



Date of Council Meeting: October 13, 2015

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Information Memo

Subject: H-2 Corridor Overlay District

Staff Contact: Susan Berry Hill, Director, Department of Planning and Zoning

Council Action Requested: None at this time. Information only.

Staff Recommendation: None at this time. Information only.

Commission Recommendation: None at this time.

Fiscal Impact: None at this time.

Work Plan Impact: A Zoning Ordinance amendment is required to repeal the H-2 Corridor Overlay District. The project would be accomplished using current staff resources including a Project Manager with assistance from the Preservation Planner. Without discussion of other alternatives to repealing the H-2 Corridor Overlay District, an act to repeal sections of the ordinance pertaining to the H-2 district would take approximately three months from the date of initiation.

The list below includes active projects and projects which have previously been initiated by Council that remain in the Department of Planning and Zoning work queue:

- Mobile Hope text amendment – Scheduled for Planning Commission Public Hearing on November 5, 2015. Anticipated for Town Council public Hearing in December, 2015.
- 2015 Zoning Ordinance Batch - Anticipate Planning Commission Public Hearing on November 5, 2015 and Town Council Public Hearing in January.
- Floodplain Ordinance – On hold pending completion of key land development applications. Anticipate resumption of staff work in winter/spring 2016 with Planning Commission and Town Council public hearings in Spring/early summer 2016.
- East Market Street Small Area Plan – Staff anticipates starting this project in January with a completion by the end of 2016.
- Low Impact Development regulatory changes – The start date of this project has been planned upon the completion of the Floodplain Ordinance. However, it should not start before the completion of the East Market Street Area Plan. As such, staff anticipates this starting in 2017. This project is expected to take approximately six to eight months.

Executive Summary: Town Council has requested information about the process for eliminating the H-2 Corridor Overlay District, the length of time necessary to undertake such process as well as the impact this effort would have on current staff work plans.

Background: If Council desires to eliminate the H-2 Overlay District, and with it the requirements for design oversight in this corridor, an amendment of the Zoning Ordinance would be required. Specifically, Section 7.6 H-2 - Historic Corridor Architectural Control Overlay District and Section 3.11 – Architectural Control Certificates of Appropriateness (H-2 Corridor Overlay District) would be repealed. Repealing these sections requires a Zoning Ordinance text and map amendment. Once Council initiates such action, staff would:

- Advertise the amendment per State Code/Town of Leesburg Zoning Ordinance requirements for a Planning Commission public hearing
- Advertise the amendment for a Town Council Public Hearing

If approved, the overlay district would be removed from the Zoning Ordinance text, and the boundaries would be eliminated from the official Zoning Map. Once the overlay district is repealed, by-right and rezoning projects for new development, additions, renovations, and signage would not be subject to design guidelines and review in the Zoning Ordinance. The Community Design recommendations in the Town Plan would be applied to legislative projects (rezonings and special exceptions), but these guidelines are general in nature and are not mandatory. (Note that some Planned Developments, such as Oaklawn, have proffered to the H-2 Design Guidelines. Such proffers would not be affected by a repeal of the H-2 Corridor District.)

The length of the repeal process will depend on whether there is general agreement in the community that the H-2 Corridor Overlay should be repealed. The text amendment process involves public hearings. If there is community support for repealing the district, then the process to amend the Zoning Ordinance will be short, taking approximately three months. However, if there is community opposition to it, or community input sessions are requested, the process could take much longer. In addition, Town Council may seek input from the Board of Architectural Review and the Planning Commission as to whether the H-2 should be repealed or if another option(s) is preferred.

Community design has been an important consideration for Leesburg over the years. The question to be decided by Council regarding the H-2 Overlay District and H-2 Design Guidelines and is whether to:

- Repeal the H-2 Corridor Overlay District and design guidelines and have no design oversight (other than that garnered through the legislative approval process); or
- Maintain the H-2 Corridor Overlay District in place, but update the Guidelines; or
- Repeal the H-2 Corridor Overlay District but adopt some other form of design review (e.g. townwide commercial building guidelines); or
- Combination of the above.