

**TOWN OF DAYTON  
PLANNING COMMISSION MEETING  
COUNCIL CHAMBERS – DAYTON TOWN HALL  
Thursday, March 16, 2023  
6:00 PM**

**AGENDA**

- 1) Call to Order, Welcome & Invocation
- 2) Approval of Minutes from the Special Called Meeting of February 13, 2023, and the Regular Meeting of February 16, 2023.
- 3) Item for Discussion:
  - a) Review Changes to the Subdivision and Zoning Ordinance Related to Sidewalks, Driveways, and Stormwater for Recommendation to Dayton Town Council
  - b) Review Capital Improvement Program for Recommendation to Dayton Town Council
- 4) Unfinished Business
- 5) New Business
- 6) Public Comment
- 7) Adjournment

**TOWN OF DAYTON  
SPECIAL CALLED PLANNING COMMISSION MEETING MINUTES  
COUNCIL CHAMBERS, DAYTON TOWN HALL  
February 13, 2023**

**PLANNING COMMISSION MEMBERS PRESENT:** Chairman Hunter Barnett, Vice Chair Lauren Rawley, and Bradford Dyjak.

**PLANNING COMMISSION MEMBERS ABSENT:** Colton Shifflett and Aaron Swindle.

**ALSO PRESENT:** Christa Hall, Clerk of Council and Community Development Coordinator.

**CALL TO ORDER:** Chairman Hunter Barnett called the meeting to order at 5:36 p.m. upon conclusion of the Joint Public Hearing.

**ITEMS FOR CONSIDERATION – RECOMMENDATION TO COUNCIL REGARDING PROPOSED COMPREHENSIVE PLAN UPDATE:** Chairman Barnett stated that the purpose for this meeting was for the Planning Commission to consider recommending to the Town Council that they adopt the 2022 Comprehensive Plan. He then asked if there was any discussion at this time. As there was no discussion, Chairman Barnett asked for a motion to approve the resolution recommending the amendments to the Comprehensive Plan for the Town of Dayton. Vice Chair Rawley replied so moved and the motion was seconded by Commission Member Dyjak and passed by a roll call vote, which was recorded as follows: RAWLEY-AYE; DYJAK-AYE; BARNETT-AYE; SHIFFLETT-ABSENT; and SWINDLE-ABSENT. The Resolution reads as follows:

**A RESOLUTION RECOMMENDING AMENDMENTS TO THE  
COMPREHENSIVE PLAN FOR THE TOWN OF DAYTON, VIRGINIA**

**WHEREAS**, the Planning Commission for the Town of Dayton, Virginia (the “Town”) has prepared certain amendments to the Town’s Comprehensive Plan in accordance with Article 3 of Chapter 22 of the Code of Virginia 1950, as amended; and

**WHEREAS**, the Planning Commission, following advertisement of the amendments to the Town’s Comprehensive Plan and notice as required by Virginia Code § 15.2-2225, held a public hearing to receive comments thereon; and

**WHEREAS**, the Planning Commission has carefully reviewed and considered the proposed amendments to the Comprehensive Plan and determined that the proposed amendments will guide the Town, helping to facilitate coordinated, adjusted and harmonious development and promoting the health, safety, morals, order, convenience, prosperity and general welfare of all of the Town’s inhabitants; and

**WHEREAS**, the Planning Commission now desires to certify the proposed amendments to the Comprehensive Plan and recommend that the Town Council adopt the same.

**NOW, THEREFORE, BE IT RESOLVED**, by the Planning Commission of the Town of Dayton, Virginia, that the proposed amendments to the Town’s Comprehensive Plan are hereby recommended to the Town Council for adoption in substantially the same format as advertised.

**ADJOURN:** There being no further business to come before the Planning Commission, Commission Member Dyjak made a motion to adjourn that was seconded by Commission Member Rawley and passed unanimously with a 3-0 vote. Meeting adjourned at 5:39 p.m.

Respectfully Submitted,

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Hunter Barnett, Chairman

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Christa Hall, Clerk

**TOWN OF DAYTON  
PLANNING COMMISSION MEETING MINUTES  
COUNCIL CHAMBERS, DAYTON TOWN HALL  
February 16, 2023**

**COMMISSION MEMBERS PRESENT:** Chairperson Hunter Barnett, Bradford Dyjak, Lauren Rawley, Aaron Swindle and Colton Shifflett.

**ALSO PRESENT:** Town Treasurer Susan Smith and Community Development Coordinator and Town Clerk Christa Hall.

**CALL TO ORDER:** Chairperson Hunter Barnett called the meeting to order at 6:03 p.m.

**APPROVAL OF MINUTES:** Chairperson Barnett asked for a motion to approve the minutes from the Planning Commission Meeting of January 19, 2023, as written. As there was no discussion or revisions to the minutes, a motion was made by Commission Member Dyjak and seconded by Commission Member Rawley and passed unanimously by a vote of 5-0.

**REVIEW CAPITAL IMPROVEMENT PROGRAM:** Community Development Coordinator Hall stated that the Capital Improvement Program (CIP) must be reviewed by the Planning Commission and recommended to the Town Council annually. Treasurer Smith reviewed an updated draft of the CIP which included several potential new Capital Improvement Projects and asked the Commission for feedback on the program to include prioritization of projects. The Commission offered suggestions and requested additional information. The CIP will also be reviewed and discussed in early March by the Finance Committee and the entire Council at a Budget Work Session. A revised draft will go to the Planning Commission for their comments and recommendation to the Town Council at the regular March meeting.

**REVIEW OF CHANGES TO THE SUBDIVISION ORDINANCE AND ZONING**

**ORDINANCE & ZONING FEES:** Community Development Coordinator Hall stated that the next item on the agenda was to review and discuss possible changes to the subdivision and zoning ordinances and associated fees. Ms. Hall stated that pursuant to the direction from the Commission at the January meeting, Town staff has worked with the Town attorney to draft a proposed resolution containing proposed changes to the Town's ordinances regarding subdivisions and zoning matters related to sidewalks, driveways, and stormwater. She stated that since these matters affect the zoning ordinance, a joint public hearing with the Town Council will be required in order to hear citizen input. She asked if the Commission had any other changes that they would like to see prior to the resolution being scheduled for a public hearing. As the Commission did not have any additional feedback, it was the consensus that the matter be set for a Joint Public Hearing with Town Council for Monday, March 13<sup>th</sup> at 6:00 p.m. Commission Member Dyjak made the appropriate motion to do so, which was seconded by Commissioner Swindle and passed unanimously by a 5-0 vote.

Finally, CDC Hall discussed the Town's zoning fees and asked for the Commission's feedback on including those fees in the Town's fee schedule. She stated that the fees have been the same for some time and with the rising costs of the required advertising, those fees typically were not enough to cover the advertisements. Ms. Hall provided the Commission with a fee comparison to other localities and recommended that the fees be \$350 plus \$50 for each additional acre for all zoning related matters to be consistent and CDC Hall also recommended that any advertising costs above the set fees be passed along to the applicant. This will include applications for the following: Special Use Permit, Conditional Use Permit, Re-Zoning, and Subdivision Plat Review. Commission Member Dyjak made a motion to recommend that the fee schedule as presented to include that any advertising costs exceeding the fee amount will be passed along to the applicant. The motion was seconded by Commission Member Swindle and passed by a unanimous 5-0 vote. The fee schedule will be reviewed and discussed as part of the upcoming budget cycle.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:** Commissioner Dyjak requested that the greenspace requirement be revisited in the zoning ordinance. Community Development Coordinator Hall stated that she would consult with the Town attorney and report back to the Commission.

**PUBLIC COMMENT:** None.

**ADJOURNMENT:** With there being no further business to come before the Planning Commission, Commission Member Rawley made a motion to adjourn which was seconded by Commission Member Shifflett and passed unanimously. Meeting adjourned at 7:15 p.m.

Respectfully Submitted;

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Chairperson Hunter Barnett

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Town Clerk, Christa Hall

**A RESOLUTION RECOMMENDING CERTAIN  
CHANGES TO THE SUBDIVISION AND ZONING ORDINANCES  
RELATED TO SIDEWALKS, DRIVEWAYS, AND STORMWATER**

WHEREAS, the Town of Dayton, Virginia (the “Town”) has a Subdivision Ordinance that regulates the division of land within the Town; and

WHEREAS, the Subdivision Ordinance requires the construction of certain improvements as a condition of subdivision; and

WHEREAS, the Town also regulates the use of land within the Town through its Zoning Ordinance, and the Zoning Ordinance contains certain development requirements that are distinct from, and in addition to, those contained within the Subdivision Ordinance; and

WHEREAS, the Planning Commission of the Town desires to recommend that the Town Council (i) amend the Subdivision Ordinance to require installation of sidewalks under certain circumstances and to add provisions relating to storm drainage, and (ii) amend the Zoning Ordinance to require, after the date of adoption of such amendment, that front and side driveways be constructed of asphalt, concrete, or permeable pavers.

**NOW, THEREFORE, BE IT RESOLVED, BY THE PLANNING COMMISSION OF THE TOWN OF DAYTON, VIRGINIA THAT THE FOLLOWING CHANGES TO THE SUBDIVISION ORDINANCE AND ZONING ORDINANCE ARE RECOMMENDED:**

1. That Section 20-135 of the Town’s subdivision ordinance be amended and re-enacted as follows<sup>1</sup>:

**Sec. 20-135. - Standards for street construction.**

(a) *Design.* All streets must be designed to meet the specifications in the latest edition of the state department of transportation's subdivision street requirements, except the town requires curb, ~~and~~ guttering, and sidewalks on all subdivision streets. On streets with speed limits less than or equal to 40 miles per hour, the curb and guttering shall be of type CG-6, as specified in the department of transportation requirements. On streets with speed limits greater than 40 miles per hour, the curb and guttering shall be of the type specified as CG-7. The subdivision street requirements make use of certain categories of streets, traffic volume, and terrain. The town shall determine which categories apply.

(b) *Sidewalk Specifications.* Concrete sidewalks shall be provided on both sides of all new streets. Furthermore, when a new lot is created that fronts on an existing street, and adjacent property on either side has an existing sidewalk, the applicant shall construct a sidewalk that connects to the existing sidewalk. All sidewalks shall be constructed to the standards specified in the Virginia Department of Transportation’s Road Design Manual.

<sup>1</sup> Propose additions to the ordinance are identified by underline. Proposed deletions from the ordinance are identified by strikethrough.

**Commented [JB1]:** VDOT’s width and buffer requirements are the same as those discussed by the planning commission (5 feet width, ADA accessible, 3-foot buffer w/out tree, 6-foot with tree).

One distinction is that Planning Commission had proposed measuring the buffer distance from the front of the curb, whereas VDOT measures the buffer distance from the back of the curb. My suggestion is to be consistent with VDOT.



~~(b)~~(c) Installation. Subdividers shall be required to install all streets in the subdivision. Installation of all required street signs shall also be the responsibility of the subdivider.

2. That Section 20-138 of the Town's Subdivision Ordinance be amended and re-enacted as follows:

**Sec. 20-138. - Standards for drainage.**

(a) *General requirement.* Subdivisions shall be designed in compliance with all Rockingham County stormwater management regulations and requirements, and so as not to cause or permit unreasonable drainage of surface water onto adjoining properties, whether public or private. For purposes of this subsection, the term "unreasonable drainage" means drainage which could potentially cause harm or significant inconvenience and is materially greater than would occur if the subdivided property were left in its undeveloped state. This subsection applies in addition to any other applicable law concerning surface water drainage.

(b) *Regional drainage systems; designation of land for drainage facilities.* The town will not approve any such drainage facilities unless adequate provisions are made for the maintenance thereof. Where existing storm sewers are reasonably accessible, the proposed subdivision shall connect with such storm sewers. Unless an areawide storm sewer system has been established under section 20-6 and is reasonably available, the subdivider may be required to designate certain areas of the subdivision or other land for detention ponds of other drainage facilities designate land and install reasonable and necessary drainage facilities, located on or outside the property limits of the land owned or controlled by the subdivider or developer but necessitated or required, at least in part, by the utility needs of the development or subdivision, including reasonably anticipated capacity, extensions, or maintenance considerations of a utility service plan for the service area. Such subdivider or developer shall be entitled to reimbursement of a portion of its costs by any subsequent subdivider or developer that utilizes the installed facilities. The subdivision agent is authorized to adopt and implement reasonable policies and procedures relating to connection and required reimbursement. The town will not approve any such drainage facilities unless adequate provisions are made for the maintenance thereof.

Commented [JB2]: This language is from VA Code 15.2-2243. It authorizes the Town to adopt policies that require connection to existing facilities and reimbursement of costs.

(c) *General standards.* All drainage facilities shall be designed to drain foreseeable quantities of water from the streets and lots of the subdivision, and to be durable and reasonably maintenance-free town.

3. That Section 20-172 of the Town's Subdivision Ordinance be amended and re-enacted as follows:

**Sec. 20-171. – Maintenance of Improvements.**

The town has no obligation to improve, maintain, or take any action with respect to streets or other improvements not constructed, inspected, and accepted in accordance with this article. Whenever any proposed subdivision that will contain more than two residential lots includes dedicated common areas, private easements, private streets, or private stormwater facilities, the subdivider or developer shall be responsible for the management and maintenance of all such areas, easements, and improvements in the approved subdivision until the improvements are taken over by a property owners' association or condominium association formed in compliance with Subtitle



IV of Title 55.1 of the Virginia Code. Prior to the sale of the lot constituting 75% of all approved buildable lots, all common areas, easements, and improvements shall be transferred from the subdivider to the property owners' association.

4. That Section 30-817 of the Town's Zoning Ordinance be amended and re-enacted as follows:

**Sec. 30-817. — Parking and driveway standards.**

- (a) All parking spaces required by this article shall be located on the same lot with the building or use served, provided that required parking may be located on another lot if the parking spaces are not more than 500 feet from the building served (measured along lines of public access) and the parking spaces are dedicated to the use of the business served through a lease, license, or easement requiring that the town be notified at least 30 days prior to termination. Upon the termination of any lease, license, or easement for required parking spaces, the entity served by the parking must either cease doing business or obtain alternative parking conforming to this article.
- (b) Unenclosed parking spaces may be located within the required yard around buildings as herein specified.
- (c) Parking spaces must be at least nine feet wide and 18 feet in length. In addition, there shall be sufficient area for maneuvering.
- ~~(e)~~(d) Unenclosed parking spaces and driveways shall be constructed of concrete, asphalt, or permeable pavers with a suitable base, except that gravel shall be a permissible surface for the following: (i) parking or driveways, or portions thereof, that are located to the rear of the building served, and (ii) parking or driveways, or portions thereof, that existed prior to \_\_\_\_\_, 2023.<sup>2</sup>
- ~~(d)~~(e) All parking spaces shall be designed to prevent parked vehicles from extending beyond the limits of the parking area and to prevent damaging effects to adjoining or nearby properties from surface drainage from the parking facility. Lighting facilities shall be so arranged that light is reflected away from adjacent properties.
- ~~(e)~~(f) All loading spaces required under section 30-819 must be at least 12 feet wide by 25 feet in length. In addition, there shall be sufficient area for maneuvering.

**Commented [JB3]:** The County requires maintenance provisions as part of their stormwater program. County Code 6C-13.

In my opinion, the Town can be more strict than the County on this point, but we would not want to conflict with the County or be more lax. We should check to confirm that the County does not have a more-restrictive requirement.

<sup>2</sup> The date of adoption would be inserted in lieu of these blanks.



Capital Projects Fund

	A	B	C	D	E	G	H	I	J	K
1	Account Name	Project Complete	GL Code	CIP ID	Carry over balance at 1/31/23	FY24	FY25	FY26	FY27	FY28
2	Water & Sewer									
3	WTP Upgrade	✓	25-4910-840	WS01						
4	Water/Sewer Lines Repair/Replacmt		25-4910-850	WS02	126,575	75,000	75,000	75,000	75,000	75,000
5	Hydrants		25-4910-855	WS03						
6	Water/Sewer Line Extension		25-4910-802	WS04	65,000	80,000				
7	Mini Plant & New Water Source		25-4910-xxx	WS05		100,000	100,000	100,000	100,000	100,000
8	Generators		25-4910-860	WS06			100,000			
9	Equipment Replacement (srvc truck)	✓	25-4910-865	WS07						
10	Mower	✓	25-4910-xxx	WS08						
11	Elevated Pumphouse Updates		25-4910-xxx	WS09		100,000				
12	Water Storage Facility		25-4910-xxx	WS10		100,000	100,000	100,000	100,000	100,000
13	Streets									
14	Mill Street Stormwater	✓		S01						
15	Mason Street Bike/Buggy Ln.			S02						
16	Town Street/Alleys Resurfacing			S03						
17	Cargill Safety Improvements			S04		50,000				
18	Bike/Ped Facilities									1,016,000
19	Bicycle/Pedestrian Plan		15-4910-820	BP01						
20	Greenway		15-4910-810	BP02	4,438	50,000	50,000	50,000	50,000	50,000
21	Bicycle/Pedestrian Plan (King St Ext)		15-4910-820	BP03	25,649	50,000			2,658,000	
22	Bicycle/Ped Plan (Dayton Mkt to Downtown)		15-4910-820	BP04						
23	Sidewalk Replacement & Installation		15-4910-850	BP05	7,980	35,000	50,000	50,000	50,000	50,000
24	Parks & Public Facilities						40,250	46,288	53,231	61,215
25	Land acquisition & amenities (land)		15-4910-860	PF01	50,000	25,000	25,000	25,000	25,000	25,000
26	Park amenities		<del>15-4910-860</del>	PF02						
27	Land ac & amenities (plygrnd equip)		15-4910-860	PF03		65,000				
28	Land ac & amenities (dog park)		15-4910-860	PF04			15,000			
29	Land ac & amenities (Family Ent Center)		15-4910-860	PF05						
30	Land ac & amenities (Splash pad)		15-4910-860	PF06		-	85,000			

