



AGENDA
Wytheville Planning Commission
Thursday, February 10, 2022
6:00 p.m.
Conference Room B
150 East Monroe Street
Wytheville, Virginia 24382

1. **CALL TO ORDER** — Chairman George F. Wittwer
2. **ESTABLISHMENT OF QUORUM** — Chairman George F. Wittwer
3. **CONSENT AGENDA**
 - A. Minutes of the regular meeting of January 13, 2022
4. **CITIZENS' PERIOD**
5. **RESOLUTIONS**
 - A. Resolutions recognizing the service of Mr. Kevin Varney and Mr. Kenny Ervin to the Wytheville Planning Commission
6. **OTHER BUSINESS**
 - A. Staff presents the changes to the draft Sign Ordinance language since the last meeting
 - B. Planning Commission reviews the new Sign Ordinance language
 - C. Roundtable discussion with the Planning Commission regarding electronic signs, painted signs and other issues of concern
7. **ADJOURNMENT**

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE PLANNING COMMISSION
HELD IN THE COUNCIL CHAMBERS ON MONDAY, JANUARY 13, 2022, AT 6:00 P.M.**

Members present: John W. Jones, Jr., George F. Wittwer, Kenny W. Ervin, Bradford M. Litton, M. Bradley Tate, Kevin L. Varney

Members absent: Cathy D. Pattison

Others present: Mayor Beth A. Taylor, Assistant Town Manager Elaine R. Holeton, Town Clerk Sharon G. Corvin, Chief Deputy Clerk Brandi N. Jones, Planning Director John Woods

RE: CALL TO ORDER, QUORUM

Chairman Jones called the meeting to order and established that a quorum was present.

RE: CONSENT AGENDA

Chairman Jones presented the consent agenda consisting of the minutes of the regular meeting of December 13, 2021. He inquired of the Commission if there were any additions or corrections to the consent agenda or if there was a motion to approve the consent agenda, as presented. A motion was made by Mr. Ervin and seconded by Vice-Chairman Wittwer to approve the minutes of the regular meeting of December 13, 2021, as presented. Chairman Jones inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: John W. Jones, Jr., George W. Wittwer, Kenny W. Ervin, Bradford M. Litton, M. Bradley Tate. Against: None. Absent: Kevin L. Varney was not present during the voting of the consent agenda.

RE: ELECTION OF OFFICERS

Chairman Jones advised that the next agenda item is the election of a new Chairperson and Vice-Chairperson for the year 2022. He noted that, at this time, nominations will be taken. Chairman Jones stated that, customarily, the Vice-Chairperson is elected as the Chairperson. He remarked that if the Planning Commission continues this practice, it will be Mr. George Wittwer's turn to serve as the Chairperson. A motion was made by Mr. Ervin and seconded by Mr. Tate to close the nominations and elect Mr. George W. Wittwer as the new Wytheville Planning Commission Chairperson. Chairman Jones inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: John W. Jones, Jr., George W. Wittwer, Kenny W. Ervin, Bradford M. Litton, M. Bradley Tate. Against: None. Absent: Kevin L. Varney was not present during the voting of the election of a new Chairperson.

Chairman Wittwer remarked that it would now be necessary for the Planning Commission to elect a Vice-Chairperson for 2022. He noted that nominations could be taken, or, by custom, it will be Mr. Bradley Tate's turn to serve as Vice-Chairperson. Chairman Wittwer inquired of the Commission if there was a motion to elect Mr. Tate as Vice-Chairperson for 2022. A motion was made by Mr. Jones and seconded by Mr. Litton to close the nominations and elect Mr. M. Bradley Tate as the 2022 Vice-Chairperson of the Wytheville Planning Commission. Chairman Wittwer inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition: For: John W. Jones, Jr., George

W. Wittwer, Kenny W. Ervin, Bradford M. Litton, M. Bradley Tate. Against: None. Absent: Kevin L. Varney was not present during the voting of the election of a new Vice-Chairperson.

RE: PUBLIC HEARING – FENCING REGULATIONS

Chairman Wittwer advised that the meeting constituted a public hearing (due notice having been given) to consider various amendments to the Town of Wytheville Zoning Ordinance regarding fencing and screening regulations in all Zoning Districts within the Town. Planning Director Woods continued to explain the proposed amendments to the Zoning Ordinance with the Planning Commission. Chairman Wittwer advised that there were no citizens attending the meeting who wished to address the Council during this public hearing, therefore, he declared the public hearing closed and proceeded with the agenda.

RE: RECOMMENDATION TO TOWN COUNCIL – FENCING REGULATIONS

Chairman Wittwer advised that the next agenda item is for the Wytheville Planning Commission to make a recommendation to the Town Council to consider various amendments to the Town of Wytheville Zoning Ordinance regarding fencing and screening regulations in all Zoning Districts within the Town. A motion was made by Mr. Jones and seconded by Vice-Chairman Tate to make a recommendation to the Town Council to consider various amendments to the Town of Wytheville Zoning Ordinance regarding fencing and screening regulations in all Zoning Districts within the Town. Chairman Wittwer inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition:

FOR: George W. Wittwer, M. Bradley Tate, John W. Jones, Jr., Kenny W. Ervin, Bradford M. Litton, Kevin L. Varney

AGAINST: None

ABSTENTIONS: None

RE: PUBLIC HEARING – WYTHEVILLE ZONING ORDINANCE WITH AMENDMENTS REGARDING THE BOARD OF ZONING APPEALS AND VARIANCES

Chairman Wittwer advised that the meeting constituted a public hearing (due notice having been given) to consider amendments to the Town of Wytheville Zoning Ordinance to rewrite Article XVII – Provisions for Appeal, to parallel the Town of Wytheville Zoning Ordinance with the current Virginia Code regarding the Board of Zoning Appeals and variances. Planning Director Woods continued to explain the proposed amendments to the Zoning Ordinance with the Planning Commission. Chairman Wittwer advised that there were no citizens attending the meeting who wished to address the Council during this public hearing, therefore, he declared the public hearing closed and proceeded with the agenda.

RE: RECOMMENDATION TO TOWN COUNCIL - WYTHEVILLE ZONING ORDINANCE REGARDING THE BOARD OF ZONING APPEALS AND VARIANCES AMENDMENTS

Chairman Wittwer advised that the next agenda item is for the Wytheville Planning Commission to make a recommendation to the Town Council to consider amendments to the Town of Wytheville Zoning Ordinance to rewrite Article XVII – Provisions for Appeal, to parallel the Town of Wytheville Zoning Ordinance with the current Virginia Code regarding the Board of Zoning

Appeals and variances. A motion was made by Mr. Litton and seconded by Mr. Jones for the Wytheville Planning Commission to make a recommendation to the Town Council to consider amendments to the Town of Wytheville Zoning Ordinance to rewrite Article XVII – Provisions for Appeal, to parallel the Town of Wytheville Zoning Ordinance with the current Virginia Code regarding the Board of Zoning Appeals and variances. Chairman Wittwer inquired if there was any discussion on the motion. There being none, the motion was approved with the following voting in favor and there being no opposition:

FOR: George W. Wittwer, M. Bradley Tate, John W. Jones, Jr., Kenny W. Ervin, Bradford M. Litton, Kevin L. Varney

AGAINST: None

ABSTENTIONS: None

RE: CITIZENS' PERIOD

Chairman Wittwer advised that the next agenda item is Citizens' Period. He noted that there were no citizens attending the meeting who stated that they wished to address the Commission during Citizens' Period, therefore, he would proceed with the agenda.

RE: SOLAR ENERGY FACILITY REGULATIONS

Chairman Wittwer advised that the next agenda item is the continued discussion regarding Solar Energy Facility Regulations. Planning Director Woods explained that according to the Virginia Code, this type of use is a by right use in all zoning districts. Planning Director Woods continued to review the proposed regulations with the Planning Commission. He noted that the Town's new Assistant Town Manager, Elaine R. Holeyton, began employment with the Town on January 3, 2022, and so she can become more familiar with the proposed Solar Energy Facility Regulations, she has requested that the Planning Commission delay scheduling a public hearing so that Town staff is able to continue to review the proposed regulations. Planning Director Woods inquired if the Commissioners had any questions regarding the proposed Solar Energy Facility Regulations. Vice-Chairman Tate congratulated Planning Director Woods on a job well done on the proposed regulations. He inquired regarding the solar panels being allowed in R-1 Residential Zoning Districts. Mr. Varney inquired of Planning Director Woods if the Town is wanting to preserve the aesthetics or prevent someone from placing solar panels in residential neighborhoods. Planning Director Woods explained that State Code does not allow the Town to control the installation of panels in neighborhoods, however, the Town can control the way they need to look. He noted, also, the Town cannot control panels to the point that it would limit someone from being able to take advantage of installing panels. Mr. Varney stated that the future is in solar panels that look like shingles on a roof. He noted that he will email a link to Planning Director Woods to recommend to residents as an option to use regarding where to buy solar panels. Discussion ensued regarding a permit being required to install solar panels on a roof and an inspection of the existing roof before installing new panels. Discussion continued regarding the small and large scale facilities. Planning Director Woods stated that he would continue to revise the regulations because he does not want to discourage someone from being able to sell power back to the grid. Chairman Wittwer inquired of Planning Director Woods as to what the electric company requires to sell back to the grid. Planning Director Woods explained that everyone has the right to produce their own power and sell back to the grid, but they do not credit you at the same rate that you pay to them. Discussion continued regarding the current areas where the solar facilities are allowed and if the Planning Commission would like to allow them in all zoning districts or set limits so a resident or

business would have to apply for a Special Exception Permit. Planning Director Woods inquired of the Planning Commissioners if they think B-2 Business should be included in the regulations. The Commission continued to discuss the B-2 Business Zoning Districts throughout town. Vice-Chairman Tate noted that he has started to see battery storage facilities that companies are building to get off the electrical grid, therefore, he thinks there will be a lot more of these types of solar facilities in the future. Planning Director Woods stated that he would add and clarify the verbiage from this meeting and bring it back to the next meeting for further review. He clarified that height, setbacks, positioning and impact on historical districts can be regulated statewide regarding Solar Energy Facility Regulations. Chairman Wittwer inquired if there were any other questions or comments. There being none, he proceeded with the agenda.

RE: SIGN ORDINANCE REVISIONS

Chairman Wittwer advised that the next agenda item is the discussion regarding proposed revisions to the Sign Ordinance. Chairman Wittwer noted that at the November meeting, Director Woods presented a revised Sign Ordinance based on a model ordinance prepared by the Association of Local Government Attorneys of Virginia (LGA). He explained that the model ordinance has been modified to reflect sign guidelines for height, size, and location that are comparable to the Town's existing Sign Ordinance. Chairman Wittwer stated that the number of signs permitted in each zoning district reflect the LGA interpretation regarding how signs may be regulated given the proscription of any content-based analysis of signs. Planning Director Woods stated that in the current Sign Ordinance, only political signs are allowed in residential zoning districts, however, the Virginia Code does not allow this anymore. He continued to explain that the Town has to allow some home occupation signage, political sign verbiage cannot be regulated and temporary signage is more lenient. Discussion continued regarding the proposed Sign Ordinance revisions. Chairman Wittwer inquired of Planning Director Woods if a business is replacing an old sign is it grandfathered. Planning Director Woods advised that if the sign is completely torn down, it must meet the new Sign Ordinance. He stated that he would like for the Commissioners to continue to review the draft Sign Ordinance and be ready to discuss it at the next meeting. Planning Director Woods inquired if there were any other questions or comments.

RE: ASSISTANT TOWN MANAGER INTRODUCTION

Planning Director Woods advised that he would take a moment to introduce the Town's new Assistant Town Manager Elaine R. Holeyton. Assistant Town Manager Holeyton stated that she has approximately 10 years' experience in planning and zoning. She noted that anytime the Planning Commission had any questions regarding planning or zoning to feel free to contact her. Assistant Town Manager Holeyton remarked that she looked forward to working with the Planning Commissioners.

RE: ADJOURNMENT

There being no further business, a motion was duly made, seconded and carried to adjourn the meeting (7:00 p.m.).

George W. Wittwer, Chairman

Sharon G. Corvin, CMC, Town Clerk