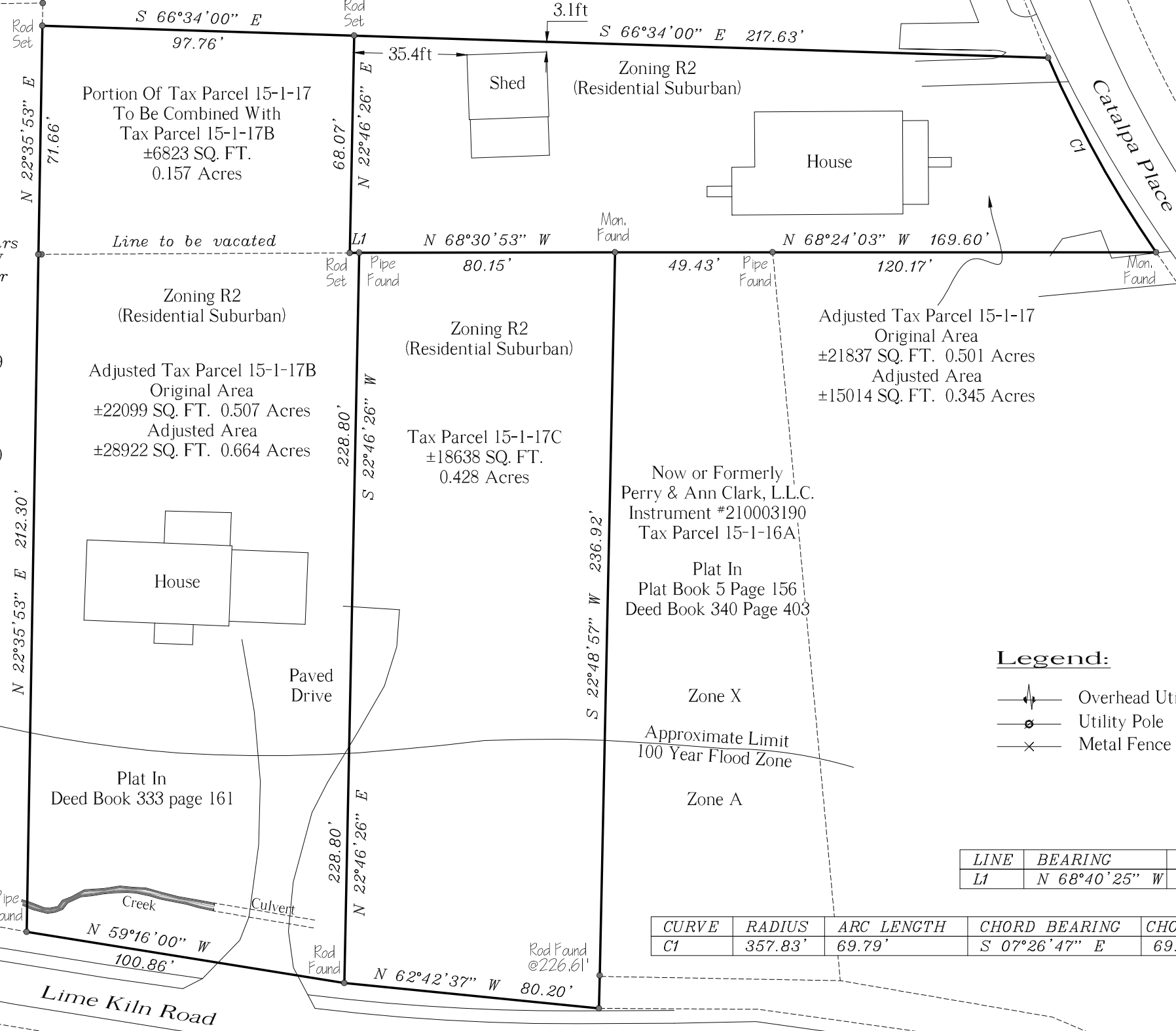


Boundary Line Adjustment Survey For
Marcella D. Fuller
438 Lime Kiln Road & 222 Catalpa Place
City Of Lexington
Rockbridge County, Virginia
Surveyed August 3, 2023

Plat In
Plat Cabinet 4 Slide 789

Now or Formerly
Jonathan R. Kelafant
Instrument #210003190
Tax Parcel 15-1-16A

Zone X
Approximate Limit
100 Year Flood Zone
Zone A



Adjusted Tax Parcel 15-1-17
Original Area
±21837 SQ. FT. 0.501 Acres
Adjusted Area
±15014 SQ. FT. 0.345 Acres

Adjusted Tax Parcel 15-1-17B
Original Area
±22099 SQ. FT. 0.507 Acres
Adjusted Area
±28922 SQ. FT. 0.664 Acres

Tax Parcel 15-1-17C
±18638 SQ. FT.
0.428 Acres

Now or Formerly
Perry & Ann Clark, L.L.C.
Instrument #210003190
Tax Parcel 15-1-16A

Plat In
Plat Book 5 Page 156
Deed Book 340 Page 403

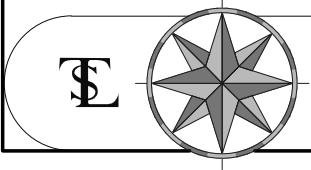
Legend:

- Overhead Utility Line
- Utility Pole
- Metal Fence

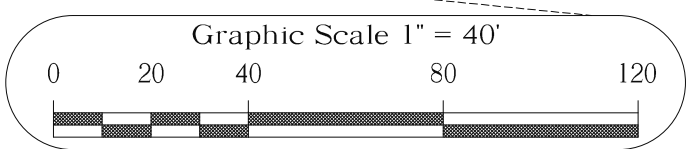
LINE	BEARING	DISTANCE
L1	N 68°40'25" W	3.00'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	357.83'	69.79'	S 07°26'47" E	69.68'

±0.15 Miles To
Enfield Road



Trout Land Surveying
1366 Forge Road
Lexington, Va. 24450
(540) 261-8995
Randall E. Trout, L.S.



DWN. BY	REVISION:				PROJ. NO:
	NO.	DATE	REV. BY	REVISION	
R.Trout					01632
SIZE					SHEET
2					1 OF 1

Project Name	Blue Ridge Outdoor School
Property Location	123 West Washington Street Tax Map #: 16-3-C
Zoning	R-1 (General Residential District)
Owner/Applicant	Grace Episcopal Church / Rhianna Schlieff
Applicant's Intent	CUP to open a day care center

PLANNING COMMISSION RECOMMENDATION: Pending
STAFF RECOMMENDATION: Approval with conditions

OVERVIEW OF REQUEST AND BACKGROUND

The subject application is a request for a conditional use permit to allow a *Day Care Center* to operate in the Jonathan Daniels Community Room of the Grace Episcopal Church at 123 W. Washington Street, located in the R-1 (General Residential) zoning district.

Location Map



123 W. Washington Street existing conditions



Rhianna Schlieff, owner and founder of the Blue Ridge Outdoor School, is partnering with Grace Episcopal to open a Pre School program for three to six years old starting mid-August, 2024. The applicant is therefore requesting a conditional use permit for a *Day Care Center* to allow Blue Ridge Outdoor School to operate out of the lower level of the western portion of Grace Episcopal Church at 123 W. Washington Street. The preschool will be from 9:00 a.m. to 3:00 p.m. Monday through Friday and will enroll no more than 13 children with 2 adult staff.

APPLICABLE ZONING ORDINANCE SECTIONS

§420-1.6. Establishment of Districts

For the purposes of this chapter, the area within the incorporated City, as it exists at the time of the enactment of this chapter, is hereby divided into classes of districts, which are established as follows:

General Residential District (R-1)

This district is composed of certain moderate-density residential areas, plus certain open areas where similar development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district and to promote and encourage, insofar as is compatible with the intensity of land use, a suitable environment for family life composed of a family population. For this reason, the number of unrelated individuals permitted to constitute a household unit is limited to a maximum of three in this district. Residential structures for both permanent and transient occupancy, including institutions, may be authorized.

§420-20.1 Definitions

DAY CARE CENTER

Any facility operated for the purpose of providing care, protection and guidance to 13 or more individuals during only part of a twenty-four hour day. This term includes nursery schools, preschools, day care centers for individuals including adults, and other similar uses but excludes public and private educational facilities or any facility offering care to individuals for a full twenty-four hour period.

CONDITIONS OF ISSUANCE OF A CONDITIONAL USE PERMIT

Section 420-1.11., *Conditional use permits*, in part

C. Conditions of Issuance

- (1) Conditional use permits may be issued for any of the uses for which a conditional use permit is required by the provisions of this chapter, provided that the governing body, upon a recommendation by the Planning Commission, shall find that:
 - (a) The proposed use will not affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use. *The proposed day care center will not adversely affect the health and safety of persons residing or working in the neighborhood.*
 - (b) The proposed use will not be detrimental to the public welfare or unduly injurious to property values or improvements in the neighborhood. *The proposed day care center will not be detrimental to the public welfare.*
 - (c) The proposed use will not be in conflict with the policies and principles of the City's adopted Comprehensive Plan. *The proposed day care center will not be in conflict with the policies and principles of the Lexington Comprehensive Plan. In fact, there is a specific strategy in the Comprehensive Plan (LE 1.3) encouraging the development of safe, affordable, quality childcare/*
 - (d) Adequate public services, including streets and other trafficways, utilities, police and fire protection, are or reasonably will be available to support the proposed use. *Adequate public services are available to support the proposed day care with 13 students and 2 staff members.*
- (3) In granting any conditional use permit, the governing body shall give due consideration to factors relevant to the findings required by Subsection C (1) and (2), as well as to any other reasonable land use and zoning considerations as may be required by the nature of the proposed use or as may be otherwise appropriate to effectuate the intent of this chapter, and the governing body shall designate such conditions as it deems necessary to carry out the intent of this chapter. The application for such conditional use permit shall be accompanied by such written and graphic material as may be necessary to enable the Planning Commission and the governing body to make the recommendation and findings set forth above.

STAFF RECOMMENDATION

Based on the aforementioned findings and opinions, the Staff recommends the proposed Conditional Use Permit be **APPROVED WITH CONDITIONS**, as follows:

1. The proposed day care center shall be occupied and used by a maximum of 13 students ages 3 - 6 at any one time; however, in no case shall the number of students be allowed to exceed the maximum occupancy, or limits established by all applicable state and local building codes.
2. The day care center shall operate primarily between 9 a.m. and 3 p.m. with only occasional activities outside of those hours.
3. The building will be at all times be used, in full conformance with the current, adopted Virginia Unified Statewide Building Code and the current, adopted Virginia Statewide Fire Protection Code.
4. No change in the design or use of the building shall be undertaken unless such change is in full compliance with the above referenced building and fire codes.

PLANNING COMMISSION RECOMMENDATION

Pending

SUGGESTED MOTION:

I move to approve/deny Conditional Use Permit number CUP 2024-03 for a day care center at 123 W. Washington Street as proposed by the applicant and with the staff recommended conditions.



www.lexingtonva.gov

Planning & Development Department
300 East Washington Street
Lexington, Virginia 24450
Phone: (540) 462-3704 Fax: (540) 463-5310

APPLICATION FOR CONDITIONAL USE PERMIT

Applicant¹

Name: Rhianna Schlieff Phone: 540-960-0931

Company: Blue Ridge outdoor School Fax: _____

Address: 275 Vista Links Dr. Email: director@blueridgeoutdoorschool.com

Applicant's Signature:  Date: 5/22/24

Property Owner

Name: Grace Episcopal Church
Tuck Bowerford, Rector Phone: 540 463 4981

Address: 123 W Washington Email: tuck@graclexva.org

Owner's Signature:  Date: 5/21/24

Proposal Information² (attach list of properties if request includes multiple properties)

Address (or location description): 123 W. Washington St

Tax Map: 16-3-C Deed Book and Page #: _____

Acreage: _____ Zoning (attach any existing zoning conditions or proffers): _____

Description of Proposal³: see attached letter

1. Prior to submitting an application, the applicant is required to meet with staff for a pre-application meeting.
2. Any application deemed incomplete by staff will not be accepted.
3. Please refer to page 3 of this application for the conditions of issuance for all conditional use permit applications. Submitting a sketch plan or other visual detail of your request is highly encouraged.



www.lexingtonva.gov

Planning & Development Department
300 East Washington Street
Lexington, Virginia 24450
Phone: (540) 462-3704 Fax: (540) 463-5310

Notice to Adjacent Property Owners

The City will give notice of public hearings to be held on the application to those persons who own property, any portion of which abuts the subject property, and all property which is directly across the street from any portion of the subject property, as determined by the City's real property tax records. This notice will give the date, time and place of the hearing, identify the property which is the subject of the application and give a brief description of the proposed action. Notices will be mailed a minimum of ten (10) days prior to the date of the scheduled public hearings.

Posting of the Property

The City will place a sign on the subject property which indicates that an action is pending. The sign will be located to be clearly visible from the street.

THIS SECTION TO BE COMPLETED BY STAFF ONLY

Application Fee: \$450 Amount Paid: \$450.00 Case Number: CUP- 2024 - 03

Date Received: 5/22/2024 Received By: Kate

Staff Review

Planning: Public Works:
Police: Fire/Rescue:

Public Hearings

Planning Commission

City Council

Legal Ad Dates: Adj. Property Notifications: Public Hearing Date: Action:

Dear Lexington Planning & Development,

My name is Rhianna Schlief and I am the owner and founder of Blue Ridge Outdoor School. I am partnering with Grace Episcopal on 123 W Washington Street to open a Pre School program starting mid August 2024. I am a 10+ year veteran public and private school teacher, a mom to three young children, and a community member of Rockbridge County, hoping to bring outdoor education to our area.

Father Tuck of Grace Episcopal and I have been collaborating to offer a program that provides the health benefits of outdoor education, spiritual wellbeing, and innovative education to ages three to six year olds. The class size has a capacity of 13 students and two adult teachers that have cleared the multiple background checks required and have extensive background and knowledge in the Early Years of development and learning.

We plan to use the Jonathan Daniels Community Room building as our space (the first and second room pictured), the Woods Creek Trail, and other surrounding outdoor spaces as our classroom.

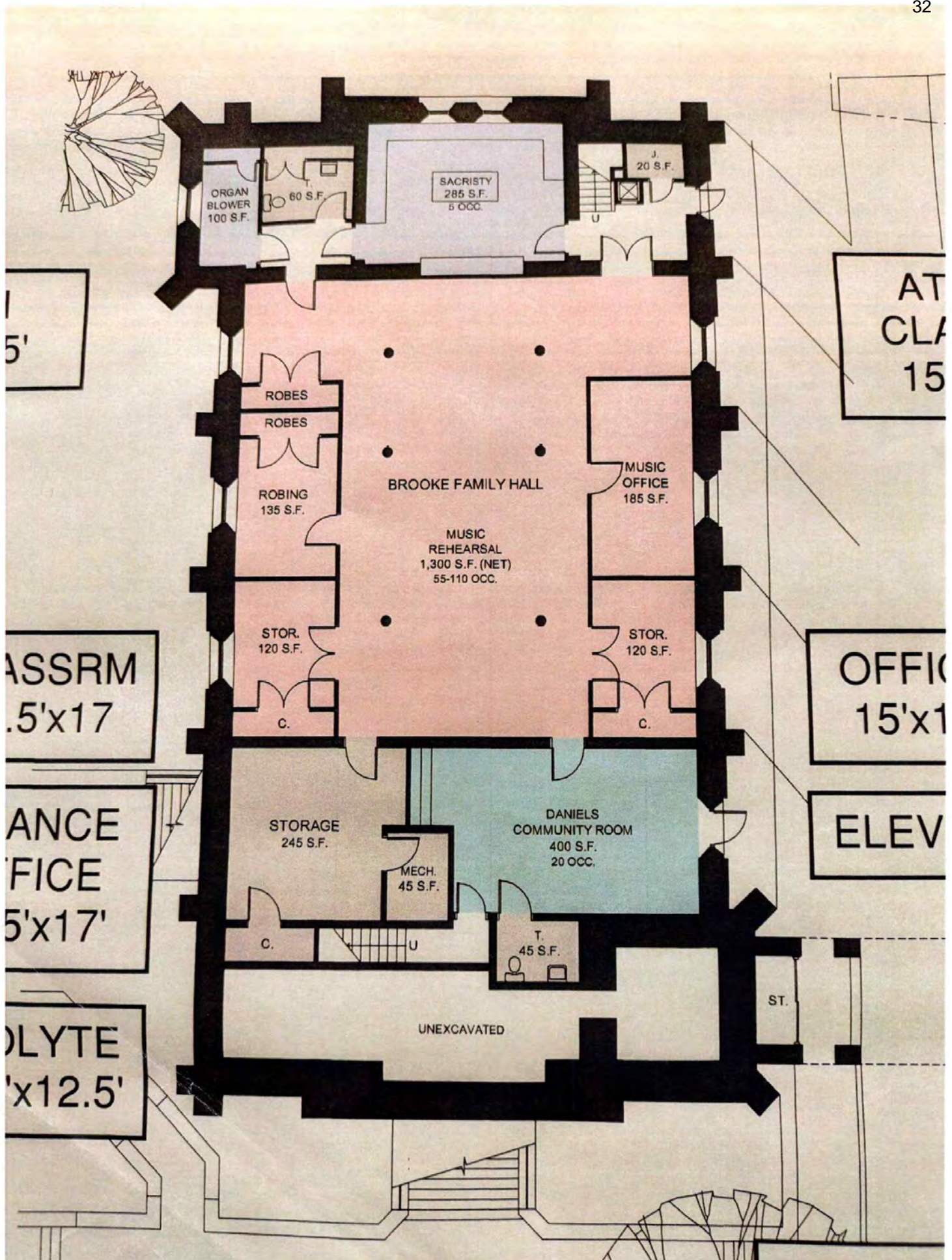
I am currently in the process of applying for "Religious Exempt Child Day Center" through the State of Virginia. They have been very helpful throughout the process in helping me complete the necessary steps to be safe and comply with state guidelines. The Fire Marshall has given the "go ahead" to apply and is in the process of completing his report that we will submit to the state; we also have completed the Report of Environmental Sanitation Inspection (see attached copy).

The preschool will have hours Monday through Friday beginning at 9:00am with a drop off window from 8:40-9:10am. The day will end at 3:00pm with a pickup window from 2:45-3:15pm. The church parking lot has a "drive through" option and 12 parking spaces. There is additional parking on the street that is often empty during the drop off and pick up time. The two staff members will not be parking in the church parking lot.

In the past, the Church has hosted Yellowbrick Road preschool and the YMCA during Covid. Both operations were at least 20 participants or more and operated Monday through Friday 8am – 5pm. The church has reported that there were not any issues with parking or disruption of traffic during those times.

Sincerely,

Rhianna Schlief



5'

AT
CL/
15

ASSRM
.5'x17

OFFIC
15'x1

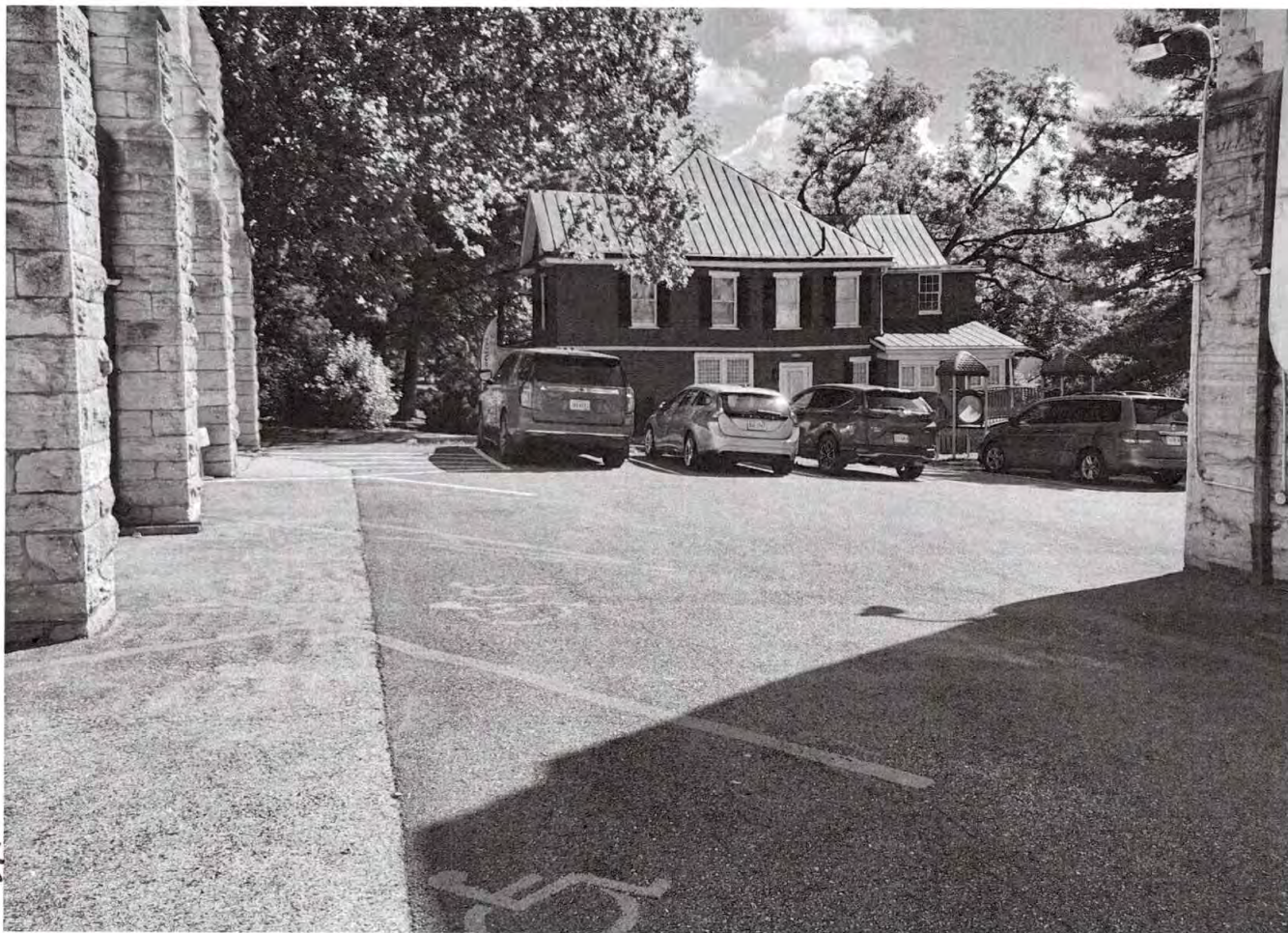
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5'x17'

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OLYTE
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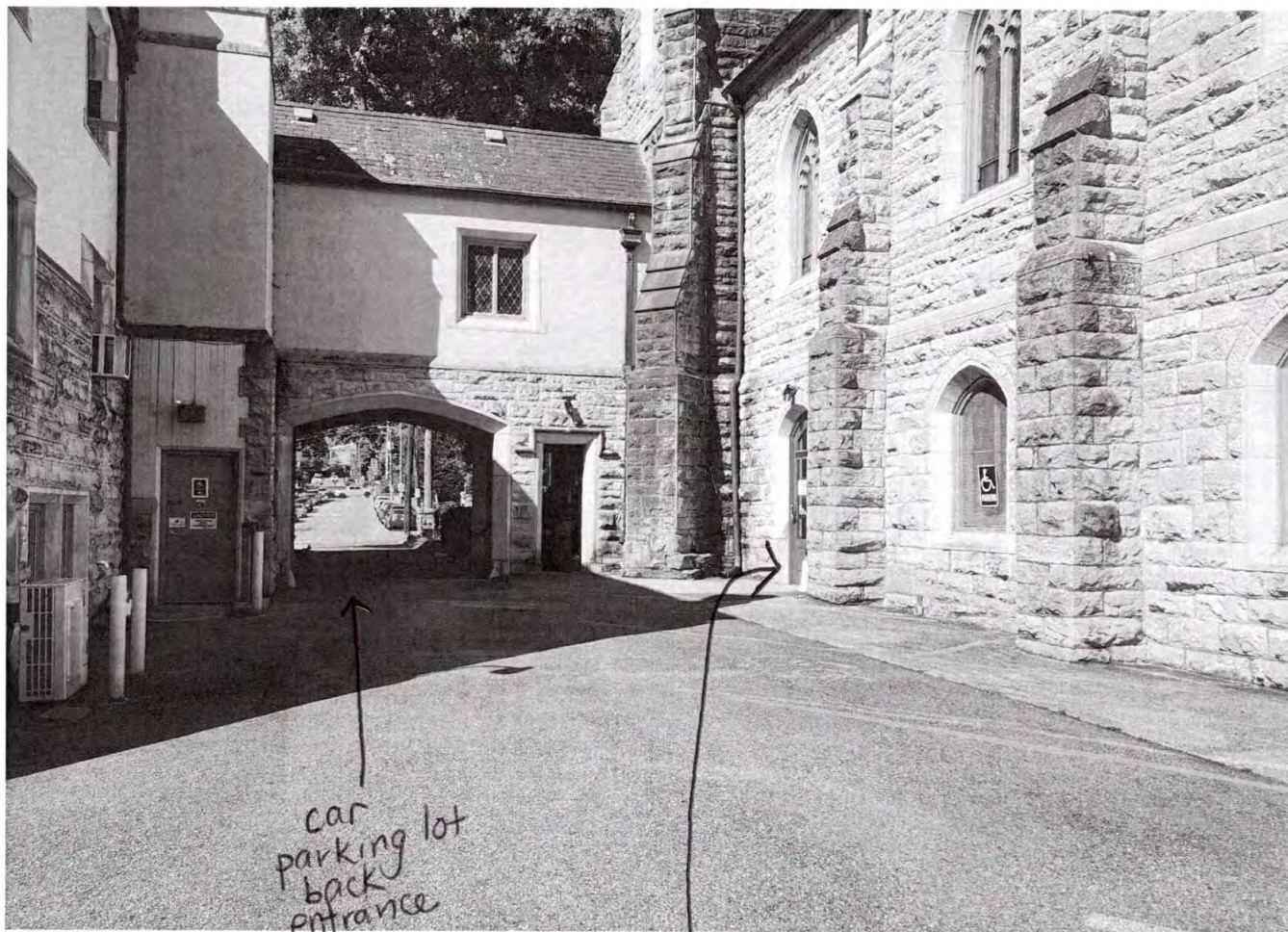
ST.

UNEXCAVATED



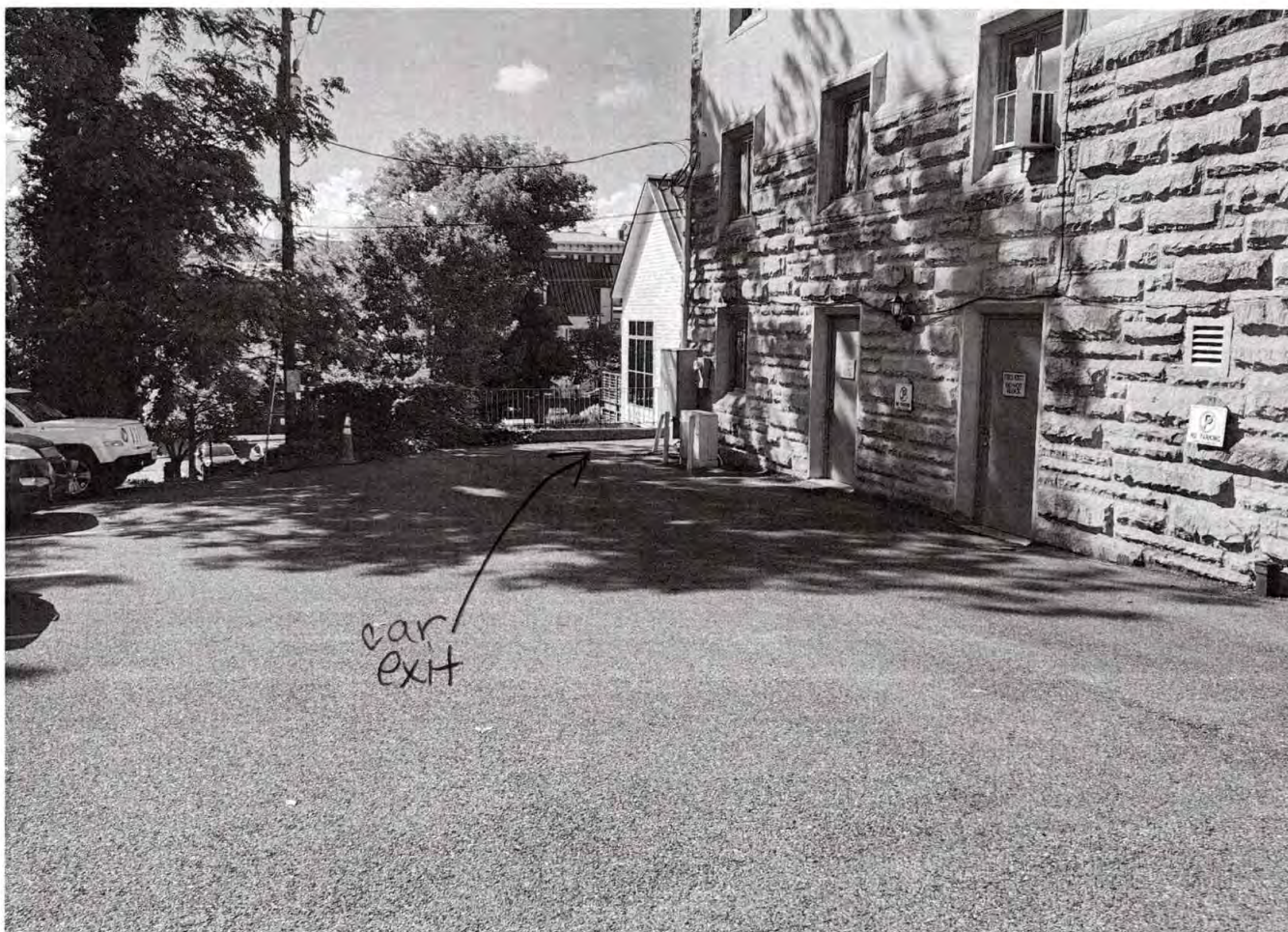
door *
entrance

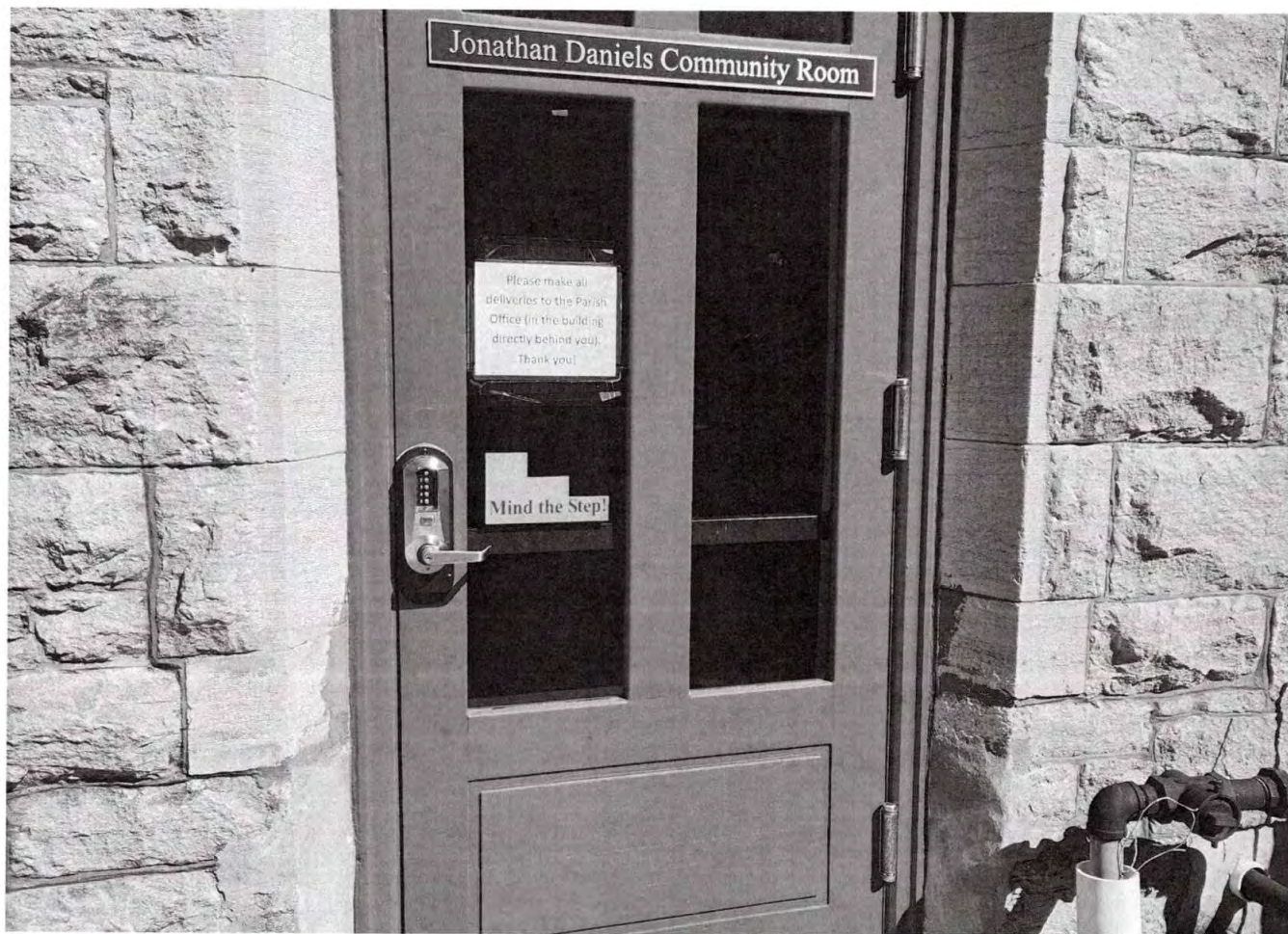
view from driving into parking lot



car
parking lot
back
entrance

entrance





Entrance from Parking Lot.

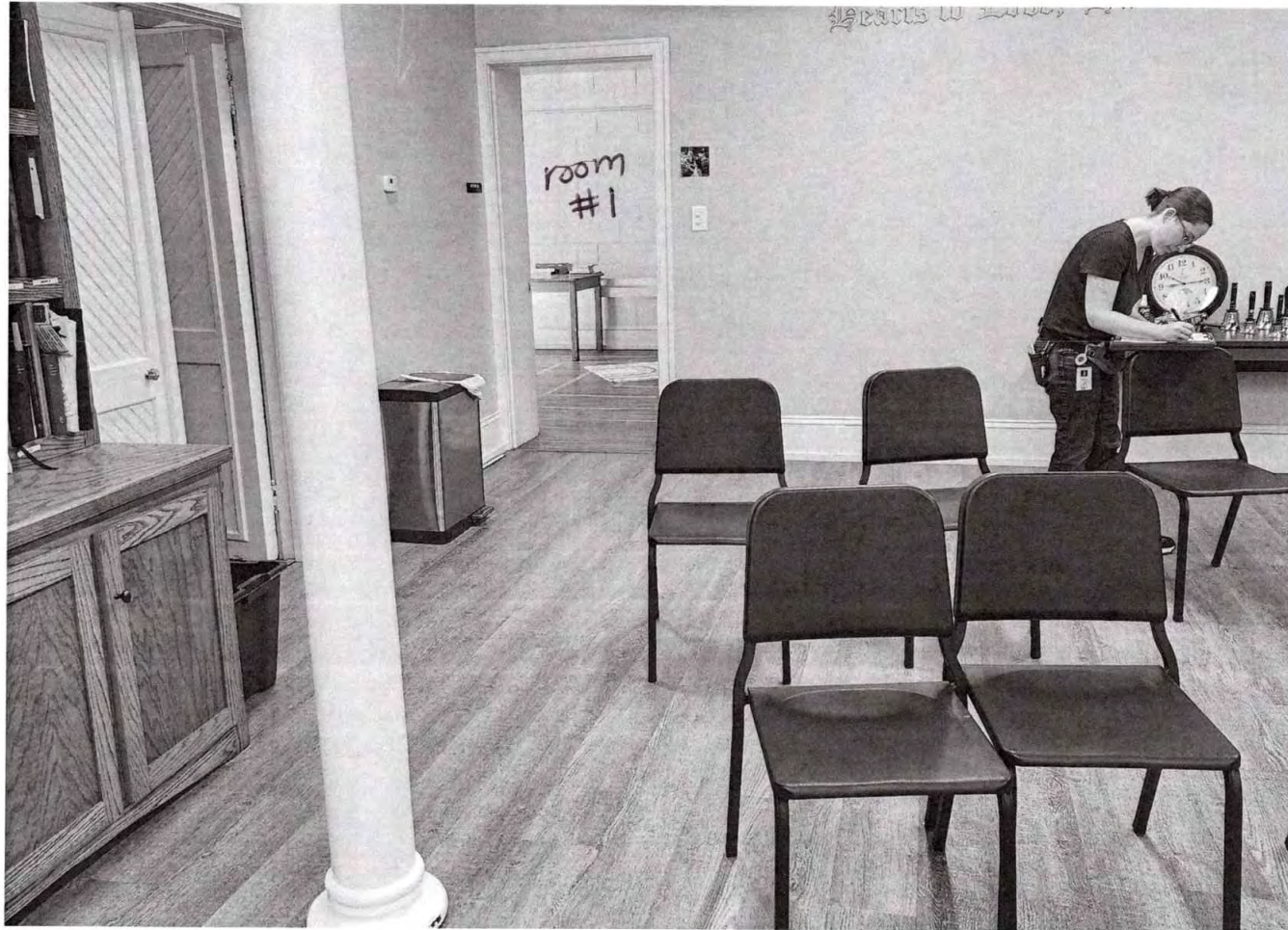


view from door (left)

entrance into room #2



view from door (right)



view from inside room #2
left side



view from room # 1 into room # 2



Project Name	Amendments to the Future Land Use map and to the Opportunity Area map in the Lexington Comprehensive Plan
Property Location	5 Maple Lane (TM# 28-13-3), 7 Maple Lane (TM# 28-14-13), 9 Maple Lane (TM# 28-14-14), 11 Maple Lane (TM# 28-14-15), 13 Maple Lane (TM# 28-14-16), 15 Maple Lane (TM# 28-14-17), 17 Maple Lane (TM# 29-17-18), and 19 Maple Lane (TM# 28-17-19)
Current Land Use Designation	<i>Commercial Center</i> , and <i>Opportunity Area</i>
Owners/Applicant	Multiple / City of Lexington
Applicant's Intent	To correct the Future Land Use designation and the Opportunity Area designation for the eight subject parcels.

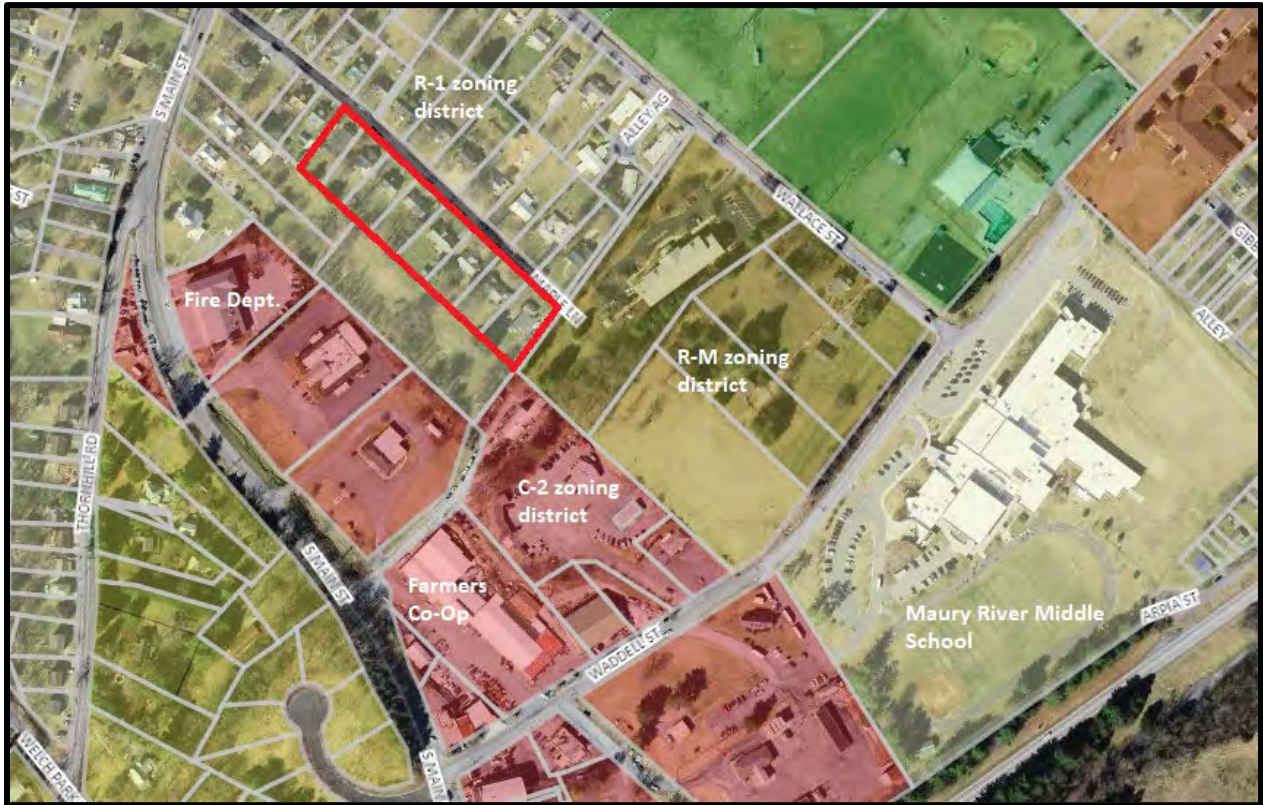
PLANNING COMMISSION RECOMMENDATION: Pending
STAFF RECOMMENDATION: Approval

OVERVIEW OF REQUEST

This is a request to a) amend the future land use map to change the future land use designation for eight parcels along Maple Lane from the *Commercial Center* designation to the *Traditional Neighborhood* designation, and to b) amend the *Opportunity Area* map to remove those same eight parcels along Maple Lane from Opportunity Area #5. The eight parcels in question are: 5 Maple Lane (TM# 28-13-3), 7 Maple Lane (TM# 28-14-13), 9 Maple Lane (TM# 28-14-14), 11 Maple Lane (TM# 28-14-15), 13 Maple Lane (TM# 28-14-16), 15 Maple Lane (TM# 28-14-17), 17 Maple Lane (TM# 29-17-18), and 19 Maple Lane (TM# 28-17-19)

It was recently discovered that these eight parcels containing single family residences are included in the *Commercial Center* designation and in the *Opportunity Area*. Both of these designations encourage and allow an intensity of commercial development that is simply inappropriate for the stable, residential neighborhood along Maple Lane. Staff recommends the eight parcels be removed from the *Opportunity Area*, and that the *Traditional Neighborhood* future land use designation be applied, which is the same future land use designation applied to the remaining parcels along Maple Lane.

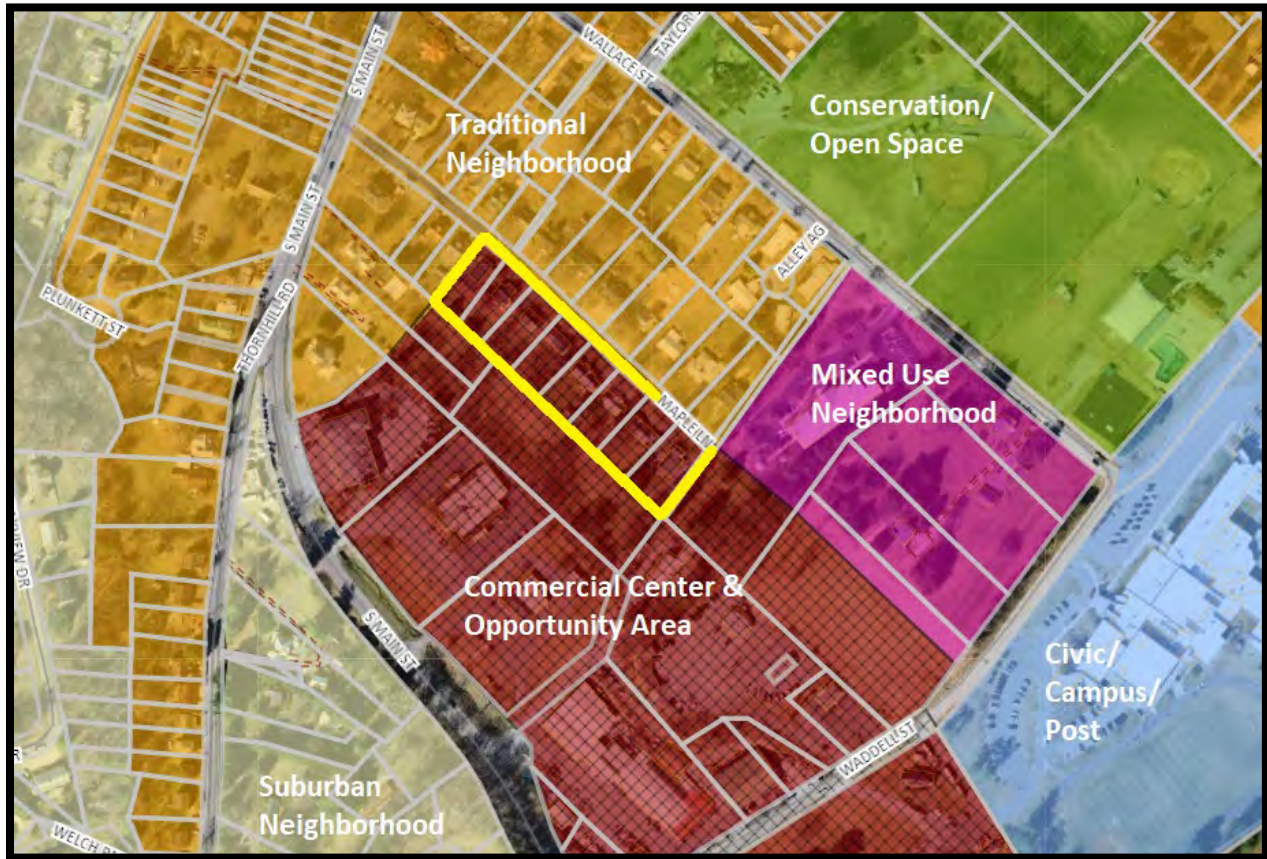
location map



EXISTING ZONING

All eight of the subject parcels are located in the R-1 (Residential, General) zoning district and the current request to amend the Future Land Use and Opportunity Area maps does not include a request to change the zoning district for these eight parcels. They will remain in the R-1 zoning district.

comprehensive plan future land use map



COMPREHENSIVE PLAN DESIGNATION

The subject parcels are designated on the Comprehensive Plan’s future land use map as *Commercial Center* and they are also designated as an *Opportunity Area*. Staff requests to have the future land use designation amended to the *Traditional Neighborhood* designation for all eight parcels as well as their removal from the *Opportunity Area*.

PLANNING COMMISSION RECOMMENDATION

pending

STAFF RECOMMENDATION

CPA 2024-01: Based on the aforementioned opinions, staff recommends that the request to amend the future land use designation for 5 Maple Lane (TM# 28-13-3), 7 Maple Lane (TM# 28-14-13), 9 Maple Lane (TM# 28-14-14), 11 Maple Lane (TM# 28-14-15), 13 Maple Lane (TM# 28-14-16), 15 Maple Lane (TM# 28-14-17), 17 Maple Lane (TM# 29-17-18), and 19 Maple Lane (TM# 28-17-19) be amended from the *Commercial Center* future land use designation to the *Traditional Neighborhood* future land use designation; and to remove the same from the *Opportunity Area* designation be **APPROVED.**

SUGGESTED MOTION

I move to approve/deny Comprehensive Plan Amendment application CPA 2024-01 for the amendment of Tax Map Numbers 28-13-3, 28-14-13, 28-14-14, 28-14-15, 28-14-16, 28-14-17, 29-17-18, and 28-17-19 to the *Traditional Neighborhood* future land use designation, and for the removal of these same tax parcels from the *Opportunity Area* designation.



Planning & Development Department
300 East Washington Street
Lexington, Virginia 24450
Phone: (540) 462-3704 Fax: (540) 463-5310

www.lexingtonva.gov

APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT

Applicant¹

Name: City of Lexington Phone: _____

Company: _____ Fax: _____

Address: 300 E Washington St. Email: _____
Lexington VA

Applicant's Signature: Aime Glaeser Date: 5/17/2024

Proposal Information²

Plan Section(s) to be Amended³: Comprehensive Plan Future Land Use map, Commercial Center map, Traditional Neighborhood map and Opportunity Area Map

Proposed Text/Amendment (attach additional sheets if necessary): Change future land use designation from Commercial Center to Traditional Neighborhood, and Remove opportunity area designation for the following:

5 Maple Lane, 7 Maple Lane, 9 Maple Lane, 11 Maple Lane, 13 Maple Lane, 15 Maple Lane and 17 Maple Lane

1. Prior to submitting an application, the applicant is required to meet with staff for a pre-application meeting.
2. Any application deemed incomplete by staff will not be accepted.
3. If the amendment proposes to replace existing text, please provide a full copy of the existing text for the affected section.

THIS SECTION TO BE COMPLETED BY STAFF ONLY

Application Fee: \$400 Amount Paid: _____ Case Number: CPA- 2024 - 01

Date Received: _____ Received By: _____

Public Hearings	
Planning Commission	City Council
Legal Ad Dates: _____	Legal Ad Dates: _____
Public Hearing Date: _____	Public Hearing Date: _____
Action: _____	Action: _____

NON REFUNDABLE

From: [Matt Waldron](#)
To: [Arne Glaeser](#)
Subject: Case Number CPA 2024-1
Date: Friday, May 31, 2024 9:18:10 AM

You don't often get email from mwaldron28@gmail.com. [Learn why this is important](#)

Dear Mr. Glaser and the Lexington Planning Commission;

I am Matthew M. Waldron owner of 16 Maple Lane Lexington, Virginia 24450. I **support** application case number 2024-1 proposed by the City of Lexington to amend the future land use designation map and the opportunity areas map for the noted properties along Maple Lane.

I ask that my indication of support be included in the June 13, 2024 Planning Committee materials.

Please let me know if you have any questions.

Sincerely,

/s/

Matthew M. Waldron

Draft amendments for Cottage Housing

Proposed Amendments to the Zoning Chapter (*Chapter 420*)

The Lexington Planning Commission is considering a zoning text amendment to potentially allow cottage housing in accordance with strategy H.O. 5.3 that recommends we explore zoning modifications to facilitate the creation of a variety of safe, affordable, and innovative housing options, including other housing types that achieve higher densities and a diversity of housing options. This review of other ordinances that permit cottage housing along with the consideration to modify the Lexington Zoning Ordinance is in support of strategy H.O. 5.3 of the Lexington Comprehensive Plan.

Staff provided an overview of the cottage housing development concept during the April 25, 2024 Planning Commission meeting, and the cottage housing regulations for Winchester, Virginia were reviewed during the May, 9, 2024 Planning Commission meeting. Then, on May 23, 2024 staff provided an overview of the Railroad Cottages development in Falls Church, VA along with a review of the accompanying cottage housing zoning code adopted by Falls Church in 2017.

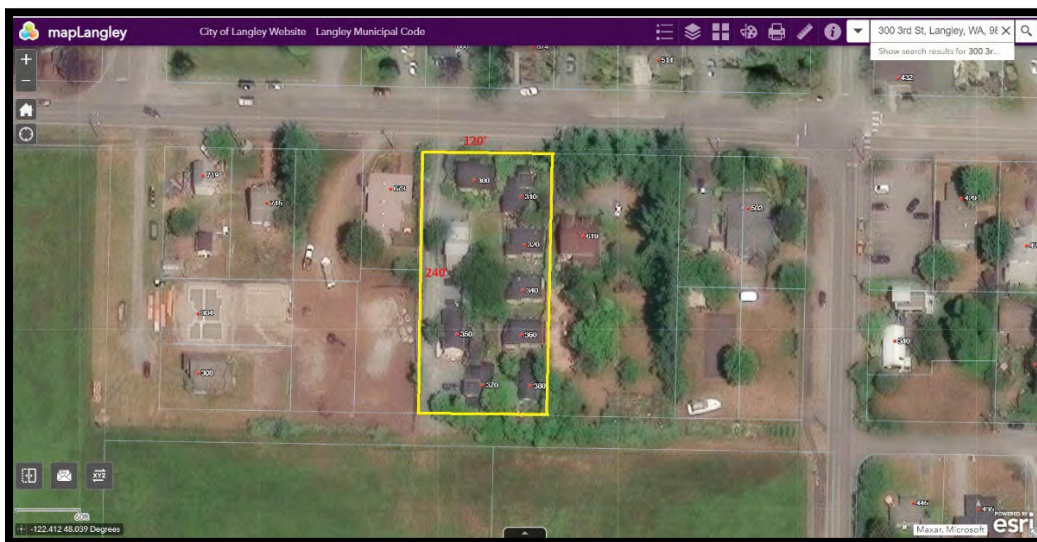
For the Planning Commission meeting on June 13, 2024, staff will provide an overview of the Third Street Cottages development in Langley, WA along with a review of the accompanying cottage housing zoning code adopted by Langley in 1995 and modified thereafter. Comparing an actual project with the code language may be helpful in developing a further understanding of cottage housing codes and the product created by that code. Another resource recently discovered is The Housing Partnership's *Cottage Housing Development* report dated March, 2000 and this report provides an overview of cottage housing regulations at that time. The Cottage Housing Development report can be found at:

<https://www.lexingtonva.gov/home/showpublisheddocument/3410/638532840907866948>



Third Street Cottages, Langley, WA:

- 1) 0.66 acre site;
- 2) 8 detached cottages on four standard single-family lots (31,000 sf total);
- 3) The homes are approximately 650 sf with lofts up to 200 sf and are conveyed as condominium ownership;
- 4) The homes are situated around a shared garden with Commons Building and Toolshed;
- 5) Parking is detached and every residence has a storage room; and
- 6) Developed in accordance with the “Cottage Housing Development” zoning code that allows double the density of detached homes in all single-family zones, provided the ground floor area is less than 700 sf and total area including the second floor is less than 975 sf. Cottages must face a usable landscaped commons, and have parking screened from the street. Projects are reviewed by the planning and design review boards.



Langley, WA Zoning Ordinance. Chapter 18

18.22 General Provisions and Standards

18.22.180 Cottage housing.

The following regulations apply to cottage housing developments (CHDs):

A. Density and Minimum Lot Area.

1. In CHDs the permitted density shall be one dwelling unit per 2,904 square feet of lot area (15 units per acre).
2. The minimum lot area for a CHD shall be 11,616 square feet.
(2,904 x 4 lots = 11,616 sf)
3. On a lot to be used for a CHD, an existing detached single-family residential or duplex structure, which may be nonconforming with respect to the standards of this section, shall be permitted to remain, but the extent of the nonconformity may not be increased.

B. Height Limit and Roof Pitch.

1. The height limit permitted for structures in CHDs shall be 18 feet.
2. The ridge of pitched roofs with a minimum slope of six to 12 may extend up to 25 feet. All parts of the roof above 18 feet shall be pitched.

C. Lot Coverage and Floor Area.

1. The maximum lot coverage permitted for principal and accessory structures in CHD shall not exceed 40 percent.
2. The maximum first floor or main floor area for an individual principal structure in a CHD shall be as follows:
 - a. For at least 50 percent of the units, floor area shall not exceed 650 square feet;
 - b. For no more than 50 percent of the units, the floor area may be up to 800 square feet.
3. The total floor area of each cottage shall not exceed either one and one-half times the area of the main level or 975 square feet, whichever is less.

D. Yards.

1. Front Yards. The front yard shall be an average of 10 feet and at no point shall be less than five feet.
2. Rear Yards. The minimum rear yard shall be 10 feet.
3. Side Yards. The minimum required side yard shall be five feet.

E. Required Open Space.

1. A minimum of 400 square feet per unit of common open space is required.
2. At least 50 percent of the cottage unit shall abut the common open space, all of the cottage units shall be within 60 feet walking distance of the common open space, and the common open space shall have cottages abutting at least two sides.

F. Parking.

1. One and one-quarter spaces per dwelling unit shall be required.
2. Location.
 - a. Parking shall be on the CHD property.
 - b. Parking may be in or under a structure or outside a structure; provided, that:
 - (1) The parking is screened from direct street view by one or more street facades, by garage doors, or by a fence and landscaping.
 - (2) Parking between structures is only allowed when it is located toward the rear of the principal structure and is served by an alley or private driveway.
 - (3) Parking may not be located in the front yard.
 - (4) Parking may be located between any structure and the rear lot line of the lot or between any structure and a side lot line, which is not a street side lot line.

G. Design Review. Cottage housing developments are subject to design review per the requirements set forth in Chapter 18.34.

(A recommendation from the Design Advisory Board shall be required prior to the issuance of any permit that is subject to design review such as Cottage Housing Developments. So the DAB makes recommendations. The Design

Advisory Board shall establish a set of design standards for both site and building developments.)

H. Zoning Districts. Cottage housing developments are only permitted in the residential zoning districts. (Ord. 1004 § 4 (Exh. E), 2014; Ord. 788, 2000; Ord. 771, 1999; Ord. 733, 1997; Ord. 699, 1995)

18.01.040 Definitions.

“Cottage housing” means a development comprised of at least four cottages (single-family dwelling units) arranged on at least two sides of a common open space with a maximum of 12 cottages per development.

(Additional notes:

Cottages appear to be considered single family dwellings in the Langley code, and single family dwellings are permitted by-right in the three residential zoning districts as well as in the two lower intensity PUD zoning districts. A Cottage Housing Development consists of between 4 and 12 cottages, and there are a number of additional standards for Cottage Housing Developments including design review as provided in Sec. 18.22.180 above.

Ross Chapin is the architect for the Third Street Cottage project and his website provided the following under a heading of “how did it turn out?”

“The project sold out quickly and sparked widespread interest and demand. It drew attention from the national media, received numerous awards and recognition from peers, and inspired planners, developers and architects to advance the concept.

The new homeowners were active singles and couples (one with a 3-year-old) between the ages of 40 and 65—computer software trainer, graphic artist, musician, secretary, realtor, retired librarian, attorney and therapist. Nearly all own only one automobile. Cottages within the group that have resold have been for as much as 250% of original price, proving their enduring value.” This website reference is provided here in response to a question at the last PC meeting about the target buyer for cottages.)