



# AGENDA

## WYTHEVILLE PLANNING COMMISSION MEETING

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

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1. **CALL TO ORDER - CHAIRMAN JOHN W. JONES, JR.**
2. **ESTABLISHMENT OF QUORUM - CHAIRMAN JOHN W. JONES, JR**
3. **CONSENT AGENDA**
  - A. Minutes of the regular meeting of November 9, 2023 **(requires motion and vote)**
4. **ELECTION OF OFFICERS**
  - A. Chairperson **(requires motion and roll call vote)**
  - B. Vice-Chairperson **(requires motion and roll call vote)**
5. **CITIZENS' PERIOD**
6. **OTHER BUSINESS**
  - A. Review of the draft Unified Development Ordinance (UDO), Land Use Table, by Planning Director John Woods
  - B. Review of the draft Unified Development Ordinance (UDO), Article 5 - Zoning Districts, by Planning Director John Woods
  - C. Presentation of the draft Future Zoning Map by Planning Director John Woods
  - D. Continued discussion regarding curb and gutter design by Planning Director John Woods
  - E. Presentation regarding the Town's future Planning and Zoning webpage by Planning Director John Woods
  - F. Discussion regarding the Planning Commission's draft Rules of Procedure by Assistant Town Manager Elaine Holeyton
7. **ADJOURNMENT**
  - A. Additional Attachments - November and December 2023 Council Actions

**3-A**



# MINUTES

## WYTHEVILLE PLANNING COMMISSION MEETING

THURSDAY, NOVEMBER 09, 2023 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 John Jones, Jr., Vice-Chairman Brad Litton, Vice-Mayor Cathy Pattison, Mr. George Wittwer, Mr. David Schmidt, Ms. Lisa Anderson

**MEMBERS ABSENT:**

Mr. Keith Jones

**OTHERS PRESENT:**

Mayor Beth Taylor, Assistant Town Manager Elaine HOLETON, Chief Deputy Clerk Brandi Jones, Planning Director John Woods, Denise Clay

**RE: CALL TO ORDER**

Chairman Jones called the meeting to order.

**2. RE: ESTABLISHMENT OF QUORUM**

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

Chairman Jones asked everyone to please stand to observe a moment of silence for the people of Israel.

**3. RE: CONSENT AGENDA**

Chairman Jones presented the consent agenda consisting of the minutes of the regular meeting of September 14, 2023. He inquired if there was a motion to approve the consent agenda as presented.

Motion made by Mr. Schmidt, Seconded by Mr. Wittwer.  
Voting Yea: Chairman Jones, Jr., Vice-Chairman Litton, Vice-Mayor Pattison, Ms. Anderson, Mr. Schmidt, Mr. Wittwer.

**4. RE: CITIZENS' PERIOD**

Chairman Jones advised that the next agenda item is Citizens' Period. He inquired if there were any citizens who wished to address the Commission during Citizens' Period. There being none, he proceeded with the agenda.

**5. RE: OTHER BUSINESS**

**A. RE: HALE SPECIAL EXCEPTION PERMIT REQUEST WITHDRAWN**

Chairman Jones advised that Mr. Gary Hale has withdrawn his request for a Special Exception Permit, therefore, the Planning Commission will no longer be required to schedule a public hearing for the Thursday, December 14, 2023, Planning Commission meeting. Chairman Jones inquired if there were any questions or comments. There being none, Chairman Jones proceeded with the agenda.

**B. RE: UPDATE REGARDING THE ASBURY LANE SUBDIVISION PROJECT**

Chairman Jones advised that the next agenda item is an update regarding the Asbury Lane Subdivision Project by Assistant Town Manager Elaine Holeyton. Assistant Town Manager Holeyton noted that the Phase One Subdivision Plat for Asbury Lane was approved by the Town Council on September 25, 2023. She stated that there has been some development since the Council's approval. Assistant Town Manager Holeyton continued to discuss the Asbury Lane Subdivision, Phase One developments with the Planning Commission.

**C. RE: PRESENTATION OF CURB AND GUTTER INFORMATION**

Chairman Jones advised that the next agenda item is the presentation of the curb and gutter information by Assistant Town Manager Holeyton. Assistant Town Manager Holeyton reviewed the current curb and gutter requirements that are included in the Subdivision Ordinance with the Planning Commission. She noted that Staff met after the last Planning Commission meeting and stated that they have come up with some proposed language regarding the installation of curb and gutter in the future. Assistant Town Manager reviewed the proposed language with the Commission, and she noted that there is a lot more flexibility regarding curb and gutter included in this proposed language. She stated that one thing Staff would like to see, even if raised curb and guttering is not required, is edge of pavement protection, rolltop curbs, ribbon curbs, etc. Assistant Town Manager Holeyton commented that edge of pavement protection helps the pavement to last longer, since it will not break off on the edges. Mr. Schmidt inquired if curb and gutter will be required in the new Subdivision Ordinance. Assistant Town Manager Holeyton noted that a type of curb and gutter will be required. Mr. Schmidt stated that he thinks that enforcing curb and guttering requirements will scare off new developers due to the expense. Discussion continued regarding enforcing curb and gutter requirements and how it will affect developers in town. Assistant Town Manager Holeyton stated that the curb and gutter section of the Subdivision Ordinance could be more flexible if the Planning Commission prefers. Vice-Mayor Pattison inquired if Planning Director Woods could provide the Commission with pictures of a rolltop curb, ribbon curb, etc. at the meeting in January. Planning Director Woods stated that he would provide pictures of these at the January Planning Commission meeting.

**D. RE: PRESENTATION OF THE DRAFT UNIFIED DEVELOPMENT ORDINANCE (UDO), LAND USE TABLE AND DEFINITIONS**

Chairman Jones advised that the next agenda item is the presentation of the draft Unified Development Ordinance (UDO), Land Use Table and Definitions, by Planning Director John Woods. Planning Director then Woods presented information regarding the proposed changes to the Land Use Table and Definitions to the Planning Commission. Mr. Schmidt inquired if the Commissioners could get a copy of a map that shows the different Zoning Districts. Planning Director Woods stated that he has a CAD file with the proposed Zoning Districts that he can email to the Commission members. He then reviewed some of the permitted uses and their definitions in R-B1 and 2 Residential, RMH Residential Mobile Home, BMX Business Mixed Use, BTS Bus Travel Services, RH Residential Historic, Residential Artisan, and DTB 1,2 and 3 Downtown Business Zoning Districts. Assistant Town Manager Holeton showed the Planning Commission members how they can access the Town's GIS mapping system to view certain areas of town and the different Zoning Districts. Discussion continued regarding the use of the Town's GIS mapping system for accessing Zoning Districts and the proposed changes to the Land Use Table and the Definitions. Ms. Anderson stated that there are some things on the Table that she would like to see change. She noted that she does not feel like combining the Substance Abuse Treatment Centers and Medical Offices/Clinics uses is a good idea. Ms. Anderson advised that she feels like those two uses should be separated. Discussion continued regarding separating Substance Abuse Treatment Centers and Medical Offices/Clinics. Assistant Town Manager Holeton stated that Staff will continue to review and work on this matter, and that they will bring this topic back to a future meeting.

**E. RE: DISPENSING WITH DECEMBER MEETING**

Chairman Jones advised that the next agenda item is to consider dispensing with the December 14, 2023, Planning Commission meeting due to the Christmas holidays. He inquired if there was a motion to dispense with the December 14, 2023, Planning Commission meeting.

Motion made by Vice-Chairman Litton, Seconded by Ms. Anderson.  
Voting Yea: Chairman Jones, Jr., Vice-Chairman Litton, Vice-Mayor Pattison, Ms. Anderson, Mr. Schmidt, Mr. Wittwer.

**6. RE: ADJOURNMENT**

There being no further business to be discussed, a motion was made, seconded and carried to adjourn the meeting. (7:13 p.m.)

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John W. Jones, Jr., Chairman

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Brandi N. Jones, Chief Deputy Clerk

**4-A**

**WYTHEVILLE  
PLANNING  
COMMISSION**



**AGENDA ITEM  
INFORMATION**

<b>Meeting Date:</b>	January 11, 2024
<b>Subject:</b>	Election of Officers - Chairperson

**SUMMARY:**

It will be necessary for the Planning Commission to elect a Chairperson for the year 2024. The Commission may recall, last year, 2022 Vice-Chairperson Lisa Anderson was nominated to serve as Chairperson for 2023, however, she declined and stated that she did not feel comfortable since she was a newer member on the Commission. She advised that she would be willing to serve in 2024, if nominated.

**Recommended Action**

A motion and roll call vote of the Planning Commission is required.

**4-B**

**WYTHEVILLE  
PLANNING  
COMMISSION**



**AGENDA ITEM  
INFORMATION**

<b>Meeting Date:</b>	January 11, 2024
<b>Subject:</b>	Election of Officers – Vice-Chairperson

**SUMMARY:**

It will now be necessary for the Planning Commission to elect a Vice-Chairperson for 2024. The Commission may recall that Mr. David Schmidt was nominated to serve as Vice-Chairperson. However, he also declined stating that he did not feel comfortable since he was so new to the Commission, but also stated that he would be willing to serve if nominated in 2024.

**Recommended Action**

A motion and roll call vote of the Planning Commission is required.

Upon election of the new Vice-Chairperson, it has been customary for the Chairperson to pass the gavel to the newly elected Chairperson who will preside over the remainder of the meeting.

**6-A**

**WYTHEVILLE  
PLANNING  
COMMISSION**



**AGENDA ITEM  
INFORMATION**

<b>Meeting Date:</b>	January 11, 2024
<b>Subject:</b>	Land Use Table Review

**SUMMARY:**

At the November 9, 2023, meeting, the Planning Commissioners were asked to review the most recent Land Use Table to identify any concerns or suggest improvements. The Commission will further discuss the table and offer time for the Commission members to express their thoughts.

### Draft Table 6.1: Permitted Uses by Zoning District

Key: ■ = Permitted Use, □ = Conditional Use, * = Allowed by Special Exception Permit Only																						
Land Use	A-1	R-1	R-2	R-3	R-4	RA	RB-1	RB-2	RH	RMH	MA	B-1	B-2	B-2 DT	BMX	BTS	DTB-1	DTB-2	DTB-3	M-1	M-2	
<b>Accessory Uses</b>																						
Accessory Structures & Uses	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□	□
Home Occupations	□	□	□	□	□	□	□	□	□	□		□	□	□	□		□	□	□			
Container Storage	□					□						□	□		□	□					□	□
Outdoor Heating Units	□	□	□	□		□	□	□	□												□	□
<b>Age Restricted Uses</b>																						
Craft Brewery or Distillery													■	■	■	■	■	■	■	■	■	■
Special Interest Club													*	*	*	*	*	*	*			
Production Brewery/Distillery																					■	■
Adult Uses													*			*						
<b>Agricultural</b>																						
Cultivation	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Beekeeping	■	□	□	□	□	□	□	□	□			□	□		□	□					□	□
Chicken Keeping	■	□	□	□	□	□	□	□	□													
Nontraditional Pets	■	□	□	□		□		□														
Urban Livestock	■	□	□	□	□	□		□				□	□		□						□	□
Commercial Greenhouses	□																				■	■
Agritourism Venues	□																					
Commercial Kennels	□					*							*								□	□
<b>Civic &amp; Institutional</b>																						
Assembly Halls & Lodges	*											*	*	*	*	*	*	*	*	*	*	*
Public Parks & Outdoor Recreation	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Intense Outdoor Recreation	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Theaters													■	■	■	■	■	■	■	■		
Places of Worship	■	□	□	□	□	■	■	■	□	□	■	■	■	■	■	■	■	■	■	■	*	*
Cemeteries	□	□	□	□	□	□																
Private For-profit Schools						*	*	*			*	□	□	*	□	□	*	*	*	□	□	
Public & Semi-Public Facilities	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Public Maintenance Shops																					■	■
<b>Residential</b>																						
State Authorized Group Home	■	■	■	■	■	■	■	■	■		■			□				□	□			
Single-Family Dwelling	■	■	■	■	■	■	■	■	■					□				□	□			
Accessory Dwelling Unit	□	□	□	□	□	□	□	□	□											□	□	
Duplex or Two-Family Homes	■		■	■	■	■	■	■	□					□	□		□	□	□			
Multi-Unit Housing – Up to 4			■	■	■	■	■	■	□					□	□		□	□	□			
Townhouse or Condominium			□	□	■	■	■	■	□					■	■		■	■				
Cottage Style Neighborhoods				■	■	■	■													□		
Multi-Family – 45 Bedrooms/Acre				■	■	■	■						□	■	■				■	■		
Multi-Family – 70 Bedrooms/Acre					■	□	□	□					□	□	■		□	□	□			
Live-Work Residential						□	□	□					□	■	■		■	■	■			
Mixed Use Lifestyle Center													□		■							
Rural Village Residential	□																					
Caretaker Residence	■									■	■	■	■			■					■	■
Group Lodging Facilities	*				*						*					*						
Manufactured Homes	■			*	□	□			■													

# Draft Table 6.1: Permitted Uses by Zoning District (Continued)

Key: ■ = Permitted Use, □ = Conditional Use, \* = Allowed by Special Exception Permit Only

Land Use	A-1	R-1	R-2	R-3	R-4	RA	RB-1	RB-2	RH	RMH	MA	B-1	B-2	B-2 DT	BMX	BTS	DTB-1	DTB-2	DTB-3	M-1	M-2	
<b>Industrial</b>																						
Artisan Food Production	□					■	■	■					■	■	■	■	■	■	■	■	■	■
Artisan Industrial	□					■	■	■						■			■	■	■	■	■	■
Intense Artisan Industrial						■		■						■			■	■	■	■	■	■
Light Industrial						■															■	■
Moderate Industrial																					■	■
Heavy Industrial																						*
Salvage & Recycling Yards																						*
<b>Lodging</b>																						
Bed & Breakfast Inn or Homestay	□		□	□	□	□	□	□		□		■	■	■	■	■	■	■	■	■	■	■
Campgrounds & RV Parks	*																					
Hotels & Motels												■	■	■	■	■	■	■	■	■	■	■
<b>Medical &amp; Veterinary</b>																						
Medical Offices & Clinics	*						□	□			■	■	■	■	■	■	■	■	■	■	■	■
Assisted Living & Physical Rehab	*				■	*	*	*			■	■	■	*	■	■	*	*	*			
Hospital											■		■		■	■					■	
Medical Laboratory											■										■	■
Medical Retail											■	■	■	■	■	■	■	■	■	■	■	■
Veterinary Clinics											□		□			□					■	■
<b>Professional</b>																						
Professional Office						□	□	□				■	■	■	■	■	■	■	■	■	■	■
On-Site Property Management				■	■	■	■	■		■	■	■	■	■	■	■	■	■	■	■	■	■
<b>Conservation</b>																						
Land Conservation	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
<b>Utilities &amp; Transportation</b>																						
Public Utility Minor	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Public Utility Moderate	■										■	■	■		■	■					■	■
Public Utility Major	*											*	*		*	*					*	*
<b>Retail</b>																						
Neighborhood Retail						□	□	□				■	■	■	■	■	■	■	■	■	■	■
Moderate Retail												■	■	■	■	■	■	■	■	■	■	■
Large Retail													■		■	■					■	■
Sales on Public Sidewalk														□			□	□	□			
Retail Petroleum Products													■		■	■					■	■
Automotive Repair Service													■		■	■					■	■
<b>Services</b>																						
Banks & Financial Services						□	□	□				■	■	■	■	■	■	■	■	■	■	■
Payday Loans & Pawn Shops													■		■	■						
Family Day Homes & Day Care	*	*	*	*	*	□	□	□	*		□	□	□	□	□	□			□	□	□	□
Private Preschools & Day Care						□	□	□			□	□	□	□	□	□				□	□	□
Laundry Services													■	■	■	■				■	■	■
Hair & Skin Care						□	□	□				■	■	■	■	■	■	■	■	■	■	■
Funeral Homes								□					■	■					■			

**6-B**

**WYTHEVILLE  
PLANNING  
COMMISSION**



**AGENDA ITEM  
INFORMATION**

<b>Meeting Date:</b>	January 11, 2024
<b>Subject:</b>	Article 5, Zoning Districts – Unified Development Ordinance (UDO) Review

**SUMMARY:**

Article 5, Zoning Districts was presented to the Planning Commission at an earlier meeting in 2023. The recommended modifications have been made, and further sections guiding certain Overlay Districts and Special Districts have been added. The new section regarding Planned Unit Development Districts is included in the packet. Sections on the Entrance Corridor and Small Lot-Small Home Overlay Districts are modified from the existing ordinance with minimal changes and are not included in the printed packet. The Planning Commission will have an opportunity to discuss these modifications.

## 5.27. PUD – Planned Unit Development Districts

### A. Purpose

In reviewing an application for approval of a planned unit development (PUD) or an application seeking amendment of an approved PUD, in addition to the general considerations applicable to any rezoning the Town Council and planning commission shall consider whether the application satisfies the following objectives of a PUD district:

1. To encourage innovative arrangements of buildings and open spaces to provide efficient, attractive, flexible, and environmentally sensitive design.
2. To provide a mechanism for innovative site planning and building forms that are not otherwise possible within standard zoning districts.
3. To encourage developments of equal or higher quality than otherwise required by the strict application of zoning district regulations that would otherwise govern.
4. To promote a variety of housing types, or, within a development containing only a single housing type, to promote the inclusion of houses of various sizes.
5. To encourage the clustering of dwellings for more efficient use of land, efficient use of utility infrastructure, and preservation of open space.
6. To provide for developments designed to function as cohesive, unified projects.
7. To ensure that a development will be harmonious with the existing uses and character of adjacent property, and/or consistent with patterns of development noted with respect to such adjacent property.
8. To ensure preservation of cultural features, scenic assets, and natural features such as trees, streams, and topography.
9. To provide for coordination of architectural styles internally within the development as well as in relation to adjacent properties along the perimeter of the development.
10. To provide for coordinated linkages among internal buildings and uses, and external connections, at a scale appropriate to the development and adjacent neighborhoods.
11. To facilitate access to the development by public transit services or other single-vehicle-alternative services, including without limitation, public bicycle and pedestrian systems.

### B. Permitted uses.

1. Land uses in all PUD districts are subject to approval by Town Council. The Planning Commission will review the proposed uses and make a recommendation to Town Council regarding a potential approval. Final approval rests with Town Council. Only those uses shown on an approved PUD development plan shall be permitted uses within each PUD district.
2. A PUD may be of one of the following types of broad use classes:

- a. A rural village PUD is one that seeks to develop an area of agricultural land with higher density residential development patterned after the appearance of a farm compound. Significant preservation of land for farmland use, nature preservation, visual open space, woodland, or similar natural uses are required. Public sewer service is also required.
- b. A residential PUD is one that is limited to residential uses and other compatible accessory uses, such as home occupations, and necessary civic uses, such as minor public utilities, parks, schools, and other public uses that are compatible with the proposed residential uses of the PUD.
- c. A commercial PUD is one that includes a range of commercial and/or industrial uses, but which is appropriately designed to be compatible with any residential uses that may adjoin the proposed PUD.
- d. A mixed-use PUD is one that includes both residential uses and a mix of commercial uses that are compatible with the residential component of the PUD. Industrial uses are not permitted in a mixed-use PUD except for those uses approved for the RA Artisan Residential Zoning District.

**C. PUD Size and Configuration.**

- 1. A PUD shall contain one and one half (1 ½) or more acres of land.
- 2. A PUD may be comprised of one (1) or more lots or parcels of land.
- 3. The lots or parcels proposed for a PUD, and all acreage(s) contained therein, shall either be contiguous, or shall be within close proximity to one another and integrated by means of pedestrian walkways or trails, bicycle paths, and/or streets internal to the development. Town Council may vary or modify the proximity requirement.

**D. Required Open Space.**

- 1. As used within this article, the term "open space" shall mean land designated on an approved development plan for a PUD as being reserved for the use, benefit, and enjoyment of all residents of the PUD. Such open space may consist of common areas owned and maintained by a developer, or non-profit corporation or property owners' association, and/or any parkland, hiking trails, drainage area, or similar areas dedicated to the public and accepted by the Town.
- 2. The following amount of open space shall be required within a PUD:
  - a. For a rural village PUD, at least sixty (60) percent of the gross area of all land included within the PUD development site.
  - b. For a residential PUD, at least twenty (20) percent of the gross area of all land included within the PUD development site.
  - c. For a mixed use PUD, at least fifteen (15) percent of the gross area of all land included within the PUD development site.
  - d. Town Council may reduce this requirement in situations where, through creative design, or in light of the nature and extent of active recreational facilities provided, it deems the overall objectives of the PUD are best served by such reduction.

3. Open space must be useable for recreational purposes, or provide visual, aesthetic, or environmental amenities. The following improvements may be counted as part of required open space:
  - a. Recreational facilities such as playgrounds, ball courts, swimming pools, picnic areas and shelters, parks, walking paths and hiking trails, landscaped terraces, open-air plazas, and similar amenities.
  - b. Required stormwater detention basins may only be used to meet up to fifty (50) percent of the required open space requirement if they are accessible for recreational purposes and designed to safely accommodate such recreational use as determined by the Zoning Administrator.
  - c. Land within a floodway or floodway fringe may be used to satisfy the open space requirement for a PUD; however, such land may not count for more than fifty (50) percent of the required open space.
  - d. The following areas shall be excluded from areas counted as open space: buildable lots, buildings and structures, streets, parking areas, and other improvements, other than those of a recreational nature.
4. Open space shall be provided within each phase of a PUD, in sufficient amounts to serve the expected uses and/or residential population of that phase.
5. All property owners within a PUD shall have access to the open space by means of a public street, private street, or walkway located within an easement reserving property for such access.

**E. Ownership of land; common areas.**

1. All property within a PUD shall remain under single entity ownership of a developer, or group of developers, unless and until provision is made which insures the establishment and ongoing maintenance and operation of all open space, recreational facilities, and other common areas within the development. The developer or developers of the PUD shall not lease or sell any property within the PUD unless or until the director of neighborhood development services determines, in writing, that such satisfactory provisions have been made.
2. Where a property owners' association is established to own and maintain common areas within a PUD (including all required open space remaining in private ownership) the following requirements shall apply:
  - a. The property owners' association shall be established and constituted in accordance with the Virginia Property Owners' Association Act, prior to the final approval, recordation and lease or sale of any lot within the PUD.
  - b. The membership of the property owners' association, and the obligations of such association with respect to the common areas, shall be set forth within a declaration, suitable for recording in the land records of Wythe County, meeting the requirements of the Virginia Property Owners' Association Act. The declaration shall detail how the association shall be organized, governed, and administered; specific provisions for the establishment, maintenance and operational responsibilities of common

areas and the improvements established therein; and the method of assessing individual property owners for their share of costs associated with the common areas.

3. All common areas and required open space within a PUD shall be preserved for their intended purpose as expressed in the approved development plan. All deeds conveying any interest(s) in property located within the PUD shall contain covenants and restrictions sufficient to ensure that such areas are so preserved. Deed covenants and restrictions shall run with the land and be for the benefit of present as well as future property owners and shall contain a prohibition against partition.
4. If the developer or developer of a PUD elects to vacate or significantly modify the subdivision plat after any parcel has been sold to an end user, approval of the plat vacation or re-plat is subject to all requirements of [Code of Virginia § 15.2-2272. Vacation of plat after sale of lot.](#)

**F. Setbacks and Dimensional Standards**

1. The dimensional standards (i.e., restrictions of the height, area, location and arrangement of buildings and structures, lot area requirements, and required yards) and landscaping requirements applicable within a PUD district shall consist of the following:
  - a. Setbacks in PUD districts shall be as follows:
    - 1.) Setbacks along public or private streets adjacent to the PUD shall be a minimum of 25 feet as measured from the right-of-way line.
    - 2.) Mixed-use and commercial PUDs shall meet the screening and buffer yard landscape requirements as required by Article 7, Section 7.5. when located adjacent to lower intensity development.
    - 3.) Setbacks along adjoining parcels shall conform to the minimum setbacks for the type of use proposed within the PUD when adjacent to the existing use or permitted uses on the adjoining parcel. For example, if multi-family residential is proposed adjacent to an R-3 use or zoning district, the minimum setbacks shall follow the regulations for the R-3 Zoning District. See Subsection G.2. below for further information regarding setbacks and building height regulations where a PUD adjoins other parcels.
    - 4.) There are no minimum setbacks between structures streets and adjoining parcels internal to the PUD plan area, however, said structures shall conform to all building separation requirements included in applicable fire and building codes.
  - b. Proposed dimensions and site layout parameters as shown on the approved development plan for the PUD.
  - c. Proposed dimensions and site layout parameters as described within any approved proffers.
  - d. Any other specific requirements or limitations set forth within this section.

**G. Compatibility with Community Context**

1. Within a PUD district:
  - a. With respect to any building located within seventy-five (75) feet of a low-density residential zoning district, which includes A-1, R-1, and R-2, the height regulations of the residential district shall apply to that building.
  - b. No non-residential use shall be located within seventy-five (75) feet of the perimeter of a PUD unless such use is permitted within the adjacent zoning district at the time of PUD approval.
2. Except as specifically provided within paragraph 1., above, building height, scale, and setbacks of buildings within a PUD shall complement existing development on adjacent property, taking into consideration the following:
  - a. The nature of existing uses, and of uses anticipated by the Town's Comprehensive Plan, adjacent to and in the neighborhood of the PUD development site. Where a PUD is established on property that shares a block face with improved property, development within the PUD facing such existing improvements shall be harmonious as to height, mass, lot coverage, and setbacks.
  - b. The number, type, and size of the various buildings proposed within the PUD.
  - c. The location of natural, topographical, cultural, or other unique features of the site.
  - d. The location of public utilities, public streets, roads, pedestrian systems, bicycle paths, and of associated easements.
  - e. The objectives of the PUD district.

**H. Landscaping.**

1. A portion of the required open space shall consist of landscaped open areas, in an amount equal to twenty (20) percent of the aggregate gross floor area of commercial uses within the development.
2. In all PUD districts landscaping shall be provided using materials consistent with those required by Article 7, Section 7.5.
3. In addition to the requirements of paragraphs 1. and 2., above, landscaping shall be utilized within a PUD:
  - a. To provide visual separations or buffers, as may be appropriate, between uses and areas different in intensity or character from one another, and between the PUD and adjacent low-density residential districts.
  - b. To protect and enhance the scenic, recreational, or natural features of a site. Priority shall be given to preservation of existing trees having a caliper of eight (8) or more inches and in-place natural buffers.
  - c. As a means of harmonizing the street frontage along the perimeter of a PUD with the street frontage of adjacent properties.
  - d. To minimize the impact of noise, heat, light, and glare emanating from a building, use or structure upon adjacent buildings, uses or structures.

**I. Sensitive Areas**

1. The following areas shall be left natural and undisturbed, except for street crossings, hiking trails, utilities, and erosion control devices:
  - a. Land within a floodway.
  - b. Wetlands.
  - c. Woodland areas on steep slopes.

**J. Parking**

1. Off-street parking for each use within a PUD shall be provided in accordance with the standards set forth within Article 7 Section 7.7. Parking and Access Standards, unless otherwise approved by Town Council.

**K. Phased development.**

1. PUDs may be developed in phases, provided all the following requirements are met:
  - a. All phases must be shown, and numbered in the expected order of development, on the approved development plan.
  - b. The open space within each recorded phase may constitute fifteen (15) percent of the gross land area within that phase, or all required open space may be provided in the first phase.
  - c. All project data required in Subsection N for the project as a whole shall be given for each individual phase of development.
  - d. Phasing shall be consistent with the traffic circulation, drainage and utilities plans for the overall PUD.

**L. Application Review Process.**

1. Prior to the formal submission of an application seeking approval of a proposed PUD, the developer or their representative shall hold a conference with the Zoning Administrator, Town Engineer, and Building Official or their representatives concerning the proposal, and shall provide unofficial preliminary studies of their development concept and a sketch plan that specifies:
  - a. The general location and amount of land proposed for residential, office, commercial, industrial, open space/recreation and vehicular and pedestrian access and circulation. This information shall be presented in a format that illustrates how the proposal meets the objectives of Subsection A Purpose.
  - b. The numerical range of dwelling units in terms of quantity, and the gross floor area and acreage of each use or land area shown on the sketch plan.
  - c. A narrative explaining the development plan and if applicable, any proposed deviations or modifications from generally required provisions.
  - d. Any preliminary proffers.

2. Upon confirmation by the Zoning Administrator that all materials and information submitted by the applicant satisfy the requirements of this Section, the application will be reviewed and acted upon.

**M. Application**

1. Following the required pre-application review, the developer may submit an application seeking a rezoning approval for a PUD.
2. The rezoning application shall consist of the following materials:
  - a. Completion of the Town Rezoning Application form using the Town’s online permitting portal.
  - b. A development plan prepared in accordance with Subsection N, below.
  - c. A written statement of any proffers proposed in connection with the PUD.
  - d. A proposed land disturbance plan to include approximate timing and area of disturbance.
3. The completed application shall be processed in accordance with the procedures applicable to rezonings.

**N. PUD Development Plan – Requirements – Contents**

Each of the following is a required component of a complete plan of development submitted in connection with an application for approval of a planned unit development:

1. A survey plat describing and depicting the entire land area to be included within the PUD development site, including identification of present ownership, existing zoning district classification(s) of the parcel(s) to be included within the PUD.
2. A narrative statement of how the objectives described within Subsection A Purpose, are met by the proposed PUD.
3. A conceptual development plan, supporting maps, and written or photographic data and analysis which show:
  - a. Location and size of existing water and sanitary and storm sewer facilities and easements.
  - b. Layout for proposed water and sanitary sewer facilities and storm drainage facilities.
  - c. Location of other proposed utilities.
  - d. Location of existing and proposed ingress and egress from the development.
  - e. Location and size of existing and proposed streets.
  - f. Location of existing and proposed pedestrian and bicycle improvements, including connections to nearby schools.
  - g. An inventory, by tax map parcel number and street address, of all adjacent parcels within a five hundred-foot radius of the perimeter of the PUD, indicating the existing zoning district classification of each.

- h. A site inventory of the significant natural, environmental and cultural features of a site, including at a minimum: historic landmarks contained on any state or federal register; vegetation; existing trees of eight-inch caliper or greater; wetlands, topography, shown at intervals of five (5) feet or less, critical slopes, and other, similar characteristics or features, and a plan for preserving, protecting, utilizing and/or incorporating such features into the design and function of the proposed PUD.
- 4. A proposed land use plan. Such plan will identify the following:
  - a. Proposed land uses and their general locations, including without limitation, building and setbacks.
  - b. Proposed densities of proposed residential development.
  - c. Location and acreage of required open space.
  - d. Square footage for non-residential uses.
  - e. Maximum height of buildings and structures in area of PUD.
- 5. A general landscape plan which focuses on the general location and type of landscaping to be used within the project as well as the special buffering treatment proposed between project land uses and adjacent zoning districts.
- 6. Phasing plan if needed. Each phase shall individually meet the requirements of this section.
- 7. A statement from the Town Engineering Department verifying whether water and sewer infrastructure capacity does or does not exist for the proposed land use(s).
- 8. A statement from the fire marshal verifying whether adequate fire flow service does or does not exist for the proposed land use(s).
- 9. Additional information as deemed necessary by the director of neighborhood development services in order to facilitate a thorough review of the potential impacts of the proposed PUD that is the subject of the application. If any application fails to demonstrate within their application materials that a proposed PUD meets the minimum requirements specified herein, the application shall be rejected as incomplete.

**O. Approval**

- 1. Approval of the rezoning application establishes the maximum density/intensity, height and other dimensional requirements, the general location of each use and locations for streets and utilities shown on the development plan. Together with any approved proffers, the approved development plan shall establish the zoning requirements applicable to the PUD. Approval of a PUD does not relieve the applicant from its obligation to comply with all local, state, and federal laws and regulations. Any change in use, increase in density/intensity, any substantial decrease in the amount of open space, substantial change in the location of permitted uses or streets, and any other substantial change from what is shown on the approved development plan shall be deemed a substantial deviation requiring an amendment of the PUD approval. Factors to be considered in determining whether a change is substantial include but are not limited to the extent of the

- locational change and the expected impact on properties adjacent to the PUD.
2. Following approval of a PUD development plan, preliminary and final subdivision and site plan approvals shall be required. All such plans shall conform to the approved PUD development plan. No building or structure shall be erected, no building permit(s) issued, and no final subdivision plat(s) recorded, unless all of the following conditions have been met:
    - a. A final site plan has been approved.
    - b. Any required dedications, reservations or required improvements have been made in accordance with the final site plan and PUD phasing schedule.
    - c. Sufficient financial guarantees for completion of required improvements have been received by the Town.
  3. Where phased development has been approved, applications for subdivision and site plan approvals may, at the developer's option, be submitted for each individual phase.

**P. Amendment.**

1. Following approval of a plan of development for a planned unit development, the owner of the development may amend the plan of development only as follows:
  - a. The owner of a PUD may submit a written request for a proposed minor change to the approved plan of development to the director of neighborhood development services. The request shall be supported by graphic, statistical and other information necessary in order for the director to evaluate the request. The director may approve the request upon a determination that it involves only a minor deviation from the layout or design contemplated within the approved plan of development. For the purpose of this section the terms "minor change" and "minor deviation" mean and refer to changes of location and design of buildings, structures, streets, parking, recreational facilities, open space, landscaping, utilities, or similar details which do not materially alter the character or concept of the approved plan of development. Should the director determine that the requested change constitutes something more than a minor change or deviation from the approved plan of development, then the owner may seek an amendment pursuant to paragraph b, below.
  - b. The owner of a planned unit development may apply to Town Council for permission to amend the approved plan of development, following the same procedure as for the original approval.

**6-C**

**WYTHEVILLE  
PLANNING  
COMMISSION**



**AGENDA ITEM  
INFORMATION**

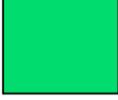
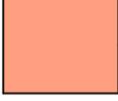
<b>Meeting Date:</b>	January 11, 2024
<b>Subject:</b>	Future Zoning Map Presentation

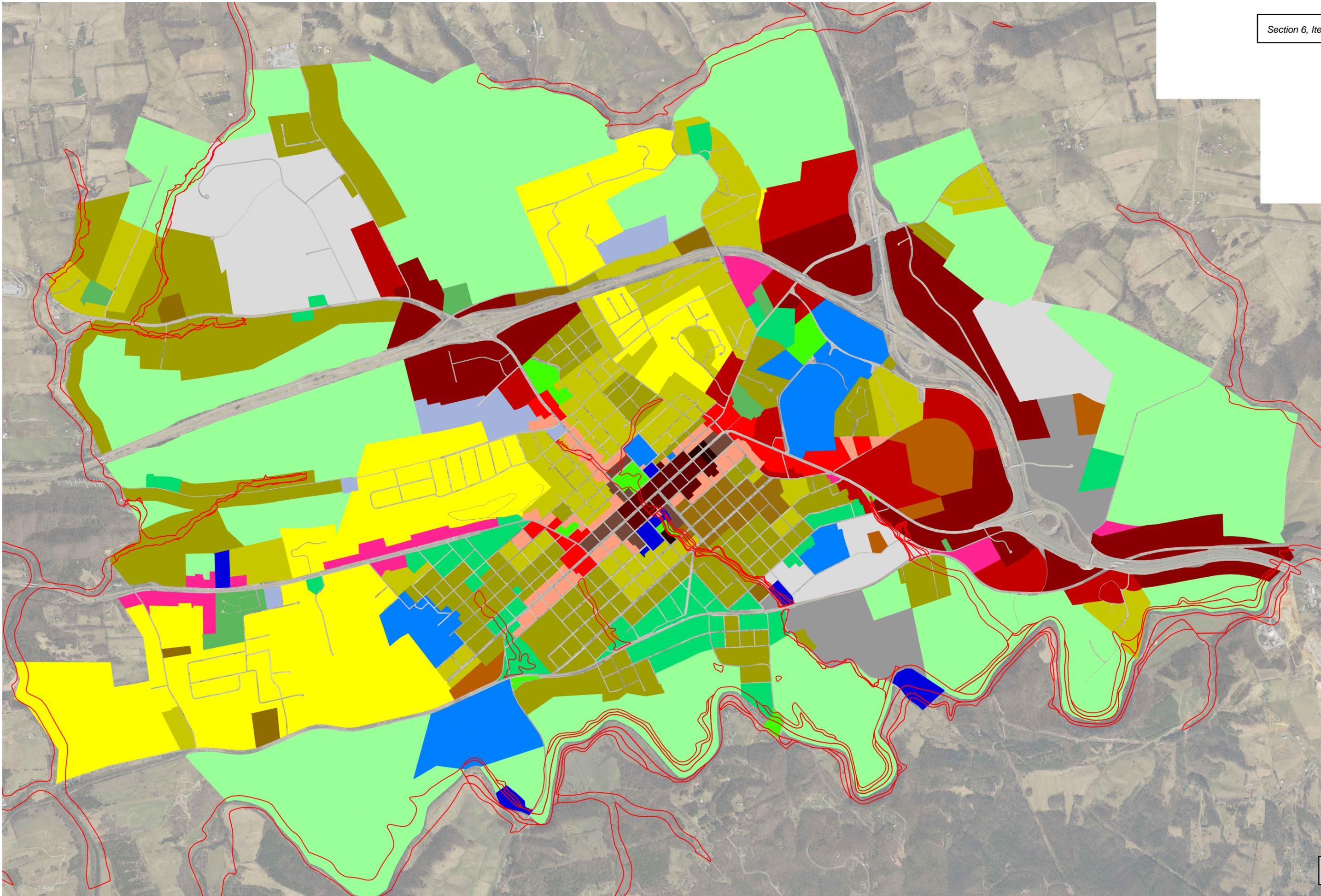
**SUMMARY:**

At the November 9, 2023, meeting, the Planning Commission requested more information on the Future Zoning Study. A map of the current concept is attached for your reference and for further discussion.

# Future Zoning Study

## Legend

	A-1	Agricultural
	R-1	Residential
	R-2	Residential
	R-3	Urban Residential
	R-4	High Density Residential
	RA	Artisan Residential
	RB-1	Residential Business
	RB-2	Residential Business
	RH	Historic Residential
	RMH	Residential Manufactured Home
	MA	Medical Arts
	B-1	Light Business
	B-2	General Business
	BMX	Business Mixed Use
	BTS	Business Travel Services
	DTB-1	Downtown Business Core
	DTB-2	Downtown Business Evansham
	DTB-3	Downtown Business Transitional
	M-1	Light Industrial
	M-2	General Industrial
	EDU	Educational
	GOV	Governmental
	OS-1	Parks and Public Open Space
	OS-2	Cemeteries
	FLO	Floodplain Overlay



**6-D**

**WYTHEVILLE  
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**AGENDA ITEM  
INFORMATION**

<b>Meeting Date:</b>	January 11, 2024
<b>Subject:</b>	Curb and Gutter Design Presentation

**SUMMARY:**

The Planning Commission requested more information regarding the types of curb and gutter that may be included in the Unified Development Ordinance (UDO). A presentation regarding the types of curb will be provided at the meeting.

**6-E**

**WYTHEVILLE  
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**AGENDA ITEM  
INFORMATION**

<b>Meeting Date:</b>	January 11, 2024
<b>Subject:</b>	Planning and Zoning Webpage Presentation

**SUMMARY:**

The Planning Department is launching a new webpage in connection with the Town of Wytheville’s website. This page will become a repository of information for activities of the Planning Department and the Planning Commission. In the future, as we move forward with the review of the proposed Unified Development Ordinance (UDO), the text of the document will be available for both the Planning Commission members and the public. We anticipate using the webpage to facilitate public comment and other community input regarding development of the UDO and other planning initiatives.

**6-F**

**WYTHEVILLE  
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**AGENDA ITEM  
INFORMATION**

<b>Meeting Date:</b>	January 11, 2024
<b>Subject:</b>	Rules of Procedure Draft

**SUMMARY:**

A copy of the Planning Commission’s draft Rules of Procedure will be distributed at the meeting and discussed by Assistant Town Manager Holeton for action to be taken at the February 8, 2024, meeting.

**7-A**

# COUNCIL ACTION LETTER

## Staff Assignments and Information

November 13, 2023

Number 579

### ACTIONS TAKEN OR DISCUSSED

### STAFF ASSIGNMENTS

1. Approved the meeting agenda, as amended.
2. Approved the consent agenda consisting of the minutes of the special meeting of October 11, 2023.
3. Approved the Farmer’s Market Board having a mural painted inside the Farmer’s Market building and for the Board to purchase sun shades to be installed on the porch area.
4. Approved the request of Wythe County Public Schools Foundation for Excellence to provide traffic control on Saturday, January 13, 2024, to conduct a Sandman Half Marathon and the MLK 5K Run.
5. Approved the request of Open Door Cafe to provide traffic control on Thursday, November 23, 2023, to conduct the Stuffed Strut 5K Run.
6. Approved the request of the Kiwanis Club of Wythe County to provide traffic control on Saturday, May 4, 2024, to conduct a 5K Run.
7. Approved the request of Downtown Wytheville, Incorporated to provide traffic control on Saturday, December 2, 2023, for the Wytheville Christmas Parade and Celebration.
8. Established the Property Tax Reimbursement Rate at 36.48 percent.
9. Scheduled a Meet and Greet Session for an applicant for the Joint Industrial Development Authority.
10. Scheduled a Meet and Greet Session with the applicants for the Wytheville Building Code Appeals Board.

3. **Assistant Town Manager** – advise applicant of approval
4. **Assistant Town Manager** – advise applicant of approval
5. **Assistant Town Manager** – advise applicant of approval
6. **Assistant Town Manager** – advise applicant of approval
8. **Town Treasurer** – implement new Property Tax Reimbursement Rate
9. **Town Clerk** – schedule Meet and Greet Session
10. **Town Clerk** – schedule Meet and Greet Sessions

- 11. Dispensed with the December 25, 2023, Town Council meeting due to the Christmas holidays.
  - 12. Amended the holiday hours for Friday, December 22, 2023, from four holiday hours to eight holiday hours (Christmas Eve observance).
  - 13. Amended the holiday hours for Wednesday, November 22, 2023, from four holiday hours to eight holiday hours (Thanksgiving holiday observance).
  - 14. Approved providing the full-time and part-time employees with a Christmas bonus.
  - 15. Held a Closed Meeting pursuant to §2.2-3711(A.)(3.) Discussion regarding the acquisition/disposition of property used for a public purpose. Council certified the Closed Meeting.
  - 16. Authorized the Town Manager to offer the Town owned property on Stafford Umberger Drive to the interested party at an amount authorized by the Town Council and subject to the approval of the Town Council after a public hearing, and, if unsuccessful, prepare a Request for Proposal (RFP) for a real estate agent to be selected by the Council.
  - 17. Set a public hearing for the January 8, 2024, Town Council meeting to consider the proposed acquisition of real property for \$200,000 at 1035 North Fourth Street.
- 12. **Human Resources Manager** – implement new holiday schedule
  - 13. **Human Resources Manager** – implement new holiday schedule
  - 14. **Human Resources Manager** – issue Christmas bonus checks
  - 16. **Town Manager** – make offer to interested party or prepare RFP
  - 17. **Chief Deputy Clerk** – send legal notice to news media

## COUNCIL ACTION LETTER Staff Assignments and Information

November 27, 2023

Number 580

### ACTIONS TAKEN OR DISCUSSED

1. Approved the meeting agenda, as amended.
2. Approved the consent agenda consisting of the minutes of the regular meeting of November 13, 2023.
3. Appointed Ms. Vicki Parks to the Joint Industrial Development Authority of Wythe County for a four year term, which expires November 10, 2027.
4. Made the following appointments to the Wytheville Building Code Appeals Board: Landon Sayers for a five year term, which expires July 26, 2028; and, Mr. Andy Sayers to fill an unexpired term, which expires July 26, 2026.

### STAFF ASSIGNMENTS

3. **Town Clerk**– advise by letter
4. **Town Clerk**– advise by letter

# COUNCIL ACTION LETTER

## Staff Assignments and Information

December 11, 2023

Number 581

### ACTIONS TAKEN OR DISCUSSED

### STAFF ASSIGNMENTS

1. Approved the meeting agenda, as amended.
2. Approved the consent agenda consisting of the minutes of the Work Session and the regular meeting of November 27, 2023.
3. Adopted Ordinance No. 1427, an ordinance repealing and replacing Chapter 6, Fire Prevention and Protection; and, amending and reenacting Chapter 9, Offenses - Miscellaneous, Article III. Air Pollution Control by renaming the article and by removing the following sections: Section 9-76. Definitions; Section 9-77. Penalty; Section 9-78. Authority and Declaration of Policy; Section 9-79. Relationship to State Rules; Section 9-80. Powers and Responsibilities of Air Pollution Control Officer; Section 9-81. Open Burning; Section 9-82. Smoke or Other Visible Emissions; and, Section 9-83. Emergency Procedure; and, amending and reenacting Chapter 11. Police, Article III. Alarm Systems, Section 11-44. Penalties for False Alarms, of the Code of the Town of Wytheville, Virginia, on first and final reading.
4. Adopted Ordinance No. 1428, an ordinance establishing a Housing Rehabilitation Zone in the Town of Wytheville, Virginia, on first and final reading.
5. Approved the request of Virginia Organizing for traffic control to conduct a Martin Luther King, Jr. Day March on Sunday, January 14, 2024.
6. Scheduled a Work Session for Monday, January 8, 2024, at 4:00 p.m., in the Council Conference Room to hold a Meet and Greet Session with each of the applicants to be considered for the Wytheville Recreation Commission, the Wytheville Economic Development Authority and the Wytheville Building Code Appeals Board.

3. **Chief Deputy Clerk** – amend the Town Code
4. **Assistant Town Manager** – implement Housing Rehabilitation Zone Program
5. **Assistant Town Manager** - advise applicant of approval
6. **Deputy Clerk** – schedule Meet and Greet Sessions and prepare agenda

- 7. Reappointed Ms. Brittney Litton to the Wytheville Recreation Commission for a three year term (term expires December 31, 2026).
  - 8. Reappointed Ms. Melissa Crockett to the Wytheville Economic Development Authority for a four year term (term expires December 12, 2027).
  - 9. Established the Real Property Tax due date as January 31, 2024.
  - 10. Scheduled a Work Session for Monday, January 22, 2024, at 4:00 p.m. to hear a presentation from Virginia Tech students regarding their project in town.
  - 11. Canceled the public hearing scheduled for Monday, January 8, 2024, at 5:00 p.m., in the Council Chambers to consider the proposed acquisition of property located at 1035 North Fourth Street.
  - 12. Approved drafting a resolution recognizing the *A Christmas to Remember* event for its outstanding community involvement
  - 13. Conducted a closed meeting pursuant to § 2.2-3711 (A.) (8.) Consultation with legal counsel regarding specific legal matters and certified the closed meeting.
- 7. **Chief Deputy Clerk** – advise by letter
  - 8. **Chief Deputy Clerk** – advise by letter
  - 9. **Town Treasurer** – implement new tax deadline
  - 10. **Deputy Clerk** – prepare agenda
  - 12. **Chief Deputy Clerk** - draft resolution