



# Albemarle County

## Legislation Details

---

<b>File #:</b>	18-349	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Zoning Text Amendment	<b>Status:</b>		<b>Public Hearing</b>	
<b>File created:</b>	5/24/2018	<b>In control:</b>		<b>Board of Supervisors</b>	
<b>On agenda:</b>	6/13/2018	<b>Final action:</b>			
<b>Title:</b>	<p>ZTA201800002 Commercial and Industrial Zoned Properties Not Served By Public Water. To receive comments on its intent to recommend adoption of the following ordinance changes to the Albemarle County Code: Amend Sections 18-22.2.2, 18-23.2.2, 18-24.2.2, and 18-26.2 to remove language related to water consumption exceeding four hundred (400) gallons per site acre per day for uses not served by public water effective June 13, 2018 and stating that all uses approved pursuant to those code sections before June 13, 2018 shall remain subject to existing special use permit conditions; Amend Section 18-22.1 to permit as by-right uses for uses not served by public water or a central water supply system: retail nurseries and greenhouses, farmers' markets, religious assembly uses and cemeteries, clubs and lodges, fire and rescue squad stations, manufacturing/processing/assembly/fabrication/recycling uses of agricultural products provided that the gross floor area of the establishment does not exceed 4,000 square feet per site however the establishment may exceed 4,000 square feet per site by special exception approved by the Board of Supervisors, storage/warehousing/distribution/transportation uses of agricultural products provided that the gross floor area of the establishment does not exceed 4,000 square feet per site however the establishment may exceed 4,000 square feet per site by special exception approved by the Board of Supervisors, day care, child care, or nursery facilities, water, sewer, energy, and communications distribution facilities, public uses, temporary construction headquarters and temporary construction storage yards, dwellings as provided for in Section 18-5.1.21, temporary industrialized buildings, stormwater management facilities, Tier I and Tier II personal wireless service facilities, veterinary offices and hospitals, animal shelters, and for structures not served by public water or a central water supply system existing or vested on June 13, 2018, the by right uses in Section 18-22.1 for properties served by public water or a central water supply system provided the use is not an intensification of the existing use; Amend Section 18-22.2.2 to permit as special permit uses for uses not served by public water or a central water supply system: antique, gift, jewelry, notion and craft shops, clothing, apparel, and shoe shops, department stores, drug stores and pharmacies, financial institutions, florists, food and grocery stores, furniture and home appliance stores, hardware stores, musical instrument stores, newsstands, magazine, pipe and tobacco shops, optical goods stores, photographic goods stores, visual and audio appliance stores, sporting goods stores, laboratories/research and development/experimental testing uses provided that the gross floor area does not exceed 4,000 square feet however the establishment may exceed 4,000 square feet per site by special exception approved by the Board of Supervisors, manufacturing/processing/assembly/fabrication/recycling uses provided that the gross floor area does not exceed 4,000 square feet however the establishment may exceed 4,000 square feet per site by special exception approved by the Board of Supervisors, drive through windows, administrative and professional offices, barber and beauty shops, funeral homes, health spas, indoor theaters, laundries and dry cleaners, laundromats, libraries and museums, eating establishments, tailors and seamstresses, automobile service stations, automobile and truck repair shops excluding body shops, indoor athletic facilities, commercial recreation establishments, energy and communications transmission facilities, hospitals, hotels, motels, and inns, motor vehicle sales, stand alone parking and parking structures, body shops, Tier III personal wireless service facilities, storage/warehousing/distribution/transportation uses, and uses permitted in Albemarle County Code Section 18-18 in compliance with the regulations therein unless such uses are already provided for in Section 18-22; Amend Section 18-23.2.1 to permit as by-right uses for uses not served by public water or a central water supply system: religious assembly uses, water, sewer, energy, and communication distribution facilities, public uses, temporary construction headquarters and temporary construction storage yards, dwellings as provided for in Section 18-5.1.21, temporary nonresidential mobile homes, day care, child care, or nursery facilities, stormwater management facilities, Tier I and</p>				

Tier II personal wireless service facilities, farmers' markets, schools of special instruction, clubs and lodges, fire and rescue squad stations, and for structures not served by public water or a central water supply system existing or vested on June 13, 2018, the by right uses in Section 18-23.2.1 for properties served by public water or a central water supply system provided the use is not an intensification of the existing use; Amend Section 18-23.2.2 to permit as special permit uses for uses not served by public water or a central water supply system: administrative and business offices, accessory uses and structures incidental to the principal uses provided herein where the aggregate of all accessory uses shall not occupy more than 20% of the floor area of the buildings on site such as eating establishments, newsstands, office supply and equipment sales, data processing services, pharmacies, laboratories, and establishments for the production and/or sale of optical or prosthetic appliances on sites containing medical, dental, or optical offices, central reproduction and mailing services, barber and beauty shops, and sales of goods associated with the principal use, drive through windows, financial institutions, professional offices including medical, dental, and optical offices, libraries and museums, laboratories/research and development/experimental testing uses provided that the gross floor area does not exceed 4,000 square feet per site however the establishment may exceed 4,000 square feet per site by special exception approved by the Board of Supervisors, hospitals, funeral homes, energy and communication transmission facilities, uses permitted in Section 18-18 in compliance with the regulations set forth therein unless such uses are prohibited by Section 18-23, stand alone parking and parking structures, hotels, motels, and inns, indoor athletic facilities, Tier III personal wireless service facilities, storage/warehousing/distribution/transportation uses, and manufacturing/processing/assembly/fabrication/recycling uses; Amend Section 18-24.2.1 to permit as by-right uses for uses not served by public water or a central water supply system: churches, cemeteries, clubs and lodges, educational, technical, and trade schools, feed and seed stores, fire and rescue squad stations, home and business services such as grounds care, cleaning, exterminators, landscaping, and other repair and maintenance services, light warehouses, retail nurseries and greenhouses, wayside stands, wholesale distribution of agricultural products, water, sewer, energy, and communications distribution facilities, public uses, temporary construction headquarters and temporary construction storage yards, farmers' markets, stormwater management facilities, Tier I and Tier II personal wireless service facilities, storage yards, manufacturing/processing/assembly/fabrication/recycling uses of agricultural products provided that the gross floor area of the establishment does not exceed 4,000 square feet per site however the establishment may exceed 4,000 square feet per site by special exception approved by the Board of Supervisors, storage/warehousing/distribution/transportation uses of agricultural products provided that the gross floor area of the establishment does not exceed 4,000 square feet per site however the establishment may exceed 4,000 square feet per site by special exception approved by the Board of Supervisors, livestock sales, veterinary offices and hospitals, indoor commercial kennels, animal shelters, and for structures not served by public water or a central water supply system existing or vested on June 13, 2018, the by right uses in Section 18-24.2.1 for properties served by public water or a central water supply system provided the use is not an intensification of the existing use; Amend Section 18-24.2.2 to permit as special permit uses for uses not served by public water or a central water supply system: automobile laundries, automobile and truck repair shops, automobile service stations, building materials sales, convenience stores, clothing and fabric factory outlet sales, financial institutions, fire extinguisher and security products sales and services, funeral homes, furniture stores, food and grocery stores, hardware stores, hotels, motels, and inns, machinery and equipment sales, service, and rental, manufactured home sales and service, modular building sales, motor vehicle sales, service, and rental, new automotive parts sales, newspaper publishing, administrative, business, and professional offices, office and business machines sales and service, eating establishments, recreational vehicle and equipment sales, wholesale distribution of other than agricultural products, indoor theaters, heating oil sales and distribution, temporary industrialized buildings, indoor athletic facilities, laboratories/research and development/experimental testing uses provided that the establishment does not exceed 4,000 square feet however the establishment may exceed 4,000 square feet per site by special exception approved by the Board of Supervisors, manufacturing/processing/assembly/fabrication/recycling uses provided that the establishment does not exceed 4,000 square feet however the establishment may exceed 4,000 square feet per site by special exception approved by the Board of Supervisors, storage/warehousing/distribution/transportation uses provided that the gross floor area of the establishment does not exceed 4,000 square feet however the establishment may exceed 4,000 square feet per site by special exception approved by the Board of Supervisors, drive through windows, commercial recreation establishments, septic tank sales and related services, building

materials sales, drive-in theaters, energy and communications transmission facilities, hospitals, nursing homes, auction houses, stand alone parking and parking structures, warehouse facilities not permitted under Section 18-24.2.1, uses permitted in Albemarle County Code Section 18-18 in compliance with the regulations therein unless such uses are otherwise provided for in Section 18-24, Tier III personal wireless service facilities, and body shops; Amend Section 18-26.2 to permit as by right uses for uses not served by public water or a central water supply system: processing of agricultural products, organic fertilizer manufacture or processing, temporary or permanent sawmills, planing mills, wood yards, collection and distribution facilities for local agricultural products produced in the Rural Area, fire, ambulance and rescue squad stations, farmers' markets conducted in a permanent structure established after May 5, 2010, farmers' markets conducted outdoors or within a temporary or permanent structure existing on May 5, 2010, Tier I and Tier II personal wireless service facilities, public uses, stormwater management facilities, water, sewer, energy, and communications distribution facilities, temporary construction headquarters, temporary construction storage yards, temporary industrialized buildings, parking structures as part of an occupied structure, dwellings as provided for in Section 18-5.1.21, fill areas, and waste areas, and for structures not served by public water or a central water supply system existing or vested on June 13, 2018, the by right uses in Section 18-26.2 for properties served by public water or a central water system provided the use is not an intensification of the existing use; and Amend Section 18-26.2 to permit as special permit uses for uses not served by public water or a central water supply system: manufacturing/processing/assembly/fabrication and recycling uses, brick manufacturing and distribution uses, chemical and plastics manufacturing or processing, dry cleaning plants, materials recovery facilities, petroleum, gasoline, natural gas and manufactured gas bulk storage, recycling processing centers, rendering plants, storage/warehousing/distribution/transportation uses, airports, heavy equipment and vehicle parking and storage yards, heliports, helistops, warehouse facilities where there may be the storage of gasoline, kerosene, or other volatile materials, dynamite blasting caps and other explosives, pesticides and poisons, and other materials which may be hazardous to life, laboratories/research and development/experimental testing uses, independent offices within structures existing or vested on or before April 3, 2014, independent offices within structures not established or not vested until after April 3, 2014, independent offices within expanded portions of structures where the expansion was not established or vested until after April 3, 2014, energy and communications transmission facilities, industrial offices, Tier III personal wireless service facilities, hotels, motels, and inns, outdoor storage, display and/or sales serving or associated with a permitted use, other than a residential, agricultural or forestall use, any portion of which would be visible from a street within the entrance corridor overlay district to which it is contiguous or from any other street within the entrance corridor, subordinate retail sales for any use permitted by right provided the use does not exceed 25% of the gross floor area of the primary industrial use, subordinate retail sales for any use permitted by right provided the use exceeds 25% of the gross floor area of the primary industrial use, supporting commercial uses provided that the use does not exceed 25% of the gross floor area of the freestanding building or multiple buildings on an industrial site, supporting commercial uses that exceed 25% of the gross floor area of the freestanding building or multiple buildings on an industrial site, stand alone parking structures and areas, and uses permitted by-right in the Light Industry or Heavy Industry zoning districts, not served by public sewer, involving anticipated discharge of sewage other than domestic wastes.

**Sponsors:**

**Indexes:**

**Code sections:**

- Attachments:**
1. ZTA201800002 BOS Transmittal Summary, 2. Attach. A ZTA-18-2\_Water\_Consumption\_May\_8\_Staff\_Report, 3. Attach. A1 ZTA-18-2\_Water\_Consumption\_May\_8\_Attach.A, 4. Attach. A2 ZTA-18-2\_Water\_Consumption\_May\_8\_Attach.B, 5. Attach. A3 ZTA-18-2\_Water\_Consumption\_May\_8\_Attach.C, 6. Attach. A4 ZTA-18-2\_Water\_Consumption\_May\_8\_Attach.D, 7. Attach. B PC Minutes May 8 2018, 8. Attach. C ZTA-18-2\_Cont\_Commercial\_Water\_May\_22\_Staff\_Report, 9. Attach. C1 ZTA-18-2\_Cont\_Commercial\_Water\_May\_22\_Attach\_A., 10. Attach. C2 ZTA-18-2\_Cont\_Commercial\_Water\_May\_22\_Attach\_A1, 11. Attach. C3 ZTA-18-2\_Cont\_Commercial\_Water\_May\_22\_Attach\_B, 12. Attach. C4 ZTA-18-2\_Cont\_Commercial\_Water\_May\_22\_Attach\_C, 13. Attach. C5 ZTA-18-

2\_Cont\_Commercial\_Water\_May\_22\_Attach\_D, 14. Attach. D PC May 22 2018 minutes, 15. Attach.  
E Proposed Ordinance

<b>Date</b>	<b>Ver.</b>	<b>Action By</b>	<b>Action</b>	<b>Result</b>
6/13/2018	1	Board of Supervisors	deferred	Pass