

**TOWN OF WINDSOR
PLANNING COMMISSION
TOWN COUNCIL CHAMBER
8 EAST WINDSOR BOULEVARD
WINDSOR VIRGINIA**

**REGULAR MEETING AGENDA
WEDNESDAY JULY 22, 2015
7:00 p.m.***

1. **CALL TO ORDER**
 - A) **WELCOME - Call to Order**

 - B) **ROLL CALL**

2. **MINUTES - APPROVAL OF MINUTES OF THE JUNE 24, 2015 REGULAR MEETING (1)**

3. **PUBLIC HEARING ON THE DRAFT LAND DEVELOPMENT ORDINANCE (2)**

4. **UPDATE ON THE STATUS OF THE REVISED U.S ROUTE 460 BYPASS PROJECT**

5. **REPORT FROM THE TOWN ATTORNEY**

6. **REPORT FROM ECONOMIC DEVELOPMENT AUTHORITY**

7. **PLANNING AND ZONING STAFF REPORT FOR FY 2014-2015 (3)**

8. **DISCUSSION ON SETTING OF WORK-SESSION ON THE COMPREHENSIVE PLAN**

9. **NEXT REGULAR MEETING - AUGUST 26, 2015**

10. **MOTION TO ADJOURN**

* Please try to arrive earlier so that group and individual Planning Commission photographs can be done prior to the meeting. If this is not possible, they will be done immediately after the meeting, so dress accordingly.

MINUTES OF THE PLANNING COMMISSION – WINDSOR, VIRGINIA

The Planning Commission met on Wednesday, June 24, 2015 at 6:00 p.m. in the Town of Windsor Council Chamber. Chairman Bennie Brown called the meeting to order, and welcomed all who were present. Dennis Carney, Planning and Zoning Administrator, recorded the minutes due to the Town Clerk, Terry Whitehead, being absent because of an illness in her family. Mr. Carney called the roll.

Planning Commission members present: Bennie Brown, Chairman
N. Macon Edwards, III
Mike Jones
Leonard L. Marshall, Jr.
George Stubbs

Planning Commission members absent: Debra D. Hicks
Glyn Willis

ELECTION OF OFFICERS

Chairman Brown said that according to the Planning Commission's by-laws, the Commissioners are required to nominate and elect a Chairman and Vice Chairman for the Planning Commission at this meeting. He opened the floor for nominations. Commissioner Edwards nominated Commissioner Brown for Chairman and Commissioner Marshall for Vice Chairman. Commissioner Stubbs closed the nominations. Because there being no other nominations, the Commission approved the nominations by acclamation.

MINUTES

Chairman Brown asked if there were any amendments to the minutes of the May 27, 2015 regular Planning Commission meeting. There being none, Commissioner 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.

UPDATE ON LAND DEVELOPMENT ORDINANCE

Mr. Carney reported that the revised Draft Land Development Ordinance is very close to being ready for a public hearing. After discussion, the Planning Commission agreed to have Mr. Carney advertise for a public hearing at the July 22, 2015 Planning Commission meeting if the final review of the Draft Land Development Ordinance is completed in a timely manner.

UPDATE ON THE STATUS OF THE REVISED U.S. ROUTE 460 BYPASS PROJECT

Mr. Carney reported that Aubrey Layne, Secretary of Transportation, has stated that it will have to be determined through the recently adopted House Bill 2 (HB2) process whether the cost of building the preferred alternative could out-weigh its benefits. He said this should be determined by January, 2016. Mr. Carney stated that the Comprehensive Plan continues to be on hold until a decision has been made regarding the U.S. Route 460 Project.

Commissioner Jones reported that the Hampton Roads Regional Planning District Commission has a vacancy for Isle of Wight County on their Citizens' Transportation Advisory Board. He said he had filled this position for Isle of Wight but had to come off at the end of the second of two consecutive four-year terms because of term limits. He explained that they meet quarterly, and it is a good organization to receive information and voice opinions regarding the U.S. Route 460 Project as well other projects. He urged the Commission to look at getting someone from the Windsor area on this important committee.

REPORT FROM THE TOWN ATTORNEY

None

REPORT FROM ECONOMIC DEVELOPMENT AUTHORITY

Mr. Carney reported that Chromax, a cabinet and counter top business, will be moving into the building located at 11 East Windsor Boulevard. He also reported that Shannon Kokot, owner of M.A.M.A.S. Creative Sweets, won the "Entrepreneur of the Year" award from Isle of Wight County. Her company also was picked "Number One Chocolatier" for eastern Virginia by the Virginia Living Magazine. Mr. Carney said that the Murals Project sponsored by Girl Scout Troop 1105 has been sketched out, and the painting will begin soon. He also reported that Anytime Fitness has received their Certificate of Occupancy (CO), and the ribbon cutting will be Saturday, June 24th at 12:00 p.m.

Commissioner Stubbs reported that County Boy's Barbeque located at 20 West Windsor Boulevard has closed the restaurant portion of their business but will continue to use the building for their thriving catering business.

There was a short discussion on the closing land sale of the Southern Food stores.

PLANNING AND ZONING STAFF REPORT FOR MAY 2015

Mr. Carney gave a brief review of Planning and Zoning activities for the month of May, 2015. He explained that there were ten new zoning permits in the month. The permits were for two new homes, two temporary signs, a permanent sign, three fences, two pools, a pool deck and a home occupation for a mobile electrical repair business. One of the pool projects had to have a fence and also included the pool deck. He added that there were fifteen new violations added. Eight of these cases were for inoperative motor vehicles, three were for tall grass, one was a sign violation and two debris cases.

Commissioner Jones asked who was responsible for keeping the grass cut at the new sidewalks going down North Court Street to the ball park in Isle of Wight County. Mr. Carney said that Mr. Stallings has been working with Isle of Wight County to determine who is responsible for keeping the grass cut.

WORK SESSION ON THE COMPREHENSIVE PLAN

Mr. Carney said because of the protracted discussion of the "northern bypass" for the proposed U.S. Route 460 project, most of the Town's Comprehensive Plan is on hold. However, some of the elements of the Plan that are not affected by it can be developed now.

Mr. Carney reported that the one with the most critical possibility for success is the "Olde Towne Windsor" concept. The concept was to study the older sections of Windsor (Bank Street, Church Street and Court) and determine what steps can be taken to revitalize these neighborhoods. This month the focus is on Church Street. Mr. Carney cautioned the Commission that this was the very beginning of a lengthy process, and one work session will not adequately explore the questions that will arise. It is suggested that perhaps at a future meeting or at a separate work session that Planning Commission do a walking tour of the neighborhoods and get a feel for what needs to be done. Also, a meeting or meetings with the residents should be carried out to determine their feelings about what can be done for their neighborhoods before Planning Commission goes too far with the project.

Mr. Carney provided photographs of the current conditions of the structures on Church Street. He then proceeded through a slide-show of the houses and conditions along Church Street

As the slide show proceeded, Mr. Carney gave a narrative explaining the conditions along the street as he saw it. He noted the large front yards and how that differed from Smithfield for example where the structures are very close to the street and asked how parking could be provided given the narrow street. He also asked several questions regarding potential mixed compatible commercial/residential that might be viable for this area.

It was felt that as a beginning for a discussion, the area of such a potential district should be from Windsor Boulevard and extending no more than past to 31 Church Street because these are the larger homes and parking could be provided.

Commissioner Edwards expressed his concerns with street parking on Church Street. Commissioner Stubbs said that parking issues will have to be resolved before expansion of such a district on this street could take place. The Planning Commission discussed several possible solutions to the parking issues. They also discussed businesses being allowed among homes and permissible signage. Mr. Carney was asked to look into how Smithfield handles their Historic Downtown District.

There was general agreement that in this type of district, some offices, bed and breakfasts, antique stores if kept attractive and even certain small restaurants if kept compatible are appropriate for this type of district. Although it was that Church Street may not be as viable as Court Street given the parking questions.

Mr. Carney gave a summary of the work-session, the information on signs and street art from Smithfield, and also looked into potential parking scenarios. He also stated that he would provide other power-point presentations for Court and Bank/Griffin Streets at future meetings. He stated that the Land Development Ordinance and the more basic 2015 Comprehensive Plan would take precedence and push back on the work on the Olde Towne Plan.

ADJOURNMENT

Chairman Brown noted that the next regular meeting is scheduled for July 22, 2015.

There being no further business, Commissioner Stubbs made the motion to adjourn. Commissioner Marshall seconded the motion, and Planning Commission unanimously approved the motion as recorded on the attached chart as motion #2.

The meeting adjourned at 7:28 p.m.

Bennie Brown, Chairman

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
 RECORD OF
 PLANNING COMMISSION VOTES

Commission Meeting Date June 24, 2015

Motion #	G. Willis	M. Jones	B. Brown	N. Edwards	L. Marshall	G. Stubbs	D. Hicks
	Absent						Absent
1		Resignation					
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Dennis Carney

TOWN OF WINDSOR

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Carita J. Richardson, Mayor
Clint Bryant-Vice Mayor
Durwood V. Scott
Greg Willis
N. Macon Edwards, III
Patty Fleming
Tony Ambrose



Established 1902

Town Manager
Michael R. Stallings, Jr.

Town Clerk
Terry Whitehead

Town Attorney
Wallace W. Brittle, Jr.

July 13, 2015

Memorandum

To: Planning Commission Members

From: Dennis W. Carney, Planning and Zoning Administrator

Subject: Draft Land Development Ordinance/Draft Land Development Map for July 22, 2015 Public Hearing

ISSUE: In the Fall of 2010, the Planning Commission, began work on revising the Land Development Ordinance. It was felt that the existing Ordinance did not follow a coherent pattern because of incremental changes that had been made to it and amendments in the Code of Virginia. There followed numerous work-sessions with the Commission on changes that should be made. A joint work-session was held with Town Council in the Fall of 2011. At that meeting, Town Council agreed with the Draft Ordinance overall but some relatively minor changes were suggested as well as some wording, grammatical and punctuation questions. From that time until now, the revisions have been at the Staff level.

FACTS: Most of the changes in the Draft Land Development Ordinance have been non-substantive. Punctuation or a different wording to the original language are all that was performed. Particularly in the site-plan process and the Subdivision process, much care was given to leading to more aesthetically pleasing development and the provision where applicable by the developer of infrastructure (sidewalks, streets, etc.). The General Assembly this year amended the Board of Appeals section on variances. These changes were incorporated into the Draft Ordinance. The Commission should note that recent experiences with bee keeping have caused the decision to liberalize this land-use to be modified to restrict its use to the Low Density Residential and Agricultural Districts. The Town also adopted some storage amendments and sign amendments to the Ordinance during the period in which this was being reviewed. These also have been incorporated into the proposed Draft Ordinance.

A public hearing was actually held by the Commission on the Land Development Map and was approved by the Commission in November 2011. Although, a public hearing is advertised on this matter, there are no changes to the proposed Map (except that the

Holland Meadows is to be shown as MHP Mobile/Manufactured Home Park with Conditions. The conditions amongst others are that there will never be a manufactured home within the development.

Because several members of the Commission were not present during the formulation of the Ordinance and also as a refresher for the other members, the following synopsis of the proposed Ordinance is given.

Article I Legal Basis and General Administration: This section deals with items that pertain to the legal basis for implementing this type of Ordinance and common elements that pertain to the Ordinance in general or to both the Zoning and Subdivision sections. A major part of the section is definitions. They have been reviewed. Some were removed if they were not referenced elsewhere within the Ordinance. Others were updated or clarified. Finally some definitions were added such as Farm Animals in order to effectively implement the Ordinance. The duties and responsibilities of the various boards are described and spelled out as well as the Ordinance Amendment process. A section was added to insure that real property taxes had been paid and made up to date before the land could be rezoned, a conditional permit applied for or the land subdivided.

Article II Zoning: The Zoning section first goes through the types of uses and structures and gives the basic enabling information for the Zoning Map and the general provisions. It describes the Zoning Permit process and non-conforming lots, uses and structures. Conditional Zoning and Conditional Uses are then described.

Next, is the largest section of the Ordinance, dealing with the various zoning districts. The major change here is the renaming of the districts. R-1 remains the same, however R-2 becomes the HDR High Density Residential District and R-1-MHP becomes the MHP, R-3 becomes O-R Office-Residential because of its transitional nature, and R-4 becomes the LDR Low Density Residential District. It was felt that these titles better describe the districts rather than the previous numerical scale which was confusing because density didn't go up or down in any clear pattern. It is noted that the R1-E Residential Estate District has been removed because it hadn't been used and no properties had that zoning. The agricultural, public, business and industrial districts kept their current names.

The proposed new district is a PUD Planned Unit Development District. It is a novel approach for anyone who wishes to put in place a mixed use development (residential, commercial and/or industrial), following a basic set of design criteria, the applicant could proffer the mix of uses, their location in patterns that the Town may want. They would require much Staff work and maximum oversight by Council but could be very good projects for the Town because of the coordination with the Town's plans and wishes. There may not be many of these but they could provide the flexibility necessary to secure good mixed use developments.

For each of the Zoning Districts, an exhaustive review was given to ensure that the permitted and conditional uses were listed in a comprehensive fashion. As you are aware

in a Zoning Ordinance if it is not listed, it is generally not permitted. For this reason, a very thorough list of uses was added- some we will never have (fortunately or unfortunately), but we will know how to deal with them if they ever arise. This is particularly true for the P-1 B-1 and M-1 Districts where the list was strengthened greatly.

The Sign section was reorganized. Exempt, permitted, and conditional use signs were grouped into easy to find categories. Prohibited signs are also grouped together. Some signs were exempted from permits for public agencies, semi-public agencies and charitable events and auctions uses which are event driven; this is for ease of administration and basic fairness. The recent amendments liberalizing temporary signs have been added.

Setbacks and lot sizes follow in a grouped section with a chart and a section dealing with miscellaneous area requirements follow the chart. The parking and loading space requirements sections were then grouped together after that.

A major new section deals with Site Plan Review. The Ordinance envisions for business and industry adjacent to U.S. Route 460 and U.S. Route 258 (referred to as the Windsor Commercial Corridor District as an overlay district) that build new buildings or expand by over 50 percent must meet certain minimum requirements. It also applies to new residential developments (mobile home parks and subdivisions). These at this point would require; inter-parcel access, sidewalk installation, buffers and landscaping based on type of use and size of road frontage, and parking lot landscaping. These site plans would be approved by the Planning Commission similar to the Subdivision process. A guide of trees and shrubs must be compiled and put in place. However, if adopted, this Ordinance could be implemented using the Chesapeake Bay Assistance Department list of plants (not to use) and the County guides. If tonight's meeting appears to be positive, I will begin the work on the guide.

After the site plan section, a list of minimum standards for the various types of Conditional Uses is given. These are conditions that at a bare minimum the Town should place on all of the relevant types of CUP's.

Finally the Article goes over the procedures for Variances, Administrative Appeals, rezonings and CUP's. These include the legislative changes made earlier this year by the General Assembly.

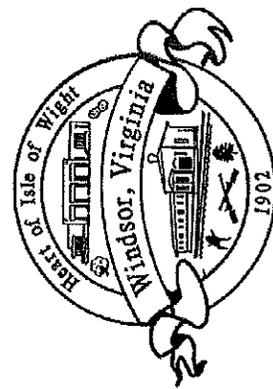
Article III Subdivision. This section goes over the subdivision process. It begins with the general administrative processes, goes over the language to be shown on all plats, and gives basic subdivision usage and requirements for all types of subdivisions. Then it goes through the various types of subdivisions; resubdivisions, family transactions, minor and major subdivisions. It goes over preliminary plats (making them voluntary) and the seldom used vacation of plats.

Staff Recommendation: Staff recommends the Commission consider recommending the Draft Land Development Ordinance to Town Council. However, Staff realizes that the Commission has not seen this document for a while and may need more time to review this lengthy document.

Town of Windsor

Zoning Districts

-  Town of Windsor Boundary
-  Parcels
-  Roads
-  A-1
-  B-1
-  B-2
-  M-1
-  PUBLIC
-  R-1
-  MHP
-  HDR
-  O-R
-  LDR
-  Conditional Zoning



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 Michael R. Stallings

Town Clerk
 Terry Whitehead

Town Attorney
 Wallace W. Brittle, Jr.

July 6, 2015

Memorandum

To: Michael Stallings, Town Manager
 Town Council
 Planning Commission

From: Dennis Carney, Planning and Zoning Administrator

Subject: Annual Planning and Zoning Report for FY-2014-2015

Zoning Permits: FY-2014-2015 was a very good year for Zoning Permits. In all categories the number increased to 91 permits, up from the 82 permits in FY-2013-2014. This is an 11.1 percent increase and also brings it to the largest amount in the last five years. New residential construction decreased largely due to Holland Meadows having a small number of available lots remaining in Section 1. The slight decrease was from 19 to 16 new homes. The large increase was with fences going from 3 and 4 in previous years to 18 for FY 2014-2015. This was largely due to fences being built for above ground pools and in Holland Meadows and the mobile home parks (particularly Twin Ponds). The other category also increased with slight gains in new businesses and home occupations. There were modest gains in signs, pools and decks. There were slight decreases in building additions, driveways and accessory buildings. With all of the concerns about the world economy and the U.S. Route 460 Bypass question, these numbers indicate that Windsor is still growing at a very reasonable rate.

Violations: The number of violation cases increased by 5.0 percent to an even 100 cases in FY 2014-2015. The increase was from inoperative motor vehicles up to 68 cases from the 63 in the previous year. The tall grass cases and signs leveled off and the "Other" category (which are normally junk and trash or Zoning violations) actually decreased. Because the violation cases are "bundled", sometimes the various categories constitute one violation case. Therefore the numbers never add up and exceed the number of notices.

There were 73 inoperative motor vehicles either made operable or removed out of the cases resolved in 2014-2015. There was only one case where a vehicle had to be towed in that year. As far as the "Tall Grass" and "Sign Cases," only one has not been resolved. Most of the violations are from repeat offenders.

Overall, the citizens of the Town are complying with the Town's laws, and when they learn they are in violation, they correct the matter fairly promptly.

Board of Zoning Appeals and Planning Commission: The Board of Zoning Appeals again had no cases for 2014-2015, but training was given by Staff in May for the major amendments to the variance law.

As for the Planning Commission, much of its work has been on hold because of the U.S. Route 460 Bypass project and the editing of the draft Land Development Ordinance. The Commission will hold a public hearing on the revised Ordinance on June 22nd. The bad weather in the winter also affected its activities this year. There were no rezonings, conditional use permit requests nor major subdivisions in this fiscal year. The Commission began preliminary work on the Olde Towne Windsor concept at their June meeting. This promising study may lead to a revitalization of the older sections of Windsor.

All in all, the Town faces many challenges in the years to come. It is very important that the Town continue to keep its commitment to support the Commission and Board of Zoning Appeals as it has done so well in the past. In this way, strategies to deal with the problems can be properly reviewed and effectively pursued.

YEARLY REPORT
PLANNING & ZONING

	FY2014-2015	FY2013-2014	FY2012-2013
<u>Number of Zoning Permits Issued:</u>	91*	82	70
Residential New Construction:	16	19	10
Commercial New Construction:	0	0	0
Building Additions:	5	7	3
Accessory Buildings:	7	12	17
Signs:			
Temporary:	13	12	13
Permanent:	14	13	2
Fences:	18	3	4
Pools:	5	3	1
Decks:	5	4	4
Driveways:	1	2	0
Other:	15	9	16
<u>Notices of Violation:</u>	100**	95**	78**
Inoperative vehicles:	68	63	62
Inoperative vehicles removed/operative	73		
Tall grass:	16	16	20
Signs:	5	5	2
Other:	14	17*	4
<u>Variances:</u>	0	0	0
<u>Conditional Use Permits:</u>	0	1	1
<u>Subdivisions:</u>	0	1	0
<u>Rezoning:</u>	0	0	0

*Includes cases where several types of permits were on one case.

**Includes cases where several violations occurred concurrently.