

TOWN OF AMHERST PLANNING COMMISSION
Wednesday, October 6, 2021
AGENDA

1. **Call to Order** – *Mrs. Driskill, Chair*
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 September 1, 2021, meeting minutes** – *The minutes of the September 1, 2021 meeting are attached.*
5. **Public Hearing: Special Use Permit Application for 204/206 Washington Street-** *The purchasers of 206 Washington Street purchased a property with two homes on it. These homes are separately addressed and function as two independent housing units. The applicants would like to rent the second unit as a short-term rental, which would require a special use permit. A public hearing has been set and advertised for the Commission’s meeting on October 6, and the Council’s meeting on October 13, 2021.*
6. **Concerns of Commissioners**
7. **Adjournment**

**Town of Amherst Planning Commission
Minutes
September 1, 2021**

A meeting of the Town of Amherst Planning Commission was called to order by Chairperson June Driskill on September 1, 2021, at 7:00 P.M. in the Council Chambers of Town Hall at 174 S. Main Street at 7:00 PM.

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

P	June Driskill	P	Clifford Hart
P	William Jones	P	Janice N. Wheaton
P	Anne Webster Day		

Town Manager Sara Carter and Clerk of Council Vicki Hunt, in her capacity as Secretary to the Commission, were present.

There being no one listed to speak on the citizen comment sign-in sheet or otherwise, no comments were made.

After Town Manager Carter gave a report, Ms. Wheaton made a motion that was seconded by Mr. Hart to hold a public hearing at its meeting on October 6, 2021, on an application of Mr. and Mrs. Boynton for a special use permit for short term rental on property located at 204 and 206 Washington Street, Amherst, VA, as recommended by staff.

Mr. and Mrs. Boynton were present to answer questions.

After discussion, the motion carried 5-0 as follows:

June Driskill	Aye		Clifford Hart	Aye
Janice Wheaton	Aye		Anne Webster Day	Aye
William Jones	Aye			

Mr. Hart made a motion that was seconded by Ms. Day to approve the minutes of the March 3, 2021, meeting.

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

June Driskill	Aye		Clifford Hart	Aye
Janice Wheaton	Aye		Anne Webster Day	Aye
William Jones	Aye			

Town Manager Carter reported on the procedure to recodify the Zoning Ordinances. Staff will proceed with recodification of the zoning and subdivision process, as recommended by staff. Further discussion on the matter is deferred.

Town Manager Carter reported on the involvement of Central Virginia Planning District's to review and update the Town of Amherst Comprehensive Plan. A copy of the CVPD's draft schedule and work plan was presented to the Commissioners. Further discussion on the matter is deferred.

There being no further business, the meeting adjourned at 7:22 PM on motion by Ms. Day seconded by Mr. Hart.

June Driskill, Chairperson

Attest: _____
Secretary

For Approval



**STAFF REPORT
SPECIAL USE PERMIT
Carey A. and Lisa Boynton
Planning Commission Public Hearing**

General Information:

Processing schedule: The Planning Commission will consider this proposal on October 6, 2021, with a public hearing. If they recommend approval to the Town Council, the Council will hold their public hearing on October 13, 2021.

Application Information:

Owner and Applicant:	Carey A. and Lisa Boynton
Requested Action:	Special Use Permit for short term rental
Location:	204 and 206 Washington Street
Existing Zoning:	R-2
Proposed Zoning:	R-2 with SUP for short term rental
Existing land uses:	Residential
Comp. plan area:	Residential

Summary of Request and Background Information:

Carey and Lisa Boynton purchased the home at 204/206 Washington Street. The property has a primary home, with a separate garage with an apartment above it. The two homes have separate addresses and are separate dwellings. The home has plenty of off-street parking and is located at the corner of Washington and Dept Streets. They would like to operate a short-term rental in the garage apartment but are required to obtain a special use permit to do so. If they chose to rent the apartment out as a long-term rental, that would be a permitted use.

Public Notice

The proposal was advertised for public hearing for two consecutive weeks, as required by State Code, and adjacent property owners received a public notice, also as required by Code. The property had a sign placed on it for notice as well.

Consistency with the Comprehensive Plan:

The use is consistent with the long-term plan for the area of residential uses, given its access, current situation with two homes, and availability of off-street parking.

Consistency with the Zoning Ordinance:

The proposed use of the subject property is compatible with surrounding zoning and the intent of the district.

Citizen Comment:

There has been one citizen comment regarding the proposal. The questions raised were:

- Will pets be allowed?
- How many people will be allowed in the unit at one time?
- Will there be a minimum stay?
- Will there be courtesy quiet hours?

The commenter did not convey opposition to the proposal but did submit the questions for consideration.

Conclusion:

The proposed use in this area is compliance with the Comprehensive Plan and the intent of the R-2 district. Staff recommends approval of the proposal and presents the following conditions to be available to the Commission to address community concerns, should they be brought forth.

Recommendation:

Staff recommends approval of the proposal. Should there be concerns from the public regarding aspects of the use, staff proposes the following possible conditions:

1. The Special Use Permit shall only apply to the 204 Washington Street dwelling, allowing short-term rental only in that dwelling unit.
2. The property owner shall live on the property while the short-term rental use is in effect.
3. Quiet hours shall be from 10 p.m. to 7 a.m., consistent with the Town's adopted noise ordinance.
4. Occupancy in the rental unit shall be limited to ____ people.
5. Camping, overnight stays in RV's or other motor vehicles is prohibited.