



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801
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To: Ande Banks, City Manager
From: Adam Fletcher, Director, Department of Community Development and Harrisonburg Planning Commission
Date: January 10, 2023 (Regular Meeting)
Re: Zoning Ordinance and Subdivision Ordinance Amendments – To Amend Posting of Property Requirements

Summary:

Public hearing to consider amending the Zoning and Subdivision Ordinances to modify the required information placed on signs posted on properties for rezonings, special use permits, zoning variances, zoning appeals, and for properties to which the property owner is requesting a variance to the Subdivision Ordinance regulations.

Staff and Planning Commission (5-2) recommended approval of the Ordinance amendments.

Background:

Notice requirements applicable to land use proposals are found in Virginia Code Section 15.2-2204, Section 15.2-2285, and 15.2-107. Posting of signs on or near the affected parcels is not required by the Virginia Code but may be required or recommended by the locality. The Harrisonburg Subdivision Ordinance requires signs be posted on the subject property for which a property owner is requesting a variance from the Subdivision Ordinance regulations while the Zoning Ordinance requires signs be posted on properties associated with rezonings, special use permits, zoning variances, and for zoning appeals of a decision or determination made by an administrative officer in the administration and enforcement of the Zoning Ordinance.

Key Issues:

Staff proposes to amend the Zoning and Subdivision Ordinances to allow modification of the required information placed on signs posted on properties for rezonings, special use permits, zoning variances, zoning appeals, and for properties to which the property owner is requesting a variance from the Subdivision Ordinance regulations. The purpose is to allow for standardization of signs. Staff desires to use one sign design for all types of posted signs, to have them professionally printed/manufactured, and to use signs that would be easier for staff to install compared to the current signs. Attached is an example of what the sign might look like.

Staff proposes that the QR Code and the weblink on the sign would direct community members to a City webpage with public notice and hearing information and would include a copy of the submitted application materials.

Additional amendments to the ordinances would state that failure to post the signs or failure to remove the posted signs within the required time period would not invalidate Planning Commission or City Council decisions.

In consideration of Planning Commission’s discussion and suggestions at their December 14, 2022 regular meeting, staff updated the example sign by adding “Para información” (“For information” in Spanish) and added the City Hall street address.

Staff recommends approval of the Ordinance amendments.

Environmental Impact:

N/A

Fiscal Impact:

N/A

Prior Actions:

N/A

Alternatives:

- (a) Approve the Ordinance amendments;
- (b) Approve the Ordinance amendments with modifications; or
- (c) Deny the 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 and Subdivision Ordinance Amendments – To Amend Posting of Property Requirements

Public hearing to consider amending the Zoning and Subdivision Ordinances to allow modification of required language for signs posted on properties for rezonings, special use permits, zoning variances, zoning appeals, and preliminary plats that have Subdivision Ordinance variances. Additional amendments would also state that failure to post the signs or failure to remove the posted signs within the required time period would not invalidate Planning Commission or City Council decisions. The Sections of the Zoning Ordinance that would be amended include: Section 10-3-119 (e), 10-3-128 (e), and 10-3-138 (e). The Subdivision Ordinance Section to be amended is Section 10-2-2.

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

Recommendation:

Staff recommends (a) approval of the Ordinance amendments.

Attachments:

- 1. Extract from Planning Commission (forthcoming)

2. Proposed Zoning Ordinance and Subdivision Ordinance Amendments
3. Example signage updated since Planning Commission meeting

Review:

Planning Commission (5-2) recommended approval of the Ordinance amendments.