

Public Hearing Notice – Wytheville Planning Commission

Notice is hereby given that a public hearing will be held by the Planning Commission of the Town of Wytheville, Virginia, at 6:00 p.m., or as soon thereafter as possible, on Thursday, October 10, 2024, in the Council Chambers of the Municipal Building, 150 East Monroe Street, Wytheville, Virginia, to consider repealing Ordinance No. 640, the Zoning Ordinance of the Town of Wytheville, Virginia, and, Ordinance No. 652, the Subdivision Ordinance of the Town of Wytheville, Virginia, and replacing the ordinances with the Unified Development Ordinance (UDO).

A summary of the changes proposed by the repeal and replace of the zoning and subdivision ordinances, with the proposed Unified Development Ordinance is included below. Interested persons are encouraged to reach out to the Zoning Administrator at the contact below should they wish to discuss how the changes may affect their respective zone district. Individuals who wish to reference the existing zoning and subdivision ordinances that are scheduled for repeal may do so by visiting this website <https://www.wytheville.org/ordinances> or by contacting the Zoning Administrator or visiting the municipal building.

The proposed UDO can be viewed at the Municipal Building, 150 East Monroe Street, P.O. Box 533, Wytheville, Virginia, 24348, Monday through Friday from 8:00 a.m. to 5:00 p.m., except for legal holidays, and it is available on the Town's website <https://www.wytheville.org/planning> or the page dedicated to this project <https://www.wytheville.org/unified-development-ordinance>. Citizens are encouraged to attend the meeting to express their views or submit comments by regular mail, telephone by calling John Woods, Zoning Administrator (276) 223-3361 or email at jwoods@wytheville.org. Individuals desiring to attend the meeting that require special accommodations are requested to contact the Municipal Office at least two days prior to the meeting by calling (276) 223-3353.

Summary of Changes from Existing Zoning & Subdivision Ordinances

This summary provides a general reference for ordinance changes. The Town of Wytheville recognizes that it is not possible to list all changes in this advertisement. The reader should visit the web link in the public hearing notice to read the proposed UDO in its entirety or to reference existing ordinances, or the reader may contact Town Staff at 276-223-3361.

Layout: The proposed UDO has been written from scratch and presents land use policy in a clearer way. The document uses nine (9) articles to replace the existing thirty (30) articles of the Zoning Ordinance and eight (8) sections of the Subdivision Ordinance. The final version will be searchable and quick linked using adobe PDF software tools.

UDO Articles 1,2 & 3: These articles cover the intent, purpose, and legal basis for the UDO. Application procedures assigned roles and approval processes are covered. Information on zoning enforcement, zoning certifications and determinations, development sureties, relationship to other laws and nonconformities is included. Interpretation, units of measurement and rules of construction are included. These sections help the user understand zoning processes in a clearer way than previously. These articles replace portions of Articles 1, 2, 15, 17, and 16 of the current Zoning Ordinance and relevant sections of the Subdivision Ordinance.

UDO Article 4: This article covers subdivision processes and plat requirements. A distinction between major and minor subdivisions is made to guide applicants. Specific new site development standards and workflows are provided. A detailed section on dedication of subdivision related public street infrastructure, along with recordation processes, are covered. Subdivision variation processes, and plat vacation procedures, are included. The changes from the existing subdivision ordinance strive to clarify requirements to subdivide. The goal is to assist the applicant with clear

information. UDO Article 4 will replace the current Subdivision Ordinance.

UDO Article 5: UDO Article 5 will now house all zoning district standards. This will replace Articles 5-14, 18-20, and portions of Article 16 of the current Zoning Ordinance. Purpose statements were rewritten to reflect modern language and intent. A new interpretation section clarifies how setbacks and heights are measured.

No changes to the zoning district map or existing zoning district boundaries will be made as part of UDO adoption. Existing zoning districts will continue as designated on the zoning map; however, several districts will be renamed to reflect the character of the district, or will continue as legacy districts pending future rezoning. A description of changes affecting existing zoning districts are described under the Zoning Regulations heading below.

The UDO will create nine (9) new standard zoning districts and one (1) new overlay district in addition to the twelve (12) existing standard zoning districts and three (3) existing overlay zoning districts.

Zoning Regulations

Zoning regulations from the current Town of Wytheville Zoning Ordinance have been rewritten. A summary of the way those changes will impact the regulation of land use throughout the Town are outlined below.

General Changes Applying to All Zoning Districts

- Building setback requirements were adjusted to create an equitable setback determination process. Rights-of-way are protected by measuring setbacks from the right-of-way line rather than the “street line”. The range of possible minimum setbacks is also reduced. The general intent was to keep setback distances in line with current standards, however due to the new point of measure reference they may be shown as less distance.
- Conditional use standards were established for various land uses which would allow administrative approval of land uses based on objectively measurable conditions.
- Regulations governing the special use exception permit process have been revised to limit the

range of land use activities that can be approved through the process.

- Frontage requirements were removed from all zoning districts and in its place new lots will be required to provide safe ingress & egress access.
- Requirements for landscaped buffer yards were revised to require landscape screening between land uses in zoning districts that are more intensely developed than adjoining land use areas. Buffer yards are also required between new intense uses and existing residential uses within the same zoning district.
- Building height regulations were revised for clarity.
- Standards for use of shipping containers or semi-trailers as storage were revised and increased restrictions were added in some zoning districts.
- Accessory structure standards were revised for clarity. Maximum lot coverage restrictions were not changed.
- Accessory structures, home occupations, temporary uses, bee keeping, nontraditional pets, urban livestock, and cemeteries were redefined as conditional uses in districts where previously permitted.
- Land conservation was added as a permitted use in all zoning districts.
- State approved group homes are permitted wherever any type of single family home is permitted per Code of Virginia mandate.
- Standards for separation between structures were added to promote better compliance with fire prevention code requirements.
- Site development plans and subdivision plans anticipated to generate traffic above a threshold count will now be required to provide a traffic study and demonstrate that existing infrastructure can accommodate traffic loads.
- Zoning district standards will now be presented in a one-page table format to assist the reader with navigating standards such as setbacks, lot size, building height, dwelling unit density, floor area and structure separation.

Continuing Districts

The following district names will remain the same, but minor changes specific to the following zoning districts are listed for each.

A-1 Agricultural

- Minimum lot size for dwellings using private sewer and/or water service were increased to reflect VDH recommendations for reliability of long-term septic service and protection of groundwater.
- Rural village cluster development with farm/open space preservation & PUD approval was added.
- Bed and breakfast inns, and homestays uses were change from permitted to conditional uses.
- Indoor & outdoor archery ranges and indoor & outdoor shooting ranges require a special use exception permit.
- Small cell telecom poles, outdoor heating units, artisan food production, & artisan industrial were added as conditional uses.

R-1 Residential

- Rural village cluster development with farm/open space preservation & PUD approval was added.
- Minimum lot size for dwellings using private sewer and/or water service were increased.
- Accessory dwellings, and outdoor heating units are added as conditional uses.
- Public and semi-public uses that would utilize water now require public sewer and water.

R-2 Residential

- Accessory dwellings, and outdoor heating units are added as conditional uses.
- Special exceptions for manufactured homes are no longer allowed.
- Rest homes, homestays, and rooming/boarding houses are no longer permitted.
- Minimum lot sizes were reduced for various single family and multiplex uses up to 4 units. The limitation of multifamily development to four units did not change except for provisions of up to 1 accessory dwelling per site subject to conditional use standards.
- Minimum lot sizes were added for various multiplex configurations to incorporate current provisions for townhouse and condominium uses within zoning district regulations.

- The formula for parking requirements for multifamily development has been adjusted to reflect observed usage patterns in existing multifamily developments.

- Minimum floor area regulations were simplified, but the minimum floor area for a single family dwelling was not changed.

M-1 Industrial

- Minimum parking requirements are replaced with a requirement for a parking study showing how much parking is required for the proposed use.
- Single family dwellings, multifamily dwellings, manufactured homes, and rest homes are no longer permitted. Existing residential uses may continue as legal nonconforming uses or seek rezoning to the RB-1, RB-2, or RA districts, which allow compatible business uses, or to the R-3 district.
- Assembly halls, archery ranges, indoor shooting ranges, clubs, & lodges now require a special use exception permit.
- Mobile food facility & caretaker residence are added conditional uses.

M-2 Industrial

- Minimum parking requirements are replaced with a requirement for a parking study showing how much parking is required for the proposed use.
- Mobile food facility & caretaker residence are added conditional uses.
- Manufactured homes are removed as a permitted use.
- Archery ranges, indoor shooting ranges, dog parks, clubs, & lodges now require a special use exception permit.

Renamed Districts

New names are intended to reflect the character of the district. Minor changes specific to the following zoning districts are listed for each.

R-3 Urban Residential (Formerly R-3 Residential)

- Accessory dwellings, and outdoor heating units are added as conditional uses.

- Special exceptions for manufactured homes are no longer allowed.
- Rest homes, tourist homes, homestays, and rooming/boarding houses are no longer permitted.
- A maximum residential density of 45 bedrooms per acre would be established. This standard is based on density at existing multifamily complexes. There is currently no maximum residential density.
- The formula for parking requirements for multifamily development has been adjusted to reflect observed usage patterns in existing multifamily developments.
- Minimum lot sizes were reduced as recommended in the Wythe County Comprehensive Housing Analysis. The proposed minimum lot sizes facilitate townhouse and condominium plans currently allowed in Articles 18 & 20.

RMH Residential Manufactured Home (Formerly R-3 MH)

- Regulations for this zoning district have been rewritten.
- Single family and multifamily dwellings, rest homes, homestays, and rooming/boarding houses are no longer permitted.
- Setback and lot/plot size standards are specifically designed for manufactured home parks.
- Development standards would be established for all new manufactured home parks and for the redevelopment of existing manufactured home parks. These development standards would only be applied to existing manufactured home parks if they are redeveloped to exceed 80%.

RH Historic Residential (Formerly R-1M Residential)

- Accessory dwellings, and outdoor heating units are added as conditional uses.
- Minimum lot size was reduced since similar sized lots exist in the district.

MA Medical Arts (Formerly MA-1 Medical Arts)

- Setback requirements were reduced to be more consistent with other business zoning districts such as the B-1 Light Business Zoning District.

- State approved group homes, caretaker residences, and assisted living facilities are added as permitted uses.

B-1 Light Business (Formerly B-1 Business)

- Single family dwellings, multifamily dwellings, rooming/boarding houses, manufactured homes, and rest homes, are no longer permitted. Existing residential uses may continue as legal nonconforming uses or seek rezoning to the RB-1, RB-2, or RA districts, which allow compatible business uses, or to the R-3 district.
- Payday loan and pawn shops are no longer permitted.
- Caretaker residences are added as a permitted use.
- Assembly halls now require a special use exception permit.
- Minimum parking requirements are replaced with a requirement for a parking study showing how much parking is required for the proposed use.

B-2 General Business (Formerly B-2 Business)

- Use of the R-3 setback and lot size standards is replaced by residential site development standards developed specifically for the B-2 General Business Zoning District.
- Single family homes are no longer permitted.
- Archery ranges, indoor shooting ranges, clubs, & lodges now require a special use exception permit.
- Veterinary clinics are added as a conditional use.
- Building setback requirements have been added to ensure that development in this zoning district remains consistent with current development patterns and district character.
- Minimum parking requirements are replaced with a requirement for a parking study showing how much parking is required for the proposed use.

New Districts

These new zoning districts are for future use. No parcels or other land area will be assigned to these zoning districts upon UDO adoption. Rezoning to these districts is subject to all procedural

requirements for zone changes mandated by the Code of Virginia.

R-4 High Density Residential

- This zoning district is proposed to provide opportunities for higher density residential development as recommended by the Wythe County Comprehensive Housing Analysis.

RA Residential Artisan

- This zoning district addresses conflicts currently in existing mixed-use industrial/residential neighborhoods. New industrial uses would be restricted to smaller light industry and artisan uses that are compatible with residential uses.
- The proposed zoning district will support Wytheville's artisans.

RB-1 Residential Business

- This proposed zoning district will provide a transition between Downtown Wytheville and surrounding neighborhoods by preserving residential character while allowing compatible business uses.

RB-2 Residential Business

- This proposed zoning district will provide a transitional area between busy entrance corridor streets and surrounding neighborhoods by preserving residential character while allowing some business uses that fit the neighborhood.

BMX Business Mixed-Use

- This zoning district is proposed to provide opportunities for higher density residential development in a mixed-use setting.

BTS Business Travel Services

- This zoning district would regulate and protect critical business areas near each of the Interstate Highway exits to preserve land that provide services to travelers along the interstate system and provide significant support to Wytheville's tax base.

DTB-1 Downtown Business Core

- This zoning district would facilitate land use guidelines that support preservation of the unique development patterns for the core of Downtown Wytheville.

DTB-2 Downtown Business Evansham

- This zoning district would facilitate land use guidelines that support preservation of the unique development patterns for the Evansham neighborhood within Historic Downtown Wytheville.

DTB 3 Downtown Business Transitional

- This zoning district would facilitate land use guidelines that support preservation of the character of Downtown Wytheville by regulating development patterns as visitors enter downtown.

Legacy Districts

It is anticipated that parcels in these zoning districts will eventually rezone to other appropriate zoning districts.

R-2 FH Residential

- Changes to this zoning district match the changes to the R-2 Residential Zoning District. Please see the listing for R-2 Residential above.

B-2 DT Business Downtown (Formerly B-2 DT Business)

- R-2 or R-3 site development standards for residential uses is replaced by residential site development standards specific to the B-2 DT district.
- Assembly halls, clubs, & lodges now require a special use exception permit.
- Semi-trailers & shipping containers as storage are no longer permitted.

Discontinued Districts

R-1A Residential & M-1M Industrial

- These districts are unused and so are to be eliminated.

Continuing Overlay Districts

EC Entrance Corridor Overlay District

- Only formatting and minor text revisions have been made to this section.

SLSH Small-Lot Small-Home Overlay District

- Upgraded building material and design requirements were deleted.

FO Floodplain Overlay District

- The floodplain regulations are a replacement of existing regulations that bring our zoning

regulations into compliance with new federal regulations.

New Overlay Districts

PUD Planned Unit Development Overlay District

- This section replaces existing Article 19 and modifies existing requirements and establishes the PUD approval process as an overlay district.
- Rural Village PUDs are added as a new type of PUD which facilitates cluster development that preserves farmland and/or open space.
- Distinctions between R-2 and R-3 PUDs are eliminated.

UDO Article 6: Permitted land uses were updated for all zoning districts with the creation of a land use table. The land use table is a quick reference of which land uses are permitted in each zoning district, along with which conditional uses and special uses are allowed, when applied for in the specified zoning districts. This new land use table replaces how the information is referenced in current zoning district articles of the zoning ordinance and new land uses are added as part of the UDO rewrite to reflect the character of the Wytheville community.

Similar land uses in the current zoning ordinance were combined and simplified with new clarified definitions.

A list of prohibited uses (not allowed in any zoning district) has been added including the following:

- Abattoirs, Meat, Fish, or Poultry Processing
- Concentrated Animal Feeding Operation
- Gas and Oil Extraction
- Petroleum Processing
- Livestock Market
- Slaughterhouses
- Paper or Pulp Mills
- Industrial Chemical Manufacturing or Processing
- Nuclear Labs, Power Plants & Radioactive Processes
- Industrial Incinerators

UDO Article 7: Objective site development standards guide general development of land in all zoning districts. Not every category of development standards will apply to every site. Site development standards are provided for the following areas:

- Address Identification
- Clear Sight Triangles
- Dumpster Pads, Trash Enclosures and Solid Waste Screening
- Emergency Vehicle and Fire Apparatus Access
- Fencing and Outdoor Walls
- Fire Hydrant and Fire Protection
- Development Standards in areas with Karst, Wetlands, Waterways, Floodplains and Unconsolidated Fill
- Landscaping and Buffer Yard Requirements
- Lighting
- Proffered Offsite Improvements
- Parking and Site Access
- Retaining Walls
- Rights-of-Way & Prop. Boundaries
- Signs
- Streets, Sidewalks, Site Access, and General Transportation Guidelines
- Construction Traffic Control Plans
- Yard Requirements

UDO Article 8: Conditional use standards are provided to allow administrative approval of certain land uses listed in the land use table and/or to set minimum standards for uses that require a special use exception permit. Conditional uses include the following:

- Accessory Dwelling Units (ADU)
- Accessory Structures & Uses
- Adult Uses
- Agritourism Venues
- Artisan Food Production, Artisan Industrial, Artisan Industrial, & Intense Artisan Industrial Uses
- Assembly Halls, Lodges & Spec. Interest Clubs
- Assisted Living & Physical Rehab
- Automobile Service or Repair
- Banks & Financial Services
- Bed and Breakfast Inns
- Beekeeping
- Campgrounds & RV Parks
- Cemeteries
- Chicken Keeping
- Child Day Care & Priv. Preschool.
- Clinics and Medical Offices
- Cottage Style Neighborhood
- Dog Parks
- Family Day Homes
- Funeral Homes in RB 2
- Greenhouses, Commercial in A-1
- Group Lodging Facilities
- Hair & Skin Care
- Home Occupations
- Homestay
- Industrial Uses, Heavy
- Industrial Uses, Light
- Kennels
- Live-work Dwellings
- Manufactured Homes
- Mobile Food Facilities
- Nontraditional Pets
- On-Frame Modular Homes
- Open Air Sales on Public Sidewalk
- Outdoor Heating Units
- Outdoor Recreation, Intense
- Professional Offices & Services
- Public Utility, Major

- Retail Uses, Neighborhood
- Rural Village PUD Residential
- Salvage & Recycling Yard
- Schools, Priv. Primary & Sec.
- Semi-Trailer Storage
- Shipping Container Storage
- Solar Energy Facilities
- Special Interest Clubs
- Telecom. Towers over 50'
- Temp. Family Health Care Pod
- Temporary Use
- Towing & Recovery
- Townhouse or Condominium
- Urban Livestock & Nontrad. Pets
- Veterinary Clinic
- Wind Energy Systems (Small)
- Wireless Telecom. Facilities

UDO Article 9: Updated definitions are shown in UDO Article 9 replacing old Article 3. Land uses & key terms are redefined.