



Zoning Ordinance Amendment for Use Permit Re-filings and Revocation process No. 26-0194

Chapter 14

Planning Commission

June 18, 2026

Steven L. Lynch, Interim Deputy Director



Purpose

Modification to Sec. 14-11 to provide council the ability to consider revocation directly without prior recommendation from the Planning Commission

Modification to Sec. 14-9 to add “revocation” to the re-filing period of a use permit application



Current Ordinance Language

Sec. 14-11. - Violation and revocation of a use permit.

The city council may revoke a use permit, after notice and a public hearing as set forth in section 15.2-2204 of the Virginia Code, as amended, for any violation of a term or condition thereof or repeated or continuing violations of the city zoning ordinance or city code, failure to comply with approved plans, and/or when false, fraudulent, or misleading information is supplied by the applicant. The consideration of a possible revocation shall follow **the procedure set forth in this chapter for approving the use permit**, provided that fifteen (15) days' written notice is given to the owner of the subject property prior to the public hearing



Proposed Ordinance Language

Section 14-11. – Violation and revocation of a use permit.

The city council may revoke a use permit, after notice and hearing as set forth in section 15.2-2204 of the Virginia Code, as amended, for any violation of a term or condition thereof or repeated or continuing violations of the city zoning ordinance or city code, failure to comply with approved plans, and/or when false, fraudulent, or misleading information is supplied by the applicant. The ~~city council may consideration of a possible revocation shall follow the procedure set forth in this chapter for approving the use permit directly and without prior recommendation from the Planning Commission, provided that upon~~ fifteen (15) days' written notice ~~is given~~ to the owner of the subject property prior to the public hearing



Current Ordinance Language

Sec. 14-9. -Refiling of a use permit application upon denial

No application for a use permit shall be accepted within one (1) year of denial by the city council of a use permit application concerning substantially the same use on substantially the same land.



Proposed Ordinance Language

Sec. 14-9. -Refiling of a use permit application upon denial or
revocation.

No application for a use permit shall be accepted within one (1) year of **denial** by the city council of a use permit application concerning substantially the same use on substantially the same land.

If any use permit is revoked by the city council, the holder of that permit may not seek a use permit for substantially the same use on substantially the same land until one (1) year after the date of such revocation.



Analysis

- Eliminates the requirement of a recommendation from the Planning Commission in order for the City Council to consider possible revocation of a use permit in a more efficient manner
- Adds “revocation” as an action prohibiting immediate re-application for a use permit for a term of a one (1) year
- Restricts the substantially same use on the same land by the same parties for a term of a one (1) year after revocation



Conclusion

- Public Hearing
- Action
 - Staff recommends **APPROVAL** of ZOA No. 26-0194