



AGENDA
Wytheville Planning Commission
Thursday, April 11, 2019
6:00 p.m.
Council Chambers
150 East Monroe Street
Wytheville, Virginia 24382

- A. **CALL TO ORDER** — Chairman Brad M. Litton
- B. **ESTABLISHMENT OF QUORUM** — Chairman Brad M. Litton
- C. **CONSENT AGENDA**
 - 1. Minutes of the work session and the regular meeting of March 14, 2019
- D. **CITIZENS' PERIOD**
- E. **OTHER BUSINESS**
 - 1. Set a public hearing to consider placing the Small-Lot/Small-Home Overlay Zone on certain properties bounded by: (a) West Jefferson Street, Railroad Avenue and South 8th Street; (b) West Jefferson Street, South 14th Street, South 18th Street and West Washington Street; and, (c) West Jefferson Street, South 12th Street, South 10th Street and West Union Street, all in R-3 Residential or M-1 Industrial Zoning Districts
 - 2. Further discussion regarding proposed Homestay regulations
 - 3. Annual review of special exception permits for: 1) Thomas and Tina Cline; 2) Commonwealth of Virginia, Department of General Services, Surplus; 3) Brad Litton; 4) Wytheville (Wytheville) WMC, LLC (Petco); 5) Chris Umberger; and, (6) Loretto Historic Mansion, LLC
 - 4. Consider an amendment to the types of trees permitted under the Buffer Yard Regulations
 - 5. Discussion regarding regulating the number of inoperative vehicles allowed to be stored at auto body and repair shops
- F. **ADJOURNMENT**

**MINUTES OF THE WORK SESSION OF THE WYTHEVILLE PLANNING COMMISSION
HELD IN THE COUNCIL CHAMBERS ON THURSDAY, MARCH 14, 2019, AT 5:00 P.M.**

Members present: Chairman Bradford M. Litton, Vice-Chairman Kenny W. Ervin, Cathy D. Pattison, Terrance E. Suarez, M. Bradley Tate, John W. Jones, Jr., Assistant Town Manager Stephen A. Moore, Town Clerk Sharon G. Corvin, Assistant Director of Planning and Development Brian Freeman, Town Attorney Christopher R. Menerick

Members absent: Kevin L. Varney

Others present: Emilee Switzer with US Cellular, Rusty Monroe with The Center for Municipal Solutions, Others

RE: CALL TO ORDER, QUORUM

Chairman Litton called the Work Session to order and established that a quorum was present.

RE: WIRELESS TELECOMMUNICATIONS FACILITIES ORDINANCE/US CELLULAR SPECIAL EXCEPTION PERMIT REQUEST

Chairman Litton noted the purpose of the meeting is to hear comments from Mr. Rusty Monroe with The Center for Municipal Solutions regarding the Town's current Telecommunications Facilities Ordinance and to discuss the US Cellular request to construct a stealth monopole tower on Goodwin Lane.

Mr. Rusty Monroe was recognized and reviewed the Town's current Telecommunications Facilities Ordinance. He noted that due to changes in the Federal regulations, there would need to be some changes made to the Town's current Telecommunications Facilities Ordinance. Mr. Monroe stated that due to changes in technology, there will need to be more cellular facilities constructed. He explained that the Town has some control as to where these facilities are placed, such as in the Town rights of way, telephone poles, etc. Mr. Monroe remarked that his company will help the Town draft the changes needed to the ordinance.

Mr. Monroe then reviewed the application from US Cellular to construct a stealth monopole tower on Goodwin Lane. He advised that this tower would be a flagpole, and that US Cellular has done a good job of trying to meet all the requirements to make the tower less intrusive to the surrounding properties and to the citizens. Mr. Monroe indicated that US Cellular has proven that this site is technically needed. He noted that the tower meets all the requirements of the Town's ordinance. A discussion was held regarding the diameter of the proposed tower. Ms. Emilee Switzer with US Cellular indicated that the flagpole is 46 inches in diameter from top to bottom. Mr. Monroe advised that one of the stipulations of the Special Exception Permit should be that US Cellular, at their expense, conduct a radiation compliance test after the tower is installed. A discussion was held regarding the fencing around the tower and the equipment. The Planning Commission advised that they want the fence to be a black chain link with black slats. The Commission advised that they will list the testing and the fencing as conditions in the Special Exception Permit. A discussion was held regarding who would maintain the flag and ensure that the correct flag protocol was followed. Ms. Switzer remarked that US Cellular would take care of the flag and raise and lower it as required. The Planning Commission advised that this would, also, be a stipulation of the Special Exception Permit. Mr. Monroe continued to discuss the request of US Cellular. Mr. Litton thanked Mr. Monroe and Ms. Switzer for their comments.

RE: ADJOURNMENT

There being no further business, a motion was duly made, seconded and carried to adjourn the Work Session (5:45 p.m.).

Bradford M. Litton, Chairman

Sharon G. Corvin, CMC, Town Clerk

**MINUTES OF THE REGULAR MEETING OF THE WYTHEVILLE PLANNING COMMISSION
HELD IN THE COUNCIL CHAMBERS ON THURSDAY, MARCH 14, 2019, AT 6:00 P.M.**

Members present: Bradford M. Litton, Kenny W. Ervin, Terrance E. Suarez, Cathy D. Pattison, M. Bradley Tate, John W. Jones, Jr.

Members absent: Kevin L. Varney

Others present: Assistant Town Manager Stephen A. Moore, Town Clerk Sharon G. Corvin, Town Attorney Christopher R. Menerick, Assistant Director of Planning and Development Brian Freeman, Emilee Switzer, Rusty Monroe, Lisa Burnett, Alma Watson, Polly Miller, Olivia Deal, William Deal, Garnett Miller, Jr., Rebecca Beamer, Terry Beamer, Karen Doyle, Suzie Richert, Mark Bloomfield, Tammy Ayers, Rhonda Sechrest, Others

RE: CALL TO ORDER, QUORUM

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

RE: CONSENT AGENDA

Chairman Litton presented the consent agenda consisting of the minutes of the regular meeting of February 14, 2019. 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 Councilwoman Pattison and seconded by Mr. Jones to approve the minutes of the regular meeting of February 14, 2019, as presented. Chairman Litton 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: Bradford M. Litton, Kenny W. Ervin, Terrance E. Suarez, Cathy D. Pattison, M. Bradley Tate, John W. Jones, Jr. Against: None.

Chairman Litton advised that if the Commission is agreeable, he is taking the Chairman's prerogative and moving the agenda around so that following the US Cellular public hearing, the Commission will then consider the recommendation to Town Council for US Cellular. He noted that he will then return to the public hearing for Suzanne Richert, and then the Commission will consider the recommendation to Town Council for Ms. Richert. Chairman Litton explained that this would give some of the citizens attending the meeting for specific topics a chance to leave once the topic has been addressed.

RE: PUBLIC HEARING – US CELLULAR SPECIAL EXCEPTION PERMIT REQUEST

Chairman Litton advised that the meeting constituted a public hearing (due notice having been given) to consider the request of US Cellular for a Special Exception Permit to construct a stealth monopole tower on the west side of Goodwin Lane, which is located between East Main Street and East End Cemetery, in a B-2 Business Zoning District. He noted that there are several citizens listed on the sign in sheet who wish to speak during this public hearing, therefore, he will proceed in the order on the list.

Ms. Emilee Switzer was recognized and stated that she is speaking on behalf of US Cellular for the proposed wireless facility in the Town of Wytheville at 185 Peppers Ferry Road. Ms. Switzer commented that US Cellular is requesting approval of their application by the Planning Commission to construct a new tower that has been designed as a stealth flagpole. She noted that detailed information to follow along with the Town's ordinance was submitted to the Town and the Town's consultants, CMS, who has given approval of their submittal package. Ms. Switzer continued to discuss US Cellular's proposal for a 45 foot stealth monopole tower. She depicted a slide show of the proposed site and described the area to the Commission members. Ms. Switzer stated that she appreciated the Planning Commission taking the time to review the package and listening to her presentation. She commented that, again, on behalf of US Cellular, she would like to ask for the Planning Commission to approve their Special Exception Permit request. Ms. Switzer inquired if the Commission had any questions or comments that she could answer regarding the request. Discussion ensued regarding the diameter of the pole being 46 inches and how this will make the pole look so much better. Chairman Litton thanked Ms. Switzer for her comments.

Mr. Rusty Monroe was recognized and stated that he is the Town of Wytheville's Consultant with The Center for Municipal Solutions (CMS). He noted that the application complies with the Town's existing ordinance. Mr. Monroe remarked that the Planning Commission has a copy of the CMS recommendation for the Special Exception Permit requested by US Cellular located in their packets. He noted that CMS recommends several stipulations with the issuance of the request. Chairman Litton thanked Mr. Monroe for his comments.

Ms. Lisa Burnett was recognized and stated that she is the landowner of the proposed cell tower site. She remarked that she is in full support of this request. Ms. Burnett commented that Ms. Switzer of US Cellular has been wonderful to work with during this process, and she feels like Ms. Switzer has worked well with the Town Consultants to address all of the concerns with regard to the appearance, size, etc. She noted that the property is not located in a residential area or historical district, which she feels everyone can agree are the least desirable places for a cell tower. Ms. Burnett continued to express her approval of the Special Exception Permit request for a cell tower. Councilwoman Pattison inquired of Ms. Burnett if US Cellular is only going to use a portion of the lot, will there be any use for the other part of the lot or could something else be built on the lot. Ms. Burnett remarked that the lot is on the market, and she explained that a business could still be built on the property because this request does not prohibit it. Councilwoman Pattison inquired of Ms. Burnett as to the size of the lot. Ms. Burnett stated that she is not sure of the dimensions. She noted that the location is ideal for the tower. Ms. Burnett thanked the Commission for allowing her to address them during the public hearing. Chairman Litton thanked Ms. Burnett for her comments.

Mr. Terry Beamer was recognized and stated that he is representing the Wythe County Historical Society. He noted that on behalf of the Historical Society, he would like to advise that the Society opposes the request of US Cellular for a cell tower. Mr. Beamer remarked that the East End Cemetery complex may not be designated as historical, but it is historical to the Town of Wytheville. He noted that there are three cemeteries in that complex, which include the Catholic Cemetery, East End Cemetery and the Goodwin Addition. Mr. Beamer stated that the founder of Wytheville is buried in that cemetery. He expressed that the Historical Society feels that by placing a cell tower next to the cemetery, it would mean desecrating the final resting places of some of the most prominent citizens to have ever lived in Wytheville. Mr. Beamer thanked the Planning Commission for allowing him to address them during the public hearing. Chairman Litton thanked Mr. Beamer for his comments.

Chairman Litton inquired if there were any others who wished to speak regarding the US Cellular Special Exception Permit request public hearing. There being none, he declared the public hearing closed and proceeded with the agenda.

RE: RECOMMENDATION TO TOWN COUNCIL — US CELLULAR SPECIAL EXCEPTION PERMIT REQUEST

Chairman Litton advised the next agenda item is for the Planning Commission to make a recommendation to the Town Council to consider the request of US Cellular for a Special Exception Permit to construct a stealth monopole tower on the west side of Goodwin Lane, which is located between East Main Street and East End Cemetery, in a B-2 Business District. Councilwoman Pattison noted the concerns that Mr. Monroe explained to the Commission during the Work Session. She stated that she feels that it was the consensus of the Commission that any of the concerns that Mr. Monroe had were valid concerns. Chairman Litton remarked that throughout his research, he has found that US Cellular has done everything possible to make the tower as least impactable as they could. He noted that the American flag is a nice touch and adds to the cemetery. Chairman Litton inquired if Assistant Town Manager Moore had any additional input regarding the request. Assistant Town Manager Moore stated that the Commission has the recommendation from the Town's consultant which had three or four recommended stipulations in addition to the stipulations that the Planning Commission has discussed. He inquired if the Planning Commission is desiring to recommend approval of the US Cellular request with the five stipulations of compliance. Chairman Litton inquired if there was any further discussion regarding the US Cellular request for a Special Exception Permit. Mr. Tate clarified that the stipulations would include the five items listed under the recommendation and, also, the RF Remission Testing. He inquired if the Commission wants to include a stipulation regarding the fencing in the motion. Assistant Town Manager Moore commented that he failed to mention that it was recommended that a black coated fence with slats, similar to the fence around the cemetery, be installed around the perimeter of the cell tower. Mr. Jones remarked that a stipulation regarding the maintenance and lighting of the flag would need to be included, as well. Chairman Litton inquired if there is a motion regarding the request. A motion was made by Mr. Jones and seconded by Mr. Tate to recommend to the Town Council to approve the request of US Cellular for a Special Exception Permit to construct a stealth monopole tower on the west side of Goodwin Lane, which is located between East Main Street and East End Cemetery, in a B-2 Business Zoning District, with the following stipulations: 1.) Adequate vegetative or constructed screening of the equipment shall be required for the tower; 2.) Provisions shall be made for lighting the flag if it is to be flown 24 hours per day in accordance with recognized protocol for flying the United States flag, for flying at half-mast when national declarations are made, for replacing the flag when worn, etc.; 3.) The Special Exception Permit shall be reviewed and renewed annually by the Planning Commission; 4.) The Special Exception Permit is issued only to US Cellular and is not transferrable; 5.) The Special Exception Permit shall not be issued until all the requirements made by The Center for Municipal Solutions (CMS) have been met by US Cellular; 6.) US Cellular has requested a

timing waiver for the following requirements, which shall be submitted and must be reviewed and approved by CMS prior to the issuance of the building permit: (a) Make, model, type and manufacturer of the proposed tower; (b) Certified Structural Design Analysis including calculations; 7.) Before construction of the permitted wireless communications flagpole is initiated, but in no case later than fifteen (15) days after the granting of the Special Exception Permit, US Cellular shall deliver to the Town a copy of each of the policies or certificates representing the insurance in the required amounts; 8.) The monopole shall be completely constructed and ready for use no later than six (6) months from the date of the Special Exception Permit or the Permit shall be deemed to have expired and of no use or effect; 9.) At the completion of construction, the Applicant must notify the Town's consultant (CMS) and provide proof that all inspections have been satisfactorily completed and the project is ready for a final on-site inspection. Upon passing the final inspection, a recommendation to issue a Certificate of Completion shall be made; 10.) US Cellular Corporation shall not be permitted to actually provide service commercially from the facility until the Certificate of Completion or its functional equivalent is issued or risk forfeiting its Permit; 11.) US Cellular shall install a black chain link fence, with black slat inserts, around the bottom of the tower and the equipment located on the ground; and, 12.) An RF test shall be conducted, at the expense of US Cellular, after the installation of the tower. Chairman Litton 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: Bradford M. Litton, Kenny W. Ervin, Terrance E. Suarez, Cathy D. Pattison, M. Bradley Tate, John W. Jones, Jr. Against: None.

RE: PUBLIC HEARING – RICHERT SPECIAL EXCEPTION PERMIT REQUEST

Chairman Litton advised that the meeting constituted a public hearing (due notice having been given) to consider the request of Suzanne Richert for a Special Exception Permit to raise ponies and goats on a portion of her property located at 270 Echo Valley Road, which is located on the west side of Echo Valley Road and south of Echo Valley Circle, in an R-2 Residential Zoning District. He noted that there are no citizens listed on the sign in sheet who wished to speak during this public hearing. Assistant Town Manager Moore stated that he has the report relative to the information at the Commissioners' seats. He noted that he would be glad to have Ms. Richert answer any questions that the Commission may have at this time. Mr. Jones inquired if there were any provisions in the covenants that stated that Ms. Richert's request would not be permitted per her deed. Assistant Town Manager Moore advised that, apparently, there were some lots subdivided below Ms. Richert's property, and the lots located on Reed Creek did have some covenants placed on them, but Ms. Richert's did not. Assistant Town Manager Moore inquired if the Commission had any further questions for him to address. There being none, Chairman Litton inquired if Ms. Richert would like to speak at this time.

Ms. Suzanne Richert was recognized and stated that she lives at 270 Echo Valley Road in Wytheville. She noted that she has applied for a Special Exception Permit. Ms. Richert noted that she understands that the application states she would like to place ponies on her property, however, it will probably be miniature horses and she has no intention of having any large livestock. Ms. Richert commented that she has been able to speak to the majority of the landowners, however, there have been a few of the landowners she has not been able to get in touch with, but she has talked with the people who rent the houses, and everybody seems to be in favor of the request. She remarked that she is doing this for her kids and a small revenue, as well. Ms. Richert explained that it would be for any children who would want to come and ride the ponies. She continued to discuss her ideas and thoughts regarding her request for a Special Exception Permit to raise ponies and goats on a portion of her property with the Planning Commission. Ms. Richert inquired if any of the Commission members had any questions that she could answer. Mr. Jones inquired of Ms. Richert if she is requesting to keep two (2) ponies and one (1) goat on her property. Ms. Richert stated that she was thinking of having two (2) goats to keep the brush eaten down on her property so that she would not have to mow all of the property. Mr. Jones remarked that he is asking because he thinks that the number of ponies and goats should be listed in the request so that the number does not multiply over time. Chairman Litton inquired if there were any other questions for Ms. Richert. Ms. Richert thanked the Planning Commission for allowing her to speak during the public hearing. Chairman Litton thanked Ms. Richert for her comments.

Chairman Litton inquired if there is were any others who wished to speak during the public hearing regarding Ms. Richert's request for a Special Exception Permit. There being none, he declared the public hearing closed and proceeded with the agenda.

RE: RECOMMENDATION TO TOWN COUNCIL — RICHERT SPECIAL EXCEPTION PERMIT REQUEST

Chairman Litton advised the next agenda item is for the Planning Commission to make a recommendation to the Town Council to consider the request of Suzanne Richert for a Special Exception Permit to raise ponies and goats on a portion of her property located at 270 Echo

Valley Road, which is located on the west side of Echo Valley Road and south of Echo Valley Circle, in an R-2 Residential Zoning District. A motion was made by Mr. Jones and seconded by Vice-Chairman Ervin to recommend to the Town Council to approve the request of Suzanne Richert for a Special Exception Permit to raise ponies and goats on a portion of her property located at 270 Echo Valley Road, which is located on the west side of Echo Valley Road and south of Echo Valley Circle, in an R-2 Residential Zoning District, with the following stipulations: 1.) An appropriate farm fencing shall be installed; 2.) The fencing shall be a specific distance from any adjacent property lines for protection of adjacent property owners; 3.) Stockpiles of manure, feed and watering areas or shelters shall be central to the fencing so as to provide minimal impact to adjacent properties; 4.) The operation shall be reviewed annually to be sure that safeguards are in place; 5.) There shall be no more than two miniature horses/ponies and two goats on the property; 6.) Humane conditions, such as shelter, feeding, watering, shall be maintained; 7.) Failure to maintain the safeguards shall terminate the Special Exception Permit; and, 8.) The Special Exception Permit shall be reviewed and renewed annually to confirm that all stipulations of the permit are being met. The Planning Commission will give consideration to neighboring properties developing and density increasing when considering to discontinue, or renew, the Special Exception Permit. Chairman Litton 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: Bradford M. Litton, Kenny W. Ervin, Terrance E. Suarez, Cathy D. Pattison, M. Bradley Tate, John W. Jones, Jr. Against: None.

RE: PUBLIC HEARING – ZONING ORDINANCE AMENDMENT – R-3 RESIDENTIAL ZONING DISTRICT

Chairman Litton advised that the meeting constituted a public hearing (due notice having been given) to consider amending the Town of Wytheville Zoning Ordinance, Article VIII – Residential District R-3, Section 8-8, Special Provisions for Residences, to decrease the minimum square footage for residences. He noted that there are no citizens listed on the sign in sheet who wished to speak during this public hearing. Assistant Town Manager Moore explained the proposed amendment to the Planning Commission, which will change the minimum floor area for a residence, excluding garages, carports and terraces, to not less than 700 square feet. Chairman Litton inquired if Assistant Town Manager Moore agreed that there are already several residences that are that size in this zoning district. Assistant Town Manager Moore stated that is correct. Councilwoman Pattison stated that it is a good way to attract affordable housing. Chairman Litton inquired if there was anyone who wished to speak during this public hearing. There being none, he declared the public hearing closed and proceeded with the agenda.

RE: RECOMMENDATION TO TOWN COUNCIL — ZONING ORDINANCE AMENDMENT – R-3 RESIDENTIAL ZONING DISTRICT

Chairman Litton advised the next agenda item is for the Planning Commission to make a recommendation to the Town Council to consider amending the Town of Wytheville Zoning Ordinance, Article VIII-Residential District R-3, Section 8-8, Special Provisions for Residences, to decrease the minimum square footage for residences, excluding garages, carports and terraces, to not less than 700 square feet. A motion was made by Dr. Suarez and seconded by Vice-Chairman Ervin to recommend to the Town Council to approve amending the Town of Wytheville Zoning Ordinance, Article VIII – Residential District R-3, Section 8-8, Special Provisions for Residences, to decrease the minimum square footage of residences. Chairman Litton 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: Bradford M. Litton, Kenny W. Ervin, Terrance E. Suarez, Cathy D. Pattison, M. Bradley Tate, John W. Jones, Jr. Against: None.

RE: PUBLIC HEARING – ZONING ORDINANCE AMENDMENT – R-1M RESIDENTIAL ZONING DISTRICT

Chairman Litton advised that the meeting constituted a public hearing (due notice having been given) to consider amending the Town of Wytheville Zoning Ordinance, Article VI-M - Residential District R-1M, to delete Section 6-9.9M, a provision that permits one roomer to reside in the dwelling unit for compensation. Assistant Town Manager Moore commented that this amendment would remove the provision which allows one roomer to reside in a residence for compensation. He continued to explain the reason for the revision to the Planning Commission. Assistant Town Manager Moore discussed the revision with the Commission, and he commented that if there are citizens or Commission members who have questions or comments, he would be glad to answer those at this time. Dr. Suarez inquired of Assistant Town Manager Moore if the calls received were more in regard to the proposed Homestay Ordinance rather than the R-1M amendment, and noted that the Homestay Ordinance is also being discussed at this meeting. Assistant Town Manager Moore stated that is correct. Chairman Litton stated that Dr. William Deal stated on the sign in sheet that he wished to address the

Planning Commission during this public hearing. Dr. Deal advised that he did not wish to address the Planning Commission during this public hearing, however, he would like to speak during Citizens' Period in regard to the proposed Homestay Ordinance. Chairman Litton inquired if there were any other citizens who wished to speak during this public hearing. There being none, he declared the public hearing closed and proceeded with the agenda.

RE: RECOMMENDATION TO TOWN COUNCIL — ZONING ORDINANCE AMENDMENT – R-1M RESIDENTIAL ZONING DISTRICT

Chairman Litton advised the next agenda item is for the Planning Commission to make a recommendation to the Town Council to consider amending the Town of Wytheville Zoning Ordinance, Article VI-M - Residential District R-1M, to delete Section 6-9.9M, a provision that permits one roomer to reside in the dwelling unit for compensation. A motion was made by Vice-Chairman Ervin and seconded by Dr. Suarez to recommend to the Town Council to approve amending the Town of Wytheville Zoning Ordinance, Article VI-M - Residential District R-1M, to delete Section 6-9.9M, a provision that permits one roomer to reside in the dwelling unit for compensation. Chairman Litton 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: Bradford M. Litton, Kenny W. Ervin, Terrance E. Suarez, Cathy D. Pattison, M. Bradley Tate, John W. Jones, Jr. Against: None.

RE: CITIZENS' PERIOD

Chairman Litton advised that the next agenda item is Citizens' Period. He noted that there are citizens attending the meeting who requested to address the Commission during Citizens' Period.

Dr. William Deal was recognized and stated that he resides at 505 Withers Road in Wytheville. He thanked the Wytheville Planning Commission and the Wytheville Town Council for trying to address the Homestay issue, however, in the proposed ordinance there is one item that he would like to have deleted. He noted that he does not want Homestays to be included in the R-1M Residential Zoning District. Dr. Deal continued to express his thoughts regarding the proposed Homestay Ordinance and its effect on the historical district and the R-1M Residential Zoning District. He thanked that Planning Commission for allowing him to speak. Chairman Litton thanked Dr. Deal for his comments.

Ms. Karen Doyle was recognized and stated that she resides at 510 East Withers Road in Wytheville. She noted that she wanted to echo Dr. Deal's concerns and insights regarding the proposed Homestay Ordinance. Ms. Doyle remarked that the Homestay model had evolved very quickly, and Wytheville has the benefit of seeing how the destructive Homestay model has evolved in other areas around the world. She noted that she thinks it would be wise for Wytheville to learn from others' mistakes, which have proven to be controversial, continuous and divisive issues in most, if not all, of the markets where they are currently allowed. Ms. Doyle continued to express her thoughts regarding the proposed Homestay Ordinance. She reiterated that she would request that the R-1M Residential Zoning District be preserved as the character and the effort that went into its designation. Ms. Doyle thanked the Planning Commission for allowing her to speak. Chairman Litton thanked Ms. Doyle for her comments.

Chairman Litton inquired if there were any other citizens who wished to address the Planning Commission during Citizens' Period. There being none, he proceeded with the agenda.

RE: HOMESTAYS

Chairman Litton advised the next agenda item is the continued discussion regarding regulations for Homestays. Assistant Town Manager Moore noted that the Planning Commission has before them the proposed draft of the Homestay Ordinance. He remarked that it was proposed to remove the R-1M Residential Zoning District, however, for some reason, it was placed back in the proposed ordinance. Assistant Town Manager Moore explained that this would be the time that the Planning Commission would address removing the R-1M Residential Zoning District in the draft. He noted that item number 18 has been added to the draft, which discusses an emergency escape or rescue opening window or door that meets requirement. Assistant Town Manager Moore commented that a Homestay Self-Inspection Checklist has also been added. He continued to review the draft Homestay Ordinance with the Planning Commission. Assistant Town Manager Moore inquired if there were any questions or comments regarding the proposed ordinance. He noted that Town staff received two letters within the last two weeks opposing the Homestay Ordinance. Chairman Litton inquired of the Planning Commission members what their thoughts are regarding the R-1 Residential Zoning District being included in the Homestay Ordinance, in general. Mr. Jones stated that he and Councilwoman Pattison discussed the issue, and they feel like the R-1, R-1A and R-1M Residential Zoning Districts should be removed from the proposed Homestay Ordinance. He continued to express his thoughts

regarding the R-1M Residential Zoning District and the fact that it is evident that this particular neighborhood is not in favor of the proposed ordinance, therefore, it should be removed from the ordinance. Mr. Jones commented that regarding the R-1, R-1A and R-1M Residential Zoning Districts, he feels that those districts should be removed, and, if someone wants to apply for a Special Exception Permit and the neighborhood does not oppose, then it would be acceptable. Chairman Litton inquired if this was a general consensus. Dr. Suarez and Chairman Litton stated that they agreed with Mr. Jones especially regarding the R-1M Residential Zoning District being removed from the draft ordinance. Mr. Jones inquired if this would require some type of license to operate a Homestay. Assistant Town Manager Moore explained that it is required that the Homestay register with the Town. Mr. Jones stated that he thinks that a Homestay should be required to have a business license. Assistant Town Manager Moore inquired if there is a particular dollar amount the Commission has in mind to charge. Councilwoman Pattison stated that when discussing this with surrounding counties, she thinks that the dollar amount other counties charge is a \$150 fee. Assistant Town Manager Moore noted that he thinks that the fee ranges from \$25 to \$150. Discussion continued regarding the proposed Homestay Ordinance and permit fees that could and should be charged to operate a Homestay. It was the consensus of the Planning Commission for the Town to charge a Homestay permit fee of \$100. Assistant Town Manager Moore advised that Town staff would remove the R-1, R-1A and R-1M Zoning Districts from the proposed Homestay Ordinance and would add a one time Homestay permit fee of \$100. He inquired of the Commission what their thoughts are regarding self inspections whether an inspection will be required by the Town Building Official. Mr. Jones stated that the Town should have the right to perform random inspections to make sure they are in compliance with the self-inspection checklist. Assistant Town Manager Moore noted that in the past, the Town has inspected properties when staff received complaints. He commented that the self inspection would be a form that would certify the Homestay stating that everything is in place. He remarked that Blacksburg does a self inspection because they have a tremendous number of Homestays and cannot regulate all of them because of limited time, etc. Assistant Town Manager Moore continued to explain the inspections, fees and licenses to the Planning Commission. He inquired of Town Attorney Menerick if a business license is required of the Homestay business. Town Attorney Menerick stated that the Planning Commission can recommend that a business license be required and/or a fee. Assistant Town Manager Moore stated that Town staff would bring this back in draft form at the April meeting after researching what other localities are doing. Assistant Town Manager Moore commented that one of the other items Town staff has discussed is the number of days per year that the Homestay is permitted to operate. He remarked that staff thought that the Planning Commission may want to consider this by zoning district as to the number of days. Assistant Town Manager Moore commented that, for instance, a B-1 Business or B-2 Business Zoning District may be allowed to operate 365 days per year. He noted that an R-2 Residential Zoning District may be allowed to operate 190 days per year, an R-3 Residential Zoning District may be allowed to operate 150 days per year and Agricultural Districts may be allowed to operate 180 days per year. Assistant Town Manager Moore inquired of the Commission if they had any particular direction in regard to the number of days they would like to see the Homestays operate. Discussion ensued regarding the number of days the Homestays would operate and the restrictions being placed on the Homestays. It was the consensus of the Planning Commission that the Homestay Ordinance would allow rentals 365 days per year. Assistant Town Manager Moore stated that Town staff would redraft the ordinance and present it at the April meeting for the Planning Commission's review. Chairman Litton inquired if there was any further discussion regarding the Homestay regulations. There being no further discussion, Chairman Litton proceeded with the agenda.

RE: COMMUNITY BOULEVARD

Chairman Litton advised the next agenda item is further review of the zoning of properties along Community Boulevard. Assistant Town Manager Moore depicted on the map the properties along Community Boulevard that could be rezoned, if the Planning Commission desires. Discussion ensued regarding the map and the rezoning. Councilwoman Pattison inquired of Assistant Town Manager Moore as to what the response of Mr. Testerman was about the rezoning. Assistant Town Manager Moore noted that Mr. Testerman was not opposed to the rezoning, however, the discussion at the last meeting was that the topography of Mr. Testerman's property does not make sense for a rezoning with his current use. He inquired if the Planning Commission desired to set a public hearing to consider this rezoning. Assistant Town Manager Moore stated that he would suggest the May 9, 2019, Planning Commission meeting. It was the consensus of the Planning Commission to schedule a public hearing for the Thursday, May 9, 2019, Planning Commission meeting, at 6:00 p.m., in the Council Chambers, to consider only rezoning the Cassell property to B-2 Business.

RE: ADJOURNMENT

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

Bradford M. Litton, Chairman

Sharon G. Corvin, CMC, Town Clerk