

COUNTY OF ALBEMARLE

TRANSMITTAL TO THE BOARD OF SUPERVISORS

SUMMARY OF PLANNING COMMISSION ACTION

AGENDA TITLE: ZTA 2017-06 Updates and Clarifications to Section 33 Zoning Text Amendments (ZTAs), Zoning Map Amendments (ZMAs), Special Use Permits (SPs) and Special Exceptions	AGENDA DATE: September 5, 2018
SUBJECT/PROPOSAL/REQUEST: Public hearing on changes to Section 33 Zoning Text Amendments (ZTAs), Zoning Map Amendments (ZMAs), Special Use Permits (SPs) and Special Exceptions	STAFF CONTACT(S): Richardson, Walker, Kamptner, Echols, Fritz
	PRESENTER (S): Mr. Fritz

BACKGROUND:

On July 17, 2018, the Planning Commission held a work session on ZTA 2017-00006, and on August 7, 2018, the Planning Commission held a public hearing and voted 5:0 (More, Firehock absent) to recommend approval of ZTA-2017-00006 with the understanding that the County Attorney would clarify certain written notice provisions.

DISCUSSION:

During the Planning Commission's July 17, 2018 work session and August 7 public hearing, the Commission expressed concern that Zoning Map Amendments and Special Use Permit applications where the applicant does not respond to staff comments would proceed directly to the Planning Commission within 90 days of the application being submitted. The Commission was concerned that they would be reviewing applications that were incomplete and had significant outstanding issues. Staff clarified that incomplete applications are not accepted for review and would not be scheduled. The State Code requires the Commission hold a public hearing and make a recommendation on SP/ZMA applications within 90 days. Therefore, any application deemed complete is entitled to a public hearing within 90 days. No provision of the State Code requires the applicant to respond to comments made by County staff.

During both the work session and public hearing, comment was received from the public expressing concern that advertising fees would be required at the time of the initial application. Currently, advertising fees are collected after the initial application but prior to the public hearing. Fees are not addressed in this ZTA. The Planning Commission has adopted a resolution of intent to amend the fees, and that ZTA will be brought forward at a future date.

RECOMMENDATIONS:

The Planning Commission and staff recommend adoption of ZTA 2017-06 (attachment E)

ATTACHMENTS:

Attachment A – Planning Commission Staff report for ZTA 201700006 for August 7, 2018
Attachment B – Planning Commission minutes for August 7, 2018
Attachment C – Planning Commission action letter for August 7, 2018
Attachment D – Planning Commission minutes for July 17, 2018
Attachment E – Proposed Ordinance