

PLANNING COMMISSION MINUTES

MAY 9, 2022

MEMBERS PRESENT

Mr. Bolton
Mr. Dodson
Ms. Evans
Mr. Garrison
Mr. Khan
Mr. Petrick

MEMBERS ABSENT

STAFF

Doug Plachcinski
Lisa Jones
Clarke Whitfield

The meeting was called to order by Chairman Garrison at 3:00 p.m.

ITEMS FOR PUBLIC HEARING

1. *Special Use Permit Application PZ22-71 (from BZA) requests a Special Use Permit for a commercial recreation facility according to Article 3.M.C.4. of the Danville Zoning Ordinance at 900 S Main Street (Parcel ID#22494). The applicant proposes up to six (6) skill game machines at the existing convenience store.*

Mr. Garrison stated before we get staff report I would like to say that this was not remanded to us by the BZA. This was a case appeared before the BZA and one of the ways that they could become legal under the law of the zoning law is for it to come o us for a Special Use Permit. So, this will go to City Council and will not go back to the BZA.

Mr. Plachcinski stated I appreciate you clarifying that Mr. Garrison because I didn't do a good job with that in my report. I'm going to present a report that includes an alternate recommendation so bear with me. I am going to go through this and read everything really quick and then we'll talk about it afterwards and I'll explain a little bit why afterwards also.

BACKGROUND

The applicant proposes up to six (6) skill game machines.

STAFF ANALYSIS AND RECOMMENDATION

The city may allow a commercial recreation facility in the HR-C zoning district with a Special Use Permit. Initially, I recommended that the Commission recommend denying PZ22-71 to City Council.

As an alternative to denial, If the Planning Commission would like to recommend favorably to City Council, I recommend incorporating the following conditions into the recommendation:

1. The hours of operation for the machines is limited to between 8:00 a.m. and 10:00 p.m. Sunday through Friday and 8:00 a.m. and 11:00 p.m. on Saturday.
2. The Special Use Permit is valid until December 31, 2022.
3. The establishment may only have up to the number of skill games previously allowed by Virginia ABC.
4. There shall be no more than one (1) gaming machine per three (3) people permitted under the maximum building occupancy specified on a Certificate of Occupancy for the building and its current on-site uses; if a current Certificate of Occupancy is not on file, a new inspection must be undertaken to determine the maximum number of machines permitted.

5. No person under the age of eighteen (18) years old shall be permitted to play any game which presents an opportunity to obtain monetary or cash prizes. The proprietor will verify the age when paying out customer winnings.
6. All entrances/exits to the building must be lit at night.
7. The required parking must be provided on-site.
8. The windows to the building must be unobstructed to allow for visibility and law enforcement purposes.
9. No alcohol may be consumed on the premises.
10. No gaming machine may allow for more than one (1) player at a time, seated or standing.
11. No multiple player machines are permitted.

Mr. Plachcinski stated the reason I'm presenting this alternate recommendation is that this applicant did have previously authorized machines that were under the Virginia ABC code that allowed them for that year that ended June 30th, 2021. They have applied to both the BZA when they got a notice of violation and followed up on an application for a Special Use Permit here. They started that process before the city changed rules of the zoning code that pushed any potential skill games to areas zoned for industrial uses. So, in essence, the request is legally nonconforming, the request itself. Lastly, we've all been told for months that there was going to be a trial starting on May 18th and that we would get some clarity after those court proceedings, and we discovered a couple days ago that trial has been postponed to November 18th. I think it's probably reasonable that even that is not going to be the last of the discussion. I think that for what the owner or the applicant's previous approval with the state that they've attempted to follow the process and ask permission in front of the Planning Commission. If you should choose to recommend favorably because of those things that these 11 conditions would satisfy the best, we can present a good recommendation to Council.

Mr. Garrison opened the Public Hearing.

Mr. Ganzafari Ali appeared on behalf of this application, and stated, I own the 900 S. Main Street Establishment and we previously were approved by ABC for six skilled games and all we are asking is approval for six games until the judge decides on what's going to happen in the future. We ask that you approve this that it will be in our favor.

Mr. Bolton stated have you had a chance to see these conditions?

Mr. Ali stated yes, sir. I just read while I was here, and we agree to all those conditions, and we were following these conditions before.

Mr. Khan stated I have a question. Please state your name one more time sir.

Mr. Ali stated his name.

Mr. Khan stated under condition number five it is no person under the age of eighteen shall be permitted to play. How you plan to monitor that?

Mr. Ali stated we just use our judgement if we see anyone who looks like they are underage then we do not let them play, even before when we were under ABC.

Mr. Khan stated we are talking about going forward now.

Mr. Ali stated I mean, if we just see, if someone looks like they are seventeen or eighteen then we can ask them for their ID and if they don't let us then they will not play.

Mr. Khan stated number eight under the same conditions here that windows of buildings must be Unobstructed. Is that being done right now?

Mr. Ali stated I mean there clear as far as I know. I mean, there's nothing on the window or maybe some sign we can move if it's in the way.

Mr. Khan stated I asked you that because I went in the store and that is why I asked you about number eight because it really bothers me.

Mr. Ali stated if you have anything in your mind, we can change that anywhere you want. If you think it's something that we are not following right then we can change that.

Mr. Khan stated those are the two that I'm concerned about. I don't know about staff.

Mr. Bolton stated is it permitted, could he ask for an ID for everybody? Just say, I will ID everybody that's playing the game.

Mr. Ali stated we do not ask anyone for ID right now but if we see someone that looks like they are Sixteen or seventeen we do not let them play even before we stopped it.

Mr. Plachcinski stated if I could as a question to clarify when a machine is paying out, does it pay out money or does it pay out a receipt?

Mr. Ali stated a receipt comes out from the machine.

Mr. Plachcinski stated do they go to you?

Mr. Ali stated yes sir.

Mr. Plachcinski stated so, you could theoretically require an ID for the receipt.

Mr. Ali stated yes sir.

Mr. Plachcinski stated would you be willing to agree to that?

Mr. Ali stated we will do that if you recommend that.

Mr. Plachcinski stated as far as the windows, should the City Council approve it, I can meet with you on site and we can look and see maybe how we can if there's anything we can readjust the visibility inside from the windows.

Mr. Ali stated anything to satisfy you, anything we need to change we will change.

Mr. Khan stated that is very nice of you sir.

Mr. Ali stated thank you very much.

Mr. Garrison closed the Public Hearing.

Mr. Dodson stated I have a question for the City Attorney. First, what does the Virginia State Statute says about skill games.

Mr. Whitfield stated it classifies skill games as gambling.

Mr. Dodson stated so, by law they're not allowed.

Mr. Whitfield stated that's correct, again to remind everybody what's going on in Greenville County as the saga continues they are not allowing law enforcement to actually execute against skilled game operators unless they are operating skill games that were never approved by ABC.

Mr. Dodson stated does that apply just to Greenville County or to the entire state?

Mr. Whitfield stated everybody that I know of and the attorneys I'm aware of in my organization believe it applies to the entire state.

Mr. Dodson stated so, it's illegal but it's not going to be enforced.

Mr. Whitfield stated that's correct. No criminal action will be enforced.

Mr. Dodson stated but it is illegal?

Mr. Whitfield stated correct.

Mr. Bolton stated what's being done now on some of the enforcement that you've been doing? What are you finding? What are you seeing? What that you're enforcing now differs from this?

Mr. Whitfield stated well, the enforcement now has started with Chief Booth and his command staff. They've sent out letter to all operators and the ABC has a list of who had approved games and who didn't have approved games. If they go into an establishment or get a report of an establishment that has skill games that weren't approved by ABC, they get a letter, and they get a certain amount of time and if they don't stop, then they'll be charged criminally. In addition to that, if Doug gets a complaint from somebody who says that there's skill games operating in a place where there is no Special Use Permit, then, he can also execute under the zoning laws as well.

Mr. Bolton stated he's okay with the Virginia Lottery. Is that correct? If he were to be inspected, would he have that Virginia Lottery, or whatever he needs?

Mr. Plachcinski stated we would check that.

Mr. Bolton stated you don't know now.

Mr. Plachcinski stated we know that he was approved for up to six machines.

Mr. Bolton stated okay.

Mr. Plachcinski stated so, see what one of the wrinkles is the specific machines when the program ended at the end of June last year, all the proprietors were told to remove the stickers and destroy them. So, you know, we're going to have to go back to serial numbers and figure that these were what he's allowed basically. So, that's why I'm focusing on the number and not the actual machines, but no multiplayer games, no fish tables, none of that kind of stuff, if the Planning Commission would incorporate those recommendations in.

Mr. Bolton stated so we have sent some of these for approval, recommended approval to City Council. Has anything changed from when we did that to now when we were talking about the games being illegal but not enforced? Is there really something new that has come up that's different?

Mr. Whitfield stated not that I am aware of and if you recall the one that you have done, City Council remanded that back to you and then that one is currently being held over to next month to see what Greenville County was going to do this month.

Mr. Bolton stated but now it's six months later and we still don't know. So, there are machines and locations operating these technically, if the City Council would approve could operate until such time that the case was settled. Then we'd know.

Mr. Whitfield stated if they were approved by ABC, that's correct.

Mr. Plachcinski stated except and in its wisdom, the Planning Commission recommended to City Council that we change the rules and the potential locations for getting that Special Use Permit to only industrial zoned areas that were far away from residential zoning. So now, the door is shut for new requests after this.

Mr. Bolton stated after this one, the door is zoning will come into play because this was the last one.

Mr. Plachcinski stated because he filed his appeal before the zoning was changed.

Mr. Bolton stated but that's in place and it's been approved.

Mr. Plachcinski stated it is.

Mr. Bolton stated okay.

Ms. Evans stated I have a question, if he had followed the process and gotten a Special Use Permit, way back when he got the machines. I think that's what other may have done.

Mr. Plachcinski stated if there are any Special Use Permits that are still viable and they had an ABC license and yes.

Ms. Evans stated this would be a non-issue if he had done that?

Mr. Plachcinski stated correct.

Ms. Evans stated so, he could have been operating them legally, illegally, all this time?

Mr. Plachcinski stated right. There's been a lot of nuances to this issue, and it's been challenging for proprietors and for us to make sense of.

Mr. Bolton stated you've taken out the multiple game tables, right? You're saying no multiple.

Mr. Plachcinski stated correct.

Mr. Bolton stated I think that was an issue that City Council had was the multiplayer and was there any other things that you can recall why they sent that one back?

Mr. Plachcinski stated there were a couple of other things, but the multiplayer was the big one.

Mr. Bolton stated so, that's been taken out?

Mr. Plachcinski stated right.

Mr. Whitfield stated I think at the end of the day, everybody on all sides of this just wants something. Something final. Whether it says, go forth, or no more or here's a restriction. We just want, I think everybody just wants to get something from some legal authority or the legislature that says, these are the rules.

Mr. Garrison stated the issue here is the Special Use Permit and he does not have a Special Use Permit for indoor recreation.

Mr. Bolton stated does anyone know if he has a certificate of occupancy on file? We don't know. Did I already ask that.

Mr. Plachcinski stated I'll have to check. I would think if we do have one for this site, it would probably be a paper record that we'd have to track down.

Mr. Bolton made a motion to recommend approval of Special Use Permit Application with conditions per staff and that we require an ID to be checked before cashing out any cash prize to be added to number five. Ms. Evans seconded the motion. The motion was approved by an 6-1 vote.

2. *Rezoning PZ22-90, Initiated by the Planning Director, adds minimum dwelling unit standards for single family dwelling units, single family dwelling units converted to two (2) family dwelling units, and accessory dwelling units.*

Doug reviewed the information below:

EXHIBIT "A"

CHAPTER 41. ZONING ORDINANCE

ARTICLE 2. GENERAL REGULATIONS

ARTICLE 2.BB. DWELLING UNIT QUALITY STANDARDS

1. Purpose

This Article establishes the City's minimum standards for dwelling unit sizes and features. These standards ensure that each dwelling unit in the city has adequate light, air, space, infrastructure and amenities for Danville residents. Each dwelling unit must also support economic growth, energy efficiency, safe neighborhoods, and a clean natural environment.

2. Standards

- a. Size. Each dwelling unit must meet the following minimum floor area standards:
 - i. Studio/efficiency unit – 400 square feet
 - ii. One (1) bedroom – 650 square feet
 - iii. Two (2) bedroom – 850 square feet
 - iv. Three (3) bedroom – 1050 square feet
 - v. Over three (3) bedrooms, an additional 250 square feet per additional bedroom.
- b. Housing Quality Standards. Each dwelling must meet the same Housing Quality Standards as those required for participation in the US Department of Housing and Urban Affairs' Housing Choice Voucher Program. These standards address living rooms, kitchens, bathrooms, other rooms used for living and halls, secondary rooms, building exterior, heating and plumbing, and general health and safety.
- c. Storage. Each dwelling unit must have at least 100 square feet of unoccupiable storage space wither in a basement, attic, garage, and/or detached accessory building.
- d. Perimeter wall and permanent foundation. Each dwelling must be permanently attached to a masonry wall on a permanent foundation. The wall must have the same perimeter dimensions as the dwelling, excluding cantilevers not to exceed 20% of the total dwelling perimeter.
- e. Public Utilities. Each dwelling unit in a building must have separate connections to all available public utilities. If public utilities are greater than 300' feet such private utilities as allowed by Virginia Code.
- f. Roof Construction. Roofs must be covered by either asphalt, shale, tile, metal, or composite shingles or other materials
- g. Rain Collection. Each dwelling must have windowsills and roof drainage systems concentrating roof drainage at collection points along the sides of the dwelling. Roof drainage must be directed away from the building's foundation.

- h. Energy Efficiency. Each dwelling must have a Home Energy Rating System (HERS) index score equal to or exceeding Virginia Uniform Statewide Building Code requirements.
- 3. Additional Standards for One-Family Dwelling to Two-Family Dwelling Conversions
 - a. Energy Efficiency. Each dwelling must have a Home Energy Rating System (HERS) index score that is 15% more efficient than the current Virginia Uniform Statewide Building Code requirement.
 - b. Parking. Each dwelling must have one (1) dedicated off-street parking space.
- 4. Additional Standards for Accessory Dwelling Units (ADUs).
 - a. Energy Efficiency. Each dwelling must have a Home Energy Rating System (HERS) index score that is 15% more efficient than the current Virginia Uniform Statewide Building Code requirement.
 - b. Parking. Each dwelling must have one (1) dedicated off-street parking space.

Mr. Garrison opened the Public Hearing.

Mr. Garrison closed the Public Hearing.

Mr. Bolton made a motion to recommend approval of the proposed zoning ordinance amendment that would establish a new subsection Article 2 section BB Zoning District use schedule to read as the attached document in front of us. Ms. Evans seconded the motion. The motion was approved by an 7-0 vote.

- 3. *Rezoning PZ22-91, Initiated by the Planning Director, revises the “urban agriculture” and “agriculture” processes in the zoning ordinance to allow certain activities without a special use permit.*

Doug reviewed the following information:

EXHIBIT “A”

CHAPTER 41. ZONING ORDINANCE

ARTICLE 2. GENERAL REGULATIONS

ARTICLE 2.CC. URBAN AGRICULTURE

1. Purpose

This establishes the City's minimum standards for the production, keeping or maintenance, for sale or lease on lots or portions of lots equal to or less than two (2) acres of plants and animals, forage and sod crops, grains, and seed crops; dairy animals and dairy products; poultry; livestock, bees and apiary products; trees and forest products; fruits of all kinds; vegetables; nursery, flora, ornamental and greenhouse products.

- 2. Standards- Urban Agriculture in compliance with the following standards is a permitted use in districts established in Article 3. Section C. Urban Agriculture that does not meet these standards requires a Special Use Permit.
 - a. Crops, vegetables, and fruits must be planted in the rear yard unless they are in containers ten (10) gallons or smaller.
 - b. Hen Chickens. Any person residing in a one-family dwelling may keep hen chickens in compliance with the following:
 - 1. A maximum of four (4) hen chickens are permitted on a property.
 - 2. Roosters and Guinea-hens are prohibited.
 - 3. Slaughtering is prohibited.
 - 4. Hen chickens must be provided, and always remain within, a fully enclosed coop and fenced enclosure, that is no larger than 300 square feet.

5. The coop and fenced enclosure must be at least 30' feet from any neighboring dwellings.
 6. All feed must be secured in metal containers to prevent vermin access.
- c. Apiculture (Beekeeping)
1. Up to four (4) hives may be kept per property.
 2. There must be one (1) adequate and accessible water source provided on site and located within 50' feet of the beehive(s)
 3. If the landing platform of a hive faces and is within ten (10') feet of any lot line, there shall be a flight path barrier, consisting of a fence, building or plantings not less than six (6') feet in height, located in front of the hive.
 4. Hives must be protected and secured from disruption by inclement weather, children, pets, and wildlife.
 5. All apiculture equipment not used with an active bee colony must be indoors.
 6. All waste honey and wax must be in containers or disposed of.
- d. All urban agriculture, including animal yards, must be kept clean, sanitary, and free from all refuse.

Article 15 Definitions

Delete:

~~Urban agriculture. The production, keeping or maintenance, for sale or lease on lots or portions of lots equal to or less than two (2) acres, of plants and animals useful to man, including, but not limited to: forage and sod crops, grains and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, goats or any mutations or hybrids thereof, including the breeding and grazing of any or all such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, flora, ornamental and greenhouse products. The raising of livestock shall be no more than one (1) form of livestock animal or five (5) poultry per every three (3) acres. This district does not permit feed lots and confinement operations for swine, veal, poultry and the like.~~

Mr. Garrison opened the Public Hearing.

Mr. Garrison closed the Public Hearing.

Mr. Bolton made a motion to recommend approval of the proposed zoning ordinance amendment that would establish a new subsection Article 2 section CC, Urban Agriculture. That deletes the Urban Agriculture definition in article 15 allows backyard container gardening up to four hens, chickens, and up to four beehives with standards as permitted uses. All other urban cultural causes a Special Use Permit and we include a recommendation that we look at updating the city animal code to accommodate these proposed changes, so they do not conflict. Mr. Dodson seconded the motion. The motion was approved by an 7-0 vote.

4. *Rezoning PZ22-92, Initiated by the Planning Director, Consolidates the Permitted Uses and Uses Permitted by Special Use Permit into a table that shrinks the 700+ lines of code in the zoning ordinance and makes the uses available in each district more straightforward and easier to reference.*

Doug reviewed the following information and said that he would like the Planning Commission to proceed with the public hearing today and we'll certainly put it on the agenda and the notice for the next Planning Commission to. I'd like the opportunity to review this very carefully. It's a big change. I feel great about the amount of work that's gone into assembling this table but I want to make sure that I'm not missing anything, because suddenly, I could, you know, by proposing this change, we could end up having a use that was completely fine that now is legally non-conforming to where it's at and that could have implications on the properties that it could affect. So, I want to carefully address that and go through it, so I would ask that we postpone action until the June Planning Commission

meeting on this table, but I will also want to share with the Planning Commission what the work will look like and the amount of the big change that it is compared to what the zoning ordinance is now. If you have any questions, I'd be happy to answer them. If not, if I could just ask the commission to review the table and reach out to me with questions or concerns.

Mr. Bolton stated I was going to ask a question. This table is brand new, and this was not available before?

Mr. Plachcinski stated correct.

Mr. Bolton stated this is tremendous work. I mean, from a real estate standpoint, this becomes invaluable. This will be like my old rate book. Sure, you carried it in your back pocket, and you looked up rates and give people their payments. This is unbelievable and great work by you and your staff. Thank you.

Mr. Plachcinski stated Thank you.

This proposed zoning ordinance amendment Establishes a new subsection Article 3. Section C. "Zoning District Use Schedule" to read as follows

1. General. Permitted land uses and uses permitted by Special Use Permit are established by the zoning district use schedule.
2. Multiple Uses. When two (2) or more uses are proposed for the same property, the Zoning Administrator may determine how to apply the provisions of this section unless otherwise directed by the zoning ordinance.
3. New Uses. The zoning administrator may categorize land uses not enumerated in this section according to the most comparable land use if there is a comparable land use.

Additionally, for each article 3.A through 3.Q and 3. U. and 3. V. Section "B" is amended to read:

B. Permitted Uses

Permitted uses are established by Article 3. Section C. Zoning District Use Schedule

Additionally, for each article 3.A through 3.Q and 3. U. and 3. V. Section "C" is amended to read:

C. Uses Permitted

Uses Permitted by Special Use Permit are established by Article 3. Section C. Zoning District Use Schedule.

Mr. Garrison opened the Public Hearing.

Mr. Garrison closed the Public Hearing.

Ms. Evans made a motion to postpone this until the June Planning Commission Meeting. Mr. Bolton seconded the motion. The motion was approved by a 7-0 vote.

Residential Uses																				
		PER = Permitted SUP = Special Use Permit XXX = Not Allowed																		
		Zoning District + Article																		
Use	SR-R 3.A	T-R 3.B	S-R 3.C	NT-R 3.D	OT-R 3.E	A-R 3.F	M-R 3.G	MHP-R 3.H	TO-C 3.I	N-C 3.J	CB-C 3.K	TW-C 3.L	HR-C 3.M	PS-C 3.N	PSC-O 3.U	LED-I 3.O	CP-1 3.P	M-I 3.Q	C-E 3.V	
Accessory apartments, within a residential dwelling and limited to one rental apartment.	PER	PER	PER	PER	PER	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
Accessory building or accessory use without a primary building being located on the parcel.	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
Accessory Dwelling Units	SUP	SUP	SUP	SUP	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
Townhomes	XXX	XXX	XXX	XXX	SUP	PER	PER	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
Bed and breakfast inn, boarding house, or tourist home.	SUP	SUP	SUP	SUP	SUP	SUP	SUP	XXX	PER	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
Campground	SUP	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
Cluster residential subdivisions.	XXX	XXX	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
Emergency housing	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	PER	PER	PER	PER	PER	PER	XXX	XXX	XXX	
Home occupations.	PER	PER	PER	PER	PER	PER	PER	PER	PER	XXX	PER	PER	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
Hotels and motels.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	SUP	PER	PER	PER	PER	PER	PER	PER	PER	XXX	
Multiple family residential dwellings.	XXX	XXX	XXX	XXX	XXX	XXX	PER	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
Nursing, congregate, rehabilitation or other elderly housing.	XXX	XXX	XXX	XXX	XXX	PER	PER	XXX	PER	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
One-family detached dwellings.	PER	PER	PER	PER	PER	SUP	SUP	PER	PER	XXX	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
Post-release or certified recovery residences.	SUP	SUP	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
Residential dwellings in upper floors of buildings with commercial uses on the first floor.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	PER	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
Short-term rentals	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
Two-family residential dwellings (two dwellings, with common wall).	SUP	SUP	SUP	SUP	SUP	PER	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
Yard sale and/or garage sale.	PER	PER	PER	PER	PER	PER	PER	PER	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
Commercial Uses																				
		PER = Permitted SUP = Special Use Permit XXX = Not Allowed																		
		Zoning District + Article																		
Use	SR-R 3.A	T-R 3.B	S-R 3.C	NT-R 3.D	OT-R 3.E	A-R 3.F	M-R 3.G	MHP-R 3.H	TO-C 3.I	N-C 3.J	CB-C 3.K	TW-C 3.L	HR-C 3.M	PS-C 3.N	PSC-O 3.U	LED-I 3.O	CP-1 3.P	M-I 3.Q	C-E 3.V	
Adult Oriented Uses	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX
Agriculture, forestry, aquaculture, and horticulture	PER	SUP	SUP	XXX	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	
Animal Boarding and Kennels	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	SUP	SUP	SUP	SUP	SUP	XXX	PER	XXX	
Any permitted use with outdoor storage and/or display.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	SUP	SUP	SUP	SUP	XXX	XXX	XXX	XXX	
Artist Studios, Galleries, Artisan Manufacturing	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	XXX	
Assembly uses including places of worship, auditoriums, theaters, clubs, social organizations.	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	SUP	XXX	SUP	XXX	

	PER = Permitted SUP = Special Use Permit XXX = Not Allowed																		
	Zoning District + Article																		
Use	SR-R 3.A	T-R 3.B	S-R 3.C	NT-R 3.D	OT-R 3.E	A-R 3.F	M-R 3.G	MHP-R 3.H	TO-C 3.I	N-C 3.J	CB-C 3.K	TW-C 3.L	HR-C 3.M	PS-C 3.N	PSC-O 3.U	LED-I 3.O	CP-1 3.P	M-I 3.Q	C-E 3.V
Auto, light vehicle, and other service establishments with completely enclosed service facilities and screened outdoor repair vehicle storage.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	PER	PER	XXX	SUP	XXX	PER	XXX
Automobile, light vehicle, and mobile home sales with completely enclosed service facilities and screened outdoor repair vehicle storage.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	PER	XXX	SUP	XXX	XXX	XXX
Business service and office supply establishments.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	PER	PER	PER	PER	PER	SUP	XXX	XXX	XXX
Campground	PER	PER	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX
Car washes.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	SUP	XXX	PER	PER	PER	SUP	XXX	XXX	XXX
Commercial recreation facilities	SUP	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	SUP	SUP	SUP	SUP	SUP	SUP	XXX	XXX	XXX
Drive through accessory uses	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	SUP	SUP	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX
Entertainment establishment and/or casino gaming establishment including accessory uses, buildings, and structures customarily subordinate, incidental, and on the premises of such entertainment and/or casino gaming establishment, such as, but not limited to, a hotel and conference center.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	XXX
Funeral homes.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	SUP	SUP	XXX	PER	SUP	XXX	XXX	XXX	XXX	XXX
Health clubs, spas, fitness centers.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	PER	PER	PER	XXX	PER	PER	PER	XXX
Indoor shooting facilities.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX	XXX	XXX	XXX	XXX	XXX
Laundromat facilities.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX	XXX	SUP	XXX	PER	PER	XXX	SUP	XXX	XXX	XXX
Microbrewery, micro-winery, or micro-distillery with tasting and retail	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	PER	PER	SUP	SUP	XXX	SUP	XXX	XXX	XXX
Personal services.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	PER	PER	PER	PER	PER	PER	SUP	PER	XXX	XXX
Post offices and delivery services	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	SUP	SUP	PER	PER	SUP	PER	PER	PER	PER	XXX
Private clubs and lodges.	SUP	SUP	SUP	SUP	SUP	SUP	XXX	XXX	SUP	XXX	SUP	SUP	XXX	SUP	XXX	XXX	PER	XXX	XXX
Restaurant.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	SUP	PER	PER	PER	PER	PER	SUP	PER	XXX	XXX
Retail sales (excluding automobiles, boats, recreational vehicles, mobile homes, farm equipment and the like).	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	PER	PER	PER	PER	PER	PER	PER	PER	PER	XXX
Seasonal/Temporary retail sales.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	PER	PER	PER	PER	SUP	XXX	XXX	XXX
Vehicle fueling stations with or without carwashes, convenience stores, restaurants, or repair services.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX	PER	PER	SUP	XXX	PER	XXX	PER	XXX
Office Uses																			
	PER = Permitted SUP = Special Use Permit XXX = Not Allowed																		
	Zoning District + Article																		
Use	SR-R 3.A	T-R 3.B	S-R 3.C	NT-R 3.D	OT-R 3.E	A-R 3.F	M-R 3.G	MHP-R 3.H	TO-C 3.I	N-C 3.J	CB-C 3.K	TW-C 3.L	HR-C 3.M	PS-C 3.N	PSC-O 3.U	LED-I 3.O	CP-1 3.P	M-I 3.Q	C-E 3.V
Call centers	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	PER	XXX	XXX	XXX	PER	XXX	PER	XXX
Child and/or adult day care centers.	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	PER	SUP	PER	XXX	SUP	SUP	XXX	SUP	PER	XXX	XXX

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Use	SR-R 3.A	T-R 3.B	S-R 3.C	NT-R 3.D	OT-R 3.E	A-R 3.F	M-R 3.G	MHP-R 3.H	TO-C 3.I	N-C 3.J	CB-C 3.K	TW-C 3.L	HR-C 3.M	PS-C 3.N	PSC-O 3.U	LED-I 3.O	CP-1 3.P	M-I 3.Q	C-E 3.V	
Family day care home (four or less children).	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	XXX	XXX	XXX	XXX	XXX	XXX	XXX
Family day care home (more than four children).	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX
Hospitals.	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX	PER	XXX	PER	PER	PER	SUP	XXX	SUP	XXX	XXX	XXX	XXX
Professional and Medical Offices	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	XXX
Veterinary clinics.	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	PER	SUP	SUP	PER	PER	XXX	PER	XXX	XXX
Industry Uses																				
	PER = Permitted SUP = Special Use Permit XXX = Not Allowed																			
	Zoning District + Article																			
Use	SR-R 3.A	T-R 3.B	S-R 3.C	NT-R 3.D	OT-R 3.E	A-R 3.F	M-R 3.G	MHP-R 3.H	TO-C 3.I	N-C 3.J	CB-C 3.K	TW-C 3.L	HR-C 3.M	PS-C 3.N	PSC-O 3.U	LED-I 3.O	CP-1 3.P	M-I 3.Q	C-E 3.V	
Adult Use establishments.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX
Agricultural and horticultural uses including crop production fields, pastures, orchards, vineyards, forests, farm stands, nurseries, and the raising of livestock. This does not include swine, livestock feed lots, or confinement operations.	PER	SUP	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX
Airport.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	XXX	PER	XXX
Asphalt mixing plant.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX
Assembly plant (for pre-manufactured components).	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	XXX	XXX
Automobile salvage or other salvage yards.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX	PER	XXX
Blast furnaces.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX
Bulk storage of flammable materials.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX
Coal, wood or wood distillation facilities.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX
Concrete mixing and batching production.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX
Contractor's offices and shops (no outdoor storage)	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	XXX	XXX	PER	PER	PER	PER	XXX
Contractor's offices and shops (with outdoor storage)	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX	XXX	SUP	SUP	PER	PER	XXX
Data storage and data processing center.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	PER	XXX	XXX	XXX	PER	PER	PER	PER	XXX
Exterminator.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	XXX	XXX	PER	XXX	PER	PER	XXX
Fertilizer, lime or cement manufacturing.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX
Heavy equipment sale, rental and service establishments.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX	PER	PER	XXX
Industrial assembly, fabrication, packaging, treatment, testing, wholesaling, warehousing or processing goods if there is no danger to the health or safety of surrounding areas.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	PER	PER	PER	XXX
Light warehousing and wholesaling (with screened outdoor storage).	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	PER	XXX	XXX	PER	XXX	PER	PER	XXX

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Use	SR-R 3.A	T-R 3.B	S-R 3.C	NT-R 3.D	OT-R 3.E	A-R 3.F	M-R 3.G	MHP-R 3.H	TO-C 3.I.	N-C 3.J	CB-C 3.K	TW-C 3.L	HR-C 3.M.	PS-C 3.N	PSC-O 3.U	LED-I 3.O.	CP-1 3.P	M-I 3.Q.	C-E 3.V
Waiver of maximum dwelling unit density.	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX	XXX	XXX	SUP	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX
Waiver of maximum floor area ratio.	XXX	XXX	XXX	SUP	XXX	XXX	XXX	XXX	SUP	XXX	SUP	SUP	XXX	XXX	XXX	SUP	XXX	SUP	XXX
Waiver of minimum district size.	SUP	XXX	XXX	SUP	XXX	SUP	SUP	XXX	XXX	XXX	XXX	XXX	SUP	XXX	XXX	SUP	XXX	SUP	SUP
Waiver of minimum lot size.	XXX	XXX	XXX	SUP	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX	SUP	XXX
Waiver of minimum yard requirements. Non-residential uses must not have parking in required front yards.	XXX	XXX	SUP	SUP	SUP	XXX	XXX	XXX	SUP	SUP	SUP	XXX	SUP	SUP	XXX	SUP	XXX	SUP	SUP
Waiver of requirements for public water and sewer service.	SUP	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX
Waiver to maximum sign area.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	SUP	SUP	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX
Wavier of building height.	XXX	XXX	XXX	XXX	XXX	SUP	SUP	XXX	SUP	XXX	XXX	XXX	SUP	SUP	XXX	SUP	XXX	SUP	SUP
Wildlife rehabilitation centers.	SUP	SUP	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX
Public, Instructional, and Utility Uses																			
	Zoning District + Article																		
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Use	SR-R 3.A	T-R 3.B	S-R 3.C	NT-R 3.D	OT-R 3.E	A-R 3.F	M-R 3.G	MHP-R 3.H	TO-C 3.I.	N-C 3.J	CB-C 3.K	TW-C 3.L	HR-C 3.M.	PS-C 3.N	PSC-O 3.U	LED-I 3.O.	CP-1 3.P	M-I 3.Q.	C-E 3.V
Airport.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	PER	XXX	PER	XXX
Asphalt mixing plant.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX
Assembly uses including places of worship, auditoriums, theaters, clubs, social organizations.	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	PER	SUP	PER	XXX	XXX
Bus and railroad terminals.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	SUP	XXX	XXX	XXX	SUP	XXX	SUP	XXX
Cemeteries.	XXX	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX
Communication towers and antennae.	SUP	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX	XXX	XXX	XXX	XXX	XXX	SUP	SUP	SUP	XXX
Heliports and helipads	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX	SUP	XXX
Irrigation wells, water reservoirs, and water control structures.	PER	PER	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX
Museums and Libraries.	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	XXX	PER	PER	PER	XXX	XXX	SUP	PER	PER	XXX
Parking garages and parking lots (private or public, as a principal use).	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX	SUP	XXX	PER	PER	SUP	SUP	PER	SUP	PER	XXX	XXX
Private community facilities, recreation uses and other neighborhood common area improvements	XXX	PER	PER	PER	PER	PER	PER	PER	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX
Private swimming pools and tennis courts.	PER	PER	PER	XXX	SUP	XXX	XXX	PER	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX
Public and private outdoor parks, golf courses, and playgrounds.	PER	PER	PER	XXX	PER	XXX	XXX	XXX	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	XXX	XXX	XXX
Public uses and facilities.	XXX	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	PER	PER	PER	PER	PER	XXX	PER	XXX	SUP	XXX
Public utilities.	PER	XXX	XXX	SUP	XXX	XXX	XXX	XXX	XXX	SUP	SUP	XXX	SUP	XXX	XXX	SUP	XXX	SUP	XXX
Recycling centers and waste transfer stations.	XXX	XXX	XXX	XXX	XXX	SUP	SUP	SUP	XXX	XXX	XXX	XXX	SUP	SUP	SUP	XXX	XXX	PER	XXX

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Use	SR-R 3.A	T-R 3.B	S-R 3.C	NT-R 3.D	OT-R 3.E	A-R 3.F	M-R 3.G	MHP-R 3.H	TO-C 3.I	N-C 3.J	CB-C 3.K	TW-C 3.L	HR-C 3.M	PS-C 3.N	PSC-O 3.U	LED-I 3.O	CP-1 3.P	M-I 3.Q	C-E 3.V
Sanitary landfills.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX
Schools, colleges, vocational training centers, and universities (public and private).	XXX	SUP	SUP	SUP	SUP	SUP	SUP	SUP	PER	SUP	SUP	PER	SUP	SUP	XXX	SUP	PER	PER	XXX
Sewage treatment plants.	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	XXX	SUP	XXX

IV. PLANNING DIRECTOR'S REPORT

I just wanted to let you know that I've reached out to the Virginia Department of Conservation and Recreation for their community flood prevention program grant application which I shared with the commission, the grant application that we submitted. I have not gotten a response from them which I'm going to guess is good at this point for the money that was submitted. I'm also aware that the study and research portion of the comprehensive plan scope, that work is continued and getting close to being finalized. So, I will hope that in June, we can present a draft scope with that and have some information as to you know, hopefully we'll know that the additional funds we requested from the state will be available. So, both of those things should happen in June to update you.

V. APPROVE MINUTES FROM APRIL 11, 2022.

The APRIL 11, 2022, minutes were approved by unanimous vote.

VI. ADJOURNMENT

With no further business, the meeting adjourned at 3:37 p.m.

APPROVED _____