

AGENDA
TOWN OF HAMILTON
Planning Commission Public Hearing
Wednesday February 21, 2018
7:00 pm

Planning Commission Meeting Immediately follows Public Hearing

CALL TO ORDER – By Chairperson
PLEDGE OF ALLEGIANCE
ROLL CALL
DETERMINATION OF A QUORUM

Public Hearing for Town of Hamilton Zoning Ordinance proposed Amendments and Changes to Articles 4, 8 and 16 of the Hamilton Zoning Ordinance Concerning Short Term Rentals. (Pg 3-4)

PUBLIC COMMENT

Close Public Hearing

AGENDA
TOWN OF HAMILTON
PLANNING COMMISSION MEETING
Wednesday February 21, 2018
Immediately follows Public Hearing

CALL TO ORDER – By Chairperson

ROLL CALL
DETERMINATION OF A QUORUM

APPROVAL OF MINUTES –
Planning Commission Meeting Minutes January 17, 2018 (Pgs 5-7)

PUBLIC COMMENT

REPORT OF OFFICERS

STANDING COMMITTEE REPORTS

SPECIAL COMMITTEE REPORTS

OLD BUSINESS

1. Review of Comprehensive Plan

2. Town of Hamilton Zoning Ordinance proposed Amendments and Changes to Articles 4, 8 and 16 of the Hamilton Zoning Ordinance Concerning Short Term Rentals.

NEW BUSINESS

None

INFORMATION ITEMS

Zoning Administrator Verbal Report

EXECUTIVE SESSION

If needed

ADJOURNMENT

Next Planning Commission Meeting- March 21, 2018

Next ZORC Meeting - TBD

**PUBLIC HEARING NOTICE
TOWN OF HAMILTON PLANNING COMMISSION**

The **Town of Hamilton Planning Commission** will hold a public hearing in the Town Office at 53 East Colonial Highway, Hamilton, Virginia on **Wednesday February 21, 2018, at 7:00 PM** for the purpose of receiving comments on, considering, and possibly voting on a recommendation to the Hamilton Town Council regarding amendments to Articles , 4, 8, and 16 of the Hamilton Zoning Ordinance (HZO). These actions are authorized by Code of Virginia of 1950, as amended, §§ 15.2-2280 et seq. The proposed amendments are summarized below and a redline copy of the amendments can be found at www.town.hamilton.va.us:

HZO Article and Section	HZO Amendments and Changes
Article 16 (Definitions), Section 2	Add the following definition of Short Term Rental : the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than 30 consecutive days, in exchange for a charge for the occupancy.
Article 4 (District Regulations), Sections 1.3, 2.3, 3.3, & 4.3	Add Short Term Rental as a use by special use permit in the R-1, R-2, R-3, and R-6 Zoning Districts
Article 8-Additional Regulations	<p>Add a new Section 7: Short Term Rental with the following provisions:</p> <ol style="list-style-type: none"> 1. Short Term Rental shall be accessory only to household living use as defined in Article 16: Definitions, and shall be allowed only where: <ol style="list-style-type: none"> a. The dwelling unit is used by the resident of the dwelling unit as his/her primary residence, which means that he or she resides there for at least 185 days during each year; and b. The bedroom(s) rented to overnight lodgers shall be within the main building of the dwelling unit that the resident occupies as his/her primary residence and shall not be in a detached accessory building. 2. Maximum number of overnight lodgers: The maximum number of overnight lodgers on any night shall be determined based on the greater of six (6) lodgers, or two (2) lodgers per number of bedrooms in the dwelling, provided, however, under no circumstances shall the number of lodgers exceed that allowed by the Loudoun County Building Code. 3. Safety: A Short Term Rental shall have working fire extinguishers, smoke detectors and, if applicable, carbon monoxide detectors, and all such equipment shall be accessible to all overnight lodgers at all times. The applicant shall have all fire extinguishers and detection equipment inspected and certified annually. 4. Guest Room: Any sleeping room used for a Short Term Rental shall have met the requirements for a sleeping room at the time it was created or converted pursuant to the Loudoun County Building Code. 5. Meetings or gatherings: Including but not limited to, luncheons, banquets, parties, weddings, meetings, charitable fundraising, commercial or advertising activities, or other gatherings for direct or indirect compensation are prohibited. 6. County & State Code: A Short Term Rental shall comply with requirements of the applicable version of the Virginia Uniform Statewide Building Code USBC Parts I, II, and III, (as authorized by Code of Virginia of 1950, as amended, § 36-98), as determined by the Loudoun County Building Official. 7. Residential Character: The Short Term Rental shall have no more effect on

	<p>adjacent properties than normal residential use and the Short Term Rental will be subordinate to the principal use of the premises for dwelling purposes.</p> <ol style="list-style-type: none"> 8. Signage: There shall be no evidence on the exterior of the premises or visible from the exterior of the premises that the property is used in any way other than for a dwelling. No advertisements or signage is permitted for the Short Term Rental on the building or on any accessory structure or on the premises. There shall be no outside display, storage or sale of merchandise or equipment. 9. Traffic: No traffic shall be generated by such Short Term Rental in greater volumes than would normally be expected in a residential neighborhood. Any need for parking generated by the Short Term Rental shall be met by using off-street parking in a manner that protects the residential character of the area and the visual appearance of the residence. 10. Nuisance: The owner shall manage guests accordingly of the Short Term Rental to prevent excessive noise, traffic, nuisance, safety hazards and other potential adverse impacts to adjacent property owners. 11. The Short Term Rental location shall be open to inspection by the Town Zoning Administrator.
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The proposed amendments to the Zoning Ordinance for the Town of Hamilton, Virginia are available for review at the Hamilton Town Office, 53 East Colonial Highway, Hamilton, Virginia from 8:00 A.M. to 4:30 P.M., Monday through Friday, holidays excepted. The proposed amendments are also outlined on the Town’s website at www.town.hamilton.va.us.

All members of the public may appear and present their views pertinent to these matters.

Robert McCann, Chair
Town of Hamilton Planning Commission Run dates: February 9, and February 16, 2018

**MINUTES
HAMILTON PLANNING COMMISSION
REGULAR MEETING
JANUARY 17, 2018**

CALL TO ORDER:

Chairman McCann called to order the Public Hearing to the Town of Hamilton Planning Commission at 7:00 PM.

PRESENT: Robert McCann, Chairman
Les Carlson, Vice Chairman
Russ Beal, Commissioner
Greg Wilmoth, Commissioner
Dan Gorman, Commissioner
Matthew Clark, Council member
Cathy Salter, Commissioner

STAFF: Daniel Galindo, Zoning Administrator
Maureen Gilmore, Town Attorney
Jennifer Noel, Recorder - Absent

PUBLIC COMMENT:

None

MINUTES:

Commissioner Salter made a motion to approve the May 17, 2017 minutes as submitted.

Motion: Commissioner Salter
Second: Commissioner Beal
Carried: 7-0

Commissioner Salter made a motion to approve the November 15, 2017 minutes as amended.

Motion: Commissioner Salter
Second: Commissioner Wilmoth
Carried: 7-0

ELECTION OF OFFICERS:

1. Chairman – Commissioner Salter nominated Bob McCann for Chairman.

Motion: Commissioner Salter
Second: Commissioner Beal
Carried: 6-6-1 with McCann
Abstaining

2. Vice Chairman - Commissioner Salter nominated Les Carlson for Vice Chairman.

Motion: Commissioner Salter
Second: Commissioner Beal
Carried: 6-0-1 with Carlson
abstaining

OLD BUSINESS:

1. Comprehensive Plan Review – Mr. Galindo stated that he has nothing new to report.
2. Hamilton Zoning Ordinance change to allow Short Term Rentals – Mr. Galindo gave a brief report to Planning Commission regarding this item. Planning Commission discussed the proposed Ordinance and made some recommendations to staff. Staff is to discuss recommendations with the Town Attorney. The Planning Commission did decide to include the Townhouse community.

Commissioner Salter made a motion for the Planning Commission to hold a public hearing on Wednesday, February 21, 2018 at 7:00 PM regarding a change to the Hamilton Zoning Ordinance to allow Short Term Rentals.

Motion: Commissioner Salter
Second: Commissioner Beal
Carried: 7-0

NEW BUSINESS:

Setting of Schedule for the Year -Resolution/Inclement Weather – 3rd Wednesday of the Month

Commissioner Salter made a motion to approve the Planning Commission Meeting Schedule and Inclement Weather Policy for 2018.

Motion: Commissioner Salter
Second: Commissioner Beal
Carried: 7-0

INFORMATIONAL ITEMS:

None

ADJOURNMENT:

There being no further business the meeting adjourned at 7:40 PM.

Robert McCann, Chairman

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Jennifer L. Noel, Recorder