



STAFF REPORT
INFORMATION ITEM

Item # 14a

SUBJECT: Zoning District Use Changes Amendment

DATE OF MEETING: October 13, 2015

STAFF CONTACT: Daniel Galindo, AICP – Senior Planner;
Patrick Sullivan, AICP CED – Director of Community
Development

SUMMARY and RECOMMENDATIONS:

The Planning Commission has concluded a three and a half (3 ½) year effort to review the lists of permitted uses and uses permitted by special use permit in every zoning district within the Purcellville Zoning Ordinance, and a zoning text amendment has been forwarded to Town Council with a recommendation of approval. Staff has prepared a number of documents to assist the Council’s review of this amendment, and Council will discuss this item on October 13 prior to holding a public hearing on October 27. If Town Council requires additional information on any portion of this item prior to the public hearing or future action on the amendment, these requests should be made during the October 13 discussion.

BACKGROUND:

Since February 2012, the Planning Commission has been reviewing the lists of permitted uses and uses permitted by special use permit (SUPs) in every zoning district within the Purcellville Zoning Ordinance. This review resulted in a draft zoning text amendment which has been refined in response to the feedback received over the course of three (3) public input sessions held on July 7-9, an external legal review, and a public hearing before the Planning Commission on September 3 and 10. On September 17, the Planning Commission voted to forward the proposed zoning text amendment to the Town Council with a recommendation of approval (Attachment 1). Please see the staff reports dated August 28 and September 15, 2015 at <http://purcellvilleva.gov/index.aspx?NID=688> for more information on the history of this project and the changes the Planning Commission made to the amendment throughout this process. In addition to the changes detailed in those two

reports, the Planning Commission made five (5) changes to the amendment at its September 17 meeting:

1. The use table was modified to list *Funeral Home* as a permitted use in the C-1, MC and C-4 districts which matches the existing ordinance;
2. “Storm sewer” was deleted from the definition of *Public Utility*;
3. “Potable water wells” were added to the definition of *Minor Public Utility*;
4. The use table was modified to list *Church or Other Place of Worship* as a SUP in the R-2 district to correct the use being deleted in 2013; and
5. “Permitted” was replaced with “allowed” when describing SUPs to better differentiate the ordinance’s permitted use language and the language dealing with SUPs.

In an attempt to address Town Council’s initial requests for more information, staff has provided four (4) documents with this report to assist Council’s review of the lengthy zoning text amendment:

1. The *Existing Uses Matrix* (Attachment 2) consists of a single table containing a verbatim listing of all 315 uses enumerated in the existing zoning ordinance.
2. The *Proposed Uses Matrix* (Attachment 3) reformats the use table found on pages 5-10 of the amendment by placing it on larger pages and removing the column detailing the location of use standards.
3. The *Existing Uses and Corresponding Proposed Uses* document (Attachment 4) translates existing uses terminology into proposed uses terminology and vice versa. Using this document in conjunction with the aforementioned matrices will help Councilmembers and citizens determine: 1) if a particular use remains allowed within a district under the proposed amendment, 2) if a use has been deleted, 3) if a use is being added, and/or 4) how a use is or would be allowed (i.e. permitted by-right, requires a SUP, etc.).
4. Finally, the *Status of Established Uses Potentially Affected by the Proposed Zoning Amendment* document (Attachment 5) summarizes how existing businesses and uses within Purcellville would have been affected by the regulations contained within the draft amendment at the time of the Planning Commission’s public hearing and how they would be affected by the regulations of the current amendment recommended by the Planning Commission. Community Development staff developed this document by comparing every business licensed by the Town with the use table and use standards proposed for Article 4, Section 1 (see pages 5-26 of the proposed amendment) and also conducting a windshield survey for unlicensed uses such as churches and residential dwellings.

ISSUES:

This has been a complex, multi-year project that has resulted in a recommended amendment that covers 155 pages, and staff has attempted to provide the information necessary for Council to determine how the proposed amendment would change the ordinance and affect current businesses and property owners. Despite staff's efforts, Town Council may have additional questions that have not been addressed by this report, the attached materials, or the materials previously prepared for the Planning Commission that have been posted to the Town's website (<http://purcellvilleva.gov/index.aspx?NID=688>). If so, requests for additional information on specific portions of the amendment should be made during Council's October 13 discussion.

ATTACHMENTS:

1. Draft Zoning Text Amendment Recommended by the Planning Commission
2. Existing Uses Matrix
3. Proposed Uses Matrix
4. Existing Uses and Corresponding Proposed Uses
5. Status of Established Uses Potentially Affected by the Proposed Zoning Amendment