

CITY OF WAYNESBORO PLANNING COMMISSION

Regular Meeting, Tuesday, September 22, 2020

7:00 pm

Virtual Meeting, Zoom

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PLANNING COMMISSIONERS

Shannon Boyle
Chair

Stephen Arey
Vice-chair

Michael Gibson

Noelle Owen

Sarah Severs

W. Lowrie Tucker

Council Rep: Bobby
Henderson

■ ■ ■

FUTURE SCHEDULED MEETINGS:

City Council
Business Meeting
Monday, September 28, 2020
7:00 pm

Planning Commission
Regular Meeting/
Public Hearing
Tuesday, October 20, 2020
7:00 pm

AGENDA

1. Call to order.
2. Adoption of agenda.
3. Review and approval of minutes of meeting held August 18, 2020.
4. Public comment period for items not on the agenda.
5. Public hearing on amending City Code chapter 98 (Zoning Ordinance) to add a new zone, tentatively designated the "I-R (Industrial Revitalization) zone."
6. Discussion on what areas to rezone I-R (Industrial Revitalization).
7. Other Business/Commissioners' Correspondence and Communication.
8. Adjournment.

Thank you for attending. Citizen comments are invited and welcomed during the meeting's citizen comment period. For those with special needs, please contact the Planning Department at 942-6604 for any accommodations required at least 3 days prior to the meeting you wish to attend. Assistive listening devices available.

allowed by conditional use permit. Use standards will be added for vehicle sales and services, manufacturing uses, and industrial uses.

As for parking, the initial thought proposed by Mr. Juday is to have a 50% parking reduction for parking of 4 or more spaces. Some discussion was had about how this would affect different uses.

7. **Other Business/Commissioners' Correspondence and Communication:**

Mr. Henderson mentioned that City Council will be held in person on August 24th. Some discussion was had about whether the next Planning Commission meeting should be virtual or in person, and the consensus was to continue meeting virtually.

8. **Adjournment:**

Mr. Gibson moved, Ms. Severs seconded, and the meeting was adjourned.

Meeting adjourned at 8:00 pm.

Luke J. Juday, Clerk



**CITY OF WAYNESBORO, VIRGINIA
STAFF REPORT
ZONING TEXT AMENDMENT
ZTA 20-002
September 22, 2020**

SUMMARY SHEET

<i>Applicant:</i>	Staff requests Planning Commission initiate this text amendment
<i>Affected Properties</i>	These provisions create a new zone, but do not assign any properties to it. These changes will not affect any properties until properties are rezoned to the new designation.
<i>Action Requested:</i>	Amend Chapter 98, Article 4, Zoning Ordinance of the City of Waynesboro
<i>Authorizing City Code Section(s):</i>	Section 7.3.2.B (Initiation of a Zoning Text Amendment)
<i>Attachments:</i>	1. Proposed Ordinance
<i>Summary Recommendations:</i>	City staff recommends Planning Commission initiate the attached text amendment.

1. Nature of Request

The proposed ordinance would create a new zone in the City’s zoning classification system. This zone has been tentatively termed the “I-R Industrial Revitalization” zone, but the name can be altered to one that Planning Commission feels better reflects its character.

The new zone’s purpose is spelled out in the zone description, proposed as an addition to Section 98.2.6.2:

“The I-R district is established to provide greater flexibility in areas of the City with 1) housing in close proximity to legacy industrial and commercial structures, and 2) a historic urban subdivision pattern with gridded infrastructure, small lots, and abundant on-street shared parking. It allows for a range of residential and commercial uses, as well as industrial uses with additional use standards. The I-R zone’s permitted uses and use standards are meant to encourage business activity and redevelopment while ensuring reasonably quiet enjoyment of residential property. The zone provides only moderate protection from aesthetic concerns or intense daytime activity. As such, the I-R zone should be used in areas where the existing mix of structures and uses suggest an expectation of vibrancy and activity levels similar to a commercial or industrial area. The I-R zone is not intended for use in new subdivisions.”

2. Background

This change was prompted by discussions with property owners and residents in the Commerce Avenue corridor. Currently, the City's Land Use Map designates this area as "Mixed Use D," a vague designation calling for a range of residential, civic, and low-intensity commercial uses. Most of the area is zoned L-B, with a smattering of Light Industrial and other zones. However, the area is underdeveloped and struggles with high vacancy rates. The market for small retail uses is limited to begin with and there is significant competition from other nearby corridors, especially East Main Street. Additionally, the widening of Delphine Avenue has drawn traffic away from Commerce Avenue, making it less useful for commercial retail. Commerce Avenue is also a "single-loaded" street, with frontage on only one side and a railroad track on the other. This was an attractive situation for business when rail passengers were disembarking, but in the modern era, this makes it difficult for pedestrian-oriented retail areas to build up a sufficient density of activity.

Several public input meetings were held throughout 2019 and a survey was sent to property owners in the blocks between Commerce Avenue and Delphine Avenue.

Meetings:

In January 2019 a "Lower Basic Neighborhood Meeting" was held to discuss identity and boundaries of the Basic City area, as well as a discussion on what neighbors would like to see from the City. In July 2019, the Planning Commission received public input on future neighborhood infrastructure projects for the west Basic City area that CDBG funding could be used for. The Planning Commission decided to pursue a land use amendment in the area, and from October 2019 to August 2020 various Planning Commission meetings were held discussing different rezoning options. In an earlier meeting, several citizens voiced a desire to have the Commerce Avenue area have nice restaurants and unique shops. The current zoning is not preventing those from coming in; instead, zoning is restricting the "bottom tier" requests such as landscaping yard, self-storage units, garage for vehicles, and manufacturing production for items such as artisanal blacksmithing. After several meetings, it was decided that the best option for the area would be to create a new zone.

Property Owner Survey:

The Planning Department sent out 71 surveys, yielding 17 responses. The majority of respondents owned commercial or rental property in the area, or owned their own home. Most had lived or owned property in the area for more than 5 years. Some concerns expressed by respondents about the neighborhood were: noise from Delphine and trains, crime and drugs, low maintenance of properties, lack of business, safety, etc. Most respondents were split between saying they would like there to be more business in the neighborhood so that there are more jobs and places to shop, and saying they would like property owners to be able to build either residences or business freely depending on what the market demands. Most respondents support a business wanting to fix up and move into a vacant building on the block, agreeing that something is better than nothing. In general, respondents were more receptive to a new house, a small service business, or an artisan studio being built/started on the same block as them, and were not receptive of a used car dealership, an equipment yard, or self-storage units.

In subsequent discussions, the Planning Commission opted for a balanced approach, with a new zone that would better reflect the priorities of residents in this area and provide a more realistic path for redevelopment.

3. Approval Criteria

In evaluating any proposed zoning text amendment, Section 7.3.8 of the Zoning Ordinance requires the Planning Commission and the City Council to consider the following six criteria (provided in italic below).

- A. *Whether such amendment is consistent with good zoning practice;*
- B. *Public necessity, convenience, and general welfare to the extent such factors are pertinent to the subject matter of the amendment;*
- C. *The extent to which the proposed text amendment is consistent with the Comprehensive Plan and the remainder of this Chapter, including, specifically, the purpose and intent statements of Section 1.5;*
- D. *The extent to which the proposed text amendment represents a new idea not considered in the existing ordinance, or represents a revision necessitated by changing circumstances over time;*
- E. *Whether or not the proposed text amendment corrects an error in the chapter; and*
- F. *Whether or not the proposed text amendment revises the chapter to comply with State or Federal statutes or case law.*

4. Analysis

The dominant catch-all zones in areas that would benefit from the I-R zone are L-B (Local Business) and L-I (Light Industrial). Rezoning requests from L-B to L-I and vice versa are common. Unfortunately, neither of these zones adequately addresses the needs of certain areas.

The physical conditions and existing structures in the Commerce Avenue and Ohio Street areas suggest that other uses not allowed in the L-B district might be appropriate. Situated between a large railroad right of way and a 5-lane arterial road, these blocks do not seem ideal for development of only low-density residences and small shops. Several prospects desirable to property owners and the City have considered moving to the area but have been limited by the L-B zoning, including low-impact manufacturing uses.

Conversely, a number of properties remain that are zoned L-I Light Industrial. This zone does not allow housing, even though there are often houses immediately adjacent to the L-I properties, and does allow many uses incompatible with a residential area. The mix of uses has existed for a long time, suggesting that the market has already built in the assumption of adjacent industrial activity. But it may be a limiting factor on these properties improving. Additionally, when Light Industrial parcels are abandoned and reused, it is possible that new uses will be even more incompatible with neighboring residences.

For all these reasons, staff and Planning Commission developed a new zoning designation that would be appropriate for these areas. This zone has three major objectives:

1. Bring into conformance the many nonconforming homes and businesses so that zoning is not a barrier to future financing and redevelopment.
2. Open up the use table to allow numerous residential, commercial, and industrial uses that could bring value to the neighborhood, recognizing that residents in this area already expect to have a mix of uses nearby.

3. Restrict noxious industrial and commercial uses that might interfere with the quiet enjoyment of the abundant residential property in the area. Also restrict uses that do not bring additional activity to this area.

An additional barrier to redevelopment in this area is the parking requirement. The I-R zone is intended for use in areas with a historic gridded subdivision pattern. This pattern creates abundant opportunities for on-street and shared parking, while prioritizing pedestrian accessibility and density. The historic structures in the area are all built in ways that preclude the easy provision of private parking.

Recognizing that the parking standards of the City's ordinance are based on a suburban situation where there is no shared parking and all customers and residents are driving, the I-R zone reduces this requirement to allow for easy redevelopment of small buildings. It reduces the likelihood that more historic structures will be torn down to provide the required parking for businesses that do locate in these areas.

5. Recommendations

The City staff recommends approval of the ordinance as attached.

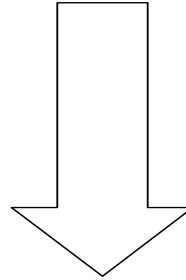
Cc: D. James Shaw II, Deputy City Manager
Laura Martin, Zoning Administrator
Tony Smith, Infrastructure Engineer
George Fitzgerald, Deputy Fire Marshal

2.1 GENERAL DISTRICTS ESTABLISHED

A. The following general zoning districts are hereby established:

Residential Districts	
RS-12	Single-family Residential-12
RS-7	Single-family Residential-7
RS-5	Traditional Residential-5
RG-5	General Residential-5
R-MX	Mixed Residential
R-MF	Multifamily Residential
Nonresidential Districts	
R-O	Residential Office
L-B	Local Business
H-B	Highway Business
I-R	Industrial Revitalization
C-B	Central Business
L-I	Light Industrial
H-I	Heavy Industrial

**DISTRICT
HIERARCHY
(MOST RESTRICTIVE
TO LEAST
RESTRICTIVE)**



2.6.3 Nonresidential Development Standards (In Nonresidential Districts)

Nonresidential Development In Nonresidential Districts							
Area and Dimensional Standards	R-O	L-B	H-B	I-R	C-B	L-I	H-I
Site Area, Minimum							
Site area (square feet)	6,000	6,000	8,000	3,000	N/A	20,000	20,000
Site width (feet)	50	50	60	25	N/A	100	100
Yards							
Front, minimum (feet)	20	10	20	0	0	20	25
Front, maximum (feet)	55	55	N/A	10	0	N/A	N/A
Side, minimum street (feet)	10	20	25	0	0	25	25
Side, minimum interior (feet)	5	5	0	0	0	5	0
<i>abutting residential district</i>	20	9	25	5	30	30	30
Rear (feet)	10	10	25	0	0	10	10
<i>abutting residential district</i>	20	20	30	20	20	40	40
Build-to line, mandatory (percent)	N/A	N/A	N/A	N/A	70%	N/A	N/A
Bulk							
Height, minimum (feet)	N/A	N/A	N/A	N/A	25 ^[1]	N/A	N/A
Height, maximum (feet)	35	35	50 ^[2]	35	100 ^[2]	100	100
Impervious area, maximum (percent)	50%	75%	85%	85%	100%	85%	85%

Use Table (2.4):

USE CATEGORIES	USE TYPES	RS-12	RS-7	RS-5	RG-5	R-MX	R-MF	R-O	L-B	H-B	I-R	C-B	L-I	H-I	USE STANDARD
RESIDENTIAL USES (SEE ERROR! REFERENCE SOURCE NOT															
Household living	Single-family detached	P	P	P	P	P	P	P	P		P				
	Single-family attached				P	C	P	P	P		P				
	Two-family houses (duplex)				P	C	P	P	P		P				
	Corner lot duplexes			P	P	P	P	P	P		P				Error! Reference source not found.
	Multiplexes				P	P	P	P	C	C	P	C			Error! Reference source not found.
	Multifamily building					P	P		C	C	C	C			
	Zero lot line houses				P	P	P	P	C	C	P	C			Error! Reference source not found.
	Townhouses				P	P	P	C	C	C	P	C			Error! Reference source not found.
	Upper-story residential				P	P	P	P	P	P	P	P	C		Error!
	Manufactured homes	C	C	C	C	C	C		C		C				Error!
	Manufactured home parks or subdivisions				C				C						Error! Reference source not found.
Group living	Boarding or rooming houses				P	P	P	P		P	P				Error!
	Assisted or congregate living					P	P	C	C	P	P				
	Dormitories					P	P								
	Group homes/other (8 persons or fewer)	P	P	P	P	P	P	P		P	P				Error! Reference source not found.
	Group homes/seniors					P	P	P		P	P	C			Error!
	Nursing or convalescent home					P	P	C	C	P	P	C			
PUBLIC AND CIVIC USES (SEE ERROR! REFERENCE SOURCE															
Community service	Civic clubs or community centers	C	C	C	C	C	C		P	P	P	P	C		Error!
	Libraries or museums	C	C	C	C	C	C		P	P	P	P	C		Error!
Day care	All day care			C	C	C	C	C	P	P	C	C	C		Error! Reference source not found.

USE CATEGORIES	USE TYPES	RS-12	RS-7	RS-5	RG-5	R-MX	R-MF	R-O	L-B	H-B	I-R	C-B	L-I	H-I	USE STANDARD
Educational facilities	Schools, elementary or secondary	P	P	P	P	P	P				P				Error! Reference source not found.
	Military academies				P	P	P			P	P	P			
Government facilities	Government offices			P	P	P	P	P	P	P	P	P	P	P	
	Post offices					C	C		P	P	P	P	P		
	Public safety facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	
Medical facilities	Hospitals								C	P	P		P		
	Medical or dental clinics							P	P	P	P	P	P		
Parks and open space	Cemeteries and mausoleums	C	C			C	C								
	Golf courses or clubs	P	P	P	P										Error!
	Parks or playgrounds	P	P	P	P	P	P	P	P	P	P	P	P	P	Error!
Passenger terminals and services	Airports													P	
	Heliports									P				P	
	All other passenger terminals and services									P		C	P		
Religious institution	All religious institutions	P	P	P	P	P	P	C	P	P	P	P	P		Error! Reference source not found.
Social service institutions	Alternative- or post-incarceration facility								P	P		P	P		
	Exclusive care and treatment for psychiatric, alcohol, or drug problems, where patients are residents (NAICS ¹ 62221, 6232)								P	P		P	P		
	Neighborhood resource center						C		P	P	C	P	P		
	Rehabilitative clinic								P	P		P	P		
	Social service facility, soup kitchen, transient lodging or shelter for the homeless (NAICS ¹ 624, 6242)					C	C	C			C		C		
	All other social service institutions								P	P	C	P	P		
Utilities, minor	All minor utilities	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utilities, major	Electric substations	C	C	C	C	C	C	C	C	C	C	C	C	C	
	Telecommunications towers and facilities	C	C	C	C	C	C	C	C	C	C	C	C	C	Error! Reference source not found.
	Utility offices, shops or yards					C	C				C		C	C	Error!
	Water/wastewater treatment plants												C	C	

¹ North American Industry Classification System (see <http://www.naics.com> for more information)

USE CATEGORIES	USE TYPES	RS-12	RS-7	RS-5	RG-5	R-MX	R-MF	R-O	L-B	H-B	I-R	C-B	L-I	H-I	USE STANDARD
COMMERCIAL USES (SEE ERROR! REFERENCE SOURCE NOT															
Eating establishments	Coffee shops					P	P		P	P	P	P	P		Error!
	Fast food								P	P	P	P	P		Error!
	Restaurants, limited					C	C	C	P	P	P	P	P		Error!
	Restaurant and bar								P	P	P	P			
Entertainment, indoor	Adult uses									C			P	P	Error!
	Bars or nightclubs								C	P	C	P	C		
	Bowling alleys								P	P	P	P			
	Firing ranges, indoor									P			P		
	Pool halls								C	P	C	P	P		
	Theaters, auditoriums or exhibition hall									P	P	P	P		
	Membership clubs or lodges								P	P	P	P	P		
Entertainment, outdoor	Arenas or stadiums									P		P	P		
	Driving ranges									P					
	Riding academy or boarding stable	C											P		
Offices	Bank or financial institution								P	P	P	P	P		
	Business and professional offices					P	P	P	P	P	P	P	P		
	Radio or television studio									P	P	P	P		
Overnight accommodations	Bed and breakfasts		C	C	P	P	P	P	P	P	P	P			Error!
	Hotels and motels									P	C	P			
	Inns							P	P	P	P	P			Error!
Parking, commercial	All commercial parking								P	P	P	P	P		
Retail sales and service, sales-oriented	Alcoholic beverage or liquor								C	P	C	P			
	Artist studios or galleries							P	P	P	P	P			Error!
	Building supply and lumber									P	P		P	P	
	Convenience stores with fuel service								C	P	C	C	P		
	Convenience stores without fuel service					P	P		P	P	P	P	P		
	Drug store with drive-through								C	P	C				
	Drug store without drive-through					P	P		P	P	P	P			
	Farmers market or farm stand								P	P	P				
	Flea market or auction								P	P	C				
	Florists, retail								P	P	P	P			
	Greenhouse or nursery									P	P		P		
	Grocery stores									P	P	P	P		
Manufactured home sales										C			P		

USE CATEGORIES	USE TYPES	RS-12	RS-7	RS-5	RG-5	R-MX	R-MF	R-O	L-B	H-B	I-R	C-B	L-I	H-I	USE STANDARD
Waste-related service	Recycling centers												P	P	
	Solid waste transfer or composting												P	P	
	Waste service													P	
	Wrecking or salvage yards												C	P	Error!
Wholesale trade	Sale or rental of machinery, equipment, heavy trucks									C	P		P	P	
	Lumber yard									C	C		P	P	
	Mail order house								P	P	P	P	P	P	
	Railroads and appurtenances, right-of- way and tracks	C	C	C	C	C	C	C	C	C	C	C	P	P	
	Retail sales of farm equipment and machinery and earth moving and heavy construction equipment									C	P		P	P	
Heavy industrial	Animal concentrations; animal processing, packing, treating and storage													P	
	All other heavy industrial													P	
OTHER USES (SEE ERROR! REFERENCE SOURCE NOT FOUND.)															
Agriculture	Agricultural crops, community gardens	P	P	P	P	P	P	P	P	P	P	P	P	P	
	All other agriculture	C													

Zone Description (2.6.2):

B. Industrial Redevelopment (I-R)

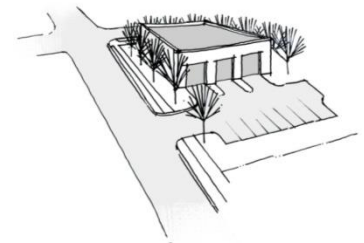
The I-R district is established to provide greater flexibility in areas of the City with 1) housing in close proximity to legacy industrial and commercial structures, and 2) a historic urban subdivision pattern with gridded infrastructure, small lots, and abundant on-street shared parking. It allows for a range of residential and commercial uses, as well as industrial uses with additional use standards. The I-R zone's permitted uses and use standards are meant to encourage business activity and redevelopment while ensuring reasonably quiet enjoyment of residential property. The zone provides only moderate protection from aesthetic concerns or intense daytime activity. As such, the I-R zone should be used in areas where the existing mix of structures and uses suggest an expectation of vibrancy and activity levels similar to a commercial or industrial area. The I-R zone is not intended for use in new subdivisions.

Use Standards

4.4.10 Vehicles Sales and Service

All service bay doors (openings) shall face away from adjacent thoroughfares, right-of-way and residential uses.

In the I-R (Industrial Redevelopment) zone, vehicle sales and service uses must meet the following standards:



- C. Vehicle sales and service uses may not operate between the hours of 8:00 PM and 8:00 AM.
- D. All vehicle service must be contained in a constructed building. All outdoor storage or display must be fully screened by a solid fence. Outdoor vehicle sales must be screened by a solid fence or class A landscape buffer.

4.5.4 Industrial Development in the I-R Industrial Redevelopment Zone

Manufacturing and other industrial uses in the I-R zone must meet the following additional standards:

- E. Industrial uses may not operate or receive deliveries between the hours of 8:00 PM and 7:00 AM.
- F. Industrial uses which generate noxious discharges are prohibited, including smoke or smell beyond that generated by a typical residence.
- G. Industrial uses involving manufacture of hazardous chemicals or discharge of hazardous byproducts into the soil or air are prohibited.
- H. All industrial activity and equipment storage must be contained in a constructed building. The Zoning Administrator may permit limited outdoor storage if fully screened from neighboring properties and public rights of way.

Parking:

5.1.3

E. Exception for I-R District

The requirements of this section shall not apply to properties in the I-R district if the number of off-street spaces required is less than 4.

If the number of spaces required is 4 or more, the requirements of this section **Error! Reference source not found.** shall be reduced by 50%.

5.6.6 Signs Requiring Permits

I. Maximum Aggregate Sign Area

Unless otherwise specified, the maximum allowable aggregate sign area per licensed business or nonresidential use in the respective districts, shall be as follows:

Maximum Aggregate Sign Area (SF)											
RS-12	RS-7	RS-5	R-MX	R-MF	R-O	L-B	H-B	I-R	C-B	L-I	H-I
1	1	6	6	6	6	32	120	32	32	120	120