



AGENDA

WYTHEVILLE PLANNING COMMISSION MEETING

THURSDAY, OCTOBER 10, 2024 AT 6:00 PM
COUNCIL CHAMBERS - 150 EAST MONROE STREET
WYTHEVILLE, VA 24382

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 meetings of August 8, 2024, and September 12, 2024 (requires motion and vote)
5. **PUBLIC HEARING**
 - A. **Public hearing to consider repealing Ordinance No. 640, the Zoning Ordinance of the Town of Wytheville, Virginia, and, Ordinance No. 652, the Subdivision Ordinance of the Town of Wytheville, Virginia, and replacing the Zoning and Subdivision Ordinances with the Unified Development Ordinance (UDO)**
 1. Staff Report by Planning Director John Woods
 2. Public hearing to consider repealing Ordinance No. 640, the Zoning Ordinance of the Town of Wytheville, Virginia, and, Ordinance No. 652, the Subdivision Ordinance of the Town of Wytheville, Virginia, and replacing the Zoning and Subdivision Ordinances with the Unified Development Ordinance (UDO)
6. **RECOMMENDATION TO TOWN COUNCIL**
 - A. To support the health, safety and welfare of the citizens of the Town of Wytheville, the Wytheville Planning Commission will consider making a recommendation to the Wytheville Town Council to repeal Ordinance No. 640, the Zoning Ordinance of the Town of Wytheville, Virginia, and, Ordinance No. 652, the Subdivision Ordinance of the Town of Wytheville, Virginia, and to replace the Zoning and Subdivision Ordinances with the Unified Development Ordinance (UDO) **(requires motion and roll call vote)**
7. **CITIZENS' PERIOD**
8. **OTHER BUSINESS**

A. Consideration by the Wytheville Planning Commission to dispense with the Thursday, December 12, 2024, meeting **(requires motion and vote)**

9. ADJOURNMENT

A. Additional Attachments - September 2024 Council Actions

4-A



MINUTES

WYTHEVILLE PLANNING COMMISSION MEETING

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

1. UNAPPROVED MINUTES

RE: ATTENDANCE

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Vice-Mayor Cathy Pattison

OTHERS PRESENT:

Councilwoman Holly Atkins, Councilwoman Candice Johnson, Assistant Town Manager Elaine HOLETON, Chief Deputy Clerk Brandi Jones, Planning Director John Woods, Chris Fox, 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. J. Jones, Jr., 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 results, by roll call vote: Voting Yea: Mr. Wittwer, Mr. K. Jones, Vice-Chairwoman Anderson, Mr. J. Jones, Jr., Mr. Schmidt, Chairman Litton.

4. RE: CONSENT AGENDA

A. RE: MINUTES OF THE REGULAR MEETING OF JULY 11, 2024

Chairman Litton presented the consent agenda consisting of the minutes of the regular meeting of July 11, 2024. He inquired if there was a motion to approve the consent agenda as presented.

Motion made by Mr. J. Jones, Jr., Seconded by Vice-Chairwoman Anderson. 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, Mr. J. Jones, Jr., Mr. K. Jones, Mr. Schmidt, Mr. Wittwer.

5. RE: CITIZENS' PERIOD

Chairman Litton advised that the next agenda item is Citizens' Period. He stated that there was one citizen listed on the sign-in sheet who wished to address the Planning Commission during Citizens' Period.

Mr. Joseph Hand, Jr. was recognized and stated that he resides in Wytheville. He commented that when comments are made that there are no changes in R-1, R-2 or R-3 Residential Zoning Districts, it is not accurate because in the ordinance there will be significant changes made under Article 8. He remarked that it was his understating that the Town's Zoning Ordinance was being revised, which was his fault for not having it correct. Mr. Hand commented that a revision made sense to him because the Town's Zoning Ordinance is very hard to read, but the content of the book was okay, but, it was just hard to read. He expressed that he understood that the book was going to be revised so that it would be easier to understand, but he did not understand that everything in the book was going to be thrown away. Mr. Hand advised that this statement was made at the Wytheville Meeting Center at the first meeting when it was told that the Town's Zoning Ordinance was placed in the trash and that the Town started over. He commented that the problem with that is that the original ordinance makes the Town of Wytheville. Mr. Hand stated that every regulation in that Zoning Ordinance was adopted through public hearings through the people who live here. He commented that the ordinances that are being proposed are from multiple different places. Mr. Hand stated that there is nothing wrong with that, as long as it works for Wytheville. He continued to explain his thoughts and concerns regarding the Town discarding the current Zoning Ordinance and adopting the proposed Unified Development Ordinance. Mr. Hand explained that he attended this meeting to question the Planning Commission about whether the members of the Planning Commission are asking for the changes to the Zoning Ordinance or is it Town staff. He commented that he feels like the proposed Unified Development Ordinance (UDO) is being pushed, and he wants to know if it is being pushed by the Commission or by Town staff. Mr. Hand inquired of the Planning Commission members if they could help him understand as to where the push is coming from for the new UDO because there has not been time for discussion regarding what is in the proposed ordinance. He reiterated that the new ordinance cannot be pushed on the people. Mr. Hand inquired of each Planning Commission member if they could share with him if they feel like the new ordinance needs to be pushed through or what their thoughts are regarding the proposed ordinance. He inquired if any of the Commissioners could please share their thoughts with

him. Assistant Town Manager Holeyton advised Mr. Hand that his five-minute speaking limit was up, and, typically, it would be up to the Chairman to decide whether or not to engage in back-and-forth conversation with citizens. She stated, therefore, it is up to the Chairman if he chooses to engage in conversation with Mr. Hand.

Chairman Litton advised that, if it is appropriate, the Planning Commission will discuss Mr. Hand's comments further under Other Business, once Planning Director John Woods presents the changes made to the second draft of the UDO to the Planning Commission and after the Commissioners review those changes with Director Woods. He inquired of Mr. Hand if this would be acceptable to him. Chairman Litton commented to Mr. Hand that the Commission wants to address his and everyone else's concerns and get the UDO right. He remarked that the Planning Commission does not want to push this through even if it takes more time than expected, speaking for himself. Chairman Litton stated that the Planning Commission and Town staff have been working on the UDO for a very long time. He reiterated that the Commissioners want to get it right.

Mr. Hand inquired if Chairman Litton would grant him 30 seconds more to speak because he could not stay for the entire meeting. Chairman Litton granted Mr. Hand more time to address the Planning Commission. Mr. Hand discussed the Housing Study not being accurate because of the Blue Star factory not coming to fruition and the fact that the study was based on 2,500 people relocating to all of Wythe County, not just the Town of Wytheville, which did not happen. Discussion was held regarding Town staff's recommendations to the Planning Commission and how they are presented at the meetings. Mr. Hand 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: OTHER BUSINESS

A. RE: UNIFIED DEVELOPMENT ORDINANCE (UDO) - REVIEW OF MODIFICATIONS TO THE PROPOSED SECOND DRAFT

Chairman Litton advised that the next agenda item is the review of modifications to the second draft of the proposed Unified Development Ordinance (UDO). Planning Director John Woods presented a summary of the UDO changes to the Commissioners. He noted that there were revisions to Articles 1 through 4, and he briefly reviewed those with the Commission. Under the revisions to Article 5, Director Woods stated that after reviewing the changes to this section, it would be good for the Commissioners to discuss the consideration of repealing the Small-Lot, Small-Home Overlay Zoning District, due to duplication with provisions for cottage neighborhoods in several of the proposed zoning districts. He inquired if any of the Commissioners had any thoughts regarding this revision. Discussion ensued regarding the square footage requirement of a cottage neighborhood house. Chairman Litton stated that Director Woods needs some clarity regarding whether or not to remove the Small-Lot, Small-Home Overlay Zoning District section or place it under the cottage neighborhoods. Director Woods noted that, if left in the proposed UDO, this overlay could be used in A-1 Agricultural, R-3 Residential, proposed R-4 Residential, proposed Residential Artisan and the proposed Residential Business Districts. Chairman Litton inquired of the Planning Commission what their thoughts

were in regard to abandoning the Small-Lot, Small-Home Overlay Zoning District, going with the cottage neighborhoods or modifying this use. Discussion was held regarding the Small-Lot, Small-Home Overlay use intended for senior citizens and others to be able to have a smaller, affordable house, as well as the way this overlay has been addressed in the proposed UDO. Chairman Litton explained that on the current Zoning Map, the Small-Lot, Small-Home Overlay Zoning District is owned by one landowner, therefore, if someone wanted to build a small home, they would have to do so through that one landowner. He noted that it is feeling that what Director Woods is trying to explain would be to remove the restrictions on the area and expand it so that it is not confined to that one area of town. Planning Director Woods advised that it also expands the use to future R-4 Residential, future Residential Artisan, the Small-Lot Small-Home Overlay, if kept, and the two Residential Business Zoning Districts. He explained that most of those are proposed zoning districts that would not be implemented until the Town held the required rezoning process with public hearings through both the Planning Commission and the Town Council. Chairman Litton inquired of Director Woods as to how he feels the Planning Commission should approach this. Planning Director Woods stated that based on what he is hearing from the Commissioners, there is some concern about losing the overlay until there are some other things in place, therefore, he would suggest that the Small-Lot, Small-Home Overlay not be removed at this time. Chairman Litton inquired if the items of contention could be removed such as the siding thickness, nail placement, etc. Planning Director Woods stated that Town staff would absolutely remove that verbiage. Chairman Litton inquired if this was acceptable to the Planning Commissioners. It was the consensus of the Planning Commission to remove the design review elements from the proposed UDO to match the R-1 Residential Zoning District verbiage.

Planning Director Woods continued to review the changes to Article 6 with the Planning Commission. Chairman Litton inquired if the Commission would like to spend some time discussing the homestay portion of the UDO since it is one of the hotter topics. He inquired of Director Woods if, the way it is crafted now, homestays would only be a permitted use in the downtown districts. Director Woods stated that it would mostly be in areas that are zoned for Business or in the M-1 Industrial Zoning District. He explained that the reasoning is because they could be built now or operated now, by-right. Chairman Litton inquired of Director Woods if he thought it was a bad idea to allow a Special Exception Permit process for homestays to permit people to apply for them in R-2 or R-3 Residential Zoning Districts. Director Woods advised that this is an option, and if the Planning Commission wants to allow the use in R-2 Residential and in R-3 Residential Zoning Districts, a Special Exception Permit would be the only way that he would recommend that the Planning Commission allow the use. Director Woods stated that he is asking the Planning Commission if this is what they are asking for, and if it is, then he fully supports it. Chairman Litton advised that he did not want Wytheville to be the only community in Southwest Virginia that says no to Airbnb's and not have a reason why. He remarked that, obviously, the hotel industry is against the use because it cuts in on their business and it is competition, and people can name negatives and bring up articles, but there are a lot of people who like using them. Director Woods explained that the reason for removing the use would be due to the comments that the Town has received so far

through the Focus Group Sessions and others who have expressed concerns over the use. Discussion ensued regarding the Airbnb use being left in the proposed UDO, the requirement for a conditional use versus a Special Exception Permit, considering the public input surveys before deciding about homestays, etc. Director Woods explained that there was some pushback that the proposed UDO was going too far, therefore, the higher density, multi-family, 70-bedrooms per acre have been removed from a number of the zoning districts, along with the mixed-use lifestyle centers from the B-2 Business Zoning District. He continued reviewing the recommended changes to Article 6 with the Planning Commission. Director Woods inquired if there were any questions or concerns regarding Article 6, which is the Land Use Table. There being none, he proceeded to review Article 7. Planning Director Woods stated that the main changes to Article 7 included moving development standard related text from Article 4 to Article 7, clarifying the yard encroachment standards to be consistent with the accessory structure regulations and moving the development standards for accessory structures into Article 8 since that had been changed to a conditional use. He commented that, basically, that is to ensure the flexibility in the various zoning districts to guide those uses by Conditional Use Standards. Planning Director Woods reviewed the changes to Article 8 of the second draft of the UDO with the Planning Commission that included the conditional use regulations for consistency of terminology and land use nomenclature, added standardized application procedures and relevant minimum standards for all land uses that require a Special Use Exception Permit, added cross referencing for conditional uses that share regulations, etc. He reviewed the revisions to Article 9, which included adding cross references where land use definitions have been grouped for convenience in the Land Use Table and/or Conditional Use Standards; removed the definitions for Tiny Homes; Tiny Home Parks; Mobile Home Lot and Mobile Home Park; and, added and modified definitions. Planning Director Woods inquired of the Commission if there were any of the uses that the Planning Commissioners would like to review further regarding the UDO changes. Chairman Litton inquired of Planning Director Woods regarding the revision to Article 5 and mobile home parks. Planning Director Woods advised that the Virginia Code protects those uses. He stated that any existing mobile home park that remains in existence, by State Law, can always be replaced. Discussion ensued regarding the regulations that can and cannot be placed on mobile home parks. Chairman Litton inquired if there were any other questions or comments regarding the revisions to the second draft of the UDO. Planning Director Woods inquired if the Planning Commission members had any objection to Town staff publishing the second draft of the Unified Development Ordinance (UDO) to the Town's website for review by citizens. He noted that before the document went live on the Town's website, Town staff wanted to present it again to the Planning Commission for any changes the Commission felt were necessary. Planning Director Woods commented that Town staff will quickly make the changes and go live with the document on Monday, August 12, 2024, if that is what the Planning Commission wants staff to do. He noted that if anyone would like to track the changes to the document, he can make it available in a PDF that can be emailed. Planning Director Woods noted that it may be difficult to follow because it is a large document, etc., but he will email it if anyone would like a copy to review. Assistant Town Manager Elaine Holeyton explained to the Planning Commission the changes involved from draft one to draft two of the UDO which included a legal review of the first three Articles from

the Interim Town Attorney, a meeting with the Town Manager who found some items that needed clarification and a meeting with the Animal Control Officer who reviewed some of the animal related items, Focus Group Input Sessions, etc. Chairman Litton inquired if there were any objections to Town staff going live with the second draft of the UDO after the revisions that were discussed at this meeting are made. There being no objections, it was the consensus of the Planning Commission for Town staff to upload the revised second draft of the Unified Development Ordinance (UDO) to the Town's website for citizens to review. A copy of the UDO summary is attached and made part of the minutes.

B. RE: UNIFIED DEVELOPMENT ORDINANCE (UDO) - MARKETING PLAN AND PUBLIC SURVEY PRESENTATION

Chairman Litton advised that the next agenda item was the presentation of the Marketing Plan and Public Survey for the Unified Development Ordinance (UDO) by Planning Director John Woods. Planning Director Woods presented a summary of the public outreach efforts for the UDO to the Planning Commission. Assistant Town Manager Holeton inquired if any of the Planning Commissioners had a chance to review the survey questions and if there were any questions that they would like to remove or add. She inquired if anyone had any concerns regarding the survey. Assistant Town Manager Holeton advised that there was still time to make changes if there was anything that the Commissioners would like to revise. She noted that Town staff tried to hit the "hot topics" which is why homestays, high-density housing, ADU's and the Land Use Table are all topics on the survey. She commented that, obviously, Town staff will put anything on the survey that the Planning Commission would like to ask citizens. Discussion ensued regarding the technical limitations of Survey Monkey, where citizens will be able to find the survey, etc. Chairman Litton stated that it seemed like Town staff had a good marketing plan in mind for the UDO. A copy of the Staff Report is attached and made part of the minutes.

7. RE: ADJOURNMENT

There being no further business to be discussed, Chairman Litton adjourned the meeting. (7:11 p.m.)

Bradford M. Litton, Chairman

Brandi N. Jones, Chief Deputy Clerk



MINUTES

WYTHEVILLE PLANNING COMMISSION MEETING

THURSDAY, SEPTEMBER 12, 2024 AT 6:00 PM
COUNCIL CHAMBERS - 150 EAST MONROE STREET
WYTHEVILLE, VA 24382

1. UNAPPROVED MINUTES

RE: ATTENDANCE

MEMBERS PRESENT:

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

MEMBERS ABSENT:

Chairman Brad Litton

OTHERS PRESENT:

Mayor Beth Taylor, Assistant Town Manager Elaine HOLETON, Chief Deputy Clerk Brandi Jones, Planning Director John Woods, Director of Computer Operations Ron Jude, Director of Public Utilities and Engineering Billy Anderson, Joe Faraci, Denise Clay, Luther Hatmaker

RE: CALL TO ORDER

Vice-Chairwoman Anderson called the meeting to order, due to the absence of Chairman Litton.

2. RE: ESTABLISHMENT OF QUORUM

Vice-Chairwoman Anderson established that a quorum of Planning Commission members was present.

3. RE: APPROVAL OF AGENDA

Vice-Chairwoman Anderson advised that the next agenda item is the Approval of Agenda. She inquired if there was a motion to approve the agenda as presented.

Motion made by Mr. J. Jones, Jr., Seconded by Mr. Wittwer. Vice-Chairwoman Anderson 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.

4. RE: CITIZENS' PERIOD

Vice-Chairwoman Anderson advised that the next agenda item is Citizens' Period. She inquired if any citizens wished to speak during Citizens' Period. There were no citizens who wished to address the Planning Commission during Citizens' Period, therefore, Vice-Chairwoman Anderson proceeded with the agenda.

5. RE: MAJOR SUBDIVISION REVIEW - ASBURY LANE PHASE II

A. RE: ASBURY LANE PHASE II - MAJOR SUBDIVISION REQUEST

Vice-Chairwoman Anderson advised that the next agenda item is to consider the major subdivision application for Asbury Lane Phase II, submitted by Fusion Holdings, LLC, for the creation of 11 lots on Asbury Lane, Tax Map Parcel #25-70A. She stated that the Planning Commission package included a Staff Report prepared by Director of Public Utilities and Engineering Billy Anderson regarding the Asbury Lane Phase II major subdivision request. Vice-Chairwoman Anderson inquired if Director Anderson had any comments for the Planning Commission. Director Anderson stated that since this plat was first submitted, Fusion Holdings, LLC, has conveyed the property to Angilo and Brenda Faraci. He noted that Mr. Joe Faraci, of New Line Construction Group, is the representative for the owners. Director Anderson explained that everything will stay the same on the plat with the exception of the signatory and the source of title. He commented that Mr. Faraci was the original applicant in May 2024, as well, therefore, nothing else will change. Vice-Chairwoman Anderson inquired if there were any questions for Director Anderson.

Mr. Schmidt stated that he had several questions for Director Anderson. He stated that he had some concerns regarding the approval of the extra lots in the subdivision. Mr. Schmidt inquired of Director Anderson as to what the requirements were for those extra lots to be approved because his biggest concern is the water control in that area. He remarked that Director Anderson's Staff Report noted that Phase II would consider the Virginia Department of Environmental Quality (DEQ) stormwater requirements. Discussion ensued regarding DEQ's stormwater requirements for the development of property, which is known as a Common Plan of Development. Mr. Schmidt stated that he is concerned about the stormwater being a problem for the houses near the extra lots. He inquired of Director Anderson if he felt that stormwater would be a problem for those houses. Director Anderson explained the drainage for the lots in the proposed subdivision, and he noted that DEQ does not have any issues with the site. Mr. Schmidt inquired of Director Anderson if there is an outlet for the overflow or would Lot 17 get flooded due to the subdivision not having a detention pond. Mr. Schmidt stated that he does not have a problem with the application, except for the stormwater and, specifically, Lot 17. He noted that he was worried about it flooding out. Director Anderson advised that there is the possibility of flooding, however, DEQ has no problem with the application. Director Anderson discussed the drainage of the natural pond, which is being used for stormwater control, that is located on the property. He noted that the Town does not have design data from the early 1980's when the Birdmont Nursing Facility was built. Director Anderson commented that the pond located on the property is considered a wet

pond. Mr. Schmidt commented that he still finds it strange that there is not a stormwater detention pond. Assistant Town Manager Holeton stated that for those who may not be aware, the Virginia Department of Environmental Quality (DEQ) is the agency who implements the regulations for stormwater management in the State of Virginia. She explained that some localities choose to have their own stormwater management program, but, in Virginia, localities have the option to opt in or opt out of having their own stormwater management programs. Assistant Town Manager Holeton advised that the Town of Wytheville has opted out of managing its own stormwater program, therefore, the Town always defaults to DEQ regarding stormwater regulations. She explained that if DEQ's stormwater management regulations state that this plan of development meets the guidelines, then the Town will not typically get involved. She noted that to answer Mr. Schmidt's question, most developers will include a stormwater management system in the plans of a subdivision so that when they market the lots, the actual homeowners do not have to go and pull the individual building permits, which helps with the marketability of the lots because the lots that are being sold have already gone through that process and there is a common stormwater detention pond. Assistant Town Manager Holeton advised that this particular developer made the decision to not do an overall plan of development that would have a stormwater detention pond separate from the one shown on the plat because their decision was to let each individual lot owner who was going to invest in that subdivision pull their own stormwater permit, which will be regulated through the Town's Building Department. She noted that the Building Official's Office will make sure that before homes are constructed, the Town has the required paperwork from DEQ for each individual lot. Discussion continued regarding the DEQ requirements for the stormwater management for the development of property, the excess water that comes from the Asbury area that flows into the wet pond, etc. Vice-Mayor Pattison inquired of Director Anderson if, in the future, the Town needs to install a lot of new pipes since these lots would be hooked to Town water from either Van Mar Drive or Asbury Lane or were the Town's pipes adequate to furnish water to the new lots. Director Anderson explained the Subdivision Agreement with Asbury Lane that is to be completed. He continued explaining the agreement, which includes a warranty period for the developer of the property, as well as the water hookup process for the water to the lots in the subdivision. Mr. Schmidt inquired of Director Anderson if the added lots on Asbury Lane would create traffic issues for Holston Road. Director Anderson stated that he could not foresee any issues because there are no issues with the site distance coming off Asbury Lane, and he noted that the street has been approved to the Virginia Department of Transportation (VDOT) standards. He commented that he does not see a traffic issue with people pulling in and out of Asbury Lane. Director Anderson remarked that in his opinion, there is probably just as much traffic coming and going from Carrington Place that also exits from the Asbury Lane entrance. Discussion was held regarding the review and approval of the septic systems on the lots by the Virginia Department of Health (VDH). Vice-Chairwoman Anderson inquired if there was any other discussion regarding the major subdivision application for Asbury Lane Phase II. There being none, she proceeded with the agenda.

B. RE: RECOMMENDATION TO TOWN COUNCIL - ASBURY LANE PHASE II MAJOR SUBDIVISION

Vice-Chairwoman Anderson advised that the next agenda item is to make a recommendation to the Wytheville Town Council regarding the major subdivision application for Asbury Lane Phase II, submitted by Fusion Holdings, LLC.

A motion was made by Mr. K. Jones and seconded by Mr. J. Jones, Jr. to recommend to the Town Council to approve the major subdivision application for Asbury Lane Phase II, submitted by Fusion Holdings, LLC. Vice-Chairwoman Anderson 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.

6. RE: OTHER BUSINESS

A. RE: CITIZENS' SURVEY RESULTS

Vice-Chairwoman Anderson advised that the next agenda item is to review the results of the Citizens' Survey. Planning Director Woods stated that the Planning Commissioners should have had two documents included in the meeting package related to the survey and marketing of the Unified Development Ordinance (UDO). He explained that the first document was a timeline listing the various activities that have been prepared to encourage community input and community outreach regarding the proposed UDO. He commented that it lists a number of activities. Director Woods highlighted a few of those activities, which incorporated information that was included in approximately 3,600 water bills, two press releases that ran as four separate articles in the *Wytheville Enterprise*, a radio segment for the Talk of the Town, a banner ad that ran for two weeks in the *Wytheville Enterprise*, email blasts that were sent to 200 plus Town employees and community members and more. He reported regarding the Open House Meeting held at the Wytheville Meeting Center on August 27, 2024, to receive comments about the proposed UDO. He noted that 16 people attended the meeting. Director Woods remarked that the Citizens' Survey that was posted for approximately three and a half weeks received lots of good feedback. He inquired if there were any questions or comments regarding the survey. Mr. Wittwer commented that the survey results include some interesting reading. Director Woods noted that there were some very good comments and, for the most part, the responses were positive. Vice-Mayor Pattison commented that out of the 42 survey responses, it was interesting to her that 81 percent were submitted from Town citizens. Director Woods advised that there were only three surveys submitted by people who did not either live in town or own property in town. He commented that there were several survey respondents who had a business or owned property for some other reason, even though they lived outside of town limits. Director Woods noted that most of the respondents have a vested interest in how this ordinance is implemented. Discussion ensued regarding if the Planning Commission has satisfied all citizens in regard to answering all questions about the proposed UDO, as well as getting the information out to citizens about the change to the ordinance. Vice-Chairwoman Anderson, Mr. K. Jones and Mr. Wittwer advised that they do not understand how Town staff could have done anymore to get the word out about this information and the ordinance change. Vice-Mayor Pattison stated that the Planning

Commission needs to get the general facts out to the public about this, and sometimes the general public is not open to listening to the facts. She commented that she hopes that the Planning Commission has done a good job regarding the ordinance because they have been working on this project for over two years and have put a lot of hard work into it and a lot of discussion. Vice-Mayor Pattison stated that she has been on the Planning Commission for 12 years, and she cannot remember a time that the Zoning Ordinance has not been discussed without skepticism and doubt from citizens stating that the Town is not listening to them. She remarked, therefore, she would like to make sure that the Planning Commission is listening. Mr. Schmidt commented that the Planning Commission is in the final stages now, and if it makes a recommendation to the Town Council, it will affect everyone in town, and the Commission needs to do what is best for the town. Director Woods explained the next stages for adoption of the UDO, which includes a public hearing to hear public comments at a Planning Commission meeting and a public hearing at a Town Council meeting for public comments, as well. Discussion ensued regarding the public hearing process and the recommendation process by the Planning Commission to the Town Council. Mr. Schmidt remarked that he would like to hear more comments from the public, but he is not sure how to get the public more involved because Town staff has done everything possible to get people to come out to hear about this. Mr. K. Jones stated that every meeting the Planning Commission holds is a public meeting, and there is rarely anyone who attends the meetings. Mr. J. Jones, Jr. expressed that he has been a member of the Wytheville Planning Commission for over 30 years, and the biggest public attendance to a Planning Commission meeting was when Walmart announced it was coming to town. He noted that there was approximately a 10:1 ratio of people who were in support of the project. He remarked that everyone had a chance to speak, but the meeting had to be moved because so many people came to the public hearing. Mr. J. Jones, Jr. commented that the Planning Commission's role may not be of interest to the average citizen, however, it may be of interest to a realtor or a contractor. He remarked that all these people have certainly had the opportunity to comment on the proposed UDO, over the last two years just like Vice-Mayor Pattison stated. He advised that, personally, he feels like the Planning Commission has gone overboard to try to make sure that it was right. He stated that everyone will not be happy, but that is just the way the system works. Planning Director Woods explained that even if the document is adopted, the refinement process will not stop. He commented that when issues arise that are not working, etc., those issues will be addressed. Mr. Wittwer remarked that at least the foundation will be there. Discussion ensued regarding the devaluing of property under the activities in the proposed UDO and the current Zoning Ordinance that are by-right uses. There being no further discussion regarding the Citizens' Survey, Vice-Chairwoman Anderson proceeded with the agenda.

B. RE: UNIFIED DEVELOPMENT ORDINANCE (UDO) - REVIEW OF MODIFICATIONS TO THIRD DRAFT

Vice-Chairwoman Anderson advised that the next agenda item is the review of the modifications to the third draft of the Unified Development Ordinance (UDO). Director Woods stated that the Commissioners have a sheet of summary changes in front of

them that were made to the UDO since the packages were sent last Friday, September 6, 2024. He reviewed the modifications made to the third draft of the UDO since draft two, which included grammar check and formatting of the document; correction of conditions for using minor site plans; the addition of a requirement for subdivision variation approval for private streets; the addition of cottage style neighborhoods as a cluster housing type; and, addition of requirements to mark rights-of way and boundaries during constructions. Director Woods explained that based on a comment that came from the Focus Group that did not get into the last revision about how the Town's setback regulations are set, he went through a process of comparing the current Zoning Ordinance to the proposed UDO and how those setbacks would be established for each of the Town's existing residential zoning districts and found that he was not as consistent as he had thought. He explained that he went back and adjusted the setback standards to be more consistent with what the current Zoning Ordinance allows while still giving some leeway to correct for the way the Town used to measure setbacks and to make them standardized from a right-of-way line, as opposed to the edge of pavement, but, also, to make it easier to position a house on a parcel. Director Woods stated that the Town Attorney finished his review of the proposed ordinance, and he had a list of 30 comments, which have been addressed in draft three of the UDO. Director Woods advised that he would now discuss the survey responses and relate them to some of the hot topic issues that the Planning Commission may want to consider as additions or omissions in the proposed UDO. Discussion ensued regarding the consideration of the hot topics which include Accessory Dwelling Units (ADU); Mixed-Use Residential Neighborhoods; Homestays/Short-Term Rentals; High-Density Residential Uses; Buffer Yard Requirements; Traffic Studies; Parking Standards; Conditional Use Standards; and, the clarity, presentation and appropriateness of the Land Use Table. It was noted that the ADU could potentially be controversial. Director Woods commented that some neighborhoods in town already have existing ADUs. He noted that this is the section of the current Zoning Ordinance that is controversial. Director Woods stated that he agreed with the current Zoning Ordinance for Short-Term Rentals only being a permitted use in Business Zoning Districts, and that he did not see any added need for making them available in other areas through a Special Exception Permit process, unless the Planning Commission would like to make this an option. He commented that several people requested Town staff not to make Special Exception Permits an option for Short-Term Rentals because they did not want them in Residential Zoning Districts, specifically, the Historical Zoning District. Director Woods advised that the majority of citizens prefer High-Density Residential Uses to be located in new developments away from existing neighborhoods with land use controls like landscaped buffers and large setbacks from adjoining neighborhoods. Assistant Town Manager Holeyton discussed the difference between the current Zoning Ordinance and the proposed UDO regarding transportation, which includes traffic studies, etc. She noted that the new ordinance will include specific standards. Planning Director Woods stated that based on the comments from the survey, he does not see anything from the third draft that the Planning Commission needs to change regarding the revisions from this meeting. He remarked that the Planning Commission may want to consider revising the ADU use because this is where the bulk of the comments were in favor of the use. Director Woods stated that for Homestays/Short-Term Rentals, which were equally controversial, he feels the

Planning Commission has already discussed and agreed that it would be best to not permit the use in any Residential Zoning Districts. Mr. Schmidt inquired if the ADU's were the biggest concern, in Director Woods opinion. Director Woods stated that it was, and that the ADU use still had more support than opposition. Mr. J. Jones, Jr. commented that the Planning Commission can find out what the public thinks during the public hearing, as far as ADU's are concerned. Mr. Schmidt inquired if Director Woods felt like the Planning Commission needed more time to discuss this. Director Woods stated that based on the current data from the survey, there are more citizens in support of ADU's than in opposition. He commented that it was a recommendation from the Housing Study that the Town allow ADU's, as a way to address the housing shortage, which is a reason to keep it in. Director Woods advised that he would not want to lose the real important fixes that the UDO provides as a whole, over the sake of opposition to one issue such as this.

C. RE: SCHEDULING PUBLIC HEARING FOR THE PROPOSED UNIFIED DEVELOPMENT ORDINANCE (UDO)

Vice-Chairwoman Anderson advised that the next agenda item is to consider scheduling a public hearing for the Thursday, October 10, 2024, Planning Commission meeting, at 6:00 p.m., to consider the proposed Unified Development Ordinance (UDO). Mr. K. Jones inquired of Director Woods that if the Planning Commission schedules the public hearing, would it be bound to vote to approve/deny the UDO at the meeting. Director Woods advised that the Planning Commission is not required to vote at the meeting. Discussion continued regarding the Planning Commission scheduling a public hearing, and if more changes could be made to the UDO after hearing the public comments, as well as making the recommendation to the Town Council at a later date. Assistant Town Manager Holeton inquired of the Planning Commission what they would prefer to have on the next meeting agenda in reference to the public hearing. She inquired if the Planning Commission would prefer the next agenda to include only the public hearing or to include the public hearing and an action item to consider a recommendation to the Town Council to approve/deny the UDO. Assistant Town Manager Holeton inquired which option the Planning Commission prefers. Discussion ensued regarding scheduling a public hearing, etc. It was the consensus of the Planning Commission to include the following agenda items on the Thursday, October 10, 2024, meeting agenda: 1.) public hearing; and, 2.) Consider making a recommendation to the Wytheville Town Council to approve/deny the proposed Unified Development Ordinance (UDO). Vice-Chairwoman Anderson inquired if there was a motion to schedule a public hearing for the Thursday, October 10, 2024, Wytheville Planning Commission meeting, at 6:00 p.m., in the Council Chambers, to consider the proposed Unified Development Ordinance (UDO).

Motion made by Mr. J. Jones, Jr., Seconded by Mr. K. Jones. Vice-Chairwoman Anderson 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: Vice-Chairwoman Anderson, Vice-Mayor Pattison, Mr. J. Jones, Jr., Mr. K. Jones, Mr. Schmidt, Mr. Wittwer.

7. **RE: ADJOURNMENT**

There being no further business to be discussed, Vice-Chairwoman Anderson adjourned the meeting. (7:22 p.m.)

Lisa K. Anderson, Vice-Chairwoman

Brandi N. Jones, Chief Deputy Clerk

5-A

**WYTHEVILLE
PLANNING
COMMISSION**



**AGENDA ITEM
INFORMATION**

Meeting Date:	October 10, 2024
Subject:	Public Hearing - Proposed Unified Development Ordinance (UDO)

SUMMARY:

A public hearing has been scheduled to receive comments to consider repealing Ordinance No. 640, the Zoning Ordinance, and, Ordinance No. 652, the Subdivision Ordinance, of the Town of Wytheville, Virginia, and replacing the Zoning and Subdivision Ordinances with the Unified Development Ordinance (UDO). Attached, please find a copy of the Public Hearing Notice, which includes a summary of the changes from the current Zoning and Subdivision Ordinances. The following link may be used to view the 359-page proposed UDO for your convenience:

<https://www.wytheville.org/docs/special/Combined-Draft-UDO-for-Planning-Commission-Public-Hearing.pdf>.

To date, Town staff has received one (1) comment regarding this public hearing. Mr. Mike Forrest is requesting the Planning Commission to consider the addition of Short-Term Rentals as a permitted use in the proposed RH Zoning District, formally the R-1M Residential Zoning District. A copy of Mr. Forrest’s request is attached.

Planning Director Woods will provide a brief Staff Report regarding this matter prior to Chairman Litton opening the public hearing. After receiving comments from any interested citizens, the public hearing should be declared closed.

Public Hearing Notice – Wytheville Planning Commission

Notice is hereby given that a public hearing will be held by the Planning Commission of the Town of Wytheville, Virginia, at 6:00 p.m., or as soon thereafter as possible, on Thursday, October 10, 2024, in the Council Chambers of the Municipal Building, 150 East Monroe Street, Wytheville, Virginia, to consider repealing Ordinance No. 640, the Zoning Ordinance of the Town of Wytheville, Virginia, and, Ordinance No. 652, the Subdivision Ordinance of the Town of Wytheville, Virginia, and replacing the ordinances with the Unified Development Ordinance (UDO).

A summary of the changes proposed by the repeal and replace of the zoning and subdivision ordinances, with the proposed Unified Development Ordinance is included below. Interested persons are encouraged to reach out to the Zoning Administrator at the contact below should they wish to discuss how the changes may affect their respective zone district. Individuals who wish to reference the existing zoning and subdivision ordinances that are scheduled for repeal may do so by visiting this website <https://www.wytheville.org/ordinances> or by contacting the Zoning Administrator or visiting the municipal building.

The proposed UDO can be viewed at the Municipal Building, 150 East Monroe Street, P.O. Box 533, Wytheville, Virginia, 24348, Monday through Friday from 8:00 a.m. to 5:00 p.m., except for legal holidays, and it is available on the Town’s website <https://www.wytheville.org/planning> or the page dedicated to this project <https://www.wytheville.org/unified-development-ordinance>. Citizens are encouraged to attend the meeting to express their views or submit comments by regular mail, telephone by calling John Woods, Zoning Administrator (276) 223-3361 or email at jwoods@wytheville.org. Individuals desiring to attend the meeting that require special accommodations are requested to contact the Municipal Office at least two days prior to the meeting by calling (276) 223-3353.

Summary of Changes from Existing Zoning & Subdivision Ordinances

This summary provides a general reference for ordinance changes. The Town of Wytheville recognizes that it is not possible to list all changes in this advertisement. The reader should visit the web link in the public hearing notice to read the proposed UDO in its entirety or to reference existing ordinances, or the reader may contact Town Staff at 276-223-3361.

Layout: The proposed UDO has been written from scratch and presents land use policy in a clearer way. The document uses nine (9) articles to replace the existing thirty (30) articles of the Zoning Ordinance and eight (8) sections of the Subdivision Ordinance. The final version will be searchable and quick linked using adobe PDF software tools.

UDO Articles 1,2 & 3: These articles cover the intent, purpose, and legal basis for the UDO. Application procedures assigned roles and approval processes are covered. Information on zoning enforcement, zoning certifications and determinations, development sureties, relationship to other laws and nonconformities is included. Interpretation, units of measurement and rules of construction are included. These sections help the user understand zoning processes in a clearer way than previously. These articles replace portions of Articles 1, 2, 15, 17, and 16 of the current Zoning Ordinance and relevant sections of the Subdivision Ordinance.

UDO Article 4: This article covers subdivision processes and plat requirements. A distinction between major and minor subdivisions is made to guide applicants. Specific new site development standards and workflows are provided. A detailed section on dedication of subdivision related public street infrastructure, along with recordation processes, are covered. Subdivision variation processes, and plat vacation procedures, are included. The changes from the existing subdivision ordinance strive to clarify requirements to subdivide. The goal is to assist the applicant with clear

information. UDO Article 4 will replace the current Subdivision Ordinance.

UDO Article 5: UDO Article 5 will now house all zoning district standards. This will replace Articles 5-14, 18-20, and portions of Article 16 of the current Zoning Ordinance. Purpose statements were rewritten to reflect modern language and intent. A new interpretation section clarifies how setbacks and heights are measured.

No changes to the zoning district map or existing zoning district boundaries will be made as part of UDO adoption. Existing zoning districts will continue as designated on the zoning map; however, several districts will be renamed to reflect the character of the district, or will continue as legacy districts pending future rezoning. A description of changes affecting existing zoning districts are described under the Zoning Regulations heading below.

The UDO will create nine (9) new standard zoning districts and one (1) new overlay district in addition to the twelve (12) existing standard zoning districts and three (3) existing overlay zoning districts.

Zoning Regulations

Zoning regulations from the current Town of Wytheville Zoning Ordinance have been rewritten. A summary of the way those changes will impact the regulation of land use throughout the Town are outlined below.

General Changes Applying to All Zoning Districts

- Building setback requirements were adjusted to create an equitable setback determination process. Rights-of-way are protected by measuring setbacks from the right-of-way line rather than the “street line”. The range of possible minimum setbacks is also reduced. The general intent was to keep setback distances in line with current standards, however due to the new point of measure reference they may be shown as less distance.
- Conditional use standards were established for various land uses which would allow administrative approval of land uses based on objectively measurable conditions.
- Regulations governing the special use exception permit process have been revised to limit the

range of land use activities that can be approved through the process.

- Frontage requirements were removed from all zoning districts and in its place new lots will be required to provide safe ingress & egress access.
- Requirements for landscaped buffer yards were revised to require landscape screening between land uses in zoning districts that are more intensely developed than adjoining land use areas. Buffer yards are also required between new intense uses and existing residential uses within the same zoning district.
- Building height regulations were revised for clarity.
- Standards for use of shipping containers or semi-trailers as storage were revised and increased restrictions were added in some zoning districts.
- Accessory structure standards were revised for clarity. Maximum lot coverage restrictions were not changed.
- Accessory structures, home occupations, temporary uses, bee keeping, nontraditional pets, urban livestock, and cemeteries were redefined as conditional uses in districts where previously permitted.
- Land conservation was added as a permitted use in all zoning districts.
- State approved group homes are permitted wherever any type of single family home is permitted per Code of Virginia mandate.
- Standards for separation between structures were added to promote better compliance with fire prevention code requirements.
- Site development plans and subdivision plans anticipated to generate traffic above a threshold count will now be required to provide a traffic study and demonstrate that existing infrastructure can accommodate traffic loads.
- Zoning district standards will now be presented in a one-page table format to assist the reader with navigating standards such as setbacks, lot size, building height, dwelling unit density, floor area and structure separation.

Continuing Districts

The following district names will remain the same, but minor changes specific to the following zoning districts are listed for each.

A-1 Agricultural

- Minimum lot size for dwellings using private sewer and/or water service were increased to reflect VDH recommendations for reliability of long-term septic service and protection of groundwater.
- Rural village cluster development with farm/open space preservation & PUD approval was added.
- Bed and breakfast inns, and homestays uses were change from permitted to conditional uses.
- Indoor & outdoor archery ranges and indoor & outdoor shooting ranges require a special use exception permit.
- Small cell telecom poles, outdoor heating units, artisan food production, & artisan industrial were added as conditional uses.

R-1 Residential

- Rural village cluster development with farm/open space preservation & PUD approval was added.
- Minimum lot size for dwellings using private sewer and/or water service were increased.
- Accessory dwellings, and outdoor heating units are added as conditional uses.
- Public and semi-public uses that would utilize water now require public sewer and water.

R-2 Residential

- Accessory dwellings, and outdoor heating units are added as conditional uses.
- Special exceptions for manufactured homes are no longer allowed.
- Rest homes, homestays, and rooming/boardng houses are no longer permitted.
- Minimum lot sizes were reduced for various single family and multiplex uses up to 4 units. The limitation of multifamily development to four units did not change except for provisions of up to 1 accessory dwelling per site subject to conditional use standards.
- Minimum lot sizes were added for various multiplex configurations to incorporate current provisions for townhouse and condominium uses within zoning district regulations.

- The formula for parking requirements for multi-family development has been adjusted to reflect observed usage patterns in existing multifamily developments.
- Minimum floor area regulations were simplified, but the minimum floor area for a single family dwelling was not changed.

M-1 Industrial

- Minimum parking requirements are replaced with a requirement for a parking study showing how much parking is required for the proposed use.
- Single family dwellings, multifamily dwellings, manufactured homes, and rest homes are no longer permitted. Existing residential uses may continue as legal nonconforming uses or seek rezoning to the RB-1, RB-2, or RA districts, which allow compatible business uses, or to the R-3 district.
- Assembly halls, archery ranges, indoor shooting ranges, clubs, & lodges now require a special use exception permit.
- Mobile food facility & caretaker residence are added conditional uses.

M-2 Industrial

- Minimum parking requirements are replaced with a requirement for a parking study showing how much parking is required for the proposed use.
- Mobile food facility & caretaker residence are added conditional uses.
- Manufactured homes are removed as a permitted use.
- Archery ranges, indoor shooting ranges, dog parks, clubs, & lodges now require a special use exception permit.

Renamed Districts

New names are intended to reflect the character of the district. Minor changes specific to the following zoning districts are listed for each.

R-3 Urban Residential (Formerly R-3 Residential)

- Accessory dwellings, and outdoor heating units are added as conditional uses.

- Special exceptions for manufactured homes are no longer allowed.
- Rest homes, tourist homes, homestays, and rooming/boarding houses are no longer permitted.
- A maximum residential density of 45 bedrooms per acre would be established. This standard is based on density at existing multifamily complexes. There is currently no maximum residential density.
- The formula for parking requirements for multifamily development has been adjusted to reflect observed usage patterns in existing multifamily developments.
- Minimum lot sizes were reduced as recommended in the Wythe County Comprehensive Housing Analysis. The proposed minimum lot sizes facilitate townhouse and condominium plans currently allowed in Articles 18 & 20.

RMH Residential Manufactured Home (Formerly R-3 MH)

- Regulations for this zoning district have been rewritten.
- Single family and multifamily dwellings, rest homes, homestays, and rooming/boarding houses are no longer permitted.
- Setback and lot/plot size standards are specifically designed for manufactured home parks.
- Development standards would be established for all new manufactured home parks and for the redevelopment of existing manufactured home parks. These development standards would only be applied to existing manufactured home parks if they are redeveloped to exceed 80%.

RH Historic Residential (Formerly R-1M Residential)

- Accessory dwellings, and outdoor heating units are added as conditional uses.
- Minimum lot size was reduced since similar sized lots exist in the district.

MA Medical Arts (Formerly MA-1 Medical Arts)

- Setback requirements were reduced to be more consistent with other business zoning districts such as the B-1 Light Business Zoning District.

- State approved group homes, caretaker residences, and assisted living facilities are added as permitted uses.

B-1 Light Business (Formerly B-1 Business)

- Single family dwellings, multifamily dwellings, rooming/boarding houses, manufactured homes, and rest homes, are no longer permitted. Existing residential uses may continue as legal nonconforming uses or seek rezoning to the RB-1, RB-2, or RA districts, which allow compatible business uses, or to the R-3 district.
- Payday loan and pawn shops are no longer permitted.
- Caretaker residences are added as a permitted use.
- Assembly halls now require a special use exception permit.
- Minimum parking requirements are replaced with a requirement for a parking study showing how much parking is required for the proposed use.

B-2 General Business (Formerly B-2 Business)

- Use of the R-3 setback and lot size standards is replaced by residential site development standards developed specifically for the B-2 General Business Zoning District.
- Single family homes are no longer permitted.
- Archery ranges, indoor shooting ranges, clubs, & lodges now require a special use exception permit.
- Veterinary clinics are added as a conditional use.
- Building setback requirements have been added to ensure that development in this zoning district remains consistent with current development patterns and district character.
- Minimum parking requirements are replaced with a requirement for a parking study showing how much parking is required for the proposed use.

New Districts

These new zoning districts are for future use. No parcels or other land area will be assigned to these zoning districts upon UDO adoption. Rezoning to these districts is subject to all procedural

requirements for zone changes mandated by the Code of Virginia.

R-4 High Density Residential

- This zoning district is proposed to provide opportunities for higher density residential development as recommended by the Wythe County Comprehensive Housing Analysis.

RA Residential Artisan

- This zoning district addresses conflicts currently in existing mixed-use industrial/residential neighborhoods. New industrial uses would be restricted to smaller light industry and artisan uses that are compatible with residential uses.
- The proposed zoning district will support Wytheville’s artisans.

RB-1 Residential Business

- This proposed zoning district will provide a transition between Downtown Wytheville and surrounding neighborhoods by preserving residential character while allowing compatible business uses.

RB-2 Residential Business

- This proposed zoning district will provide a transitional area between busy entrance corridor streets and surrounding neighborhoods by preserving residential character while allowing some business uses that fit the neighborhood.

BMX Business Mixed-Use

- This zoning district is proposed to provide opportunities for higher density residential development in a mixed-use setting.

BTS Business Travel Services

- This zoning district would regulate and protect critical business areas near each of the Interstate Highway exits to preserve land that provide services to travelers along the interstate system and provide significant support to Wytheville’s tax base.

DTB-1 Downtown Business Core

- This zoning district would facilitate land use guidelines that support preservation of the unique development patterns for the core of Downtown Wytheville.

DTB-2 Downtown Business Evansham

- This zoning district would facilitate land use guidelines that support preservation of the unique development patterns for the Evansham neighborhood within Historic Downtown Wytheville.

DTB 3 Downtown Business Transitional

- This zoning district would facilitate land use guidelines that support preservation of the character of Downtown Wytheville by regulating development patterns as visitors enter downtown.

Legacy Districts

It is anticipated that parcels in these zoning districts will eventually rezone to other appropriate zoning districts.

R-2 FH Residential

- Changes to this zoning district match the changes to the R-2 Residential Zoning District. Please see the listing for R-2 Residential above.

B-2 DT Business Downtown (Formerly B-2 DT Business)

- R-2 or R-3 site development standards for residential uses is replaced by residential site development standards specific to the B-2 DT district.
- Assembly halls, clubs, & lodges now require a special use exception permit.
- Semi-trailers & shipping containers as storage are no longer permitted.

Discontinued Districts

R-1A Residential & M-1M Industrial

- These districts are unused and so are to be eliminated.

Continuing Overlay Districts

EC Entrance Corridor Overlay District

- Only formatting and minor text revisions have been made to this section.

SLSH Small-Lot Small-Home Overlay District

- Upgraded building material and design requirements were deleted.

FO Floodplain Overlay District

- The floodplain regulations are a replacement of existing regulations that bring our zoning

regulations into compliance with new federal regulations.

New Overlay Districts

PUD Planned Unit Development Overlay District

- This section replaces existing Article 19 and modifies existing requirements and establishes the PUD approval process as an overlay district.
- Rural Village PUDs are added as a new type of PUD which facilitates cluster development that preserves farmland and/or open space.
- Distinctions between R-2 and R-3 PUDs are eliminated.

UDO Article 6: Permitted land uses were updated for all zoning districts with the creation of a land use table. The land use table is a quick reference of which land uses are permitted in each zoning district, along with which conditional uses and special uses are allowed, when applied for in the specified zoning districts. This new land use table replaces how the information is referenced in current zoning district articles of the zoning ordinance and new land uses are added as part of the UDO rewrite to reflect the character of the Wytheville community.

Similar land uses in the current zoning ordinance were combined and simplified with new clarified definitions.

A list of prohibited uses (not allowed in any zoning district) has been added including the following:

- Abattoirs, Meat, Fish, or Poultry Processing
- Concentrated Animal Feeding Operation
- Gas and Oil Extraction
- Petroleum Processing
- Livestock Market
- Slaughterhouses
- Paper or Pulp Mills
- Industrial Chemical Manufacturing or Processing
- Nuclear Labs, Power Plants & Radioactive Processes
- Industrial Incinerators

UDO Article 7: Objective site development standards guide general development of land in all zoning districts. Not every category of development standards will apply to every site. Site development standards are provided for the following areas:

- Address Identification
- Clear Sight Triangles
- Dumpster Pads, Trash Enclosures and Solid Waste Screening
- Emergency Vehicle and Fire Apparatus Access
- Fencing and Outdoor Walls
- Fire Hydrant and Fire Protection
- Development Standards in areas with Karst, Wetlands, Waterways, Floodplains and Unconsolidated Fill
- Landscaping and Buffer Yard Requirements
- Lighting
- Proffered Offsite Improvements
- Parking and Site Access
- Retaining Walls
- Rights-of-Way & Prop. Boundaries
- Signs
- Streets, Sidewalks, Site Access, and General Transportation Guidelines
- Construction Traffic Control Plans
- Yard Requirements

UDO Article 8: Conditional use standards are provided to allow administrative approval of certain land uses listed in the land use table and/or to set minimum standards for uses that require a special use exception permit. Conditional uses include the following:

- Accessory Dwelling Units (ADU)
- Accessory Structures & Uses
- Adult Uses
- Agritourism Venues
- Artisan Food Production, Artisan Industrial, Artisan Industrial, & Intense Artisan Industrial Uses
- Assembly Halls, Lodges & Spec. Interest Clubs
- Assisted Living & Physical Rehab
- Automobile Service or Repair
- Banks & Financial Services
- Bed and Breakfast Inns
- Beekeeping
- Campgrounds & RV Parks
- Cemeteries
- Chicken Keeping
- Child Day Care & Priv. Preschool.
- Clinics and Medical Offices
- Cottage Style Neighborhood
- Dog Parks
- Family Day Homes
- Funeral Homes in RB 2
- Greenhouses, Commercial in A-1
- Group Lodging Facilities
- Hair & Skin Care
- Home Occupations
- Homestay
- Industrial Uses, Heavy
- Industrial Uses, Light
- Kennels
- Live-work Dwellings
- Manufactured Homes
- Mobile Food Facilities
- Nontraditional Pets
- On-Frame Modular Homes
- Open Air Sales on Public Sidewalk
- Outdoor Heating Units
- Outdoor Recreation, Intense
- Professional Offices & Services
- Public Utility, Major

- Retail Uses, Neighborhood
- Rural Village PUD Residential
- Salvage & Recycling Yard
- Schools, Priv. Primary & Sec.
- Semi-Trailer Storage
- Shipping Container Storage
- Solar Energy Facilities
- Special Interest Clubs
- Telecom. Towers over 50'
- Temp. Family Health Care Pod
- Temporary Use
- Towing & Recovery
- Townhouse or Condominium
- Urban Livestock & Nontrad. Pets
- Veterinary Clinic
- Wind Energy Systems (Small)
- Wireless Telecom. Facilities

UDO Article 9: Updated definitions are shown in UDO Article 9 replacing old Article 3. Land uses & key terms are redefined.

From: [REDACTED]
Subject: jwoods@wytheville.org
Date: October 10 Public Hearing
Wednesday, October 2, 2024 7:53:36 AM

Mr. Woods,
I will be out of town on October 10 and I will not be able to attend the public hearing.

I would like to request that the Planning Commission consider an addition to Zoning District RH (formally R-M1 Residential). My suggestion is that homes in this district be allowed to offer these historic homes as short term rentals (i.e. <https://www.vrbo.com>). Short term rentals are allowed in other areas within the town but are excluded in the historic area. In other historic towns and cities, the historic homes are allowed to be short term rentals and those historic homes are desired by visitors. These visitors are from out of town and want to experience the historic nature of the towns. I believe that by allowing short term rentals in the RH district out of town visitors will be encouraged to visit our town and these visitors will spend money in our local small businesses and enhance our local economy. Also the town will receive additional revenue via the town's accommodation tax.

I encourage the commission to consider this request and, hopefully, the commission will allow short term rental in Wytheville's historic district.

Sincerely,

Mike Forrest
[REDACTED]
Wytheville, VA 24382

[REDACTED]

6-A

**WYTHEVILLE
PLANNING
COMMISSION**



**AGENDA ITEM
INFORMATION**

Meeting Date:	October 10, 2024
Subject:	Recommendation to Town Council - Proposed Unified Development Ordinance (UDO)

SUMMARY:

To support the health, safety and welfare of the citizens of the Town of Wytheville, it will now be necessary for the Wytheville Planning Commission to consider making a recommendation to the Wytheville Town Council to repeal Ordinance No. 640, the Zoning Ordinance of the Town of Wytheville, Virginia, and, Ordinance No. 652, the Subdivision Ordinance of the Town of Wytheville, Virginia, and replace the Zoning and Subdivision Ordinances with the Unified Development Ordinance (UDO).

Recommended Action

For the Wytheville Planning Commission to make a recommendation to the Wytheville Town Council to repeal and replace the Zoning and Subdivision Ordinances with the Unified Development Ordinance, a motion and a roll call vote is necessary. The motion should state the following: *To support the health, safety and welfare of the citizens of the Town of Wytheville, the Wytheville Planning Commission would recommend to the Wytheville Town Council to repeal Ordinance No. 640, the Zoning Ordinance of the Town of Wytheville, Virginia, and, Ordinance No. 652, the Subdivision Ordinance of the Town of Wytheville, Virginia, and to replace the Zoning and Subdivision Ordinances with the Unified Development Ordinance (UDO).*

8-A

**WYTHEVILLE
PLANNING
COMMISSION**



**AGENDA ITEM
INFORMATION**

Meeting Date:	October 10, 2024
Subject:	Dispensing with December Meeting

SUMMARY:

It has been customary in the past to dispense with the December meeting due to the Christmas holidays. If the Planning Commission desires to dispense with the meeting, the first regular meeting of the new year will be held on January 9, 2025.

Recommended Action

Action will be by way of a motion and vote of the Planning Commission.

9-A

Wytheville Town Council Action Letter Staff Assignments and Information

September 9, 2024

Number 599

ACTIONS TAKEN OR DISCUSSED

STAFF ASSIGNMENTS

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| <ol style="list-style-type: none"> 1. Approved the meeting agenda, as presented. 2. Approved the consent agenda consisting of the minutes of the special meeting of August 22, 2024, and the regular meeting of August 26, 2024. 3. Conducted a public hearing to consider an appropriation to the Fiscal Year 2024-25 Budget in the amount of \$64,500 to repair Clarifier #4 at the Wastewater Treatment Plant and to add a \$50,000 revenue line item for grant funds from the Southeast Rural Community Assistance Project (SERCAP) for the same Clarifier, and approved amending the Fiscal Year 2024-25 Budget to appropriate the funds and to add a revenue line item for the grant funds. 4. Approved the request of Downtown Wytheville, Inc. for traffic control on Saturday, October 26, 2024, for the 2024 Mayhem on Main Street event. 5. Approved the request of the Wytheville Police Department for traffic control on Thursday, October 31, 2024, for the Church Street Trunk or Treat event. 6. Approved the request of George Wythe High School for traffic control on Wednesday, October 16, 2024, for their homecoming parade. 7. Approved the request of Open Door Community for traffic control on Thursday, November 28, 2024, for the Stuffed Strut 5K event. 8. Approved to immediately place the Wytheville Planning Commission meetings on YouTube for view on the Town's website. | <ol style="list-style-type: none"> 3. Town Treasurer – proceed with budget appropriation 4. Assistant Town Manager – advise applicant of approval 5. Assistant Town Manager – advise applicant of approval 6. Assistant Town Manager – advise applicant of approval 7. Assistant Town Manager – advise applicant of approval 8. Director of Information Technology – begin recording the Planning Commission meetings for placement on the Town website effective immediately |
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Wytheville Town Council Action Letter Staff Assignments and Information

September 23, 2024

Number 600

ACTIONS TAKEN OR DISCUSSED

STAFF ASSIGNMENTS

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| <ol style="list-style-type: none"> 1. Approved the meeting agenda, as presented. 2. Approved the consent agenda consisting of the minutes of the regular meeting of September 9, 2024. 3. Conducted a public hearing to consider the proposed demolition of the bleachers in Withers Park and approved the demolition of the bleachers. 4. Approved a major subdivision application for Asbury Lane Phase II, submitted by Fusion Holdings, LLC, for the creation of 11 lots on Asbury Lane, Tax Map Parcel #25-70A. 5. Adopted Ordinance No. 1441, an ordinance repealing Ordinance No. 1435, an ordinance discontinuing and vacating an undeveloped portion of West Pine Street, extending between North 16th Street and North 18th Street, on first and final reading. 6. Scheduled a public hearing for the October 28, 2024, Town Council meeting to consider various appropriations to the Fiscal Year 2024-25 Budget. 7. Held a closed meeting pursuant to § 2.2-3711 (A.) (7.) Consultation with legal counsel regarding actual or probable litigation regarding the 20th Street Bridge, and pursuant to § 2.2-3711 (A.) (29.) Discussion regarding the award of a public contract involving the expenditure of public funds where discussion in an open session would adversely affect the bargaining position of the governing body regarding the Museum Connector Project contract, and certified the closed meeting. | <ol style="list-style-type: none"> 3. Town Manager – proceed with demolition of bleachers 4. Director of Public Utilities and Engineering – advise applicant of approval 5. Town Clerk– place on meeting agenda
Chief Deputy Clerk – send legal notice to news media |
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