MINUTES OF HARRISONBURG PLANNING COMMISSION

September 15, 2026

The Harrisonburg Planning Commission held a work session for the Zoning Ordinance Update Project on Tuesday, September 25 2026, at 6:00 p.m. in Room 011 at City Hall, 409 South Main Street.

Members present: Richard Baugh, Chair; Shannon Porter, Vice-Chair; Laura Dent, Councilmember; KC Kettler; and Randy Seitz. Rob Jezior attended virtually. Members absent: Heja Alsindi.

Also present: Adam Fletcher, Director of Community Development; Thanh Dang, Deputy Director of Community Development; Wesley Russ, Deputy City Attorney; Tyler Blanks, Zoning Administrator; Nyrma Soffel, Planner; and Meg Rupkey, Planner.

Commissioner Jezior requested remote participation from a private location in Scranton, Pennsylvania, due to travel. The Commission's remote-participation policy requirements had been met, including a physical quorum at the primary meeting location and arrangements for Commissioner Jezior's participation to be heard publicly.

Upon a motion by Commissioner Porter, seconded by Councilmember Dent, the Commission unanimously approved Commissioner Jezior's remote participation.

New Business

Brief Reflections on Prior Work Sessions

Staff provided an opportunity for Commissioners to raise questions or comments regarding materials and discussions from the prior two work sessions, including the zoning map. Commissioners did not raise additional questions or comments at that time.

Review Zoning District Names

- Staff stated that the recommended zoning district names included in the agenda memorandum had not changed since the prior meeting.
- Included in the agenda was feedback provided by the Harrisonburg-Rockingham Association of Realtors after outreach by Commissioner Sietz. The Realtors Association feedback emphasized that district names communicate the general character and development pattern of an area to residents, prospective buyers, and property owners.
- Commissioners discussed the proposed names for the three residential districts: Suburban Neighborhood, Flexible Neighborhood, and Urban Neighborhood.

- Commissioners discussed changing Flexible Neighborhood to General Neighborhood.
- Commissioners discussed the distinction between attached dwellings, duplexes, and townhouses. “Single-family attached” dwelling is effectively a duplex where the two units are separated by a lot line. Staff explained that a duplex without separate lots would be called a duplex, and a structure containing more than two attached units on individual lots would be considered a townhouse.
- Staff and Commissioners discussed the proposed Garden Community district. Staff stated that the district was initially contemplated for existing garden-style apartment complexes, such as Sunchase and Arcadia. The proposed regulations are still under development and staff is considering where more traditional urban-form multifamily buildings, including larger buildings with internal corridors and elevators, should be accommodated. Such development may be more appropriate in the proposed Mixed-Use Urban Village district or in the Auto-Urban Commercial district through a special exception for multifamily development.
- Commissioners discussed whether garden-style apartment development should be characterized as high density. One Commissioner stated that garden-style apartments and attached residential forms should not necessarily be considered high density because their form and intensity differ from larger urban apartment buildings.
- Commissioners discussed the proposed Attached Community district intent statement. A Commissioner noted that the phrase “higher density” could be unclear when read outside the sequence of district descriptions. Commissioners discussed removing the words “higher density” from the Attached Community district intent statement. Commissioners discussed whether the term “multifamily” should be used in district names or intent statements. Commissioners noted that “apartment” may provide a clearer description for the district intended to accommodate garden-style apartment communities.
- Commissioners discussed the distinction between Mixed Use Downtown and Mixed Use Urban Village. Staff explained that Mixed-Use Urban Village was being considered for mixed-use areas outside the downtown area.
- Staff summarized the outcome of discussion as follows:
    - Change Flexible Neighborhood to General Neighborhood.
    - Change Garden Community to Apartment Community.
    - Remove the words “higher density” from the Attached Community district’ intent statement.
    - Review the applicable intent statements for clarity.

Review portions of draft Zoning Ordinance text

- Staff explained that the proposed ordinance establishes three primary review tracks:
    - Site plan review: would apply to development activity requiring engineering review and would address infrastructure, public improvements, and zoning compliance as applicable.
    - Building permit review: would apply where a site plan is not required and would continue to address applicable building and zoning requirements.
    - Zoning permit review: would provide a standalone review process when neither a site plan nor a building permit is required but zoning compliance must still be verified.
- Staff explained that the proposed zoning permit would address activities such as placement of small accessory structures, such as a small utility shed, that may not require a building permit but must comply with zoning requirements, such as setbacks. A Commissioner raised concerns about the additional time, cost, and administrative burden that a zoning permit could create for residents undertaking minor improvements, such as installing a utility shed or low fence. Staff responded that the process would likely rely on existing surveys or plats when available. A property owner could identify the proposed improvement on a survey or other document showing property boundaries, allowing staff to review compliance without requiring a new survey in every case.
- Staff stated that floodplain compliance is a significant reason for requiring review of certain small structures because FEMA requirements make it important for the City to know whether improvements are proposed within a floodplain.
- Staff and Commissioners discussed the benefit of conducting compliance review before construction rather than responding to complaints after an improvement has been installed. Post-construction complaints can require property owners to incur greater costs if a structure must be moved or modified after it is found to violate a setback or other zoning requirement. It was noted that although the additional process could be burdensome, proactive review may reduce neighbor disputes and provide greater certainty as development becomes denser.
- Staff stated that the proposed ordinance presumes that a site plan is required unless an activity is specifically exempt. Proposed site plan exemptions include construction of a single-family detached dwelling or duplex on an existing lot, additions to a single-family dwelling or duplex, and interior renovations that do not increase floor area. Staff noted that subdivision requirements, including required sidewalk connections and other public improvements, would continue to apply when an existing lot is subdivided, even if subsequent construction is exempt from site plan review.

- Staff explained proposed changes related to plats, surveys, foundation-location surveys, and certificates of occupancy. Staff stated that Harrisonburg currently requires certified location information less frequently than many other jurisdictions. Hand-drawn sketches would continue to be accepted for residential additions and accessory structures when sufficient certified survey or plat information is available. In cases where no survey exists, obtaining one may become part of the permitting process.

- Staff and Commissioners discussed proposed procedures for revisions to proffers following Planning Commission consideration of a rezoning application. Staff explained that the current process is unclear regarding who determines whether amended proffers require additional public hearings after Planning Commission review and before City Council action. Under the proposed process, the Planning Commission would hold its public hearing and make a recommendation based on the proffers submitted at that time. An applicant could submit amended proffers until publication of the notice for the City Council public hearing. Those amended proffers would be included in the City Council agenda materials and available for public review. After publication of the City Council public hearing notice, City Council could consider further proffer amendments until the public hearing closes. City Council could determine whether a revised proffer materially affects the overall proposal and whether an additional public hearing is warranted.

- Staff explained that the draft zoning map does not recommend broadly upzoning properties solely to increase development potential. Staff stated that retaining a rezoning process for certain properties preserves the City's opportunity to seek mitigation for development impacts through proffers.

- Commissioners discussed the relationship between the Future Land Use Guide, zoning designations, infrastructure capacity, and development approvals. Staff explained that the Future Land Use Guide is intended to plan for long-term growth and does not necessarily mean that all land identified for a future use should immediately be rezoned to match that designation. Staff noted that proactively rezoning all properties designated for higher-density or mixed-use development could create challenges where water, sewer, transportation, or other infrastructure capacity is insufficient. Commissioners referenced areas planned for higher density and expressed concern that immediate broad rezoning could allow development to proceed without project-specific infrastructure improvements or proffers. A Commissioner noted that some development impacts may exceed the ability of an individual developer to address through a single project and may require broader planning, regional coordination, and public investment. Commissioners discussed balancing the need to facilitate housing development with the need to protect community character, manage infrastructure impacts, and provide a predictable development-review process.

- Commissioners discussed existing nonconforming properties and whether the zoning update should address longstanding conditions that do not conform to current zoning standards. Staff identified the West Washington Street area as an example where existing single-family and duplex residences are located in the M-1, General Industrial District. Staff stated that the draft zoning map recommends assigning those properties to a residential district so that the residential uses would become conforming to use and owners could make improvements without being constrained by industrial zoning.

- A Commission asked if a map identifying all nonconforming properties could be made available. Staff explained that nonconformity determinations are made based on available records at a specific point in time and that an overlay identifying all nonconforming properties would require the City to make and maintain individual determinations for each property. Staff noted that a structure's nonconforming setback condition is generally stable because the structure does not move, while a nonconforming use may be lost if the use is discontinued for a specified period.

- Staff noted that the proposed ordinance retains existing tools and modifications that can help owners of properties with dimensional constraints, although those tools may not resolve every nonconforming condition.

- Staff reviewed a proposed process to allow amendments to approved proffers without requiring new Planning Commission and City Council public hearings in limited circumstances. The current proffer amendment process can require a new application, staff review, Planning Commission public hearing, and City Council public hearing, potentially resulting in a 90- to 120-day process. The extended amendment process can lead applicants to submit less detailed or less binding proffers in order to preserve flexibility for future design adjustments. Staff expressed concern that this can create uncertainty about what is being approved and may result in public perceptions that a later development proposal differs materially from the plan presented during the rezoning process. State law allows a zoning ordinance to authorize a governing body, at its discretion, to waive public hearings for proffer amendments when the amendment does not change the approved use or density. The proposed process would still require notice to adjacent property owners and advertisement, allowing the public to contact City Council regarding the proposed amendment. City Council would retain discretion to deny a waiver and require the normal public-hearing process. The process is intended primarily for later changes by an owner or developer whose proposal substantially complies with the approved development but requires adjustments, such as rearranging buildings, without changing the approved use or density.

- Staff reviewed proposed provisions related to corner lots and setback reductions. The provision is intended to preserve a usable building area on narrow corner lots. It does not necessarily make a lot unbuildable without the reduction, but it may otherwise result in a

substantially narrower structure. In unusual circumstances, a property owner may seek a variance through the Board of Zoning Appeals if strict application of the ordinance creates a qualifying hardship.

- Staff reviewed provisions allowing setback reductions based on existing development patterns. One provision allows a property owner to use the average setback of the two nearest structures on either side of the property. Another provision allows a property owner to use the average setback of structures along the block. These provisions may allow additions, covered porches, or similar improvements to align more closely with the established streetscape when nearby buildings are located closer to the street than current setback requirements permit. The usefulness of these provisions is highly site-specific and may not resolve every dimensional constraint or existing nonconforming condition. A Commissioner suggested that staff evaluate whether a median, rather than an average, would be more appropriate for determining setback reductions in some circumstances.

- A Commissioner raised a question regarding Section 10-3-63.B, which limits certain architectural projections into a required setback to 2 feet, 8 inches. The Commissioner stated that the existing 2-foot, 8-inch limit may be too restrictive for a roof or canopy covering an existing front stoop and suggested increasing the allowable projection to 3 feet or 3 feet, 4 inches. The Commissioner stated that a modest increase could provide meaningful flexibility for residents seeking to cover front entrances without enclosing additional building area. Staff noted that the draft zoning districts generally reduce certain front setbacks from 30 feet to 20 feet or more, which may address some of the concern by providing more space for entrance features. Commissioners discussed the need to balance reasonable property-owner flexibility with consistent application of zoning standards and protection of the public interest. Staff will evaluate the proposed increase to the 2-foot, 8-inch projection allowance and to consult Building Inspections staff regarding any applicable fire-spread or building-code considerations.

- A Commissioner asked whether additional decisions could be handled administratively rather than requiring Planning Commission action. Staff agreed that some matters may be appropriate for administrative review, citing prior discussion of townhome development standards as examples where the revised ordinance may reduce the need for variations or exceptions.

- Staff and Commissioners discussed the potential to streamline review by reducing the number of bodies required to act on certain technical matters while retaining an appeal or decision-making process where appropriate. Staff stated that the City is undertaking a separate, parallel process to update the DCSM. Public Works is advancing related work on a bicycle and pedestrian plan update, a Safe Routes to School plan, and a Complete Streets design guide. Information developed through those efforts will inform future DCSM updates, including transportation-related standards in Chapter 3.

Next Steps

- The Commission will not hold another work session in October.
- Staff is working to finalize dates for public open-house sessions in late October. At least two open-house sessions are anticipated. A public-comment period will follow the public-engagement sessions.
- The Commission will reconvene for an additional work session after the public-engagement and public-comment period.
- A Commissioner asked about submitting a list of City departments, agencies, and related organizations that could provide information to the Commission during future planning discussions. Staff confirmed receipt of an earlier list and stated that staff had developed preliminary ideas for presentations to the Planning Commission in 2027 after completion of the current zoning ordinance update process.

Adjournment

The meeting adjourned at 8:12 pm.

Richard Baugh, Chair	Nyrma Soffel, Deputy Secretary

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