



MINUTES

WYTHEVILLE PLANNING COMMISSION MEETING

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

1. 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 Holeyton 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