



# 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

