

**TOWN OF AMHERST
PLANNING COMMISSION
Wednesday, August 2, 2017
AGENDA**

7:30 PM

1. **Call to Order –Town Hall @ 174 S. Main Street**

2. **Determination of Quorum**

3. **Confirmation of June 26, 2017 meeting minutes**

4. **Zoning and Subdivision Ordinance Update**

A proposed series of revisions to the Zoning and Subdivision Ordinance is provided under separate cover. The Commissioners will note that this incorporates:

- *Elements from the Urban Development Area study as summarized in Mike Callhan’s Amherst TDA Implementation Strategies report (April 16, 2016),*
- *The MuniCode (the Town’s Town Code recodification contractor) “legal review” memo (9/30/2016),*
- *Review of recent County amendments (from <http://www.countyofamherst.com/departments/division.php?structureid=95>),*
- *Ongoing experience and anticipation of pending developments, and*
- *Clerical and format items (spellings, font, indention, etc.),*

A list outlining twelve items of particular note is contained in the agenda packet.

Going forward, staff suggests that the Commission review and comment on the material, direct adjustments as it deems appropriate and then – when comfortable – route the package to the Town Council for inclusion in the overall recodification package. Staff suggests a joint Town Council/Planning Commission public hearing on the whole Town Code late in the fall would clear the way for the adoption of a new Town Code by December 31.

5. **Other Matters**

6. **Concerns of Staff**

7. **Concerns of Commissioners**

8. **Adjournment**

**Town of Amherst
Planning Commission Minutes
June 26, 2017**

A special meeting of the Town of Amherst Planning Commission was called to order by Chairperson June Driskill in the Council Chambers of the Town Hall at 174 S. Main Street at 5:30 PM on June 26, 2017. It was noted that a quorum was present as indicated below:

P Kevin Belcher	P William Jones
P June Driskill	A Kenneth Bunch
A Ted Finney	P Clifford Hart

It was noted that one seat is vacant. Deputy Town Clerk Vicki Hunt and Town Manager Jack Hobbs, in his capacity as Secretary to the Commission, were present.

Milhaus Site Plan Review Application (144 S. Main Street)

Mark Milhaus, President of Milhaus Company, and its representative Phillip Jamerson, CEO of Jamerson-Lewis Construction, Inc., came forward to request approval of a site plan to construct a 50' wide x 80' deep (4,000 SF) building addition to the existing 8,370 SF building at the Milhaus site at 144 S. Main Street (TM#96A4-A-21), zoned Central Business District CBD.

After discussion, on a motion by Mr. Hart which was seconded by Mr. Jones the Commission agreed to approve the site plan as proposed with the following conditions:

1. Submittal of site plan drawings amended by the designer to show:
 - a. A statement to the effect that the development will not increase runoff to the VDOT right of way. (VDOT)
 - b. The correct address of the owner/site on all sheets. (18.1-1104.03)
 - c. Facilities for the disposal of trash and other solid waste, including adequate access by refuse collection vehicles. (18.1-1104.05.11)
 - d. A calculation demonstrating the adequacy of the number of parking spaces provided vs. the number of parking spaces required by the Town Code. (18.1-602.02,05)
 - e. Size and species of all plant materials proposed and to remain in a format that can be reviewed against the requirements of Section 18.1-920 (Landscaping) of the Town Code. (18.1-920.03a, 920.04, 1104.05.9)
2. The construction contractor having a Town of Amherst business license prior to issuance of the zoning certificate. (8.1-721)

The motion carried 4-0 according to the following:

Kevin Belcher	Aye	William Jones	Aye
June Driskill	Aye	Kenneth Bunch	Absent
Ted Finney	Absent	Clifford Hart	Aye

The minutes from the May 3, 2017, Commission meeting were approved on a motion by Mr. Hart, seconded by Mr. Jones, and carried 4-0 according to the following:

Kevin Belcher	Aye	William Jones	Aye
June Driskill	Aye	Kenneth Bunch	Absent
Ted Finney	Absent	Clifford Hart	Aye

Rezoning Request: McDonalds 135/Richmond Highway

The Secretary reported that the proposal by Golden Arch Limited Partnership to adjust the conditions on the zoning for the McDonalds site at 135 Richmond Highway (TM#96A4-A-174B, zoned B-2 [Conditional] General Commercial District) was approved by Town Council at its meeting on June 14, 2017, as recommended by the Planning Commission.

Potential Zoning and Subdivision Ordinance Amendments

The secretary gave a report on the status of the Zoning and Subdivision Ordinance.

There being no further business, the meeting adjourned at 5:54 PM on a motion by Mr. Jones, seconded by Mr. Hart, and carried 4-0 according to the following:

Kevin Belcher	Aye	William Jones	Aye
June Driskill	Aye	Kenneth Bunch	Absent
Ted Finney	Absent	Clifford Hart	Aye

June Driskill, Chairperson

Attest: _____

	Section #	Section Title	Issue & Source	Comment
1	§18.1-506	Classification of districts	<p>18.1-506 Consolidate the General Commercial District (B-2), General Transitional Use Zone District (T-1), and Central Business District (CBD) into a Mixed Use District (MXD)</p> <ul style="list-style-type: none"> o The areas of town with these zoning designations are included within the Town Development Area, meaning they are suitable for higher density and mixed use development. Consolidating these zones into a single zone will bring consistency to the development requirements for the TDA. However, the Central Business District should continue to have an additional set of requirements or allowances given its unique nature. The existing CBD zone could become an overlay zone that addresses unique parking, setback, and mixed use situations. The new Mixed Use Zone would emphasize the elements of traditional town design, including: <ul style="list-style-type: none"> § Allowing mixed use development by right § Reduced setback requirements or built to lines § Encouragement of shared parking and shared driveways § Encouragement of interconnectivity between adjacent parcels § Allowing a mix of housing types § Allowing for higher density development (Callahan) 	<p>The Urban Development Area concept encourages high density mixed uses which is consistent with the Town’s idea of encouraging infill development/redevelopment where appropriate. Define a new "mixed use MXD" category to include the CBD, T-1, B-1 and B-2 zones.</p>
2	§18.1-804	Minimum yard requirements	<p>18.1-804: Minimum yard requirements</p> <ul style="list-style-type: none"> o Issue: There are no minimum setback requirements in the Central Business District. This is a good practice, yet there is no requirement that development is built to the lot line. ; o Opportunity for Improvement: Consider adding a maximum setback provision in the Central Business District of between three and six feet for front and side yard setbacks. This will ensure that the urban form of development with minimal front and rear setbacks between 2nd Street and West Court Street is extended up to the traffic circle as redevelopment occurs over time. (Callahan) 	<p>The “build to” line idea requires further discussion.</p>

3			18.1-804: Minimum yard requirements Issue: The zoning code requires a front setback of at least 50 feet in the B-2 District. o Opportunity for Improvement: Consider removing the minimum setback requirement in this district, or reducing it to 15 feet or less. (Callahan)	This idea requires further discussion.
4	§18.1-908	Signs	18.1-908.03. Signs allowed without a permit. In subsection, change “Handicapped” to “Disabled.” See Code of Virginia, § 46.2-1240 et seq. (MuniCode)Update sign ordinance per Reed v. Town of Gilbert.	4-page ordinance drafted and ready for hearing.
5	§18.1-914	Regulation of wireless telecommunication facilities	18.1-914 Simplify the cell phone tower ordinance (18.1-914) (Hobbs)	Clarifies that the ordinance is intended to regulate towers, not antennae or other accessories.
6	§18.1-920.	Landscaping.	18.1-920 Update landscape ordinance to conform to county; delete bonding requirement (Hobbs)	Update, simplify and delete bonding requirement
7	§18.1-1007	Request for subdivision plat approval	18.1-1007.02 Preliminary plat review. Alter to be consistent with Code of Virginia, § 15.2-2260(A) by inserting provisions making submission of a preliminary subdivision plat for tentative approval at the option of the landowner for plats involving 50 or fewer lots. (MuniCode)	Need MuniCode to provide draft section.
8			18.1-1007.04 Final plat review. Alter to be consistent with Code of Virginia, § 15.2-2259. (MuniCode)	Need MuniCode to provide draft section.
9	§18.1-1102	Procedure for site plan review	18.1-1102. Procedure for site plan review. Alter to be consistent with Code of Virginia, § 15.2-2259. (MuniCode)	Need MuniCode to provide draft section.
10	§18.1-1202	Vacation of plats	18.1-1202.01. Vacation of plats with no lots sold. Conform to Code of Virginia, § 15.2-2271. (MuniCode)	Need MuniCode to provide draft section.
11			18.1-1202.02 Vacation of plats with lots sold. Conform to Code of Virginia, § 15.2-2272. (MuniCode)	Need MuniCode to provide draft section.
12			18.1-1202.04 Vacation of boundary lines. Conform to the requirements of the first paragraph of Code of Virginia, § 15.2-2275. (MuniCode)	Need MuniCode to provide draft section.

Amherst County Zoning Ordinance Amendments

Ref: <http://www.countyofamherst.com/departments/division.php?structureid=95>

NOVEMBER 2016	Wireless Broadband Facilities
AUGUST 2016	Distilleries in the Agricultural Residential District
JUNE 2016	Travel Trailer Parks
	Personal Wireless Service Facilities
APRIL 2016	Abandoned and Inoperable Vehicles
	Business and Industrial District Amendments
	A-1 Agricultural Time-Share Projects
NOVEMBER 2015	Misc Code Changes
MAY 2014	Shopping Center/Substance Abuse Treatment Facility Ordinance
	Breweries Ordinance
	Delinquent Charges Ordinance
	Townhouses Ordinance
JANUARY 2014	Dam Break Inundation Zones Ordinance
DECEMBER 2013	Hunt Clubs and Shooting Ranges Ordinance
OCTOBER 2013	Amending the Wireless Communication Ordinance
	Amending Section 907.04 of the Sign Ordinance
	Amending and Adding to Definitions Section
	Amending Landscaping Requirements
AUGUST 2012	Amend Requirements Governing Signs Ordinance
JULY 2012	Family Day Homes, Group Homes, Temporary Health Care Structures Ordinance
	Amend Requirements for Surface Treatment of Parking Lots & Lot Aisles Ordinance
	Farm Wineries Ordinance
	RMU-1 Zoning District Ordinance
MARCH 2012	Wireless Communications Ordinance
JANUARY 2012	Pawnbrokers / Other Uses in Zoning Districts
DECEMBER 2011	Mixed Use Traditional Neighborhood Development Zoning District
DECEMBER 2010	Sign Ordinance Revisions
MAY 2010	Zoning Administrator - Text Amendment
MARCH 2010	LP Gas Containers Ordinance
	Expansion of uses in the V-1 Village Center District
	Off-site Directional Signs Ordinance
FEBRUARY 2010	Planning Commission Charter - Code Amendment
JANUARY 2010	Marine Sales and Service Ordinance
	Substance Abuse Treatment Facility Ordinance
DECEMBER 2009	Small Wind Energy System Ordinance
AUGUST 2009	Revisions to the Family Division Ordinance
JULY 2009	Flag lot and cul-de-sac reduction text amendment
	Revisions to the site plan review requirements