



## CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801

OFFICE (540) 432-7700 • FAX (540) 432-7777

To: Ande Banks, City Manager  
From: Thanh Dang, Deputy Director of Community Development  
Date: January 23, 2024  
Re: Updated on Zoning and Subdivision Ordinances Update Project

### **Summary:**

Presentation to re-introduce the Zoning and Subdivision Ordinances Update Project

### **Background:**

Zoning and Subdivision Ordinances affect how our City is built, where people reside, and where businesses operate, now and in the future. The Zoning Ordinance regulates the development of buildings, activities, and land uses. Zoning determines what use you can have on a property such as a house or business. It determines how tall a building can be and where on the property it can be located. The Subdivision Ordinance regulates the division of land, from creating two lots from one parcel to subdividing a large piece of land to create a new neighborhood. Among other things, subdivision regulations establish the length and width of lots, blocks, and streets, and provide for the establishment of easements and public rights-of-way.

The existing Zoning and Subdivision Ordinances were last thoroughly evaluated and comprehensively re-written in 1997 and 1996, respectively. In the ensuing time, many changes, both major and minor, have been made to the text of the ordinances, including the addition of districts and overlays to the Zoning Ordinance. The existing ordinances contain outdated requirements, internal inconsistencies, and regulations that can be difficult for community members to comprehend. Additionally, new planning and zoning philosophies combined with new techniques and principles for implementing adopted plans offer ways to improve the efficiency and effectiveness of City planning and zoning. A significant overhaul of the Zoning and Subdivision Ordinances is needed.

In July 2020, the City contracted with [Kendig Keast Collaborative](#) to partner with city staff to update the Zoning and Subdivision Ordinances.

### **Key Issues:**

The Zoning and Subdivision Ordinances Update project that began in mid-2020 has been stalled for some time. Recently, the core project team (Thanh Dang, Deputy Director of Community Development; Evan Winkler, Zoning Administrator; Adam Fletcher, Director of Community Development; and Wesley Russ, Deputy City Attorney) has had the opportunity to internally regroup and outline a path forward.

### *Project Schedule*

| TASKS                                                                                                                                                           | TARGET DATES              |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------|
| 1. Project kick off including presentations to City Council, Planning Commission, and Ordinance Advisory Committee                                              | July 2020 (Completed)     |
| 2. Host stakeholder meetings                                                                                                                                    | October 2020 (Completed)  |
| 3. Begin writing draft of Module/Part 1 of the Ordinances                                                                                                       | December 2020 (Completed) |
| 4. Begin writing draft of Module/Part 2 of the Ordinances                                                                                                       | June 2021                 |
| 5. Begin writing draft of Module/Part 3 of the Ordinances                                                                                                       | 2021                      |
| 6. Commence public comment period for Module/Part 1, including open house event                                                                                 | July 2021 (Completed)     |
| 7. Kick off Re-start Ordinances Update Project, including a presentation to City Council                                                                        | January 2024              |
| 8. Reconvene Ordinance Advisory Committee and Staff Technical Team                                                                                              | March 2024                |
| 9. Commence public comment period for Module/Part 2, including open house event and Ordinance Advisory Committee and Staff Technical Team meetings              | April 2024                |
| 10. Commence public comment period for Module/Part 3, including open house event and Ordinance Advisory Committee and Staff Technical Team meetings             | July 2024                 |
| 11. Commence public comment period for Modules/Parts 1, 2, and 3, including open house event and Ordinance Advisory Committee and Staff Technical Team meetings | October 2024              |
| 12. Present ordinances at public hearings at Planning Commission and City Council for adoption                                                                  | January 2025              |
| 13. Implement new Zoning Ordinance                                                                                                                              | Spring 2025               |

### *Modules*

Work on the Zoning and Subdivision Ordinances is divided into three “Modules,” or three parts, that have and will be presented to the public.

- Module 1 includes zoning districts, use regulations, and development standards.
- Module 2 includes building design standards; parking, loading, and stacking regulations; landscaping, buffering, and tree preservation; sign regulations; floodplain management regulations; and the subdivision regulations.

- Module 3 includes administrative, enforcement, and development review procedures.

### *Stakeholder Meetings*

In October 2020, the project consultants (KKC) hosted eight stakeholder group meetings. Each group consisted of 8-10 community members and met with KKC for about one hour. These meetings provided KKC the opportunity to talk with and hear from a cross-section of the community on current issues, opportunities, needs, and priorities as they relate to how the Zoning and Subdivision Ordinances govern the City's physical and economic development.

The groups were organized into the following categories:

- Developers, Engineers, Attorneys, Architects, Builders (two groups)
- Residential Developers and Real Estate
- Business Owners, Commercial Property Managers, and other associated business groups
- People who live in Harrisonburg (two groups)
- Providers of Social Services
- Environmental Groups

### *Ordinance Advisory Committee*

As suggested by the consultant, the Ordinance Advisory Committee (OAC) should have 10-12 community members, who have policy and technical background working with zoning and subdivision ordinances. The OAC meets with City staff and the consultant team during the project to represent the broader community, review draft ordinances, serve as a sounding board for new ideas and solutions, and to provide constructive input.

On September 22, 2020, after receiving suggestions from City Council members, city staff presented to City Council a list of 13 individuals who had agreed to serve on the OAC if they were appointed by City Council. That same day, City Council appointed all 13 members to the OAC. Since that time, one person resigned because they moved out of the area and two individuals were added to the OAC for a total of 14 OAC members.

The current OAC members are:

- |                    |                     |
|--------------------|---------------------|
| • Richard Baugh    | • Charles Hendricks |
| • Nathan Blackwell | • Barry Kelley      |
| • Gil Colman       | • Matthew Phillippi |
| • Nadia Dames      | • Sal Romero        |
| • Laura Dent       | • Henry Way         |
| • Brent Finnegan   | • Kathy Whitten     |
| • Deb Fitzgerald   | • Dave Wiens        |

OAC members together have experience as current and past Planning Commissioners, City Council members, Board of Zoning Appeals members, and School Board members; engineers; architects; real estate agents; business owners; and experience with community organizations.

In December 2023, staff began communicating with OAC members to inquire of their interest and availability to participate. Aside from Sal Romero, who noted that he is no longer available to participate, all other members are interested and available to continue serving on the OAC.

The OAC is expected to meet at least three more times over the next 12 months.

*Staff Technical Team*

A staff technical team (STT) has been formed with staff representatives from the:

- Department of Community Development
- City Attorney's Office
- Department of Public Works
- Department of Public Utilities
- Fire Department
- Police Department
- Department of Economic Development
- Department of Public Transportation
- Harrisonburg Electric Commission

The STT works with the core project team and the consultant team during the project to review draft ordinances, serve as a sounding board for new ideas and solutions, and to provide constructive input.

For more information on the Zoning and Subdivision Ordinances Update Project, please visit: <http://www.harrisonburgva.gov/zoning-subdivision-ordinances-update>.

**Environmental Impact:**

N/A

**Fiscal Impact:**

N/A

**Prior Actions:**

N/A

**Alternatives:**

N/A

**Community Engagement:**

N/A

**Recommendation:**

N/A

**Attachments:**

N/A

**Review:**

N/A