



# Albemarle County

## Legislation Text

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**File #:** 16-152, **Version:** 1

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**AGENDA DATE:** 2/3/2016

**TITLE:**

Applicant Requested Zoning Text Amendments - Impact on Work Program

**SUBJECT/PROPOSAL/REQUEST:** Consideration of impact of applicant-initiated zoning text amendments that would a) allow resident artist communities in the Rural Area zoning district by special use permits and b) allow changes and expansions to taverns and inns in historic buildings which are operating under a special use permit.

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Foley, Walker, Davis, Kamptner, Graham, Cilimberg, Benish, Maliszewski, and Echols

**PRESENTER (S):** Elaine Echols

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Thomas C. Foley

**BACKGROUND:** Two separate applicant-initiated Zoning Text Amendments (ZTAs) have been requested and the respective applicants have asked in each case that their project be advanced as soon as possible. These two ZTAs ("ZTA A" and "ZTA B") have similarities in that they relate to historic preservation, yet they are distinct requests. ZTA A is for resident artist communities in historic buildings (Attachment B). ZTA B would allow changes and expansions to taverns and inns in historic buildings which are operating under a special use permit (Attachment C). ZTA A is not yet identified on the CDD Work Program and ZTA B, which relates to transient lodging, can reasonably be considered with that specific work identified in the CDD Work Program to begin in the second quarter of 2017.

**STRATEGIC PLAN:** Goal 7: Operational Capacity. Ensure County government's ability to provide high quality service that achieves community priorities.

**DISCUSSION:** Staff acknowledges that both referenced ZTAs are worthy of thoughtful consideration and will require significant work by County staff, the Planning Commission and the Board of Supervisors as part of the County's land use policy review process. Staff is concerned, however that it does not currently have capacity to work on either of these two issues without affecting the current Work Program approved by the Board in November and later modified in January. It should be noted that the Planning Commission has considered this matter and recommended deferral of ZTA A and recommended proceeding with consideration of ZTA B as soon as possible. The Planning Commission did not recommend specific changes to the approved Work Program. Minutes of the Planning Commission meeting of December 15, 2016 are provided in Attachment D.

This matter is being brought to you for consideration with respect for the interests of the applicants involved and with the understanding that staff utilization is guided in large part by the approved Work Program. In order to advance ZTA A, ZTA B, or both, without additional staff resources, an adjustment to the current CDD Work Program will be necessary. It should be noted that neither ZTA A nor ZTA B is the type of amendment that

would benefit from consultant assistance.

**BUDGET IMPACT:** The advancement of ZTA A and/or ZTA B at this time would only impact the budget if additional resources are provided to increase staff resource capacity.

**RECOMMENDATION:**

Staff recommends that ZTA A (resident artist communities) be tabled until the Work Program includes the task to study alternative uses for historic structures or transient lodging, as suggested by the Planning Commission.

Staff recommends that ZTA B (taverns and inns in historic buildings) be tabled until the County studies transient lodging which is currently scheduled for the 2<sup>nd</sup> quarter of 2017.

Alternatively, if the Board desires to proceed with either or both of the applicant-initiated ZTAs, it is recommended that staff bring back to the Board a proposed modified CDD Work Program for further consideration.

**ATTACHMENTS:**

- A: CDD Work Program Amended January 6, 2016
- B: Resident Artist Communities in the Rural Area ZTA Request
- C: ZTA to Allow Changes and Expansions to Taverns and Inns in Historic Buildings and Sites Operating under a Special Use Permit (Clifton)
- D: Draft Minutes from Planning Commission Meeting December 15, 2015