

ATTACHMENT C
**ZTA to Allow Changes and Expansions to Taverns and Inns in Historic Buildings and Sites
Operating under a Special Use Permit (Clifton)**

Additional Background

This Zoning Text Amendment (ZTA) request was made by Katurah Roell who is representing Clifton Inn. If approved, it would allow for expansions of historic inns and taverns by special use permit in the Rural Area. At present, taverns and inns in historic buildings must operate within the confines of the original building(s). Staff brought the applicant's request to the Historic Preservation Committee (HPC) on November 23, 2015 and the Planning Commission on December 15, 2015. Staff recommended that the County consider the ZTA in conjunction with future work on transient lodging. (See Attachments C.1. and C.2.) Noting that the Board had extensive discussion on expanding opportunities for transient lodging during the Comprehensive Plan process and had declined to change existing policy, staff could not recommend that the request proceed as requested.

Staff was able to recommend that modifications to historic buildings be allowed provided that the use was not intensifying (such as adding more rooms) and provided that the change did not damage the integrity of the landmark or result in removal from the National or State Registers. The Planning Commission, however, disagreed and adopted a Resolution of Intent for the ZTA. (See Attachment C.3.) In addition, the Planning Commission recommended that the Board of Supervisors expedite the ZTA. Staff explained to the Commission that, prior to staff working on the ZTA, the Board would have to authorize the work as part of the Community Development Work Program. In authorizing work on the amendment, a different item on the program would need to be moved down on the list.

Additional Discussion

Staff believes that the Clifton ZTA can be broken down into two parts. The first part of the ZTA involves establishing the entity responsible for determining the impact of changes to historic buildings and sites, where those changes would not intensify a use allowed by special use permit. The first part is specific to historic preservation. The second part of the ZTA relates to allowing for an increase in the number of rooms available for lodging in the Rural Area, which is currently in excess of what is recommended in the Comprehensive Plan or allowed by ordinance. Accomplishing the first part would require approximately 6 - 8 months and the equivalent of approximately 125 hours from the work of one FTE. The second part would require an additional 6 months for a total of 12 – 14 months for the Clifton ZTA and 1/8 full time employee (FTE).

Part 1 requires significant discussion on the appropriate entity (person or body) to determine whether requested changes to historic buildings and sites would negatively impact the historic resource. (This task is also needed with a ZTA for a Resident Artist Community.) At present, the Architectural Review Board (ARB) could not be the entity to make such a determination unless the property is in an Entrance Corridor. The Historic Preservation Committee (HPC) is not constituted for this task. The Virginia Department of Historic Resources cannot be relied on to render an opinion. Time is needed for internal staff discussions, meetings with the HPC, and work with the Planning Commission. Two public hearings will then be needed, one with the Commission and one with the Board of Supervisors. Part 1 would only pertain to modifying buildings, not expanding a use. This change would not satisfy the applicant who wishes to both modify a historic resource and expand/intensify a lodging use.

Part 2 requires more time because the Comprehensive Plan does not distinguish between existing inns and taverns operating under special use permit and new inns. To develop the second part of the text amendment will require discussion on how to assess the expansion of a use that is otherwise not allowed in the Rural Area, equity, and ways to determine how much expansion is too much. Part 2 requires 12 - 14 months and 1/8 FTE. Expediting this request would mean that other initiatives will take a back seat, including work on revitalization of urban areas, economic development work, and potentially RA Events and Wineries, Breweries, and Distilleries.