



City of Harrisonburg, Virginia

Department of Planning & Community Development

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Building Inspections

Engineering

Planning & Zoning

To: Eric Campbell, City Manager
From: Adam Fletcher, Director - Department of Planning and Community Development; and Harrisonburg Planning Commission
Date: June 11, 2019 (Regular Meeting)
Re: Zoning Ordinance Amendment – To Establish and Add a New Zoning District to the Zoning Ordinance titled R-8 Small Lot Residential District, To Amend Off-Street Parking Regulations for Dwelling Units, and To Add a Definition to the Zoning Ordinance to define a building “Story”.

Summary:

Public hearing to consider a request from Richard Blackwell to amend the Zoning Ordinance by adding a new zoning district titled R-8 Small Lot Residential District, to amend the Off-Street Parking Regulations for Dwelling Units, and to add a definition to the Zoning Ordinance to define a building “Story.”

Background:

In early 2017, the applicant, Richard Blackwell, discussed with staff ideas to amend the Zoning Ordinance (ZO) to allow for the development of single-family detached neighborhoods that would allow for higher density development on smaller lot sizes than what the ZO currently allows. On May 16, 2017, the applicant requested for staff to review conceptual amendments to the ZO that would have added single-family detached and duplex dwellings as a by right use in the R-5, High Density Residential District. On July 7, 2017 an application was formally submitted to make such amendments. However, given the complexity of the proposed amendments, the applicant accepted staff’s suggestion to present the proposed amendments to Planning Commission (PC) for feedback on August 9, 2017 under Other Matters rather than moving forward with an official advertised request to amend the ZO. An extract of minutes from that meeting are enclosed within the packet.

On November 8, 2017, staff presented to PC information to better understand how the ZO’s existing districts control dwelling unit density. An extract of minutes from that meeting are also enclosed within the packet.

Since that time, the applicant worked closely with staff to create the ZO amendment that is presented herein, which proposes a new zoning district titled R-8 Small Lot Residential District. A great deal of discussion revolved around concerns the Fire Department had about how close dwellings could be located to one another and how we could work together to help prevent creating fire and life safety issues that evolve over time and that are permitted to occur by zoning and building codes.

The City’s zoning structure has eleven zoning classifications that allow residential uses (R-1, R-2, R-3 (Multiple), R-3 (Medium), R-4, R-5, R-6, R-7, MX-U, U-R, and B-1). Included at the end of this report is a “Summary of Area and Dimensional Regulations for All Zoning Districts” which, among other things, summarizes residential zoning density per dwelling unit. It is important to note zoning density refers to the intensity of residential land use. For example, if a 10-acre subdivision contains 40 single-family

detached houses, the zoning density is expressed as four dwelling units per acre. This is different from population density, which is expressed as the number of people per acre or people per square mile.

It should also be noted that the R-6 (Low Density Mixed Residential Planned Community), R-7 (Medium Density Mixed Residential Planned Community), and MX-U (Mixed Use Planned Community) districts are different from the other districts in the City because applicants who request a rezoning to one of those districts must develop a regulatory master plan for their development and must have certain acreages of property to even apply for those districts. Properties that are part of the master plan essentially have their own zoning regulations based on the master plan that is approved by City Council as part of the rezoning request.

Key Issues:

The applicant, Richard Blackwell, states in his letter that “[i]n an effort to provide an affordable dwelling to a greater range of owner occupied and first-time homebuyers,” he is proposing to amend the Zoning Ordinance (ZO) to add a new zoning district titled R-8 Small Lot Residential District.

Given the significance of a proposed new zoning district, this report is separated into the following sections addressing the proposed R-8 district regulations and then the other proposed ZO amendments accompanying the larger amendment:

- Uses Permitted By Right and Uses Permitted by Special Use Permit,
- Residential Occupancy Regulations,
- By Right Minimum Lot Size and Minimum Lot Dimensions,
- By Right Minimum Setbacks,
- Special Use Permit to Allow Reduced Required Side Yard Setbacks to Zero,
- Amendments to Section 10-3-110(f) Which Allows Reduced Side Yard Setbacks for Lots of Record Less than 60-feet,
- Off-Street Vehicular Parking Regulations,
- Other Regulations,
- Street Intersection Spacing/Block Lengths, and
- Additional Considerations.

Uses Permitted By Right and Uses Permitted by Special Use Permit:

As described in the proposed Section 10-3-59.2 – Purpose of district, the R-8 district “is intended for medium- to high-density residential together with certain governmental, educational, religious, recreational, and utility uses subject to the restrictions and requirements necessary to ensure compatibility with residential surroundings.”

The by right residential uses include single-family detached dwellings and duplex dwellings. Attached townhouses of not more than eight units would be allowed with an approved special use permit. Home occupations would be allowed by right as an accessory use to residential uses, and major family day homes and short-term rentals could be allowed with an approved special use permit.

The by right non-residential uses would include churches and other places of worship, public schools or private schools having a function substantially the same as a public school, public uses, parks, and small cell facilities. Additional non-residential uses that could be allowed with an approved special use permit include community buildings, child day care, adult day care, concealed wireless telecommunications

facilities, industrial microcells, distributed antenna systems, and macrocells, and public uses deviating from the requirements of the ZO.

Similar to other existing zoning districts, the proposed R-8 district would allow by approved special use permit walls and fences greater than 6-feet in height and to allow for the reduction of required parking spaces under the same parameters as specified in the existing districts.

Residential Occupancy Regulations

Modeled after the R-1 and R-2 district regulations, the R-8 district proposes the following occupancy regulations:

- Owner-occupied single-family dwellings, which may include rental of space for occupancy by not more than two (2) persons, providing such rental space does not include new kitchen facilities.
- Nonowner-occupied single-family dwellings, which may include rental of space for occupancy by not more than one (1) person, providing such rental space does not include new kitchen facilities.

In other words, if the dwelling is owner occupied an individual or family owning and living on the property may rent space to two additional boarders (i.e. two individual tenants). If the dwelling is nonowner occupied, then the dwelling may be rented to a family (or individual) plus one unrelated boarder.

Staff supports the proposed occupancy regulations since it places a limit on the number of unrelated individuals that a dwelling could be rented to and makes it less desirable for a property investor to buy dwellings in the R-8 district to rent to non-families or to more than two unrelated individuals.

To compare occupancy restrictions within the different districts in the City, a “Summary of Occupancy Regulations for all Zoning Districts” is included within the packet.

By Right Minimum Lot Size and Minimum Lot Dimensions:

The R-8 district proposes to allow single-family detached dwellings on lots that are a minimum of 2,800 square feet, which is equivalent to a zoning density of 15 dwelling units per acre. For duplexes, each unit of a duplex structure could be constructed on lots that are a minimum of 1,800 square feet, which is equivalent to a zoning density of 24 dwelling units per acre. With an approved special use permit, townhomes may be constructed on the same size lots as a duplex.

Staff believes that the R-8 district will help provide alternatives to the types of housing that can be constructed in areas where higher density is possible rather than meeting that demand with townhomes and multi-family (apartment) dwellings. The R-8 district could also be one tool to hopefully produce more affordable or lower cost housing stock.

By Right Minimum Setbacks:

The R-8 district would allow a 10-foot minimum front yard setback for all allowed uses and would require a minimum rear yard setback of 15-foot for single-family detached and duplex dwellings, 20-feet for townhomes, and 25-feet for other uses. There was consideration by the applicant to allow the front yard setback to be reduced to 5-feet, but staff recommended that the applicant make the front yard setback a minimum of 10-feet because the City’s Subdivision Ordinance requires a 10-foot public utility easement be dedicated along the frontage of all newly subdivided lots and because buildings cannot be located overtop the easement. To compare R-8’s setbacks with other zoning districts, refer to the “Summary of Area and Dimensional Regulations for All Zoning Districts” document included in the packet.

With regard to side yard setbacks, the R-8 district would have a different approach than all other zoning districts. The by right side yard setbacks would differ depending on whether the structure is a one- and two-story building or a three-story building.

The applicant originally proposed a 5-foot minimum side yard setback. However, staff was concerned about radiant heat and fire spread along with the angle of ladder placement for fire and rescue personnel between buildings. In most zoning districts, buildings are separated from each other by 20 feet because there is a 10 foot side yard setback required for both dwellings. If the side yard setback was 5 feet rather than 10, the distance between buildings would have been 10 feet, which not only increases the risk of fire spreading between buildings, but it also reduces the working area for the Fire Department to protect exposures of a building in the event of a fire.

As noted above, staff was also concerned that a 5-foot minimum side yard setback would not be adequate for the Fire Department to place ladders to reach a third story window if there were fences on the property line or other obstructions such as HVAC units or shrubs in the side yard. Where a ladder angle of 70-degrees is ideal, an average 3-story building would require the base of the ladder to be placed at a distance of about 9-feet from the building. After many months of discussion and research by the applicant and staff, the proposed R-8 district includes an approach that allows single-family detached and duplex dwellings by right to have a minimum side yard setback of 7-feet for one- and two-story buildings, and a minimum 10-foot side yard setback for three-story buildings. While a ladder is usually not necessary to reach a window located on the first floor of a building, the 7-foot minimum side yard setback takes into consideration that Section 10-3-110(a) of the ZO allows for architectural treatments and functional elements, including, but not limited to chimneys, moldings, rain gutters, downspouts, roof eaves, buttresses and bay windows to project 2-feet 8-inches into the required yard setback, which could increase the potential for fire spread between buildings.

The proposed side yard setback approach regarding the number of stories for buildings created the need to add a new definition to Section 10-3-24 of the ZO. While the term “story” is used in multiple places within the ZO, there exists no definition. Staff believed it was necessary to define a story and has worked with the applicant to propose the following:

Story: Excluding basements, a portion of a building for living between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, the space between the floor and the ceiling next above it.

This definition will help address concerns the Fire Department had about the potential for future conversions of attic space that was originally designed to be used as storage areas but then was converted into living spaces. For example, if a home within the R-8 district was approved by the City to be constructed as a two-story single-family detached building and there was an attic designed only for storage above the second story, and then the building was constructed at the minimum 7-foot side yard setback, if homeowners desired to convert the attic into a third story to add additional living space, the building permit to modify the third story would not be approved because a three-story single-family detached building would require a 10-foot minimum side yard setback. To allow the homeowner’s wishes, however, the R-8 district would include a special use permit provision to allow reduced required side yard setbacks, which is described in more detail in the next section.

Special Use Permit to Allow Reduced Required Side Yard Setbacks to Zero:

As mentioned in the previous section, the applicant originally proposed a 5-foot minimum side yard setback. It should be understood that the 2012 Virginia Residential Code applies to single-family detached,

duplex, and townhome construction, where in Section R302 Fire-Resistant Construction it states that when there is no sprinkler system and no fire-resistance rated walls, buildings may be constructed 5-feet from the property line. However, as previously discussed, this distance concerned staff due to the increased risk of fire spread between buildings and due to ladder angles.

In response to the desire to have smaller side yard setbacks while also respecting the concerns of fire and rescue personnel, the R-8 district will have a special use permit option to allow setbacks to be up to zero feet under the parameters outlined below:

- Reduced required side yard setbacks to zero (0) feet where such buildings are single-family detached or duplex dwellings when National Fire Protection Association (NFPA) 13, 13R, or 13D fire sprinkler systems are installed in such buildings or exterior wall(s) adjacent to reduced side yard setback is constructed without openings and has a minimum 1-hour fire resistance rating in accordance with testing standards described in the Virginia Residential Code.

This would allow property owners and developers to request approval of a special use permit to allow reduced side yard setbacks up to zero feet by agreeing to install sprinkler systems within each dwelling, or to install 1-hour fire resistance rated exterior walls with no openings (including, but not limited to windows) adjacent to the side yard setback that is less than the by right minimum requirements.

Included within the packet is a document titled “Proposed Amendments to City Code Title 7 – Water and Sewer related to fire suppression systems.” This is included for informational purposes and does not require action by Planning Commission. The proposed amendments to Section 7-4-22 (10) and (11) addresses the cost to the applicant to install water meters solely for the purpose of fire sprinkler systems (also referred to as fire suppression systems). If applicants chose to install fire sprinkler systems in single-family detached, duplex, or townhouse dwellings, then two water meters would be required; one water meter for domestic water service and a second water meter for the fire sprinkler system. The proposed amendments to Title 7 will be presented to City Council on the same date the proposed R-8 district is presented.

Amendments to Section 10-3-110(f) Which Allows Reduced Side Yard Setbacks for Lots of Record Less than 60-feet in Width:

Section 10-3-110(f) of the ZO currently allows reduced side yard setbacks for lots of record that are less than 60 feet in width. To prevent inconsistencies in applying the ZO, the following amendment is necessary:

- (f) Except in the R-8 Small Lot Residential District, ~~W~~where a lot of record is less than sixty (60) feet in width as measured at the point of required front setback, each required side setback for internal lot lines may be reduced to not less than five (5) feet unless otherwise superseded by building regulations.

A lot of record is defined by Section 10-3-24 of the ZO as:

Lot of Record: A lot which has been recorded in the office of the clerk of the circuit court.

In other words, these are lots that were previously created by an approved subdivision and already exist. Section 10-3-110(f) provides a relief mechanism for lots of record that are less than 60-feet within those districts, allowing them to have a minimum 5-foot side yard setback instead of the required 10-foot creating more buildable area. The amendment to Section 10-3-110(f) is to clarify that properties zoned R-8 are not afforded the reduced setback flexibility provided to other zoning districts.

Off-Street Vehicular Parking Regulations

Minimum off-street parking requirements are intended to protect adjacent properties and neighborhoods from spillover problems (drivers parking where they should not). However, minimum off-street parking requirements that are too high can harm communities for reasons including, but not limited to, undermining the community's goals to reduce car dependence and increasing walking, biking, and public transit (because people are encouraged to drive), wasting developable land, reducing the potential for other uses or amenities to be included with the development, and increasing the cost of new housing.

While working with the applicant on the proposed regulations, staff saw an opportunity to amend Section 10-3-25(7) of the ZO so that property owners in zoning districts where occupancy is restricted to less than four unrelated people in a dwelling are not required to provide the same number of parking spaces as those in a zoning district where occupancy regulations allow four unrelated people in a dwelling. To achieve this, the following changes are proposed:

- Amending the minimum off-street parking spaces for townhomes and multifamily units constructed within the R-6, R-7, R-8, and MX-U districts by eliminating the approach that requires parking spaces based upon the number of bedrooms and replacing the regulation so that townhomes and multi-family units are required to provide a minimum of one parking space for each dwelling unit. These districts have higher restrictions on occupancy.
- Clarifying that townhouse and multifamily units within the R-3, R-4, and R-5 districts would maintain the current approach, which is based upon the number of bedrooms.
- Allowing townhouses and multi-family units within R-3, R-4, and R-5 districts, where occupancy has been restricted on a conditionally zoned property to only provide one space for each dwelling unit or as may be conditioned by the property owner at the time of rezoning.

Additionally, staff proposes to change regulations for duplexes in all zoning districts from requiring two off-street parking spaces per duplex unit to requiring only one off-street parking space for each duplex dwelling unit. (Note: Each duplex structure is made up of two dwelling units.) This would require duplex dwelling units to provide the same number of off-street parking spaces as single-family detached homes.

The proposed amendment would have the following impacts to each zoning district with residential uses:

R-1	No impact.
R-2	Reduces the parking requirements for new and existing duplex units. Any existing duplex that is nonconforming to off-street parking requirements could become conforming to such regulation.
R-3s	No impact.
R-4	No impact.
R-5	No impact.
R-6	No impact. Amendments to the R-6 off-street parking requirements, approved in December 2019, created the ability for individual master plans to regulate off-street parking, which could be more or less restrictive than required by the Zoning Ordinance.
R-7	Reduces the parking requirements for new and existing duplex units. There should be no duplex units that are nonconforming to minimum off-street

	parking requirements in the R-7 district. Amendments to the R-6 off-street parking requirements, approved in December 2019, created the ability for individual master plans to regulate off-street parking, which could be more or less restrictive than required by the Zoning Ordinance.
MX-U	No impact since no properties are zoned this district.
U-R	Reduces the parking requirements for new and existing duplex units. Any existing duplex that is non-conforming to off-street parking requirements could become conforming to such regulation.
B-1	No impact.

Other Regulations:

There are miscellaneous regulations that would be included in the R-8 district under the Other Regulations section, which would be associated with attached and detached private radio and television antennas, referencing that uses must comply with the off-street parking requirements of Article G, and matters associated with private refuse collection and screening requirements. All of these matters are consistent with subsections found in the Other Regulations sections of a few other districts.

The other miscellaneous regulation in this section would require that all dwelling units must be located on an individual parcel. In other words, duplex units would only be allowed to be side by side units—no duplex structure could exist with an upstairs unit and a downstairs unit because both units would be on the same parcel. The intent of this regulation is to increase the potential opportunity for home ownership by individuals and families within the City.

Street Intersection Spacing/Block Lengths:

As seen in Table 2 of the document titled “Summary of Area and Dimensional Regulations for All Zoning Districts” except for the B-1 district and districts that require a master plan, the minimum required lot depth for all other zoning districts is 100-feet. Generally, when two lots are oriented back-to-back and each faces parallel streets, depending on the specific lot dimensions, this creates about 200-feet of distance between the two streets where they intersect with a perpendicular street. The R-8 district proposes to allow single-family detached and duplex dwelling units the ability to have minimum lot depths of 60-feet and for townhomes to have lot depths of 80-feet. During review of the proposed ZO amendments, staff raised concerns about street intersection spacing and block lengths. While intersection spacing of 120-feet on a local residential street could function, staff has concerns related to traffic safety and operations if 120-foot distances between intersections on higher volume and higher speed collector or arterial streets were allowed.

The Department of Public Works is in the process of developing access management standards that will be applicable to all development proposals to address intersection spacing, safety, and operational concerns. Until the access management standards are adopted into the City’s Design and Construction Standards Manual, staff is comfortable with reviewing rezoning requests on a case by case basis to the R-8 district and providing feedback on any traffic safety and operational concerns observed in the absence of standards.

Additional Considerations:

A publication of the American Planning Association titled *Quicknotes: Small-Lot Subdivision Design* states:

“In communities where detached-single-family homes on large lots are the predominate form of residential development, allowing for small-lot development provides an alternative to this form of development that serves several purposes. Small-lot development increases overall housing density and promotes context-sensitive infill development or redevelopment in areas where land is underutilized. This can help increase overall housing production, which is a component of addressing housing affordability concerns. Additionally, small-lot development provides additional diversity in housing stock, which creates options for home buyers and may be particularly attractive to first-time home owners or seniors looking for less space or lower price points.”

Given more flexibility with lot sizes, the R-8 district could also provide developers with the opportunity to mix dwelling types and to provide a variety of housing sizes and lot sizes within the same neighborhood, which could create opportunities for housing people in varying ranges of income levels in the same neighborhood.

Staff believes that the proposed R-8 district regulations is supported by the Comprehensive Plan’s Goal 4, Objective 4.2, 4.3, Goal 5, Objective 5.2, Goal 6, and Objective 6.2. While strategies are meant to describe only *possible* approaches and methods for attaining objectives, they are listed below as additional support:

Goal 4. To improve the quality of land use and development patterns.

Objective 4.2 To encourage areas with a mix of uses (residential and nonresidential) and areas with different housing types and lot sizes in locations identified in the Land Use Guide.

Strategy 4.2.2 To develop a zoning approach to provide incentives for the development of residential neighborhoods with a mix of housing types and lot sizes as identified in the Land Use Guide. Amendments of the Zoning Ordinance could encourage innovative residential building types and allow creative subdivision design solutions that promote neighborhood cohesiveness, walkability, connected street grids, community green spaces, and protection of historic and environmental resources.

Objective 4.3 To adopt to new trends and demands while ensuring that new development and redevelopment of residential, commercial, and industrial properties will be compatible with adjacent existing uses and with planned land uses of surrounding parcels.

Strategy 4.3.4 To review and amend the Zoning Ordinance to permit small lot and innovative forms of single-family detached and duplex residential development as appropriate.

Goal 5. To strengthen existing neighborhoods and promote the development of new neighborhoods that are quiet, safe, beautiful, walkable, enhance social interaction, and offer a balanced range of housing choices.

Objective 5.2 To develop approaches to increase the percentage of single-family detached and duplex housing units

Strategy 5.2.1 To review and amend the Zoning Ordinance to increase opportunities for single-family detached and duplex residential development that are affordable to households in a range of incomes.

Strategy 5.2.2 To review and amend the Zoning Ordinance to permit small lot and innovative forms of single-family detached and duplex residential development as appropriate. Repeated in Chapter 6, Land Use and Development Quality as Strategy 4.3.3.

Goal 6. To meet the current and future needs of residents for affordable housing.

Objective 6.1 To promote affordable housing options, including affordable rental properties and affordable homes for ownership.

Strategy 6.1.5 To encourage the development and construction of a variety of housing types provided at a range of densities, types (single-family detached, duplex, townhome, and multi-family), and costs.

Staff believes also the associated amendments to the off-street parking regulations are supported by:

Objective 4.4. To provide off-street parking to adequately meet demand and provide access to key destinations, businesses, and services, without creating oversupply that increases the costs for development, and impacts the community character, natural environment, and economic vitality.

At this time, there is no proposal for the City to proactively rezone parcels to R-8, although that could be considered during the comprehensive review and update of the Subdivision and Zoning Ordinances project that is expected to begin in late summer 2019. Property owners and developers wishing to take advantage of the R-8 district regulations will be required to apply for a rezoning. This is similar to how properties have become zoned R-5, R-6, and R-7. Unlike the R-6 and R-7 districts, the R-5 and the proposed R-8 district do not require master plans.

For the reasons stated above, staff recommends approval of the proposed amendments to the Zoning Ordinance.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Recommend approval of the Zoning Ordinance amendments as submitted;
- (b) Recommend modifications to the proposal and bring the items back for further discussion if necessary; or
- (c) Table the requests for further deliberation; or
- (d) Recommend denial of the Zoning Ordinance amendments.

Community Engagement:

As required, the request was published in the local newspaper twice advertising for Planning Commission's public hearing and twice advertising for City Council's public hearing. The advertisement was published as shown below:

Zoning Ordinance Amendment – To Establish and Add a New Zoning District to the Zoning Ordinance titled R-8 Small Lot Residential District, To Amend Off-Street Parking Regulations for Dwelling Units, and To Add a Definition to the Zoning Ordinance to define a building “Story”

Public hearing to consider a request from Richard Blackwell to amend the Zoning Ordinance by adding a new zoning district titled R-8 Small Lot Residential District. The purpose of the district is described as “intended for medium- to high-density residential together with certain governmental, educational, religious, recreational and utility uses subject to restrictions and requirements necessary to ensure compatibility with residential surroundings. Residential development includes single-family detached, duplex, and in special circumstances townhouse development. Vehicular, pedestrian and bicycle transportation is facilitated through a connected system of roads, sidewalks and shared use paths, so as to provide many choices with regard to mode and route, and to provide a safe and comfortable pedestrian environment that promotes walkability for residents and visitors.” A new article titled Article L.4. – R-8 Small Lot Residential is proposed with sections titled: General, Purpose of District, Uses permitted by right, Uses permitted only by special use permit, Area and dimensional regulations, and Other regulations. The proposed density ranges for R-8 are single-family, 2,800 sq. ft. minimum; duplexes, 1,800 sq. ft. minimum/unit; other uses, 6,000 sq. ft. minimum and by special use permit townhouses, 1,800 sq. ft. minimum/unit. Amendments are also proposed to Section 10-3-110(f), which currently allows reduced side yard setbacks for lots of record that are less than 60 feet in width. The amendment is to clarify that properties zoned R-8 are not afforded the reduced setback flexibility provided by Section 10-3-110(f). In addition, amendments also include adding a definition for “story” to Section 10-3-24 of the Zoning Ordinance. A “story” would be defined as “[e]xcluding basements, a portion of a building for living between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, the space between the floor and the ceiling next above it.” Also proposed are amendments to Section 10-3-25(7) of the Zoning Ordinance to amend the minimum off-street parking spaces for dwelling units. The amendments include changing the regulations for duplexes from requiring two parking spaces per unit to requiring only one parking space for each duplex unit, and to amend the minimum off-street parking spaces for townhomes and multifamily units constructed within the R-6, R-7, and MX-U districts by eliminating the approach that requires parking spaces based upon the number of bedrooms and replacing the regulation so that townhomes and multifamily units are required to provide a minimum of one parking space for each dwelling unit. Townhomes constructed in the R-8 district would require one parking space per unit. The amendments would clarify that townhouse and multifamily units within the R-3, R-4, and R-5 districts would still be required to provide 1.5 spaces for each dwelling unit with one bedroom, 2.5 spaces for each dwelling unit with two or three bedrooms, and 3.5 spaces for each dwelling unit with four or more bedrooms. Furthermore, the modifications would allow townhouses and multifamily units within R-3, R-4, and R-5 districts, where occupancy has been restricted on a conditionally zoned property to only

provide one space for each dwelling unit or as may be conditioned by the property owner at the time of rezoning.

In addition, a notice was provided on the City's website at <https://www.harrisonburgva.gov/public-hearings>.

Recommendation:

Staff recommends alternative (a) to approve the Zoning Ordinance amendments as submitted.

Attachments:

1. Extract (11 pages)
2. Application and applicant letter (2 pages)
3. Proposed Zoning Ordinance amendments (5 pages)
4. Applicant's Supporting documents (23 pages)
5. Summary of Area and Dimensional Regulations for all Zoning Districts (2 pages)
6. Summary of Occupancy Regulations for all Zoning Districts (1 page)
7. Minutes from the August 9, 2017 Planning Commission meeting (6 pages)
8. Minutes from the November 8, 2017 Planning Commission meeting (6 pages)

Review:

Planning Commission recommended approval (7-0) of the Zoning Ordinance amendments as submitted.