

## MINUTES OF HARRISONBURG PLANNING COMMISSION

April 13, 2011

The Harrisonburg Planning Commission held its regular meeting on Wednesday, April 13, 2011, at 7:00 p.m. in the City Council Chambers, 409 South Main Street.

Members present: Charles Chenault, MuAwia Da'Mes, Judith Dilts, Deb Fitzgerald, and Bill Jones.

Members absent: Alan Finks and Henry Way.

Also present: Stacy Turner, Director of Planning and Community Development; Adam Fletcher, City Planner; Alison Banks, Planner and Secretary.

Chairman Jones called the meeting to order and determined there was a quorum with five of seven members in attendance. He then asked if there were any corrections, comments or a motion regarding the minutes from the March 9<sup>th</sup> Planning Commission meeting.

Mr. Chenault moved to approve the minutes from the March 9, 2011 Planning Commission meeting.

Mrs. Fitzgerald seconded the motion.

All voted in favor of approving the minutes. (5-0)

Chairman Jones said before we get started I would like to make a change in the agenda. We are going to move the *Harrisonburg – Rockingham Chamber of Commerce Vision 2020: A Community Vision* presentation ahead of the *2011 Comprehensive Plan* Public Hearing.

### New Business

#### ***Ordinance Amendment – Sub. Ord. Section 10-2-61 (Sidewalk Improvements)***

Chairman Jones read the request and asked staff to review.

Mr. Fletcher said staff is proposing to amend the City Code Section 10-2-61. This section of the Subdivision Ordinance outlines some of the minimum improvements required during the subdivision process. Specifically, Section 10-2-61 lists and describes improvements for grading, subgrading, curb and guttering, surfaces, and planting strips. The proposed amendment would add a subsection to help clarify, in particular situations, when sidewalk improvements are clearly required.

The regulation of when and what public dedications and improvements are required during development, redevelopment, and subdivision processes are clear for newly proposed public streets, but for property fronting existing City streets, the ordinance is often difficult to interpret. To be clear, the City defines a subdivision as *the division of a lot, tract or parcel of land into two (2) or more lots, tracts or parcels, any of which are less than five (5) acres in area for the purpose, whether immediate or future, of sale or of building development*. It further states *(1) the division of land for agricultural purposes not involving the establishment of a new street or access easement shall be exempt from these regulations, (2) industrial property shall be developed within the framework of this chapter, and (3) the term "subdivision" includes resubdivision and, when appropriate to the context, shall relate to the process of subdivision or to the land subdivided*. Beyond this, there are two types of subdivisions: minor and major. A minor subdivision is handled administratively and occurs *where a single lot or parcel of land, which consists of five (5) or less acres in gross area, is proposed to be divided into not more than four (4) lots, or where the lot lines of existing lots are proposed to be changed or vacated...provided that such division does not involve*

*any new public street, road or easement of access.* By definition, most minor subdivisions front an existing City street. If a division meets the definition of a “subdivision” but does not meet the definition of being a minor subdivision, it is a major subdivision and must be reviewed and approved by Planning Commission. Once approved, the property owner must final plat the property, which is handled administratively. All variances to these regulations, for both minor and major subdivisions, must be reviewed by Planning Commission and decided upon by City Council.

Taking into consideration the above definition and explanation, if a property owner simply wants to vacate a property line, which occurs frequently, the topic of public dedication and/or improvements becomes a matter of consideration. This is because the Subdivision Ordinance defines such an action as a “subdivision,” and if the street on which the parcel is located does not meet certain criteria, both for right-of-way width or regarding physical infrastructure, per the requirements of multiple sections of the same ordinance, the property owner may have to dedicate property and/or build street improvements including pavement, curb, gutter, sidewalk, storm sewer, and/or other enhancements. With that, staff does the best job it can in interpreting the ordinance, being objective and consistent, and enforcing Code intentions regarding public dedications and/or improvements.

It should be understood that subdivisions occur on a frequent basis, and often present unique situations and scenarios. As noted above, the only time subdivisions become a matter of debate and brought to the attention of Planning Commission and decided upon by City Council is when a variance is requested.

In recent discussions among City staff regarding subdivision requirements, it came to our attention that the State Code Section 15.2-2242, Optional Provisions of a Subdivision Ordinance, was revised in 2009 to equip localities with regulatory control in requiring sidewalk improvements in particular situations.

In utilizing the State Code Section 15.2-2242 (9), staff proposes the following language be added to the City’s Subdivision Ordinance Section 10-2-61 as subsection (f): *Sidewalks. Where a lot being subdivided fronts on an existing street, and adjacent property on either side has an existing sidewalk, the subdivider shall construct, and where necessary dedicate land for, sidewalk on the property being subdivided to connect to the existing sidewalk, even when no other street improvements are required.*

Staff believes adding this subsection will provide more clarity in determining appropriate dedications and improvements in the described situations and recommends in favor of the amendment.

Chairman Jones asked if there were any questions for staff. Hearing none, he opened the public hearing and asked if there was anyone wishing to speak in favor of the amendment. Hearing none, he asked if there was anyone wishing to speak in opposition of the amendment. Hearing none, he closed the public hearing and asked Planning Commission for comments or a motion.

Mr. Chenault said for a community that is trying to emphasis all forms of transportation, other than automobile transportation, I believe this is a good tool to be used in that regard. Therefore, I move that we recommend approval of the ordinance amendment.

Dr. Dilts seconded the motion.

Chairman Jones said there is a motion to recommend approval and a second. He then called for a voice vote.

All voted in favor (5-0) of the motion.

***Rezoning – 440 South Main Street Proffer Amendment***

Chairman Jones read the request and asked staff to review.

Mrs. Banks said the Comprehensive Plan designates this area as Professional. These areas are designated for professional service oriented uses with consideration to the character of the area. These uses are found in the residential areas along major thoroughfares and adjacent to the Central Business District.

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

- Site: Financial institution zoned B-2 Conditional
- North: Joshua Wilton House zoned B-2 Conditional
- East: Campbell Court Apartments zoned R-3
- South: Harrisonburg Elks Lodge zoned R-3
- West: Across South Main Street, Lindsey Funeral Home zoned R-3 and City of Harrisonburg Offices zoned B-1

The applicant is requesting to rezone their B-2C, General Business District Conditional property at 440 South Main Street by amending the existing proffers. Their main interest is to modify proffers regarding signage. The property is located along the eastern side of South Main Street, between Paul Street and Campbell Street.

In June 1991, the subject property was rezoned from R-3 to B-2C. The existing proffers limit the uses of the property as well as regulate building design and layout, signage, and landscaping. Below are the existing proffers, written verbatim:

I. ACTIVITIES AND USES

Upon being conditionally rezoned this property shall be limited for use for a financial institution and professional offices as defined in the City Code.

II. BUILDING

- A. Height – Two stories above ground.
- B. Location – Fronting on South Main Street.
- C. Access – From South Main Street only.
- D. Architecture - The architecture will be colonial and compatible with the adjoining properties. The exterior of the building will be primarily brick and wood. All mechanical equipment, such as heating and cooling, will be concealed by landscaping or fences.
- E. Signs – All signs will be consistent with the colonial architecture.

III. GROUNDS

- A. Parking – Paved parking spaces as required by the City Code located primarily on the eastern and southern sides of the building as shown on the preliminary site plan.
- B. Lighting – All exterior lighting will be directional and focused within the grounds and in keeping with the traditional colonial architecture.
- C. Maintenance – The grounds and shrubbery will be professionally maintained and kept free of trash and litter.
- D. Trees and Shrubbery – As many of the existing trees as possible will be maintained as permitted by the new construction. Shrubby will be planted as generally reflected on the preliminary site plan.

IV. SIGNAGE

- A. Although the B-2 Sign Regulation Ordinance allows a sign height of 35 feet, the sign height will not exceed 10 feet.

- B. Although the B-2 Sign Regulation Ordinance allows approximately 214 square feet of total face area on signage, the total signage face area will not exceed 125 square feet.
- C. Lighting signage will be by indirect illumination; i.e., the signage will not produce artificial light from within itself, but will be opaque and back lighted or illuminated by spotlights or floodlights that are not within the signage itself.
- D. The signage will be of traditional colonial architecture compatible with the architecture of the building as set forth in the original proposed conditions and compatible with the architecture of adjoining properties.

After the 1991 rezoning, the site was developed with a two-story, brick, colonial style building, which housed Black Diamond Bank, and met all of the proffered site development, landscaping, and sign requirements of their B-2C zoning. Since then, the use on the property has continued to be a financial institution.

Earlier this year, a representative of the bank discussed with City staff ideas for re-working the free standing sign along South Main Street. The existing sign structure is the original construction installed in April 1992 and has begun to deteriorate. The applicants would like to change the wooden, colonial structure, set atop a stone base, to a more modern looking, internally illuminated sign. The stone base would remain in place. Staff informed the applicants that the existing colonial style of the sign had been proffered in the 1991 rezoning, thus their desired sign would not be permitted. The bank then decided to amend the proffers as listed below.

I. ACTIVITIES AND USES

This property shall be limited to use for a financial institution and /or professional offices as defined in the City Code.

II. BUILDING

- A. Structure shall be two stories.
- B. Located – fronting on South Main Street.
- C. Access – from South Main Street only.
- D. Architecture is colonial constructed of brick and wood.

III. GROUNDS

- A. Parking – Paved parking spaces as required by the City Code are existing, and configured in compliance of requirements when originally constructed.
- B. Lighting – Existing lighting are directional focused on the parking area and immediate property to limit light “bleed over” onto adjacent properties.
- C. Maintenance – The grounds and shrubbery will be professionally maintained and kept free of trash and litter.
- D. Existing Trees – Maintaining the health of existing trees will be exhibited within reason. Damage due to snow/ice and other natural causes may constitute removal. This will be done only as last resort.

IV. SIGNAGE

- A. A free standing sign will be allowed that is visible from South Main Street. This sign will not exceed 10 feet in total height and 50 square feet. It will be allowed to be internally illuminated with energy efficient LED technology.
- B. A logo sign will be permitted above the front entrance on gable front. This sign shall not exceed 25 square feet and be allowed to be edge lit with energy efficient LED technology.
- C. Directional signage for customer parking and traffic control will be allowed. 4 additional small signs mounted on building surface not exceeding 2.5 square feet each with business hours and customer information will be allowed at the drive through window and by front and rear entrances into building.
- D. ATM will be allowed to have integral name brand logo sign internally lit by LED or fluorescent energy efficient technology. This sign will not exceed 3 square feet.

Staff has reviewed the new proffers and is comfortable with the proposed changes. The proffered use of a financial institution or professional offices remains the same, as do the basic requirements for the building, site layout and landscaping. The most evident proffer changes occur in the allowed signage. The applicant desires to remove the proffer regarding traditional colonial architectural

signs compatible with the architecture of the building; allowing them to install a new sign similar to their other locations. The new free standing sign shall not exceed 50 square feet in face area and 10 feet in height. The total sign face area allowed for the site has been reduced from 125 square feet to 88 square feet, and signs would now be allowed to be internally illuminated. Staff has discussed with the applicant that directional signage will be permitted; however, directional signs cannot contain the bank's logo. Staff feels the proposal is in keeping with the professional uses in the area and supports the proffer amendment request.

Chairman Jones asked if there were any questions for staff. Hearing none, he opened the public hearing and asked the applicant or the applicant's representative to speak.

Mr. Mike Jackson said he is the Facilities Manager for Union First Market Bank and he has brought several color photos of what type of sign the bank is proposing should any one wish to look at them. The monument sign we are proposing is the same design that we have at our 94 other bank locations throughout the state. We would appreciate a favorable consideration for this request so that we would not have one sign which looks different from all the others.

Mrs. Fitzgerald said she had a question for staff. Given the fact that banks change hands relatively frequently, if this institution was sold to another bank and the name and logo would be changed, would the same proffers exist, only it would not have to be the green and white of this bank?

Mrs. Banks replied that the proffers would remain the same, the applicants did not proffer a particular color or name; therefore, if the bank changed to something with blue and white colors it would be acceptable.

Chairman Jones asked if there was anyone else wishing to speak in favor of the proposal. Hearing none, he asked if there was anyone wishing to speak in opposition of the proposal. Hearing none, he closed the public hearing and asked for comments or a motion.

Mr. Da'Mes said I rather like the colonial look of the sign; however, branding is very important to a business. I move to recommend approval of the request with the new proffers as stated.

Mrs. Fitzgerald seconded the motion.

Chairman Jones called for a voice vote on the motion.

All voted in favor of the motion to recommend approval of the proffer amendment (5-0).

Chairman Jones said this item would move forward to City Council on May 10<sup>th</sup> with a favorable recommendation.

### ***Harrisonburg – Rockingham Chamber of Commerce Vision 2020: A Community Vision***

Chairman Jones read the agenda item and asked if there was anyone present from the Chamber of Commerce to speak.

Mr. Frank Tamberrino, President of the Chamber of Commerce, said the Chamber has actually been going around the County to discuss the Community Vision with each Town and now the City of Harrisonburg.

Vision 2020 is a community wide initiative to imagine and describe the community we aspire to become in the year 2020. We already have a good place to live; so, we are basically looking at maintaining what we have and making some improvements. We looked at what is a viable community and how do we get there collectively. With the vision process we held three large

meetings; the first being more or less educational. We had experts speak with us from a demographic standpoint and discussed growth of James Madison University to establish ideas that were just setting a tone for what we needed to look at. The two follow-up meetings were more of a workshop base meeting of community leaders. We then formed what we would call a vision statement: “A community of unparalleled quality of life, where natural beauty, friendly interdependent relationships and diverse cultural, economic and educational opportunities exist.” This is something that we all feel we have right now in our community and we want to preserve it. The real key to the vision process that we developed was coming up with what we called the cornerstones: Community Planning, Business Vitality and Entrepreneurship, World-Class Education and Workforce, and Community Leadership Development. Along with our four cornerstones we have our goals and strategies listed. The community that figures out the workforce of the future has a built-in advantage over everybody else.

This is a work in progress and what our charge is now is going throughout the community and speaking to all the players, primarily government entities and other civic groups. Basically, what we are asking for is endorsement, concurrence, blessing of, or commitment to working within these principals and working as a group, across political and geographical boundaries.

At this time I would be glad to answer any questions you may have.

Mrs. Fitzgerald commented that she agrees completely with the statement of whoever figures out the workforce of the future has a built-in advantage. I teach in the Community College System with the dual mission of transferring students over to the four year system and into the workforce. That comment is a key. As for the first cornerstone that you mentioned, Comprehensive Community Plan; it is rather ironic that you are presenting right before we, the City, pass through our own Comprehensive Plan. Did your group talk at all about the coordination of this type of comprehensive community planning?

Mr. Tamberrino replied when we started talking about the future and planning, a number of people within the organization said we needed a comprehensive plan. From a technical perspective, we were being told not to use that term, comprehensive plan; it is a technical term that lies within the responsibility of government bodies. Basically, what we are encouraging with this plan is everyone working together.

Mr. Da’Mes asked why keep the language “comprehensive plan” if that is considered a governmental term.

Mr. Tamberrino said the official term is Comprehensive Community Plan; with everyone working together planning for the future. We want to make certain everyone is going in the same direction in terms of education, workforce development, and life-long learning.

Mrs. Fitzgerald added supporting the linkages between the communities too.

Mr. Tamberrino said I am glad you brought that up. There had been some initiatives several years ago by the Shenandoah Valley Partnership and it really did not take off. Everyone agreed to work together; but then everyone had their own territory. We are hoping Vision 2020 is different.

Mr. Da’Mes said the work by the Shenandoah Valley Partnership did create some good initiatives for the community, including job coaches at many of the local high schools. Is Vision 2020 a nationwide program initiated by the Chamber? Or, why was the feeling that it was needed in Harrisonburg?

Mr. Tamberrino said no, this was not nationwide. There have been some vision processes in other localities that were in different situations than we are here. Areas that needed to turn circumstances around. Areas where the population was moving away and they needed to move upward. A vision was the impetus to move forward. From the perspective of local leaders it was not a feeling that we needed to make changes or improvements, but more laying out a roadmap of where we want to be.

Mr. Chenault said when this was before City Council, at first we endorsed it; but, then the thought occurred that perhaps this should be looked at by Planning Commission for review. One of the things that strike me as beneficial about this vision is that the Chamber, in a lot of ways, represents the business community. It is recognition by the business community that planning is important, relationships with other jurisdictions are important, and the value of diversity is important. I think what Council was looking for by sending this to Planning Commission was, hopefully, an endorsement by you, so that they could act upon it. Therefore, I move to recommend that Planning Commission endorse the Vision 2020 plan.

Mr. Da'Mes said what is the value of Planning Commission putting our stamp of approval on this plan? These goals are very general; what is the accountability factor if we endorse this plan?

Mr. Chenault said I guess I disagree. This is not an ordinance amendment; it is just an endorsement of a vision for Harrisonburg/Rockingham, and of goals that I certainly think are important. I congratulate the Chamber of Commerce for spending as much time and energy on this, as I know they have. I find many of these goals and statements to be very consistent with a general outline of what we plan and want for our community. Again, if endorsement is a bad word, we can just say "this is good."

Mr. Da'Mes said are we duplicating what we already say in our Comprehensive Plan? Are we giving special impetus to this plan versus another vision from another group? I do not see the benefit factor.

Mr. Tamberrino said this is a community wide effort – Harrisonburg and Rockingham County. We have a concurrent step going on with this which is the steering committee; we created the steering committee based on these four cornerstones. We have also questioned the accountability factor; we do not want to start something and not have some way to measure what we have accomplished.

Mrs. Fitzgerald said it is obvious that the devil is in the details when you get to implementing ideas, but, it is hard to argue with the general direction that you have set out here.

Dr. Dilts said I am a bit confused and perhaps you can further explain. Under Community Planning you have created a Shared and Unified Vision, but you already have a vision statement. You present your vision statement, but the cornerstone says you would create a vision statement.

Mr. Tamberrino said the vision statement is a very broad statement of how we all would feel about and envision the community in the next ten years. Whereas the Shared and Unified Vision gets more into the details of comprehensive plans, land use, transportation, and so forth.

Dr. Dilts replied you already have something that states your vision.

Mr. Tamberrino said you could view that as an overall vision statement and a sub-vision statement within the cornerstone. I see the first vision statement as the umbrella; whereas, the second statement is more of a sub-set in terms of planning.

Mr. Chenault said perhaps I could reword what I initiated originally to a more palatable characterization of this. Possibly recommend that we are supportive of the Chamber of

Commerce's Vision 2020. That is about as innocuous as I can make it. I am supportive of this vision, both as a private citizen and as a representative of this locality. It is applicable to the entities that the Chamber of Commerce represents, which is primarily the business community.

Mrs. Fitzgerald asked if this required a second.

Mr. Chenault replied I do not know that it does.

Chairman Jones said the direction that this vision is going is positive; however, the scope is so broad on some of these goals. I would like to see a little more description of some of them before I would put the word endorsement on the vision. Supportive I like much better.

Mr. Tamberrino said we can live with supportive. The whole idea of coming and speaking to Planning Commission and Council was to basically share the information that has been put out by the Chamber of Commerce.

Dr. Dilts suggested instead of calling it a vision, why not call it a mission; a mission never changes, it is the core values you hold. Then when you say one of the goals is to create a shared and unified vision it makes more sense.

Mr. Chenault questioned whether Planning Commission was supportive of the Vision 2020.

Chairman Jones asked for a voice vote on supporting the Vision 2020.

All voted to support the Harrisonburg – Rockingham Chamber of Commerce Vision 2020 document (5-0).

### ***2011 Comprehensive Plan***

Chairman Jones read the agenda item and asked staff to comment.

Mr. Fletcher said the State Code requires the Comprehensive Plan be reviewed every five years; this does not mean it has to be updated or amended, just reviewed. Planning Commission reviewed the Comprehensive Plan in 2009 and now, two years later, we are at this point. Here is a quick synopsis of what we did in those two years. In early 2009 this body reviewed the 2004 Comprehensive Plan and determined it was relevant; however, it did need to be updated. In the summer of 2009, City staff updated data and qualitative information in each chapter. During the fall and winter of 2009, as you may recall, Planning Commission held multiple work sessions. Spring of 2010 we held four public input sessions, where we had good public turnout and received lots of feedback. Then, in the summer and fall of 2010 we held more work sessions and updates of the information we received from the public; and reviewed each chapter. In the fall and winter of 2010 staff took all this information and updated chapters. If all goes well, and this body and City Council like what they see, hopefully, the Comprehensive Plan will be adopted and we can begin implementing it.

The organizational structure did not really change that much from the 2004 Plan. Planning Commission, after receiving public input and reviewing that information, decided to make the Education portion of the plan its own chapter. Therefore, you will see the Education chapter and a separate chapter for Arts, Culture, and Historic Resources. The biggest organizational and information change occurred in Chapter 12 and that update was recently given to you after finalization of some of the Public Works and Public Utilities information. There was a title change for Chapter 12 also; it is now titled: Community Infrastructure, Services, Safety, and Health.

Tonight, what I would like to speak on is the demographic information (Chapter 3), the land use recommendations (Chapter 5), some economic data and more housing information (Chapter 6), transportation (Chapter 12), and finally, the implementation strategies in the last chapter.

Mr. Fletcher reviewed population changes from 1960 to 2010, which includes the 2010 census data, as well as 2009 estimates from the American Community Survey. The biggest population change occurred between 1980 and 1990, which was the 1983 annexation; an increase in population of a little more than 11,000. We have projections out to 2020 and 2030 provided in the Comprehensive Plan; a population projection of almost 61,000 is shown for 2030. These graphs also reflect the make-up of the City's population broken down by age groups and sex; here you can see the large student population noted in the age group of 15-24 year olds. Another graph demonstrates household incomes for the City; again the largest bracket, 17%, shows an income of \$15,000 - \$24,000, another reflection of the student population. He then presented data regarding diversity statistics; a comparison between Harrisonburg, Rockingham County, and Virginia. Building permit housing data from the last decade was also shown. Mr. Fletcher said the most obvious change is reflected in 2007-2008 in the multi-family expansion of units. There is also a bit of growth for townhouse development; and a slight decrease for single-family dwellings in this time period.

Mr. Fletcher said this gets us to the changes in the Land Use Guide; probably the largest portion of our efforts and discussions came from changes in the Land Use Guide. At this time Mr. Fletcher reviewed proposed land use changes throughout the City in areas such as Erickson Avenue, Port Republic Road Corridor, Stone Spring Road Corridor, Old Furnace Road - Linda Lane - Country Club Area, Mt. Clinton Pike - North Liberty Street Areas, and Downtown Areas. He continued discussing changes by describing the suggested Urban Development Areas (UDAs). There are three sections proposed as UDAs: the Downtown UDA; the Quarry UDA; and the Port Republic/Stone Spring Roads UDA (these are all unofficial terms). As we discussed last month at our regular meeting, State Code requires a City to designate these areas appropriate for high density development. These areas should be near transportation facilities, public or community water and sewer systems and other developed areas. In these areas we are to promote redevelopment or infill development. These areas could sustain the projected residential and commercial growth for the next ten to twenty years. Generally, the existing zoning in all three UDAs exceeds the requirements; in many ways this legislation was created more for a county area.

This brings us back to our Land Use Guide and the land use percentage breakdown. What is somewhat confusing about this table (Table 5-5, Chapter 5), is we call it the Planned Land Use and obviously many of the areas are already developed. I only want to focus on two land uses, the Low Density Mixed Residential and the Medium Density Mixed Residential, because much of our undeveloped areas within the City fall into these two categories; this is best represented on the Planned Framework Map. The Low Density Mixed Residential is 9.85 percent of the property within the City and the Medium Density Mixed Residential is 4.94 percent of the land within the City.

Mr. Da'Mes interrupted to ask about the recommended strategy of maintaining 40 percent single-family housing and how do these figures fit into that percentage?

Mr. Fletcher replied that the Low Density Residential category shows 15 percent of the City is recommended towards the R-1 zoning classification; but you must remember that single-family, detached dwellings may also be built in R-2, R-3, R-4, R-6, and R-7. Therefore, it is difficult to draw a conclusion on what Table 5.5 means for that 40 percent. Low Density Mixed and Medium

Density Mixed could be argued that both are R-2/R-3 proffered zoning classifications as well as R-6 and R-7 where the City could strive for the 40 percent target.

Mr. Fletcher said this brings us to the transportation component within Chapter 11. We have combined two of the maps (Street Network and Traffic Signal) into one which makes it more comprehensive to the reader. The Street Improvement Map shows the planned improvement across the City and they are broken-up into four different sectors. At this time Mr. Fletcher reviewed some of the proposed changes such as intersection removals and exit ramp improvements for the Port Republic Road/Interstate 81 corridor. The map also shows street extensions onto undeveloped properties, such as in the Ashby Meadows area. Of course the detail of the design improvements has not been worked out, but, as development comes along we are at least drawing attention to developers that these areas need improvements.

Mr. Fletcher said the final items to discuss are the priority implementation strategies; the five year sub-plan things we may want to strive to achieve in the next five years. Strategy 1.6.1 is a land use strategy and it speaks to striving toward appropriate rezonings and appropriate text amendments. Strategy 3.2.2 is to limit rezonings that could lead to home conversions into rental units. Strategy 3.2.4 discusses a rental inspections program and to consider implementing such a program to help improve the safe and sanitary housing for those that may live in rental housing. Strategy 3.3.2 is a design provision to improve residential housing quality. Strategy 3.4.2 is another Land Use strategy to focus on single-family home development. Strategy 8.4.5 to consider street tree and landscaping improvements; we actually have a draft for this and may take it up at some point soon. Next 10.1.4 is a large strategy that is a Design and Construction Standards Manual strategy to focus on reducing traffic volumes, to accommodate all different modes of traffic, and interconnectivity. Strategy 10.2.1 is a Transportation strategy to accommodate all modes of traffic, including transit, bicycle, and pedestrian improvements. Strategy 10.6.1 is to promote mixed and walkable neighborhoods. 14.1.2 is an Economic Development strategy to promote and recruit new businesses. Strategy 15.1.1 is to support the initiatives of Harrisonburg Downtown Renaissance. Lastly, 15.3.1 is to prepare and work with neighborhoods to promote specific neighborhood plans for neighborhood conservation.

If you have questions we will certainly try to answer them, otherwise this is all I have at this time.

Chairman Jones asked if there were any questions. Hearing none, he opened the public hearing and asked if there was anyone wishing to speak in favor of the Comprehensive Plan draft. Hearing none, he asked if there was anyone wishing to speak in opposition of the draft.

Mr. Timothy Jost said I actually do not live within the City of Harrisonburg, I live in Rockingham County. I wanted to speak to a portion of the Comprehensive Plan that deals with Rockingham County; specifically, on page 11-5 of the Transportation chapter and the Street Improvement Plan recommendations with respect to the Northwest Connector, Mt. Clinton Pike, and Virginia Avenue. I am a resident of that area, as well as the Chairman of the Citizens Alliance for Preservation, which is a land use planning organization that claims to serve both Harrisonburg and Rockingham County. We have been very actively involved in the Rockingham County Comprehensive Plan and also various sub parts of their planning process, for example the North Valley Pike Study. We were formed around the opposition to the proposed "loop road" and we try to speak out whenever we see the "loop road" creeping back into planning documents. In this document it says the Northwest Connector would be a new limited access facility extending from Garbers Church Road at West Market and connecting to Interstate 81, exit 251, in Rockingham County. This is one of the

segments of the “loop road”. We believe that this route is unnecessary. Also, the widening of Mt. Clinton Pike to a three or four lane facility, all the way to the proposed Northwest Connector is unnecessary. I live in this area and maybe in forty years we will need this type of facility; but right now, I do not think there is any need for it. We are very concerned about the impact on the west side of the County, this is a prime agricultural area and we do not want to see a lot more traffic directed towards this area. I urge you to strike this recommendation from the Comprehensive Plan or leave it there as a very distant future plan. I do not think this recommendation should be pursued as an immediate goal for your planning process.

Mr. Chenault said I believe I can speak to this when I say it will be no time in the future. In fact, Mt. Clinton Pike and Chicago Avenue improvements are much further ahead than the Northwest Connector. We have so many other road needs in the City.

Mr. Jost said what we desperately need is a bike path and sidewalk along Mt. Clinton Pike.

Mr. Chenault replied actually, when we design new roads or improve existing roads, bicycle trails and sidewalks are included in the design. The City’s most immediate concern in this area is Chicago Avenue.

Chairman Jones asked if there was anyone else wishing to speak. Hearing none, he closed the public hearing and asked Planning Commission for comments and discussion.

Mr. Chenault said he had something he would like to read into the minutes. At one point in our Comprehensive Plan discussions and review, Planning Commission received a letter from Donald Litten of Litten & Sipe, PC with regard to Mr. Straughen. I think it is important for me to read the State Law that allows me to participate in our decisions as Planning Commission regarding the Comprehensive Plan and this is directly from 2.2-3115, paragraph H, of the Code of Virginia. As I understand, Mr. Straughen at one time was represented by Donald Litten of the law firm of Litten & Sipe, PC in Harrisonburg, Virginia and I am an employee of the law firm of Litten & Sipe, PC and, I cannot represent anyone, but that law firm could have provided services to Mr. Straughen and I am able to participate in the transaction fairly objectively and in the public interest. Thank you for allowing me to cover that.

Chairman Jones said this will be stated in the minutes. He then asked if there were any further comments.

Mr. Da’Mes said he would like to bring up a couple of things that appear to have remained unresolved. The first being the issue of cell towers, co-location, and so forth; did we ever come to a conclusion on that. Is there anything that we can address within the Comprehensive Plan regarding cell towers.

Mr. Fletcher said it has been talked about and at one time City Council had said for staff to investigate towers, which we did; but, it never came to fruition.

Mr. Da’Mes said that is something that I hope there is more clarification on when it does come before us again.

Mr. Chenault said cell towers are covered in our zoning regulations, it is not like it is not discussed. There are no standards as to whether it must be a monopole, bi-pole, camouflaged, and so forth. One thing that I think the City encourages is co-location, for example the Public Safety Building or the new water tower.

Mrs. Turner said just because towers are not listed out separately in the Comprehensive Plan does not mean that if the Planning Commission wanted to pursue some action or ordinance related to towers you are not able to. Because it was not discussed in the Comprehensive Plan does not mean that no one wanted it to be one of the goals or strategies.

Mr. Fletcher said only in the M-1 zoning classification can you have telecommunications facilities by right; and that is only up to 125 feet. In the B-2 classification you have to get a special use permit. As special use permits we get to offer conditions on such towers.

Mr. Da'Mes said with big box development, as we have discussed before, the restrictiveness of Charlottesville and the leniency of Harrisonburg; where is the happy median for developers, and could Harrisonburg find that median.

Mr. Chenault said I think Mr. Fletcher was alluding to it as kind of a green ordinance type thing. Perhaps it may be something we will be addressing soon.

Mr. Fletcher said I believe what Mr. Da'Mes is talking about is more than just landscaping, street trees, and greening of the building; but more of an architectural review board. Those are specifics that are more design oriented and not so much for a Comprehensive Plan.

Chairman Jones asked if there was any further discussion. Hearing none, he said he would be happy to entertain a motion on the Comprehensive Plan.

Mr. Chenault said he would like to make a motion with great gratitude to staff and his colleagues, that we pass the Comprehensive Plan on to City Council with our favorable recommendation.

Mrs. Fitzgerald seconded.

Chairman Jones said prior to voting on the motion I would like to thank my colleagues as well. Some of you will get to enjoy this process again. He then called for a voice vote on the motion.

All voted in favor of the motion (5-0).

### **Unfinished Business**

None.

### **Public Input**

None.

### **Report of secretary and committees**

Mrs. Banks said before we get into the proactive zoning report I wanted to discuss some policy changes with you regarding enforcement. Beginning with next month's proactive zoning our inspectors will be looking at enforcing sign regulations as well. This is a City wide effort, as zoning inspectors will look at signage on private property, while the Public Works Department is stepping up the enforcement of signage along right-of-ways and within the median strip.

Mrs. Turner said Public Works is focusing on the median and the right-of-way. Our zoning inspectors' recourse is to go after a property owner and we are the owners of right-of-way and medians.

Chairman Jones asked if the time element has been changed once a violation has been cited and notified.

Mr. Fletcher said the sign regulations are actually part of the City Code section on building code and it operates under a different violation rectification method. What we hope this enforcement provides is the correction of the most obvious violations such as banners, the temporary signs, etc. The bad thing is they have 30 days in which to remove the violation and by that time the damage is already done.

Mrs. Turner said generally sign ordinance amendments do not have to come to Planning Commission, they only go to Council. But, Council could be willing to listen if you all have something in mind you wanted to change. We, as staff, could work on something. We have been told by the City Attorney we can treat sign violations as a class one misdemeanor, even though the regulations say we will remove the violation.

Chairman Jones said I think that would be wise.

Mrs. Banks said along with the sign enforcement our inspectors will be looking a bit harder at indoor furniture placed outdoors. The ordinance regarding indoor furniture is regulated through the Public Works Department, if a complaint comes in, our zoning inspectors will follow-up, write a notice of violation; and then, if it is not resolved within ten days, Public Works will have the articles removed. If the zoning inspectors are out on proactive zoning and a property has a couch on the front porch, they will not address it, it is not really junk and discarded materials. Beginning with the next cycle our inspectors are going to become more enforcing on the indoor furniture being placed outdoors, they will not wait for a citizen complaint.

Mrs. Turner reminded everyone that with these changes you will probably see an increase in the total violations; this does not mean that the City is becoming worse in zoning violations.

Mrs. Banks continued, proactive zoning targeted the Chicago Avenue Sector of the City, where they found 29 violations consisting of inoperable vehicles and discarded materials. This area seems to be progressing in the wrong direction. Next month they will be in Pleasant Hill Acres.

### **Other Matters**

None.

### **Adjournment**

The meeting was adjourned at 8:50 p.m.

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Chairman William L. Jones, Jr.

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Secretary, Alison Banks