



Albemarle County

Legislation Details

File #: 18-461 **Version:** 1 **Name:**
Type: Zoning Text Amendment **Status:** Passed
File created: 8/16/2018 **In control:** Board of Supervisors
On agenda: 9/5/2018 **Final action:** 9/5/2018

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. To receive comments on its intent to adopt an ordinance amending Secs. 18-33.1, Purpose and intent, through Sec. 18-33.9, Special exceptions; relevant factors to be considered conditions, of Chapter 18, Zoning, of the Albemarle County Code. Section 18-33 establishes the procedures and requirements for zoning text amendments (ZTAs), zoning map amendments (ZMAs), special use permits (SPs), and special exceptions (SEs). The proposed ordinance would reorganize Section 18-33 by, among other things, splitting existing sections into multiple sections and organizing those sections into divisions based on the type of application or action, and would revise, clarify and standardize the text. The primary proposed substantive changes would: (1) amend the times by which recommendations and actions must be taken on ZTAs and County-initiated ZMAs (County Code §§ 18-33.5, 18-33.6, 18-33.11, and 18-33.12); (2) amend the criteria considered by the Director of Planning to not require certain information with applications for ZMAs and SPs (County Code §§ 18-33.15 and 18-33.32); (3) allow applications for ZMAs, SPs, and SEs to be electronically filed (County Code §§ 18-33.20, 18-33.34, and 18-33.45); (4) require notice to be given to open-space and conservation easement holders when complete ZMA, SP, or SE applications affecting the property are filed (County Code §§ 18-33.20, 18-33.34, and 18-33.45); (5) establish procedures and consequences when applications for ZMAs, SPs, and SEs are incomplete (County Code §§ 18-33.20, 18-33.34, and 18-33.45); (6) authorize the Director of Planning to require studies to identify impacts of ZMAs, SPs, and SEs (County Code §§ 18-33.21, 18-33.35, and 18-33.46); (7) incorporate the requirements of Virginia Code § 15.2-2303.4 for proffers related to residential and mixed use residential ZMAs; (8) amend the criteria for determining when a community meeting may be required for a ZMA or SP (County Code §§ 18-33.24 and 18-33.37); (9) establish when an application for an SE must be reviewed by the Planning Commission (County Code § 18-33.48); (10) authorize an SE to be revoked for noncompliance with conditions (County Code § 18-33.50); and (11) amend the procedures and requirements for deferring action, requesting action after deferral, withdrawing an application (County Code §§ 18-33.52, 18-33.53, and 18-33.54). The proposed ordinance would also: (1) delete the procedure that allowed any member of the public to apply for a ZTA (current County Code § 18-33.2); and (2) delete the State law reference to judicial review of the Board of Supervisors' decision on a ZMA or SP (current County Code § 18-33.4(t)).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Transmittal summary for ZTA 2017-06, 2. Attach. A - ZTA-17-6 Section 33 August 7 Staff Report, 3. Attach. A1 - ZTA-17-6 Section 33 August 7 Attach A, 4. Attach. A2 - ZTA-17-6 Section 33 August 7 Attach B, 5. Attach. A3 - ZTA-17-6 Section 33 August 7 Attach C, 6. Attach. A4 - ZTA-17-6 Section 33 August 7 Attach D, 7. Attach. B - PC Minutes (August 7), 8. Attach. C - PC Action Letter, 9. Attach. D - PC Minutes (July 17), 10. Attach. E - Proposed Ordinance

Date	Ver.	Action By	Action	Result
9/5/2018	1	Board of Supervisors	adopted	Pass