



TOWN OF LEESBURG
PLANNING COMMISSION WORK SESSION

Subject: Zoning Ordinance Rewrite

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Purpose: Further discussion on “Dive List” items related to Article III Uses

Background: At their July 20, 2023 Public Meeting, the Planning Commission received an introductory presentation on the Zoning Ordinance Rewrite project. In October 2023, representatives from Kendig Keast Collaborative (Consultant) presented their code audit of the Town’s current Zoning Ordinance and broad recommendations for changes at a joint meeting of the Planning Commission and Town Council. In February and September 2024, the consultants delivered their first draft of the new Ordinance via the Town’s enCodePlus online zoning platform and provided an overview of concepts in each Article to the Planning Commission. The first draft of the Zoning Ordinance Rewrite was released on March 6, 2025 for a 60-day public review period. All Planning Commission and public presentations and the code audit are available on the Zoning Ordinance Rewrite project page at: leesburgva.gov/zoningordinancerewrite.

Issues: The Planning Commission has identified topics for a deeper dive and further discussion during their review of the first draft Zoning Ordinance Rewrite. These “Dive List” items have been documented and included as Attachment 2. At the meeting on September 4, 2025, discussion will focus on the following italicized Dive List items related to Article III Uses.

Division 9: Use Categories.

Division 9 outlines how land uses are categorized and regulated within the Zoning Ordinance Rewrite. The Use Categories approach allows for consistent application of regulations, logical assignment of land uses to appropriate zoning districts, and standardized evaluation for parking, dimensional, and operational requirements.

Table 9-6-3, Day Care Use Category	
Characteristics: Uses providing care, protection, and supervision for children or adults on a regular basis away from their primary residence.	
Primary Uses	Accessory Uses
<ul style="list-style-type: none"> ▪ <u>Adult Day Center</u> ▪ Childcare Center ▪ Other uses meeting the characteristics of the Day Care Use Category 	<p>Uses, structures, or activities that are incidental or secondary to the day care use of the property and enhance client care services, improve operational efficiency, and ensure a safe and engaging environment for clients including, but not limited to: associated offices, food preparation and dining, and recreation facilities.</p>

Uses are grouped based on common characteristics, which may include type and intensity of activity, method of delivering goods or services, and anticipated impact on the surrounding environment. Each Use Category includes a "Characteristics" section which provides a descriptive overview of the typical traits and behaviors of the uses it includes. These traits assist in identifying and comparing land uses, especially when evaluating unlisted or proposed uses. The "Primary Uses" section in each category lists common examples of uses associated with that category. "Accessory Uses" (those that are incidental and subordinate) are generally allowed by right provided the intent is to support the primary use. **Staff supports keeping this approach as a way to implement the Council's direction to streamline the land development process through increased by-right uses and administrative approvals.**

Division 11.B.6: Any limited uses that cannot comply with all of the applicable standards may be permitted by a Minor Special Exception.

A limited use is allowed with specific conditions as outlined in Division 11 of the Zoning Ordinance Rewrite. The intent of the limited use standards is to mitigate adverse impacts, address compatibility with adjacent uses, and align with the Town Plan and broader community goals. Any limited uses that cannot comply with all of the applicable standards may be permitted by a minor special exception. **Staff supports keeping this provision as-is to provide an option for businesses with operational needs that are not anticipated in the Zoning Ordinance.**

Divisions 11, 12, 13: Limited, Special, Accessory Use Standards.

The Commission directed staff to eliminate redundancies between standards for limited uses, special exception uses, and accessory uses. There are multiple ways to organize use standards and the current thinking is to have separate Divisions for each use standard type. This does create some redundancies because certain uses may be Limited "L" in one district but Minor Special Exception "M" or Special Exception "S" in another district.

Table 10-2-2, Nonresidential and Mixed Use Districts Use Table													
Key: P = Permitted by Right L = Limited Use M = Minor Special Exception S = Special Exception													
Use Category	Specific Uses	Current Districts (Remove Upon Adoption)										Use-Specific Standards	
		O1	B2	B3	I1	New	CD	Special Purpose					
		Proposed New Districts											
		CN	CS	IR	MU	IC	CD	MC	GC [1]	A-1	OSP	DT	
Industrial	Flex	--	S	L	--	L	S	--	--	--	--	--	11-3.J.2 12-3.J.2
	Mini-warehouse facility	--	--	L	--	--	S	--	--	--	--	--	11-3.J.3 12-3.J.3

This means the same use standard may show up in *Division 11: Limited Use Standards* and *Division 12: Special Exception Standards*. There are not many instances of redundancies in *Division 13: Accessory Uses and Structures*. **Staff is open to different ways of organizing use standards but will maintain the existing document structure unless the Commission provides different direction.**

Division 13.2.F.4: Prohibited Home Occupations. The following home occupations are prohibited:

1. Automotive detailing, repair, or paint shop
2. Dog grooming service
3. Funeral chapel or funeral home
4. Gift shop
5. Landscape contractor
6. Limousine, hearse, ambulance, or taxi service
7. Massage parlor
8. Medical or dental laboratory or office
9. Nursing home
10. Outdoor repair or service
11. Palm reader/clairvoyant
12. Psychiatrist
13. Rental of any equipment or other items
14. Restaurant
15. Veterinary hospital and/or office
16. Welding or machine shop
17. Wrecking, repossession or towing service
18. Other uses determined by the Zoning Administrator to be similar in scope and impact (on the surrounding neighborhood) to those prohibited home occupations listed above.

This section is a carryover from the existing Zoning Ordinance. The Commission identified “dog grooming service” and “psychiatrist” as potential uses to remove and wanted to discuss the whole list further. **Staff is open for discussion on deletions or additions to this list of prohibited home occupations.**

Division 13.2.G: Short-Term Residential Rental.

The Zoning Ordinance Rewrite includes comprehensive use standards for short-term residential rentals. They require registration through a home occupation permit, and must follow specific operational, occupancy, parking, and appearance standards. Short-term residential rentals must be run by a permanent resident, only one is allowed per parcel, and the maximum is 6 lodgers for less than 30-day stays. They are considered accessory residential uses and are proposed to be by-right subject to limited use standards in the Residential Suburban (RS), Historic Residential (R-HD), Residential Medium (RM), Downtown (DT), and Crescent (CD) districts.

The Commission and Council revised the existing homestay (short-term rental) regulations at the end of 2022 ([Ordinance No. 2022-O-028](#)). Staff and Commission proposed amendments that addressed two areas of the homestay (short-term rental) requirements: allowing use of accessory structures and permanent resident operator requirements. A permanent resident was defined as a person who occupies a dwelling for a minimum of 185 days out of the calendar year as their primary residence. The Council decided to remove permanent resident operator requirements and permit the use of accessory structures for homestays (short-term rentals). Additional amendments were made to clarify maximum length of a single stay, modify zoning district permissibility, and add some flexibility to parking requirements. **Staff is proposing to add the permanent resident operator requirement back into the Zoning Ordinance Rewrite use**

standards for short-term residential rentals. The intent is to prevent a property from becoming a short-term residential rental all of the time. This will help ensure pride of ownership and consistent upkeep of the short-term residential rental in the neighborhood. However, the proposed standard does not require the permanent resident to be an owner.

Next Steps

Tentative PC Zoning Ordinance Rewrite Work Plan

#	Topic	Commission Meeting Date
1	ZO Rewrite Work Plan	January 16, 2025
2	Zoning Map	February 6, 2025
3	Release of Draft Text	March 6, 2025
	Article 1 General Provisions	
4	Article 2 Zoning Districts and Dimensional Standards	April 3, 2025
5	Article 3 Use Regulations	April 17, 2025
6	Article 3 Use Regulations (continued)	May 1, 2025
7	Article 3 Use Regulations (continued)	May 15, 2025
8	None	June 5, 2025
9	Recap Articles 1-3, Article 4 Development Standards	July 10, 2025
10	Article 5 Review Bodies, Article 6 Review Procedures	July 17, 2025
	Article 7 Nonconformities, Article 8 Enforcement, Article	
11	9 Word Usage	August 7, 2025
12	No Meeting	August 21, 2025
13	Recap Articles 4-9, Deep Dive List	September 4, 2025
14	Deep Dive List (continued)	September 18, 2025
15	Deep Dive List (continued)	October 2, 2025
16	Deep Dive List (continued), Public Comment Report	October 16, 2025
17	Loose Ends	November 6, 2025
18	Public Hearing	January 15, 2026

Online Zoning Platform (enCodePlus)

The draft Zoning Ordinance Rewrite was available until May 5, 2025 via enCodePlus at the following website address: <https://online.encodeplus.com/regs/leesburg-va/>. Planning Commissioners and public are strongly encouraged to review and make comments on the Zoning Ordinance Rewrite via this online platform.

The September 4, 2025 Planning Commission Meeting is another of many opportunities throughout the Zoning Ordinance Rewrite project for members of the Planning Commission and the public to provide input.

Attachments

1. Public Comment Report
2. Future Discussion Items (Dive List)