

Exhibit: Albemarle County Code Sec. 22.2.1 Redline of Proffered Out Uses for ZMA2019-00015
March 3, 2020

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). (Added 3-2-16)~~
- b. The following services and public establishments:
1. Offices.
 2. Barber, beauty shops.
 3. Religious assembly use, cemeteries. (Amended 8-9-17)

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. Child day centers (reference 5.1.06).
14. (Repealed 2-6-19)
15. Tailor, seamstress.
16. (Repealed 2-6-19)
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 industrialized buildings (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).

c. If the use is served by either public water or an approved central water supply:

~~1. Automobile service stations (reference 5.1.20).~~

~~2. Convenience stores.~~

3. Restaurants.

- d. Uses permitted by right in the Rural Areas (RA) district pursuant to section 10.2.1, provided that the use is not served by either public water or an approved central water supply.
- e. Any use listed in subsections 22.2.1(a)—(c) not served by either public water or an approved central water supply, provided that: (i) the use is within a structure lawfully existing or vested on February 6, 2019; (ii) no external change on the property occurs other than maintenance or signage changes; and (iii) the use is not subject to a special use permit issued under subsection 22.2.2(11).

(§ 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; [Ord. 16-18\(2\)](#), 3-2-16; [Ord. 17-18\(4\)](#), 8-9-17; [Ord. 18-18\(1\)](#), 1-10-18; [Ord. 19-18\(1\)](#), 2-6-19; [Ord. 19-18\(3\)](#), 6-5-19)