

**TENTATIVE
MARCH 24, 2009
6:00 P.M.
LANE AUDITORIUM, COUNTY OFFICE BUILDING
401 MCINTIRE ROAD**

1. Call to order and establish quorum.
2. Other Matters Not Listed on the Agenda from the Public.
3. Consent Agenda (on next sheet).
4. Regular Item.
 - a. [HO2009-00057 Joseph Dane](#)
Request for a modification for a Home Occupation Class A for counseling services in accordance with Section 5.2 of the Zoning Ordinance. The modification is for the number of vehicles trips allows for his residence at 4310 Beaver Creek Road (State Route 1589). The applicant is currently allowed seven clients per week and is seeking to have that modified to be allowed to have up to eight (8) clients per day. The property described as Tax Map 31B, Parcel 157 is located in the Earlysville Forest subdivision. The property is zoned planned unit development. The Comprehensive Plan designates this property as Rural Area in the White Hall Magisterial District. (Juan Wade)
5. Public Hearing Item.
 - a. [SP2008-00029 South Plains Presbyterian Church](#)
PROPOSED: Addition of new fellowship hall and sanctuary to existing church.
ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots); EC Entrance Corridor - Overlay to protect properties of historic, architectural or cultural significance from visual impacts of development along routes of tourist access
SECTION: 10.2.2.35, 35, church building and adjunct cemetery
COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre in development lots)
ENTRANCE CORRIDOR: Yes
LOCATION: 410 Black Cat Road, at the intersection of Black Cat Road (Route 616) and Louisa Road (Route 22)
TAX MAP/PARCEL: Tax Map 80 Parcel 116
MAGISTERIAL DISTRICT: Rivanna
(Scott Clark)
6. Work Session.
 - a. [ZTA2008-00003 Planned Development Changes](#)
Amend the following sections of Chapter 18, Zoning, of the Albemarle County Code: 3.1, Definitions, to amend and delete several definitions; 8.2, Relation of planned development regulations to other zoning regulations, to change section heading, to clarify the regulations applicable to planned developments ("PD"), to require that waivers and modifications be expressly granted, and to reorganize the section; 8.3, Planned development defined, to revise the definition of "planned development"; 8.5.1, Applications and documents to be submitted, to revise the standards and information accompanying an application to establish a PD district; 8.5.2, Preapplication conferences, to revise the parties in a preapplication conference; 8.5.3, Review and recommendation by the planning commission,, to revise the matters considered by the planning commission in acting on an application for a PD district; 8.5.4, Review and action by the board of supervisors, to change section heading and to clarify the documents applicable to a PD upon approval of the PD rezoning; 8.5.5, Final site plans and subdivision plats, to change section heading; 8.5.5.1, Contents of site plans and subdivision plats, to revise a cross-reference; 8.5.5.2, Review of site plans and subdivision plats, to provide that when subdivision plats and site plans are reviewed, they shall be reviewed for compliance as follows: (a) if the PD district was established on or before December 10, 1980, the zoning and subdivision regulations currently in effect apply unless vested rights are established; (b) if the PD district was established after December 10, 1980, at the option of the developer, the zoning and subdivision regulations in effect when the PD district was established or those currently in effect apply, provided that if the developer elects the former, six delineated

subjects of regulation are not so grandfathered and the developer must comply with current regulations pertaining to those 6 subjects unless vested rights are established; to revise the zoning administrator's and director of planning's review for compliance, to define "applicable regulations," and to declare that vested rights are not impaired; 8.5.5.3, Variations from approved plans, codes, and standards of development, to revise the provisions of a plan, code or standard the director of planning may vary, and to authorize the director to require that specified information be provided ; 8.5.5.4, Building permits and erosion and sediment control permits, to revise references to county officers and bodies and to clarify other clauses; 8.5.5.5, Site plan and subdivision plat requirements for planned development zoning districts established without an application or application plan, to change section heading and to clarify the procedure and requirements for reviewing a site plan or subdivision plat where there was no application plan when the PD district was established; 8.6, Amendments to planned development districts, to revise and expand the procedure to amend a PD district by establishing requirements for who is an eligible applicant, submitting a map if the rezoning affects less than the entire district, notice, and factors considered during review; 20A.3, Application requirements; required documents and information, to change reference from "general development plan" to "application plan"; 20A.4, General development plans, to change section heading and the required elements of an application plan in a neighborhood model district (hereinafter, NMD"); 20A.5, Codes of development, to clarify that any substantive or procedural requirement of the Zoning Ordinance applies in an NMD unless the subject matter is expressly addressed in the code of development (hereinafter, the "code"), to expressly require that the code be in a form required or approved by the director of planning, to change the required elements of a code, and to limit the applicable architectural standards in pre-existing codes to only the new required elements unless determined to be key features; 20A.6, Permitted uses, to change a reference from "general development plan" to "application plan" and to allow a code to provide that any use allowed by right or by special use permit in any other zoning district be a use allowed by special use permit in an NMD; 20A.7, Residential density, to correctly state the formula for calculating residential density in an NMD; 20A.9, Green spaces, amenities, conservation areas and preservation areas, to change references from "site area" to the "area proposed to be rezoned" when calculating the areas of green spaces and amenities; and 20A.10, Streets, to change a reference from "department of engineering and public works" to the "department of community development." A copy of the full text of the ordinance is on file in the office of the Clerk of the Board of Supervisors and in the Department of Community Development, County Office Building, 401 McIntire Road, Charlottesville, Virginia.
(Elaine Echols)

7. Old Business.
8. New Business.
9. Adjournment—8:30 p.m.

CONSENT AGENDA

- a. Approval of Minutes
 - July 18, 2006
 - August 15, 2006
 - September 9, 2008
 - February 10, 2009
 - February 17, 2009

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