



CITY OF HARRISONBURG COMMUNITY DEVELOPMENT

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To: Board of Zoning Appeals
From: Travis Cornett, Zoning Technician
Date: June 1, 2026 (Regular Meeting)

Subject: Consider adoption of proposed updates to the Rules of Procedure

Introduction

This memorandum outlines staff's proposed changes to the Board of Zoning Appeals (BZA)'s Rule of Procedures. This memorandum contains two bulleted lists, the first outlining changes to existing articles and the second outlining articles that were added. This list is not exhaustive, as many minor grammatical and formatting changes were made throughout the Rules of Procedure document; such changes have been omitted for brevity. The article titles in this memorandum are based on the proposed procedures. The current article numbers/names have been provided in parentheses where applicable.

Modified Articles

Article II. Officers (currently Article I.)

- The frequency of which a new Chair and Vice-Chair will be elected was changed from biennially to annually and elections were moved to be held in March.
- A new section was added going over the appointment of the Secretary.
- Procedures for elections were expanded to be more comprehensive.
- A reference to a City Code section was removed.

Article IV. Meetings (currently Article II.)

- Section 1 was updated to account for holidays and allow for changing of the day, time or place of a regular meeting through passing a resolution to that effect.
- Section 2 was added to give the Board the authority to adjust a meeting date if conditions are too hazardous to conduct a meeting.
- Sections 3 & 10 were added to allow the Board to adjourn meetings to a later time or place when necessary.
- Sections 4 & 5 were added to provide notice requirements and instructions for special meetings.
- Section 8.e "Election of Officers (when required under these procedures)" was added to the order of business.
- Section 9 was added stating that public comment under "Other business" in the order of business shall not be considered a public hearing.
- Sections 11 & 12 were added to allow Board members to attend meetings remotely.

Article V. Procedure for Public Hearing Cases (currently Article III. Procedure for Hearing Cases)

- Section 2 & 3 were added stating that appeals and applications must be submitted on the proper forms and gives a timeline for when items to be considered must be submitted.
- Section 4 was added stating that if an applicant or appellant does not attend the hearing, the Board may defer the case or make a decision in their absence.
- The order for hearing a case was updated and expanded upon to be clearer in section 5.
- The previous section 3 was broken up and expanded upon in sections 6, 7, and 8. These sections outline how presentations and rebuttals are to be handled.
- Two lines were added to section 10. One explains that conditions must be related to the case, reasonable, and enforceable and clearly stated. The other states that a concurring vote of a majority of the members shall be necessary for a successful motion.

Article VI. Rehearing (currently Article IV.)

- Sections 1 & 2 were switched for clarity.

Article X. Dismissal of Cases (currently Article VIII.)

- This article was expanded to include specific reasons that a case might be dismissed. It also states that such dismissals shall be without prejudice, and allows for cases to be continued rather than dismissed if good cause is shown.

Added Articles

Article I. Authority & Scope

- This article was added as a general umbrella to catch any discrepancies that might arise from changes to the State Code or Zoning Ordinance.
- Article III. Duties of Officers This article was added to explain what the duties of the Chair, Vice-Chair and Secretary are.

Article X. Ex Parte Communication

- This article was added to explicitly state the requirements surrounding ex parte communication, as outlined in the state code (15.2-2308.1). It goes over what members should avoid & what they should do if such communications take place.

Attachments

- 1) *Rules of Procedure (Current)*
- 2) *Rules of Procedure (2026 Update)*