



# AGENDA

## WYTHEVILLE PLANNING COMMISSION MEETING

THURSDAY, AUGUST 08, 2024 AT 6:00 PM  
COUNCIL CHAMBERS - 150 EAST MONROE STREET  
WYTHEVILLE, VA 24382

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1. **CALL TO ORDER - CHAIRMAN BRAD M. LITTON**
2. **ESTABLISHMENT OF QUORUM - CHAIRMAN BRAD M. LITTON**
3. **APPROVAL OF AGENDA (requires motion and roll call vote)**
4. **CONSENT AGENDA**
  - A. Minutes of the regular meeting of July 11, 2024 **(requires motion and vote)**
5. **CITIZENS' PERIOD**
6. **OTHER BUSINESS**
  - A. Review of the modifications to the second draft of the Unified Development Ordinance (UDO)
  - B. Presentation of the Marketing Plan and Public Survey for the Unified Development Ordinance (UDO)
7. **ADJOURNMENT**
  - A. Additional Attachments - July 2024 Council Actions

**4-A**



# MINUTES

## WYTHEVILLE PLANNING COMMISSION MEETING

THURSDAY, JULY 11, 2024 AT 6:00 PM  
COUNCIL CHAMBERS - 150 EAST MONROE STREET  
WYTHEVILLE, VA 24382

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### 1. UNAPPROVED MINUTES

#### RE: ATTENDANCE

##### **MEMBERS PRESENT:**

Chairman Brad Litton, Vice-Chairwoman Lisa Anderson, Vice-Mayor Cathy Pattison, Mr. John Jones, Jr., Mr. Keith Jones, Mr. David Schmidt, Mr. George Wittwer

##### **MEMBERS ABSENT:**

None

##### **OTHERS PRESENT:**

Mayor Beth Taylor, Councilwoman Candice Johnson, Assistant Town Manager Elaine Holeton, Chief Deputy Clerk Brandi Jones, Planning Director John Woods, LaDonna Jones, Denise Clay, Joseph Hand, Jr.

#### RE: CALL TO ORDER

Chairman Litton called the meeting to order.

### 2. RE: ESTABLISHMENT OF QUORUM

Chairman Litton established that a quorum of Planning Commission members was present.

### 3. RE: APPROVAL OF AGENDA

Chairman Litton advised that the next agenda item is the Approval of Agenda. He inquired if there was a motion to approve the agenda as presented.

Motion made by Mr. Wittwer, Seconded by Mr. K. Jones. Chairman Litton inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting results, by roll call vote: Voting Yea: Mr. Wittwer, Mr. K. Jones, Vice-Mayor Pattison, Vice-Chairwoman Anderson, Mr. J. Jones, Jr., Mr. Schmidt, Chairman Litton.

### 4. RE: CONSENT AGENDA

**A. RE: MINUTES OF THE REGULAR MEETING OF MAY 9, 2024**

Chairman Litton presented the consent agenda consisting of the minutes of the regular meeting of May 9, 2024. He inquired if there was a motion to approve the consent agenda as presented.

Motion made by Vice-Chairwoman Anderson, Seconded by Mr. Wittwer. Chairman Litton inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: Voting Yea: Chairman Litton, Vice-Chairwoman Anderson, Vice-Mayor Pattison, Mr. J. Jones, Jr., Mr. K. Jones, Mr. Schmidt, Mr. Wittwer.

**5. RE: PRESENTATIONS TO PLANNING COMMISSION**

**A. RE: MR. JOSEPH HAND, JR. - UNIFIED DEVELOPMENT ORDINANCE (UDO) PRESENTATION**

Chairman Litton advised that the next agenda item is a presentation by Mr. Joseph Hand, Jr. regarding the Unified Development Ordinance (UDO). Mr. Hand thanked the Planning Commission for allowing him to be placed on the agenda to address his concerns regarding the UDO. He commented that he had been excited to see the new ordinance, but did not see it until recently, and that was his fault. Mr. Hand explained that because he saw the ordinance so late, he has questions. He advised that he was able to meet with Town staff on July 10, 2024. He expressed that the meeting was very informative, and it helped a lot with some of his questions that were included in the Planning Commission package. Mr. Hand stated that he realized that all 12 of his questions could not be discussed at this meeting, but he would discuss a couple of the questions with the Commission. Mr. Hand presented his concerns regarding the proposed UDO to the Planning Commission. Discussion ensued regarding flag lots, private roads, Homestays, Airbnb's, the Small Lot-Small Home Overlay Ordinance, etc. Mr. Hand advised that he is requesting that the Planning Commission consider the following in regard to the proposed UDO: removing the flag lots; that Homestays not be allowed as a use in Historic, R-1 Residential or R-2 Residential Zoning Districts; to not allow the use of Airbnb's; and, to delete Sections D8 through 13 of the Small Lot-Small Home Overlay restrictions. He expressed that he is aware that the Town has done an outstanding job in advertising this information, however, he is still talking to people who have no idea that the Zoning Ordinance is being rewritten. Mr. Hand inquired of the Planning Commission if the Commission would slow down and make sure that the Commission and Town staff has time to talk to as many people as possible before some of the decisions are made regarding the proposed UDO. He remarked that the first time he reviewed the proposed UDO was six weeks ago, and he knows that there are people who are not aware of the upcoming changes. A copy of Mr. Hand's questions and concerns are attached and made part of the minutes.

Planning Director Woods discussed the steps that Town staff and the Planning Commission planned to take to involve the citizens, etc., and to market and get the community's input about the proposed UDO. Discussion ensued regarding scheduling more focus group sessions to help people understand the proposed UDO,

Mr. Hand's suggestion regarding the Town's proposed UDO being based on a model ordinance with a population of 103,000 compared to Wytheville's population of approximately 8,000 and it not being a good model in comparison, etc. Planning Director Woods advised that he would like to clarify that the proposed UDO has zero text taken from the South Bend Ordinance. He commented that the primary items that were taken from that model ordinance was inspiration of the idea that zoning districts are developed specifically to address the unique character of each neighborhood. Planning Director Woods stated that the proposed UDO is not mirrored from the South Bend Ordinance, so he wanted to make that clear. Mr. Schmidt inquired of Planning Director Woods if the square footage, etc. in the proposed UDO was based on the South Bend Ordinance. Planning Director Woods stated that it is not. Mr. Schmidt inquired of Planning Director Woods as to where Planning Director Woods got this information from to place it in the proposed UDO. Assistant Town Manager Holeton explained that essentially, Planning Director Woods wrote a lot of the zone district standards specifically for the Town of Wytheville based on case studies in town of how neighborhoods are working together. Assistant Town Manager Holeton explained that Town staff actually used several localities located in Virginia. She noted that she oversaw the writing of the first four chapters, and she used information from the ordinances of Charlottesville, Albemarle, Pulaski and Blacksburg to create those chapters. Assistant Town Manager Holeton explained that zoning wise, unfortunately, there are not a lot of towns the size of Wytheville that are cutting edge to use as example ordinances. She remarked that Town staff is trying to produce a great document for a town the size of Wytheville. Planning Director Woods stated that the setbacks and standards for the proposed UDO R-1 Residential, R-2 Residential and R-3 Residential Zoning Districts are essentially the same as the current Zoning Ordinance. He explained that they are modified to be consistent on where we measure the setbacks from so there is a difference. Discussion continued regarding the proposed UDO being a form-based code as opposed to the current ordinance, the goal of having hyperlinks to move easily from one area to the next throughout the proposed UDO, etc. Mr. Hand inquired if any of the Planning Commissioners had any questions for him at this time. He reiterated that he would request the Planning Commission take its time with making a recommendation to the Council regarding the proposed UDO because whatever the Commission recommends, the Council will trust that recommendation. Mr. Hand expressed that this document is a big decision which is why he would request that the Planning Commission take its time before making the recommendation. He thanked the Planning Commission for allowing him to speak. Chairman Litton thanked Mr. Hand for his comments, and he proceeded with the agenda.

**6. RE: CITIZENS' PERIOD**

Chairman Litton advised that the next agenda item is Citizens' Period. He stated that there was no one listed on the sign-in sheet who wished to address the Planning Commission during Citizens' Period, however, if there was anyone who would like to speak, now would be the time to do so. There being no one who wished to address the Planning Commission during Citizens' Period, Chairman Litton proceeded with the agenda.

**7. RE: OTHER BUSINESS**

**A. RE: UNIFIED DEVELOPMENT ORDINANCE (UDO) FOCUS GROUPS SUMMARY**

Chairman Litton advised that the next agenda item is a discussion regarding the comments received during the two focus group sessions for the proposed Unified Development Ordinance (UDO). Planning Director John Woods presented a summary of the input received regarding the UDO based on notes taken at various focus group meetings and presentations to community groups. He discussed the comments and made suggestions that could help alleviate some of the concerns that the groups had regarding the proposed UDO.

Planning Director Woods presented the survey comments received regarding the proposed UDO as of June 25, 2024, from the focus and community group sessions held at the Wytheville Meeting Center on June 12 and 13, 2024. He discussed the survey comments and made suggestions to the Planning Commission that could help with the concerns from the survey feedback.

A copy of the summary notes taken during various focus and community group meetings and presentations, as well as the survey comments received from the focus group sessions held June 12-13, 2024, at the Wytheville Meeting Center are attached and made part of these minutes.

**B. RE: UNIFIED DEVELOPMENT ORDINANCE (UDO) PUBLIC INPUT**

Chairman Litton advised that the next agenda item is to discuss the next steps for public input regarding the Unified Development Ordinance (UDO). Planning Director Woods stated that the public input survey is in pre-draft form, but staff intends to develop a public survey, by way of Survey Monkey, which will allow citizens in the community to view the UDO and make comments. He explained the purpose of the focus groups, which is to get the UDO as close to something that is as palatable to Wytheville before presenting the broader surveys. Planning Director Woods stated that the surveys may be interpreted as a huge step, which in a way they are, but adopting the UDO does not change the zoning of anything. He advised that zoning change would be another phase that the Planning Commission would have to go through, and there would not be any land zoned as a Residential Artisan District until a rezoning has taken place. Planning Director Woods discussed the phases regarding the adoption of the UDO. Discussion was held regarding updating the draft UDO with the information received from the focus group sessions, Mr. Hand's concerns, staff's updates and presenting a second draft to the Planning Commission; discussing the "hot topics" at the August meeting; presenting the public input survey after the August meeting; graphic design in the UDO, etc. Assistant Town Manager Holeton advised that the desire to get the UDO complete relatively soon is because Town staff is struggling with the existing Zoning Ordinance. She commented that it is hard for staff to navigate and hard for citizens to understand, therefore, Town staff would request that the Planning Commission not wait too long to complete the UDO. Assistant Town Manager Holeton noted that, at the most, staff would recommend completing the document within six months. She explained that if the Planning Commission wanted to include detailed graphics, it would require at least one year to complete, and the work would have to be contracted out of house and require

approval of a budget. Discussion continued regarding the Planning Commission reviewing the modifications to the UDO concerning the "hot topics" compiled from comments received from the focus group session meetings, surveys, Mr. Hand's concerns, etc., at the August meeting.

**8. RE: ADJOURNMENT**

There being no further business to be discussed, a motion was made, seconded and carried to adjourn the meeting. (7:30 p.m.)

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Bradford M. Litton, Chairman

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Brandi N. Jones, Chief Deputy Clerk

**6-A**



**WYTHEVILLE  
PLANNING  
COMMISSION**



**AGENDA ITEM  
INFORMATION**

<b>Meeting Date:</b>	August 8, 2024
<b>Subject:</b>	Review of Modifications to the Second Draft of the Proposed Unified Development Ordinance (UDO)

**SUMMARY:**

Planning Director John Woods will review the modifications made to the second draft of the proposed Unified Development Ordinance (UDO) with the Planning Commission. These modifications include the information from the focus and community group surveys, Town staff's notes compiled from the focus group meetings and presentations given to community groups, concerns received from Mr. Joseph Hand, Jr. and feedback received from the Planning Commissioners at the July 11, 2024, meeting.

# UDO Changes

## General

1. Changed word “appropriate” to a clearer definition in locations where the text is regulatory. Locations where the word is used to support intent without being regulatory the word appropriate was generally kept in place.

## Article 1

2. Revised provisions for transferability of permits and approvals based on legal non-conforming use provisions.

## Article 2

3. Revised sections on Notice of Violation procedures per legal review comments.
4. Revised section on criminal penalties per legal review comments.
5. Revised section on Non-conformities per legal review comments and modified the following regulations:
  - a. Relaxed percentages of damage or renovation that trigger bringing improvements into full compliance.
  - b. Removed provision allowing the Zoning Administrator to approve variances when a site cannot be brought into compliance.
  - c. Removed provision allowing legally non-conforming lots to be developed if all public utilities are available and other site development standards can be met.
  - d. Added text requiring applicant to show proof of the date of natural disaster and fire events to qualify for permits to reconstruct.
  - e. Added several references to the Code of Virginia.

## Article 3

1. Revised references to the Town’s Master Fee Schedule.
2. Revised text regarding the time required for various reviews.
3. Revised text regarding record retention to adjust to state mandated standards.
4. Text regarding Zoning Review of Development Site Plan was revised.
  - a. Requirements to address all applicable sections of the ordinance were clarified.
  - b. Opportunities to submit a conceptual plan for preliminary review were revised.

- c. Requirements for site plan were clarified with additional information regarding the distinctions between minor and major site plans.
- 5. Text regarding Advanced Zoning Applications and Process was revised.
  - a. Scheduling procedures were revised to meet revised state requirements and facilitate the public hearing process.
  - b. New limits on spot zoning were added.
  - c. A requirement for the applicant to demonstrate that adequate sewer and water utilities are available to serve any proposed zone change, Special Use Exception application, or similar change of use.

Article 4

- 1. The following subsections were moved to Article 7 to group development standards together:
  - a. Sidewalk requirements.
  - b. Fire hydrant placement.
  - c. Emergency vehicle access requirements.
  - d. New access and streets.
  - e. Modifications to existing streets.
  - f. Offsite improvements.

Article 5

- 1. Added notation clarifying interpretation of how townhouses, condominiums and similar multi-family structures can be configured on various lot sizes.
- 2. Modified RMH Residential Manufactured Home Zoning District regulations:
  - a. Revised the purpose statement to clarify provisions grandfathering existing mobile home sites.
  - b. Removed Tiny Home on Wheels and Tiny Home Park as permitted uses.
  - c. Added provision requiring landowner participation in permitting in common ownership parks.
  - d. Added provision requiring adequate emergency vehicle access.
  - e. Added provisions guiding replacement of old units.
- 3. Considering repeal of Small-Lot, Small, Home Overlay Zoning District due to duplication with provisions for cottage neighborhoods.

Article 6

1. Removed homestay from R-2, R-3, SLSH, and RMH Residential Zoning Districts.
2. Removed multi-family – 70 bedrooms/acre from RA, RB-1, RB-2, B-2, B-2 DT, DTB-1, DTB-2, and DTB-3 Zoning Districts.
3. Removed mixed use lifestyle centers from B-2 Business Zoning District.
4. Removed multiplex housing 5 to 12 units from B-2 DT, DTB-1, and DTB-3 Zoning Districts.
5. Removed Townhouse & Condominium from the RH Historic Residential Zoning District.
6. Removed Special Use Exception option for commercial kennels in B-2 Business Zoning District.
7. Removed data centers and industrial scale battery storage from list of excluded uses.

Article 7

1. Moved development standard related text from Article 4 to Article 7 and revised for formatting consistency.
2. Revised and clarified yard encroachment standards for consistency with accessory structure regulations.
3. Moved development standards for accessory structures to Article 8

Article 8

1. Reviewed conditional use regulations for consistency of terminology and land use nomenclature.
2. Added and standardized application procedures and relevant minimum standards for all land uses that require a Special Use Exception Permit.
3. Added cross referencing for conditional uses that share regulation.
4. Increased minimum security fence height for solar facilities for consistency with fence standards when using barbed type wire fencing.
5. The following modifications were made to the conditional use guidelines as noted:
  - a. Accessory dwelling standards were clarified to be subject to the same yard coverage limitations as other accessory structures.
  - b. Requirements for the type of site plan required (minor vs major) were clarified in conditional use standards.
  - c. The maximum number of dogs allowed for a dog run was increased from 3 to 5.

- d. Removed provisions for neighborhood character from townhouse and condominium conditional use standards since the uses were removed from the historic residential neighborhoods.
- 6. Added Conditional Use Regulations for the following land uses:
  - a. Accessory structures
  - b. Open air sales on public sidewalks.
- 7. Procedures for applications and application requirements were added or revised for all uses that require a Special Use Exception Permit, whether in all cases or in specified zoning districts. The uses that were added specifically for Special Use Exception Permit procedures include:
  - a. Group Lodging Facilities
  - b. Outdoor Recreation, Intense
  - c. Rural Village PUD Residential
  - d. Salvage and Recycling Yards (separated from towing and recovery)
  - e. Towing and Recovery (Separated from salvage and recycling yards)
- 8. Separated the following land uses into separate regulations.
  - a. Salvage and Recycling Yard and Towing and Recovery became separate uses.

#### Article 9

- 1. Added cross-references where land use definitions have been grouped for convenience in the Land Use Table and/or Conditional Use Standards.
- 2. Removed the following definitions:
  - a. Tiny House on Wheels
  - b. Tiny Home Park
  - c. Mobile Home Lot (This was never used in the text of the ordinance.)
  - d. Mobile Home Park (Only the term “Manufactured Home Park” is used.)
  - e. Removed a duplicate definition for Outdoor Recreation, Intense.
- 3. Added the following definitions:
  - a. Interior Square Footage
  - b. Lawful Non-Conforming
  - c. Natural Disaster and/or Fire Events
  - d. Site Plan, Major
  - e. Site Plan, Minor
  - f. Structural Replacement
- 4. Modified the following definitions:
  - a. Nonconforming lot, (Lawful) (Specified lawful in the definition.)
  - b. Nonconforming Structure, (Lawful) (Specified lawful in the definition.)
  - c. Nonconforming Use, (Lawful) (Specified lawful in the definition.)

### 8.3. Accessory Structures & Uses

#### A. Purpose

1. To guide the installation and development of accessory structures.
2. Some accessory structures may be subject to additional conditional use standards based on the intended accessory use, such as outdoor heating units, accessory garden cottage ADUs, chicken keeping coops, and similar uses. For these uses, search for and review the associated conditional use standards in this Article.

#### B. Conditional Use Standards

1. Accessory structures are permitted in rear yards only.
2. A minor site plan is required. Town staff shall provide written comments regarding required modifications and/or concerns regarding the site plan.
3. The total ground area occupied by accessory structures may not exceed twenty-five percent (25%) of the rear yard area in Residential, Residential Artisan, and Residential Business Zoning Districts or for residential uses in other zoning districts. The footprint of an accessory garden cottage counts towards the 25% maximum lot coverage for accessory structures.
4. The physical form and use of accessory structures shall be secondary to and customarily incidental to the approved use of the primary use or building. Approved uses include those that are by-right uses, approved conditional uses, or uses approved by Special Use Exception Permit.
5. Accessory structures shall not be used as a dwelling unit unless the structure is in full compliance with the requirements of this UDO and the Building Code in effect within the Town of Wytheville when the structure is modified for use as an ADU. See the regulations for Accessory Dwelling Units in Article 8, Section 8.2 for ADU standards.
6. Accessory floor space such as private garages, carports or other accessory space that is attached to the primary building shall be considered part of the primary building and are subject to the setback and other site development standards that apply to the primary structure.
7. Accessory structures shall meet the following setback requirements. Note: Eave height is measured from the ground to the eave line of the roof.
  - a. The minimum side yard setback for accessory structures on corner lots shall be the same as for the primary structure along the side street frontage.
  - b. Accessory structures with an eave height of twelve (12) feet or more are subject to the same building setback requirements as the primary structure.
  - c. Accessory structures with an eave height of eight feet six inches (8'6") but less than twelve (12) feet shall be located not less than five (5) feet from any party lot line or alley.
  - d. Accessory structures with an eave height of less than eight feet six inches (8'6") shall be located not less than three (3) feet from any party lot line or five (5) feet from any property line adjoining an alley.

- e. Satellite dishes larger than three (3) feet in diameter shall be set back at least five (5) feet from the property line.

### 8.35. Open Air Sales on Public Sidewalk

**A. Purpose**

1. To guide procedures, location, and physical arrangement of sidewalk sales on public sidewalks in selected commercial areas.
2. These regulations are specific to sidewalk sales and similar events held on public sidewalks within the public right-of-way. These regulations do not apply to open air sales on private sidewalks adjacent to storefronts in business and industrial zoning districts.

**B. Conditional Use Standards**

1. Conducting an open air sales event shall require an approved “Special Event, Street Closure, or Traffic Control” permit.
2. Product displays, merchandise, tents, tables, and other related items used as part of the sales event shall not obstruct the free flow of pedestrian traffic along the sidewalk. A clear path of at least 8 feet in width shall be provided. Pedestrian traffic shall not be forced to walk in the street at any time unless the Town of Wytheville Safety and Events Committee and Town Council have approved a street closure or traffic control plan.



## 8.41. Rural Village PUD Residential

### A. Purpose

1. To guide the application process for rural village PUD residential developments within the Town of Wytheville in areas where the use is allowed with a Special Use Exception Permit. (See Table 6.1. in Article 6.)

### B. Application Requirements

1. See Article 5, Subsection 5.27 for additional minimum standards for rural village PUD residential facilities.
2. A major site plan for the facility shall be submitted as part of the application. Town staff shall provide written comments regarding required modifications and/or concerns regarding the site plan. The applicant will be provided with a minimum of two weeks to respond to those comments before the Special Use Exception Permit Hearing will be scheduled. Applicants must allow for the time required for plan review and the applicant's response to the review process.
3. Applicants shall submit a narrative plan and/or assessment that explains the following:
  - y. How the facility will fit with the character of the existing neighborhood.
  - z. Screening, landscape buffers and other measures to limit visual impact.
  - aa. Types of housing that will be provided onsite.
  - bb. Mitigation strategies for potential nuisances.
4. A parking analysis is required showing the anticipated parking needs for the facility. See Article 7, Subsection 7.8.F for more information on parking analysis requirements.

## 8.42. Salvage & Recycling Yard

### A. Purpose

1. To promote the public safety, health, and welfare and to protect public and private investment, the supplemental regulations of this section are intended to regulate the development of salvage and recycling yards, including automobile graveyards, recycling centers, and junkyards.
2. To protect the quality of life and visual character of adjoining properties, streets, and neighborhoods.

### B. Application Requirements

1. Salvage and recycling yards require a Special Use Exception Permit. (See Article 6, Table 6.1)
2. Municipal recycling centers are exempt from these requirements.
3. An application for a Special Use Exception Permit for salvage and recycling yards shall provide a site analysis with the following information:
  - a. A vicinity plan showing adjacent land uses, viewsheds, and potential nuisance issues with proposed mitigation techniques.
  - b. A description of natural features, including streams, rivers, lakes, wetlands, and major topographical features, located within three hundred fifty (350) feet of the site.
  - c. A description of the site development proposal and how it compares to land uses within three hundred fifty (350) feet of the site. (This may be included as part of the required site plan as described in Item 3 below.)
  - d. A description of any potential environmental hazard due to existing or proposed land uses, including soil, water, and air contamination.
  - e. A sound attenuation plan describing sources of sound and indicating conformance with all applicable sound and noise regulations including the Town of Wytheville Noise Ordinance.
  - f. A drainage plan for stormwater management and runoff which includes a narrative explaining how water quality will be protected.
  - g. A traffic plan describing the number of truck trips the proposal will generate and the principal access drives to the facility, including a description of the facility's traffic impact on the surrounding area.
4. A major site plan shall be submitted as part of the application. Town staff shall provide written comments regarding required modifications and/or concerns regarding the site plan. The applicant will be provided with a minimum of two weeks to respond to those comments before the Special Use Exception Permit Hearing will be scheduled. Applicants must allow for the time required for plan review and the applicant's response to the review process.
5. Applicants shall submit a narrative plan and/or assessment that explains the proposed hours of operation, types of activities that will occur onsite, parking and traffic analysis, and noise control/mitigation strategies that will be in place when the facility is in use, either by customers or by employees.

6. A parking analysis is required showing the anticipated parking needs for the facility. See Article 7, Subsection 7.8.F for more information on parking analysis requirements.

**C. Applicability to Existing Facilities**

1. Salvage and recycling yards legally existing at the time of the adoption of this section are to be considered legal nonconforming uses. Existing fencing, trees and shrubs shall be preserved and maintained to provide screening when present. Owners and operators of the types of uses described herein are encouraged to install screening that is consistent with the intent of this section.
2. Expansion or intensification of existing facilities requires a new Special Use Exception Permit be issued and that the facility be brought into compliance with the screening requirements for new facilities as outlined in Subsection "D.7" below. Any increase in land area or building footprint; or the addition or replacement of any shredding, grinding, baling, or packing equipment for the handling of scrap or salvage materials shall constitute an expansion or intensification.
3. Modifications to the screening requirements for existing facilities that are expanded may be granted where topographic conditions cause traditional screening methods to be ineffective, as determined by the Zoning Administrator.

**D. Minimum Standards for New Facilities Seeking Special Use Exception Permits**

1. Businesses operating under this provision shall maintain all applicable DMV licensing requirements for salvage operations.
2. Paving Materials: Surface materials and design for access drives, on-site roads, parking, and other vehicle facilities shall be designed to maintain a dust free environment.
3. Dust, Odors, and Pests: A plan for the control of dust, odors, and pests, including insects and rodents, shall be submitted with the application for a Special Use Exception Permit. All materials shall be stored in such a manner as to prevent the breeding or harboring of rats, insects, or other vermin. Where necessary, this shall be accomplished by enclosure in containers, the raising of materials above the ground, separation of types of materials, preventing the collection of stagnant water, extermination procedures, or other means. Professional monthly exterminating services shall be required, and a log indicating the dates and findings of such professional services shall be maintained on the premises.
4. Noise: Noise levels generated by the operation shall comply with the noise ordinance of the Town of Wytheville as currently amended.
5. Hours of Operation: Hours of operation may be restricted to assure the peaceable enjoyment of residential properties where topography and atmospheric conditions may cause sound to project beyond the boundaries of the site.
6. Stream Protection: Separation/setback from streams and other waterbodies may be established for each site on a case-by-case basis to prevent contamination of lakes, streams, and groundwater by chemicals and oils leaking from stored vehicles.
7. Visual Screening: No vehicle shall be located on any portion of such property so as to be visible from any public street or any residential property and shall be

limited to locations designated on the approved site plan. Site screening shall be sufficient to ensure no more than minimal visual impact on adjacent uses. Plans for screening the site shall be indicated in the required site plan. Required screening may include, but is not limited to, fences, berms, preservation of existing vegetation, installation of additional vegetation, entrance design and location, and the design, bulk, and height of structures.

- 8. Topography and Viewshed: If the topography of the proposed site is such that it is not possible to effectively screen the operation from nearby roadways or adjoining properties, the use is not allowed on the site.
- 9. Separation from Residential Uses: No structure, storage area or other part of the operation shall be located closer than three hundred (300) feet to any existing dwelling or adjacent lot line of a parcel zoned for any residential use, including mixed uses that include a residential component.
- 10. Access: Facilities shall have direct access to a State or Town maintained road, with adequate capacity to serve the traffic generated by the operation. On-site access including drives, alleys, aisles, and other accessways shall be maintained in a safe manner that is clear of obstructions.
- 11. Hazardous Chemicals: No on-site disposal of fuel, chemicals or hazardous materials is permitted. Any such materials shall be disposed of at a site permitted to receive such materials. Dumping of such chemicals and oils on the soil or into waterways is strictly prohibited.
- 12. In considering a special use exception permit for such uses, the Planning Commission may recommend, and Town Council may impose additional standards deemed necessary to address site specific conditions.

## 8.51. Towing & Recovery

### A. Purpose

1. To promote the public safety, health, and welfare and to protect public and private investment, the supplemental regulations of this section are intended to regulate the development vehicle towing and recovery operations.
2. To protect the quality of life and visual character of adjoining properties, streets, and neighborhoods.

### B. Application Requirements

1. Special Use Exception Permits are required for towing and recovery uses.
2. A major site plan shall be submitted as part of the application. Town staff shall provide written comments regarding required modifications and/or concerns regarding the site plan. The applicant will be provided with a minimum of two weeks to respond to those comments before the Special Use Exception Permit Hearing will be scheduled. Applicants must allow for the time required for plan review and the applicant's response to the review process.
3. Applicants shall submit a narrative plan and/or assessment that explains the proposed hours of operation, types of activities that will occur onsite, parking and traffic analysis, and noise control/mitigation strategies that will be in place when the facility is in use, either by guests or by employees.
4. Additional application information may be requested during the application and public hearing process.

### C. Minimum Standards for a Special Use Exception Permit

1. The minimum lot area for a towing and recovery storage yard is 20,000 square feet.
2. Businesses operating under this provision shall maintain all applicable DMV licensing requirements for towing and recovery operations.
3. Visual Screening: No vehicle shall be located on any portion of such property so as to be visible from any public street or any residential property and shall be limited to locations designated on the approved site plan. Site screening shall be sufficient to ensure no more than minimal visual impact on adjacent uses. Plans for screening the site shall be indicated in the required site plan. Required screening may include, but is not limited to, fences, berms, preservation of existing vegetation, installation of additional vegetation, entrance design and location, and the design, bulk, and height of structures.
4. Paving Materials: Surface materials and design for access drives, on-site roads, parking, and other vehicle facilities shall be designed to maintain a dust free environment.
5. Dust, Odors, and Pests: A plan for the control of dust, odors, and pests, including insects and rodents, shall be submitted with the application for a Special Use Exception Permit. All materials shall be stored in such a manner as to prevent the breeding or harboring of rats, insects, or other vermin. Where necessary, this shall be accomplished by enclosure in containers, the raising of materials above the ground, separation of types of materials, preventing the collection of stagnant water, extermination procedures, or other means.

6. Noise: Noise levels generated by the operation shall comply with the noise ordinance of the Town of Wytheville as currently amended.
7. Topography and Viewshed: If the topography of the proposed site is such that it is not possible to effectively screen the operation from nearby roadways or adjoining properties, the use is not allowed on the site.
8. Separation from Residential Uses: No structure, storage area or other part of the operation shall be located closer than three hundred (300) feet to any existing dwelling or adjacent lot line of a parcel zoned for any residential use, including mixed uses that include a residential component.
9. Access: Facilities shall have direct access to a State or Town maintained road, with adequate capacity to serve the traffic generated by the operation. On-site access including drives, alleys, aisles, and other accessways shall be maintained in a safe manner that is clear of obstructions.
10. No body or mechanical work, painting, maintenance, servicing, disassembling, salvage or crushing of vehicles shall be permitted in a dedicated towing and recovery storage yard. This provision shall not prohibit auto service and repair activities occurring within an adjacent enclosed structure in a legally established auto repair or auto-body repair shop.
11. Hazardous Chemicals: No on-site disposal of fuel, chemicals or hazardous materials is permitted. Any such materials shall be disposed of at a site permitted to receive such materials. Dumping of such chemicals and oils on the soil or into waterways is strictly prohibited.
12. No motor vehicle or trailer shall be stored outside of a fully enclosed structure for more than 120 days unless documentation can be provided that said vehicle or trailer is the subject of a law enforcement or insurance related investigation; or is the subject of other legal proceedings. The operator of the facility shall seek resolution of said legal proceedings expeditiously to facilitate removal of vehicles in a timely manner.

**6-B**

**WYTHEVILLE  
PLANNING  
COMMISSION**



**AGENDA ITEM  
INFORMATION**

<b>Meeting Date:</b>	August 8, 2024
<b>Subject:</b>	Unified Development Ordinance (UDO) Marketing Plan and Public Survey Presentation

**SUMMARY:**

Planning Director Woods will present the Planning Commission with Town staff’s proposed Unified Development Ordinance (UDO) marketing plan and public survey questions for review and discussion.

*The public survey questions will be presented at the meeting.*



# ***YOUR INPUT IS NEEDED!***

The Town of Wytheville is in the process of drafting a new Unified Development Ordinance (UDO) to replace the current Zoning and Subdivision Ordinance. This exciting project will update the Town's land use regulations and development standards, while improving the functionality and readability of the Town's Land Use Ordinances. The proposed UDO draft is available for public review and comment. Please help us spread the word about this exciting project for the Town of Wytheville.



Visit the planning department website to review the current UDO draft & take the ***CITIZENS' SURVEY***  
**[WWW.WYTHEVILLE.ORG/PLANNING](http://WWW.WYTHEVILLE.ORG/PLANNING)**

Want to learn more? Plan on attending!

***OPEN HOUSE EVENT***  
**TUESDAY, AUGUST 27TH • 4PM - 7PM**  
Wytheville Meeting Center • 333 Community Blvd • Wytheville



**7-A**

# Wytheville Town Council Action Letter Staff Assignments and Information

July 8, 2024

Number 595

## ACTIONS TAKEN OR DISCUSSED

## STAFF ASSIGNMENTS

- |  |  |
|--|--|
| <ol style="list-style-type: none"> <li>1. Approved the meeting agenda.</li> <li>2. Approved the consent agenda consisting of the minutes of the work session and the regular meeting of June 24, 2024.</li> <li>3. Heard a presentation from Lieutenant Bryan Bard of the Wytheville Police Department regarding the departmental activities.</li> <li>4. Adopted a resolution setting forth the meeting dates, times and place of the regular meetings of the Wytheville Town Council through June 23, 2025.</li> <li>5. Approved an application from Mr. Hunter Stuart for nontraditional landscaping of property located at 725 West Main Street.</li> <li>6. Adopted the amended Electronic Meeting Participation Policy.</li> <li>7. Adopted the amended 2024-25 Wytheville Town Council Rules of Procedure.</li> <li>8. Appointed Mr. Tim Whalen and Ms. Tammy Jenkins to the Wytheville Tree Advisory Committee for a four year term (terms expire May 14, 2028).</li> <li>9. Reappointed Mr. Brandon Elmore to the Smyth-Wythe Airport Commission (term expires June 30, 2028), and requested Town staff to determine if alternate members can serve on the Smyth-Wythe Airport Commission.</li> <li>10. Scheduled a public hearing for the August 12, 2024, Town Council meeting to consider an amendment to the Town of Wytheville Charter, Section 2. Council Generally.</li> </ol> | <ol style="list-style-type: none"> <li>5. <b>Building Permit Technician</b> – notify applicant of approval</li> <li>6. <b>Town Clerk</b> – revise Electronic Meeting Participation Policy</li> <li>7. <b>Town Clerk</b> – revise 2024-25 Wytheville Town Council Rules of Procedure</li> <li>8. <b>Town Clerk</b> – notify applicants of appointment</li> <li>9. <b>Town Clerk</b> – notify applicant of reappointment and review if alternate members can serve on the Commission</li> <li>10. <b>Chief Deputy Clerk</b> – send legal notice to news media</li> </ol> |
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- 11. Cancelled the October 15, 2024, Town Council meeting due to the Virginia Municipal League Conference.
- 12. Approved requesting Town Staff to draft a resolution in honor of Mr. John Johnson to be adopted and presented to his family at a future Town Council meeting.
- 13. Approved recognizing Town retirees with 25 or more years of service with a presentation of a plaque, rocking chair, etc. during a Town Council meeting within proximity to their retirement date.
- 12. Conducted a closed meeting pursuant to §2.2-3711 (A.) (1.) Discussion regarding performance appraisals and salaries for appointed employees, and a discussion regarding a pending vacancy of an appointed position, and certified the closed meeting.

- 11. **Town Clerk** – notify news media, etc.
- 12. **Town Clerk** – draft resolution
- 13. **Human Resources Department** – implement new retiree recognition procedure

# Wytheville Town Council Action Letter Staff Assignments and Information

July 22, 2024

Number 596

### ACTIONS TAKEN OR DISCUSSED

### STAFF ASSIGNMENTS

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| <ol style="list-style-type: none"> <li>1. Approved the meeting agenda, as amended.</li> <li>2. Approved the consent agenda consisting of the minutes of the work session and the regular meeting of July 8, 2024.</li> <li>3. Conducted a public hearing to consider a General Obligation Bond in the amount of \$800,000 for capital improvements to the Town's wastewater facilities, and approved a resolution authorizing the issuance of a General Obligation Bond in the amount of \$800,000 for capital improvements to the Town's wastewater facilities.</li> <li>4. Approved using Emergency Procurement Procedures for the replacement of a pump at the Booker Pump Station.</li> <li>5. Adopted a resolution supporting a Southeast Rural Community Assistance Project, Inc. (SERCAP) Facilities Development Program Grant application in the amount of \$50,000 to be used for the repair of Clarifier #4 at the Town of Wytheville Wastewater Treatment Plant.</li> <li>6. Approved the request from the Department of Museums for the Take a Break from the Interstate Road Market scheduled for July 26-28, 2024, to hold yard sales for three days rather than two days for residents and businesses along the Road Market route through the downtown area and on Tazewell Street.</li> <li>7. Heard a presentation from Director of Parks and Recreation Sharitz about a proposed schedule of holidays to close the Wytheville Community Center, and requested Director Sharitz to prepare reports of attendance at the Community Center on holidays and report back to the Town Council.</li> </ol> | <ol style="list-style-type: none"> <li>3. <b>Town Clerk</b> – forward resolution to bond counsel</li> <li>4. <b>Director of Public Utilities and Engineering</b> – proceed with Emergency Procurement Procedures</li> <li>5. <b>Assistant Town Manager</b> – forward resolution to SERCAP</li> <li>6. <b>Director of Museums</b> – proceed with the Take a Break from the Interstate Road Market</li> <li>7. <b>Director of Parks and Recreation</b> – prepare report for presentation to Council</li> </ol> |
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- 8. Heard a presentation from Director of Parks and Recreation regarding a proposed splashpad, and requested Director Sharitz to form a Committee of certain Town staff members, Town Council representatives, Recreation Commission representatives and Town Management to gather additional information and present it to the Town Council in September 2024.
- 9. Approved increasing the annual stipend from \$1,500 to \$2,500 for four (4) police officers who took the additional training to be certified as animal control officers and who perform the additional animal control duties.
- 10. Conducted a closed meeting pursuant to §2.2-3711 (A.) (1.) Discussion regarding performance appraisals and salaries for appointed employees, and §2.2-3711 (A.) (7.) Consultation with legal counsel to discuss the bond for the College Park Subdivision, and certified the closed meeting.

- 8. **Director of Parks and Recreation** – form Committee to discuss a proposed splashpad
- 9. **Police Chief Hash-** implement stipend increase