City of Harrisonburg

City Hall
409 South Main Street
Harrisonburg, VA 22801

Meeting Agenda - Final-revised

Planning Commission

Thursday, November 12, 2026 | **6:00 PM** | **Council Chambers**

1. Call To Order

2. Roll Call/Determination of Quorum

3. Approval of Minutes

3.a. Minutes from the October 14, 2026 Planning Commission Meeting

Attachments: PC Minutes

4. New Business - Public Hearings

4.a. Consider a request from Geoffrey M Newton and Kimberly M Newton for a special use permit at 757 Woodland Drive

Attachments: PC Memorandum
Site Maps
Applicant's supporting documents

4.b. Consider a request from Riadh S. Mamund for a special use permit at 130 West Mosby Road

Attachments: PC Memorandum
Site Maps
Applicants supporting documentation
Copy of Approved 2023 Proffers

4.c. Consider a request for Zoning Ordinance Amendments related to businesses licensed by the Virginia Cannabis Control Authority

Attachments: PC Memorandum
Current Ordinance Reflecting Recommended Amendments

5. New Business - Other Items

5.a. Consider a request from the Commonwealth of Virginia, Visitors of James Madison University, and Gary L Beatty Trustee for variations and exceptions from the Subdivision Ordinance at 741 South Main Street and 10 and 16 West Grace Street

Attachments: PC Memorandum

Site Maps

Applicant's supporting documents

5.b. Presentation from the Department of Public Works on Safe Streets Harrisonburg Project

Attachments: PC Memorandum

5.c. Consider amendments to the Planning Commission bylaws

Attachments: PC Memorandum

Current Planning Commission Bylaws Reflecting Recommended Amendments

5.d. Update on Zoning Ordinance Update Project

7. Public Comment

8. Report of Secretary & Committees

8.a. Rockingham County Planning Commission Liaison Report

8.b. City Council Report

9. Other Matters

9.d. Review Summary of next month's applications

10. Adjourment

NOTE TO THE PUBLIC

Staff will be available at 4:00 p.m. on the Tuesday before the next Planning Commission meeting for those interested in going on a field trip to view the sites on the next agenda.

INTERPRETATION SERVICES

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https://www.harrisonburgva.gov/interpreter-request-form

NOTE TO THE PUBLIC

Residents/Media will be able to attend the meeting.

The Public can also view the meeting live on:

- The City's website, https://harrisonburg-va.legistar.com/Calendar.aspx
- Public Education Government Channel 1072

A phone line will also be live where residents will be allowed to call in and speak with Planning Commission during the Public Hearings and the Public Comments portion of the night's meeting. We ask those that wish to speak during the public comment period to not call in until after all the public hearings and public comment on those have been heard. This will avoid anyone calling on any other item from holding up the queue and then being asked to call back at a later time.

The telephone number to call in is: (540) 437-2687

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Legislation Text

File #: ID 26-396, **Version:** 1

MINUTES OF HARRISONBURG PLANNING COMMISSION

October 14, 2026

The Harrisonburg Planning Commission held its regular meeting on October 14, 2026, at 6:00 p.m. in the City Council Chambers, 409 South Main Street.

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

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

Chair Baugh asked if there were any corrections, comments or a motion regarding the September 9, 2026, Planning Commission minutes.

Commissioner Porter moved to approve the minutes.

Commissioner Kettler seconded the motion.

The motion to approve the September 9, 2026, Planning Commission minutes passed (7-0).

Chair Baugh asked if there were any corrections, comments or a motion regarding the September 15, 2026, Planning Commission minutes.

Commissioner Kettler moved to approve the minutes.

Commissioner Jezior seconded the motion.

The motion to approve the September 15, 2026, Planning Commission minutes passed (7-0).

New Business - Public Hearings

Consider a request to amend the Zoning Ordinance to amend the definition of "shopping center" and to provide a parking calculation for shopping centers

Chair Baugh read the request and asked staff to present.

Ms. Soffel said the proposed Zoning Ordinance (ZO) amendment would amend the definition of "shopping center" in Section 10-3-24 and add "shopping centers" to Section 10-3-25 (17). The intent is to codify a standing interpretation for applying the minimum off-street parking regulations for retail establishments to developments that qualify as a shopping center.

The ZO currently defines a shopping center as follows:

> Commercial development of more than one (1) retail sales or service establishment on a single parcel of common ownership attached by common walls or if located in separate buildings are interconnected by walkways and/or access ways, providing common parking facilities for all establishments, having multiple tenancy of a single or several large common structures, and otherwise present the appearance of one continuous commercial area.

The proposed amendment would revise the definition of "shopping center" to clarify the types of businesses allowed within a shopping center and establish a minimum combined floor area of at least 10,000 square feet. The definition of shopping center is proposed to be amended as follows:

> ***Shopping center:*** ~~Commercial~~ A development of more than one (1) ~~retail sales or service establishment~~ mercantile establishment; personal service establishment; restaurant; office; place of assembly for the purpose of entertainment or education; or house of worship. The uses must be located on a single parcel of common ownership attached by common walls, or if located in separate buildings, are interconnected by walkways, ~~and/or~~ access ways, or both, providing common parking facilities for all establishments, having multiple tenancy of a single or several large common structures, having a combined floor area of at least 10,000 square feet, and otherwise present the appearance of one continuous commercial area.

The ZO does not currently include a minimum parking requirement for shopping centers. When the uses of a proposed shopping center are unknown at the time of site plan or building permit review, staff has applied the parking requirement for retail stores, sales rooms, and similar mercantile establishments when the shopping center has a combined floor area of at least 10,000 square feet. When the proposed uses are known, parking has been calculated based on the parking requirements for the individual uses. In addition, because uses within a shopping center may change over time, calculating parking based on individual uses could require parking to be recalculated when a new business occupies a tenant space under staff interpretation of the existing definition.

All of the existing developments currently identified as shopping centers have a combined total floor area of more than 10,000 square feet. Existing shopping centers include uses such as, but are not limited to, restaurants, offices, and houses of worship, not just retail sales or service establishments. Although the minimum floor area and range of uses were not included in ZO, staff has consistently applied the shopping center interpretation to these developments. The proposed amendment would codify this longstanding practice without expanding the types of developments currently identified as shopping centers or changing applicable parking ratios.

The proposed amendment would also add the use of "shopping centers" to Section 10-3-25(17), which establishes the parking calculation for retail stores, sales rooms and similar mercantile establishments, as follows:

> (17) Retail stores, sales rooms and similar mercantile establishments, shopping centers, and tobacco, smoke, or vape shops (applicable where no other specific retail standard is set forth): If ten thousand (10,000) square feet or less of gross floor area, one (1) parking space for each two hundred (200) square feet of gross floor area; if over ten thousand (10,000) square feet of gross floor area, one (1) parking space for each two hundred and fifty (250) square feet of gross floor area.

Developments that meet the definition of "shopping center" would have a parking calculation based on one (1) parking space for each 250 square feet of gross floor area.

The amendment would establish a consistent parking calculation for shopping centers and allow changes in tenancy within an existing shopping center without requiring parking to be recalculated. If a shopping center is redeveloped in a manner that no longer meets the definition of a shopping center, the associated parking requirements would be calculated at the time of redevelopment.

Staff recommends approval of the ZO amendment.

Chair Baugh asked if there were any questions for staff.

Commissioner Seitz said I think we discussed this in terms of the proposed Zoning Ordinance as well, but there is no provision for nonconcurrent uses, correct? For instance, a house of worship might only be used on Saturday or Sunday, depending on who is there. Other places may not be open those days. Is there any opportunity to consider a reduction in parking because uses may be nonconcurrent in the space?

Ms. Soffel said the proposed zoning ordinance rewrite would address those parking considerations. We acknowledge that is a concern, but we want to allow the Zoning Ordinance Rewrite to go through the public engagement process and get feedback on those parking matters. For this specific amendment, we are not changing parking calculations.

Ms. Dang said actually, in the proposed Zoning Ordinance update, we have removed provisions about those ratios because we found in practice that people are not using them. There has only been one instance, that I am aware of, on Neff Avenue, where that provision had been used.

Mr. Fletcher said currently, it is Section 10-3-26(b), and there is a table in the [current] zoning ordinance for shared parking. It gives times of the day and different uses. What Ms. Dang is referring to is that we found in practice there were many instances where staff tried to apply it, but it resulted in the 100 percent rule every time when considering different uses at different times of day.

Commissioner Seitz said yes, and I remember discussing that in one of the work sessions. Thank you.

Councilmember Dent said I am curious. We had a definition of shopping center, but where was that used if it was not in the parking requirement?

Ms. Dang said that it was not used in the ordinance. It was just a term that was there. It may have been a relic from something in the past. I do not know the history of how that term came to be in the definitions section.

Councilmember Dent said but now it is useful.

Ms. Dang said yes.

Vice-Chair Porter said I had a question about the 10,000 square feet... Why that number? I am curious where that line of demarcation came from or how that was selected.

Ms. Soffel said (Section 10-3-25) subsection 17, it already has retail stores, sales rooms, and similar mercantile establishments. If it was under 10,000 square feet, it was one space per 200 square feet, and if it was over 10,000 square feet, it would be one space per 250 square feet. As

we reviewed the various shopping centers that have been approved, the shopping centers where staff applied this interpretation, have all been over 10,000 square feet.

Vice-Chair Porter said thank you.

Commissioner Kettler said where do the 200 square feet of area per parking spot or 250 square feet per parking space… where do those numbers come from?

Ms. Soffel said those are the parking ratios in the current ordinance.

Commissioner Kettler said do we know where those come from?

Ms. Soffel said I do not know.

Mr. Fletcher said the one per 200 square feet is often found in a lot of different places. It might be stated mathematically in a different way, but the ratios end up being one per 200 square feet, or five per thousand square feet. There are different ways to express it.

Commissioner Kettler said what I am getting at is that a lot of times when I am at any shopping center, there are a lot of empty parking spaces, not as a rule, but in practice every time I have been in a shopping center, there are a lot of empty parking spaces, no matter how busy it is. I am wondering, as common as it is across different municipalities and jurisdictions, whether there is some rational basis for that. There may not be an answer for that right now.

Mr. Fletcher said there probably is, and I will not have an answer right now. I also want to remind everyone that when you see those shopping centers, it does not necessarily mean they are meeting only the minimum. Oftentimes, they are providing much more than the minimum because there is no cap. You would have to know how big the building is, what the use is, and count the parking spaces to determine whether that was because of a government code or a private desire to have that many parking spaces.

Ms. Soffel said in the shopping centers reviewed, all but one had more than the minimum.

Commissioner Jezior said will this change increase the minimum for many of the existing shopping centers if they were built now, or would it decrease it?

Ms. Soffel said if a shopping center were predominantly restaurants, for example, which has a higher minimum, it could see a reduction. But for retail stores, the minimums are based on whether the store is over 10,000 square feet of gross floor area, so it would be the same. It maintains that same ratio.

Commissioner Jezior said okay. So that would be the same unless it was all restaurants.

Commissioner Alsindi said I am not sure how substantial my question is, but from reading the text and the order of shopping center in the text, it is my impression that shopping is more generic. Why does it not come first in the text, when the others are more precise and defined? That is how I see it. Why is it here precisely in this order?

Ms. Soffel said there was no specific order.

Commissioner Alsindi said do you think the order is somehow necessary here? I know it could be secondary or cosmetic.

Ms. Soffel said it could have been first.

Commissioner Alsindi said I see that in the future, shopping will need more definition. That is my prediction. I see the word shopping as encompassing others generally. At this point, it is good, but that is my personal perspective. I can forecast that in the future there will be a need to shape it more and define it more. From the text-writing point of view, I think it would be proper for it to be at the beginning.

Ms. Dang said assuming that the proposed zoning ordinance is adopted in a similar fashion to what staff has proposed, the term shopping center will not exist in that new ordinance either. We have reduced the parking ratios for uses such as restaurants to one per 250 square feet, for example, so it equalizes and staff does not have to define shopping center and have that category. My point is that, if you want to recommend moving the order, the Commission could consider that at this point. If it does not matter, it will only be for a short period of time.

Commissioner Alsindi said as long as there was some back-and-forth discussion, I will be very specific about what pushed me to say what I said. I hope that tobacco, smoke, and vape do not come with shopping. It psychologically incentivizes people to shop. I would not prefer to put the rest with shopping. Put shopping at the beginning, and then maybe it is secondary. It is from a future customer satisfaction and behavior perspective that pushes me to say what I say. Thank you.

Commissioner Kettler said I really like this change. I think it simplifies it, which is the direction we all want to go with a lot of this. I think the question Commissioner Seitz asked about concurrent uses also reflects the need for more flexibility in parking requirements.

Chair Baugh asked if there were any more questions for staff. Hearing none, he opened the public hearing and invited anyone in the room or on the phone wishing to speak to the request.

Seth Roderick, Monteverde Engineer, said this is a very important code change and a step in the right direction. I know there is a lot more text coming. I want to emphasize the practical matter on our side as we develop properties. Shopping centers are often built with known tenants at the beginning, and that can be reviewed by staff easily as it pertains to individual uses that are segregated out. Sometimes that can have an impact and create more parking if there is a restaurant use mixed in with retail spaces that do not drive a lot traffic. When the project moves forward to construction, sometimes those tenancies drop out or get replaced. Maybe 10, 15, or 20 years later, a lease ends, other leases become available, and a restaurant user wants to backfill a site that was previously retail and now wants to open a restaurant. It is a good space otherwise for a small independent business owner trying to open a sandwich shop, but they do not have enough parking to meet the requirement because everything was based on a retail basis and now there is a restaurant use. This is a practical application. I think it is a worthwhile change. I recommend approval. I appreciate your consideration of this, and I appreciate staff's willingness to tackle an issue that has been present for a while in advance of the full rewrite. We can either put everything off until the full rewrite is done or tackle these issues as they become available. This is a good one. I appreciate it.

Chair Baugh closed the public hearing and opened the matter for discussion.

Commissioner Jezior said I think it is a good change. I think it simplifies everything for future tenants in shopping centers, and I think it is good.

Councilmember Dent said I appreciate the real-world comment about the complexities that could arise before the simplification. I like it.

Commissioner Seitz said I move to approve the zoning ordinance amendment as presented.

Vice-Chair Porter seconded the motion.

Chair Baugh called for a roll call vote.

Commissioner Seitz	Aye
Vice-Chair Porter	Aye
Councilmember Dent	Aye
Commissioner Alsindi	Aye
Commissioner Kettler	Aye
Commissioner Jezior	Aye
Chair Baugh	Aye

The motion to recommend approval of the zoning ordinance amendment passed (7-0). The recommendation will move forward to City Council on November 10, 2026.

New Business – Other Items

Consider a request from Trenton Inc. and Bernard LC for variations/exceptions from the Subdivision Ordinance related to public street design standards at South Main Street, South Liberty Street, and future Paul Street extended (The Lindsey)

Chair Baugh read the request and asked staff to review.

Ms. Rupkey, Planner, said the property at 435, 445, 457, 473, 483, and 495 South Main Street and 282, 288, 294, and 298 South Liberty Street consists of approximately 2.75 acres. The property was rezoned to B-1C, Central Business District Conditional, on September 22, 2026, to allow a four-story multi-family building consisting of up to 180 dwelling units, between 2,500 to 5,000 square feet of non-residential space, and a five-level parking garage consisting of a minimum of 320 off-street parking spaces.

Requested Variations and Exceptions

The applicant proposes to extend Paul Street between South Main Street and South Liberty Street. The extension is intended to continue the existing Paul Street alignment, improve connectivity within the downtown street network, and provide pedestrian and vehicular circulation associated with the adjacent development. As presented, the new Paul Street extension would require variations and exceptions to the Subdivision Ordinance (SO) and Design and Construction Standards Manual (DCSM).

South Main Street and South Liberty Street are one-way streets classified as Minor Arterials. The proposed Paul Street extension would be a two-way street connecting the two one-way minor arterial streets. The applicant states that the existing Paul Street alignment, established property boundaries, adjoining development, and the surrounding downtown street network create the circumstances necessitating variations and exceptions to the following SO and DCSM sections:

- SO Section 10-2-41(a) – Street Design Standards
- DCSM Section 3.6.1.4 – Street Intersection Curb Radius
- DCSM Sections 3.1.8.1 and 3.1.8.2 — Access management and entrance spacing
- DCSM Section 3.6.4.1 – Typical Street Sections
- DCSM Section 3.10.2.3 — Entrance spacing from intersection curb returns
- DCSM Appendix F – Typical Street Cross Sections

Street and Right-of-Way Width Request

The applicant requests a variation or exception from SO Section 10-2-41(a), DCSM Section 3.6.4.1, and DCSM Appendix F to permit a 24-foot-wide street within a 44-foot-wide public right-of-way, rather than the standard 34-foot-wide street within a 50-foot-wide public right-of-way. Street width is measured curb face to curb face.

The applicant states that the reduced street and right-of-way dimensions are necessary to continue the existing Paul Street alignment within the existing property boundaries. The proposed 24-foot street section would provide two 12-foot travel lanes. No on-street parking is proposed along the extension, however, a pull off area is proposed for deliveries and ride share. The 44-foot public right-of-way would be widened to 48.5 feet at the planned pull off to accommodate required sidewalk elements on both sides of the extension.

The applicant has confirmed that the proposed street design will be compliant with applicable VDOT Secondary Street Acceptance Requirements (SSAR). The applicant notes that narrow street sections are common in downtown Harrisonburg and that the proposed section is designed for the anticipated operational context.

Intersection Curb Radii Request

The applicant is requesting a variation and exception from SO Section 10-2-41(a) and DCSM Section 3.6.1.4 to permit 12.5-foot intersection curb radii, where a 25-foot minimum radius is required per the DCSM.

The applicant states that reducing the curb radii to 12.5 feet is appropriate at this location because the smaller radii would support slower turning speeds and shorter pedestrian crossing distances at the new intersections. Since South Main Street and South Liberty Street are one-way streets, the intersection movements are constrained primarily to left turns between the arterial streets and the proposed two-way Paul Street extension, reducing the need for larger radii associated with conventional right-turn movements. The applicant also notes that curb radii on the existing Paul Street leg opposite South Main Street are approximately 10 feet. Staff is comfortable with the reduced radii of 12.5 feet.

Access Management

The applicant requests variations or exceptions from SO Section 10-2-41(a), DCSM Sections 3.1.8.1 and 3.1.8.2, and DCSM Section 3.10.2.3 for the following items:

- To allow one parking-deck entrance on South Liberty Street and one parking-deck entrance on South Main Street. The DCSM restricts direct arterial access when reasonable access can be provided from a lower-classification street.
- To allow reduced entrance spacing for the proposed parking-deck entrances. The requested spacing is 95 feet between the proposed South Liberty Street garage entrance and Lewis Street; and 40 feet between the proposed South Main Street garage entrance and existing Atlantic Union Bank entrance. The applicable minimum spacing is 355 feet for Type 3 access classifications per access management standards (VDOT Road Design Manual, Appendix F). Three-leg unsignalized accesses on two-lane roads where turning movements are not restricted are considered by to be a Type 3 access.
- To allow reduced spacing between the proposed Paul Street intersection and the existing Harrisonburg Baptist Church parking-lot entrance along South Liberty Street. The requested spacing is approximately 55 feet on South Liberty Street, rather than 355 feet that is required for Type 3 access. Note that the proposed intersection at Paul Street and South Main Street would form the fourth leg of an existing intersection, which is allowable by VDOT's access management standards and therefore does not require a variation or exception for entrance spacing and access management standards.
- If Harrisonburg Baptist Church elects to relocate its parking-lot entrances to the Paul Street extension as shown on the Concept Plan, the applicant is requesting a reduction from the required 125 feet distance between an intersection and an entrance to a minimum of 25 feet. Note that there is not a minimum distance required between entrances on a local street.

The applicant states that directing all parking-deck traffic to Paul Street would conflict with the proffered Concept Plan and the accepted traffic impact analysis. The applicant further states that concentrating parking-deck traffic on Paul Street could increase conflicts near the planned rideshare/drop-off area and pedestrian facilities, and increase traffic volumes on the Paul Street extension. Providing separate garage entrances on South Main Street and South Liberty Street would distribute site traffic between the two arterial frontages.

The applicant also states that the existing City Hall entrance, the existing Harrisonburg Baptist Church entrances, and the Paul Street extension constrain the site's ability to meet standard entrance- and intersection-spacing requirements based on existing conditions. The applicant notes that closely spaced entrances and intersections are common in downtown Harrisonburg.

Conclusion

Staff supports the requested variations and exceptions as presented by the applicant in their exhibits identified as Figures 1 and 2. These variations and exceptions would allow for the extension of Paul Street to continue within the established street alignment and would be similar to other locations in the downtown street network. The reduced curb radii, narrower street and right-of-way widths, and modified access arrangement are appropriate given the existing operation of the adjoining streets.

The final street design and any necessary transportation improvements would be reviewed through the City's engineering and construction plan review processes.

Chair Baugh asked if there were any questions for staff.

Commissioner Kettler said I have a few questions, but if any of them are best answered later by Public Works staff, please let me know.

Ms. Rupkey said Public Works staff is available to answer technical questions that may need guidance.

Commissioner Kettler said with the curb radius variance, does that effectively make any difference in the turn for any vehicle other than a tractor-trailer making that turn?

Ms. Rupkey said not in this context.

Mr. Hartman said because it is a one-way street and there will be left turns, the narrower radii will not be impactful to the traveling public.

Commissioner Kettler said the entrance spacing requirement is substantially different from the usual one. My question is less about the variance request and more about why that rule exists in the first place.

Mr. Hartman said Main Street and Liberty Street are arterial roadways. A few years ago, the DCSM was changed so that arterial streets would follow Appendix F of the VDOT Road Design Manual. Appendix F is intended for rural localities where there is a lot of space between entrances. It is not built for dense, urban downtown areas where Main Street pass through. Staff receives this type of variance request frequently in denser areas because staff wants to follow Appendix F outside of denser areas to control access, such as on South Main Street, North Main Street, and East Market Street. But because Main Street is an arterial roadway that passes through downtown, that standard applies and staff is more willing to accept a variance to allow closer spacing. This is something staff will be working on through the Complete Streets work associated with Safe Streets Harrisonburg. Staff hopes to be more nuanced with standards in tighter, urban, dense areas so these types of developments can be addressed through the standards rather than through a variance process.

Commissioner Kettler said I am sure I will be excited about many of those changes. I wonder whether, in areas outside downtown, existing rules may make sense for controlling other issues that may arise. In some cases, the City may not want low-density, car-dependent areas to remain that way forever. But to change those areas, applicants would have to come before the Commission and go through a significant process. That is not really a question. I wonder if you have thoughts on that.

Mr. Hartman said staff will learn over the next year how to subdivide those changing areas and build standards that can accommodate changing demographics or changing areas within the City without having to apply context to a rule and seek a variance. VDOT has another appendix, Appendix B-2, with different areas already established. Within those groups, there are different access rules. That could be a model for building local standards as conditions change on certain corridors. There will always be corridors where, because of their location relative to the interstate or surrounding jurisdictions, the priority will be vehicle movements in and out of certain areas.

Commissioner Kettler said is the 34-foot street width a standard requirement because of the arterial classification?

Mr. Hartman said no. It is because the standards have not been updated to current practice. The current DCSM requires a 34-foot-wide roadway as a local street, which is not current practice. Staff knows there are traffic-calming challenges associated with larger roadways. Staff has allowed narrower pavement widths and narrower rights-of-way where possible because the code section that dictates which streets can receive VDOT maintenance payments allows use of different sections of the VDOT Road Design Manual that permit narrower streets. That is the test that any variance request for a public street would have to meet to ensure it meets the minimum standard VDOT would allow while still receiving maintenance payments.

Commissioner Kettler said the new streets issue does not come up very often. If an applicant wanted to build a new street anywhere in the City and wanted it to be narrower, would that have to go through this process?

Mr. Hartman said yes, until we are able to get the Complete Streets Guide completed and the DCSM updated to bring those new typical sections in. Twenty-four feet face-to-face is the minimum. It goes to 29 feet if you want parking on one side and gets wider if you want parking is desired on both sides. Knowing that we can allow a minimum width, the developer is going to have to do some hard thinking about how valuable is the on-street parking versus the cost to build it. We would rather maintain a 24-foot-wide roadway, than a 36-foot-wide roadway. That is an extra lane that we do not have to manage.

Mr. Fletcher said we have done this recently with Franklin Street Extended at The Edge. There were variance requests to allow a narrower street in particular sections of that roadway.

Councilmember Dent said a commenter asked whether the proposed new Paul Street Extension would be able to accommodate a bike lane. I think the answer is clearly no because it is the minimum width for two lanes, right?

Mr. Hartman said correct. It is considered a local street, we think the bike would feel comfortable taking the lane.

Vice-Chair Porter said I noticed a slight inconsistency between the applicant's request and what staff had. For the South Liberty Street garage entrance, the applicant is requesting 90 feet in its letter, but staff has it listed as 95 feet in the summary. I am curious which is the proper request. I also found another inconsistency; it may just be a typo. In the text, the applicant states the minimum requirement is 335 feet, but later in a graphic it is listed as 355 feet, and staff also has it listed as 355 feet. That is probably a typographical error, but the difference between 90 feet and 95 feet needs clarification.

Ms. Rupkey said the applicant is requesting 90 feet. It is also listed as 90 feet in the letter. The 95 feet shown on the screen was a typographical error. I apologize.

Vice-Chair Porter said in the applicant's letter, it mentions that the VDOT Road Design Manual requires 335 feet for spacing, but a later graphic refers to 355 feet. Staff also has 355 feet. I assume that is the standard.

Mr. Fletcher and Ms. Rupkey said 355 feet is the standard.

Vice-Chair Porter said I just wanted to make sure I understood.

Commissioner Jezior said is there any concern if the church does not relocate the parking entrances and they remain at their existing entrance locations? How would that affect the design?

Mr. Hartman said there is no concern. Staff would prefer that the church coordinate to move its entrances onto Paul Street because that is a better use and helps preserve Main Street and Liberty Street with one less connection. But because the church use is heavier on Sundays, when street volumes are lower, there will not be a significant amount of conflict. Staff would prefer coordination to move the entrances to Paul Street, but if that does not occur, the existing arrangement is suitable.

Vice-Chair Porter said was there any consideration of making this a one-way street? Traffic would flow up into the neighborhood on Paul Street, which gets very tight at various points as you drive up Paul Street. I am curious whether there was thought given to controlling traffic by having it flow one way, especially based on the reduced, everything is much smaller than normal.

Mr. Hartman said there was some consideration. But knowing that many streets north of this area are also one-way streets, we are limited in that connectivity that we want in a downtown area. If Paul Street can be two-way, it would provide better connectivity from Paul Street to Liberty Street and from Liberty Street into the neighborhood. Right now, if you are heading north, you have to go all the way to Water Street to Liberty Street.

We also know that the crossing at Grattan Street near the statue is tough sometimes. If Paul Street is two-way, it gives us some flexibility with what we can do with that crossing at Grattan to remove that potential safety concern there because we have the two-way street a block away. If we do anything at Grattan Street now, we are going to put any of that traffic that wants to go south all the way into downtown to Water Street to make the loop to get back. If not, they will start cutting through City Hall, which causes safety problems with pedestrians moving in and out of the parking lot. We have that now. That is why we have speed bumps.

Councilmember Dent said that will not be possible once the Build Our Park closes Warren Street.

Mr. Hartman said correct. That connectivity would be broken.

Vice-Chair Porter said this may not win me a lot of friends on Paul Street, but I am trying to look out for them. Has there been any thought of reducing parking on Paul Street? At various points, it is down to one lane. You have traffic coming down the hill, and often you have to pull into a parking space to allow someone to pass because it is so narrow. I would be concerned about increased traffic flow on that street.

Mr. Hartman said staff will have to evaluate that once the project is built and opens. Staff can take calls on. We can study. We can put cameras up to monitor traffic on specific days of the week. We can react as needed in the future. We have not thought that far ahead to be proactive in that manner. That would be a reactive decision.

Vice-Chair Porter said what does that process look like when staff conducts final engineering review? If you do find conflicts or problems, what does that look like, and how do we untangle things that have already been put into place?

Mr. Hartman said if we see a safety concern with traffic, either having crashes because the street is too narrow. It would have to be a crash problem. We would have to see an uptick in crashes on that section of Paul Street. If we could tie it to the narrowness of the street because of parking on both sides, then we would conduct a review to determine which side of the street should we take parking away from to remedy it and would that work. We would take it to our Transportation Safety Advisory Commission to review what we are proposing. Have them recommend it. At that point, we would make the change. And working with the Police Department, as well, because they control the parking enforcement.

Vice-Chair Porter said we will not know until all the cars from The Link or The Lindsey are there and the new set of conditions exist.

Mr. Hartman said correct. It would have to be a reactive solution.

Vice-Chair Porter said thank you.

Councilmember Dent said to that point, are the proffers still in effect for traffic calming within five years?

Ms. Rupkey said the proffers would still be in effect. This does not negate the proffers.

Mr. Hartman said the process I just spoke about would be outside of the traffic-calming proffers. With new traffic calming, we have one mechanism where staff can take direct action to solve a safety problem. If the Paul Street neighborhood submits a traffic-calming request and we evaluate it, that is how we would access traffic-calming funds. If it went through the formal traffic-calming program. To Vice-Chair Porter's question, staff would have to address the issue from a safety perspective outside of the traffic-calming program.

Councilmember Dent said thanks.

Commissioner Kettler said I have a question tangential to the bike lane comment that we got. With traffic calming that you need to do on existing streets, are there common themes in those streets that you have seen?

Mr. Hartman said speeding, cut-through traffic, and talking with the neighborhood, the near misses are not documented but they share those stories. Such as they backed out and almost got hit because someone was driving too fast behind them.

Commissioner Kettler said I mean features of the streets where you tend to see commonalities.

Mr. Hartman said it is all over the place. We are working on Central Avenue, which is a less-dense, single-family area, but it has a 36-foot-wide roadway that is straight as an arrow.

Commissioner Seitz said a drag strip.

Mr. Hartman said it is a drag strip. It makes people want to go fast. Staff is also working in the Reheard Acres area, where there is some topography but it is denser. Some people who are you

younger who may feel more comfortable driving faster in a denser area. I do not think there is a common trait.

Commissioner Kettler said it sounds like big, long, straight streets.

Mr. Hartman said or higher density that makes people feel they need to get home faster, or more traffic on the roadway. If there were a common theme, staff could address it immediately. But there is not, so it is more difficult.

Councilmember Dent said in my neighborhood, there was a sign installed that tells you how fast you are going, and that typically has a calming effect. But I think in some cases it backfired because people wanted to see how fast they could go.

Mr. Hartman said we see a benefit when people recognize their speed, and it does lower the speed a little. Unless you want to get out and run to see how fast you can run by.

Councilmember Dent said on my bike.

Vice-Chair Porter said this is not directly related to the Paul Street Extension, but I have a question about the garage entrances on Main Street and Liberty Street. Depending on what type of access-control apparatus is in place, whether it is a drop arm, swipe key, or other access mechanism, do you have concerns about garage queuing? Two or three students may arrive at similar times because the population will largely be students with similar schedules. Are there concerns about multiple cars backed up for garage queueing on major arterial streets?

Mr. Hartman said that is a great question. We do have concerns but do not know how it will be addressed until we get to site plan is reviewed. The Liberty Street entrance appears to be further removed from Liberty Street, providing more queuing space off Liberty Street. For Main Street, we will need to discuss with the engineer as they think about what the control mechanism will be and what the spacing distance should be. For drive-throughs, there is a minimum queuing requirement that must be kept on-site and not within the public roadway. I do not think we have a standard for parking decks. That is a good question and something we will need to work into our comments as we review the site plan.

Vice-Chair Porter said because there is not much room on either street.

Mr. Hartman said right. They are providing more room on their property off Liberty Street than off Main Street. That should help. It is a great question that I had not considered that yet.

Councilmember Dent said another comment about the Liberty Street entrance is that it connects behind the stage at the new park. Larger vehicles, such as vans or semitrailers carrying stage equipment, could use that area. Has the turning radius been considered?

Mr. Hartman said it will be a left turn in They will be moving away from the radii. If it were a right turn, vehicles would be hugging the radii as they came in. But with a left turn, they will be more in the center of the intersection. It should not be a concern.

Commissioner Jezior said for the garage entrances, does it have to be two-way traffic at both entrances? Could one be entrance-only and the other exit-only to avoid conflicts between cars coming in and out?

Mr. Hartman said it could be, but I do not know how much ability to regulate that in the developer's site layout.

Mr. Fletcher said there could be code considerations regarding traffic maneuverability and destinations. If access is controlled at only one entrance or exit, then everyone is forced to exit and circle back around.

Mr. Hartman said that would be increasing the volume of traffic, even if in a smaller sense.

Commissioner Seitz said I suspect a lot of it has to do with where the actual access control ends up being. Maybe the engineers can address that.

Vice-Chair Porter said hopefully it will sit back a little further.

Mr. Hartman said usually, it is inside the parking facility, so it is covered.

Commissioner Seitz said in that case, there could be five or six stacking spaces off Main Street, and more off Liberty Street, which is quite good for an urban parking garage.

Mr. Hartman said there could also be a double entry with a single lane and two gates to allow additional queuing.

Commissioner Seitz said perhaps we will hear more about that from the applicant.

Chair Baugh said is there anything else from staff at this time? This is not a public hearing matter, but the Commission may concern itself with public comments. If the room were full of people, it might be different. Does the applicant or the applicant's representative wish to speak?

Mr. Roderick said yes, good evening. Seth Roderick, Monteverde Engineering and Design Studio, representing the applicant. Ms. Rupkey and Mr. Hartman did a good job addressing a lot of the minutia and technical matters and the Commissioners' questions. On a high level, I want to reemphasize that this is the same design and same plan that was presented before as part of the rezoning schematic and is part of the proffered conditions. We are not trying to change anything from what has already been reviewed. This is particular to a downtown setting, where context matters. Much of the design criteria has been in place for as long as I have been practicing for 25 years. The wider roadways are intended to accommodate potential on-street parking or higher traffic movements. We referenced VDOT's priority levels for arterials. Their priority is throughput, not access, and VDOT explicitly states that within their design criteria. They also have an access-management exception process. It is a standard process. State code is written for that very specifically as an outlier, that when you are in historical central business districts, those areas are appropriate for access management exceptions because users are already used to other access conflicts. People are more aware and drive differently when entering a downtown setting than when driving down Route 42 north of the City lines. You can drive a little bit faster. When you get into downtown or enter any commercial centers, you have to be more alert, you slow down. The traffic volume is a little tighter. The benefit of narrower pavement widths and tighter radii is that pedestrian crossing distances are much shorter, almost half compared with standard conditions. There are many benefits, but it also fits better in the context of downtown. This is a step in the process to enact and conform to the proffered schematic that was part of the rezoning process. I am happy to answer additional questions. Regarding access management into the parking garages, we have not gotten to that level of

design. The architect is still being engaged to start that process. On the Liberty Street side, there is a decent chance that access management will be at the garage itself because there is a long throat approach and a turnaround area that is built in due to the access behind the stage at the Build Our Park area. On Main Street, there is also a long throat, but if a turnaround maneuver is required, that must be accommodated. We have not gotten into that design. It could potentially push the gate closer to Main Street. Main Street has two lanes. These facilities are designed to get at least one vehicle in so that someone working at the gate trying to figure out the key or realizing it is not a public garage is out of the travel lane and out of conflict. Based on the trip-generation volumes, I do not anticipate needing more than that. However, there are opportunities to explore that issue during site plan review.

Commissioner Seitz said I had one more question. I fully support the contextual design of Paul Street, but I am thinking about Water Street and conditions when there are many delivery trucks. If the commercial space is food service or something that needs to be stocked every day, is there a discussion or preference about where delivery vehicles would park while unloading?

Mr. Roderick said they would park inside the pull-off area.

Commissioner Seitz said is that off Paul Street as opposed to reserving an unloading zone on Main Street.

Mr. Roderick said correct. There would not be a loading zone on Main Street. Main Street is public, and that section has been identified for additional on-street parking. I believe the proffer conditions directly state that the bump-outs would protect those on-street parking spaces. There is no plan for public delivery spaces on that side.

Commissioner Seitz said okay. Thank you.

Vice-Chair Porter said could you tell me about the interaction with the church right now? That is a major factor in this. their drops your minimum intersection spacing from 125 feet to 25 feet, based on what I am reading. Their decision makes a huge difference in this design. What does that process look like, how is that engagement going, and when do you think you will have an answer?

Mr. Roderick said that is not something I have actively been engaged with as the engineer. Other members of the team are involved. The proffer conditions were structured so that the project can accommodate the church if it chooses to move in that direction. During the early stages, about a year ago or more, I created the schematic and analyzed how many parking spaces the church could gain by using perpendicular, two-way access. Currently, access is one-way because vehicles are coming off one-way streets. We were able to show a benefit in parking spaces if the church chose to move in that direction, although I do not remember the exact number. The church was not ready to commit at that time. Ultimately, it is the church's decision whether it wishes to move in that direction. The proffer conditions state that the project accommodates that possibility through the street design and access management. The variations and exceptions before the Commission allow for either scenario. If the church chooses to maintain the entrances on its property, that would not prohibit the Paul Street

Extension. If they choose to move the entrances, we would not need to return for another exception.

Councilmember Dent said I have a question about how people get from the garage into the building. I see what appear to be doorways, stairways, entrances, elevators, and similar features.

Mr. Roderick said there are direct access points contemplated where the building massing abuts the garage. There are also stairwells and an elevator.

Councilmember Dent said there is also a sidewalk that goes out to the park from the garage, right?

Mr. Roderick said there is connectivity there. It is shown more clearly on the colored zoning schematic. Those connections are specifically identified there.

Chair Baugh said thank you. I will mention the phone number again, (540) 437-2687, in case anyone watching elsewhere wants to call in and comment. Is there anyone else here who wishes to speak?

Laura Cammaroto, 270 Paul Street, said I have been here a number of times. I appreciate you [referring to Vice-Chair Porter] having our back. It is very challenging living on Paul Street with the traffic as it is. Having it turned into a one-way street is preferable to freeway traffic, from my perspective. How this reads to me is that they are still trying to put a massive student complex onto a small place and maximize it. While that may be what current City planning is pushing for, it does not make for a happier place to live, from my perspective. That is just my perspective. I have had my car totaled on Paul Street. At least three of my direct neighbors have also had their cars totaled on Paul Street, and that is without this complex. I would hope the approach would be proactive, not reactive. This feels like we are going to wait until it is a problem. It does not make me want to live here. It makes me want to move. Thank you.

Chair Baugh said is there anyone else? How are we doing on the phone lines? Hearing none he said this is not really a public hearing, so we move on. Before the Commission is discussion and consideration, I will mention one thing because of Ms. Cammaroto's comment. In my time with this Commission, I once read a book on traffic engineering. It hardly makes me an expert, but I picked up a few things. I have two conflicting thoughts, so let me back up. Here is the point I want to make. I understand the general principle of I like proactive better than reactive. I can think of at least two specific locations in the City where changes were made. One of the most dangerous things you can do in any traffic management system is make a change of any kind because people get used to existing roadways and existing rules. You can put up all the signage and communications you have, but when roadways exist and are used a certain way under certain rules, any change alters people's expectations. You should not be surprised if problems arise, even when you can crunch the numbers and know that ultimately this is going to be vastly superior to what we had. In both examples I can think of, changes were made and there was outrage and many problems. In both instances, Public Works advised that the City should give it at least 30 days to see how the change works. In both cases, by the end of 30 days, there was no real need to do anything. It was all the near-term noise from the change, but once people accommodated the change, it looked bad during the first week and was fine by the

fourth or fifth week. I am not making predictions, but that is why we have to wait and see. Our best guesses about what to do proactively are not going to be as good as having actual data to review. Any change can cause issues. Enough from me. What does everyone else think?

Commissioner Kettler said I appreciate your comment. This is a comment that we hear a lot, and for good reason. When more cars come through a neighborhood, there are many effects. It means more noise, streets are less safe, children effectively cannot play in the street because cars are traveling through at 30 miles per hour, and the neighborhood becomes more disconnected. For those who went on the site visit yesterday, standing across the street at 4:00 p.m., there were 100 cars going by at 30 miles per hour, and you could sort of each other. And that was a relatively light day at 4:00 o'clock. The question for me is how we get cars off the road and how we slow them down. I asked Mr. Hartman at a meeting whether there was something the City could do proactively. If I am paraphrasing incorrectly, he can correct me, but the response was that there are many neighborhoods with substantial traffic-calming issues right now, and many have been waiting for years. There are issues across the City that need to be changed. A lot of the issues that you expect may come, are happening all over the City. I would like proactive change, but it is difficult to evaluate what that change needs to be until you have those factors are in place. For one thing, the project may never be built. Regarding the street design itself and the way it is proposed, I think it does an excellent job. I am not talking about the larger project, but about the design of the street. It shows positive intent in creating a design that is safer for everyone involved and builds a street which discourages high speeds. Another comment was about a bike lane. I think we often forget that bike lanes are not bike infrastructure. Bike lanes are car infrastructure. The reason they are car infrastructure is that if the street were safe, you would not need the bike lane. Streets are not safe because of cars. If you design a narrower street, make it virtually impossible to build up speed on a street this short. In addition, at the edges of the street, where the bump-outs extend outward, if you are a pedestrian and you are crossing the street... It is one thing to hear it, it is another thing to cross the street with it because it is a signal to drivers to slow down and signals that this is a space for pedestrians. Drivers are guests in a pedestrian area; they do not own that area. When I am walking around, that makes me feel much safer. I am glad to see that design incorporated here.

Councilmember Dent said you are talking about the bump-outs?

Commissioner Kettler said yes, the bump-outs. Thank you. We see those design elements incorporated. We see a design that is more oriented toward people walking and biking. That is how you get cars off the street. You make it easier for people to walk and a little less comfortable for them to drive.

Commissioner Jezior said I agree with Commissioner Kettler. The Paul Street Extension is a good design. It helps slow cars down. The narrow roadways are beneficial and reduce crossing distances. I could go on a tangent about Paul Street being one-way. I feel like we need more friction in that area. Make it a modal filter. Do not let cars go through. Put friction into the system. More students will walk and travel to campus in other ways. I think that would address concerns with the community and surrounding neighborhoods and promote fewer cars on campus. There is a lot of discussion about designing this to make driving as comfortable as

possible. I think we need to design it in a way that promotes walking and other modes of transportation. But as far as this proposal goes, I agree. I think it looks good.

Councilmember Dent said speaking of other modes of transportation, will there be a bus nearby, or what are the current bus lines for students to travel to JMU?

Ms. Dang said it will be served on Main Street and Liberty Street at the existing location, I assume.

Vice-Chair Porter said I am not sure how constructive this is. It is probably more editorializing, but I think it is extremely important that we get this right. I recognize there will need to be a measure of reactivity because there are so many variables. I think about the recent improvements on East Market Street. I have watched several people try to take a left in front of the left-turn lanes because they are not used to the change. They may think they used to get to Lowe's one way when coming off the interstate, and now they cannot go that way, but they continue to cross in front of two lanes of traffic. That will hopefully sort itself out over time. I am in favor of the extension. There are many positive things about putting this road through. I encourage the City to look at conditions on Paul Street very closely. I do not know whether that means taking away some on-street parking, allowing two-way traffic up to Mason Street and making it one-way from that point, or something else. I hope there will be a high level of engagement with the neighborhood because this will have a profound impact on residents' lives. Paul Street already has significant issues. Drive up Paul Street and see how many times you have to swerve, move over, or get into a parking space to allow someone coming in the other direction to pass. It is a very tight street. I have concerns about traffic conditions on Liberty Street and Main Street as well. However, the design is consistent with what the Commission saw before, and I think a lot of thought has gone into mitigating these issues as much as possible. It will have to play out over time. I hope we are thoughtful and take all these other factors into consideration because there could be negative unintended consequences.

Chair Baugh said I have one question. I do not know whether this is a question for staff, the applicant's representative, or someone else. It has come up already. I met with the pastor of Harrisonburg Baptist earlier today and explained what we are looking at here. There has been some back-and-forth on this. I think the pastor was talking about conversations that first started about three years ago, which were much more informal than where we are now. Now we have a project that has been rezoned and approved. I think we have gotten this right because conflicting things were said earlier when people were honestly just working through it. We had not had to focus on this piece of it yet. Since the proposed road does not go on property other than The Lindsey's property, the church is free to keep its existing configurations if it wants to. If it does not, we are proactively discussing how, if the church decides it wants to use Paul Street, this is how we can make it easier for them to do that. The question I do not know the answer to is whether someone will reach out to the church because the road is entirely on The Lindsey's property, or whether the church needs to be proactive about it. The church has not formally looked at this yet. There were people hoping that the project would get voted on and go away. The church has not reached the point of considering what happens with this. Is this something the church should proactively be thinking about, or will communication naturally occur with an adjoining landowner that might consider access onto Paul Street?

Ms. Rupkey said I would encourage the applicant to start talking with the church now, early in the design process. It is better to have that figured out sooner rather than later.

Mr. Fletcher said they will likely have to have some type of communication. It will be difficult to build a street through there without accommodations from the church. I suspect construction easements will probably be needed along that section of roadway. It is theoretically possible to do it without those easements, but it would be much easier if there were communication between the church and applicant to make some friendly accommodations to allow the project to be the best it can be.

Vice-Chair Porter said the way you phrased that makes me want to ask whether this will be a public street at some point. This is not going to be a private street, correct?

Ms. Rupkey said it would be built and then dedicated as a public street.

Vice-Chair Porter said it will be accepted by the City based on compliance with the plan.

Ms. Rupkey said correct.

Vice-Chair Porter said that is germane to the issue because at some point, it will be City property and not The Lindsey's property.

Chair Baugh said yes. We have a ways to go. In a way, I feel like my question has been answered. To the extent there is a formal process for this, there really is not one. There is a good chance it will come up, and that is probably enough to cover it. I will look to the applicant's representatives to let them know that proactive outreach from the developer will be appreciated. The church does not know. I am their translator, for practical purposes.

Ms. Rupkey said I have one thing.

Chair Baugh said please.

Ms. Rupkey said Mr. Hartman brought up a good point. The proffer regarding the church entrances and Paul Street requires communication between the parties to determine whether the entrances will be moved. In theory, the proffers require them to discuss it, but there is not a formal process around it.

Chair Baugh said again, I agree with staff. If I had to look into a crystal ball, I would say the chances of this not happening through a natural evolution of the project are slim enough that I am not going to put much energy into worrying about it yet. Nonetheless, I know that question is going to be asked. It is already starting to be asked. There has been concern from people asking whether we are doing this in a way that will be roughshod relative to the church. I am affirming that concern, and Mr. Roderick is nodding his head, so I feel decent about that. Do not underestimate the church's ability to sit here wondering why somebody has not come to talk to them about it.

Vice-Chair Porter said you should probably disclose that you are a member of the congregation, so you are very familiar with that level of deliberation.

Chair Baugh said yes, that is true.

Vice-Chair Porter said I wanted to ask Mr. Fletcher whether it would be inappropriate for the City to broker that conversation or be part of it. I think it would be beneficial to have Public Works staff and people who understand the design elements and why they are designed that way participate in the discussion. I do not know whether that would be appropriate.

Mr. Fletcher said what this project is dealing with is not atypical of other developments where public streets are built and eventually dedicated to the City. The scenarios they will work through are routine. I presume Mr. Roderick, his team, and those connected with them have standard procedures for how and when they make these connections. If they would like multiple City staff members to meet with them, staff can pull together what would be referred to as a pre-application meeting when they go through the engineered comprehensive site plan process. There is always a pre-construction meeting, but that occurs very late in the process. There are many discussions at that time because the City Engineer will be looking for opportunities to obtain private easements and private construction easements. There will be discussions among many different parties.

Vice-Chair Porter said thank you.

Mr. Fletcher said if they want staff to pull a meeting together, staff can try to do that, but it is not standard practice.

Vice-Chair Porter said this may be Pollyanna of me, but I know there was a lot of concern in the Old Town neighborhood about this development. I think it would be beneficial for the developer to bring representatives of Paul Street residents who are concerned about the issue into the discussion. This will affect them. I hope there will be more thought and discussion about it because I see it as a potential problem. These residents will be impacted and feel they should have a voice in the process, especially when we are looking at public streets.

Commissioner Kettler said I am trying to figure out how to say it. I move to recommend approval of the request for variations and exceptions from the Subdivision Ordinance related to public street design standards at South Main Street, South Liberty Street, and future Paul Street Extended as presented by staff.

Councilmember Dent said second.

Chair Baugh called for a roll call vote.

Commissioner Kettler	Aye
Vice-Chair Porter	Aye
Commissioner Seitz	Aye
Commissioner Jezior	Aye
Councilmember Dent	Aye
Commissioner Alsindi	Aye
Chair Baugh	Aye

The motion to recommend approval of the request for variations and exceptions from the Subdivision Ordinance related to public street design standards at South Main Street, South Liberty Street, and future Paul Street Extended, as presented by staff, passed (7-0). The recommendation will move forward to City Council on November 10, 2026.

Discuss draft amendments to the Planning Commission Bylaws

Chair Baugh read the request and asked staff to review.

Ms. Dang said Staff have proposed several amendments to the Planning Commission Bylaws:

- Within Article IV, currently, the Planning Commission appoints the secretary to the Commission. Historically, a member of city staff has served as secretary. The proposed amendments would give authority to the Director of Community Development to designate an employee of the City of Harrisonburg as secretary.
- Within Article X. Section 10-4, the proposed amendments reflect the current practice for public hearings.

Section 11-1 of the Bylaws states:

> These Bylaws may be amended by a majority vote of the entire membership after twenty-eight days prior notice to the Commission members.

The Commission could consider adopting the amendments at its Thursday, November 12, 2026, meeting.

Chair Baugh said I will mention two things that Ms. Dang and I discussed. I do not have strong feelings about this. I am okay with it, but as I was looking at the proposed new Section 10-4, it occurred to me that it does not institutionalize the applicant's opportunity for rebuttal or a final statement during public hearings. It is left more to playing it by ear and going with the flow, which is what the Commission does most of the time anyway. But it has been treated as a formal matter. I wanted to make sure the Commission had an opportunity to talk about it. If you think this is fine, then it is fine. I am okay with it.

Councilmember Dent said I think the last provision covers that, with questions from the Commission and an applicant or staff response.

Chair Baugh said that is where we are covering it. That is right.

Councilmember Dent said that makes sense.

Chair Baugh said the point is that there is not a right for the applicant to come back and say it wants to address a number of things they heard. It is up to the Commission to decide whether it wants to allow that, which is really what the practice has been.

Commissioner Seitz said I think that is important. The last thing you want is to create a procedure that opens up a back-and-forth between the public and the applicant. This leaves it under the discretion of the Commission and the Chair.

Mr. Russ said in most localities, the applicant has an opportunity to speak at the end so it can say, for example, that it would like to return at the next meeting with alternative proffers. It provides an opportunity to tell the Commission not to vote on the package in front of it because the applicant might have a replacement based on the comments heard.

Councilmember Dent said essentially, that takes the applicant outside the public hearing, and that makes sense to me.

Chair Baugh said I think that is already true. This codifies what has been done anyway. Frankly, an applicant that wants to do that is not likely to be ignored. If an applicant has a reason to say it would like more time or thinks the matter should be tabled, the Commission will discuss that. It leaves it to the Commission because many questions for an applicant are technical matters. They are not really part of the public hearing, other than being questions that help the Commission be better informed about what the applicant is doing. I am fine with this. I just wanted to call some attention to it.

Vice-Chair Porter said I like that the Chair has a fair amount of latitude to work around these issues. There have been a couple of times when it has been awkward because the Commission has tripped over procedure when a good question was raised during public comment. I think about times when people have been lined up to speak and I wanted to know the answer to something they raised. The Commission does not always get the answer, or enough time passes that the thought, question, or idea slips away. Being able to reopen the process and have the applicant come back to address those issues is helpful, especially if I can make notes as I go. I appreciate that the Chair would have that latitude.

Chair Baugh said at least in my mind, that includes the ability to limit it to that purpose. There have been times when an applicant wants to speak because they want to be argumentative or repeat arguments. I like having the ability to say that the public hearing has been held and the Commission has already heard the applicant on that matter.

Ms. Dang said Mr. Russ, you may not know the answer off the top of your head, but do you have any concern that there is a statutory reason why the applicant must be given an opportunity to speak at the end? You said other localities typically do that.

Mr. Russ said no.

Chair Baugh said Mr. Russ is paid to know that more than I am, but I think that is right. A public hearing is intended to give people adequate opportunity. The applicant speaks before the public hearing is opened, so they have every opportunity to tell the Commission what it needs to hear. Things come up, and sometimes you spend a lot of time preparing for a discussion and what ends up getting talked about was something that they did not think was going to be a point of emphasis. That happens. But generally speaking, that is why the applicant goes first. The applicant should tell the Commission what it needs to hear and should not wait to see whether someone asks a question before addressing a matter. I do not like that. The same applies to the public. As long as they have their opportunity, and it is clear when the public hearing opens and closes, that is sufficient. I missed one thing earlier. I did not ask about this, but I am curious. In Article 5, Section 5-1-4, I glossed over it, and then I looked at the Chair's responsibilities. It says to report official communications at the next regular Commission meeting. Does that mean, for example, if the Commission received a letter from the County Planning Commission? I am not sure what that means.

Ms. Dang said I will be honest. I do not know either.

Chair Baugh said I can recall something that may have occurred before I was Chair. The Commission received a letter from the School Board that was written to the Chair in an official capacity or something similar.

Commissioner Kettler said which section are you looking at?

Chair Baugh said Article 5. There is a note about a change to Section 5-1-4.

Ms. Dang said I think the change may have been punctuation, spacing, or something minor.

Chair Baugh said it was not substantive.

Ms. Dang said when an official communication comes up, the Chair needs to make sure it is reported to the Commission.

Chair Baugh said to be consistent, should we open the phone line on this? I did not write that down. I hate making you do this.

Commissioner Seitz said it is not a public hearing.

Chair Baugh said I am happy to go with the sentiment of the group.

Commissioner Seitz said public comment is coming up, if someone wants to call in and address it.

Chair Baugh said that occurred to me as well. We can do that. That is fine with me, but I did not want to adjust the process.

Commissioner Seitz said I would request, particularly for some of us who are not as new, that the Commission be very clear about what is a public hearing and what is a public comment period, and navigate accordingly. We should not let demonstrations of emotion or interest in the room necessitate discussions that are not anticipated or allowed for.

Chair Baugh said was staff hoping that the Commission would take action on this tonight?

Ms. Dang said no. We will bring it back next month.

Chair Baugh said all right. We will be clear on that.

Commissioner Kettler said that is because of the 28-day period.

Chair Baugh said that is right. Expect this on next month's agenda.

Public Comment

Chair Baugh invited anybody to come forward who wants to speak on a matter not on the agenda. Hearing none, he closed the public comment period.

Report of Secretary & Committees

Rockingham County Planning Commission Liaison Report

Commissioner Seitz reported on the October 6, 2026, Rockingham County Planning Commission meeting. The following items were on the agenda, and all were unanimously recommended for approval:

- REZ26-1316 Gail and Kevin Dovel request to rezone 1.54 acres from R-2 (Medium Density Residential) to RV-C (Rural Village with Conditions). Tax Map # 142A1-4-2A. Election District 5.

- OA26-1153 Staff generated ordinance amendment to Section 17-201, Definitions, Table 17-606, Land Use and Zoning table, and Table 17-702.05, Parking Requirements by Use, to add land use permissions for the use "public service facility".
- OA26-1521 Staff generated ordinance to amend the Rockingham County Code, Chapter 16, Subdivision of Land, to require a waiting period for family and grantor-to-self divisions, and treat divisions in RR-1 the same as A-2.

A staff member, Kelly Getz, is retiring after long service.

City Council Report

Councilmember Dent reported on the September 22, 2026 City Council Meeting. The following Planning Commission-related items were approved as part of the consent agenda:

- Consider a request from Trenton Inc. and Bernard LC to rezone 435, 445, 457, 473, 483, and 495 South Main Street and 282, 288, 294, and 298 South Liberty Street (The Lindsey Apartments) — Approved.
- Consider a request to amend the Zoning Ordinance to create a new term and definition for "poultry hatchery" — Approved.

At the October 13, 2026 City Council Meeting:

- Consider a request to amend the definition of "Dwelling, single-family" within the Zoning Ordinance to include qualifying manufactured homes — Approved.
- Consider a request to amend the Zoning Ordinance to reduce the minimum lot width for single-family detached dwellings in the R-8 district — Approved.
- Consider a request from Eastern Mennonite School to amend the master plan at 701 and 801 Parkwood Drive and 1251 Virginia Avenue — Approved.
- Consider adopting a resolution requesting that the Harrisonburg Planning Commission consider and make recommendations concerning proposed amendments to the Zoning Ordinance and related amendments to provide local zoning and land use requirements for businesses licensed by the Virginia Cannabis Control Authority — Approved.

Other Matters

Chair Baugh said all right. Are there any other matters before we ask staff? Does any Commissioner have something they particularly want to discuss before we wind down?

Commissioner Alsindi stated that upcoming international travel and spring teaching responsibilities may affect his availability and that he would notify the Commission in advance if he determines he should step aside for a more consistently available member.

Chair Baugh said we all hope it works out so that you can stay.

Commissioner Alsindi said thank you.

Chair Baugh said I understand. Is there anything else? I know staff has the next meeting and a couple of other items to mention. I will turn it over to Ms. Dang.

Ms. Dang said I have four items, including follow-up items, announcements, and a question about November logistics. I will also share the agenda items.

At last month's Planning Commission meeting, I believe Commissioner Kettler asked for an update on the housing fund. I followed up with the Housing Coordinator and spoke with the City Manager's Office. Housing Coordinator Liz Webb and Housing Forward Virginia are leading the financial incentive study. The study is a feasibility study of a housing trust fund and development incentives to provide affordable housing. The plan is for Ms. Webb to provide the Planning Commission an update around the same time she provides one to City Council, which is anticipated in early 2027. I will check in with Ms. Webb as that gets closer and place her on the agenda to share information with the Commission.

The next item is a plug for the Parks and Recreation Department. It will host Parks and Recreation Master Plan public meetings on Monday, October 19; Tuesday, October 20; and Thursday, October 22, from 5:00 p.m. to 7:00 p.m. at different locations in the City. Information was included in the announcement sent to those receiving the Planning Commission agenda.

The event scheduled tomorrow at Kids Castle has been canceled due to weather.

The City also has open houses for the Zoning Ordinance Update Project. Those meetings are Wednesday, October 21, and Monday, October 26, from 4:30 p.m. to 6:30 p.m. The first will be at the Public Works Department, and the second will be at the Lucy F. Simms Continuing Education Center. As of this evening, the project website includes most of the proposed Zoning Ordinance. Staff will post the sign ordinance before the end of the week. The website also includes a link to the proposed zoning map and handouts staff created to explain highlights of the ordinance. The handouts include information about new zoning districts and permitted uses, off-street parking requirements, setbacks, lot area requirements, and other subjects. I encourage the Commission to visit the website and review the draft ordinance. Staff will post the sign regulations before the end of the week, along with a survey and a document called *Proposed Changes at a Glance*. That document will be a longer list of items within each article that staff wants to highlight as changing. While this is not a major reform for many items, it is a significant cleanup, and staff wants to make sure people are aware of it.As you talk with people, they are welcome to complete the survey, but they may also submit written comments. Staff will accept comments submitted through letters or emails to Community Development staff. Staff will process all comments, whether submitted through surveys or other methods. Staff anticipates that the comment period will remain open at least through November 15, so people will have at least a month to review the materials. Staff will then review the comments. Commissioner Jezior asked before the meeting about expectations for Commissioners at the open houses.

Ms. Dang said I hope you can attend. My request is that you attend and review the materials. You may talk with people if you want to, but you are not assigned to any stations or tables. Staff will be there to speak with community members and answer questions.

Chair Baugh said I will add that, for newer members, historically some public sessions were more structured, particularly during Comprehensive Plan review, and Commissioners were

encouraged to attend and participate more actively. Everything else tends to be like this. Staff is available and has presentations and materials. It is helpful for Commissioners to be there and have conversations with people. Typically, the only time Commissioners have been asked to be more active at these meetings has been during public input for the Comprehensive Plan.

Ms. Dang said yes. Please help staff by telling your friends, neighbors, family, and other community members about the Zoning Ordinance Update Project and the upcoming open houses. I have flyers available for anyone who wants to take a stack and leave them in a workplace break room or distribute them elsewhere. I also have yard signs available if you want to put one in front of your home or place of business. Other community members can contact me to request the same materials.

Commissioner Kettler said for the open house at the Public Works Building, will the back gate be open for cyclists to come in?

Ms. Dang said let me ask about that. I do not know how the gate is secured or locked.

Ms. Dang said do you have any other questions about the Zoning Ordinance Update at this point, regarding what is coming up? The other item is that there will not be a Planning Commission work session next week because staff hopes Commissioners will attend the October 21 and October 26 open houses.

For November, the Commission will meet on Thursday, November 12, rather than its typical second Wednesday, because Veterans Day is November 11, a City holiday when City offices are closed. I sent a poll by email, and it appeared that most people were available on November 12. The meeting will be at 6:00 p.m.

Review Summary of next month's applications Ms. Dang reviewed the items anticipated for the November 12 agenda:

1. Special Use Permit – 130 W Mosby Road (townhomes in R-8)
2. Special Use Permit – 757 Woodland Drive (short-term rental in R-3)
3. Rezoning – 2121 Lake Terrace Dr (R-3, Medium to R-3C, Medium Conditional)
4. Special Use Permit – 2121 Lake Terrace Dr (multifamily in R-3)
5. Zoning Ordinance Amendment – Land Use Requirements for businesses licensed by the Cannabis Control Authority
6. SO Variations & Exceptions – Walnut Lane (entrance width, entrance separation, curb radii)

Ms. Dang advised the Planning Commission that the Safe Streets Harrisonburg Project open house would be held on Tuesday, November 17, from 4:30 p.m. to 7:00 p.m. at Lucy F. Simms School, conflicting with the regularly scheduled Planning Commission work session. She noted that staff would not have completed its review of public comments on the Zoning Ordinance Update Project, whose comment period would remain open through November 15, and would not have draft text available for discussion.

Commissioners discussed whether to reschedule or cancel the November work session. Several members expressed support for attending the Safe Streets open house and waiting until December to allow staff adequate time to process comments. The Commission agreed to cancel the November 17 work session and not schedule a second meeting in November. Ms. Dang noted that a Planning Commission work session would be held in December and offered to reserve time at the end of the November 12 meeting for any initial reflections on the Zoning Ordinance Update.

The meeting adjourned at 7:55 p.m.

_____ _____

Richard Baugh, Chair Nyrma Soffel, Secretary

Legislation Text

File #: ID 26-397, **Version:** 1

Subject:
Consider a request from Geoffrey M Newton and Kimberly M Newton for a special use permit at 757 Woodland Drive
Presented By: Meg Rupkey, Department of Community Development
A request from Geoffrey M Newton and Kimberly M Newton for a special use permit per Section 10-3 -48.4. (2) of the Zoning Ordinance to allow a short-term rental in the R-3, Medium Density Residential District. The +/- 13,465-square-foot property is addressed as 757 Woodland Drive and is identified as tax map parcel 84-K-12.

CITY OF HARRISONBURG

November 12, 2026 Planning Commission Meeting

Title
Consider a request for a Special Use Permit at 757 Woodland Drive — Meg Rupkey, Community Development

Summary

Project name	N/A
Address/Location	757 Woodland Drive
Tax Map Parcels	84-K-12
Total Land Area	+/- 13,465 square-feet
Property Owner	Geoffrey M Newton & Kimberly M Newton
Owner's Representative	N/A
Present Zoning	R-3, Medium Density Residential District
Special Use Permit Request	To allow a short-term rental per Section 10-3-48.4 (2)
Planning Commission	November 12, 2026 (Public Hearing)
City Council	Anticipated December 8, 2026 (Public Hearing)

Recommendation
Option 1. Recommend approval of the special use permit request with the suggested conditions.

Context & Analysis
The following land uses are located on and adjacent to the property:

Site: Single-family detached dwelling, zoned R-3

North: Single-family detached dwelling, zoned R-3

East: Single-family detached dwelling, zoned R-3

South: Single-family detached dwelling, zoned R-3

West: Single-family detached dwelling, zoned R-3

The applicant is requesting a special use permit (SUP) per Section 10-3-48.4 (2) of the Zoning Ordinance to allow a short-term rental (STR) in the R-3, Medium Density Residential District. The +/- 13,465-square-foot property is addressed as 757 Woodland Drive and is identified as tax map parcel 84-K-12.

Short-term transient lodging, commonly referred to as Airbnbs, may operate in the City as either a homestay or a STR. To operate a homestay, the property must be the operator's primary residence, may host up to four guests, may operate up to 90 nights per calendar year, and guests must stay within the main dwelling unit (as opposed to staying in a separate building on the

property). If the operator wants to operate outside of what is permitted by right as a homestay, they must apply for an SUP to operate an STR.

The applicants currently operate a licensed homestay and seek an SUP to accept bookings beyond the 90-night annual limit applicable to homestays. During staff's review of the SUP request, staff learned that a portion of the dwelling had been converted from a garage to a bedroom by a previous owner without proper building and trade permits. The applicants have stopped operation of their homestay and are working with the Building Inspections Division to get the required permits before continuing to operate either a homestay or STR at this location.

The applicants state that they own the property and use the dwelling as their primary residence. They propose one guest accommodation space containing one bed and intended for no more than two adult guests. Guests would use the off-street parking available in the driveway, while maintaining the required parking space for the single-family dwelling.

Land Use
The Comprehensive Plan designates this site as Medium Density Residential and states:

> These areas have been developed or are planned for development of a variety of housing types such as single-family detached, single-family attached (duplexes and townhomes), and in special circumstances, multi-family dwellings (apartments). Depending on the specific site characteristics, densities in these areas should be around 15 dwelling units per acre. Non-residential uses may also be appropriate.

The proposed SUP does not add additional dwelling units or increase density.

Transportation and Traffic
A traffic impact analysis (TIA) was not required for the SUP request.

Public Water and Sanitary Sewer
Staff has no concerns with the requested SUP regarding water and sanitary sewer matters.

Public Schools
If the SUP is approved, no additional dwelling units would be added to the property; therefore, the student generation is zero.

Conclusion

The applicants propose to transition an existing licensed homestay into a STR in order to operate more than 90 nights annually. Staff believes that the proposal shares characteristics with other owner-occupied STR applications that have received approval. Staff recommends approval of the SUP with the following conditions:

1. All STR accommodations shall be within the existing principal dwelling unit.
2. There shall be no more than one (1) STR guest room or accommodation space.
3. The number of STR guests at one time shall be limited to four (4).
4. A minimum of one off-street parking space shall be available for STR guests.

5. Minimum off-street parking spaces do not need to be delineated and can be accommodated utilizing the driveway or other areas on the property.

6. Prior to operation, the operator shall submit to City staff a completed Short-Term Rental Pre-Operation Form. Furthermore, the operator shall maintain compliance with the items identified in the Pre-Operation Form when short-term rental guests are present.

7. If in the opinion of Planning Commission or City Council, the short-term rental becomes a nuisance, the special use permit can be recalled for further review, which could lead to the need for additional conditions, restrictions, or the revocation of the permit.

Options

1. Recommend approval of the special use permit with the suggested conditions.
2. Recommend approval of the special use permit as submitted by the applicant.
3. Recommend approval of the special use permit with other conditions(s).
4. Recommend denial of the special use permit.

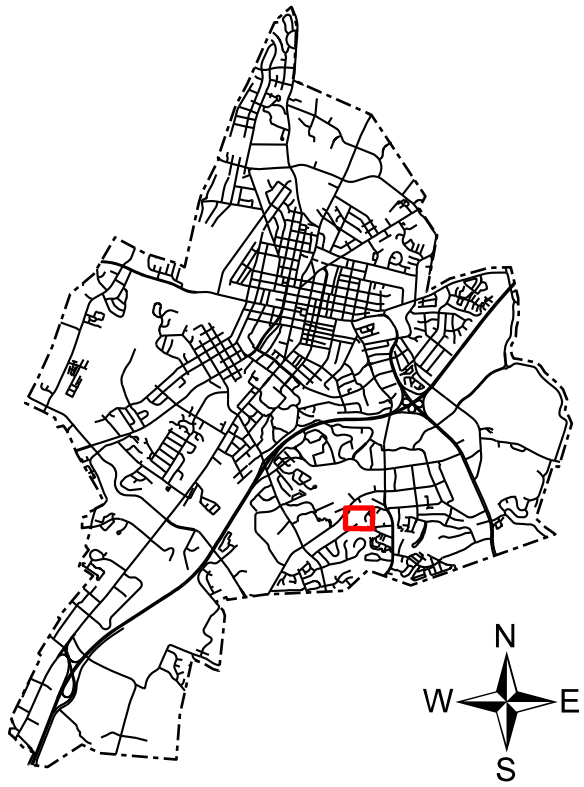
Attachments

- Site maps
- Applicant's supporting documentation

CITY OF HARRISONBURG

Special Use Permit
Short Term Rental in R-3
757 Woodland Drive
TM#: 84-K-12
+/- 13,465 square feet

ZONING



R-5C
R-3
R-1
Sunchase Dr
Woodland Dr
Scarlet Oak Ct
Foley Rd
Westmoreland Dr
1933 STE A
1933 STE B
1933 STE D
1941
1932 STE A
1932 STE B
1940 STE A
1940 STE B
1940 STE C
1940 STE D
1948 STE B
1948 STE A
1948 STE D
1948 STE C
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763
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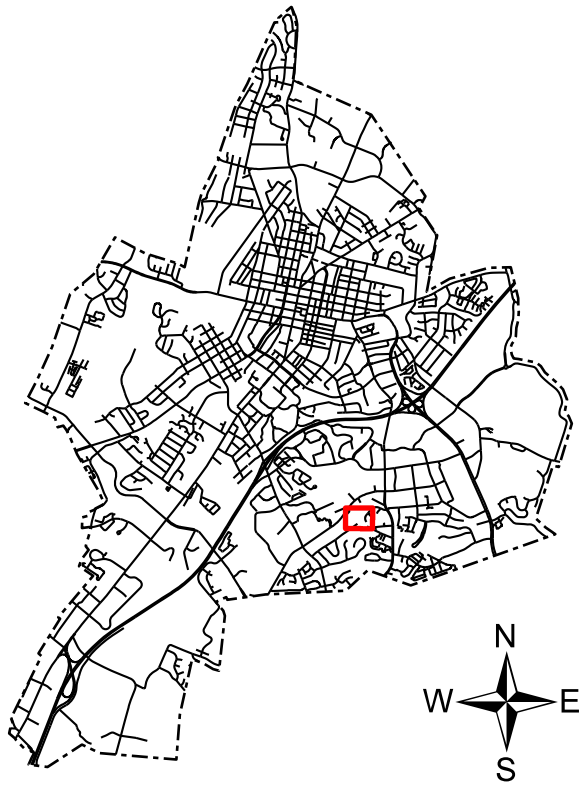
Date: 10/15/2026

CITY OF HARRISONBURG

Special Use Permit
Short Term Rental in R-3
757 Woodland Drive
TM#: 84-K-12
+/- 13,465 square feet

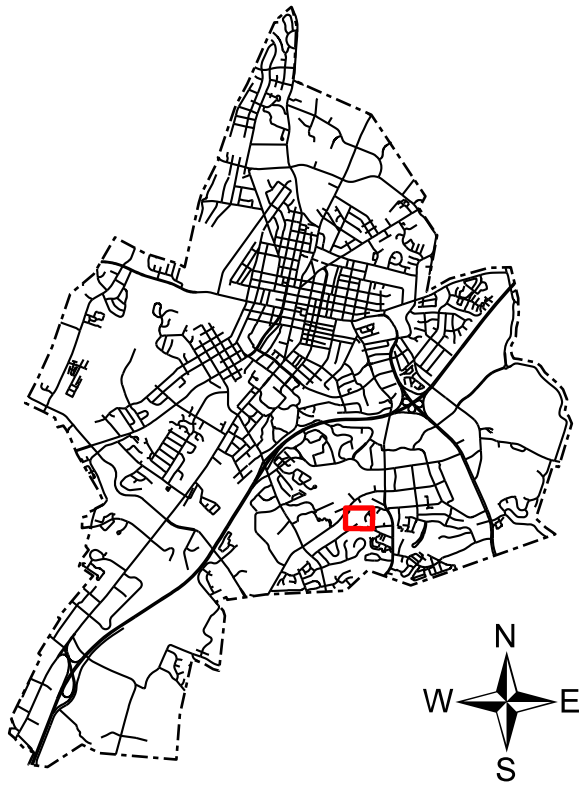
(FUTURE) LAND USE GUIDE



Date: 10/15/2026

CITY OF HARRISONBURG

Special Use Permit
Short Term Rental in R-3
757 Woodland Drive
TM#: 84-K-12
+/- 13,465 square feet



Date: 10/15/2026

Kimberly and Geoffrey Newton
757 Woodland Dr
Harrisonburg, VA 22801

October 30, 2026

To: Harrisonburg Community Development Office

Re: Special Use Permit Application

To Whom It May Concern:

Thank you for your consideration of our special use permit application to transition our current homestay to an STR permit.

Our home is our primary residence, and we operate a licensed Airbnb homestay. Our listing is among the top 1% of all Airbnb listings with consistent 5-star ratings from guests who visit our home and Harrisonburg community.

Typically we host no more than 2 guests at a time. Guests park in one of our two off-street driveway parking spaces. Guests stay in the first floor master suite of our residence, with a separate entrance. Typical guests are JMU alumni, parents, visiting professors, and tourists.

We are grateful that our listing has grown in popularity, and we are requesting this permit so that we may maintain compliance and continue to accept bookings without exceeding the maximum 90-day night limit currently imposed on homestays.

Thank you for your consideration of this request.

Respectfully,

Kimberly & Geoffrey Newton

CITY OF HARRISONBURG
COMMUNITY DEVELOPMENT

Short-Term Rental Questionnaire

https://harrisonburgva.gov/short-term-rentals

This form shall accompany a Special Use Permit (SUP) application for a Short-Term Rental (STR).

PROPERTY INFORMATION

757 Woodland Dr, Harrisonburg VA 22801

Property Address

QUESTIONNAIRE

1. Is the property the operator's primary residence? ☑ Yes ☐ No
2. Is the operator the property owner? ☑ Yes ☐ No

   Note: If the operator is not the property owner, the operator must be present during lodging periods.
3. Where is the STR being provided? (E.g., Accessory building, above garage, basement, bedroom on second story, etc.)

   First floor primary bedroom
4. Is the STR accessible from within the principal building? ☑ Yes ☐ No
5. Do you plan to operate the STR for more than 90 nights in a calendar year? ☑ Yes ☐ No
6. How many bedrooms or accommodation spaces are provided? one

   Note: "Accommodation spaces" mean any room offered for sleeping including, for example, living rooms with pull-out sofas. This would not include living spaces or rooms where guests would not be sleeping.
7. What is the maximum number of guests that would stay at one time? two adults
8. How many guest parking spaces will be provided on the property, if any? one off-street

   Illustrate the parking spaces on the Site or Property Map.
9. Does the STR include a stove/oven/range? ☐ Yes ☑ No
10. Will the STR be used for events? ☐ Yes ☑ No

    Note: If the applicant proposes to market or use the STR for events, those plans must be described in the applicant's letter. Such events may require Building Code-related improvements. Applicants are highly encouraged to speak with City staff before submitting an application that includes events.

The SUP application requires applicants to provide a letter explaining the proposed use and reasons for seeking the SUP. The letter should address the information requested and may include any additional relevant information.

Kimberly Newton — 10/27/2026

SIGNATURE **DATE**

PROPERTY OWNER OR REPRESENTATIVE

Legislation Text

File #: ID 26-398, **Version:** 1

Subject:
Consider a request from Riadh S. Mamund for a special use permit at 130 West Mosby Road
Presented By: Nyrma Soffel, Department of Community Development
A request from Riadh S. Mamund for a special use permit per Section 10-3-59.4(1) to allow attached townhouses of not more than eight (8) units. The +/- 19,002 square foot property is addressed as 130 West Mosby Road and is identified as tax map parcel 7-C-4.

CITY OF HARRISONBURG

November 12, 2026 Planning Commission Meeting

Title
Consider a request for a Special Use Permit at 130 West Mosby Road — Nyrma Soffel, Community Development

Summary

Project name	N/A
Address/Location	130 West Mosby Road
Tax Map Parcels	7-C-4
Total Land Area	+/- 19,002 square feet
Property Owner	Riadh S. Mamund
Owner's Representative	N/A
Present Zoning	R-8C, Small Lot Residential District Conditional
Special Use Permit Request	To allow attached townhouses of not more than eight (8) units per Section 10-3-59.4(1)
Planning Commission	November 12, 2026 (Public Hearing)
City Council	Anticipated December 8, 2026 (Public Hearing)

Recommendation
Option 1. Recommend approval of the special use permit as submitted by the applicant.

Context & Analysis
The following land uses are located on and adjacent to the property:

Site: Vacant land, zoned R-8C

North: Vacant land, zoned R-2

East: Vacant land, zoned R-2

South: Across West Mosby Road, Multifamily dwellings, zoned R-3

West: Single-family detached dwelling, zoned R-2

The applicant is requesting a special use permit (SUP) per Zoning Ordinance (ZO) Section 10-3-59.4(1) to allow attached townhouses of not more than eight (8) units. On July 25, 2023, City Council approved the applicant's request to rezone the property from R-2, Residential District, to R-8C, Small Lot Residential District Conditional, and approved a SUP to allow attached townhouses of not more than eight (8) units. The SUP has since expired due to a lack of diligent pursuit. In connection with the rezoning approved in 2023, the applicant proffered to construct a

sidewalk, dedicate right-of-way, and restrict the width of the new driveway to no more than 30 feet. A copy of the existing 2023-approved proffers is attached. The +/- 19,002 square foot property is addressed as 130 West Mosby Road and is identified as tax map parcel 7-C-4. If approved, the applicant plans to construct four (4) townhomes.

The current proposal differs from the concept plan submitted with the 2023 SUP application. (The 2023 application and support documents can be reviewed at https://harrisonburg-va.legistar.com/LegislationDetail.aspx?ID=6281779&GUID=4495A80B-E63B-4E8C-8585-F069C9B4CD9B&Options=&Search=). The concept plan from 2023 showed five (5) townhomes oriented perpendicular to West Mosby Road, and with 13 parking spaces located in front of the townhomes. The current concept plan illustrates four (4) townhomes facing West Mosby Road and 12 parking spaces between the townhomes and the public street. The concept plan is not conditioned and could change before townhomes are built. The ZO requires one (1) parking space per dwelling unit. The applicant's letter notes the lack of on-street parking and explains that he intends to provide two (2) parking spaces per dwelling unit, plus four (4) guest parking spaces for the development. Staff discussed reorienting the townhomes and relocating the parking spaces to behind the units in order to improve the streetscape and the building's relationship to the public street; however, the applicant prefers to keep the layout as shown.

The ZO requires townhome dwellings to each be on their own lot; therefore, the applicant will need to subdivide the property. Depending on the configuration of the individual lots, parking areas, and driveway, the applicant may need to request a Subdivision Ordinance (SO) variation or exception in the future.

Land Use
The Comprehensive Plan designates the property as Mixed Use and states that:

> The Mixed Use category includes both existing and proposed areas for mixed use. Mixed Use areas shown on the Land Use Guide map are intended to combine residential and non-residential uses in neighborhoods, where the different uses are finely mixed instead of separated. Mixed Use can take the form of a single building, a single parcel, a city block, or entire neighborhoods. Quality architectural design features and strategic placement of green spaces for large scale developments will ensure development compatibility of a mixed use neighborhood with the surrounding area. These areas are prime candidates for "live-work" and traditional neighborhood developments (TND). Live-work developments combine residential and commercial uses allowing people to both live and work in the same area. The scale and massing of buildings is an important consideration when developing in Mixed Use areas. Commercial uses would be expected to have an intensity equivalent to a Floor Area Ratio of at least 0.4, although the City does not measure commercial intensity in that way.

The property is located adjacent to a single-family detached dwelling, across West Mosby Road from multiple-family dwellings, and within a quarter of a mile of commercial establishments along South Main Street. Additional multiple-family dwellings are planned and are in site plan review

west of the property along West Mosby Road and Pear Street (tax map parcel 7-C-3). The proposed development is consistent with the Comprehensive Plan's Land Use Guide.

Transportation and Traffic
A traffic impact analysis (TIA) was not required for the SUP request.

Public Water and Sanitary Sewer
Staff has no concerns with the requested special use permit regarding water and sanitary sewer matters.

Housing
The City's Comprehensive Housing Assessment and Market Study (Housing Study) places the subject site within Market Type B, which has "neighborhoods [that] are characterized by high income earning households, large volumes of housing sales and lower population growth." The Housing Study further notes that houses in these markets are quick to sell and that "[p]riorities and policies that are appropriate to Market Type B areas include the preservation of existing affordable housing while at the same time working to increase access to amenities."

Public Schools
The City contracted with the University of Virginia's Weldon Cooper Center for Public Service to complete a report titled "Population and School Enrollment Projects for the City of Harrisonburg" (April 2025). The report can be found at the following link: https://harrisonburgva.gov/sites/default/files/city-manager/HarrisonburgSchoolEnrollment_2025-04-30_Final.pdf. This report provides overall student enrollment projections through 2034 as well as estimated student generation by housing type for each elementary school attendance zone.

Based on the Weldon Cooper Center report's calculation, this development's proposed residential units are estimated to generate two (2) K-12 students at full build-out. According to the School Board's current attendance boundaries, Bluestone Elementary School, Thomas Harrison Middle School, and Harrisonburg High School would serve the students residing in this development.

Conclusion
While staff would have preferred interparcel connectivity, a site design that better supports future development of adjoining properties, and a layout that improves the streetscape, the request is consistent with the Comprehensive Plan's Mixed Use designation and substantially similar to the previously approved SUP. Staff recommends approval of the SUP request as submitted by the applicant.

Options
1. Recommend approval of the special use permit as submitted by the applicant.
2. Recommend approval of the special use permit with the suggested conditions.
3. Recommend approval of the special use permit with other condition(s).
4. Recommend denial of the special use permit.

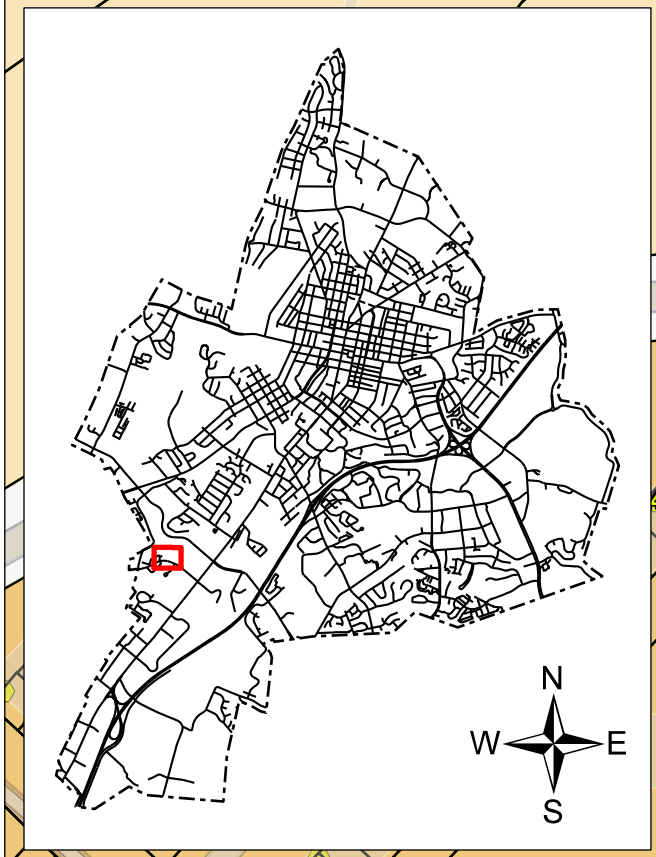
Attachments
- Site maps

- Applicant’s supporting documentation
- Copy of Approved 2023 Proffers

CITY OF HARRISONBURG

Special Use Permit
Townhouses in R-8
130 West Mosby Road
TM#: 7-C-4
+/- 19,002 square feet

(FUTURE) LAND USE GUIDE



Medium Density
Mixed Residential

Mixed Use

140
130

W Mosby Rd

2410
2412
416
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2423
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2409
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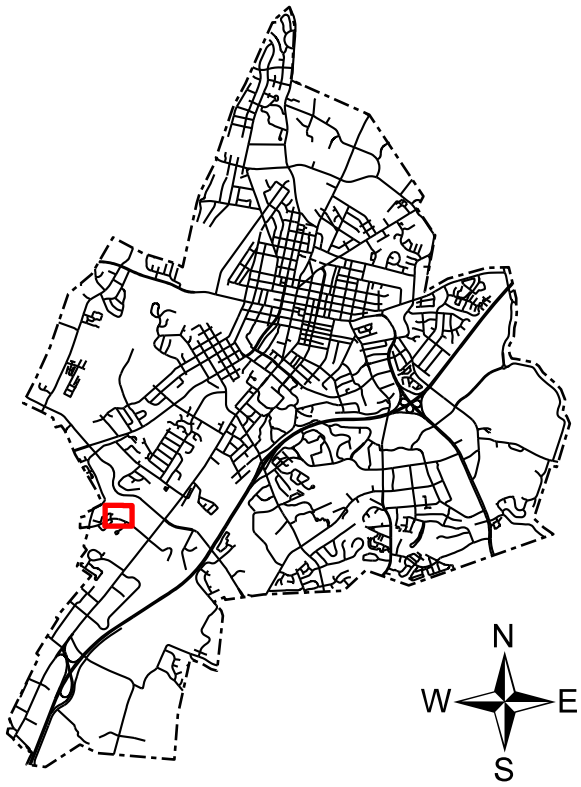
APT A
2515
APT A
Mosby Court Condominium
2471
2475
2479
2483
2487
Mosby Ct
W Mosby Rd
Medium Density
Residential
110
46

Date: 10/15/2026

CITY OF HARRISONBURG

Special Use Permit
Townhouses in R-8
130 West Mosby Road
TM#: 7-C-4
+/- 19,002 square feet

ZONING



R-2C

R-2

R-8C

140

130

W Mosby Rd

R-3

2410
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Mosby Court Condominium

2519
APT A

2515
APT A

2471
2475
2479
2483
2487

Mosby Ct

W Mosby Rd

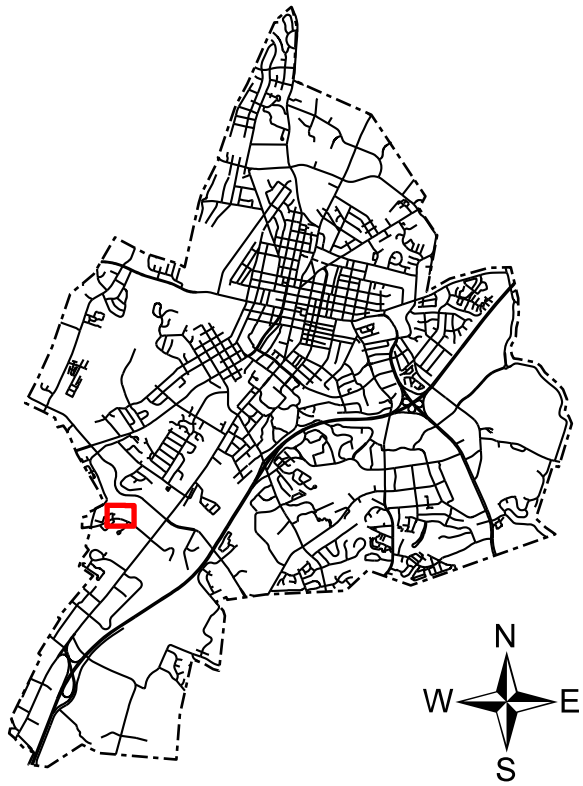
110

47

Date: 10/15/2026

CITY OF HARRISONBURG

Special Use Permit
Townhouses in R-8
130 West Mosby Road
TM#: 7-C-4
+/- 19,002 square feet

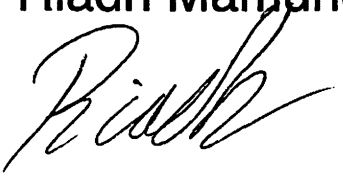


Date: 10/15/2026

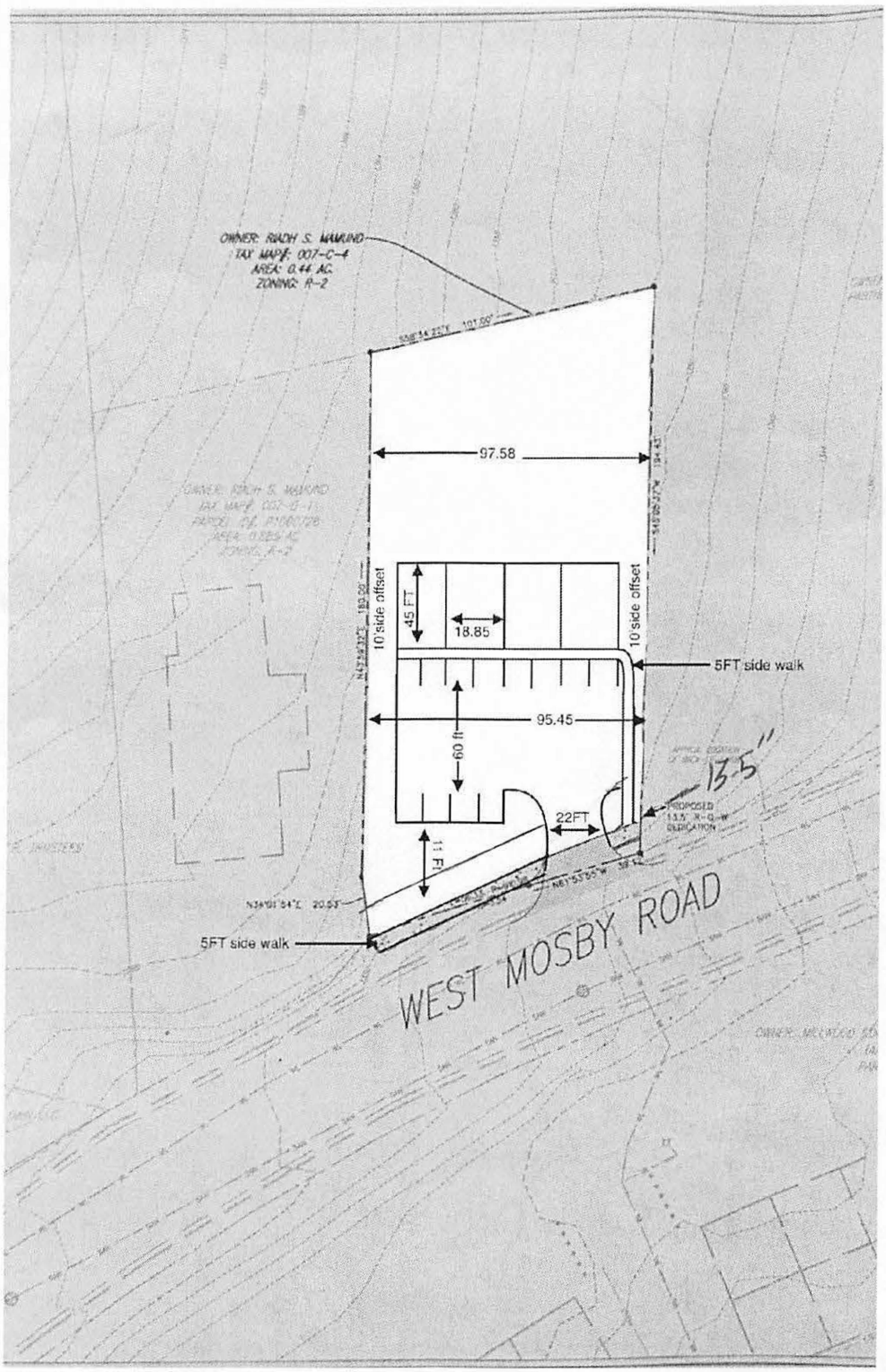
Riadh Mamund
140w Mosby Rd, Harrisonburg,VA2280

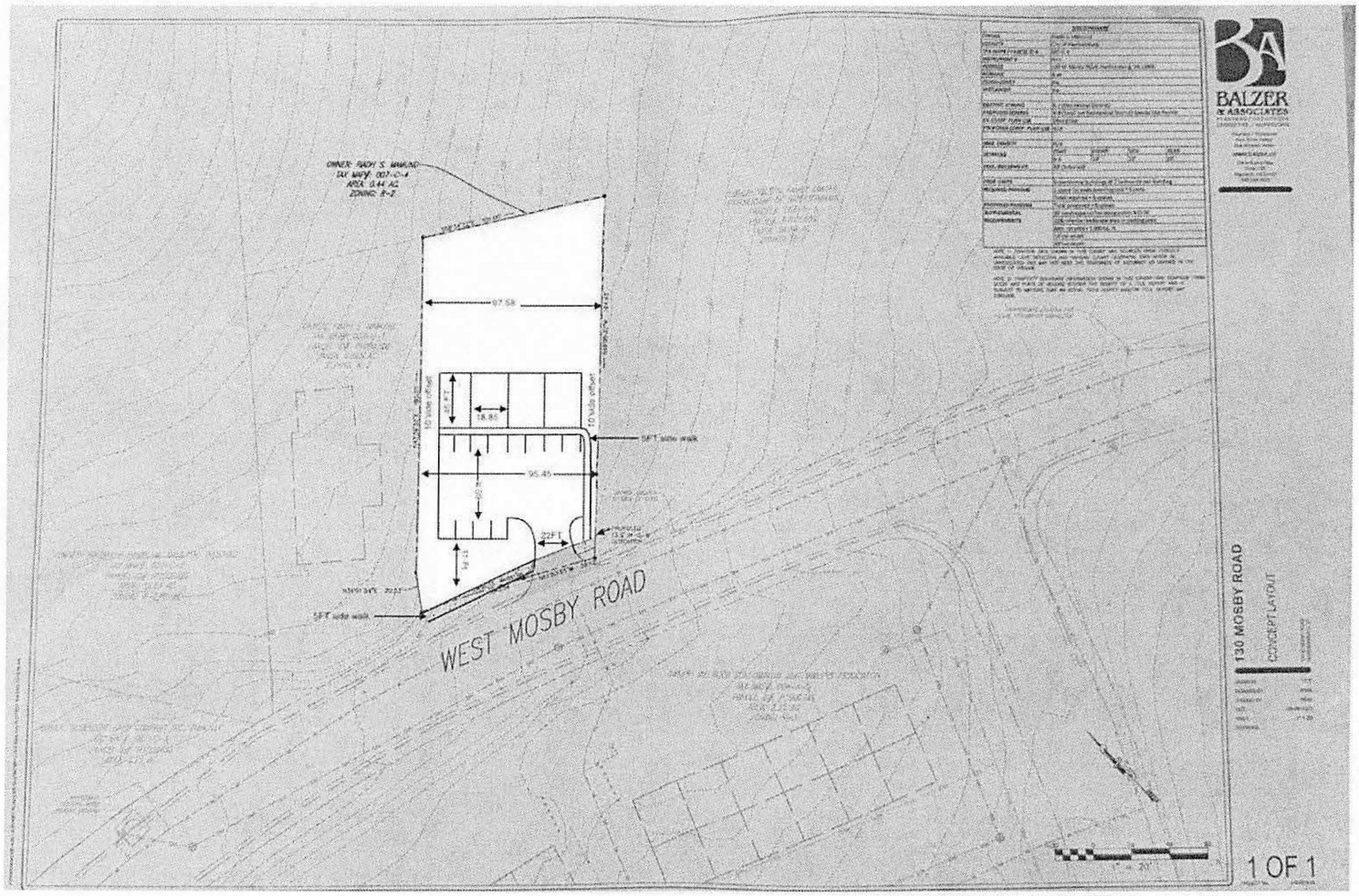
City of Harrisonburg
409 S Main St Harrisonburg, VA22802
To whom it May concern
In 2023 I have rezoned 130 West Mosby Rd. From.R2 to R8 I want to build four town houses.
For past a few years, I have noticed a huge growth in our city and a lot of people are moving down to harrisonburg. what I have also noticed is that the demand for a rental properties have gone up But the supply has been very low. My goal is to build four townhouses on this property to provide affordable rental housing to families, and I want to build 12 parking spaces, each townhouse would have two parking spaces in front of it and another four visitor parking spaces for all them since I'm building this for families. I have notes that each family has at least two cars the husband and the wife,The reason I want to have more parking spaces because there's no any parking lots close by, or there's no way they could park on the side of West Mosby Road I want to make sure they have enough parking spaces they can park their cars comfortably and safely for the families and their visitors, if you have any questions or any concerns feel free to contact me at [redacted]

Best regards
Riadh Mamund



[redacted]


OWNER: RALPH S. MAMUNO
TAX MAP#: 007-C-4
AREA: 0.44 AC.
ZONING: R-2
97.58
45 FT
18.85
10' side offset
10' side offset
5FT side walk
95.45
60 ft
13.5"
22FT
11 FT
5FT side walk
WEST MOSBY ROAD


BALZER & ASSOCIATES
WEST MOSBY ROAD
130 MOSBY ROAD
CONCEPT LAYOUT
1 OF 1

City of Harrisonburg, VA
Department of Public Works

Determination of Need for a Traffic Impact Analysis (TIA)

www.harrisonburgva.gov/traffic-impact-analysis

For inclusion in an application for Planning Commission review (for Special Use Permit, Rezoning or Preliminary Plat), this form must be submitted to the Public Works Department at least 5 business days prior to the Planning Commission application deadline.

Contact Information				
Consultant Name: Telephone: E-mail:				
Owner Name: Telephone: E-mail:	Riadh Mamund [redacted]			
Project Information				
Project Name:	West Mosby Townhomes			
Project Address: TM #:	130 West Mosby Road 007-C-4			
Existing Land Use(s):	Vacant			
Proposed Land Use(s): (if applicable)	Residential Townhomes			
Submission Type:	Comprehensive Site Plan ○	Special Use Permit ◉	Rezoning ○	Preliminary Plat ○
Project Description: (Include site plan or preliminary sketch and additional details on land use, acreage, access to site, etc)	The special use permit is to allow for four new townhomes to be built.			
Peak Hour Trip Generation (from row 15 on the second page)				
AM Peak Hour Trips:	2			
PM Peak Hour Trips:	2			

(reserved for City staff)

TIA required? Yes _____ No ✓

Comments:

Accepted by: Timothy Mason **Date:** 10/20/2026

Revised Date: December 2019

Peak Hour Trip Generation by Land Use

Row	ITE Land Use		ITE Land Use Code	Unit	Quantity	AM Peak Hour of Adjacent Street Traffic	PM Peak Hour of Adjacent Street Traffic
1	Proposed #1	Single Family Attached	215	Dwelling Units	4	2	2
2	Proposed #2	Single Family Detached	210	Dwelling Units	1	1	
3	Proposed #3						
4	Proposed #4						
5	Proposed #5						
6	Proposed #6						
7	Total New Trips					3	3
8	Existing #1	Single Family Detached	210	Dwelling Units	1	1	1
9	Existing #2						
10	Existing #3						
11	Existing #4						
12	Existing #5						
13	Existing #6						
14	Total Existing Trips					1	1
15	Final Total (Total New – Total Existing)					2	2

Instructions

Determination of trip generation rates shall be in conformance with ITE guidelines.

1. Based on the intended use(s), calculate the AM Peak and PM Peak trip generation using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 1-6). Attach additional sheets as necessary for more uses.
2. Sum up all of the trips generated for the new uses in the Total New Trips row (row 7).
3. If the development has any existing uses, calculate the AM Peak and PM Peak trip generations using the AM and PM Peak Hour of Adjacent Street Traffic rates from the most current version of the ITE Trip Generation Manual (rows 8-13). Attach additional sheets as necessary for more uses.
4. Sum up all of the trips generated for the existing uses in the Total Existing Trips row (row 14).
5. Subtract the total existing trips from the total new trips to get the final total number of trips generated by the development (row 15). Enter these numbers on the first page.

Revised Date: December 2019

2023 Proffers

Ms. Meghan Rupkey
Planner
City of Staunton
409 S Main St
Harrisonburg, VA 22801

RE: 130 Mosby Road
City of Harrisonburg, Virginia

Dear Ms. Meghan:

Riadh S. Mamund, (Property Owner) would like to make the following proffers related to the rezoning of property located along West Mosby Road, identified as Parcel# 007-C-4, comprising about 0.44 total acres in the City of Harrisonburg, Virginia. The property is currently zoned Residential District (R-2). The proposed development is to be attached town-home units. This request is to re-zone the properties to Small Lot Residential District (R-8) zoning with a Special Use Permit to allow lots without street frontage.

The following conditions are made part of the rezoning application:

1. A 5-foot width sidewalk shall be constructed along West Mosby Road frontage including a grass strip. Property shall be dedicated up to 13.5-feet from the existing back of curb-line as depicted in the submitted Concept Layout for public right-of-way. This accommodates a future 6-foot width bike lane (constructed by others), 2-foot width grass strip, 5-foot sidewalk and 0.5' maintenance strip.

2. The Site Entrance shall have a maximum width of 30 feet.

Sincerely,

Riadh 06/08/2023

Riadh S. Mamund
Property Owner

Legislation Text

File #: ORD 26-026, **Version:** 1

Subject:
Consider a request for Zoning Ordinance Amendments related to businesses licensed by the Virginia Cannabis Control Authority
Presented By: Thanh Dang, Department of Community Development
A request to amend the Zoning Ordinance to define uses licensed by the Virginia Cannabis Control Authority (marijuana cultivation facility, marijuana delivery operator, marijuana processing facility, marijuana transporter, marijuana microbusiness, retail marijuana store, marijuana testing facility, marijuana dual use facility, pharmaceutical processor, and cannabis dispensing facility), define related terms, and establish which zoning districts each use may operate and associated use and location requirements.

CITY OF HARRISONBURG

November 12, 2026, Planning Commission Meeting

Title
Consider a request to amend the Zoning Ordinance to regulate uses licensed by the Virginia Cannabis Control Authority — Thanh Dang, Community Development

Summary

Zoning Ordinance	Amend Sections 10-3-24, 10-3-91, 10-3-93, 10-3-97, and 10-3-99
Purpose	To define a marijuana establishment. To establish that marijuana establishments may operate by special use permit in B-2 and M-1.
Ordinance Initiation	By City Council on October 13, 2026
Planning Commission	November 12, 2026 (Public Hearing)
City Council	Anticipated December 8, 2026 (First Reading/Public Hearing) Anticipated December 22, 2027 or January 12, 2027 (Second Reading)

Recommendation
Option 1. Recommend approval of the Zoning Ordinance amendments.

Context & Analysis
In June 2026, as part of the 2026 Special Session Budget Bill (HB30), the Virginia General Assembly established a state-regulated retail marijuana market (also known as adult-use cannabis) and assigned the Virginia Cannabis Control Authority Board (CCA Board) responsibility for administering licenses and implementing the program. Oversight of Virginia's medical cannabis program has been under the CCA Board since January 1, 2024, when it transitioned from the Virginia Board of Pharmacy.

Medical Cannabis Program

Virginia's medical cannabis program allows qualified patients to access cannabis for medicinal use. In 2020, the first official medical dispensaries opened in Virginia to registered patients. The CCA Board issues two types of permits under the medical cannabis program and they are defined in Virginia Code § 41.1600 as:

> "Pharmaceutical processor" means a dual-use facility that (i) has obtained a permit from the Board pursuant to § 4.1-1602; (ii) cultivates Cannabis plants intended for

> the production of cannabis oil, botanical cannabis, and usable cannabis, produces cannabis products, and dispenses cannabis products to a patient pursuant to a written certification, his registered agent, or, if such patient is a minor or a vulnerable adult as defined in § 18.2-369, such patient's parent or legal guardian; and (iii) has been verified by the Board pursuant to § 4.1-1602.1 to hold and exercise all privileges to operate as a marijuana cultivation facility pursuant to § 4.1-800, marijuana processing facility pursuant to § 4.1-801, and retail marijuana store pursuant to § 4.1-802.
>
> "Cannabis dispensing facility" means a dual-use facility that (i) has obtained a permit from the Board pursuant to § 4.1-1602; (ii) is owned, at least in part, by a pharmaceutical processor; (iii) dispenses cannabis products produced by a pharmaceutical processor to a patient, his registered agent, or, if such patient is a minor or a vulnerable adult as defined in § 18.2-369, such patient's parent or legal guardian; and (iv) has been verified by the Board pursuant to § 4.1-1602.1 to hold and exercise all privileges to operate as a retail marijuana store pursuant to § 4.1-802 on the premises of the cannabis dispensing facility.

Currently, in Harrisonburg, pharmaceutical processors are allowed by right in the M-1, General Industrial District per ZO Section 10-3-96 (1), and allowed by SUP in the B-2, General Business District, per ZO Section 10-3-91 (1). Cannabis dispensing facilities are allowed anywhere a pharmacy is allowed; by right in the B-1, Central Business District and the B-2, General Business District, and by SUP in the R-5, High Density Residential District.

In June 2026, Virginia Code § 4.1-1602.1 was created and it allows existing medical cannabis pharmaceutical processors to apply for dual-use privileges to serve both registered medical patients and retail consumers. Virginia Code § 4.1-1602 states that "[e]ffective June 1, 2027, no previously issued [pharmaceutical processor or cannabis dispensing facility] permit shall remain valid unless the pharmaceutical processor has received dual-use verification from the [CCA] Board."

As of the date of this memorandum, there are no pharmaceutical processors or cannabis dispensing facilities operating in Harrisonburg.

Retail Marijuana Market

The retail marijuana market includes the following types of licenses, and they are defined in Virginia Code § 4.1-600 as:

> "Marijuana cultivation facility" means a facility licensed by the Board to cultivate, label, and package marijuana; to purchase or take possession of marijuana plants and seeds from other marijuana cultivation facilities; to transfer possession of and sell marijuana, immature marijuana plants, and marijuana seeds to retail marijuana stores; to transfer possession of marijuana, immature marijuana plants, and marijuana seeds to marijuana transporters; to transfer possession of and sell

marijuana, marijuana plants, and marijuana seeds to other marijuana cultivation facilities; to transfer possession of and sell marijuana to marijuana processing facilities; and to transport marijuana, immature marijuana plants, and marijuana seeds from the marijuana cultivation facility's licensed premises to another licensed marijuana establishment.

"Marijuana processing facility" means a facility licensed by the Board to process, label, and package marijuana and marijuana products; to purchase or take possession of marijuana from a marijuana cultivation facility or another marijuana processing facility; to transfer possession of and sell marijuana and marijuana products to retail marijuana stores or other marijuana processing facilities; to transfer possession of marijuana and marijuana products to marijuana transporters; and to transport marijuana and marijuana products from the marijuana processing facility's licensed premises to another licensed marijuana establishment.

"Retail marijuana store" means a facility licensed by the Board to purchase or take possession of marijuana, marijuana products, immature marijuana plants, or marijuana seeds from a marijuana cultivation facility or marijuana processing facility; to take possession of marijuana, marijuana products, immature marijuana plants, or marijuana seeds from a marijuana transporter; to sell marijuana, marijuana products, marijuana paraphernalia, immature marijuana plants, or marijuana seeds to consumers on premises approved by the Board; to deliver marijuana, marijuana products, marijuana paraphernalia, immature marijuana plants, or marijuana seeds only in person to consumers; to transfer possession of marijuana, marijuana products, marijuana paraphernalia, immature marijuana plants, or marijuana seeds to marijuana delivery operators; and to transport marijuana, marijuana products, marijuana paraphernalia, immature marijuana plants, and marijuana seeds from the retail marijuana store's licensed premises to another retail marijuana store.

"Microbusiness" means a facility licensed by the Board to conduct any activities authorized for marijuana cultivation facilities, marijuana processing facilities, and retail marijuana stores, as determined by the Board.

"Marijuana transporter" means a facility licensed by the Board to take possession of marijuana, marijuana products, immature marijuana plants, and marijuana seeds from a marijuana cultivation facility, a marijuana processing facility, a retail marijuana store, a microbusiness, or another marijuana transporter; to transfer possession of marijuana, marijuana products, immature marijuana plants, and marijuana seeds to a marijuana cultivation facility, marijuana processing facility, retail marijuana store, microbusiness, or another marijuana transporter; and to transport marijuana, marijuana products, immature marijuana plants, and marijuana seeds from one licensed establishment to another.

"Marijuana delivery operator" means an entity licensed by the Board to take possession of marijuana or marijuana products from a retail marijuana store,

> microbusiness, pharmaceutical processor, or cannabis dispensing facility and deliver such marijuana or marijuana products only in person to patients or consumers at their residence or business.
>
> "Marijuana testing facility" means a facility licensed by the Board to develop, research, transport, or test marijuana, marijuana products, or other substances.

Additionally, there are dual-use privileges granted by the CCA Board to allow a pharmaceutical processor and its cannabis dispensing facilities to dispense medical cannabis to qualified patients under the medical cannabis program while also exercising the privileges of marijuana cultivation facilities, marijuana processing facilities, and retail marijuana stores.

For marijuana cultivation facilities, Virginia Code § 4.1-606.C.1 states that the CCA Board may "[s]et the number of licenses issued by type or class to operate a marijuana establishment in order to ensure that there is a significant supply of marijuana to meet demand, provide market stability, avoid market dominance, ensure a competitive market that considers small business opportunities and concerns, and limit the sale of unregulated marijuana; however, only five Tier V marijuana cultivation facilities licenses shall be issued before January 1, 2027." Tier V marijuana cultivation facilities are large-scale (up to 35,000 square feet), indoor-only commercial cannabis grow operations. Information on the different Tiers can be found in Virginia Code § 4.1-800 and the September 2026 draft CCA Board regulations.

For retail marijuana stores, Virginia Code § 4.1-606.C states that the CCA Board shall not issue more than 350 retail marijuana store licenses.

The CCA Board may, on and after February 1, 2027, begin accepting license applications for retail marijuana market uses, and the CCA may, on and after May 1, 2027, begin issuing licenses for retail marijuana market uses.

Proposed Zoning Districts Where Medical Cannabis and Retail Marijuana Market Uses Can Operate

The proposed ZO amendments do not regulate state licensing, product standards, or business operations; those will be regulated by the CCA Board. The proposed ZO amendments establish local land use regulations identifying the zoning districts in which marijuana establishments may be considered and require approval of a SUP by City Council.

The ZO amendment proposes the following definition:

> *Marijuana establishment*: Has the meaning assigned to that term in § 4.1-600 of the Code of Virginia, as amended, and includes a proposed use of premises that would constitute a marijuana establishment under that section if the required state authorization were granted.

Virginia Code § 4.1-600 defines "Marijuana establishment" as:

> "Marijuana establishment" means a marijuana cultivation facility, marijuana microbusiness, marijuana delivery operator, marijuana testing facility, marijuana processing facility, marijuana transporter, retail marijuana store, or pharmaceutical processor or cannabis dispensing facility authorized to exercise dual-use privileges.

The ZO amendment proposes to allow marijuana establishments only by SUP in the B-2 and M-1 districts. While CCA Board licenses allow cultivation outdoors, the ZO amendment proposes to only allow cannabis processing facilities (which include cultivation) and marijuana cultivation facilities to operate within indoor cultivation facilities. Outdoor cultivation and cultivation in greenhouses would be prohibited. See attached *Current Ordinance Reflecting Recommended Amendments.*

In the M-1 district, the ZO amendment proposes to allow retail sales and medical dispensing as accessory uses to another activity of a marijuana establishment on the same premises. This is consistent with the current abilities allowed by right in the M-1 district by ZO Section 10-3-96 (9): "Mercantile establishments and office facilities accessory to and supportive of the sale, processing and storage of goods and materials as permitted in this district."

Finally, the ZO amendment proposes to require SUPs for marijuana establishments to meet the following requirements:

> The special use permit application shall identify all cannabis- and marijuana-related activities proposed for the premises. A material change in the activities conducted on the premises shall require approval of an amendment to the special use permit before the change occurs.

Requiring a SUP for marijuana establishments would enable the City to evaluate the proposed operations, location, access, parking, building configuration, compatibility with nearby uses, and any other site-specific considerations.

Option to Reduce Location Restrictions for Retail Marijuana Stores and Microbusinesses

For retail marijuana stores and microbusinesses, Virginia Code § 4.1-810(B)(3)(c) requires the CCA Board to refuse a license when the proposed location is within 1,000 feet of a hospital; public, private, or parochial school; institution of higher education; or child day program, subject to the locality's authority per Virginia Code § 4.1-629.B.2 to adopt an ordinance decreasing the applicable minimum distance requirement. Additionally, the CCA Board may refuse a license when the proposed location would adversely affect or interfere with the normal and orderly conduct of such facilities, programs, or institutions. Note that the location prohibition details are different from the authority granted to localities for retail tobacco establishments in Virginia Code § 15.2-912.4. That code section does not include hospitals and institutions of higher education and it also uses the term "child day care center" instead of "child day program," the latter of which includes home-based day cares.

The CCA Board's September 2026 draft regulations for the adult-use retail market establishes proposed locations be at least 1,000 feet from a school or day care; missing are references to

hospitals, institutions of higher learning, and other uses under the umbrella term "child day program." Because the State Code independently establishes mandatory license-refusal criteria, those requirements remain applicable.

At this time, staff does not recommend adopting a local ordinance to reduce the 1,000-foot separation distance. Accordingly, applicants would remain subject to the applicable state minimum distance requirement unless City Council adopts an ordinance providing otherwise.

Option to Decrease Minimum Distance Between Marijuana Stores, Microbusinesses, and Other Facilities

Virginia Code § 4.1-629(B)(2) authorizes localities to adopt an ordinance decreasing minimum distance requirements established by the CCA Board between retail marijuana stores and microbusinesses. Staff reviewed the September 2026 draft regulations and did not identify a proposed statewide minimum separation distance between retail marijuana stores and microbusinesses. Because the Board's regulations remain subject to revision and final adoption, staff does not recommend establishing a local reduction or alternative separation standard at this time. Any applicable standard established by the CCA Board would continue to apply, unless City Council adopts an ordinance providing otherwise.

Conclusion
As Virginia's retail marijuana market program is newly established and the CCA Board's implementing regulations remain under development, staff recommend a cautious, incremental approach. Requiring a SUP for each and any marijuana establishment would allow the City to evaluate proposed locations on a case-by-case basis to consider site-specific issues. Staff recommend approval of the proposed Zoning Ordinance amendments.

Options

1. Recommend approval of the Zoning Ordinance amendments.
2. Recommend approval of the Zoning Ordinance amendments with modifications.
3. Recommend denial of the Zoning Ordinance amendments.

Attachments

- Current Ordinance Reflecting Recommended Amendments
- Medical Cannabis Program Statutory Provisions (Virginia Code), https://law.lis.virginia.gov/vacode/title4.1/chapter16/
- CCA Medical Cannabis Program Regulations, https://law.lis.virginia.gov/admincode/title3/agency10/
- Adult-Use Retail Marijuana Market Statutory Provisions (Virginia Code), https://law.lis.virginia.gov/vacode/title4.1/chapter8/ and definitions, https://law.lis.virginia.gov/vacode/title4.1/chapter6/section4.1-600/
- CCA webpage Adult-Use Retail Marijuana Market, including draft program regulations, https://cca.virginia.gov/retailmarijuanamarket

ORDINANCE AMENDING AND RE-ENACTING MULTIPLE SECTIONS OF TITLE 10 – PLANNING AND DEVELOPMENT, CHAPTER 3. – ZONING, THE CODE OF ORDINANCES CITY OF HARRISONBURG, VIRGINIA

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

Section 10-3-24. Definitions
Add the following definitions as shown:

> *Marijuana establishment*: Has the meaning assigned to that term in § 4.1-600 of the Code of Virginia, as amended, and includes a proposed use of premises that would constitute a marijuana establishment under that section if the required state authorization were granted.

Section 10-3-91. Uses Permitted by Special Use Permit (B-2)
Add subsection (20) as shown:

> (20) Marijuana establishment. Cultivation may be conducted only within a fully enclosed building other than a greenhouse. All uses shall meet the requirements in section 10-3-93 (g).

Section 10-3-93. Other regulations (B-2)
Add subsection (g) as shown:

> (g) The special use permit application shall identify all cannabis- and marijuana-related activities proposed for the premises. A material change in the activities conducted on the premises shall require approval of an amendment to the special use permit before the change occurs.

Section 10-3-97. Uses Permitted by Special Use Permit (M-1)
Add subsection (19) as shown:

> (19) Marijuana establishment. Cultivation may be conducted only within a fully enclosed building other than a greenhouse. Retail sales and medical dispensing are permitted only as an accessory use to another activity of a marijuana establishment on the same premises that is authorized by the same special use permit. All uses shall meet the requirements in section 10-3-99 (f).

Section 10-3-99. Other regulations (M-1)
Add subsection (f) as shown:

> (f) The special use permit application shall identify all cannabis- and marijuana-related activities proposed for the premises. A material change in the activities conducted on the premises shall require approval of an amendment to the special use permit before the change occurs.

The remainder of each Section is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2027. Adopted and approved this _____ day of _____, 2027.

_____

MAYOR

ATTESTE:

_____

CITY CLERK

Legislation Text

File #: ID 26-399, **Version:** 1

Subject:
Consider a request from the Commonwealth of Virginia, Visitors of James Madison University, and Gary L Beatty Trustee for variations and exceptions from the Subdivision Ordinance at 741 South Main Street and 10 and 16 West Grace Street
Presented By: Meg Rupkey, Department of Community Development
A request from Commonwealth of Virginia, Visitors of James Madison University, and Gary L Beatty Trustee for variation and exceptions from the Subdivision Ordinance related to entrance design standards. The +/- 0.91-acre site is addressed as 741 South Main Street and 10 and 16 West Grace Street and identified as tax map parcels 25-L-1, 16, and 17.

CITY OF HARRISONBURG

November 12, 2026 Planning Commission Meeting

Title
Consider a request for Subdivision Ordinance variations and exceptions at 741 South Main Street (Grace & Main Parking Lot) — Meg Rupkey, Community Development

Summary

Project name	Grace & Main Parking Lot (JMU)
Address/Location	741 South Main Street and 10 and 16 Grace Street
Tax Map Parcels	25-L-1, 16, and 17
Total Land Area	+/- 0.91 acres
Property Owner	Commonwealth of Virginia, Visitors of James Madison University, and Gary L Beatty Trustee
Owner's Representatives	Monteverde Engineering & Design Studio
Subdivision Ordinance and Design and Construction Standards Manual Variations and Exceptions Requests	• SO Section 10-2-41(a) – Street Design Standards • DCSM Section 3.10.2.4.1 – Commercial Entrance Width • DCSM Section 3.10.2.5.2 – Commercial Entrance Curb-Return Radius
Planning Commission	November 12, 2026
City Council	Anticipated December 8, 2026

Recommendation
Option 1. Recommend approval of the variations and exceptions as requested.

Context & Analysis
The following land uses are located on and adjacent to the property:

Site:	Parking lot, residential uses, and James Madison University housing facilities, zoned R-3
North:	Residential dwellings, zoned R-3
East:	Across South Main Street, Hotel Madison, zoned R-3/Institutional Overlay
South:	Across West Grace Street, James Madison University facilities, zoned R-3
West:	Across Walnut Lane, James Madison University housing facilities, zoned R-3

The applicant, James Madison University (JMU), proposes to construct a parking lot at 741 South Main Street (Grace & Main Parking Lot) and is requesting variations and exceptions from the

Subdivision Ordinance (SO) related to entrance design standards. The properties involved are addressed as 741 South Main Street and 10 and 16 West Grace Street and identified as tax map parcels 25-L-1, 16, and 17.

The submitted site plan illustrates 62 vehicular parking spaces to be located on tax map parcel 25-L-1 at the corner of South Main Street and Grace Street, which is owned by the Commonwealth of Virginia. The planned project would remove the existing curb cuts along Grace Street and replace them with sidewalk while creating a new primary vehicular access from Walnut Lane to the parcel through the 16 and 10 West Grace Street properties, which are owned by Gary L. Beatty, Trustee, and the Visitors of James Madison University, respectively.

During the review for this request, staff suggested for the applicant to consider closing the 735 South Main Street entrance (which is owned by the Visitors of James Madison University) and for the proposed new entrance on Walnut Lane to serve as a shared entrance for both of the properties. Closure of the South Main Street entrance would reduce the number of access points and potential conflict points along South Main Street. At this time, the applicant was not interested in this option.

Requested Variations and Exceptions

The applicant is requesting variations and exceptions to the Subdivision Ordinance (SO) and the Design and Construction Standards Manual (DCSM) for a proposed entrance at Walnut Lane. The applicant is requesting a variation and exception to SO Section 10-2-41(a). This SO section requires that a property owner meet the requirements of the DCSM when developing a site. The DCSM sections the applicant is requesting to deviate from include:

- DCSM Section 3.10.2.4.1 – Commercial Entrance Width, and
- DCSM Section 3.10.2.5.2 – Commercial Entrance Curb-Return Radius.

Commercial Entrance Width

DCSM Section 3.10.2.4.1 requires a minimum 30-foot-wide commercial entrance; however, the applicant is requesting a 20-foot-wide entrance to be permitted. The applicant states the width of 20 feet is necessary for two-way passenger vehicle access while working with limited frontage available along Walnut Lane between the existing driveway to the south and the rear property line of 16 West Grace Street. Staff finds that the proposed 20-foot-wide entrance is adequate for the anticipated volume and type of traffic associated with the 62-space parking lot and the dwellings at 10 and 16 West Grace Street.

Commercial entrance curb-return radius

DCSM Section 3.10.2.5.2 requires a minimum 12.5-foot curb return radius. The applicant is requesting an 8-foot curb return radius on only the south side of the proposed entrance, which is adjacent to the existing driveway serving 16 West Grace Street. The curb return radius on the north side of the proposed new entrance will meet the required 12.5 feet. The applicant states that the reduced south-side radius would avoid affecting the existing driveway and neighboring frontage, is suitable for the anticipated passenger vehicle traffic, and would encourage lower speeds.

The proposed entrance will also be used by emergency and service vehicles. An AutoTURN analysis submitted with the site plan demonstrates that a fire engine can enter and exit the site using the proposed 20-foot-wide entrance with an 8-foot curb return radius on the south side. The proposed access also keeps new access points outside the immediate intersection area of South Main Street and West Grace Street, which reduces potential conflicts from turning vehicles to and from the site.

Conclusion

The requested 20-foot entrance width and the 8-foot south-side curb-return radius are necessary to provide access from Walnut Lane while preserving the existing driveway serving the residential dwelling at 16 West Grace Street. The submitted plan demonstrates that a fire engine can access the site through the proposed entrance. The proposed access configuration also avoids creating new access points within the functional area of the South Main Street and West Grace Street intersection, where turning movements could create operational and safety concerns. Staff recommends approval of the requested variations and exceptions for the Grace & Main Parking Lot project at 741 South Main Street.

Options

1. Recommend approval of the variations or exceptions as requested.
2. Recommend denial of the request.

Attachments

- Site maps
- Applicant's supporting documents

CITY OF HARRISONBURG

Variation and Exception
741 South Main Street and
10 and 16 Grace Street
TM#: 25-L-1, 16, 17
+/- 0.91 acres

ZONING



R-3

R-3/
INSTITUTIONAL
OVERLAY

Norfolk Southern

Walnut Ln

W Grace St

S Main St

E Grace St

E Grace St

320
42
71
41
760
711
715
STE 5
715
STE 1
703
657
6635
APT 102
69
770
725
STE D
725
STE A
725
735
16
10
741
17
811
821
802
800
50
710
710
710
STE 250
710
STE 149
11

68

Date: 10/15/2026

CITY OF HARRISONBURG

Variation and Exception
741 South Main Street and
10 and 16 Grace Street
TM#: 25-L-1, 16, 17
+/- 0.91 acres

(FUTURE) LAND USE GUIDE



Governmental/
Quasi-Governmental

Mixed Use

320
42
71
Norfolk Southern
41
16
10
17
811
821
802
800
760
770
711
703
715
STE 5
715
STE 1
725
STE D
725
STE A
725
735
741
Walnut Ln
W Grace St
S Main St
S Main St
E Grace St
E Grace St
11
710
710
710
STE 250
710
STE 149
50
657
6635
APT 102
69

69

Date: 10/15/2026

CITY OF HARRISONBURG

Variation and Exception
741 South Main Street and
10 and 16 Grace Street
TM#: 25-L-1, 16, 17
+/- 0.91 acres



Date: 10/15/2026

Grace & Main Parking Lot

Request for Variations or Exceptions

October 9th, 2026

City of Harrisonburg
Department of Community Development
409 South Main Street
Harrisonburg, Virginia 22801

RE: Walnut Lane Entrance– Request for Variances/Exceptions
Property: 741 S Main St, Harrisonburg, VA 22801
Tax Map Parcels: 25 L 1, 17 (“the Subject Property”); 25 L 16 (“the Adjacent Property”)

On behalf of James Madison University (“JMU”, or the “Applicant”), we respectfully request approval of the following variations or exceptions pursuant to Section 10-2-2(a) of the City of Harrisonburg Subdivision Ordinance and the Design Construction Standards Manual (DCSM). The requests are associated with the development of the JMU Grace & Main Parking Lot (the “Project”) on the Subject Property, and the construction of a new access entrance to the Subject Property through the Adjacent Property onto Walnut Ln. The proposed site layout and access configuration are illustrated on the enclosed Concept Plan.

Principal to the requested variations / exceptions are the inappropriate access conditions on S Main St and Grace St frontages of the Subject Property, and the associated need to establish new access onto Walnut Ln through the Adjacent Property despite existing driveways in conflict with standard access application. S Main St and Grace St frontages are inappropriate for access due to their locations within the functional area of the intersection’s functional area, which presents significant safety hazards to any turning movements within.

Strict application of the applicable DCSM standards to the proposed access onto Walnut Ln is not feasible within the terms and conditions established by an agreement between JMU and the property owner of 16 W Grace. The agreement allows JMU to construct a parking lot with access through the Adjacent Property onto Walnut Ln, subject to the condition that existing property features and access serving 16 W Grace remain undisturbed. Specifically, the proposed improvements cannot require relocation or modification of the existing driveway or interfere with the use of the Adjacent Property. The Adjacent Property is a residential building in zone R-3. The requested variations/exceptions relate to the proposed entrance width and commercial entrance curb return radii.

1. Entrance Width

We request a variation/exception from Harrisonburg DCSM Section 3.10.2.4.1 to permit a 20-foot-wide entrance in lieu of the required 30-foot minimum width. The requested variation is necessitated by the limited frontage available along Walnut Ln and the location of existing site features that are required to remain, including the existing driveway serving the Adjacent Property. Providing a fully compliant 30-foot-wide entrance is impossible within the space allocated by the agreement. The proposed 20-foot entrance represents the minimum width necessary to provide 2-way vehicular access to and from Walnut Ln to the proposed parking area. The reduction in entrance width is anticipated to operate safely and efficiently given the relatively light traffic volumes it is designed to handle.

2. Commercial Entrance Curb Radii

We request a variation/exception from Harrisonburg DCSM Section 3.10.2.5.2 to permit an entrance curb radii of 8 feet in lieu of the required 12.5-foot minimum specified. The requested variation is again necessitated by the limited area available for the proposed entrance and the proximity of the existing entrance serving the Adjacent Property. The proposed 8-foot curb radii will allow for construction of the new entrance without impact to the neighboring parcel frontage to the north (TM 25 L 14 15). Given the relatively low volumes of traffic utilizing the entrance, and the fact that the lot is intended to only serve passenger vehicles (which require smaller turning radii than larger vehicles), the entrance as proposed is expected to operate safely and efficiently, while encouraging lower speeds.

Note that the northern side of the entrance is proposed to accommodate the minimum standard of a 12.5' radius, and that the exception is only requested on the southern side, where it abuts the existing entrance serving the Adjacent Property.

Collectively, the requested variations and exceptions are necessary to accommodate the physical constraints associated with establishing a new access connection from Walnut Ln while preserving the existing driveway serving the Adjacent Property in compliance with the access agreement between property owners. The requests are anticipated to serve the Project in a safe and efficient manner, while avoiding unsafe and impractical alternatives to access along either S Main St or Grace St.

For these reasons, we respectfully request approval of the requested variations and exceptions as depicted on the submitted plans. Thank you for your consideration of this request. We would be pleased to provide any additional information necessary to assist in the review of this application.

Sincerely,



Feidra Gjata
Project Engineer
Monteverde Engineering & Design Studio, PLC



ZONING INFORMATION:

ZONING:	R-3
FRONT SETBACK:	N/A
SIDE YARD:	N/A
REAR YARD:	N/A
PARKING BUFFER:	N/A

PARKING SUMMARY:

PARKING PROVIDED: 62 VEHICULAR SPACES

HEAVY DUTY ASPHALT

SCALE: 1" = 20'-0"

20 10 0 20 40

Monteverde
Engineering & Design Studio
250 E. Elizabeth St, Suite 114 • Harrisonburg, VA 22802
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SITE PLAN
GRACE & MAIN PARKING LOT

741 S MAIN ST, HARRISONBURG, VA 22801
LOCALITY, MAGISTERIAL DISTRICT

Revisions:

No.	Description	Date

PRELIMINARY ISSUE
NOT FOR CONSTRUCTION

SITE LAYOUT

Project number:	26XXXC
Date:	APRIL 21, 2026
Drawn by:	FG
Checked by:	SOR

C4.01

Legislation Text

File #: ID 26-400, **Version:** 1

Subject:
Presentation from the Department of Public Works on Safe Streets Harrisonburg Project
Presented By: Jakob zumFelde and Max Irwin, Public Works

CITY OF HARRISONBURG

November 12, 2026, Planning Commission Meeting

Title
Presentation on Safe Streets Harrisonburg – Jakob zumFelde and Max Irwin, Public Works

Summary
The Public Works Department will present an introduction to the Safe Streets Harrisonburg planning effort to the Planning Commission.

Context & Analysis
In 2024, City Council approved an application for grant funding through the U.S. Department of Transportation's (USDOT) Safe Streets and Roads for All (SS4A) program. The Public Works Department applied for a Planning Grant to create the City's first Transportation Safety Action Plan, and to update the Bicycle and Pedestrian Plan, create a Safe Routes to School Plan, and create a Complete Streets Design Guide. Following award of the grant by the Federal Highway Administration (FHWA), the RFP process was completed and the City selected the consulting firm Kimley-Horn. City staff have been working with Kimley-Horn staff, and their subconsultants, to kick off these planning efforts.

These efforts, now named "Safe Streets Harrisonburg", will establish goals and provide clear next steps for actions to be taken by the City, other governmental agencies, and private entities such as developers, to ensure equitable access to safe transportation options for people using all travel modes in the City. Public Works will present the key aspects of Safe Streets Harrisonburg, including a brief introduction to the Complete Streets Design Guide. City staff and the consultant team are completing a significant public engagement effort in the coming months to gather the thoughts, concerns, and desires of those who live, work and play in Harrisonburg.

A public open house will take place on November 17, 2026, from 4:30pm-7:00pm at the Lucy F. Simms Continuing Education Center, 620 Simms Avenue, Harrisonburg, VA.

Additional project information is available at: https://engagekh.mysocialpinpoint.com/safe-streets-hburg.

Legislation Text

File #: ID 26-401, **Version:** 1

Subject:
Consider amendments to the Planning Commission bylaws
Presented By: Thanh Dang, Department of Community Development

CITY OF HARRISONBURG

November 12, 2026, Planning Commission Meeting

Title
Consider adopting amendments to the Planning Commission Bylaws – Thanh Dang, Community Development

Recommendation
Option 1. Adopt amendments to the Planning Commission Bylaws as presented.

Context & Analysis
At the October 14, 2026 Planning Commission meeting, staff presented the following proposed amendments to the Planning Commission Bylaws:

- Within Article IV, currently, the Planning Commission appoints the secretary to the Commission. Historically, a member of city staff has served as secretary. The proposed amendments would give authority to the Director of Community Development to designate an employee of the City of Harrisonburg as secretary.
- Within Article X. Section 10-4, the proposed amendments reflect the current practice for public hearings.

Section 11-1 of the Bylaws states:

> These Bylaws may be amended by a majority vote of the entire membership after twenty-eight days prior notice to the Commission members.

Staff recommend adopting amendments to the Planning Commission Bylaws as presented.

Options
1. Adopt amendments to the Planning Commission Bylaws as presented.
2. Adopt amendments to the Planning Commission Bylaws with modifications.
3. Reject amendments to the Planning Commission Bylaws.

Attachments
- Current Planning Commission Bylaws Reflecting Recommended Amendments

CITY OF HARRISONBURG, VA

PLANNING COMMISSION BYLAWS

Amended ~~June 8, 2022~~ , 2026

Article I. *Authorization*

1-1. This P~~p~~lanning C~~c~~ommission is established in conformance with a resolution adopted by the City Council of Harrisonburg, Virginia on March 1,1938 and in accord with the provisions of Chapter 22, Title 15.2 of the Code of Virginia.

1-2. The official title of this body shall be the Harrisonburg Planning Commission, hereinafter referred to as the "Commission."

Article II. *Purpose*

2-1. The primary purpose of the Commission is to serve in an advisory capacity to the City Council, by preparing and recommending plans, ordinances, capital improvements programs, Comprehensive Plan updates, and other documents to the City Council for its consideration. The Commission may request input from the public to help in its advisory capacity.

Article III. *Membership*

3-1. The Commission shall consist of 7 members appointed by the City Council. All shall be residents of the City of Harrisonburg and qualified by knowledge and experience to make decisions on questions of growth and development. At least half of the members shall own real property in Harrisonburg. One member may be a member of the City Council and one member may be a member of the administrative branch of the Harrisonburg government.

3-2. The terms of office for the City Council member and the administrative member shall be coextensive with their terms of office, or until the City Council appoints their replacement. The terms of the other original members shall be for one, two, three, and four years. Subsequent members shall be appointed for terms of four years. The City Council, at its discretion, may establish different terms of office for initial and subsequent appointments including terms of office concurrent with those of the City Council.

3-3. Vacancies shall be filled by appointment made by the City Council.

3-4. Members of the Commission shall be eligible for reappointment for one term.

3-5. Members of the Commission may be removed by the City Council for malfeasance in office.

3-6. Terms of Commission members shall expire immediately before the beginning of the regular meeting at which their successors' terms of office begin.

3-7. The City Council may provide for the payment of expenses incurred by Commission members in the performance of their official duties and compensation for services.

3-8. Commission members shall attend the Virginia Certified Planning Commissioner Program, sponsored by Virginia Commonwealth University's Land Use Education Program, within one year of appointment to Planning Commission.

3-9. Commissioners are to use the American Planning Association's "Ethical Principles in Planning" document as a guide to ethical conduct and shall acknowledge a pledge to adhere to the ethical principles explained in the document at the beginning of each year.

Article IV. *Selection and Designation of Officers*

4-1. Officers of the Commission shall consist of a chair, vice-chair, and secretary.

~~4-1.~~4-2. The chair and vice-chair shall be elected by the membership. ~~The secretary shall serve at the request of the Commission and may be a member of the Commission, an employee of the City of Harrisonburg, or a citizen volunteer.~~

~~4-2.~~ Nomination of ~~officers~~chair and vice-chair shall be made from the floor at the January meeting each year. Election of ~~officers~~ chair and vice-chair shall follow immediately. A candidate receiving a majority vote of the entire membership shall be declared elected.

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4-3. Terms of chair and vice-chair ~~office~~ shall be for one year or until a successor takes office.

4-4. Vacancies for chair and vice-chair shall be filled for an unexpired term by a majority vote of the Commission.

4-5. The Director of Community Development shall designate an employee of the City of Harrisonburg as secretary.

Article V. *Duties of Officers*

5-1. The chair shall:

5-1.1. Preside at meetings.

5-1-2. Appoint committees.

5-1-3. Rule on procedural questions (subject to reversal by a two-thirds majority vote of the members present).

5-1-4. Report official communications at the next regular ~~c~~Commission meeting.

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5-1-5. Certify official documents involving the authority of the Commission.

5-1-6. Remain a voting member of the Commission.

5-1-7. Carry out other duties as assigned by the Commission.

5-2. The vice-chair shall:

5-2-1. Assume the full powers of the chair in the absence or inability of the chair to act.

5-3. The secretary shall:

5-3-1. Record attendance at all meetings.

5-3-2. Record the minutes of the Commission meetings.

5-4. The secretary or staff shall:

5-4-1. Notify members of all meetings.

5-4-2. Maintain a file of all official Commission records and reports.

5-4-3. Certify records and reports of the Commission.

5-4-4. Give notice and be responsible for publishing public notices of all Commission public hearings and public meetings.

5-4-5. Attend to the correspondence for the execution of the duties and functions of the Commission.

Article VI. *Committees*

6-1. Special committees may be appointed by the chair for purposes and terms approved by the Commission.

6-2. The chair shall be an ex-officio member of every committee.

Article VII. *Meetings*

7-1. Regular meetings of the Commission shall be held on the 2nd Wednesday, and the 3rd Tuesday, of each month at 6:00 P.M. However, the Commission can start the meeting at an alternate time so long as the proper public notices are made. When a meeting date falls on a legal holiday, or is cancelled due to inclement weather, the meeting shall be held on the subsequent regular meeting date unless the Commission selects an alternate day.

7-2. At the first regular meeting of each month, the Commission shall receive a summary of any new applications and determine whether any such applications shall be heard at the second regular meeting of the subsequent month. In the event that no application, program, or business is scheduled to be heard at the second regular meeting of any month, such meeting shall be deemed cancelled.

7-3. Special meetings may be called by the chair or by two members upon written request to the secretary or city staff. Staff shall give notice to all members, at least

five days before a special meeting, stating the time, place, and purpose of the meeting.

7-4. All meetings of the Commission shall be open to the public, except for those meetings which may be closed to the public under the provisions of the Virginia Freedom of Information Act, code of Virginia (1950), as amended, Section 2.1-340 through Section 2.1-346.1.

7.5 Participation in meetings through electronic communications.

a. Any Commissioner who is unable to attend a regular or special meeting in person due to (i) an emergency or a personal matter, or (ii) a temporary or permanent disability or other medical condition, may participate in the meeting through electronic communication from a remote location that may not be open to the public, subject to the following:
    i. A quorum of the Commission is physically assembled at the central meeting location.
    ii. The member notifies the chair on or before the day of the meeting that he or she is unable to attend (i) due to an emergency or personal matter identified with specificity, or (ii) due to a temporary or permanent disability or other medical condition that prevents the member's physical appearance. A member shall participate in a remote meeting due to an emergency or personal matter at no more than two meetings in each calendar year.
    iii. The Commission records in its minutes the (i) specific nature of the emergency or personal matter or the fact of the disability or medical condition, and (ii) the remote location from which the member is participating.
    iv. The Commission arranges for the voice of the absent member to be heard by all persons in attendance at the central meeting location.
b. The Commission by motion shall vote to approve or disapprove the member's electronic participation. If the absent member's remote participation is disapproved because such participation would violate the above, such disapproval shall be recorded in the minutes.

Article VIII. *Voting*

8-1. A majority of the members shall constitute a quorum.

8-2. No action of the Commission shall be valid unless authorized by a majority vote of those participating and voting.

Article IX. *Order of Business*

9-1. The order of business for a regular meeting shall include:

1. Call To Order
2. Roll Call/Determination of Quorum
3. Approval of Minutes
4. New Business –Public Hearings
5. New Business – Other Items
6. Unfinished Business
7. Public Comment
8. Report of Secretary and Committees
9. Other Matters
10. Adjournment

9-2. Parliamentary procedure in Commission meetings shall be guided by the latest edition of Robert's Rules of Order as necessary.

9-3. The Commission shall keep minutes of each meeting, and these minutes shall become a public record.

9-4. When appropriate the Chair will ask for any disclosures or recusals from Commissioners.

Article X. *Public Hearings*

10-1. In addition to those required by law, the Commission may hold public hearings on any matter, which it deems to be in the public interest.

10-2. Notice of public hearing shall be advertised as required by Section 15.2-2204 of the Code of Virginia.

10-3. Cases shall be heard in the order, in which they appear on the agenda, except a case may be advanced for hearing by order of the Commission upon good cause shown.

10-4. At the hearing, the order shall be as follows:

10-4.1.Presentation of case and explanation and/or report by staff.

~~10-4.2. Open public hearing~~

10-4.2.Statement of applicant

10-4.3.Open public hearing

10-4.4.Statements of other persons in favor, opposed, or otherwise

~~10-4.4.~~10-4.5.Close public hearing

~~10-4.5.~~10-4.6. Questions from the Commission, and a~~A~~pplicant and/or staff's response and clarification

~~10-4.6. Close public hearing~~

10-5. The Chair may prescribe a reasonable time limit for each side to present its case. To maintain orderly procedure, each side shall proceed without interruption by the other. Cross-examination will not be permitted, but questions may be directed to the Chair who may allow limited questioning. The name and address of each person speaking shall be requested and the response shall be recorded in the minutes.

Article XI. *Amendments*

11-1. These Bylaws may be amended by a majority vote of the entire membership after twenty-eight days prior notice to the Commission members.

Adopted December 15, 1993
Amended February 14, 2001
Amended January 12, 2005
Amended May 9, 2018
Amended August 11, 2021
Amended June 8, 2022
Amended _____, 2026

Legislation Text

File #: ID 26-402, **Version:** 1

Subject:
Update on Zoning Ordinance Update Project
Presented By: Thanh Dang, Department of Community Development and Wesley Russ, City Attorney's Office