



**County of Albemarle**  
**COMMUNITY DEVELOPMENT DEPARTMENT**

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**ACTION MEMORANDUM**

TO: File

FROM: Rebecca Ragsdale – Principal Planner

DATE: October 7, 2021

RE: ZTA202100002 Zoning Text Amendment to Clarify the Board of Supervisor's authority to approve Special Exceptions, consistent with Case Law.

The Albemarle County Planning Commission, at its meeting on September 28, 2021, recommended approval by a vote of 7:0 of the above noted with the revisions to the draft ordinance listed by staff on Slide 4 of the Planning Commission presentation:

Sections where ordinance changes are not needed and will not be reflected in the final ordinance amendment:

- Sec. 4.10.2.1 Fire protection
- Sec. 4.10.2.2 Aerial navigation
- Sec. 5.1.24 Subordinate retail sales
- Sec. 5.1.32 Towing and temporary storage of motor vehicles
- Sec. 5.1.46 Small wind turbines

Minor Technical corrections that are needed to the final ordinance amendment:

- Sec. 4.10.3.2 (Exceptions—Limited) – The final cross-reference in subsection (B) should be corrected to section 4.17.5(a)(3).
- Sec. 4.12.2 (Applicability) – Subsection (d) should be deleted in its entirety
- Sec. 4.10.3.1 (Exceptions—Excluded from application) – Subsection (d) should be deleted in its entirety.