

**TOWN OF WINDSOR
PLANNING COMMISSION
TOWN COUNCIL CHAMBER
8 EAST WINDSOR BOULEVARD
WINDSOR VIRGINIA
REGULAR MEETING
WEDNESDAY JULY 27, 2016
7:00 p.m.**

1. **CALL TO ORDER**
 - A) **WELCOME**
 - B) **ROLL CALL**

2. **ELECTION OF OFFICERS FOR JULY 2016 THROUGH JANUARY 2017**
 - A) **CHAIRMAN**
 - B) **VICE CHAIRMAN**
 - C) **PROPOSED BYLAWS AMENDMENTS (1)**

1. Article 2, Section 4.

Staff comments: These amendments are to align the Planning Commission's Bylaws with the change in Council/Mayor election dates for the Town. Amend by adding the following. "For terms ending after June 30, 2017, appointments shall be made for a four year term ending on January 1st."

2. Article 3, Section 2

Staff Comments: These amendments are to also align the Planning Commission's Bylaws with the change in Council/Mayor election dates for the Town. This article is in regard to the terms of the officers. Amend by changing "July" to "January".

3. **APPROVAL OF MINUTES OF THE MAY 25, 2016 REGULAR PLANNING COMMISSION MEETING (2)**

4. **PUBLIC HEARING ON AMENDMENT TO PERMIT POULTRY IN THE A-1 AGRICULTURAL DISTRICT (3)**

Staff Comments: See the attached staff report.

5. **DISCUSSION AND CONSIDERATION OF PROPOSED ZONING ORDINANCE AMENDMENT REGARDING CHICKENS AND POT BELLY PIGS IN RESIDENTIAL DISTRICTS (4)**

Staff Comments: See the attached staff report.

6. **DISCUSSION ON OLDE TOWNE WINDSOR**
 - A) **BANK/GRIFFIN STREET**
 - B) **COURT/CHURCH STREET**

7. **REPORT FROM THE TOWN ATTORNEY**
8. **REPORT ON ECONOMIC ACTIVITY**
9. **PLANNING AND ZONING STAFF REPORT FOR FY2015-2016 (5)**
10. **ANY OTHER REPORTS OR NEW BUSINESS**
11. **NEXT REGULAR MEETING - AUGUST 24, 2016**
12. **MOTION TO ADJOURN**

**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 Planning 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 by the Town Council for inefficiency, neglect of duty, or malfeasance of office. The Town Council may provide for the payment of expenses incurred by any members in the performance of his or her official duties.
3. 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 planning commissioners.
4. The term of a Commission member shall expire on June 30, at which time his/her successor's term shall begin.

ARTICLE 3- OFFICERS AND THEIR SELECTION

1. The officers of the Planning 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 Planning Commission.

2. Nomination of officers shall be made from the floor at the regular July 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. 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 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 regular meeting date for the Planning 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.
2. Special meetings shall be called in accordance with §15.2-2214, Code of Virginia 1950 (as amended) which states that “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 file a written waiver of notice.”
2. All regular and special meetings, public hearings, records, and accounts shall be open to the public subject to the Code of Virginia.
3. 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 be:
 - a. Call to order by Chairman
 - b. Roll Call and Determination of a Quorum
 - c. Minutes from prior meeting(s)
 - d. Public Hearing(s)
 - e. Unfinished business
 - f. New business

- g. Reports
 - h. Notification of date of next meeting and Adjournment
2. Parliamentary procedures in Commission meetings shall be governed by Robert's Rules of Order.
 3. The Planning 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 Planning Commission at a succeeding meeting and shall certify that the minutes are a true and correct copy.

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- 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 Planning 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 10- 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 23rd of September, 2014, and repeal all bylaws and their amendments previously enacted by the Windsor Planning Commission

Chairman

Secretary

MINUTES OF THE PLANNING COMMISSION – WINDSOR, VIRGINIA

The Planning Commission met on Wednesday, May 25, 2016 at 7:00 p.m. in the Town of Windsor Council Chamber. Chairman Bennie Brown called the meeting to order and welcomed all who were present. Terry Whitehead, Town Clerk, recorded the minutes. Dennis Carney, 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
 N. Macon Edwards, III
 Debra D. Hicks
 Edward Lynch
 Leonard L. Marshall
 Glyn Willis – arrived at 7:25

Planning Commission member absent: George Stubbs

MINUTES

Chairman Brown asked if there were any amendments to the minutes of the April 27, 2016 regular Planning Commission meeting. There being none, Commissioner Marshall made a motion to approve the minutes as presented. Commissioner Lynch seconded the motion, and the Commission unanimously passed the motion as recorded on the attached chart as motion #1.

PUBLIC HEARING ON THE DRAFT COMPREHENSIVE PLAN

Chairman Brown explained that there is a public hearing to consider public comments on the Draft Comprehensive Plan. He asked Mr. Carney to give an overview of the Draft Comprehensive Plan.

Mr. Carney said the 2016 Comprehensive Plan, if recommended by the Planning Commission and adopted by Town Council after a public hearing, will replace the existing Comprehensive Plan which was adopted in 2008. The Comprehensive Plan for the Town of Windsor is used by Town citizens, staff, the Planning Commission and Town Council as a guide for future decisions affecting the Town including, but not limited to, decisions related to future land use, zoning actions and the appropriate location of public infrastructure. He said the Plan area encompasses all of the Town of Windsor. Mr. Carney explained that the Plan does not rezone land, but it suggests ordinance amendments and other policies that will facilitate implementation of the Plan after adoption by the Town of Windsor Town Council.

Mr. Carney reported that the public hearing has been properly advertised. He added that a report on the Bank Street area, which the Commission had been given a copy, was received from a resident of the Bank Street area. He noted that it gave historical information and was neither in favor nor in opposition to the Draft Comprehensive Plan.

Mr. Carney said the Planning Commission should consider recommending to Town Council the Draft Comprehensive Plan as the plan to guide the Town over the next five years and as the framework for an even longer twenty year period.

Chairman Brown opened the public hearing. Being that there was no one to speak in favor or in opposition to the Draft Comprehensive Plan, he closed the public hearing.

Commissioner Marshall made a motion to recommend approval of the Draft Comprehensive Plan to Town Council. Commissioner Lynch seconded, and the Commissioners unanimously passed the motion as recorded on the attached chart as motion #2.

DISCUSSION ON POULTRY IN THE A-1 AGRICULTURAL DISTRICT

Mr. Carney reported that the Town of Windsor Land Development Ordinance does not permit livestock of any type, other than horses and ponies in the Low Density Residential District, in any district except A-1 Agricultural. He said it is controlled in two sections of the Ordinance in the A-1 Agricultural District. He said in Section 160-53A (2) livestock is permitted by right with the exception of intensive livestock farming. However, Section 160-53 C (12), the section that lists the potential Conditional Uses for the A-1 District, makes the raising of swine and poultry a conditional use. Mr. Carney said he attached the relevant sections and the Code of Virginia Right to Farm Act which is addressed below for the Commission's use in reviewing this topic.

Mr. Carney reported that the recodified Code of Virginia Section 3.1-22.28 Right to Farm; restrictive ordinances, does not permit counties, cities and towns to "unreasonably restrict or regulate farm structures or farming and forestry practices in an agricultural district unless such restrictions bear a relationship to the health, safety and general welfare of its citizens." The law was passed in 1995.

Mr. Carney explained that it has always seemed that the outright ban on poultry is an unreasonable restriction for an A-1 Agricultural District. He suggested that the Commission consider repealing Section 160-53 C (12) and adding to section 160-53 A (2) the following:

"Poultry, with the exception of roosters in chickens, is permitted provided the A-1 Agricultural parcel or tract exceeds five acres and all pens and houses for the poultry are at a minimum of fifty (50) feet from the property lines or the parcel or tract."

After discussion, Planning Commission agreed to delete "with the exception of roosters in chickens," and they also made other minor changes to the language of the ordinance.

Commissioner Marshall made a motion to set a public hearing at the June 22, 2016 Planning Commission meeting to consider appropriate amendments to the Ordinance as discussed limiting poultry to the A-1 Agricultural and permitting the processing of poultry to that district as a Conditional Use Permit. Commissioner Edwards seconded, and the Commissioners unanimously passed the motion as recorded on the attached chart as motion #3. It was noted that the Virginia Right to Farm Act probably requires this type of amendment.

REPORT FROM THE TOWN ATTORNEY

None

REPORT FROM THE ECONOMIC DEVELOPMENT AUTHORITY

Mr. Carney reported that the Economic Development Authority (EDA) met on May 9, 2016. He said Governor McAuliffe declared May as Business Appreciation month. He explained that in lieu of the sparsely attended Business Appreciation meals that the EDA had held in the past, the EDA agreed to send an appreciation letter to all the businesses in Windsor thanking them for everything they do for the Town of Windsor.

PLANNING AND ZONING STAFF REPORT FOR APRIL 2016

Mr. Carney gave a brief review of Planning and Zoning activities for the month of April, 2016. He explained that there were ten new zoning permits in the month. The permits were for two single family homes, five accessory buildings, a temporary and a permanent sign, two decks and a fence. He added that there were eight violations. Seven were for inoperative motor vehicles and one was for an unlicensed day care.

OTHER REPORTS

JUNE WORK SESSION ON OLDE TOWN WINDSOR

Planning Commission agreed to hold a work session on the Bank/Griffin Street area preceding the June 22nd meeting. This is in conjunction with the other major element of the Olde Town Windsor study. Weather permitting, the Commission agreed to hold a walking tour of the community to determine what is there now, what are the attributes and deficiencies of the area, and what approaches are to be pursued to revitalize the neighborhoods.

AMENDMENT TO THE BYLAWS

Mr. Carney said the Planning Commission bylaws regarding election of officers will need to be revised to coincide with the Town elections taking place in November instead of May. He said he will present the revised bylaws to the Commissioners at the June meeting.

ADJOURNMENT

Chairman Brown noted that the next meeting will be June 22, 2016.

There being no further business, Commissioner Marshall made the motion to adjourn. Commissioner Edwards seconded the motion, and the Planning Commission unanimously approved the motion as recorded on the attached chart as motion #4.

The meeting adjourned at 8:05 p.m.

Bennie Brown, Chairman

Terry Whitehead, Town Clerk

TOWN OF WINDSOR
RECORD OF
PLANNING COMMISSION VOTES

Commission Meeting Date May 25, 2016

Motion #	G. Willis	E. Lynch	B. Brown	N. Edwards	L. Marshall	G. Stubbs	D. Hicks
1	In @ 7:28	Y	Y	Y	Y	Absent	Y
2		Y	Y	Y	Y		Y
3	Y	Y	Y	Y	Y		Y
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Jerry Whitehead, Clerk

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Durwood V. Scott
Greg Willis
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Wallace W. Brittle, Jr.



Established 1902

July 14, 2016

Memorandum

To: Planning Commission Members

From: Dennis W. Carney, Planning and Zoning Administrator

Subject: Poultry in A-1 District

Issue: The public hearing is to permit poultry in the A-1 Agricultural District by amending the Town of Windsor Land Development Ordinance as follows:

Adding to Section 160.53(A) (2) ...“The raising of poultry is permitted provided the A-1 Agricultural parcel or tract exceeds five acres and all pens and houses for poultry are at a minimum of fifty (50) feet from the property lines or the parcel or tract.”

Amending to read as follows; “Section 160-53C (12) Raising and/or processing of swine and processing of poultry.”

Facts: The Town of Windsor Land Development Ordinance does not permit livestock of any type, other than horses and ponies in the LDR Low Density Residential District, in any district except A-1 Agricultural. It is controlled in two sections of the Ordinance in the A-1 Agricultural District. In Section 160-53A (2) livestock is permitted by right with the exception of intensive livestock farming. However, Section 160-53 C (12) the section that lists the potential Conditional Uses for the A-1 District makes the raising of swine and poultry a conditional use.

The Code of Virginia Section 3.1-22.28 Right to Farm act deals with restrictive ordinances. It does not permit counties, cities and towns to “unreasonably restrict or regulate farm structures or farming and forestry practices in an agricultural district unless such restrictions bear a relationship to the health, safety and general welfare of its citizens.” The law was passed in 1995. The present outright ban on poultry could be viewed as an unreasonable restriction for an A-1 Agricultural District.

Public Comments: The public hearing has been properly advertised. As of this writing, Staff has received no comments either in favor or in opposition to these particular amendments. There is a more general request for chickens and pot belly pigs for the residential districts that has been brought to the Commission as a separate item tonight.

However, that request should be viewed as a very different matter that would require a much more extensive amendment.

Staff Recommendation: It is felt that these amendments are a reasonable accommodation for poultry in a Town of our size. It prevents the raising of poultry on lots and with reasonable distances for the houses/pens that would otherwise be too small to contain any noise and smell that would emanate from the houses/pens. These particular amendments do not open the Town to chickens on small A-1 Agricultural lots such as on Lovers Lane and only pertains to agricultural properties. Finally, it takes the Town out of a potential violation of the Virginia Right to Farm Act.

Staff recommends that the Commission consider approving these particular amendments as a separate issue regardless of any actions on other request regarding chickens and pot belly pigs in the residential districts. They are separate proposals with very different ramifications.

NOTICE OF PUBLIC HEARING

Notice is hereby given pursuant to Section 15.2-2204 of the Code of Virginia, 1950 as amended that the Planning Commission of the Town of Windsor will hold a public hearing on Wednesday July 27, 2016 at 7:00 p.m. in the Town Hall Council Chamber on the matter described as follows:

POULTRY IN THE A-1 AGRICULTURAL DISTRICT- The following amendments are proposed to permit the raising of poultry in the A-1 Agricultural District as designated in the Town of Windsor Land Development Ordinance (underlined sentences are the proposed amended sections to be added to or replace sections of the Land Development Ordinance) ;

§160.53(A) Permitted Uses in the A-1 Agricultural District

“(2) The raising of cattle, sheep, and other domesticated livestock including non-indigenous livestock such as alpaca and llamas but does not include intensive farms as defined under the Code of Virginia. The raising of poultry, is permitted provided the A-1 Agricultural parcel or tract exceeds five acres and all pens and houses for poultry are at a minimum of fifty (50) feet from the property lines or the parcel or tract.”

§160.53(C)

“(12) Swine raising and/or processing of swine and processing of poultry.”

And repealing existing section which read §160(C)(12) “Swine and/or poultry raising and/or processing.

A copy of the 2016 Comprehensive Plan is available for public scrutiny in the Town of Windsor Town Hall, Monday through Friday, or by contacting Mr. Dennis Carney, Planning and Zoning Administrator at (757) 242-4288 between the hours of 9:00 a.m. and 5:00 p.m.

Dennis W. Carney
Planning and Zoning Administrator

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July 18, 2016

Memorandum

To: Planning Commission Members

From: Dennis W. Carney, Planning and Zoning Administrator *DWC*

Subject: Request for Chickens and Pot Belly Pigs in the R-1, HDR and LDR Residential Districts

Issue: Mr. Walter Bernacki has requested Staff to bring forward a series of amendments that would permit chickens and pot belly pigs in the R-1, HDR and LDR Residential Districts. This request is entirely a separate issue from the previous discussion that would permit poultry in the A-1 Agricultural District

Facts: Mr. Bernacki has had for many years on his property on Johnson Street, several hens. Based on a recent anonymous complaint, the property was found to be in violation. Partly because of this but primarily because he feels that the liberalization is justified, this request for several zoning text amendments is being brought forward. In your packet is the original request from Mr. Bernacki and a Staff prepared document that could readily fit into our Land Development Ordinance if the Town wishes to move in this direction.

As was noted in the poultry issue in the A-1 Agricultural District, the Windsor Land Development Ordinance does not permit livestock of any type, other than horses and ponies in the LDR Low Density Residential District, in any district except A-1 Agricultural.

This request if approved by Town Council would allow no more than ten chickens on a residential property at any one time. Roosters are not permitted. The pens or enclosures must be kept clean. The chickens would not be permitted to roam freely and must be under the owner/caretaker's control.

Pot belly pigs are also a component of these proposed amendments. This type of swine is primarily used as pets. The proposal would limit Pot belly Pigs to no more than two per property. Their pens or enclosures also must be kept clean. As with the chickens, pot belly pigs would not be permitted to roam freely and must be under the owner/caretaker's control.

It is noted, that the specific provisions are not carved in stone and could be modified if the Commission and Town Council deem them proper.

Recommendation: There are three ways in which a Zoning Text amendment could originate. Town Council could request the Commission to review a given provision. Staff and the Commission could review a provision on their own initiative or on behalf of individual citizens and begin the review of a proposed Ordinance amendment. The third manner an amendment can be proposed is a proposed Zoning Text Amendment from a private citizen or entity. All of these require a public hearing and recommendation to Town Council on the merits of the proposals.

At this point, this is a request for the Planning Commission to determine if it voluntarily wishes to set a public hearing on this proposal (the second way).

Potential Zoning Ordinance Amendment

§ 160-36 Miscellaneous General Regulations

(New Section)

G. Chickens and Miniature Pot Belly Pigs. The following regulations apply in the R-1 Residential, HDR High Density Residential and LDR Low Density Residential Districts where residents wish to have chickens and/or pot belly pigs. Chickens and pot belly pigs are prohibited from all multi-family, duplex, condominium and townhouse residential units.

1. The following requirements apply to anyone wishing to have chickens in the aforementioned districts;
 - a. The maximum number of chickens on a given property shall be limited to no more than ten at any one time.
 - b. There shall be no roosters permitted at any time
 - c. Chickens must be kept in an enclosed pen (coop) and not be permitted to free range unless under the direct supervision of the owner or his/her designee.
 - d. The coop or enclosure must be kept clean to reduce nuisances which include aesthetic and odor concerns.
 - e. The property owner of the chickens shall obtain a permit from the Town of Windsor.
 - f. If there are any violations of the requirements, a written notice shall be sent to the permit holder and they will have thirty (30) days to correct said violations. If the violations are not corrected the permit will be revoked and the owner must reapply for a new permit when the violations are corrected.
2. The following requirements apply to anyone wishing to have pot belly pigs in the aforementioned districts;
 - a. The maximum number of pot belly pigs on a given property shall be limited to no more than two at any one time.
 - b. Miniature pot belly pig(s) must be kept in an enclosed pen and not be permitted to free range unless under the direct supervision of the owner or his/her designee.

- c. The enclosure must be kept clean to reduce nuisances which include aesthetic and odor concerns.
- d. The property owner of the pot belly pig(s) shall obtain a permit from the Town of Windsor.
- e. If there are any violations of the requirements, a written notice shall be sent to the permit holder and they will have thirty (30) days to correct said violations. If the violations are not corrected the permit will be revoked and the owner must reapply for a new permit when the violations are corrected.

New Sections

Add to § 160-47B. R-1 Residential Accessory Uses

- 13. Chickens and/or pot belly pigs as provided in § 160-36G.

In § 160-48B. LDR Low Density Residential Accessory Uses

- 14. Chickens and/or pot belly pigs as provided in § 160-36G.

In § 160-48B. HDR High Density Residential Accessory Uses

- 10. Chickens and/or pot belly pigs as provided in § 160-36G.

Town of Windsor, Virginia
Proposed Zoning Code Amendment
Exotic Pets

§160 – Proposed –

- (1) Residences of the town living in any zoning district, with the exception of two-family or multiple family residential use, may own and house chickens and miniature pot belly pigs provided they meet and maintain the following requirements.

(1) Chickens:

1. The maximum number of chicken owned and housed is not to exceed 10 chickens.
2. No roosters are permitted at any time.
3. Chicken(s) must be kept in an enclosed pen (coop) and not be permitted to free range unless under the direct supervision of the owner or his/her designee.
4. The coop or enclosure must be kept clean to reduce nuisances which include esthetic and aromatic considerations.
5. The property owner must obtain an exotic pet permit for their property from the town of Windsor to allow for the owning and housing of chickens.
6. By purchasing the permit the homeowner agrees to comply with the above stipulations.
7. If there are any violation(s) of the above stipulations, a written notice will be sent to the permit holder and they will have 30 days to correct said violation(S). If the violation(S) is/are not corrected the owner's exotic pet permit will be revoked and the owner must reapply for a new permit when the violations are corrected.

(2) Miniature Pot Belly Pigs:

1. The maximum number of miniature pot belly pigs owned and housed is not to exceed 2.
2. Miniature pot belly pig(s) must be kept in an enclosed pen and not be permitted to roam free unless leashed and under the direct supervision of the owner or his/her designee.
3. The enclosure must be kept clean to reduce nuisances which include esthetic and aromatic considerations.
4. The property owner must obtain an exotic pet permit for their property from the town of Windsor to allow for the owning and housing of miniature pot belly pigs.
5. By purchasing the permit the homeowner agrees to comply with the above stipulations.
6. If there are any violation(s) of the above stipulations, a written notice will be sent to the permit holder and they will have 30 days to correct said violation(S). If the violation(S) is/are not corrected the owner's exotic pet permit will be revoked and the owner must reapply for a new permit when the violations are corrected.

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Established 1902

July 1, 2016

Memorandum

**To: Michael Stallings, Town Manager
Honorable Mayor Richardson and Town Council
Planning Commission**

From: Dennis Carney, Planning and Zoning Administrator

Subject: Annual Planning and Zoning Report for FY-2015-2016

Zoning Permits: FY-2015-2016 was a fairly normal year for Zoning Permits. The total number dropped off to 80 from the 2014-2015 high of 91 permits. The number of new residential construction exceeded the previous year by three. However it is noted that next year this number will in all likelihood be substantially less because the first phase of Holland Meadows is almost completely built out and the second phase of the subdivision has not been approved. It is also noted that many of the “infill” parcels in the older neighborhoods such as on Virginia Avenue have now been built upon. In other categories, accessory buildings increased as well as the slight increase in the “Other” category which includes business location and home occupations. Most of the other decreases were marginal. The decrease in the total permits is attributed to the sizable decline in permanent signs and in the fence category.

Violations: The number of violation cases decreased by 23 percent from the 100 cases in FY 2014-2015. The decrease was slight for inoperative motor vehicles and much more dramatic for tall grass, signs and the “Other” category (generally junk and trash and chickens). For the tall grass cases, perhaps we have finally got most of the habitual violators (generally absentee landlords or properties in default) to keep their properties mowed. It is recognized these violations ebb up and down and are always subject to change.

There were 94 inoperative motor vehicles either made operable or removed out of the cases resolved in 2015-2016. There were two cases where a vehicle had to be towed. As far as the “Tall Grass” and sign cases, all of them have 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: The Board of Zoning Appeals had a case that was withdrawn at the public hearing. Also two training sessions were held in 2015-2016.

Planning Commission: As for the Planning Commission, there were no rezonings or conditional use permits in 2015-2016. Nevertheless, the Commission had a very busy year. It finished the work on the Land Development Ordinance which was adopted last October and completed the 2016 Comprehensive Plan which had been delayed because of the protracted U.S. Route 460 Bypass project. So in that sense, this was a very important and productive year for the Commission. The Commission is still working on the “Olde Towne Windsor” sections that were described in the Comprehensive Plan. It is hoped that this sub-area plan will be completed this summer with recommendations being made this fall.

Summary: FY2015-2016 was a very productive year, full of many challenges. With a continued commitment to planning for these challenges, and the coordinated policy making of our Board of Zoning Appeals, Planning Commission, and Town Council, we can continue to grow and prosper.

**YEARLY REPORT
PLANNING & ZONING**

FY2015-2016 FY2014-2015 FY2013-2014

<u>Number of Zoning Permits Issued:</u>	80*	91*	82*
Residential New Construction:	19	16	19
Commercial New Construction:	0	0	0
Building Additions:	2	5	7
Accessory Buildings:	13	7	12
Signs:			
Temporary:	12	13	12
Permanent:	4	14	13
Fences:	10	18	3
Pools:	4	5	3
Decks:	3	5	4
Driveways:	1	1	2
Other:	16	15	9
<u>Notices of Violation (cases):</u>	77	100**	95**
Inoperative vehicles:	65	68	63
(No. Inoperative vehicles removed/operative)	94	73	
Tall grass:	5	16	16
Signs:	1	5	5
Other:	6	14	17
<u>Variances:</u>	1	0	0
<u>Conditional Use Permits:</u>	0	0	1
<u>Subdivisions:</u>	0	0	1
<u>Rezoning:</u>	0	0	0

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

**Includes cases where several violations occurred concurrently.