



# Albemarle County

## Legislation Text

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**File #:** 17-324, **Version:** 1

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**AGENDA DATE:** May 3, 2017

**TITLE:** Resolution of Intent to amend the Zoning Ordinance Regulations Pertaining to Farmers' Markets

**SUBJECT/PROPOSAL/REQUEST:** Resolution of intent to amend the Zoning Ordinance to allow Farmers' Markets as a by-right use in the Rural Areas subject to appropriate performance standards

**ITEM TYPE:** Consent Action Item

**STAFF CONTACT(S):** Walker, Kamptner, Blair, Graham, McCulley, Fritz

**PRESENTER:** Bill Fritz

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Douglas C. Walker

**BACKGROUND:** The Rural Area chapter of the Albemarle County Comprehensive Plan states that one of the objectives of the County is to "support a strong agricultural and forestal economy," and one of the strategies to achieve that objective is to "continue to assist Rural Area property owners to diversify agricultural activities, including helping to connect local farms with local consumers".

Farm Stands are permitted as a by-right use in the Rural Areas, but Farmers' Markets require a special use permit. Farm Stands are for a single vendor and Farmers' Markets are for two or more vendors. The County has reviewed two Farmers' Market requests in the Rural Areas and both have been approved. During the review process for Farmers' Markets, it has become apparent that the impacts of a Farmers' Market are relatively straightforward and can be addressed with appropriate regulations that would allow the use to be processed administratively. The existing regulations require a special use permit application which involves a significant fee, based on the size of the use, and a lengthy review process. Farmers' Markets are generally small in nature and may be proposed late in the winter or early spring for summer use. The lead time for a special use permit is not conducive to establishing a Farmers' Market during the farming season.

**STRATEGIC PLAN:** Rural Area Character: Preserve the character of rural life with thriving farms and forests, traditional crossroad communities, and protected scenic areas, historic sites, and biodiversity.

**DISCUSSION:** During the review of the Zoning Text Amendment, staff will attempt to identify those who may be interested in the use and request their comment. The Planning Commission has already been asked informally to comment on the proposed change in use. While Commission members are supportive of amendments to the site plan submittal requirements for Farmers' Markets, they did not express support of a change to allow the use by-right.

**BUDGET IMPACT:** The cost of reviewing a special use permit application exceeds the application fee. Allowing Farmers' Market as a use by-right may have a slight positive impact on the budget.

**RECOMMENDATIONS:** Staff recommends that the Board adopt the attached Resolution of Intent (Attachment A).

**ATTACHMENTS:**

Attachment A - Resolution of Intent