

## NOTICE OF PUBLIC HEARING

The Harrisonburg City Council will hold a public hearing on January 10, 2023 at 7:00 p.m., or as soon as the agenda permits, to consider the following:

### ***Special Use Permit – 965 Smith Avenue (To Allow Short-Term Rental in the R-2 District)***

Public hearing to consider a request from Scott D. Huston and Merridy M. Gnagey for a special use permit per Section 10-3-40 (8) of the Zoning Ordinance to allow for a short-term rental within the R-2, Residential District. The +/- 17,329 sq. ft. property is addressed as 965 Smith Avenue and is identified as tax map parcel 48-I-10.

### ***Special Use Permit – 524 Long Avenue (To Allow Short-Term Rental in the R-2 District)***

Public hearing to consider a request from WGG LLC for a special use permit per Section 10-3-40 (8) of the Zoning Ordinance to allow for a short-term rental within the R-2, Residential District. The +/- 11,198 sq. ft. property is addressed as 524 Long Avenue and is identified as tax map parcel 27-E-9.

### ***Rezoning – 793 North Liberty Street (M-1 to R-8)***

Public hearing to consider a request from Maria Sonia Trejo to rezone a +/- 5,975 square foot parcel from M-1, General Industrial District to R-8, Small Lot Residential District. The Zoning Ordinance states that the M-1, General Industrial District is intended primarily for manufacturing, processing, storage, and distribution activities, which are not properly associated with, nor compatible with, residential and institutional development. The R-8, Small Lot Residential District is intended for medium- to high-density residential development that includes single-family detached, duplex, and in special circumstances townhouse development. The residential density ranges for R-8 are single-family, 2,800 sq. ft. minimum; duplex, 1,800 sq. ft. minimum/unit; townhouses, 1,800 sq. ft. minimum/unit; and other uses, 6,000 sq. ft. minimum. The Comprehensive Plan designates this site as Neighborhood Residential. These areas are typically older residential neighborhoods, which contain a mixture of densities and a mixture of housing types, but should have more single-family detached homes than other types of housing. This type of land use highlights those neighborhoods in which existing conditions dictate the need for careful consideration of the types and densities of future residential development. Infill development and redevelopment must be designed so as to be compatible with the desired character of the neighborhood. The property is addressed as 793 North Liberty Street and is identified as tax map parcel 40-J-6.

### ***Rezoning - 178 & 188 South Mason Street (B-2 to B-1)***

Public hearing to consider a request from Van Delay LLC & Michael L. Marston to rezone a +/- 6,355 square foot parcel from B-2, General Business District to B-1, Central Business District. The Zoning Ordinance states that the B-2, General Business District is intended to provide sufficient space in appropriate locations for a wide variety of retail shopping, commercial, automotive, miscellaneous recreational, and service activities. The B-1, Central Business District is intended as an urban and regional center for the conduct of commercial, financial, professional and governmental activities to which the public requires direct and frequent access. No minimum lot size or setback restrictions exist in the B-1, Central Business District. The Comprehensive Plan designates this site as Mixed Use. Mixed Use areas are intended to combine residential and non-residential uses in neighborhoods, where the different uses are finely mixed instead of separated. The downtown Mixed Use area often has no maximum residential density, however, development should take into consideration the services and resources that are available (such as off-street parking) and plan accordingly. Residential density in Mixed Use areas outside of downtown should be around 24 dwelling units per acre, and all types of residential units are permitted. Large scale developments, which include multi-family buildings are encouraged to include single-family detached and/or attached dwellings. The property is addressed as 178 and 188 South Mason Street and is identified on tax map parcel 26-F-1A.

### ***Zoning Ordinance Amendments – To Add New Cooperative Sober Living Residence***

Public hearing to consider amending the Zoning Ordinance by creating and defining a new use called “Cooperative Sober Living Residence” and by adding this as a use allowed by special use permit to the following districts: R-1, R-2, R-3 (Multiple Dwelling), R-3 (Medium Density), R-4, R-5, R-6, R-7, R-8, MX-U, B-1, B-2, M-1, and U-R. The proposed “Cooperative Sober Living Residence” would be defined in the Zoning Ordinance as: “A dwelling unit occupied by multiple unrelated residents in recovery from chemical dependency and considered handicapped under the Federal Fair Housing Act Amendments of 1988 that provides a non-institutional residential environment in which the residents willingly subject themselves to rules and conditions intended to encourage and sustain their recovery. Residents of a cooperative sober living residence are similar to a family unit, and share kitchen facilities and other common areas of the unit. Cooperative sober living residences do not provide on-site supportive services to residents.” A substantially similar definition could also be provided.

### ***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.

Pursuant to Harrisonburg City Code Section 2-2-6, the City of Harrisonburg City Council will hold a meeting on the above mentioned date in City Council Chambers, 409 South Main Street, Harrisonburg, VA. The agenda will be posted at <https://harrisonburg-va.legistar.com/Calendar.aspx>. Interested parties may watch the Council meeting, including the public hearing, on Public Education Government Channel 3 or on the City’s website, <https://harrisonburg-va.legistar.com/Calendar.aspx>.

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#### **Publication dates:**

Friday December 23, 2022

Friday, December 30, 2022