



STAFF REPORT
ACTION ITEM

Item # 12b

SUBJECT: Zoning District Use Changes Amendment

DATE OF MEETING: December 8, 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 (SUP) in every zoning district within the Purcellville Zoning Ordinance, and on September 17, the Commission voted to forward a proposed zoning text amendment to Town Council with a recommendation of approval. Council initially discussed the amendment on October 13 and conducted a public hearing on October 27. Council held a detailed discussion of the amendment on November 10 and directed staff to make specific modifications to the amendment. These modifications have been incorporated into the attached Ordinance No. 15-11-01.

BACKGROUND:

Over the past two months, Town Council has reviewed a zoning text amendment prepared by the Planning Commission. The history of this project and the changes the Planning Commission made to the amendment throughout this process are detailed in the following documents:

- August 28, 2015 Staff Report to the Planning Commission
- September 15, 2015 Staff Report to the Planning Commission
- October 13, 2015 Staff Report to Town Council
- November 10, 2015 Staff Report to Town Council

At Town Council's November 10 meeting, Council approved a motion directing staff to modify the amendment as noted in the following table:

Direction to Staff	Change to Ordinance No. 15-11-01
1. <i>Bus Shelters</i> will be SUP in the residential districts.	"P" changed to "SUP" in the R-2, R-3, R-3A, R-8, R-15 and RT columns of the <i>Bus shelter</i> row in the Use Table.
2. <i>Mini-storage Facility</i> will be permitted in the CM-1 and M-1 districts.	<i>Mini-storage facility</i> row added to the Use Table with a "P" placed in the CM-1 and M-1 columns; & Since the use was added as an allowable use, staff also added a line to the definition permitting specific accessory uses which are already in existence at our two facilities (see lines 5247-5249).
3. Delete the <i>Commercial Uses of Greater Than 10,000 Square Feet</i> use.	<i>Commercial uses of greater than 10,000 square feet</i> row deleted from the Use Table; & Proposed definition for <i>Commercial uses of greater than 10,000 square feet</i> and existing definition for <i>Commercial use</i> deleted (see lines 4856-4863).
4. Change <i>Construction/Landscaping Equipment and Supply Sales and Service, Convenience Store, Farm Equipment and Supply Sales and Service, Retail Food Processing, Personal Services Establishment, and General Retail Sales</i> to "P/SUP" in the MC district.	"P" changed to "P/SUP" in the MC column of these six rows in the Use Table.
5. Add a use standard for the six uses listed in #4 requiring a SUP when these uses are located in the MC district and have a gross floor area larger than 10,000 square feet.	"In the MC district, a special use permit is required when such use has a gross floor area of greater than 10,000 square feet" added as a standard for these six uses (see lines 278-279, 293-294, 556-557, 565-566, 639-640 and 647-648).
6. Remove the word "primary" from the definition of <i>Vehicle Sales and Service</i> .	"Primary" deleted (see line 5635 – previously the second word of the line).
7. Change the definition of <i>Temporary Food Truck/Trailer</i> to make it an accessory use and limit it to 156 total days per year.	Definition changed as directed (see lines 5595-6).

Direction to Staff	Change to Ordinance No. 15-11-01
8. Change <i>Indoor Firing Range</i> to a SUP in the M-1 district.	“P” changed to “SUP” in the M-1 column of the <i>Firing range, indoor</i> row of the Use Table.
9. Remove <i>Amphitheater</i> as an allowed use in the MC and C-4 districts.	“SUP” deleted from the MC and C-4 columns of the <i>Amphitheater</i> row of the Use Table.
10. Change <i>Car Wash</i> to a SUP in all current districts.	“P” changed to “SUP” in the MC, CM-1, and M-1 columns of the <i>Car wash</i> row of the Use Table.
11. Remove all size restrictions for uses in C-4.	“SUP” changed to “P” in the C-4 column of the <i>Eating establishment - greater than 6,000 square feet, Recreation facility, commercial indoor - greater than 10,000 square feet, and Recreation facility, commercial outdoor - greater than 20,000 square feet</i> rows of the Use Table

ISSUES:

This has been a multi-year project that has resulted in a complex amendment covering 158 pages which is now listed for action; therefore, motions are provided below. Should Council desire to implement any further modifications to Ordinance No. 15-11-01 prior to its adoption, staff continues to *strongly* recommend that a motion to make such modifications be in the form of directing staff to bring a revised ordinance back to a subsequent Council meeting for final adoption. This is requested due to the complexity of the lengthy ordinance; staff would prefer to ensure any modification is properly reflected throughout the entire document. Only the most simple and clearly stated changes, such as those contained in the November 10 motion, would not likely require a comprehensive review of the ordinance by staff.

BUDGET IMPACT:

There is no budget impact with this item.

MOTIONS:

1. Approval – Recommended by the Planning Commission

I move that the Purcellville Town Council adopt Ordinance No. 15-11-01, as set forth in the Staff Report, ordaining text amendments to Articles 2, 4, 6, 8, 9, 11, and 15 of the Zoning Ordinance, for the reasons stated therein.

-OR-

2. Approval with Modifications

I move that the Purcellville Town Council adopt Ordinance No. 15-11-01 ordaining text amendments to Articles 2, 4, 6, 8, 9, 11, and 15 of the Zoning Ordinance, for the reasons stated therein, with the following changes:

1. _____
2. _____
3. _____, and
4. to make any additional changes that are necessary to properly implement Council's directed changes.

-OR-

3. Direct Staff to Modify Ordinance

I move that the Purcellville Town Council direct staff to modify Ordinance No. 15-11-01 in the following ways:

1. _____
2. _____
3. _____, and
4. to make any additional changes that are necessary to properly implement Council's directed changes.

I further move that the revised Ordinance No. 15-11-01 shall be brought back before Town Council at its January 12, 2016 meeting for further consideration.

-OR-

4. Delay Action Until Completion of the Comprehensive Plan Review – Requested by Mayor Fraser

I move that the Purcellville Town Council take no action on Ordinance No. 15-11-01 at this time and direct staff to bring this ordinance back to Town Council for further consideration after the review of the comprehensive plan is completed.

-OR-

5. Disapproval

I move that the Purcellville Town Council not approve Ordinance No. 15-11-01 for the following reasons:

1. _____
2. _____
3. _____

ATTACHMENTS:

1. Ordinance 15-11-01