

**TOWN OF ROCKY MOUNT  
PLANNING COMMISSION  
REGULAR MEETING MINUTES**

**May 5, 2015  
6:00 p.m.**

The Planning Commission of the Town of Rocky Mount, Virginia met in the Council Chambers of the Rocky Mount Municipal Building, located at 345 Donald Avenue, Rocky Mount, Virginia, at 6:00 p.m. on May 5, 2015, for its regular monthly meeting with Vice Chair John Speidel presiding.

Commission Members Present: Bud Blanchard; Ina Clements; John Tiggle; Vice Chairman John Speidel

Commission Members Absent: Derwin Hall; Jerry Greer; Madame Chair Janet Stockton

Staff Members Present: Assistant Town Manager, Matt Hankins; Town Planner, Josh Gibson; Town Attorney, John Boitnott; Deputy Clerk and Secretary to Planning Commission Deanna Alexander

**APPROVAL OF AGENDA**

Additions or Corrections: None

Motion: To approve the agenda as presented

Motion By: Commission Member Clements

Second: Commission Member Blanchard

Action: Approved by a unanimous vote of members present

**REVIEW AND CONSIDERATION OF MINUTES**

Let the record show that prior to the meeting, Planning Commission received the following draft minutes for review and consideration of approval:

- **April 7, 2015 - Regular Meeting Minutes**

Additions or Corrections:

Let the record show Deputy Clerk, Deanna Alexander, made a correction to the April 7, 2015 minutes presented: Draft Minutes Reviewed Date changed from April 7, 2015 to March 3, 2015.

Motion: To approve the minutes with correction

Motion By: Commission Member Clements

Second: Commission Member Blanchard

Action: Approved by a unanimous vote of members present

**PUBLIC HEARING**

*Let the record show there are no public hearings at this time.*

**NEW BUSINESS**

*Let the record show there is no new business at this time.*

**OLD BUSINESS**

***Old Business Item No. 1: Lodging in the Central Business District – Updates to Zoning Ordinance***

Staff Remarks:

Josh Gibson, Town Planner, came before the Planning Commission to present the staff report memorandum on Lodging in the Central Business District – Updates to Zoning Ordinance.

**STAFF REPORT**

To: Janet Stockton, Chair, and Planning Commissioners  
From: Matthew C. Hankins, Assistant Town Manager and Zoning Administrator  
Josh Gibson, Town Planner  
Date: April 22, 2015  
Re: Lodging in the Central Business District – Updates to Zoning Ordinance

## EXECUTIVE SUMMARY

In February and March meetings, staff and planning commissioners generally agreed that some of the lodging definitions in our Zoning and Development Ordinance needed clarification and adjustment. After continued research, a few changes are proposed below. Updates include an expansion to the definition of Bed & Breakfast establishments, plus an additional category for a small hotel recommended as either a by-right or special exception use for parcels zoned Central Business District (CBD). Rather than a wholesale update to all lodging types (as was previously discussed), this proposal includes the updates most critical for bringing existing and planned businesses into compliance. It also addresses a need for more lodging options in the CBD regulations without permitting those uses with a greater potential to unfavorably affect the character of the district, such as conventional hotels and motels. Since there appeared to be little interest in immediately pursuing downtown design guidelines in concert with lodging updates, staff is making no recommendation to implement any at this time.

### TOWN ZONING ORDINANCE LODGING DEFINITION UPDATES

(A) *BED AND BREAKFAST* - Old B&B definition would be replaced by two expanded categories:

- **BED AND BREAKFAST HOMESTAY** A home occupation wherein the owner of the premises resides at the establishment, and which (1) may contain up to five (5) guestrooms for temporary/overnight guests, (2) shall not contain restaurant facilities but may provide food service for temporary/overnight guests and (3) may host indoor/outdoor events such as weddings, receptions, and similar activities on site subject to other applicable restrictions
- **BED AND BREAKFAST INN** Building(s) for temporary/overnight guests wherein the owner or manager provides full-time management of the establishment at all times when the facility is occupied by one or more guests, and which (1) may contain up to ten (10) guestrooms for temporary/overnight guests, (2) shall not contain restaurant facilities but may provide food service for temporary/overnight guests, and (3) may host indoor/outdoor events such as weddings, receptions, and similar activities on site subject to other applicable restrictions

(B) *MIXED USE INN* - The proposed change would add a smaller (“boutique”) hotel category which may include additional uses on the same premises

- **MIXED-USE INN** Building designed or occupied as an abiding place featuring no less than 8 rooms and no more than 20 rooms available for temporary/overnight guests who are, for compensation, lodged, with or without meals, and in which provision is not generally made for cooking in individual rooms or suites. In addition to the 8-20 rooms/suites, a mixed-use inn may or may not also include on premises restaurants, banquet halls, meeting rooms, retail uses and similar facilities as approved by the zoning administrator. The intent of this lodging category is to encourage compatible mixed uses as an enhancement and compliment to the primary use (lodging)

### RELATIONSHIP TO OTHER CODE SECTIONS:

- OFFSTREET PARKING ORDINANCE
  - No changes; proposed Mixed-Use Inns may be encouraged to utilize Sec 7-2-2 (which permits public or otherwise authorized lots to be counted toward the required spaces for a business)
- LODGING TAX
  - Currently collected by Bed and Breakfast establishments; all of the proposed uses will also collect from overnight guests
- MEALS TAX
  - Meals taxes are collected from brick and mortar restaurants; we can use the update as an opportunity to clarify that Bed and Breakfast Homestays and Inns establishments will not be subject to regular meals taxes *unless* meals are at any point served to the general public *not* staying at the establishment. If a Mixed-Use Inn includes a restaurant open to the public, all restaurant patrons are subject to meals taxes.

### STAFF RECCOMENDATIONS

1. Staff recommends amending Article 4 (Definitions) of the Zoning and Development Ordinance to (A) modify the definition of Bed & Breakfasts, as shown above and in Figure 1 (*following page*); and (B) add a definition for Mixed-Use Inns, as shown above and in Figure 1 (*following page*).
2. This should be coupled with zoning district use updates as follows:
  - R1 District
    - CURRENTLY: B&B allowed by special exception
    - CHANGES: Allow both categories of B&B as special exception
  - RB District
    - CURRENTLY: B&B allowed by special exception
    - CHANGES: Allow both categories of B&B as special exception
  - CBD Central Business District
    - CURRENTLY: B&B allowed by right
    - CHANGES: Allow both categories of B&B as special exception; **allow mixed-use inn as either a by right use or special exception**

**FIGURE 1. Lodging definitions and proposed changes**

CURRENT LODGING DEFINITIONS	
LODGING TYPE	ZONING ORDINANCE DEFINITION
HOTEL	A building designed or occupied as the more or less temporary abiding place for 14 or more individuals who are, for compensation, lodged, with or without meals, and in which provision is not generally made for cooking in individual rooms or suites.
MOTEL	Any group of dwelling units, combined or separated, used for the purpose of housing more than 14 transient guests, each unit of which is provided with its own toilet, washroom and off-street parking facility.
BOARDING HOUSE	A building where, for compensation, lodging or meals are provided for at least five and up to 14 persons.
BED AND BREAKFAST	A home occupation involving the rental of up to four rooms to overnight guests and offering breakfast meals only to said guests.
TOURIST HOME	A dwelling where only lodging is provided for compensation for up to 14 persons (in contradistinction to hotels and boarding houses) and open to transients.
TOURIST COURT, AUTO COURT, MOTEL, INN, CABINS, OR MOTOR LODGE	One or more buildings containing individual sleeping rooms, designed for or used temporarily by automobile tourists or transients, with garage or parking space conveniently located to each unit. Cooking facilities may be provided for each unit.
PROPOSED CHANGES	
LODGING TYPE	ZONING ORDINANCE DEFINITION
DELETIONS	
<del>BED AND BREAKFAST</del>	<del>A home occupation involving the rental of up to four rooms to overnight guests and offering breakfast meals only to said guests.</del>
ADDITIONS	
BED AND BREAKFAST HOMESTAY	A home occupation wherein the owner of the premises resides at the establishment, and which (1) may contain up to five (5) guestrooms for temporary/overnight guests, (2) shall not contain restaurant facilities but may provide food service for temporary/overnight guests and (3) may host indoor/outdoor events such as weddings, receptions, and similar activities on site subject to other applicable restrictions in the Town Code
BED AND BREAKFAST INN	Building(s) for temporary/overnight guests wherein the owner or manager provides full-time management of the establishment at all times when the facility is occupied by one or more guests, and which (1) may contain up to ten (10) guestrooms for temporary/overnight guests, (2) shall not contain restaurant facilities but may provide food service for temporary/overnight guests, and (3) may host indoor/outdoor events such as weddings, receptions, and similar activities on site subject to other applicable restrictions in the Town Code
MIXED-USE INN	Building designed or occupied as an abiding place featuring no less than 8 rooms and no more than 20 rooms available for temporary/overnight guests who are, for compensation, lodged, with or without meals, and in which provision is not generally made for cooking in individual rooms or suites. In addition to the 8-20 rooms/suites, a mixed-use inn may or may not provide restaurants, banquet halls, meeting rooms, retail uses and similar facilities as approved by the planning commission. The intent of this lodging category is to encourage compatible mixed uses as an enhancement and compliment to the primary use (lodging)

Discussion by Planning Commission:

Open discussion ensued with Commission Members; John Boitnott, Town Attorney; Matthew Hankins, Assistant Town Manager; and Josh Gibson, Town Planner. Discussion included the definition of lodging terms, the intent of the changes to the zoning ordinance, and the purpose of mixed-use inn.

Matthew Hankins explained to the members the recommended changes to the zoning code on lodging in the central business district gives the Town the opportunity to hold property owners accountable. Josh Gibson added to Mr. Hankins comments stating the new code definitions will support the intentions of both the Commission and the Town for future economic growth.

Vice Chair Speidel asked for any other comments.

Motion: To hold a public hearing to recommend approval to Town Council to change the Town Zoning Ordinance on Lodging in the Central Business District as presented to the Planning Commission with corrections.

Motion By: Commission Member Tiggle

Second: Commission Member Clements

Action: Approved by a unanimous vote of members present

### ***Old Business Item No. 2: Timeline of Comprehensive Plan***

#### Staff Remarks:

Josh Gibson, Town Planner, came before the Planning Commission to review Comprehensive Plan timeline.

The Comprehensive Plan has been received by the Community Development Department and will be under staff review for the next few weeks; a draft copy will be given to Planning Commission members in June; public hearing will be held in July; possible approval in August; and the Comprehensive Plan in place by fall of 2015.

### **COMMISSIONER CONCERNS AND STAFF UPDATES**

Matt Hankins: Community Development Update

- a. Two new business prospects; one for the Cox property and one for the shopping center site. Final decisions by the prospects on location are expected by early summer.
- b. Phillip Bane approached the Community Development staff about the possibility of a hotel and restaurant combination downtown at 325 Franklin Street. Restaurant on the lower level with a hotel on the upper levels.
- c. Murphy USA gas station development at Walmart; meeting scheduled Thursday with Town Planner, Josh Gibson, to discuss lane capacity, traffic patterns and management. The Murphy Oil site plan has not been submitted for review at this time.

Open discussion ensued with Commission members, Matthew Hankins, Assistant Town Manager, and Josh Gibson, Town Planner regarding “Walmart” traffic, the need for multiple turn lanes, and traffic congestion at Christmas.

Vice Chair Speidel:

Vice Chair Speidel asked Mr. Hankins about Community Development major projects. Mr. Hankins gave a brief description of two projects; Wayfinding signage and the new website.

Commission Member Blanchard: No Comments

Commission Member Clements:

Member Clements asked Mr. Hankins about the condition of the bricks in the town crosswalks. Mr. Hankins explained that missing bricks were to be expected. The bricks were placed on old asphalt; therefore, the Town expected some of the brick material to come loose.

Commission Member Tiggle:

Member Tiggle asked about out of town water rate increase. Mr. Hankins gave new rate information and offered to look into a high water bill for Mr. Tiggle’s family member.

Vice Chair Speidel hearing no further comments entertained a motion to adjourn.

**ADJOURNMENT**

Motion to Adjourn By: Commission Member Clements

Second: Commission Member Tiggle

Action: Approved by a unanimous vote of members present

Time of Adjournment: 6:40 p.m.

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John Speidel, Vice Chairman

ATTEST:

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Deanna L. Alexander, Clerk/Secretary

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