

**Town of Amherst Planning Commission
Minutes
January 4, 2023**

A meeting of the Town of Amherst Planning Commission was called to order by Chairperson June Driskill on January 4, 2023, at 7:00 P.M. in the Council Chambers of Town Hall at 174 S. Main Street.

It was noted that a quorum was present as indicated below:

P	June Driskill	P	Janice N. Wheaton
P	William Jones	P	John Vandervelde
P	Anne Webster Day	P	Nathaniel Holden Chase
P	Clifford Hart		

Town Manager Sara McGuffin, and Clerk of Council Vicki K. Hunt in her capacity as Secretary, were also present.

The Chair opened the floor for citizen comments.

There being no one present to speak no comments were made.

Mr. Chase made a motion that was seconded by Mr. Vandervelde to approve the minutes of the December 7, 2022, meeting.

There being no discussion, the motion carried 7-0 according to the following:

June Driskill	Aye		Anne Webster Day	Aye
Janice Wheaton	Aye		John Vandervelde	Aye
William Jones	Aye		Nathaniel Holden Chase	Aye
Clifford Hart	Aye			

Town Manager McGuffin gave a report on a possible amendment to the Town’s Zoning Ordinance, Table of Uses, Short Term Rental Property, to allow short term rentals in certain residential districts with a Special Use Permit. “Short-term rental” means the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy (Town Code §24-2; Code of Virginia §15.2-983). Unlike a bed and breakfast, short term rentals are not occupied by the owner during rental periods. Staff requests the Commission determine whether to amend the Table of Uses for short term rentals as a special use in residential districts R-1 and R-2 with a recommendation to Town Council. A duly advertised public hearing on the matter was held at the Commission’s December 7, 2022, meeting after which the matter was deferred for further discussion and consideration.

The Chair opened discussion on whether to amend the Town’s Zoning Ordinance, Table of Uses, Short Term Rental Property, to allow short term rentals in certain residential districts.

Ms. Wheaton made a motion that was seconded by Mr. Jones to make a recommendation to Town Council not to approve an amendment to the Town’s Zoning Ordinance, Table of Uses, Short Term Rental Property, for short term rentals as a special use permit in residential districts R-1 and R-2.

After discussion, the motion carried 4-3 according to the following:

June Driskill	Aye		Anne Webster Day	Nay
Janice Wheaton	Aye		John Vandervelde	Nay
William Jones	Aye		Nathaniel Holden Chase	Nay
Clifford Hart	Aye			

Town Manager McGuffin gave a report on an application submitted by Timothy and Emily Wynn to rezone 117 Pine Street (Tax Map 96A414 3940) from R-2 to B-1, with conditions, to allow a short term rental business on the property. The rezoning request is intended for the purpose of having a short term rental property with rezoning from R-2 to B-1 for the time period in which they own the property only. A duly advertised public hearing on the matter was held at the Commission’s December 7, 2022, meeting after which the matter was deferred for further discussion and consideration.

Mr. Jones made a motion that was seconded by Ms. Wheaton to make a recommendation to Town Council not to approve rezoning 117 Pine Street (Tax Map 96A414 3940) from R-2 to B-1.

After discussion, the motion carried 4-3 according to the following:

June Driskill	Aye		Anne Webster Day	Nay
Janice Wheaton	Aye		John Vandervelde	Nay
William Jones	Aye		Nathaniel Holden Chase	Nay
Clifford Hart	Aye			

A duly advertised public hearing was held at the Commission’s December 7, 2022, meeting on an application for a special use permit to allow short term rental on property described as 117 Pine Street (Tax Map 96A414 3940), after which the matter was deferred for further discussion and consideration. The Commission having denied the request to rezone the property from R-2 to B-1, the matter is now moot and no action was taken.

Town Manager McGuffin gave a report on a proposed amendment to Chapter 24 of the Town Code, Zoning and Subdivisions, to add a new code section, Inoperable Vehicles, and outlined possible changes to Town Code Sec. 20-143. - Inoperative motor vehicles on residential, commercial, or agricultural property, and Sec. 20-144. - Removal of inoperative motor vehicles to the Town Code that would allow enforcement on any property zoned for residential, commercial, or agricultural purposes. Staff recommended setting a public hearing on the matter.

Ms. Wheaton made a motion that was seconded by Mr. Hart to hold a public hearing at the February 1, 2023, meeting of the Planning Commission on the proposed amendment to Town Code Chapter 24, Zoning and Subdivisions, related to inoperable vehicles, as recommended by staff.

The motion carried 7-0 according to the following:

June Driskill	Aye		Anne Webster Day	Aye
Janice Wheaton	Aye		John Vandervelde	Aye
William Jones	Aye		Nathaniel Holden Chase	Aye
Clifford Hart	Aye			

Ms. Wheaton made a motion that was seconded by Mr. Hart to hold a public hearing at the Commission’s next meeting on February 1, 2023, on the Town of Amherst FY23-24 Capital Improvement Program proposal, as recommended by staff.

The motion carried 7-0 according to the following:

June Driskill	Aye		Anne Webster Day	Aye
Janice Wheaton	Aye		John Vandervelde	Aye
William Jones	Aye		Nathaniel Holden Chase	Aye
Clifford Hart	Aye			

There being no further business, on motion of Ms. Wheaton which was seconded by Mr. Hart and carried 7-0, the meeting adjourned at 7:35 PM, according to the following:

June Driskill	Aye		Anne Webster Day	Aye
Janice Wheaton	Aye		John Vandervelde	Aye
William Jones	Aye		Nathaniel Holden Chase	Aye
Clifford Hart	Aye			

June Driskill, Chairperson

Attest: _____