



Albemarle County

Legislation Details

File #:	19-139	Version:	1	Name:	
Type:	Zoning Text Amendment	Status:		Passed	
File created:	1/3/2019	In control:		Board of Supervisors	
On agenda:	2/6/2019	Final action:		2/6/2019	

Title: ZTA201800002 Uses on commercially zoned properties not served by public water or approved central water supplies (previously referred to as "Commercial and Industrial zoned properties not served by public water"). To receive comments on its intent to adopt an ordinance amending Chapter 18, Zoning, of the Albemarle County Code described below.

Districts affected: The proposed ordinance pertains to all lands in the Commercial ("C-1"), Commercial Office ("CO"), and Highway Commercial ("HC") zoning districts (Albemarle County Code, Chapter 18, Sections 22, 23, and 24 respectively) that are not served by public water or an approved central water supply.

Summary of current regulations: Under current regulations in these districts, any use otherwise allowed by-right is permitted only by special use permit if the use is not served by public water but involves water consumption exceeding 400 acres per site acre per day.

Summary of proposed amendments: The proposed ordinance would amend the district regulations to:

1. Require a special use permit for certain uses otherwise allowed by-right if the use is not served by either public water or an approved central water supply, regardless of the amount of water that may be consumed by the proposed use. In the C-1 and HC districts, the affected uses would be convenience stores, eating establishments, and automobile service stations (Secs. 22.2.2(16); 24.2.2(18)). In the CO district, the affected use would be eating establishments that meet that district's current requirements to qualify as an accessory use (Secs. 23.2.2(18)). These same uses would be allowed by right if they were either served by public water (as currently allowed), or by an approved central water supply (proposed). (Secs. 22.2.2(11), 23.2.2(8), 24.2.2(13)) Other uses otherwise allowed by-right in the respective districts would continue to be permitted only by special use permit if the use is not served by public water but involves water consumption exceeding 400 acres per site acre per day. (Secs. 22.2.1(c), 23.2.1(18), 24.2.1(51)).
2. Add by cross-reference those uses allowed by-right in the Rural Areas (RA) zoning district as by-right uses in the C-1, CO, and HC zoning districts, provided that the use is not served by either public water or an approved central water supply (Secs. 22.2.1(d), 23.2.1(19), and 24.2.1(53)).
3. Allow any use listed as by-right in Sec. 22.2.1(a)-(c) in the C-1 district, in Sec. 23.2.1(1)-(18) in the CO district, and in Sec. 24.2.1(1)-(51) in the HC district, that is not served by either public water or an approved central water supply, to continue as a by-right use or as a special use (as authorized by a special use permit required under current Secs. 22.2.2(11), 23.2.2(8), or 24.2.2(13)) for uses not on public water when the use involved water consumption exceeding 400 gallons per site acre per day) if the use is within a structure lawfully existing or vested on February 6, 2019. For these uses, no external change on the property would be allowed to occur other than maintenance or signage changes, and, if the use is authorized by a special use permit approved prior to February 6, 2019, the use complies with all conditions of the special use permit (Secs. 22.2.1(e), 22.2.2(11), 23.2.1(20), 23.2.2(8), 24.2.1(53), and 24.2.2(13)).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ZTA 2018-02 PC transmittal, 2. Att.A - PC Staff Report, 3. Att.A1- Resolution of Intent, 4. Att.A2 - Proposed Ordinance, 5. Att.A3 - Comprehensive Plan, 6. Att.A4 - Purpose and Intet of Commercial Districts, 7. Att.B - PC Action Letter, 8. Att.C - PC Minutes, 9. Att.D - Letters from Public, 10. Att.E - Proposed Ordinance

Date	Ver.	Action By	Action	Result
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2/6/2019

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Board of Supervisors

adopted

Pass