



CITY OF WAYNESBORO, VIRGINIA
STAFF REPORT
ZONING TEXT AMENDMENTS
ZTA 21-010
December 7, 2021

SUMMARY SHEET

1. Background

City staff are requesting that Planning Commission introduce a text amendment to the zoning ordinance prompted largely by errors in previous applications. Good zoning practice seeks to harmonize various uses so that they co-exist adjacent to each other with little conflict or negative impacts. It also promotes the health, safety and general welfare of the community, often by placing complementary uses together to create a district or neighborhood that is more than the sum of its parts.

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 italics 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.*

2. Recommendations

The City staff recommends that this ordinance amendment be approved as shown on the attached sheet.

cc: Todd Wood, Assistant City Manager, Operations
Laura Martin, Zoning Administrator

ZTA Number	21-010
Applicant:	Michael G. Hamp II, City Manager on behalf of the City of Waynesboro
Affected Properties	These provisions shall apply to all properties within the City.
Action Requested:	<ul style="list-style-type: none"> Amend the second sentence of Section 4.4.10.A. Vehicle Sales and Service to “All service bay doors (openings) shall face away from residential uses and from corridors designated in Section 3.3.2.B.”
Authorizing City Code Section(s):	Section 7.3.2.B (Initiation of a Zoning Text Amendment)
Attachments:	A. Proposed text amendment
Summary Recommendations:	The City staff recommends that this ordinance amendment be approved as shown on the attached sheet

2. Amend language referring to “service bay doors” to ensure consistency throughout zoning ordinance

Prompted by the construction of the Valvoline oil change facility, Council amended the ordinance referring to service bay doors. Previously, the ordinance banned them from facing any rights of way or residential uses, which essentially made it impossible to locate a drive-thru facility in the City. The updated ordinance only prohibited them from facing residential areas and major corridors.

However, this language exists in two places in the ordinance: addressing vehicle sales and service and car washes. The requirements for one of these sections was accidentally reverted to the previous, more restrictive ordinance in 2020 during the creation of the MX-B District. This change impacted Section 4.4.10.A. Vehicle Sales and Service. The current ZTA will make the language consistent with Section 4.6.7: Car Washes by restricting the placement of service bay door openings away from residential uses and from major corridors. Staff believes this change will prevent any potential confusion about the requirements for the placement of service bay doors and allow more flexibility in the placement of the doors.

Attachment

Sec. 98-4.4.10. Vehicles sales and service.

- A. All service bay doors (openings) shall face away from adjacent thoroughfares, right-of-way and residential uses. **All service bay doors (openings) shall face away from adjacent residential uses and from corridors designated in Sec. 98-3.3.2.B.**
- B. In the MX-B (Mixed Business) zone, vehicle sales and service uses must meet the following standards:
1. Vehicle sales and service uses may not operate between the hours of 8:00 p.m. and 8:00 a.m.
 2. 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.

(Ord. No. 2017-43, 10-5-17; Ord. No. 2020-77, 11-23-20)

