

**ORDINANCE NO. 13-18( )**

AN ORDINANCE TO AMEND CHAPTER 18, ZONING, ARTICLE III, DISTRICT REGULATIONS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 18, Zoning, Article III, District Regulations, is hereby amended and reordained as follows:

**By Amending:**

Sec. 20B.2 Permitted Uses

**By Adding:**

Sec. 20B.8 Residential uses allowed by special use permit; additional factors when considering special use permits

**Chapter 18. Zoning**

**Article III. District Regulations**

**Section 20B**

**Downtown Crozet District – DCD**

**Sec. 20B.2 Permitted Uses**

The following uses shall be permitted in the DCD, subject to the regulations in this section:

A. *By right uses; retail and service.* The following retail and service uses are permitted by right:

1. Antique, gift, jewelry, notion and craft shops.
2. Automobile, truck repair shops excluding body shops.
3. Barber, beauty shops.
4. Clothing, apparel and shoe shops.
5. Commercial recreation establishments including, but not limited to, amusement centers, bowling alleys, pool halls and dance halls.
6. Convalescent homes (reference 5.1.13).
7. Convenience stores.
8. Department stores.
9. Drug stores, pharmacies.
10. Factory outlet stores, clothing and fabric.

11. Farmers' markets (reference 5.1.47). (Amended 5-5-10)
12. Feed and seed stores (reference 5.1.22).
13. Financial institutions.
14. Fire extinguisher and security products sales and service.
15. Florists.
16. Food and grocery stores including such specialty shops as bakery, candy, milk dispensary and wine and cheese shops.
17. Funeral homes.
18. Furniture and home appliances sales and service.
19. Hardware stores.
20. Health spas.
21. Hotels, motels and inns.
22. Indoor athletic facilities.
- ~~23. Laboratories, medical or pharmaceutical.~~
24. Laundries, dry cleaners.
25. Musical instrument sales and repair.
26. New automotive parts sales.
27. Newspaper publishing.
28. Newsstands, magazines, pipe and tobacco shops.
29. Nursing homes (reference 5.1.13).
30. Office and business machines sales and service.
31. Optical goods sales and service.
32. Photographic goods sales and service.
- ~~33. Research and development activities, including experimental testing, subject to the performance standards stated in section 4.14 of this chapter.~~
34. Restaurants.

35. Retail nurseries and greenhouses.
  36. Service stations.
  37. Sporting goods sales.
  38. Tailors and seamstresses.
  39. Temporary construction headquarters and temporary construction storage yards (reference 5.1.18).
  40. Tier I and Tier II personal wireless service facilities (reference 5.1.40).
  41. Tourist lodging.
  42. Visual and audio appliances.
  43. Laboratories/Research and Development/Experimental Testing.
- B. *By right uses; office.* The following office uses are permitted by right:
1. Offices.
  2. Temporary construction headquarters and temporary construction storage yards (reference 5.1.18).
- C. *By right uses; public and civic.* The following public and civic uses are permitted by right:
1. Churches.
  2. Clubs, lodges (reference 5.1.02).
  3. Conference centers, outdoor auditoriums, public art or kiosks.
  4. Cultural arts centers.
  5. Day care centers (reference 5.1.06).
  6. Water, sewer, energy and communications distribution facilities.
  7. Fire, ambulance and rescue squad stations (reference 5.1.09).
  8. Libraries.
  9. Outdoor performance areas.
  10. Parking structures and stand alone parking structures (reference 4.12 and 5.1.41).
  11. Private schools.
  12. Public uses (reference 5.1.12).

13. Temporary construction headquarters and temporary construction storage yards (reference 5.1.18).
  14. Theaters, live and movie, including multi-screen movie theaters.
- D. *By right uses; residential.* The following residential uses are permitted by right, provided that the first floor of the building in which the residential use exists is designed for and occupied only by a use permitted by subsections 20B.2(A), (B), (C) or (E):
1. Apartments, either as a single-family dwelling or as a multiple-family dwelling.
  2. Attached single-family dwellings such as townhouses.
  3. Boarding houses.
  4. Condominiums.
  5. Group homes (reference 5.1.07).
  6. Tourist lodging within detached single-family dwellings existing on June 4, 2008.
  7. Dwellings occupied by the owner or employees of a permitted commercial use, and their families (reference 5.1.21).
  8. Family day homes (reference 5.1.56). (Added 9-11-13)
- E. *By special use permit; non-residential uses.* The following non-residential uses are permitted by special use permit:
- ~~1. Body shops (reference 5.1.31).~~
  2. Buildings more than fifty (50) feet or four stories in height, up to seventy (70) feet or six (6) stories in height, provided the increased height allows the provision of a demonstrated public benefit, such as providing affordable housing or parking.
  3. Buildings one story in height.
  4. Car washes.
  - ~~5. Compounding of drugs, including biological products, medical and chemical as well as pharmaceutical.~~
  - ~~6. Detached single-family dwellings, provided that there is no other use permitted by subsections 20B.2(A), (B), (C) or (E) on the same lot.~~
  7. Drive-through windows.
  8. Energy and communications transmission facilities (reference 5.1.12).
  9. Hospitals.

~~10. Manufacturing, processing, fabricating, assembling, and distributing products including, but not limited to:~~

- ~~— Artists' supplies and equipment.~~
- ~~— Business, office machines and equipment.~~
- ~~— Cosmetics, including perfumes, perfumed toiletries and perfumed toilet soap.~~
- ~~— Drafting supplies and equipment.~~
- ~~— Electrical lighting and wiring equipment.~~
- ~~— Electrical and electronic equipment and components including radio, telephone, computer, communication equipment, TV receiving sets, phonographs.~~
- ~~— Food products, such as bakery goods, dairy products, candy, beverages, including bottling plants.~~
- ~~— Gifts, novelties including pottery, figurines and similar ceramic products.~~
- ~~— Glass products made of purchased glass.~~
- ~~— Industrial controls.~~
- ~~— Jewelry, silverware.~~
- ~~— Light machinery and machine parts, including electrical household appliances but not including such things as clothes washers, dryers and refrigerators.~~
- ~~— Musical instruments.~~
- ~~— Paper products such as die cut paperboard and cardboard, sanitary paper products, bags and containers.~~
- ~~— Photographic equipment and supplies including processing and developing plant.~~
- ~~— Rubber, metal stamps.~~
- ~~— Small electrical parts such as coils, condensers, transformers, crystal holders.~~
- ~~— Surgical, medical and dental instruments and supplies.~~
- ~~— Toys, sporting and athletic equipment, except firearms, ammunition or fireworks.~~
- ~~— Watches, clocks and similar timing devices.~~
- ~~— Wood cabinets and furniture, upholstery.~~

- ~~11. Publishing, printing, lithography and engraving, including but not limited to newspapers, periodicals and books.~~
12. Preparation of printing plates including typesetting, etching and engraving.
13. Stand-alone parking (reference 4.12).
- ~~14. Storage yards.~~
15. Tier III personal wireless service facilities (reference 5.1.40).
16. Towing and storage of motor vehicles (reference 5.1.32).
17. Veterinary offices and animal hospitals.
18. Storage/Warehousing/Distribution/Transportation.
19. Manufacturing/Processing/Assembly/Fabrication and Recycling.

F. *By special use permit; residential uses.* The following residential uses are permitted by special use permit without the restriction on first floor uses required by subsection 20B.2(D), provided that there is no other use permitted by subsections 20B.2(A), (B), (C) or (E) on the same lot:

1. Apartments, either as a single-family dwelling or as a multiple-family dwelling.
2. Attached single-family dwellings such as townhouses.
3. Boarding houses.
4. Condominiums.
5. Detached single-family dwellings
6. Group homes (reference 5.1.07).
7. Tourist lodging within detached single-family dwellings existing on June 4, 2008.
8. Dwellings occupied by the owner or employees of a permitted commercial use, and their families (reference 5.1.21).
9. Family day homes (reference 5.1.56). (Added 9-11-13)

**Sec. 20B.8 Residential uses allowed by special use permit; additional factors when considering special use permits**

In evaluating a request for a special use permit for a non-residential use under section 20B.2(E) or a residential use under section 20B.2(F), the board shall consider the following factors in addition to those delineated in section 33.8:

- A. The proposed use should be consistent with the recommendations for the Downtown area in the Crozet Master Plan.

B. The proposed use and its proposed size should be consistent with the purpose and intent of the Downtown Crozet District as stated in section 20B.1.

C. The proposed use in its location should complement adjacent uses and contribute to a mix of uses in the Downtown Crozet District.

D. Whether the part of the structure in which the proposed use will be located can be converted to accommodate by right uses in the Downtown Crozet District.

I, Ella W. Jordan, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of \_\_\_\_\_ to \_\_\_\_\_, as recorded below, at a regular meeting held on \_\_\_\_\_.

\_\_\_\_\_  
Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Boyd	_____	_____
Mr. Craddock	_____	_____
Ms. Mallek	_____	_____
Mr. Rooker	_____	_____
Mr. Snow	_____	_____
Mr. Thomas	_____	_____