

TOWN OF WINDSOR
PLANNING COMMISSION AGENDA
P. O. Box 307
Windsor, Virginia 23487
Phone 757-242-4288
Fax 757-242-9039
E-Mail: windsor@windsor-va.gov
7:00 p.m.



Anyone wishing to speak on matters scheduled for public hearing Please sign in on sheets provided at rear of room - PRIOR to the start of the meeting – Thank you.

January 24, 2018 – Planning Commission Meeting

Agenda:

1. Call to Order – Gary Mitchell
2. Selection of Chair –
 - a) Nominations
 - b) Vote for Chair
3. Selection of Vice-Chair
 - a) Nominations
 - b) Vote for Chair
4. Chair
 - a) Welcome
 - b) Roll Call and Determination of Quorum
5. Adoption of 2018 By-Laws and Meeting Schedule
6. Approval of the Minutes of the December 13, 2017 Planning Commission Meeting
7. Public Comments (for items not associated with the Public Hearing(s))

New Business

8. Public Hearing – ZTA-1,2 and 3-2018 to add Section 160-57.1 Mixed Use Overlay District (MUOD)
 - a) Staff Report – Gary Mitchell
 - b) Public Comment on this Text Amendment
 - c) Close Public Hearing - Planning Commission Discussion/Decision
9. Public Hearing – ZTA-4-2018 Section 160-37 Division of Town into Districts to add district descriptions and summaries.
10. Upcoming Land Development Ordinance Updates
 - a) Floodplain Ordinance – mandated by FEMA
 - b) Chesapeake Bay Ordinance – mandated by DEQ

- c) Conservation District – recommended in Comprehensive Plan
- d) Zoning Matrix – to assist public in using the ordinance

11. Town Code Amendments – In order to better address public nuisances staff is proposing to repeal several Chapters of Town Code and replace them with one, up to date chapter dealing with public nuisances in the Town Code. This does not need specific action by the Commission but staff would like to have a resolution of support before presenting to Town Council.

12. Town Code Amendment for Economic Development – Staff will be presenting this to the Planning Commission, there are several sections of a new chapter in the Town Code to offer economic incentives for new business development and to assist citizens to update and improve their residences. This does not need specific action by the Commission but staff would like to have a resolution of support before presenting to Town Council

Unfinished Business

13. Public Hearing – R-1-2017 US Route 460 Commercial Rezoning

- a) Applicant requests a continuance to the February meeting of the Planning Commission in order for VDOT to review the TIA

14. Town Attorney's Report

15. Motion to Adjourn & Next Meeting Announcements (if any)

Town of Windsor
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Memo

To: Planning Commission

From: Gary Mitchell, AICP

Date 1-3-2018

Re: By Law adoption & Meeting Schedule

Attached are the 2018 By-Laws. There have been no changes proposed from the 2017 By-Laws. Staff requests adoption of By-Laws as written pending any recommendations from the Commission.

2018 BYLAWS
WINDSOR PLANNING COMMISSION
TOWN OF WINDSOR, VIRGINIA

ARTICLE 1- OBJECTIVES

1. This Commission, established in conformance with the resolution adopted by Windsor Town Council on April 8, 1975, has adopted the following Articles in order to facilitate its powers and duties in accordance with the provisions of Title 15.2, Chapter 22, Article 2 of the Code of Virginia as amended.
2. The official title of this Commission shall be the “Windsor Commission” (hereinafter “Commission”).

ARTICLE 2- MEMBERS

1. This Commission shall consist of seven (7) members, hereinafter referred to as appointed members who shall be citizens of the Town, and may be increased as provided by law.
2. The members are appointed for terms of four (4) years by the Town Council. Any vacancy in membership shall be filled by appointment by the Town Council and shall be for an unexpired term only. Any appointed member may be removed for malfeasance in office. Notwithstanding the foregoing provision, an appointed member of a local Commission may be removed from office by the local governing body without limitation in the event that the Commission member is absent from any three consecutive meetings of the Commission, or is absent from any four meetings of the Commission within any 12-month period. In either such event, a successor shall be appointed by the governing body for the unexpired portion of the term of the member who has been removed.
3. The Town Council may provide for payment of expenses incurred by any regular members in performance of his or her official duties or for required educational or training activities.
4. The members of the Commission are encouraged to take the necessary courses within two (2) years of their appointment to the Commission to become certified Commissioners.
5. The term of a Commission member shall expire on December 30, at which time his/her successor’s term shall begin.

ARTICLE 3- OFFICERS AND THEIR SELECTION

1. The officers of the Commission shall consist of a Chairman, a Vice-Chairman, and a Secretary-Treasurer (hereinafter "Secretary"). The Secretary is the only non-elected officer and shall be appointed by the Commission.
2. Nomination of officers shall be made from the floor at the regular January meeting each year. Election of officers shall follow immediately.
3. A candidate receiving a majority vote of the membership present shall be declared elected. He/she shall take office immediately by regular election procedures.
4. Vacancies in office shall be filled immediately by regular election procedures.

ARTICLE 4-DUTIES OF OFFICERS

1. The Chairman shall be a citizen member of the Commission and shall:
 - a. Preside at all meetings.
 - b. Appoint committees, special and/or standing.
 - c. Rule on all procedural questions (subject to a reversal by a two-thirds (2/3) majority vote by the member present and voting).
 - d. Be informed immediately of any official communication and report same at the next regular meeting.
 - e. If staff requests a postponement or cancelation of a Commission meeting due to pending inclement weather conditions or in such case when a quorum cannot be established. If the Chairman approves staff's request, staff shall contact each member of the Commission by phone or electronic communications, post signs on the entry door of Town Hall and notify the media.
 - f. Carry out other duties as assigned by the Commission.
2. The Vice-Chairman shall be a citizen member of the Commission and shall:
 - a. Act in the absence or inability of the Chairman to act.

- b. Have the power to function in the same capacity as the Chairman in cases of the Chairman's inability to act.
3. The Secretary shall:
- a. Keep a written record of all business transacted by the Commission.
 - b. Notify all appointed members of all meetings.
 - c. Keep a file of all official records and reports of the Commission.
 - d. Certify all maps, records, and reports of the Commission.
 - e. Give notice of all hearing and public meetings.
 - f. Attend to the correspondence of the Commission.

ARTICLE 5- STANDING AND SPECIAL COMMITTEES

- 1. Standing and Special committees may be appointed by the Chairman to serve as needed for purposes and terms approved by the Commission.
- 2. The Chairman shall be an ex officio member of every committee.

ARTICLE 6- MEETINGS

- 1. The Commission shall meet each January to hold its organizational meeting. At this meeting, the Board shall elect officers, re-adopt by-laws, consider amendments thereto, and adopt its meeting schedule for the upcoming year.
- 2. The regular meeting date for the Commission shall be the fourth Wednesday of each month, except for the month of December, when there shall be no scheduled meeting and November when the meeting is on the third Wednesday, at 7:00 p.m. in the Town Hall Council Chamber (see attached schedule).
- 3. Special meetings shall be called in accordance with §15.2-2214, Code of Virginia 1950 (as amended) which states, "special meetings of the Commission may be called by the chairman or by two members upon written request to the Secretary. The Secretary shall mail to all members at least five days in advance of a special meeting, a written notice fixing the time and place of the meeting and the purpose thereof. Written notice of a special meeting is not required if the time of the special meeting has been fixed at a regular meeting or if all members are present at the special meeting or files a written waiver of notice."

3. All regular and special meetings, public hearings, records, and accounts shall be open to the public subject to the Code of Virginia.
4. A majority of the membership of the Commission shall constitute a quorum. The number of votes necessary to transact business shall be by roll call, in which case a record shall be kept as part of the minutes.

ARTICLE 7- ORDER OF BUSINESS

1. The order of business for a regular meeting shall generally be:
 - a. Call to order by Chairman
 - b. Roll Call and Determination of a Quorum
 - c. Minutes from prior meeting(s)
 - d. Public Comments
 - e. Public Hearing(s)
 - f. Unfinished business
 - g. New business
 - h. Reports
 - i. Notification of date of next meeting and Adjournment
2. Parliamentary procedures in Commission meetings shall be governed by Robert's Rules of Order.
5. The Commission shall keep a set of minutes of all meetings, and these minutes are the public record of its proceedings. The Secretary and Chairman or the presiding officer of the meeting shall sign all minutes of the meetings after approval by the Commission at a succeeding meeting and shall certify that the minutes are a true and correct copy.
6. Approved minutes shall be kept in an official minute meeting book produced by Williamson Law Book Company (style 1).

ARTICLE 8- PUBLIC HEARINGS

1. In addition to those required by law, the Commission, at its discretion, may hold public hearings when it decides that a hearing will be in the public interest.
2. Notice of a public hearing shall be advertised as prescribed by law.
3. The case before the Commission shall be summarized by the Chairman or other person delegated by the Chairman. Interested parties shall have a reasonable opportunity to speak on the request or subject being considered.
4. A record shall be kept in the minutes of the meeting of those speaking at the public hearing.

ARTICLE 9- PUBLIC COMMENT PERIOD

1. The purpose of the citizen comment period is to allow any citizen of the Town to make statements to the Commission related to any matter under the auspices of the Commission, which are not scheduled for discussion on the agenda.
2. Each citizen of Windsor is allotted 3 minutes to address the Commission. Those individuals representing a group of citizens are allotted 5 minutes to address the Commission. Additional time may be granted at the discretion of the Chair.
3. The Commission will listen and consider the position and opinion of the citizens of Windsor however; the Commission shall not respond or ask staff to respond to issues identified by the public that may require additional research or investigation.

ARTICLE 10 - TOWN OF WINDSOR - PUBLIC HEARING PROTOCOL

1. The purpose of a public hearing is for the Commission to listen and consider the position and opinion of the citizens of Town.
2. Public hearings are not question and answer sessions or debates and all statements should be pertinent to the issue being considered and addressed to the Chair. Citizens are expected to obtain information and discuss the subject with public officials prior to the public hearing.

3. All public hearings are advertised weeks prior to the scheduled hearings and the notices indicate where citizens can obtain information pertinent to matters scheduled for public hearing.
4. When members of the public offer comment, they need to clearly state their name and address prior to making their comments.
5. Applicants, or representatives of the applicant, will be allowed fifteen (15) minutes to introduce information regarding the matter advertised for public hearing. Additional time may be granted at the discretion of the Chair.
6. Each citizen of Windsor speaking at a Public Hearing is respectfully requested to keep comments brief and not to exceed 3 minutes to address the Commission about the issues pertinent to the matters advertised for Public Hearing. Those individuals representing a group of citizen's are allotted 5 minutes to address the Commission. Additional time may be granted at the discretion of the Chair.
7. After the Public Hearing has been closed, the applicant or representatives of the applicant will be allowed ten (10) minutes to address any issues identified by the public. Additional time may be granted at the discretion of the Chair.
8. Written copies of statements made at public hearings are requested but not required.
9. If deemed necessary by the Chair, sign-up sheets will be provided for people wishing to address the Commission during the Public Hearing.

ARTICLE 11 – CORRESPONDENCE

1. It shall be the duty of the Secretary or as delegated to the Planning and Zoning Administrator to draft and sign all correspondence necessary for the execution of the duties and functions of the Commission.
2. It shall be the duty of the Secretary or as delegated to the Planning and Zoning Administrator to communicate by telephone or electronically when necessary to make communications that cannot be carried out as rapidly as required through direct correspondence.
3. All official papers and plans involving the authority of the Commission shall bear the signature of the Chairman together with the certification signed by the Secretary.

ARTICLE 12 – CONTINUATION OF PUBLIC HEARING

In the event that a regularly scheduled meeting, specially called meeting, and/or work session meeting of the Commission continues to 10:00 PM, the Commission may, at its discretion, adjourn the meeting until the next business day provided the motion of adjournment states the hour and location that the adjourned meeting is to be reconvened.

ARTICLE 13 AMENDMENTS

These bylaws may be amended by a recorded two-thirds (2/3) vote of the entire membership after thirty (30) days prior written notice. The text of the proposed amendment shall be included in the notice.

CERTIFICATE

These by-laws are hereby adopted by the Windsor Planning Commission on the 24th, of January 2018, and repeal all bylaws and their amendments previously enacted by the Windsor Commission

_____ Date: _____
Chairman

_____ Date: _____
Secretary

2018 Windsor Planning Commission Meeting Schedule

January 24, 2018

February 28, 2018

March 28, 2018

April 25, 2018

May 23, 2018

June 27, 2018

July 25m 2018

August 22, 2018

September 26, 2018

October 24, 2018

November 14, 2018

No Meeting in December

MINUTES OF THE PLANNING COMMISSION – WINDSOR, VIRGINIA

The Planning Commission met on Wednesday, December 13, 2017 at 7:00 p.m. in the Town of Windsor Council Chamber. Chairman Brown called the meeting to order and welcomed all who were present. Terry Whitehead, Town Clerk, recorded the minutes. Gary Mitchell, Planning and Zoning Administrator, and Wallace W. Brittle, Jr., Town Attorney, were present. Mrs. Whitehead called the roll.

Planning Commission members present: Bennie Brown, Chairman
Leonard L. Marshall, Vice Chairman
N. Macon Edwards, III
Edward Lynch
George Stubbs
Larissa Williams
Glyn Willis

MINUTES

Chairman Brown asked if there were any amendments to the minutes of the October 25, 2017 regular Planning Commission meeting. Vice Chairman Marshall made a motion to approve the minutes as presented. Commissioner Stubbs seconded the motion, and the Commission unanimously passed the motion as recorded on the attached chart as motion #1.

PUBLIC COMMENTS

None

PUBLIC HEARING

Chairman Brown said there is a public hearing tonight to receive input from the public for R-1-2017 US Route 460 Commercial Rezoning. He asked Mr. Mitchell to give an overview of the staff report.

Mr. Mitchell said that James and Susan Eilbert have authorized the applicant, Hutton, to apply to rezone their property, tax map number 54-01-075, from A1 Agricultural to B1 Commercial. The purpose of the rezoning is to develop the property for the construction of approximately 21,615 square feet of commercial space. He said this space will be divided over four buildings. The building will house primarily national chains in the following business categories: fast food, convenience retail, general retail and flex space retail. He explained that the applicant has a contract to purchase the property upon receiving approval from the Town to construct the buildings. Mr. Mitchell stated that the site proposed for this commercial rezoning proposal is consistent with the 2016 Windsor Comprehensive Land Use Plan. He continued to review the plan layout.

Mr. Mitchell explained that Virginia Department of Transportation (VDOT) will have to approve a Traffic Impact Analysis (TIA). He said this has not been submitted to VDOT at this time.

Mr. Mitchell recommended that the Planning Commission hold the public hearing tonight and continue it to the January 24, 2018 meeting pending a final VDOT comment letter. He explained that currently VDOT has deemed this submission incomplete since no TIA has been submitted and no formal request for an exception has been made for the right-in/right-out access point on the western end of the project. Mr. Mitchell said any comments from VDOT should be included as conditions to this rezoning request.

Logan Hixson, Real Estate Manager with Hutton, explained why they chose to wait before submitting the TIA to VDOT. He said it costs several thousands of dollars, and they wanted to get a general idea from the Planning Commission as to whether they would support the rezoning before investing the money into the analysis. He said there has been no substantial changes to the plan layout. Mr. Hixson said he would be glad to answer any questions.

Commissioner Williams asked if there would be a designated turn lane onto the property when traveling west bound for safety purposes. Mr. Hixson said there will be a designated turn lane onto the property. Planning Commission continued to discuss the traffic pattern on the parcel, the depth of the developed area, altering the shape or size of the pond for runoff purposes, and the time frame for VDOT's approval.

After further discussion, Commissioner Willis requested updated site plans showing the traffic pattern on the parcel and the designated turn lane with larger print. He said this would be helpful for review before the January 24, 2018 meeting. Mr. Hixson said he would provide the updated site plans before the next meeting.

Commissioner Stubbs noted that the rezoning application shows that the Windsor Police Chief advised the applicants to contact Fire and EMS personnel regarding any concerns they may have regarding the rezoning for the proposed development. He asked if this has been done. Mr. Hixson said he will contact Hutton's engineers to make sure this matter is taken care of.

Chairman Brown opened the public hearing. He asked for any persons wishing to speak in favor of the R-1-2017 US Route 460 Commercial Rezoning.

Rob Hebner with Retail Advisors said he represents the Hutton Development Company and the potential purchase of the property being discussed for rezoning. He said this should be a land use issue being discussed tonight and not a site plan issue at this time. He said the rezoning application is requesting that the property be rezoned from A1 Agricultural to B1 Commercial. He stated

that the neighboring properties are zoned as B1. He explained that site plans will be presented for review, but he would like Planning Commission to determine whether this parcel is suitable for B1 zoning and what is the best use of this property.

James Eilberg, 6061 Newport Crescent; Norfolk, Virginia, said he is the applicant and the owner of the parcel that is being discussed for rezoning from A1 Agricultural to B1 Business. He said he would like to give some history on the property. He said this property was rezoned to B1 ten years ago for Hardees and was effective for five years. He explained that the transaction fell through because Hardees did not have anyone to partner with. He said the land behind the pond is mostly all wetlands and will probably never be developed. He said the land has been carefully screened and has been cleared of any contaminants. He noted that there were no problems with VDOT when the property was previously rezoned.

Chairman Brown asked for any persons wishing to speak in opposition of the R-1-2017 US Route 460 Commercial Rezoning, and there were none. Hearing none, Mr. Mitchell recommended continuing the public hearing until the January 24, 2018 meeting pending a final VDOT comment letter regarding the TIA.

After discussion, Commissioner Willis made a motion to continue the public hearing until the January 24, 2018 meeting pending a final VDOT comment letter regarding the TIA. Commissioner Stubbs seconded the motion, and the Commission unanimously approved the motion as recorded on the attached chart as motion #2.

Commissioner Edwards said he feels that this is a good area for commercial, and he would have no problem voting in favor of rezoning the property to B1.

Commissioner Stubbs requested that the next presentation from Hutton include an updated site plan showing turn lanes and traffic patterns.

Commissioner Willis agreed that this is a targeted use for the property that has been anticipated by the Planning Commission and what is stated in the Comprehensive Plan. He noted that an updated site plan will be helpful to the Planning Commission with its research regarding such issues as traffic when giving its recommendation to Town Council.

Chairman Brown noted that the public hearing will be continued to the January 24, 2018 Planning Commission meeting.

REVISED BYLAWS

Mr. Mitchell said that based upon feedback from the Commission during the October 25, 2017 meeting, he has revised the bylaws.

Commissioner Edwards noted that the last sentence in *Article 2, Section 2* is a duplicate of *Section 3*. Mr. Mitchell said he will delete the duplicate sentence in *Section 2*.

The Commission continued to review the revised bylaws and noted several minor corrections.

After further discussion, Vice Chairman Marshall made a motion to adopt the revised bylaws with the aforementioned corrections. Commissioner Stubbs seconded the motion, and the Commission unanimously approved the motion as recorded on the attached chart as motion #3.

REVISED MIXED USE OVERLAY DISTRICT

Mr. Mitchell stated that revisions were made to the proposed Mixed Use Overlay District as discussed at the October 25, 2017 meeting. He explained that Mr. Stallings is putting together a map in GIS showing what the Mixed Use Overlay District will constitute. He said he also sent the district overlay to Isle of Wight County, and their comments are included in the packet. Mr. Mitchell requested authorization to advertise the revised Mixed Use Overlay District for a public hearing at the January 24, 2018 meeting.

Commissioner Edwards suggested that “wood siding” be added to 5. *Building Materials* under H. *Performance Standards*. Several other minor changes were suggested. Mr. Mitchell said he would make the changes to the Mixed Use Overlay District.

Commissioner Stubbs made a motion to advertise the revised Mixed Use Overlay District with the aforementioned changes for the January 24, 2018 meeting. Vice Chairman Marshall seconded the motion, and the Commission unanimously approved the motion as recorded on the attached chart as motion #4.

NEW BUSINESS

Zoning District Matrix Table

Mr. Mitchell said he is working on an appendix to be added to the back of the Zoning Ordinance. He reviewed the Zoning District Matrix Table Appendix I stating that it will be a guide to help applicants determine what is permitted in each zoning district within the Town.

Conservation District

Mr. Mitchell said that the creation of a Conservation District is recommended in the 2016 Comprehensive Plan as adopted by Town Council. He said he has

attached a rough draft of a Conservation District for review and will bring it before the Commission when it is completed.

15.2-900 Public Nuisance Ordinance

Mr. Mitchell said the Commission discussed revising the Town's Nuisance Ordinances to aid in improving the appearance of the community at the October 25, 2017 meeting. Mr. Mitchell recommended repealing the existing Town's Nuisance Ordinances, which are in several chapters throughout the Town Code, and replacing them with the attached revised Ordinance which addresses all nuisances under one chapter. He said he is going to have the Town Attorney and the Town Manager review the new ordinance before presenting it to the Commission for approval.

Economic Development

Mr. Mitchell said he has also attached a rough draft that he is working on of a chapter in the Town Code regarding establishing district zones such as a Defense and Industrial Zone, a Technology Zone, and an Art and Cultural Zone. He said this will create incentives for these types of businesses to locate within the Town. He said this will be a chapter possibly named Economic Development Tools and will be presented to the Commission at a later date.

REPORT FROM THE TOWN ATTORNEY

None

ADJOURNMENT

Chairman Brown noted that the next meeting is scheduled for January 24, 2018, and there will be a public hearing for the Mixed Use Overlay District.

There being no further business, Commissioner Stubbs made the motion to adjourn. Vice Chairman Marshall seconded the motion, and the Commission unanimously approved the motion as recorded on the attached chart as motion #5.

The meeting adjourned at 7:40 p.m.

Bennie Brown, Chairman

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
RECORD OF
PLANNING COMMISSION VOTES

Commission Meeting Date Dec 13, 2017

Motion #	G. Willis	E. Lynch	B. Brown	N. Edwards	L. Marshall	G. Stubbs	L. Williams
1	Y	Y	Y	Y	Y	Y	Y
2	Y	Y	Y	Y	Y	Y	Y
3	Y	Y	Y	Y	Y	Y	Y
4	Y	Y	Y	Y	Y	Y	Y
5	Y	Y	Y	Y	Y	Y	Y
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Jerry Whitehead, Clerk

PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT	
PROJECT NAME: Mixed Use Overlay District	PC Meeting Date: 1-24-2018
Case Number: ZTA-1, 2 and 3-2017	Applicant: Town of Windsor
Project Status: <input type="checkbox"/> Text Amendment - Public Hearing	Owner: NA
	Location: NA
	Voting District: NA
	Parcel Number: NA
	Total Site Area: NA
	Site Area Developed: NA
Existing Structures: NA	CBPA: NA
Flood Hazard: NA	Additional Site Data: NA
Current Zoning: NA	
Action Request: Approval	Staff: G. Mitchell
	Date: 1-24-2017

Prior Actions / Case History

Re-zonings: NA
Conditional Use Permit: NA
Variances: NA
Subdivisions: NA
Other Data: NA

INTRODUCTION:

In the 2016 Comprehensive Plan there is a section of *Chapter 7 Land Use*, identifies the development of an overlay district to promote maximum flexibility in the meshing of the compatible land uses and help to revitalize the area. The creation of the overlay district is to permit the continued residential use as well as other uses. These other uses would be compatible with and harmonious with the existing homes with the district. No one unless they choose to would need to rezone their property once this overlay district is created and adopted by the Town Council. The district would expand the pallet of uses allowed by the property owner.

ANALYSIS

In looking further into the 2016 Plan it references parking standards, mixed use residential and mixed use residential/commercial within the same building. Additionally, there is language about signage adjustments, hours of operation, and a variety of uses that should be addressed in the overlay district. Staff used this section of the comprehensive plan in particular to set out a series of performance measures to address these issues within the overlay district.

Specifically the following performance measures were prepared by staff:

- Expansions of existing buildings
- Setback adjustments
- Uses not identified
- Building Orientation
- Outdoor Storage
- Screening
- Exterior building material
- Roofs
- Architectural Design
- Landscaping
- Lighting
- Entrance Drives
- Shared Parking
- Pedestrian Access
- Signage

The key is to performance standards to preserve the neighborhood and enhance the “charm” generated in this portion of Town. In time this overlay district will allow the community to grow and develop into a unique neighborhood of its own.

Additionally there is a text amendment to Section 160-37, where the various zoning districts are located. This district will need to be listed therein. Finally, a number of definitions have been added to the ordinance associated with this overlay concept.

Staff is willing to make any adjustments the Planning Commission wishes to make and requests that the Planning Commission authorize staff to advertise this overly district for public Hearing in January 2018.

Update from December 13, 2017 Meeting

Staff has made the suggested changes offered by the Planning Commission and further enhanced the overlay district language. Staff suggests sending this text amendment to the Town Council with a favorable recommendation.

160-37 Division of the Town into Districts

	R-1 Single-family residential
	LDR Low Density Residential
	MHP Mobile Home Park
	HDR High Density Residential
	O-R Office Residential
	PUD – Planned Unit Development
	A-1 General Agricultural
	P- Public
	B-1 General Business
	<u>MUOD – Mixed Use Overlay District</u>
	B-2 Restricted Business
	M-1 General Industrial

160-57.1 Mixed Use Overlay District (MUOD)

A. Statement of Intent

This ordinance is enacted to implement the policies outlined in the 2016 Windsor Comprehensive Plan especially the overlay provisions as outlined in Chapter 7 - Land Use. The intent of the overlay is to provide for the maximum flexibility in the meshing of compatible land uses and spur revitalization of the area. This includes mixed use buildings offering affordable apartments and dwellings on upper floors while allowing for more commercial and office space on the lower floor.

B. Title

This ordinance shall be known and referenced as the MIXED USE OVERLAY DISTRICT (MUOD).

C. Boundary

The generalized boundaries of the MUOD are shown on the Map 7-3 Future Study Area in the 2016 Comprehensive Plan.

D. Uses

If a use is not specifically listed and the Planning Director cannot place your proposed use within an existing category, then that particular use is not permitted within this overlay district.

E. Principally Permitted Uses

Within the MUOD a building and /or land area may have any of the following uses with an approved site plan prepared by a certified design professional (CDP) licensed by the Commonwealth of Virginia. Any of the principally permitted and/or accessory permitted uses may occur within the same building.

1. Accessory Apartment;
2. Arts and Crafts Studio/Galleries;
3. Business service establishments;
4. Child-care centers and family day-care homes – including adult day-care;
5. Contractor office/showroom;
6. Consignment shops;
7. Dwellings, multi-family; (including apartments);
8. Dwellings, single-family;
9. Educational service establishments;
10. Financial service establishments;
11. Furniture repair/upholstery establishments
12. Group homes as provided in the Code of Virginia, 1950 as amended;
13. Home occupations;
14. Live-work units;
15. Lodging establishments;
16. Microbrewery/Winery establishments;
17. Personal Service establishments;
18. Photographic and Portrait Studios;
19. Places of Worship;
20. Professional offices;
21. Public facilities/utilities;
22. Restaurants;
23. Specialty retail establishments;
24. Shoe Repair;

F. Accessory Uses – Within the MUOD a building and /or land area may have any of the following accessory uses with an approved site plan prepared by a certified design professional (CDP) licensed by the Commonwealth of Virginia.

1. Accessory building;
2. HAM Radio;
3. Home Gardens;

4. Walk-in-freezer;
5. Wayside Stand;

G. Conditional Uses - Within the MUOD a building and /or land area may have any of the following accessory uses with an approved conditional use permit approved by the Town Council. Followed by an approved site plan prepared by a certified design professional (CDP) licensed by the Commonwealth of Virginia.

1. Drive through isle/window;
2. Home Enterprise;
3. To construct a building taller than thirty-five (35) feet;
4. To construct an addition to an existing building which extends the existing building to over thirty-five (35) feet in height;
5. To reduce required parking by more than 10%.

H. Performance Standards

1. Expansions: Existing principal structure's footprint may be expanded by 50%. An accessory structure's footprint may be expanded by 40% provided the total square footage of the accessory structure does not exceed 50% of the principal structure. Accessory structures shall be one (1) foot less in height than the principal structure provided the total height of the accessory structure does not exceed thirty (30) feet.
2. Building Orientation: All primary structures shall face the front of the lot on which they are located. No loading docks, overhead service doors, or trash collection bins may be placed on or adjacent to any facade which faces a public street.
3. Outdoor Storage, Truck Dock, Mechanical Equipment, and Waste Containers: Outdoor storage of unfinished products or supplies shall be prohibited. All outdoor storage of finished products and materials for sale, all trash and recycling containers and materials, all truck docks, and all mechanical equipment shall be completely enclosed and screened from view.
4. Stored materials, seasonal and other outdoor sales areas, mechanical equipment, and waste containers: When located on the ground shall be enclosed by a fence or wall constructed of like materials as the primary structure on the lot.
 - a. The enclosure shall not exceed eight (8) feet in height.
 - b. No stored products or waste containers or materials may exceed the height of the enclosure.

- c. An opaque wooden gate; if painted, the color shall be consistent with the main color(s) of the primary structure on the lot shall.
 - i. Mechanical equipment located on the roof shall be screened by a parapet or other building feature.
 - ii. No area for the storage of waste materials shall be located within twenty (20) feet of any public street right-of-way, public sidewalk, or internal pedestrian way.
 - iii. All truck docks shall be screened from view from all public areas, including parking lots and adjacent public streets. The screening enclosure shall consist of a fence or walls constructed of like material as the exterior of the primary structure on the lot and have landscaping along the exterior side of the fence or wall. The materials permitted are as follows: wood, vinyl, and masonry.
- 5. *Building Materials:* The primary building material for all facades facing public streets shall be brick, natural or cut stone, pre-cast concrete, on-site tilt up concrete panels, vinyl siding, wood siding, concrete siding or any material with a stucco type finish or a masonry material (brick, stone, etc.).
- 6. *Roofs:* Roofs shall be a gable design with slopes between 15 and 45 degrees. Sloped roofs shall either be of standing seam metal or dimensional shingles.
- 7. *Architectural Design:* Shall be consistent and harmonious with principle structure, the surrounding community and the Windsor adopted design guidelines for mixed use buildings.
- 8. *Landscaping:* Landscaping and screening shall be provided around the perimeter of all parking areas which has ten (10) or more required parking spaces.
 - a. The screening shall be located within five (5) feet of the edge of the parking area and shall provide screening at least four (4) feet in height for at least seventy-five (75) percent of the perimeter of the parking area.
 - b. Screening shall consist of either a row of evergreen shrubs or a combination of mounding, ground covers and shrubs.
 - i. If only shrubs are used, they shall measure a minimum of twenty-four (24) inches in height from ground level at the time of planting and be placed five (5) feet on center.
 - ii. If landscape mounding is also used, it shall undulate between the heights of two (2) and four (4) feet from ground level. Shrubs shall be planted on the mound at a ratio of one (1) shrub for every fifteen (15) horizontal feet of the mound.

- iii. The shrubs on the mound shall measure a minimum of eighteen (18) inches in height from ground level at the time of planting and may be placed in an irregular, natural pattern.
- iv. From twelve (12) feet above final grade trees may be up-limbed to permit visibility of business and for traffic safety. Topping of trees requires a zoning permit from the Town of Windsor.
- v. No tree can be removed from the site without a permit from the Town of Windsor.

9. Lighting: Lighting on each lot shall be designed to reduce light pollution while providing the maximum light necessary for security and safe pedestrian and vehicle traffic movements.

- a. Lighting shall not exceed 0.5 foot-candle at the property line and shall be demonstrated on the site plan accordingly.
- b. Light poles in vehicle use areas shall not exceed twenty (20) feet in height. All lighting shall be Metal Halide and have ninety (90) degree cutoff luminaires (shielded down lighting). The source of the light (the bulb) shall not be visible from the public right-of-way. In the case of the use of a canopy, the light source shall be recessed into the canopy.
- c. Lights illuminating structures and sidewalks shall be Metal Halide and have ninety (90) degree cut-off luminaries (shielded down lighting).
- d. Spot lights and those which face upwards to illuminate building facades are prohibited.

10. Entrance Drives: Entrance drives accessing lots from an arterial or collector road may be located no closer than two-hundred (200) feet from any other entrance drive on the same side of the public road, or five hundred (500) feet from any intersection of two public road rights-of-way. All entrances shall be defined with curb and gutter or other structures approved by the Director of Planning and Community Development which prevent open access across the entire frontage of the property from the public right-of-way. Interior driveways passing through front, side or rear yards shall be parallel to public roads and be designed and constructed to stub into adjacent properties and included in cross access easement agreements. Such agreements shall be recorded in the Isle of Wight Courthouse Office of the Circuit Court Clerk as an addendum to the deed(s) of the subject property(s). A copy of the recorded document shall be supplied the Town prior to the issuance of a Certificate of Occupancy (CO).

11. Shared Parking: Parking areas restricted to patrons of the business located on each specific lot shall be prohibited. Nothing in this section shall be interpreted as restricting the designation of employee, delivery, pick-up, or handicap parking areas.

12. Parking Location: Required parking may be reduced by a maximum of ten (10%) without a conditional use. A maximum number of ten (10), of the required parking spaces, may be provided between the front facade of the primary structure and the abutting public street/right-of way. All other parking shall be in rear or side yards. Parking in excess of required parking shall be designed using pervious pavers.
13. Pedestrian Walkways: Pedestrian walkways shall be provided across the frontage of all lots, connecting the lot, the primary structure, and parking areas to each other and with adjacent properties. Sidewalks shall also be provided along the full length of all facades which include a customer entrance and/or are adjacent to a parking area.
- a. Walkways shall be concrete or other dustless surface (i.e. pavers, asphalt, etc.) and shall meet American Disabilities Act (ADA) guidelines as to minimum width, grade and slope.
 - b. Walkways parallel to parking lots and interior drives shall be separated from such areas by a curbed landscaped area or other structures measuring a minimum of 5 feet in width or such areas may be stripped in accordance with Virginia Department of Transportation (VDOT) requirements.
 - c. Walkways through vehicle use areas shall be of a paving material different from that of the vehicle use area.
 - d. Walkways along the facades of the primary structure may be separated from the building by a landscape area which is a minimum of 5 feet in width.
 - e. A covenant to build the walkway at a future specific time may be accepted by the Director of Planning and Community Development if the Director finds in writing that, (1) there are no adjoining walkways, (2) there is little prospect for adjacent development, and (3) there are no special land uses in the vicinity such as schools, which would benefit from the walkway. The covenant shall contain at the minimum the promise of the landowner to construct the walkway according to the VDOT Standards within one (1) year of the Certificate of Occupancy (CO) being issued, or the covenant may be in the form of a deed of dedication for an easement for the walkway along the street along with a fee in lieu of actual construction. The fee will be addressed at time of site plan approval. The covenant shall be recorded in the Isle of Wight Office of the Circuit Court Clerk as an addendum to the property's deed. A copy of the recorded document shall be supplied to the Town prior to the issuance of a CO.

14. Setbacks - The setbacks for new structures or expansions of existing structures, accessory structures and parking areas shall be reduced as shown in the table below (all distances in feet):

Structure Types Setback Types	Principal		Accessory*		Parking Areas	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Front	30	40	NA	NA	7.5	15
Side	7.5	15	2.5	5	5	10
Rear	12	25	2.5	5	5	10

*Note: Shall be located in side or rear yard areas

15. Drainage & Storm water - Open swell ditches across the front of properties are prohibited. Use of curb and gutter system shall be used across frontage of property. Use of low impact development techniques required for the rest of the site. Low impact development may include bio-retention, water gardens, rain barrels and similar methods as approved by the Department of Environmental Quality (DEQ). The impervious ratio shall not exceed 16% of total site square footage without mitigation.

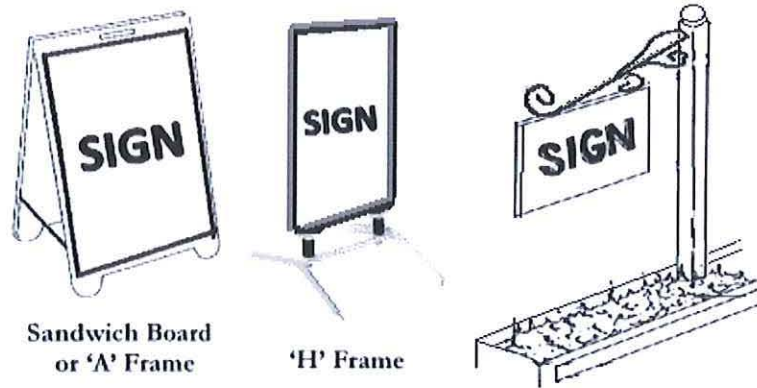
16. Signage - An integrated, coordinated signage system at both pedestrian and vehicular scales will contribute to the overall image of the community; bringing clear directions and information to pedestrians and drivers alike. These signage requirements outline the following elements of a successful signage system. In addition to other signs permitted, businesses located within the MUOD may use the following types of signage provided the sum of all sign square footage does not exceed fifteen (15%) of the sign square footage permitted by that use/district.

a. Hierarchy of Sign Types: Signs within a sign hierarchy system shall be unobtrusive in size and color and shall complement the character of the architecture. This hierarchy of elements is to be developed as part of an overall sequence. Signs of similar hierarchical rank shall be consistent and uniform and appropriate in size to their purpose. The sequence shall begin upon entering the development and follows with drop-off and parking locations, and then on to specific building, office, or tourist destinations. Where possible, signage shall be presented in groupings in order to minimize individual free standing or pole signs. It is important to provide information in small amounts and with brevity, the fewest possible words, and a clear message.

b. Permitted Signs & Designs:

- i. Sandwich Board & Hanging Signs - An individual property may be permitted one (1) secondary freestanding sign in addition to any primary freestanding sign as specified below:
1. Such signs shall not be illuminated
 2. Such signs shall be removed at the end of each day
 3. No permit is required for such signs

4. Maximum size of such signs shall only be four (4) square feet.
5. Maximum height of such signs shall only be four (4) feet.
6. Such signs shall not block pedestrian walkways or block views at entrance driveways.

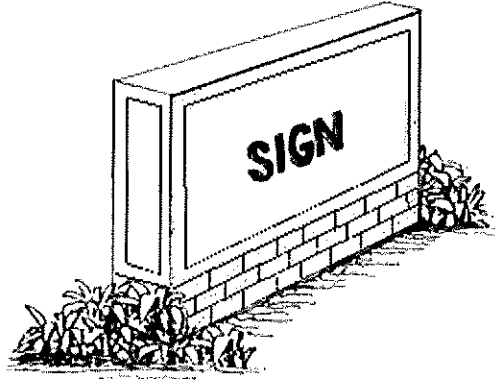


- ii. Canopy/Awning Sign- additionally an individual property may be permitted one (1) canopy/awning sign in addition to the primary sign
 1. Any lettering and/or images comprising the sign area on an awning or canopy shall be located on the face of the awning or canopy, parallel to the building.
 2. Internal illumination is not permitted on canopy/awning signs.



- iii. Monument Signs - Each building shall have a monument sign as its primary ground sign. Such signs shall be constructed with a masonry base and/or supporting structure. The materials used shall reflect the architecture of the principal structure(s) on the property.
 1. Monument signs shall not exceed thirty-two (32) square feet in area and may be internally illuminated.

2. Such signs shall not exceed eight (8) feet in height. The masonry base shall not exceed two (2) feet in height and is not part of the eight (8) foot height limit.
3. A planting bed of at least one (1) foot in width shall surround the masonry base.



160-60 Area and Density Regulations

A. Chart of Area & Density Regulations

R-1 Residential District and Mixed Use Overlay Districts (MUOD)
(R-1 and MUOD shall have the same area and density regulations.)

160-64 Off-Street Parking

D. General Parking Space Requirements for all Districts by Use.....

1. In the Mixed Use Overlay District parking shall be lowered by ten percent (10%) of the required parking by use and no more than ten (10) spaces of the required parking shall be located between the front façade of the principal structure and the public right-of-way.
2. All parking areas shall be paved with concrete, asphalt or tar and chip surface treatment.
3. Pot holes in parking areas, demarcation of spaces and other general maintenance of parking areas shall be performed at least once in every calendar year.

160-12 Specific Definitions

- Accessory Apartment – A complete and separate housekeeping unit within, attached to or accessory to a single family home. Such units have a kitchen, bathroom, sleeping facilities and entrances separate from and independent of the principal structure to which it is an accessory use.
- Arts and Crafts Studio/Gallery: Any establishment where skilled manual labor is applied to raw material or semi-finished material to create or manufacture artistic merchandise for sale to the public or resale including but not limited to art galleries, woodworking shops, ceramics, metal smiths, and pottery. Such establishments may provide rental or instructional services associated with the creation of such products.
- Business Service Establishment: Any establishment where the primary occupation is the provision of services or supplies principally to the business, commercial, industrial, or institutional community. Such services may include printing, copying, sign making, faxing, and similar types of services.
- Educational Services – Any establishment public or private which provides various types of educational instruction and training which includes trade schools, colleges, and universities.
- Financial Institution/Service Establishment: Any establishment, to include an unmanned bank teller machine(s), wherein the primary purpose is concerned with such state regulated businesses such as banks, savings and loans, loan companies, mortgage companies, and investment companies.
- Habitable Space – Any space within a building used for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas, as determined by the Director of Planning and Community Development, are not considered habitable spaces.
- Home Enterprise – An occupation conducted in a dwelling unit, with or without the use of one or more accessory structures, for profit, in connection with, there are employed not more than five (5) persons other than members of the immediate family residing on the premises, which persons may be in addition to family members. Parking for motor vehicles shall be to the rear or side of the primary structure and screened from view.
- HAM/Amateur Radio - describes the use of radio frequency spectra for purposes of non-commercial exchange of messages, wireless experimentation, self-training, private recreation and emergency communication.

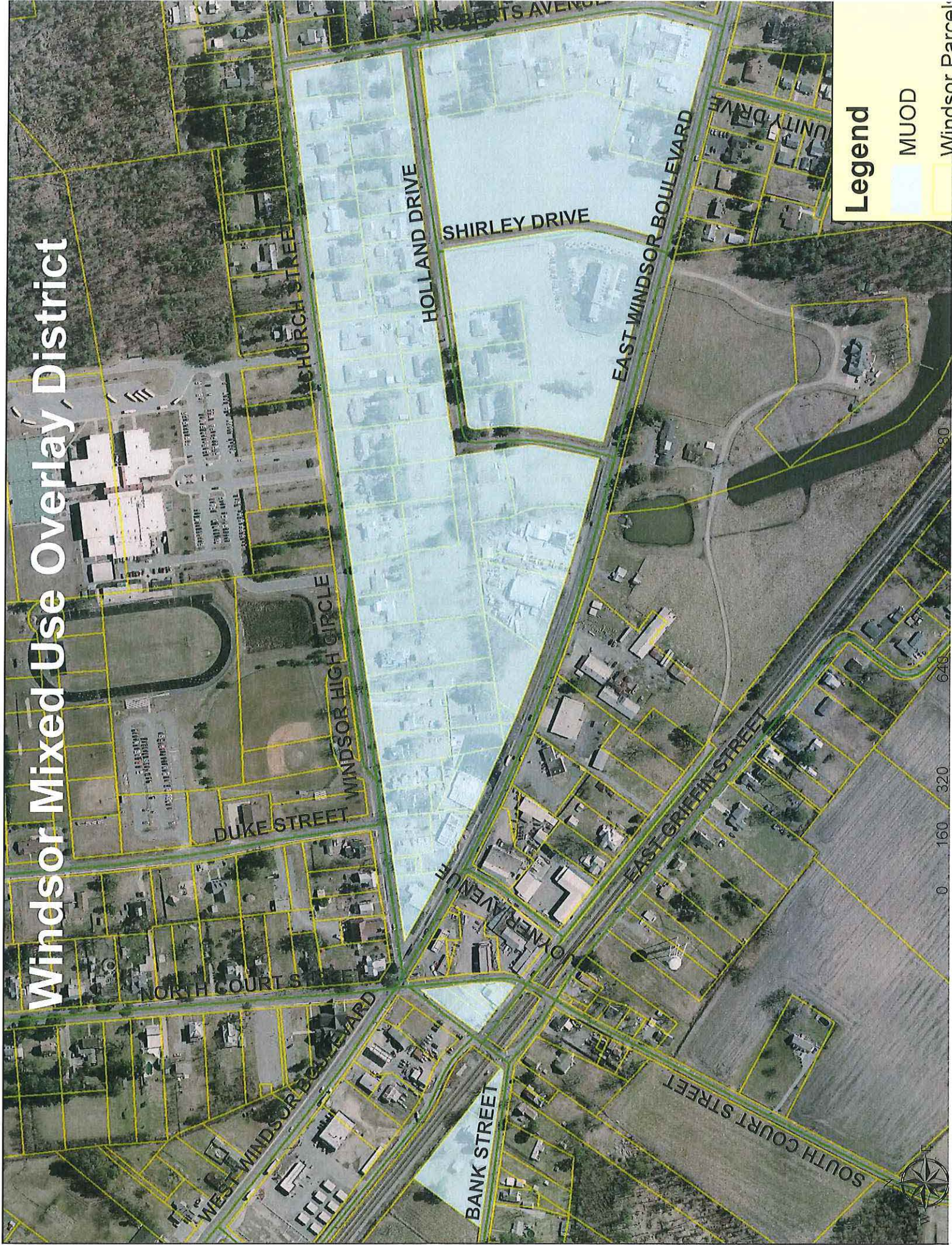
- Home for Adults – Any facility other than a nursing home or a rehabilitation center, providing part time or full time care to three (3) or more aged, infirm, or disabled adults. This includes adult day-care facilities. Persons related by blood or marriage to the operator of the facility shall not be counted.
- Live/Work Units: Single family attached or detached dwellings which are located within residential and commercial districts where artists, photographers, and professionals occupy joint living and working quarters. Typically the first floor is reserved for the commercial enterprise with living quarters above. An accessory building cannot be used for a live work unit. The maximum number of such structures that may be attached shall not exceed four (4) units.
- Lodging Establishments - A single building or group of attached or detached buildings containing any combination of three or more lodging or guest units, which may have individual bathrooms, intended primarily for rental or lease to transients by the day or week. However, such guests shall not abide more than 30 consecutive days in a calendar year nor shall such a building be used for permanent housing for such guests. Typically these types of establishments are hotels, motels, and bed and breakfasts. Rooming houses are specifically excluded from this use category.
- Microbrewery Establishments - An establishment where beer or wine is made on the premises and then sold or distributed, and which produces between 501-10,000 barrels/crates of beer/wine per year. Microbreweries sell to the public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and directly to the consumer.
- Personal Service Establishments: An establishment which principally provides the provision of frequent or recurrent needed services of a personal nature, typically services include: barber shops, beauty salons, tanning salons, nail salons, day spas, tailor shops, shoe repair shops, dry cleaners, wig shops, pet grooming, and similar establishments.
- Photographic and Portrait Studios – Any establishment where professional photographers using film or similar media (including video) take pictures and/or create portraits of people and process the media to produce images that are sold to the individual clients.
- Professional Office - A room, studio, suite or building in which an individual transacts their business or carries on an occupation, such as correspondence, research, editing, administration or analysis, engineers, urban planners, landscape architects, architects, land surveyors, artists, musicians, lawyers, accountants, real estate brokers, insurance agents, dentists, physicians, or other medical providers, conduct

of a business by salesman, sales representatives or manufacturer's representatives. For the purpose of this Ordinance, a professional office shall not involve veterinarians or animal clinics, manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair or storage of material, goods and products; or the sale and delivery of any materials, goods and products; which are physically located on the premises.

- Public Facilities/Utilities - Any facility/utility exclusively for public purposes without references to the ownership of the building, structures or property upon which it is situated by any department or branch of the federal government, Commonwealth of Virginia, or Isle of Wight County or Town of Windsor, or the Isle of Wight School Board when such uses are implemented under the direct authority of the appropriate governing body. Public facilities shall include but not be limited to: electric utilities, gas utilities, libraries, schools, administrative offices, water/sewer lines and pump stations, police, fire and rescue facilities.
- Specialty Retail Establishment: Any establishment where the display and sale of merchandise at retail is offered to the general public which may include compounding pharmacy, newsstand, candy shop, bakery shop, shoe shop, dry cleaner, jewelry shop, dry good and notion, florist, clothing shop, consignment shop, and antique/gift shop and similar types of specialty retail.
- Setback - The minimum distance by which any building structure must be separated from the front, rear, or side lot line. All setbacks shall be measured from the exterior wall of the foundation.
- Walk-in Freezer: An accessory use that is a large commercial refrigerated space often found in or associated with supermarkets and restaurants.
- Kitchen, complete: a room within a dwelling unit containing a stove/range along with any combination of the following appliances; refrigerator, dishwasher, freezer, garbage disposal, or microwave.
- Overhang Projections into Setbacks: Architectural features such as eaves, roof forms, dormers, bays, chimneys, trim and details of building façade, cantilevers, belt courses, balconies, mechanical equipment, leaders, sills, stairs, steps, stoops, church steeples/spires, cupola, weather vanes, parapet walls used to screen roof top mounted HVAC equipment and handicapped ramps shall be effectively utilized to maintain a scale consistent with neighboring structures. These features shall be exempt from setback and height regulations provided that the projection(s) do not project into any required yard more than twenty (20 feet).

- ~~OVERHANG~~Projections in Setbacks: Any projection, roof, bay, window, or similar cantilevered construction, which extends beyond the foundation of a structure. which extends beyond the foundation of a structure. No such construction shall project into any required yard more than two feet, and no such projection shall have a vertical surface the area of which is more than 25% of the total area obtained by multiplying the mean height of the structure by the length of the structure along the side in question.
- Upholstery/Furniture Repair Establishment – Any establishment where upholstery is performed on furniture with padding springs, webbing, and fabric or leather covers. The term is equally applicable to domestic, automobile, and boat furniture. Minor repairs to household furniture and refinishing are also included as part of this establishment.

Windsor Mixed Use Overlay District



Legend

MUOD

Windsor Parcel



0 160 320 640 980

PLANNING & COMMUNITY DEVELOPMENT STAFF REPORT	
PROJECT NAME: Division of Town into Districts	PC Meeting Date: 1-16-2018
Case Number: ZTA-4-2018	Applicant: Town of Windosr
Project Status:	Owner: NA
<input type="checkbox"/> Preliminary Sketch <input type="checkbox"/> Conditional Use	Location: NA
<input type="checkbox"/> Preliminary Plat Rezoning	Voting District: NA
<input type="checkbox"/> Final Plat <input type="checkbox"/> Concept Plan	Parcel Number: NA
<input type="checkbox"/> Final Plat <input type="checkbox"/>	Total Site Area: NA
<input type="checkbox"/> Vacation <input checked="" type="checkbox"/> Text Amendment	Site Area Developed: NA
Existing Structures: NA	CBPA: RPA
Flood Hazard: Zone X	Additional Site Data: NA
Current Zoning: NA	
Action Request: Approval	
	Staff: G. Mitchell Date: 1-16-2018

Prior Actions / Case History

Re-zonings: NA
Conditional Use Permit: NA
Variances: NA
Subdivisions: NA
Other Data: NA

INTRODUCTION:

In each district of the land development ordinance, is a brief introduction or statement of intent for the district. Staff has taken that language and placed it in the section 160-37 where the districts are listed. Additionally, using section 160-60 staff has inserted the density as outlined in the ordinance. Also, where appropriate such as in commercial or industrial districts staff has inserted a floor area ratio (FAR) which adds some required open space on parcels in these districts. This is especially important as we move to be consistent with the Bay act and other environmental programs mandated by the Commonwealth. There is a paper attached explaining FAR.

ANALYSIS

This text amendment summarizes the intent and purpose of each district while also specifying densities and floor area ratios of each zoning district in a single location make the use of the ordinance more efficient and its administration more straight forward and clear. Specifically the FAR is a planning tool the express the intensity of non-residential land uses. FAR lessens the environmental impacts of a proposed development project. FAR is used as an analytical tool for projecting the impact of different land uses and development intensity scenarios.

RECOMMENDATION

To forward this text amendment to the Town Council with a favorable recommendation (see attached paper).

WHAT IS FAR?

Floor area ratio (FAR) is the measurement of a building's floor area in relation to the size of the lot/parcel that the building is located on. FAR is expressed as a decimal number, and is derived by dividing the total area of the building by the total area of the parcel (building area ÷ lot area). FAR is an effective way to calculate the bulk or mass of building volume on a development site, and is often used in conjunction with other development standards such as building heights, lot coverage and lot area to encourage a community's desired arrangement and form of development. In this context, higher FARs indicate greater building volume.

PURPOSE AND ROLE IN PLANNING

FAR is most often used to express development intensity of non-residential land uses, and integrated into a community's zoning and other land development controls. FAR can be used to either limit the intensity of land use to lessen the environmental impacts of development or to control the mass and scale of development. In addition, by referencing characteristics for a given land use such as number of employees and number of vehicle or transit trips per square foot of building space, FARs can estimate the potential impact of a proposed development scenario. FAR is sometimes used as an analytical tool for projecting the impact of different land use and development intensity scenarios.

HOW TO CALCULATE FAR

Typically, FAR is calculated by dividing the gross floor area of a building(s) by the total buildable area of the piece of land upon which it is built. Your community may choose to measure floor area and land area differently based upon local standards, policies, and other conditions. However, to calculate FAR using gross floor area and buildable land area, take the following steps:

- STEP 1.** Determine the total BUILDABLE LAND AREA, in terms of square feet, for the site. Buildable land area is that portion of a development site where construction can legally and reasonably occur – so public streets and rights-of way, wetlands and watercourses, and other constraints would not be included.
$$\text{Buildable Land Area (B)} = (\text{Parcel Width} \times \text{Parcel Depth}) - \text{Square feet of undevelopable land (if applicable)}$$
- STEP 2.** Determine the FLOOR AREA of each story of the building. Calculate the area of each story (floor) of the building, typically measured between the exterior walls. Those portions of each story above the ground surface prior to any manipulation or grading are usually included in the calculation.
- STEP 3.** Determine the GROSS FLOOR AREA of the Building. Gross floor area is the sum of the floor area of each story.
$$\text{Gross Floor Area (G)} = \text{Floor Area of 1st Story} + \text{Floor Area of 2nd Story} \dots \text{ for all floors above the ground}$$
- STEP 4.** Calculate the FLOOR AREA RATIO. Divide the GROSS FLOOR AREA by the BUILDABLE LAND AREA. The result is the Floor Area Ratio (FAR).
$$\text{Floor Area Ratio (FAR)} = (G)/(B)$$

FAR ILLUSTRATED

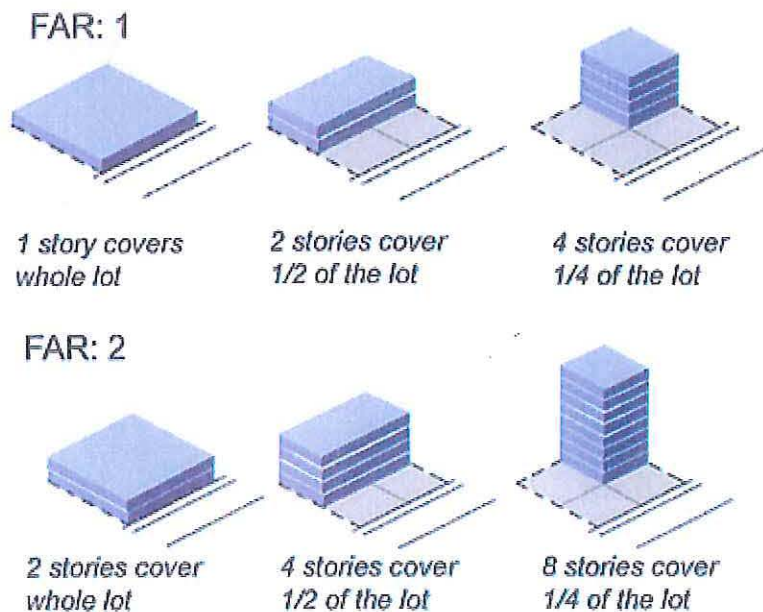


Figure 1. FAR Illustration (Image Credit: Julia Campoli, Visualizing Density)

EXAMPLE: Calculating FAR

A development company is planning to build a two-story building on a rectangular parcel that has 100 feet of street frontage and 200 feet of depth. The first story measures 50 feet by 200 feet, and the second story measures 50 feet by 200 feet. There are no public rights-of-way, or other exceptional development limitations on the parcel.

Step 1. Determine the total BUILDABLE LAND AREA for the site.

$$(B) = (\text{Parcel Width} \times \text{Parcel Depth})$$

$$(B) = 100 \text{ ft.} \times 200 \text{ ft.}$$

$$(B) = 20,000 \text{ ft}^2$$

Step 2. Determine the FLOOR AREA of each story of the building.

$$\text{Story 1 Floor Area} = 50 \text{ ft.} \times 200 \text{ ft.} = 10,000 \text{ ft}^2$$

$$\text{Story 2 Floor Area} = 50 \text{ ft.} \times 200 \text{ ft.} = 10,000 \text{ ft}^2$$

Step 3. Determine the GROSS FLOOR AREA of the Building.

$$(G) = 10,000 \text{ ft}^2 + 10,000 \text{ ft}^2 = 20,000 \text{ ft}^2$$

Step 4. Calculate the FLOOR AREA RATIO.

$$\text{FAR} = G/B$$

$$\text{FAR} = 20,000 \text{ ft}^2 / 20,000 \text{ ft}^2 = 1.0$$

June 2015

Section 160-37 Division of Town into Districts

ZA-4-2017 – Description and Intent of the Town’s zoning districts including density and/or Floor Area Ratio (FAR) requirements. The density numbers are based on specifications in Section 160-60 of the ordinance. The statement of intent and description is taken from the various sections of the ordinance. The Floor Area Ratio (FAR) is based upon this same section(s) of the ordinance and accepted standards.

FAR is the measurement of the buildings floor area in relation to the size of the parcel. It is derived by dividing the total area of the building by the total area of the lot. The larger the FAR, the larger the building- It is used to establish open space standards (see attachment).

<u>R-1</u>	<u>Single Family Residential (R-1) - The intent of the R-1 Residential District is to encourage residential neighborhoods and to stabilize and protect the essential character of such neighborhoods. The regulations for the district tend to protect against encroachment of commercial, industrial, and other uses likely to generate noise, crowds, and concentrations of traffic, light, dust, odors, smoke, or other obnoxious influences. No abandoned vehicles are permitted. Farm animals are prohibited. The maximum density is 2.9 dwelling units per acre.</u>
<u>LDR</u>	<u>Low-Density Residential - (Formerly the R-4 Low Density Residential District). The intent of the LDR District is to provide a certain area of land with the necessary zoning to provide development opportunities for less dense residential housing. The primary use of the district is to provide a transition district from the more rural uses in the nearby areas of Isle of Wight County and the higher density uses in the core of the Town of Windsor. The maximum density is 0.719 dwelling units per acre.</u>
<u>MHP</u>	<u>Manufactured Home Park (MHP) - The intent of the MHP District is to allow for the use of manufactured homes within areas of the Town to provide affordable housing for the citizens of the Town of Windsor. The manufactured home parks are to be compatible or must be made compatible with adjacent land uses. The maximum density is 5.8 dwelling units per acre.</u>
<u>HDR</u>	<u>High Density Residential District (HDR) - The intent of the HDR District is to allow the development of multifamily/townhouse housing alternatives within the Town boundaries. The maximum density is 5 dwelling units per acre and be increased to 10 dwelling units per acre via a Conditional Use Permit.</u>
<u>PD</u>	<u>Planned Development - The intent of the Planned Unit Development District is to encourage a mixture of compatible residential, commercial and industrial uses in a unified fashion to create vibrant communities and neighborhoods. Maximum flexibility is encouraged in the planning and implementation stages of such PUD’s. Because of the high degree of flexibility, such developments are</u>

	<p>encouraged to proffer a maximum degree of detail as to the location, type, size and compatibility of the various activities and uses. The maximum density is 8.17 dwelling units an acre and a FAR of 0.5 for non-residential use.</p>
<u>A-1</u>	<p><u>General Agricultural - There are within the Town of Windsor certain lands used for farming and/or the raising of certain types of livestock; and since land is kept from urban development by these uses; and since the conservation of such land as open rural area is deemed desirable and needed, this district is established to identify these lands and to distinguish them from urbanized single-family residential districts. The district is established to separate distinctly different uses to promote the general health, safety, and welfare of both the occupants of this district and of other districts within the Town of Windsor. The maximum density is 0.2 dwelling units per acre.</u></p>
<u>C-1</u>	<p><u>This Conservation district is established to protect environmentally fragile or significant areas. The specific purpose of this district is to prevent water pollution, control areas prone to soil erosion, protect watersheds, wetlands and forests, and to reduce the hazards associated with floods and fire. These areas are characterized by various open space uses such as forests, farmlands, wetlands, water bodies, parks and recreation areas. Uses which are not consistent with the existing character of these areas are not permitted. Generally, subdivisions of land within the Conservation district shall be discouraged. No dwelling units of any type shall be permitted. The FAR is 0.25.</u></p>
<u>P</u>	<p><u>Public - The public district is for the purpose of providing appropriate locations for public facilities such as offices and schools. Often these types of land uses are needed to be placed within residential areas. Therefore, great care should be exercised in determining the appropriate location of Public Districts. The FAR is 0.5.</u></p>
<u>B-1</u>	<p><u>General Business - This district covers that portion of the Town intended for the conduct of general business to which the public requires direct and frequent access, but which is not characterized either by constant heavy trucking other than stocking and delivery of light retail goods, or by any nuisance factors other than occasioned by incidental light and noise of congregation of people and passenger vehicles. This includes such uses as retail stores, banks, theaters, business offices, newspaper offices, restaurants, taverns, garages, and service stations. The FAR is 0.5.</u></p>
<u>MUOD</u>	<p><u>Mixed Use Overlay District - The intent of the overlay is to provide for the maximum flexibility in the meshing of compatible land uses and spur revitalization of the area known as Old Town Windsor. This includes mixed use buildings offering affordable apartments and dwellings on upper floors while allowing for more commercial and office space on the lower floor. The FAR is 0.5 with the average of 6 units per acre.</u></p>

<u>B-2</u>	<u>Restricted Business - The intent of the Restricted Business District B-2 is to provide the same land use opportunities as those in the General Business District B-1 while preserving the residential flavor of residential neighborhoods that are in transition to business usage. All open spaces shall be controlled in such a manner that it will not be a detriment to the adjoining residential property or to the neighborhood in general. The FAR is 0.5.</u>
<u>M-1</u>	<u>General Industrial - The primary purpose of this district is to establish an area where the primary use of land is for industrial uses. These uses may create some noise, dust or other nuisances and may not be compatible with residential, institutional, and commercial service establishments. The maximum density is 6.22 units per acre with a FAR of 0.25.</u>
<u>FLOD</u>	<u>Flood Plain Overlay District – The intent of this chapter is to: Promote general health, welfare, and safety of the community; encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future; minimize danger to the public health, safety by protecting water supply, sanitary sewage and natural drainage; reduce financial burdens imposed on the community, its governmental units, and its resident by preventing the unwise design and construction of development in areas subject to flooding.</u>
<u>CBOD</u>	<u>Chesapeake Bay Overlay District - This section is enacted to implement Chapter 10.1-2100 of the Code of Virginia, 1950 as amended with the purpose of the overlay district to: protect the existing high-quality state waters; restore all other state to a condition or quality that will permit all reasonable public uses and will support the propagation and growth of all aquatic life, which might be reasonably expected to inhabit them; safeguard clear waters of the Commonwealth from pollution; prevent increase in pollution; and promote water resource conservation in order to provide for the health, safety, and welfare of present and future citizens of the Town of Windsor. There is no specified density or floor area ratio in this district.</u>

These last 2 districts and the C-1 District will be added to the ordinance in the coming month but are provided here for consistency.

	R-1 Single-Family Residential
	LDR Low-Density Residential

	MHP Manufactured Home Park
	HDR High Density Residential District
	O-R Office-Residential
	PUD Planned Unit Development
	A-1 General Agricultural
	P-Public

PLANNING COMMISSION PAPER

AT THE REGULAR MEETING HELD, WEDNESDAY, JANUARY 24, 2018 AT THE WINDSOR MUNICIPAL CENTER

The ordinance amendment adds Section 160-37 Division of Town into Districts by adding a brief description and statement of intent along with density and/or Floor Area Ratio requirements for each district. Whereas, the Windsor Planning Commission finds that public necessity, convenience, general welfare and good zoning practice would be served by the recommending approval of Zoning Text Amendment 4-2018, aka 2018 ZTA-4-2018;

And,

Now, therefore be it resolved that the Windsor Planning Commission hereby recommends approval/table/denial (**Please select one of these 3 terms when acting on the text amendment**) of Zoning Text Amendment 4-2018, aka ZTA-4-2018 and forwards the amendment to the Town Council with a favorable/unfavorable recommendation in accordance with §15.2-2200 of the Code of Virginia, 1950 as amended.

MOVED BY: _____ **SECONDED BY:** _____

	AYE	NAY		AYE	NAY
MR. BROWN	_____	_____	MR. LYNCH	_____	_____
MS. WILLIAMS	_____	_____	MR. WILLIS	_____	_____
MR. EDWARDS	_____	_____	MR. STUBBS	_____	_____
MR. MARSHALL	_____	_____			

ADOPTED BY _____ or TABLED FOR _____