

ORDINANCE NO. 16-18()

AN ORDINANCE TO AMEND CHAPTER 18, ZONING, ARTICLE II, BASIC REGULATIONS, AND ARTICLE III, DISTRICT REGULATIONS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 18, Zoning, Article II, Basic Regulations, and Article III, District Regulations, are hereby amended and reordained as follows:

By Amending:

- Sec. 4.12.6 Minimum number of required parking spaces for scheduled uses
- Sec. 20A.6 Permitted uses
- Sec. 20B.2 Permitted uses
- Sec. 22.2. 1 By right
- Sec. 22.2.2 By special use permit
- Sec. 23.2.1 By right
- Sec. 23.2.2 By special use permit
- Sec. 24.2.1 By right
- Sec. 24.2.2 By special use permit
- Sec. 25.2.1 By right
- Sec. 25.2.2 By special use permit

By Adding:

- Sec. 5.1.60 Drive-through windows

Chapter 18. Zoning

Article II. Basic Regulations

Sec. 4.12.6 Minimum number of required parking spaces for scheduled uses

Except when alternative parking is approved as provided in section 4.12.8, the following schedule shall apply to determine the number of required off-street parking spaces to be provided in a particular situation. If a particular use is not scheduled, then section 4.12.7 shall apply.

...

Automated teller machines (ATMs): Two (2) spaces per each outdoor walk-up type; ~~five (5) stacking spaces per each drive-up type.~~ (Added 2-5-03)

...

Drive-in lane serving any use: The number of stacking spaces shall be determined by the zoning administrator using a combination of traffic generation figures either known to the industry or estimated by Institute of Transportation Engineers. The stacking spaces shall be designed so as not to impede required parking spaces, pedestrian or vehicular circulation. ~~(Added 2-5-03)~~

...

Financial institution: One (1) space per one hundred fifty (150) square feet of gross floor area. This requirement may be reduced by twenty-five (25) square feet per drive-in aisle. ~~Each drive-through lane serving a financial institution shall provide a minimum of five (5) stacking spaces that shall not impede any required parking or loading spaces or any pedestrian or vehicular circulation aisles.~~ (Amended 2-5-03)

...

Restaurant: Thirteen (13) spaces per one thousand (1,000) square feet of gross floor area including areas for accessory dancing. ~~Drive-through lanes serving restaurants shall provide a minimum of five (5) stacking spaces that shall not impede any required parking or loading spaces or any pedestrian or vehicular circulation aisles. The five (5) stacking spaces shall be provided at the order board and additional spaces may be provided at the payment or pick-up windows.~~ (Added 2-5-03)

Sec. 5.1.60 Drive-through windows

Each drive-through window shall be subject to the following:

- a. If the building is adjacent to a public street, any drive-through windows shall be located on the side or rear of the building, away from the public street.
- b. No drive-through lane shall be located between a building and a public street unless separated from the right of way by a landscaped area that complies with section 32.7.9.5(b), (c), (d), and (e) and is at least ten (10) feet in depth extending the length of the drive-through lane.
- c. No portion of a drive-through lane shall be located within fifty (50) feet of a residential district, the rural areas district, the Monticello Historic district, or any part of a planned development district allowing residential uses.
- d. If any portion of a drive-through lane that is located between fifty (50) and one hundred (100) feet of a residential district, the rural areas district, the Monticello Historic district, or any part of a planned development allowing residential uses, the drive-through window shall be open for business no earlier than 7:00 a.m. and shall be closed no later than 10:00 p.m., daily.
- e. Each drive-through lane shall be separated from any pedestrian travelway, except where a pedestrian travelway crosses the drive-through lane as provided in subsection (f), and any vehicular travel areas, by a planting strip at least five (5) feet in width.
- f. If a pedestrian travelway crosses a drive-through lane, the owner shall provide either a five (5) foot wide raised pedestrian travelway or a five (5) foot wide pedestrian travelway containing a change in texture and visual markings.
- g. Each drive-through lane shall be at least eleven (11) feet wide.
- h. No drive-through lane shall enter directly from or exit directly to any public street.
- i. Each entrance to a drive-through lane shall be more than fifty (50) feet from any intersection with a public or private street or travelway without parking.
- j. Each drive-through lane shall be a minimum of one hundred (100) feet in length measured from the center of the first window or service point. This length may be reduced if a study is submitted

and approved by the director of community development or his designee demonstrating that a shorter length will be sufficient for a particular use.

k. Each drive-through lane shall extend at least twenty (20) feet beyond the drive-through window.

l. If a drive-through lane is located adjacent to an internal travelway, the direction of travel in the drive-through lane and the travelway shall be the same unless they are separated from one another by a landscaped area that complies with section 32.7.9.5(b), (c), (d), and (e) and is at least ten (10) feet in depth extending the length of the drive-through lane.

Article III. District Regulations

Section 20A Neighborhood Model District – NMD

Sec. 20A.6 Permitted uses

The following uses shall be permitted in an NMD, subject to the regulations in this section and section 8, the approved application plan and code of development, and the accepted proffers:

- a. *By right uses.* The following uses are permitted by right if the use is expressly identified as a by right use in the code of development or if the use is permitted in a determination by the zoning administrator pursuant to subsection 8.5.5.2(c)(1):
1. Each use allowed by right or by special use permit in any other zoning district, except for those uses allowed only by special use permit delineated in subsections 20A.6(b)(2) and (b)(3); provided that the use is identified in the approved code of development.
 2. Water, sewer, energy and communications distribution facilities.
 3. Accessory uses and buildings including storage buildings.
 4. Home occupation, Class A, where the district includes residential uses.
 5. Temporary construction headquarters and temporary construction storage yards (reference 5.1.18).
 6. Public uses (reference 5.1.12).
 7. Tourist lodgings, where the district includes residential uses.
 8. Group homes, where the district includes residential uses.
 9. Tier I and Tier II personal wireless service facilities (reference 5.1.40).
 10. Farmers' markets (reference 5.1.47).
 11. Family day homes (reference 5.1.56). (Added 9-11-13)
 12. Drive-through windows (reference 5.1.60).

- b. *By special use permit.* The following uses are permitted by special use permit if the use is expressly identified as use permitted by special use permit in the code of development:
1. Each use allowed by right or by special use permit in any other zoning district.
 2. ~~Drive through windows.~~
 3. Outdoor storage, display and/or sales serving or associated with a by right permitted use, if any portion of the use would be visible from a travelway.

(Ord. 03-18(2), 3-19-03; Ord 04-18(2), 10-13-04; Ord. 09-18(9), 10-14-09; Ord. 10-18(4), 5-5-10; Ord. 13-18(2), 4-3-13; Ord. 13-18(5), 9-11-13)

Section 20B Downtown Crozet District – DCD

Sec. 20B.2 Permitted uses

The following uses shall be permitted in the DCD, subject to the regulations in this section:

A. *By right uses; retail and service.* The following retail and service uses are permitted by right:

1. Antique, gift, jewelry, notion and craft shops.
2. Automobile, truck repair shops excluding body shops.
3. Barber, beauty shops.
4. Clothing, apparel and shoe shops.
5. Commercial recreation establishments including, but not limited to, amusement centers, bowling alleys, pool halls and dance halls.
6. Convalescent homes (reference 5.1.13).
7. Convenience stores.
8. Department stores.
9. Drug stores, pharmacies.
10. Factory outlet stores, clothing and fabric.
11. Farmers' markets (reference 5.1.47). (Amended 5-5-10)
12. Feed and seed stores (reference 5.1.22).
13. Financial institutions.
14. Fire extinguisher and security products sales and service.
15. Florists.

16. Food and grocery stores including such specialty shops as bakery, candy, milk dispensary and wine and cheese shops.
17. Funeral homes.
18. Furniture and home appliances sales and service.
19. Hardware stores.
20. Health spas.
21. Hotels, motels and inns.
22. Indoor athletic facilities.
23. (Repealed 12-11-13)
24. Laundries, dry cleaners.
25. Musical instrument sales and repair.
26. New automotive parts sales.
27. Newspaper publishing.
28. Newsstands, magazines, pipe and tobacco shops.
29. Nursing homes (reference 5.1.13).
30. Office and business machines sales and service.
31. Optical goods sales and service.
32. Photographic goods sales and service.
33. (Repealed 12-11-13)
34. Restaurants.
35. Retail nurseries and greenhouses.
36. Service stations.
37. Sporting goods sales.
38. Tailors and seamstresses.
39. Temporary construction headquarters and temporary construction storage yards (reference 5.1.18).

40. Tier I and Tier II personal wireless service facilities (reference 5.1.40).
 41. Tourist lodging.
 42. Visual and audio appliances.
 43. Laboratories/Research and Development/Experimental Testing.
 44. Drive-through windows (reference 5.1.60).
- B. *By right uses; office.* The following office uses are permitted by right:
1. Offices.
 2. Temporary construction headquarters and temporary construction storage yards (reference 5.1.18).
- C. *By right uses; public and civic.* The following public and civic uses are permitted by right:
1. Churches.
 2. Clubs, lodges (reference 5.1.02).
 3. Conference centers, outdoor auditoriums, public art or kiosks.
 4. Cultural arts centers.
 5. Day care centers (reference 5.1.06).
 6. Water, sewer, energy and communications distribution facilities.
 7. Fire, ambulance and rescue squad stations (reference 5.1.09).
 8. Libraries.
 9. Outdoor performance areas.
 10. Parking structures and stand alone parking structures (reference 4.12 and 5.1.41).
 11. Private schools.
 12. Public uses (reference 5.1.12).
 13. Temporary construction headquarters and temporary construction storage yards (reference 5.1.18).
 14. Theaters, live and movie, including multi-screen movie theaters.
- D. *By right uses; residential.* The following residential uses are permitted by right, provided that the first floor of the building in which the residential use exists is designed for and occupied only by a use permitted by subsections 20B.2(A), (B), (C) or (E):

1. Apartments, either as a single-family dwelling or as a multiple-family dwelling.
 2. Attached single-family dwellings such as townhouses.
 3. Boarding houses.
 4. Condominiums.
 5. Group homes (reference 5.1.07).
 6. Tourist lodging within detached single-family dwellings existing on June 4, 2008.
 7. Dwellings occupied by the owner or employees of a permitted commercial use, and their families (reference 5.1.21).
 8. Family day homes (reference 5.1.56). (Added 9-11-13)
- E. *By special use permit; non-residential uses.* The following non-residential uses are permitted by special use permit:
1. (Repealed 12-11-13)
 2. (Repealed 12-11-13)
 3. (Repealed 12-11-13)
 4. Car washes.
 5. (Repealed 12-11-13)
 6. (Repealed 12-11-13)
 7. ~~Drive through windows.~~
 8. Energy and communications transmission facilities (reference 5.1.12).
 9. Hospitals.
 10. (Repealed 12-11-13)
 11. (Repealed 12-11-13)
 12. Preparation of printing plates including typesetting, etching and engraving.
 13. Stand-alone parking (reference 4.12).
 14. (Repealed 12-11-13)
 15. Tier III personal wireless service facilities (reference 5.1.40).

16. Towing and storage of motor vehicles (reference 5.1.32).
 17. Veterinary offices and animal hospitals.
 18. Storage/Warehousing/Distribution/Transportation.
 19. Manufacturing/Processing/Assembly/Fabrication and Recycling.
- F. *By special use permit; residential uses.* The following residential uses are permitted by special use permit without the restriction on first floor uses required by subsection 20B.2(D), provided that there is no other use permitted by subsections 20B.2(A), (B) or (E) on the same lot:
1. Apartments, either as a single-family dwelling or as a multiple-family dwelling.
 2. Attached single-family dwellings such as townhouses.
 3. Boarding houses.
 4. Condominiums.
 5. Detached single-family dwellings.
 6. Group homes (reference 5.1.07)
 7. Tourist lodging within detached single-family dwellings existing on June 4, 2008.
 8. Dwellings occupied by the owner or employees of a permitted commercial use, and their families. (reference 5.1.21)
 9. Family day homes (reference 5.1.56).
- G. *Accessory uses and structures.* Accessory uses and structures are permitted, including but not limited to: (i) home occupations, Class A and Class B (reference 5.2) for primary residential uses; (ii) storage buildings for primary residential and non-residential uses; (iii) outdoor performance areas for primary cultural arts center uses; and (iv) prototype manufacturing for research and development uses.

(Ord. 08-18(3), 6-11-08; Ord. 10-18(4), 5-5-10; Ord. 13-18(2), 4-3-13; Ord. 13-18(5), 9-11-13; Ord. 13-18(8), 12-11-13)

Section 22 Commercial District – C-1

Sec. 22.2.1 By right

The following uses shall be permitted in any C-1 district, subject to the applicable requirements of this chapter. The zoning administrator, after consultation with the director of planning and other appropriate officials, may permit as a use by right, a use not specifically permitted; provided that such use shall be similar to uses permitted by right in general character and more specifically, similar in terms of locational requirements, operational characteristics, visual impact

and traffic generation. Appeals from the zoning administrator's decision shall be as generally provided in section 34.

- a. The following retail sales and service establishments:
 1. Antique, gift, jewelry, notion and craft shops.
 2. Clothing, apparel and shoe shops.
 3. Department store.
 4. Drug store, pharmacy.
 5. Florist.
 6. Food and grocery stores including such specialty shops as bakery, candy, milk dispensary and wine and cheese shops.
 7. Furniture and home appliances (sales and service).
 8. Hardware store.
 9. Musical instruments.
 10. Newsstands, magazines, pipe and tobacco shops.
 11. Optical goods.
 12. Photographic goods.
 13. Visual and audio appliances.
 14. Sporting goods.
 15. Retail nurseries and greenhouses.
 16. Farmers' markets (reference 5.1.47).
 17. Laboratories/Research and Development/Experimental Testing; gross floor area of the establishment does not exceed 4,000 square feet per site; provided that the gross floor area of the establishment may exceed 4,000 square feet per site by special exception approved by the board of supervisors.
 18. Manufacturing/Processing/Assembly/Fabrication and Recycling; gross floor area of the establishment does not exceed 4,000 square feet per site; provided that the gross floor area of the establishment may exceed 4,000 square feet per site by special exception approved by the board of supervisors.
 19. Drive-through windows (reference 5.1.60).

- b. The following services and public establishments:
1. Administrative, professional offices.
 2. Barber, beauty shops.
 3. Churches, cemeteries.
 4. Clubs, lodges (reference 5.1.02).
 5. Financial institutions.
 6. Fire and rescue squad stations (reference 5.1.09).
 7. Funeral homes.
 8. Health spas.
 9. Indoor theaters.
 10. Laundries, dry cleaners.
 11. Laundromat (provided that an attendant shall be on duty at all hours during operation).
 12. Libraries, museums.
 13. Nurseries, day care centers (reference 5.1.06).
 14. Eating establishments.
 15. Tailor, seamstress.
 16. Automobile service stations (reference 5.1.20).
 17. Water, sewer, energy and communications distribution facilities.
 18. Public uses (reference 5.1.12).
 19. Temporary construction headquarters and temporary construction storage yards (reference 5.1.18).
 20. Dwellings (reference 5.1.21).
 21. (Repealed 4-3-13)
 22. Automobile, truck repair shop excluding body shop.
 23. Temporary nonresidential mobile homes (reference 5.8).
 24. Indoor athletic facilities.

25. (Repealed 5-5-10)
26. Stormwater management facilities shown on an approved final site plan or subdivision plat.
27. Tier I and Tier II personal wireless service facilities (reference 5.1.40).

(§ 20-22.2.1, 12-10-80; 6-3-81; 3-5-86; 9-9-92; 5-2-93; 9-14-93; 10-11-95; Ord. 02-18(6), 10-9-02; Ord. 04-18(2), 10-13-04; Ord. 10-18(4), 5-5-10; Ord. 13-18(2), 4-3-13)

Sec. 22.2.2 By special use permit

The following uses shall be permitted only by special use permit approved by the board of supervisors:

1. Commercial recreation establishments including but not limited to amusement centers, bowling alleys, pool halls and dance halls.
2. Energy and communications transmission facilities.
3. Hospitals.
4. Fast food restaurant.
5. Veterinary office and hospital (reference 5.1.11).
6. Unless such uses are otherwise provided in this section, uses permitted in section 18.0, residential - R-15, in compliance with regulations set forth therein.
7. Hotels, motels and inns.
8. Motor vehicle sales and rental in communities and the urban area as designated in the comprehensive plan.
9. Stand alone parking and parking structures (reference 4.12, 5.1.41).
- ~~10. Drive through windows.~~
11. Uses permitted by right, not served by public water, involving water consumption exceeding four hundred (400) gallons per site acre per day. Uses permitted by right, not served by public sewer, involving anticipated discharge of sewage other than domestic wastes.
12. Body shop.
13. Animal shelter (reference 5.1.11).
14. Tier III personal wireless service facilities (reference 5.1.40).
15. Storage/Warehousing/Distribution/Transportation

(§ 20-22.2.2, 12-10-80; 1-1-83; 6-1-83; 11-7-84; 6-14-89; 9-9-92; 6-16-99; Ord. 03-18(1), 2-5-03; Ord. 04-18(2), 10-13-04; Ord. 13-18(2), 4-3-13)

Section 23 Commercial Office -- CO

Sec. 23.2.1 By right

The following uses shall be permitted in the CO district, subject to the applicable requirements of this chapter:

1. Administrative and business offices.
2. Professional offices, including medical, dental and optical.
3. Financial institutions.
4. Churches, cemeteries.
5. Libraries, museums.
6. Accessory uses and structures incidental to the principal uses provided herein. The aggregate of all accessory uses shall not occupy more than twenty (20) percent of the floor area of the buildings on the site. The following accessory uses shall be permitted:
 - Eating establishments;
 - Newsstands;
 - Establishments for the sale of office supplies and service of office equipment;
 - Data processing services;
 - Central reproduction and mailing services and the like;
 - Ethical pharmacies, laboratories and establishments for the production, fitting and/or sale of optical or prosthetic appliances on sites containing medical, dental or optical offices;
 - (Repealed 3-17-82)
 - Sale/service of goods associated with the principal use such as, but not limited to: musical instruments, musical scores, text books, artist's supplies and dancing shoes and apparel;
 - Barber shops;
 - Beauty shops.
7. Water, sewer, energy and communications distribution facilities.
8. Public uses (reference 5.1.12).

9. Temporary construction headquarters and temporary construction storage yards (reference 5.1.18).
10. Dwellings (reference 5.1.21).
11. Temporary nonresidential mobile homes (reference 5.8).
12. Day care, child care or nursery facility (reference 5.1.6).
13. Stormwater management facilities shown on an approved final site plan or subdivision plat.
14. Tier I and Tier II personal wireless service facilities (reference 5.1.40).
15. Farmers' markets (reference 5.1.47).
16. Laboratories/Research and Development/Experimental Testing; gross floor area of the establishment does not exceed 4,000 square feet per site; provided that the gross floor area of the establishment may exceed 4,000 square feet per site by special exception approved by the board of supervisors.
17. Drive-through windows (reference 5.1.60).

(§ 20-23.2.1, 12-10-80; 3-17-82; 3-5-86; 12-3-86; 11-1-89; 9-9-92; 5-12-93; Ord. 01-18(6), 10-9-01 ; Ord. 04-18(2), 10-13-04; Ord. 09-18(6), 8-5-09; Ord. 10-18(4), 5-5-10; Ord. 13-18(2), 4-3-13)

Sec. 23.2.2 By special use permit

The following uses shall be permitted only by special use permit approved by the board of supervisors:

1. Hospitals.
2. Funeral homes.
3. Energy and communications transmission facilities.
4. Stand alone parking and parking structures (reference 4.12, 5.1.41).
- ~~5. Drive through windows.~~
6. School of special instruction.
7. Clubs, lodges (reference 5.1.2).
8. Uses permitted by right, not served by public water, involving water consumption exceeding four hundred (400) gallons per site acre per day. Uses permitted by right, not served by public sewer, involving anticipated discharge of sewage other than domestic wastes.
9. Unless such uses are otherwise provided in this section, uses permitted in section 18.0, residential R-15. in compliance with regulations set forth therein.

10. Hotels, motels and inns (reference 9.0).
11. Supporting commercial uses (reference 9.0).
12. Research and development activities including experimental testing.
13. Laboratories, medical or pharmaceutical.
14. Indoor athletic facilities.
15. Tier III personal wireless service facilities (reference 5.1.40).
16. Storage/Warehousing/Distribution/Transportation.
17. Manufacturing/Processing/Assembly/Fabrication/Recycling.

(§ 20-23.2.2, 12-10-80; 11-7-84; 1-1-87; 6-14-89; 6-19-91; 6-10-92; 9-15-93; Ord. 03-18(1), 2-5-03; Ord. 04-18(2), 10-13-04; Ord. 13-18(2), 4-3-13)

Section 24 Highway Commercial – HC

Sec. 24.2.1 By right

The following uses shall be permitted in any HC district, subject to the applicable requirements of this chapter. The zoning administrator, after consultation with the director of planning and other appropriate officials, may permit, as a use by right, a use not specifically permitted; provided that such use shall be similar to uses permitted by right in general character, and more specifically, similar in terms of locational requirements, operational characteristics, visual impact and traffic generation. Appeals from the zoning administrator's decision shall be as generally provided in section 34.

1. Automobile laundries.
2. Automobile, truck repair shops.
3. Automobile service stations (reference 5.1.20).
4. Building materials sales.
5. Churches, cemeteries.
6. Clubs, lodges (reference 5.1.02).
7. Convenience stores.
8. Educational, technical and trade schools.
9. Factory outlet sales - clothing and fabric.
10. Feed and seed stores (reference 5.1.22).

11. Financial institutions.
12. Fire extinguisher and security products, sales and service.
13. Fire and rescue squad stations (reference 5.1.09).
14. Funeral homes.
15. Furniture stores.
16. Food and grocery stores including such specialty shops as bakery, candy, milk dispensary and wine and cheese shops.
17. Home and business services such as grounds care, cleaning, exterminators, landscaping and other repair and maintenance services.
18. Hardware.
19. (Repealed 6-3-81)
20. Hotels, motels and inns.
21. Light warehousing.
22. Machinery and equipment sales, service and rental.
23. Mobile home and trailer sales and service.
24. Modular building sales.
25. Motor vehicle sales, service and rental.
26. New automotive parts sales.
27. Newspaper publishing.
28. Administrative, business and professional offices.
29. Office and business machines sales and service.
30. Eating establishment; fast food restaurants.
31. Retail nurseries and greenhouses.
32. Sale of major recreational equipment and vehicles.
33. Wayside stands - vegetables and agricultural produce (reference 5.1.19).
34. Wholesale distribution.

35. Water, sewer, energy and communications distribution facilities.
36. Public uses (reference 5.1.12).
37. Temporary construction headquarters and temporary construction storage yards (reference 5.1.18).
38. Indoor theaters.
39. Heating oil sales and distribution (reference 5.1.20).
40. Temporary nonresidential mobile homes (reference 5.8).
41. Uses permitted by right pursuant to subsection 22.2.1 of section 22.1, commercial, C-1.
42. Indoor athletic facilities.
43. Farmers' market (reference 5.1.47).
44. Stormwater management facilities shown on an approved final site plan or subdivision plat.
45. Tier I and Tier II personal wireless service facilities (reference 5.1.40).
46. Storage yards.
47. Laboratories/Research and Development/Experimental Testing; gross floor area of the establishment does not exceed 4,000 square feet per site; provided that the gross floor area of the establishment may exceed 4,000 square feet per site by special exception approved by the board of supervisors.
48. Manufacturing/Processing/Assembly/Fabrication and Recycling; gross floor area of the establishment does not exceed 4,000 square feet per site; provided that the gross floor area of the establishment may exceed 4,000 square feet per site by special exception approved by the board of supervisors.
49. Storage/Warehousing/Distribution/Transportation; gross floor area of the establishment does not exceed 4,000 square feet per site; provided that the gross floor area of the establishment may exceed 4,000 square feet per site by special exception approved by the board of supervisors.
50. Drive-through windows (reference 5.1.60).

(§ 20-24.2.1, 12-10-80; 6-3-81; 3-5-86; 11-1-89; 6-19-91; 9-9-92; 5-12-93; 9-15-93; 10-11-95; § 18-24.2.1, Ord. 98-A(1), 8-5-98; Ord.02-18(6), 10-9-02; Ord. 04-18(2), 10-13-04; Ord. 08-18(6), 11-12-08; Ord. 10-18(4), 5-5-10; Ord. 13-18(2), 4-3-13)

Sec. 24.2.2 By special use permit

The following uses shall be permitted by special use permit in the HC district:

1. Commercial recreation establishment including but not limited to amusement centers, bowling alleys, pool halls and dance halls.
2. Septic tank sales and related service.
3. Livestock sales.
4. Veterinary office and hospital (reference 5.1.11).
5. Drive-in theaters (reference 5.1.08).
6. Energy and communications transmission facilities (reference 5.1.12).
7. Hospitals, nursing homes, convalescent homes (reference 5.1.13).
8. Auction houses.
9. Unless such uses are otherwise provided in this section, uses permitted in section 18.0, residential - R-15, in compliance with regulations set forth therein.
10. Commercial kennels - indoor only (reference 5.1.11).
11. Stand alone parking and parking structures (reference 4.12, 5.1.41).
- ~~12. Drive through windows.~~
13. Uses permitted by right, not served by public water, involving water consumption exceeding four hundred (400) gallons per site acre per day. Uses permitted by right, not served by public sewer, involving anticipated discharge of sewage other than domestic wastes.
14. Warehouse facilities not permitted under section 24.2.1 (reference 9.0).
15. Animal shelter (reference 5.1.11).
16. Tier III personal wireless service facilities (reference 5.1.40).
17. Body shops.

(§ 20-24.2.2, 12-10-80; 1-1-83; 11-7-84; 6-14-89; 6-19-91; 9-9-92; § 18-24.2.2, Ord. 98-A(1), 8-5-98; Ord. 99-18(4), 6-16-99; Ord. 03-18(1), 2-5-03; Ord. 04-18(2), 10-13-04; Ord. 08-18(6), 11-12-08; Ord. 11-18(2), 1-12-11; Ord. 13-18(2), 4-3-13)

Section 25 Planned Development – Shopping Center – PD-SC

Sec. 25.2.1 By right

The following uses shall be permitted by right in the PD-SC district:

1. Uses permitted by right in the C-1, CO and HC districts, except for storage yards. Outdoor storage, sales or display shall be permitted only when enclosed by appropriate visual screening.

- 2. Energy and communications transmission facilities.
- 3. Public uses (reference 5.1.12).
- 4. Temporary construction headquarters and temporary construction storage yards (reference 5.1.18).
- 5. Drive-through windows (reference 5.1.60).

§ 20-25.2.1, 12-10-80; 11-1-89; 5-12-93; § 18-25.2.1, Ord. 98-A(1), 8-5-98; § 18-25.2.1, Ord. 98-A(1), 8-5-98; Ord. 08-18(6), 11-12-08; Ord. 13-18(2), 4-1-13)

Sec. 25.2.2 By special use permit

The following uses shall be permitted by special use permit in the PD-SC district:

- 1. Commercial recreational establishment included but not limited to amusement centers, bowling alleys, pool halls and dance halls. (Amended 1-1-83)
- 2. Energy and communications transmission facilities (reference 5.1.12).
- 3. Parking structures located wholly or partly above grade.
- 4. ~~Drive through windows.~~
- 5. Veterinary office and hospital (reference 5.1.11).
- 6. Tier III personal wireless service facilities (reference 5.1.40).
- 7. Storage yards.

(§ 20-25.2.2, 12-10-80; 1-1-83; 11-7-84; 11-15-89; 9-9-92; § 18-25.2.2, Ord. 98-A(1), 8-5-98; Ord. 04-18(2), 10-13-04; Ord. 08-18(6), 11-12-08; Ord. 13-18(2), 4-1-13)

I, Ella W. Jordan, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on _____.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Dill	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____
Mr. Sheffield	_____	_____

