

The Altavista Planning Commission held a regularly scheduled meeting on Tuesday, April 3rd, 2023, at 5pm, in Council Chambers at Town Hall, located at 510 7th Street, Altavista, VA.

Members present: John Jordan, Chairman
 Reggie Bennett, Vice Mayor
 Meghan Bolling
 Ashby Robinson, Jr.
 Micah Andrews
 Rayna Steele

Absent: Marie Mitchell, Vice Chair

Staff present: Sharon D. Williams, AICP, Community Development Director
 J. Johnson Eller Jr., Town Attorney
 Crystal Hailey, Assistant Town Clerk

CALL TO ORDER

Chairman John Jordan called the Altavista Planning Commission Meeting to order at 5:00 p.m.

DETERMINATION OF QUORUM

Chairman Jordan informed everyone that Vice Chair Marie Mitchell would be absent that evening. With all other Commissioners present, including the two new Student Commissioners, Chairman Jordan confirmed a quorum.

APPROVAL OF AGENDA

Chairman Jordan confirmed there were no amendments needed to the agenda.

Upon a motion made by Vice Mayor Reggie Bennett, and seconded by Commissioner Ashby Robinson, the Planning Commission voted 6-0 to approve the April 3, 2023, meeting agenda as presented.

PLEDGE OF ALLEGIANCE & INVOCATION

Chairman Jordan delivered an Invocation for the meeting and afterwards, the Planning Commission and Staff recited the Pledge of Allegiance.

INTRODUCTION OF NEW COMMISSIONERS

Chairman Jordan introduced Altavista's two new Student Commissions, Micah Andrews, a regular Commissioner, and Rayna Steele, as the alternate Commissioner. Mr. Jordan asked that they both give a brief introduction of themselves.

Ms. Andrews, a Senior at Altavista Combined School, stated that, after graduation, she would attend UVA and study Political Science.

Ms. Steele, a Junior at Altavista Combined School, stated that she planned to attend college and study Athletic Training and Physical Therapy.

Mr. Jordan welcomed them both to the Altavista Planning Commission; and stated that he looked forward to their input while they served on the Commission.

APPROVAL OF MINUTES

Chairman Jordan confirmed with his fellow Commissioners there were no corrections needed to the March 6, 2023, meeting minutes. A motion was made by Vice Mayor Bennett, and seconded by Commissioner Robinson, approving the minutes for the Altavista Planning Commission's March 2023 meeting as presented, with a 6-0 vote.

PUBLIC EXPRESSION - There were no citizen comments during this meeting.

PUBLIC HEARINGS - There were no public hearings conducted on this date.

COMMITTEE REPORTS

Community Development Director Sharon D. Williams gave the Commission updates on two ongoing projects.

- Mosley Heights Community Enhancement Project

Ms. Williams reminded everyone that the Mosley Heights neighborhood started at the corner of 7th Street and Franklin Avenue, and continued to the end of Eudora Lane. She stated, as part of the Pre-Planning Grant awarded to Altavista for this project through the Virginia Department of Housing and Community Development (DHCD), a Project Team was created, consisting of the Town Manager Gary Shanaberger, Altavista Planning Commissioner Ashby Robinson, a few community advocates, and herself. She stated that a community meeting was held to solicit citizen input. Ms. Williams informed the Commission that DHCD required the grant funds to be used in low to moderate income neighborhoods. She said the Project Team mailed 200+ surveys to Mosley Heights residents requesting that information, and informing the residents of the Town's plans to renovate their neighborhood. Ms. Williams stated that many of the residents were hesitant to offer that information because they thought it would affect their government benefits. She stated that the Project Team assured the residents it would not, and any information collected and submitted to DHCD would be without names and physical addresses.

Commissioner Robinson, a member of the Mosley Heights Community Enhancement Project Team, referenced the Town's Acquire-Renovate-Sell housing program, and stated that he believed, once citizens saw the new houses being built in their neighborhood, they would start to understand the Town's desire to offer affordable housing; and that grant programs were created to be beneficial to housing and community growth and prosperity.

Ms. Williams informed the Commission that Staff recently received an email indicating the Town may be approved for an additional \$50,000 Grant from DHCD to continue this project. She said Staff would wait on the official letter of award for the grant before making any announcements.

- The Town of Altavista's Acquire-Renovate-Sell (ARS) Housing Program

Ms. Williams stated that the ARS Program allowed the Town of Altavista to purchase and remodel homes, or build new single-family homes, for first-time homebuyers with low to moderate incomes. Ms. Williams informed the Commission that Assistant Town Manager Matt Perkins recently acquired a \$189,000 Grant from the Central Virginia Planning District Commission (CVPDC) that would also be used for the ARS Program. She said the first three homes being built through the ARS Program would be located in Mosley Heights.

Chairman Jordan asked who owned the homes being built through the ARS Program.

Ms. Williams stated, while the initial funds for Altavista's ARS Program were awarded from DHCD (\$45,000), the Town owned any properties purchased, until sold to first-time home buyers; afterwards, the Town of Altavista was required to reimburse \$40,000 to DHCD, and any proceeds would be programmatic income.

Chairman Jordan asked who would finance the homes.

Ms. Williams said, while there were two 1st National Bank employees on the ARS Project Team, the team would be encouraging the first-time home buyers to apply for a loan through Virginia Housing, formally the Virginia Housing Development Authority, because they offered a 1% interest rate reduction to first-time home buyers. She said that Virginia Housing also had programs that assisted with down payments and closing costs. Ms. Williams stated the ARS program was part of the continued efforts by the Town of Altavista to improve the quality of life for its citizens. She said the Town would start the first build in Spring 2023.

UNFINISHED BUSINESS

Short-term Rental Discussion

Chairman Jordan asked if Town Council had discussed this subject.

Ms. Williams answered they had not. She informed the Commission that, on October 1st, 2022, the General Assembly enacted *Section 58.1-3826* of the Code of Virginia, which required third-party accommodation intermediary companies to file, collect, and remit local Transient Occupancy Tax; as well as retail sales and use tax on rooms, lodgings, and accommodations. Ms. Williams stated that the Town of Altavista was required to accept the payments submitted; however, there was no provision within the Zoning Ordinance that defined or regulated short term rentals.

Chairman Jordan asked if any Altavista lodging owners had not complied with tax requirements.

Ms. Williams said she did not know of any. She stated that due to the state code change staff recommended that the Zoning Ordinance be amended to establish the use and provision for its allowance. Ms. Williams stated that it was the Planning Commission's decision whether to recommend an amendment to the Town Council, and ultimately the decision of Council whether to amend the code.

Vice Mayor Reggie Bennett said, during a recent meeting he attended for certification, this matter was discussed by Campbell County's Planning Commission. He said the County implemented

regulations for the number of bedrooms verses occupants, and for parking spaces. He suggested looking at the county's ordinance, for rules that may also be applicable for the Town of Altavista.

Ms. Williams informed the Commission that Campbell County only allowed short-term rental through a Special Use Permit, which required a process that included both the Planning Commission and the Town Council. She stated, it may be easier to use a "registration process". Chairman Jordan asked Ms. Williams for her professional opinion on the matter.

Ms. Williams stated that she believed short-term rentals in Altavista should be regulated, and the choice would be up to the Town whether the matter could be handled administratively, or needed approval of Town Council, with a Special Use Permit (SUP).

Vice Mayor Bennett shared his favor with requiring a Special Use Permit for all short-term rentals, and determining approval with a case-by-case evaluation.

Town Attorney John Eller suggested the use also be considered by districts.

Chairman Jordan asked Ms. Williams to draft options pertaining to short-term rentals for the Commission's consideration at their May Meeting.

Ms. Williams stated that she would draft an ordinance for each option, a by-right use and a Special Use Permit requirement. She said the Commission could amend the draft ordinances to fit what they believed would be the most viable option for the Town of Altavista, and accordingly, Staff would then schedule a public hearing for this matter.

Mr. Bennett asked why Campbell County allowed short-term rentals "by right", and also by a required Special Use Permit in some cases.

Ms. Williams stated the county allowed the use by-right in their commercial districts, but required a SUP in residential districts, because of the potential to become a traffic or noise nuisance. She reminded the Commission that short-term rentals included both whole-house rental and home-stay rental, which meant the use of one bedroom, with or without the use of the kitchen facilities. Ms. Williams said some people consider this use scary, but Uber transportation was initially considered scary until people started using the service and realized the benefits it offered. She said, if Altavista allowed the use, in any district, it needed to be regulated by its Town Code and Zoning Ordinance.

Commissioner Bolling referenced the new state code that now required localities to collect Short-term Rental Taxes, and asked why Altavista did not what the tax.

Ms. Williams stated that the Town of Altavista was in favor of receiving the taxes from this use, but was previously unsure of where the funds originated. She said the Town was responsible for depositing all revenue, therefore, needed to know its source. Ms. Williams stated, with the Code of Virginia's new law, short-term rental businesses were required to register with their localities, as hotels and motels were required, so the tax could be properly collected and recorded; and accordingly, she believed the Town should have an ordinance that addressed/covered the matter.

Town Attorney John Eller questioned, if the Town restricted short-term rental in its residential districts, and a short-term rental business operated illegally, should the Town accept their taxes.

Ms. Williams stated that the Town's Finance Director, Tobie Shelton, would follow the Code of Virginia's direction and collect the tax as required. She said, if a short-term rental business was not registered with the Town, it would be operating illegally, and that matter would be addressed. There were no further questions or comments from the Planning Commission concerning this item.

NEW BUSINESS

Lynch Mill Road – Future Land Use Map (FLUM) Designation

Ms. Williams referenced the recent redesignation of a property on Lynch Mill Road from Industrial to Residential. She asked the Commission to consider whether Lynch Mill Road, as a whole, should be a Commercial District or Residential District; or if the Town should consider implementing a new district, "Transitional", to accommodate such areas as Lynch Mill Road and parts of 7th Street having both uses.

The Planning Commission Chairman and Town Attorney both shared that they were in favor of the Town having a Transitional District.

Chairman Jordan said having the options that a Transitional District would offer, was a benefit to property owners. He asked Ms. Williams to clarify the definition of a Transitional District.

Ms. Williams stated, as she preferred residential use not be allowed in the C-2 District, the proposed Transitional District would provide the opportunity for properties/structures to be used as commercial or residential; and the area to be considered mixed-use.

Commissioner Bolling said that she considered Lynch Mill Road as already having mixed uses, and if the Town had a Transitional District, it would be appropriate for this area.

Vice Mayor Bennett referenced the property located on the corner of Clarion Road and Lynch Mill Road, and said the property and building was conducive to both residential and commercial use, but currently had no choice other than residential. He shared his favor in having a Transitional District to offer potential buyers the option to be either.

Commissioner Robinson stated that allowing commercial use in a residential area could sometimes cause concern from the potential to live next to a business with an unsightly front façade. He asked how the Town could regulate a businesses visual presence in a neighborhood to be "tasteful".

Ms. Williams informed the Commission that esthetics could be regulated through zoning, but the restrictions or regulations could be considered contentious to property owners. She said such restrictions were typically only implemented in larger localities.

Commissioner Bolling referenced the aforementioned area, where Clarion Rd. met Lynch Mill Rd., and asked why the Town's proposed round-about for that intersection was denied by VDOT.

Ms. Williams stated that the project did not get the required scores to move forward, which included a distance issue of needing to be exactly 1 mile from the Dearing Ford Industrial Park, however, the site was 1.12 miles away from that site.

There was a consensus of the Planning Commission to continue this discussion at a later meeting.

Ms. Williams said she would draft a Transitional District ordinance for their consideration.

MATTERS FROM STAFF

Ms. Williams informed the Commission that the Town Council approved their last text amendment recommendation. She said there were two additional text amendments to go before Town Council for consideration at their April 11th meeting.

ADJOURNMENT

Chairman Jordan asked if there were any other concerns or items to discuss that evening, of which there were none.

With no further business to discuss, Chairman Jordan adjourned the meeting at 6:09 p.m.

John Jordan
Planning Commission Chair

Sharon D. Williams, AICP
Planning Commission Secretary