

**TOWN OF AMHERST PLANNING COMMISSION**  
**Wednesday, February 7, 2024**  
**AGENDA**

1. **Call to Order** – *Chair Driskill*
2. **Determination of Quorum**
3. **Citizen Comment-** *This time is provided for citizens to bring concerns or comments to the Commission that are not scheduled for a public hearing. This is not meant to be a discussion or an exchange, but rather, an opportunity for citizens to have their concerns be heard.*
4. **Approval of January 3, 2024 meeting minutes** – *Chair- The minutes of the January 3, 2024 meeting are attached.*
5. **Review of Pending Developments-** *Staff has copies of two developments that will be coming forward for consideration by the Planning Commission.*
  - a. *Dulwich Road Townhouses- The existing apartments on Dulwich Road are being renovated for sale as individual units. The change in use from apartments to townhouses requires a subdivision and a site plan.*
  - b. *Amherst Presbyterian Church- Staff will update the Commission regarding the proposed development.*
6. **Potential Code changes-** *Staff is requesting that the Commission consider several Code changes to clarify items in the Code. Staff would like to introduce these at this meeting, consider them in full at the next meeting, and work towards a public hearing in March. There are drafts of each, with the exception of the first one.*
  - a. *Definitions and guidance for display and storage of goods to be sold in commercial districts*
  - b. *Consideration of an amendment to the Sign Ordinance that would allow 'open' flags and chalkboard displays*
  - c. *Consideration of a new process for minor site plans and plot plans*
  - d. *Consideration of new definitions for 'driveways' and 'parking areas'*
  - e. *Short Term Rental definition updates and process*
7. **Set Public Hearing- Capital Improvement Plan-** *Included in your packet is the proposed Capital Improvement Plan for FY 25. Staff recommends setting a public hearing for the March meeting to consider this.*
8. **Concerns of Commissioners**
9. **Adjournment**

**Town of Amherst Planning Commission  
Minutes  
January 3, 2024**

A meeting of the Town of Amherst Planning Commission was called to order by Town Manager Sara McGuffin on January 3, 2024, 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	Michael Driskill
P	William Jones	P	John Vandervelde
A	Anne Webster Day	A	Veda Butcher
P	Clifford Hart		

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

Town Manager McGuffin called for nominations for Chairperson. By motion of Mr. Jones, seconded by Mr. Vandervelde, June Driskill was nominated as Chairperson. There being no other nominations, the Commission voted 5-0 to elect June Driskill Chairperson as follows:

June Driskill	Aye		Anne Webster Day	Absent
Michael Driskill	Aye		John Vandervelde	Aye
William Jones	Aye		Veda Butcher	Absent
Clifford Hart	Aye			

Town Manager McGuffin turned the meeting over to the Chairperson June Driskill.

The Chair called for nominations for Vice Chair. By motion of Mr. Jones, seconded by Mr. Vandervelde, Clifford Hart was nominated as Vice Chair. There being no other nominations, the Commission voted 5-0 to elect Clifford Hart Vice Chair as follows:

June Driskill	Aye		Anne Webster Day	Absent
Michael Driskill	Aye		John Vandervelde	Aye
William Jones	Aye		Veda Butcher	Absent
Clifford Hart	Aye			

The Chair opened the floor for citizen comments.

There being no one present in person or otherwise to speak, no comments were made.

Mr. Jones made a motion that was seconded by Ms. Driskill to approve the minutes of December 6, 2023, meeting.

There being no discussion, the motion carried 5-0 according to the following:

June Driskill	Aye		Anne Webster Day	Absent
Michael Driskill	Aye		John Vandervelde	Aye
William Jones	Aye		Veda Butcher	Absent
Clifford Hart	Aye			

Town Manager McGuffin gave a report on property consisting of 22 acres, generally known as the “Ambler property,” designated as tax map numbers 95-A-90, 90A, 91, and 110-A0103, and generally located across South Main Street from the Amherst County High School. At its meeting on September 6, 2023, the Planning Commission voted to change the property’s designated use from commercial to public/semi-public uses. Due to the failure of Town Council to accept the donation of the property for use as a park at its meeting on December 13, 2023, staff requested to amend the Town’s Future Land Use Map to return the twenty-two acres of land to its original designation for commercial use.

The proposal to return the property to its original designated use was advertised for public hearing for two consecutive weeks, as required by State Code. Because the public hearing was not set by the Planning Commission, staff requested ratification of the public hearing by the Commission.

Mr. Hart made a motion that was seconded by Mr. Jones to ratify the setting of a public hearing on determination of whether to amend the Town’s Future Land Use Map to include a proposed commercial use designation on a portion of the property generally known as the “Ambler property,” designated as tax map numbers 95-A-90, 90A, 91, and 110-A0103 which, if approved, would return the property to its original use, as recommended by staff.

After discussion, the motion carried 5-0 according to the following:

June Driskill	Aye		Anne Webster Day	Absent
Michael Driskill	Aye		John Vandervelde	Aye
William Jones	Aye		Veda Butcher	Absent
Clifford Hart	Aye			

Veda Butcher entered the meeting at 7:05 p.m.

The Chair opened a duly advertised public hearing at 7:06 p.m. on determination of whether to amend the Town’s Future Land Use Map to include a proposed commercial use designation on a portion of the property generally known as the “Ambler property,” designated as tax map numbers 95-A-90, 90A, 91, and 110-A0103 which, if approved, would return the property to its original use.

There being no one present who wished to speak on the matter, the public hearing was closed at 7:06 PM.

Mr. Driskill made a motion that was seconded by Mr. Hart to make a recommendation to Town Council for approval of an amendment to the Town's Future Land Use Map to include a proposed commercial use designation on a portion of the property generally known as the "Ambler property," designated as tax map numbers 95-A-90, 90A, 91, and 110-A0103, returning the property to its original use, as recommended by staff.

After discussion the motion failed 3-1-2 due to lack of a majority vote, sending a divided recommendation to Council, as follows:

June Driskill	Aye		Anne Webster Day	Absent
Michael Driskill	Aye		John Vandervelde	Abstain
William Jones	Aye		Veda Butcher	Nay
Clifford Hart	Abstain			

Town Manager McGuffin gave a report on a proposed amendments to the Zoning Ordinance on the following items:

1. Design standards to differentiate between the CBD and B-2 districts;
2. Consideration of definitions and guidance for display and storage of goods to be sold in commercial districts;
3. Consideration of an amendment to the Sign Ordinance that would allow 'open' flags and chalkboard displays;
4. Consideration of a new process for minor site plans and plot plans;
5. Consideration of new definitions for 'driveways' and 'parking areas;' and
6. Short Term Rental.

Further discussion on consideration of the above items was deferred to the Commission's February 7, 2024, meeting.

There being no further business, on motion of Mr. Vandervelde which was seconded by Mr. Hart, and carried 6-0, the meeting adjourned at 8:23 PM, according to the following:

June Driskill	Aye		Anne Webster Day	Absent
Michael Driskill	Aye		John Vandervelde	Aye
William Jones	Aye		Veda Butcher	Aye
Clifford Hart	Aye			

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June Driskill, Chairperson

Attest: \_\_\_\_\_

Add to Definitions:

Outdoor display- Display of goods for sale outside of a business. Where goods are typically those that are outdoor in nature, such as automobiles, trailers, farm equipment, outdoor display is permitted without limitation as governed by the zoning district. Where the goods are typically inside, a small display of goods may be outside of the building, limited to no more than twenty square feet of area, so long as the display is not in any required area, such as parking, setbacks, and public rights of way.

Outdoor storage- Outdoor storage of goods or equipment for sale or rent as allowed in the applicable zoning district shall be screened from public right-of-way or adjacent uses. No outdoor storage of goods and equipment is permitted in residentially zoned areas. Outdoor storage cannot be an independent use, and must be associated with a business on the same parcel. Screening shall be accomplished as outlined in 24-695.

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## **Sec. 24-576. Signs permitted in all sign districts.**

The following signs shall be permitted in all sign districts and shall not require a sign permit, unless otherwise indicated. The area of any sign described in this section shall not be included in computing the aggregate sign areas specified for individual districts.

(1) *Temporary signs.* Temporary signs, which shall be nonilluminated and limited to the following types:

- a. When buildings are under construction or sites are under development, signs may be displayed provided that they are removed upon issuance of a certificate of occupancy. The maximum sign area of each such sign shall be 32 square feet.
- b. When a property is offered for lease or for sale, signs may be displayed provided that they are removed within five days of the date of closing or within five days of the beginning of the lease.
  1. In the residential sign and mixed use districts, the maximum aggregate sign area shall be four square feet and the maximum height shall be 12 feet.
  2. In the commercial and industrial sign district, the maximum aggregate sign area shall be 32 square feet and the maximum height shall be 12 feet.
- c. When a business in the mixed use or commercial and industrial sign district opens, temporary building-mounted signs and banners shall be permitted, provided that such sign or signs shall not be displayed for more than 30 days. The maximum aggregate sign area shall be 32 square feet.
- d. When a dwelling in a residential sign district is holding a yard sale, signs may be displayed for only 48 hours and only on the property where the yard sale will be held.
- e. For special events within the town, any property owner may display up to two signs of up to four square feet each for up to five days in any 60-day period.
- f. Signs on private property that exercise the property owner's right to right to free speech and express noncommercial messages such as ideals, causes, policies or candidates, provided that the aggregate sign area is not larger than 40 square feet in the mixed use and commercial and industrial sign districts or 16 square feet in the residential and agricultural sign district, and the total number of signs on a parcel cannot exceed two. Such signs shall be removed within 60 days of installation, and no property can display such signs for more than a total of 120 days per year.

g. Signs in the commercial or mixed use district, at a permitted and licensed business, designating that they are open, or showing current specials, so long as the sign is only out during business hours, and is on the same property as the business. Such signs shall be limited to no more than 20 square feet in the B-2 district, and 6 square feet in other business districts and there shall be no more than one per parcel.

(2) *Permanent signs.*

- a. One sign at each parking lot entrance with no commercial logo or other message and not exceeding three square feet in area.
- b. Nonilluminated names of buildings, dates of erection, monumental citations, commemorative tablets, insignia of local, state or federal government, and like when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of a building structure. The maximum size of such sign shall be 32 square feet.
- c. Usual and customary signs identifying disabled parking, restrooms, directions, driving instructions or other facilities relating to such places or activities.

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- d. Signs not visible from adjacent properties or public rights-of-way.
- (3) *Flags*. Flags containing no commercial message are not regulated.
- (4) *Location on right-of-way*. Signs installed on VDOT right-of-way under a VDOT permit. The town will only assist in the VDOT permitting process with town-approved banners installed above South Main Street on the existing banner bracket.
- (5) *Nonconforming*. Any sign may remain in use provided that it was lawful at the time this article was enacted. However, signage for any business shall be required to conform to all requirements of this chapter as a condition of approval before any change to the signage for that business.
- (6) *Community promotions*. Community promotions that do not contain any commercial messages or references and are constructed or displayed on public property under the auspices of a locally based government agency.

(Zoning Ord. 2003, § 18.1-908.06)

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## **Sec. 24-75. Developments subject to special site plan review.**

The following types of development shall be subject to the site plan review provisions under section 24-76:

- (1) All commercial, industrial and institutional buildings that have 2,000 square feet or more in floor area, including buildings converted from any other use to commercial, industrial or institutional use.
- (2) All institutional facilities such as schools, hospitals and clubs.
- (3) All residential developments involving more than four dwelling units in one building or three on one lot.
- (4) Mobile home parks.
- (5) Special use applications involving more than 2,000 square feet of new building area.
- (6) Conditional zoning applications.
- (7) Townhouse development projects.
- (8) Any proposed building that has 2,000 square feet or less in floor area will require only an informational sketch for review.
- (9) Any use listed as specifically requiring a site plan.

(Zoning Ord. 2003, § 18.1-1103)

The following types of development shall be subject to the site plan review provisions under Section XX for a minor site plan of this article:

1. A proposed revision to a site plan where an existing major site plan is on file;
2. All development requiring a commercial entrance permit from the Virginia Department of Transportation
3. and any new development on a commercially zoned lot.

The following requirements shall govern documents submitted for minor site plan review:

1. The scale shall be no less than one (1) inch equals to one hundred (100) feet. The zoning administrator or planning director may accept a scale which is sufficient to clearly show all required details on the plat.
2. Drawings may be submitted on paper size as small as eleven (11) inch by seventeen (17) inch (11" x 17") if all notes are clearly legible.
3. The names and addresses of owner, developer, a scale and north arrow shall be included on all maps.
4. The following information shall be included on the map of existing conditions:
  - a. Names and addresses of owners of record of all adjacent properties and tax map numbers;
  - b. Current zoning boundaries, including surrounding to a distance of three hundred (300) feet;
  - c. Easements, rights-of-way, or other reservations affecting the property;
  - d. Topography and flood plain elevation, if applicable;
  - e. Location of watercourses, marshes, rock out-cropping and wooded areas;



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- f. Location of buildings existing on the tract to be developed indicating whether existing buildings on the tract are to be retained, modified or removed;
- g. Location of existing water mains, culverts, drains, pipe sizes, grades and direction of flow; and
- h. The location of mapped dam break inundation zones and their impact on the development.
5. The following information shall be included on the map of proposed development:
- a. Signature blocks for the zoning administrator, or his/her designee, Virginia Department of Transportation, Health Department and Amherst County Service Authority, when applicable;
- b. Location and size of proposed buildings and uses thereof;
- c. Proposed streets and other ingress and egress facilities (indicating curb lines, sidewalk lines and public right-of-way lines); meeting the Minimum Standards of Entrances to the State Highways;
- d. Layout of off-street parking;
- e. Location of proposed utility lines, indicating where they already exist and whether they will be underground;
- f. Proposed planting, including all landscaping and screening and indicating existing trees to be retained and areas to be left undisturbed;
- g. Facilities for disposal of trash and other solid waste;
- h. Elevations of buildings to be built or altered on-site; and
- i. All private waste disposal systems including their reserve areas shall be located on the same property as the building site that the private waste disposal system benefits. If mass drain fields are present they shall meet provisions of Section 1104.03(3)(m);

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**Sec. 24-511. Surfacing.**

- (a) Parking spaces and driveways for single-family dwelling units, duplexes, and accessory dwelling units in a residentially zoned district shall be constructed of gravel, compacted stone, concrete, asphalt, brick or paving stones.
- (b) Parking spaces and driveways for other than uses listed in subsection a shall be constructed of concrete, asphalt, surface treating, brick or paving stones.
- (c) For the purposes of the section, parking spaces are those spaces that are required for the use by the Zoning or Building Code. Driveways for section b are the access between the road and the required parking spaces. Driveways must be 22 feet in width.

Or

- (c) For the purposes of this section,, parking spaces are any required parking spaces for the business and any places that are open to be driven upon and allowed for parking. Driveways are any location where cars may reasonably drive on a business lot.

(Zoning Ord. 2003, § 18.1-602.04.1)

## To be added as a new section under Supplemental Regulations:

*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.

*Management Plan* shall include a floor plan designating all rooms, a plot plan showing parking and property boundaries, designation of an emergency contact, occupancy limits, proof of business liability insurance, proof of current fire extinguishers or other fire /smoke/gas protection, and documentation showing basic rules and boundaries posted on site.

Short term rentals are allowed as a Special Use Permit in multiple districts. Where allowed by SUP, the process includes an additional application and management plan that addresses key components of short term rentals.

1. Short term rentals require a short term rental application.
2. All applications must include an annual management plan which shall be updated annually upon the registration date. The registration fee is set annually with the adopted budget and other fees.
3. Short term rentals require posting of rules on the premises for guests to include notice of property lines with available property to be used with the rental, no parking on the street, and only within designated parking areas, and quiet hours.

# TOWN OF AMHERST

## CAPITAL IMPROVEMENT PROGRAM FY24-25

Project Description & Ranking	CIP Committee Evaluation	Planning Commission Ranking	Total Estimated Cost	2024-2025	2025-2026	2026-2027	2027-2028	2028-2029	Recommended Sources of Funds
<b>Police</b>									
Police Tahoe SUV-	18		70,000.00	70,000.00		70,000.00			General Fund
Tazers-Recoccurring	23		41,579.00		250,000.00	4,160.00	4,160.00		General Fund
Toughbooks-Reoccurring	16		28,000.00					28,000.00	General Fund
<b>Plants</b>									
WWTP Scada	22		250,000.00	250,000.00					USDA Grants
WWTP Generator			225,000.00			225,000.00			Wastewater
Raw Influent Pumps (3)-New	19		30,000.00		10,000.00	10,000.00	10,000.00		Wastewater
WWTP Digester Blower/Motor (2)-New	17		37,572.30			37,572.30			Wastewater
Waste Sludge Flow Meter-New	12		8,000.00		8,000.00				Wastewater
WWTP NPW Upgrade-New	13		25,000.00					25,000.00	Wastewater
WWTP Step Screen/Washpress- New	18		28,267.70		28,267.70				Wastewater
<b>Maintenance</b>									
Automated Meter Reading	20		750,000.00	250,000.00	500,000.00				All Funds
Half Ton Pick-up-New	16		45,000.00			45,000.00			All Funds
Metal Structure-New	13		50,000.00					50,000.00	All Funds
Reseal Town Hall Lot-New	16		10,000.00			10,000.00			All Funds
<b>Town Hall/Finance</b>									
Town Hall Renovation-New	11		50,000.00						General Fund
<b>Water Line Replacements</b>									
Replace Author Court W/L			200,000.00		200,000.00				Grant and Water
Sunset Drive Replacement			3,000,000.00	3,000,000.00					Grant and Water
Waugh's Ferry Road Replacement			3,000,000.00			3,000,000.00			Grant and Water
Walnut Street Replacement			400,000.00					400,000.00	Grant and Water
Union Hill Replacement			420,416.00						Grant and Water
Zane Snead Replacement			294,400.00						Grant and Water
<b>TOTAL</b>			8,963,235.00	3,570,000.00	996,267.70	3,401,732.30	14,160.00	503,000.00	