

LYNCHBURG PLANNING COMMISSION

October 12, 2016

4:00 p.m. Conference Room, Second Floor, City Hall

Lynchburg Planning Commission Public Participation Policy at Public Hearings:

1. The presentation by the Petitioner's representative(s) will be a maximum of ten (10) minutes. If it would be difficult to fully explain a complex proposal orally within the time limit, it is recommended that the petitioner submit in advance to the Planning Division staff written information that can be mailed to the Commission members.
2. Comments from a speaker representing an opposition group will be a maximum of ten (10) minutes.
3. Subsequent individual citizens wishing to speak will be allowed a maximum of three (3) minutes each.
4. At the end of the public hearing, each side will be allowed a maximum of three (3) minutes for final comments.
5. The Commission would prefer not to hear speakers whose comments are repetitive or are irrelevant to the petition at hand, but will recognize the number of people present in support or in opposition to the petition.
6. When the public hearing comments are completed for an item, the Chair will declare that the hearing is closed. The Commission will then go into a business session on that item, during which the public may remain present but will not be allowed to speak.
7. The Commission Chair will firmly and fairly enforce the above rules.

Other Agenda Items

The Commission agenda will frequently contain items which are not listed as public hearings. Such non-public hearing items include proposed subdivision plats, public street dedications, and street names. Public comments on such items are generally not encouraged. However, the Commission may at its discretion allow citizens to speak according to the rules listed above.

1. New/Old Business:
 - a. Approval of the September 14, 2016 minutes
2. Public Hearings:
 - a. Petition of Jackson III LLC to rezone approximately one and five hundred seventeen thousandths (1.517) acres located at 2244 Rivermont Avenue from R-3, Medium Density Residential District to B-4C, Urban Commercial District (Conditional) to allow the use of an existing building as twenty-nine (29) apartments and the construction of an additional parking area.
 - b. The Planning Commission will consider corrections and clarifications to the following sections of the City's Zoning Ordinance that was adopted February 23, 2016 as described here:
 - a. **Exhibit II-16:** require that the calls for metes and bounds be illustrated on all concept plans for rezonings.
 - b. **§35.2-33.1 (b):** clarify language dictating how zoning is applied during right-of-way vacations.
 - c. **§35.2-46.4 (d):** allow parking within the required 20 foot setback as long as it is behind the front building line.
 - d. **§35.2-56.7 (a):** remove exemption from setbacks for limited access highways within the Scenic Corridor.
 - e. **§35.2-63.9 (e) 6.:** allow wood or vinyl fence enclosure of dumpsters.
 - f. **§35.2-71.4 (b) 6.:** allow only one business vehicle and one trailer per lot for home based businesses.
 - g. **§35.2-71.7:** clarify that farm animal enclosures required to be set back 200 feet do not include fences.
 - h. **§35.2-72.23(c) 4.:** allow temporary outdoor promotional attractions within 150 feet of adjacent multi-household and mixed use dwellings.
 - i. **§35.2-72.27:** allow mobile retail trucks in addition to mobile food trucks.

- j. **§35.2-80.4:** remove requirement for underlying zoning district setbacks to apply to cluster subdivisions; **Exhibit VIII-1:** clarify that maximum lot coverage requirements do not apply, require lot widths not to be below 30', allow for setbacks to be 50% of the applicable zoning district's setback, except that side setbacks shall not be less than 5 feet.
- k. **§35.2-84.6 (g):** clarify that stormwater infiltration requirements for excess parking in large scale retail development applies to the one-year storm and that if soil quality does not allow for infiltration, filtering is an accepted alternative.
- l. **§35.2-102.1 (b)- (d):** allow the Zoning Administrator to establish time periods for zoning violations to be corrected that are congruent with the allowed appeal period.
- m. **Article IV- Exhibit IV-12 (B-1), Exhibit IV-15 (B-3), Exhibit IV-17 (B-4), Exhibit IV-19 (B-5):** use Land Base Classification System (LBCS) structure codes in use matrices to more accurately define uses as stated in ordinance §35.2-34.1; add category for mixed use residential so that mixed use residential is permitted without a minimum of 3 units; allow mixed use residential in B-5 district; add descriptions for each type of residential use from definitions; **§35.2-34.1:** clarify how structure codes are distinguished from function codes in the ordinance; **§35.2-43.4 (b)** and **Exhibit IV-10:** correct R-3 and R-4 lot size and density requirements to 1) allow detached dwellings on 4,000 square foot lots, 2) Clarify that accessory units are not permitted on small lots in R-3 and 3) reduce the minimum lot size in R-4 to match R-3; **§35.2-45.3 (e) (B-1), §35.2-46.3 (g) (B-3), §35.2-48.3 (f) (B-5) :** clarify district use standards language to say that residential permitted by CUP does not require a mixed use component; **Exhibit IV-2 (R-C), Exhibit IV-4 (R-1), Exhibit IV-6 (R-2), Exhibit IV-8 (R-3), Exhibit IV-10 (R-4), Exhibit IV-14 (B-1):** clarify that lot width requirements apply to both the setback line and the front property line.

3. Next Regular Meeting Date – October 26, 2016