



# CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

409 SOUTH MAIN STREET, HARRISONBURG, VA 22801  
OFFICE (540) 432-7700 • FAX (540) 432-7777

To: Planning Commission  
From: Department of Community Development  
Date: March 13, 2024 (Regular Meeting)  
Re: Zoning Ordinance Amendment – Section 10-3-96, to Allow Mercantile Establishments That Supply Parts and Equipment for Over the Road Tractors, Their Trailers, and Heavy Equipment

### **Summary:**

Zoning Ordinance Amendment	Create new Section 10-3-96 (21) in the M-1, General Industrial District
Purpose	To allow mercantile establishments that supply parts and equipment for over the road tractors, their trailers, and heavy equipment
Applicant	S&K Contracting
Applicant Representative	Monteverde Engineering & Design Studio
Staff Recommendation	Approval
Planning Commission	March 13, 2024 (Public Hearing)
City Council	Anticipated April 9, 2024 (First Reading/Public Hearing) Anticipated April 23, 2024 (Second Reading)

### **Background:**

Presently, retail and mercantile uses are prohibited in the M-1, General Industrial District, except when the retail use is accessory to and in support of goods that are produced and/or assembled within the M-1 district or if a special use permit is approved for convenience stores. A copy of the M-1 district's uses permitted by right and uses permitted by special use permit sections are attached herein.

### **Key Issues:**

The applicant is requesting to add a new by right use to the M-1, General Industrial District by adding subsection (21) to Section 10-3-96 as shown below:

(21) Mercantile establishments that supply parts and equipment for over the road tractors, their trailers, and heavy equipment.

The proposed ZO amendment would allow the sale of parts and equipment for over the road tractors, their trailers, and heavy equipment within the same zoning district, and which is the only zoning district, where the repair of over the road tractors, their trailers, and heavy equipment is allowed.

Staff does not have concerns with allowing such a use as it provides for efficiency and convenience and is compatible with other by right uses. Staff recommends approval of this request.

**Environmental Impact:**

N/A

**Fiscal Impact:**

N/A

**Prior Actions:**

N/A

**Alternatives:**

- (a) Recommend approval of the ordinance amendment;
- (b) Recommend approval of the ordinance amendment with modifications; or
- (c) Recommend denial of the ordinance amendment.

**Community Engagement:**

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

***Zoning Ordinance Amendment – Section 10-3-96 To Allow Mercantile Establishments That Supply Parts and Equipment for Over the Road Tractors, Their Trailers, and Heavy Equipment***

Public hearing to consider a request from S&K Contracting to add a new subsection to Section 10-3-96 of the M-1, General Industrial District to allow mercantile establishments that supply parts and equipment for over the road tractors, their trailers, and heavy equipment.

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:**

- Application and supporting documents
- Proposed Zoning Ordinance Amendments
- Selected M-1, General Industrial District Regulations – Uses Permitted by Right and uses Permitted by Special Use Permit

**Review:**

N/A