

ORDINANCE AMENDING AND RE-ENACTING SECTION
10-3-118
OF THE
CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-118. - Fee for request for amendment is amended as shown:

~~Each request for amendment to this chapter, including the zoning map and for amendment to the comprehensive plan, shall be accompanied by a check for three hundred seventy five dollars (\$375.00) plus thirty dollars (\$30.00) per acre made payable to the city.~~ Requests to amend the text and regulations of this chapter or to amend the text of the Comprehensive Plan shall be accompanied with a payment of four hundred fifty dollars (\$450.00). Requests to amend the zoning map or to amend any map associated with the Comprehensive Plan shall be accompanied with a payment of five hundred fifty dollars (\$550.00) plus thirty dollars (\$30.00) per acre.

In addition, if the rezoning or comprehensive plan amendment requires a traffic impact analysis (TIA) review by the Virginia Department of Transportation (VDOT), then all additional fees for those reviews shall be made payable to the Virginia Department of Transportation. If the rezoning or comprehensive plan amendment requires a traffic impact analysis review, only by the city, then one thousand dollars (\$1,000.00) shall be made payable to the city. These applications shall not be considered accepted until the TIA has been reviewed.

The remainder of Section 10-3-118 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the ____ day of _____, 2018. Adopted and approved this ____ day of _____, 2018.

MAYOR

ATTESTE:

DEPUTY CITY CLERK

ORDINANCE AMENDING AND RE-ENACTING SECTION
10-3-127 OF THE CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

**Be it ordained by the Council of the City of
Harrisonburg, Virginia:**

That Section 10-3-127. - Application requirement for special use permit is amended as shown:

- (a) The procedures for application for a special use permit are the same as those prescribed for changes and amendments in article U, except that all applications shall be accompanied with a payment of four hundred twenty-five dollars (\$425.00) plus thirty dollars (\$30.00) per acre and shall include the following additional information:
 - (1) A preliminary site plan if any changes to the existing site are proposed.
 - (2) A description of the proposed use including, where applicable, the hours of operation and the proposed number of employee/patrons.
 - (3) When requested by the planning commission or the city council, the following information shall be provided by the applicant:
 - a. Elevations and floor plans of the proposed buildings.
 - b. A traffic impact analysis, showing the effect of traffic generated by this project on surrounding streets and neighborhoods.
- (b) If the request for a special use permit has been denied by city council, a request in substantially the same form shall not be resubmitted with one year of the date of denial.

The remainder of Section 10-3-127 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2018. Adopted and approved this _____ day

MAYOR

ATTESTE:

DEPUTY CITY CLERK

ORDINANCE AMENDING AND RE-ENACTING SECTION
10-3-138 OF THE CODE OF ORDINANCES
CITY OF HARRISONBURG, VIRGINIA

Be it ordained by the Council of the City of Harrisonburg, Virginia:

That Section 10-3-138. - Procedure on applications and appeals is amended as shown:

- (c) Filing fees:
- (1) All persons, firms or corporations appealing to the board of zoning appeals shall be required to pay, at the time the application is submitted, ~~two hundred seventy-five dollars (\$275.00)~~three hundred dollars (\$300.00) per request for expenses relative thereto.
 - (2) All persons, firms or corporations applying for variances under the provisions of this chapter or applying for an amendment of a variance already approved shall be required to pay, at the time the application is submitted, ~~two hundred seventy-five dollars (\$275.00)~~three hundred dollars (\$300.00) per request for expenses relative thereto.
 - (3) The payment of such money in advance to the office of the administrator as specified shall be deemed a condition precedent to the consideration of such appeal, variance request or requested amendment to a variance already approved.
- (d) Hearing and decision. ~~The board shall, within thirty (30) days, fix a time and date for the hearing of the requested variance or appeal, give public notice thereof as required by law, as well as due notice to the parties in interest, and decide the same within thirty (30) days after the hearing date.~~ The board shall fix a reasonable time for the hearing of an application or appeal, give public notice thereof as well as due notice to the parties in interest and make its decision within ninety days of the filing of the application or appeal. Upon the hearing any party may appear in person, or by agent, or by attorney. In exercising its powers, the board may, in conformity with the provisions of this chapter, reverse or affirm, wholly or partly, or may modify, any order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken. The concurring vote of a majority of the members of the board shall be necessary to reverse any order, requirement, decision or determination of the administrative officer or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to effect any variance from this chapter.

The remainder of Section 10-3-138 is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the ____ day of _____, 2018. Adopted and approved this ____ day of _____, 2018.

MAYOR

ATTESTE:

DEPUTY CITY CLERK