

ALBEMARLE COUNTY CODE

CHAPTER 18

ZONING

SECTION 20B

DOWNTOWN CROZET DISTRICT - DCD

Sections:

20B.1	PURPOSE AND INTENT
20B.2	PERMITTED USES
20B.3	AREA AND BULK REGULATIONS
20B.4	PARKING
20B.5	LANDSCAPING
20B.6	OUTDOOR LIGHTING
20B.7	SIDEWALKS AND STREET TREES
20B.8	RESIDENTIAL USES ALLOWED BY SPECIAL USE PERMIT; ADDITIONAL FACTORS WHEN CONSIDERING SPECIAL USE PERMITS

20B.1 PURPOSE AND INTENT

The purpose of the Downtown Crozet District (hereinafter referred to as the “DCD”) is to establish a district in which traditional downtown development, as described in the Crozet master plan, will occur.

To these ends, the DCD provides for flexibility and variety of development for retail, service, and civic uses with light industrial and residential uses as secondary uses. The regulations for the DCD are intended to promote a development form and character that is different from typical suburban development allowed by conventional zoning, and are also intended to: (i) promote the economic and social vitality and diversity of downtown Crozet; (ii) implement the Crozet master plan for the downtown area of Crozet so that it may serve as the commercial hub of Crozet and its environs; (iii) provide a greater mix of uses in downtown Crozet, including increased employment; (iv) facilitate infill and redevelopment; (v) increase the utility of the land; (vi) retain the uniquely diverse character of Crozet; and (vii) promote a pedestrian-friendly environment.

These regulations are intended to provide maximum flexibility in establishing uses and structures in order to implement the relevant policies of the Crozet master plan. Accordingly, although the DCD permits uses that are commercial and light industrial in character, neither sections 21 nor 26 of this chapter apply to the DCD.

(Ord. 08-18(3), 6-11-08; Ord. 17-18(5), 10-11-17)

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.

ALBEMARLE COUNTY CODE

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. Assisted living facilities and skilled nursing facilities (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. (Repealed 12-11-13)
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.

ALBEMARLE COUNTY CODE

31. Optical goods sales and service.
 32. Photographic goods sales and service.
 33. (Repealed 12-11-13)
 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.
 44. Drive-through windows (reference 5.1.60). (Added 3-2-16)
- 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. Religious assembly use. (Amended 8-9-17)
 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.

ALBEMARLE COUNTY CODE

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. (Repealed 12-11-13)
 2. (Repealed 12-11-13)
 3. (Repealed 12-11-13)
 4. Car washes.
 5. (Repealed 12-11-13)
 6. (Repealed 12-11-13)
 7. (Repealed 3-2-16)
 8. Energy and communications transmission facilities (reference 5.1.12).
 9. Hospitals.
 10. (Repealed 12-11-13)
 11. (Repealed 12-11-13)
 12. Preparation of printing plates including typesetting, etching and engraving.

ALBEMARLE COUNTY CODE

13. Stand-alone parking (reference 4.12).
 14. (Repealed 12-11-13)
 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) 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).
- G. *Accessory uses and structures.* Accessory uses and structures are permitted, including but not limited to: (i) home occupations, Class A and Class B (reference 5.2) for primary residential uses; (ii) storage buildings for primary residential and non-residential uses; (iii) outdoor performance areas for primary cultural arts center uses; and (iv) prototype manufacturing for research and development uses.

(Ord. 08-18(3), 6-11-08; Ord. 10-18(4), 5-5-10; Ord. 13-18(2), 4-3-13; Ord. 13-18(5), 9-11-13; Ord. 13-18(8), 12-11-13; Ord. 16-18(2), 3-2-16; Ord. 17-18(4), 8-9-17; Ord. 17-18(5), 10-11-17)

20B.3 AREA AND BULK REGULATIONS

Area and bulk regulations within the DCD are as follows:

- A. *Area and bulk regulations, generally.* Any buildings, structures (collectively, “buildings”) and improvements established on and after June 11, 2008 and to which subsection 20B.3(B) does not apply, shall be subject to the following area and bulk regulations and subsections 20B.3(C) through (J):

ALBEMARLE COUNTY CODE

<p>Building Setbacks (See Figure 1)</p> <p>Primary Buildings</p> <p>Front-Minimum</p> <p>Front-Maximum</p> <p>Side-Minimum except from accessway or alley</p> <p>Side-Minimum from accessway or alley</p> <p>Side-Maximum (See Figure 2)</p> <p>Rear (Minimum)</p> <p>Secondary Buildings</p> <p>Front-Minimum</p> <p>Front-Maximum</p> <p>Side-Minimum except from accessway or alley</p> <p>Side-Minimum from accessway or alley</p> <p>Side-Maximum</p> <p>Rear-Minimum</p>	<p>1 foot</p> <p>10 feet, except up to 20 feet with administrative modification (See subsection 20B.3(H))</p> <p>0 feet</p> <p>3 feet, except 1 foot within a building façade break</p> <p>20 feet, except with administrative waiver (See subsection 20B.3(H))</p> <p>0 feet</p> <p>1 foot</p> <p>Prevailing building pattern, as determined by director of planning</p> <p>0 feet</p> <p>3 feet, except 1 foot within a building façade break</p> <p>Prevailing building pattern, as determined by director of planning</p> <p>0 feet</p> <p>See also subsection 20B.3(C) for corner lots</p>
<p>Parking Setbacks</p> <p>Front-Minimum-As a primary use (stand alone parking)</p> <p>Front-Minimum-As an accessory use</p> <p>Side-Minimum-As a primary use (stand alone parking)</p> <p>Side-Minimum-As an accessory use</p> <p>Rear (Minimum)</p>	<p>Same as maximum front building setback (10 feet, except up to 20 feet with modification (See subsection 20B.3(J))</p> <p>No closer to the right-of-way than any existing or proposed primary structure on the lot. Parking areas shall be located to the rear and/or side of the primary structures, as viewed from the right-of-way to which the lot abuts. On corner lots, the parking areas shall be located to the side or rear of the primary structure, and not between the structure and any rights-of-way that intersect at the corner.</p> <p>0 feet</p> <p>3 feet</p> <p>0 feet</p>
<p>Stepbacks (See Figure 4)</p> <p>Front-Minimum</p>	<p>Floors above 40 feet or the third story shall be stepped back a minimum of 15 feet</p>
<p>Building façade breaks (See Figure 3)</p> <p>Front-Minimum</p>	<p>Every 200 linear feet (See section 20B.3(E)), except with administrative waiver (See section 20B.3(H))</p>
<p>Lot size</p> <p>Minimum</p>	<p>1500 square feet</p>
<p>Density</p> <p>Residential-Maximum</p>	<p>36 dwelling units per acre</p>
<p>Frontage</p> <p>Minimum</p>	<p>None</p>
<p>Building Height (See Figure 4)</p> <p>Minimum height-by right</p> <p>Minimum height-by special use permit</p> <p>Maximum height –by right</p> <p>Maximum height-by special use permit</p>	<p>30 feet or 2 stories</p> <p>1 story</p> <p>50 feet or 4 stories</p> <p>70 feet or 6 stories</p>

ALBEMARLE COUNTY CODE

- B. *Area and bulk regulations, pre-existing buildings, structures and improvements.* Notwithstanding subsections 6.3(A)(1) and (3), and subsection 20B.3(A) of this chapter, any building or structure established before, and existing on, June 11, 2008, may be extended or enlarged without complying with the maximum front and maximum side yard setbacks and the minimum front yard setback for parking as an accessory use.
- C. *Corner lots; determination of front and other sides.* Notwithstanding sections 4.6.2(b) and 4.6.3 of this chapter to the extent they determine when front yard setbacks apply, for purposes of determining setbacks the director of planning (the “director”) shall determine which side of a corner lot abutting a street shall be the front based upon the prevailing building pattern that has developed in the vicinity of the lot, and shall then determine which other sides will be the sides and rear of the lot.
- D. *Minimum standards for a building façade break.* Each building façade break shall provide either pedestrian access or motor vehicle and pedestrian access to the side and/or rear of the building on the same lot. A building façade break providing only pedestrian access shall be a sidewalk having a minimum width of five (5) feet. A building façade break providing both motor vehicle and pedestrian access shall have a travelway at least twelve (12) feet in width and a sidewalk on at least one side having a minimum width of five (5) feet. The travelway and the sidewalk shall be designed and constructed to the applicable standards in the design standards manual. Buildings separated by a building façade break shall have a minimum separation of the width of the pedestrian access or motor vehicle and pedestrian access at all points above the ground. See Figure 3.
- E. *Building entrances.* Each building abutting a street shall have a primary entrance from either the front or side of the building. A building also may have secondary entrances on the side or rear of the building. If the primary entrance is located on the side of a building, its doors shall face the front of the building.
- F. *Stories.* For the purposes of this section 20B, each story shall be visibly discernible from the street and be composed of habitable space and/or occupiable space, as defined by the Virginia Uniform Statewide Building Code. Visibly discernible stories shall be achieved through the use of windows or building entries on each story, using varied building materials, special ground-floor design treatments, or other façade elements or other architectural details. In accordance with the procedures stated in subsection 20B.3(H), the director may waive the requirement that windows, building entries or other façade elements be used to make each story visibly discernible if the applicant demonstrates to the satisfaction of the director that the use of other architectural details would render the stories visibly discernible to an equivalent degree.
- G. *No structures within easements within setbacks.* No structures shall be established within easements located within setbacks.
- H. *Modifications or waivers to change maximum setbacks or minimum building façade break.* In accordance with the procedures stated in subsection 20B.3(I), the director may modify the ten (10) foot front building setback and authorize the front building setback to be increased to up to twenty (20) feet, may waive the maximum side yard setback and establish a different setback, and may waive the minimum building façade break and establish a different minimum building façade break. The director may grant a waiver or modification in the following circumstances: (i) to allow outdoor café seating; (ii) to accommodate public spaces and plazas; (iii) where topography, easements, or unusual physical conditions make compliance with the requirement impracticable; (iv) where the required sidewalk and street trees are located on the lot instead of in a public right-of-way; (v) the strict application of the requirement would not further the purposes of this chapter or otherwise serve the public health, safety or welfare, and the waiver or modification would better achieve the goals of the comprehensive plan or provide a design that better meets the purpose and intent of the DCD;

ALBEMARLE COUNTY CODE

or (vi) the waiver or modification would allow the building to be consistent with the prevailing building pattern that has developed in the vicinity of the lot.

I. *Procedure for administrative modifications and waivers.* Applications for modifications or waivers (collectively, “waivers”) authorized to be reviewed and acted upon by the director or the agent (collectively, the “director”), as applicable, pursuant to this section 20B shall be reviewed and acted upon according to the following procedure:

1. *Application.* The applicant shall file a written request with the department of community development stating why one or more of the applicable circumstances exist or criteria are satisfied to allow the waiver to be granted.
2. *Action by the director.* The director shall act on the waiver request in conjunction with the county’s action of the site plan, subdivision plat or special use permit or, if no such action is required, within thirty (30) days of the date the application was submitted and determined to be complete. The director may grant the waiver if he or she determines that one or more applicable circumstances exist or criteria are satisfied. In granting a waiver, the director may impose conditions deemed necessary to protect the public health, safety, or welfare. If review of a site plan or subdivision plat by the commission is requested, the agent may either act on the waiver or defer action and allow the commission to act on the waiver as part of its consideration of the plan or plat, in which case the commission shall have the same authority as though it were considering the waiver on appeal.
3. *Appeal to the commission or the board.* The denial of a waiver, or the approval of a waiver with conditions objectionable to the applicant, may be appealed from the director to the commission and from the commission to the board, as the case may be, as an appeal of a denial of the plat, as provided in section 14-226 of the Code, or the site plan, as provided in sections 32.4.2.7 or 32.4.3.9 of this chapter, to which the waiver pertains. If subdivision plat or site plan approval is not required, the applicant may file a written appeal with the clerk of the board of supervisors within ten (10) days of the date of the written action by the director or the commission. A waiver considered by the commission in conjunction with an application for a special use permit shall be subject to review by the board of supervisors without the filing of an appeal. In considering a waiver on appeal, the commission or the board may grant or deny the waiver based upon its determination of whether one or more applicable circumstances exist or criteria are satisfied, amend any condition imposed by the director or the commission, and impose any conditions deemed necessary to protect the public health, safety, or welfare.

J. *Waiver to allow alternative location of parking area.* The parking area setback requirements in subsection 20B.3(A) may be waived as follows:

1. *Consideration by commission.* The commission may waive the parking area setback requirements in subsection 20B.3(A) and allow a parking area to be located between a street and a primary structure, subject to reasonable conditions that it may impose, upon a finding that:
 - a. There are unusual physical conditions on the lot or an adjoining lot including, but not limited to, the location of existing structures and parking areas, steep topography or other environmental features, narrowness or shallowness or the size or shape of the lot that make it impossible or unfeasible to provide parking to the side or rear of a primary structure;
 - b. The potential safety of patrons and employees cannot be achieved with adequate lighting and other reasonable design solutions; or

ALBEMARLE COUNTY CODE

- c. The strict application of the applicable regulations in subsection 20B.3(A) would not further the purposes of this chapter or otherwise serve the public health, safety, or welfare or achieve the goals established in the comprehensive plan.
- 2. *Consideration by the board of supervisors.* The board of supervisors may consider a request under this subsection only as follows:
 - a. The denial of the request, or the approval of the request with conditions objectionable to the applicant may be appealed to the board of supervisors as an appeal of the plat, as provided in section 14-226 of the Code, or a denial of the site plan, as provided in sections 32.4.2.7 or 32.4.3.9 of this chapter, to which the waiver pertains. If subdivision plat or site plan approval is not required, the applicant may file a written appeal with the clerk of the board of supervisors within ten (10) days of the date of the written action by the director or the commission. A waiver considered by the commission in conjunction with an application for a special use permit shall be subject to review by the board of supervisors without the filing of an appeal.
 - b. In considering a request, the board may grant or deny the request based upon the findings set forth in subsection 20B.3(J)(1), amend any condition imposed by the commission, and impose any conditions it deems necessary for the reasons set forth in subsection 20B.3(J)(1).
- K. *Terms defined.* The term “primary building” means the buildings or structures on a lot that comply with the minimum and maximum front yard setback requirements for a primary building as provided in subsection 20B.3(A). The term “secondary building” means any building or structure that is not a primary building on a lot containing at least one (1) primary building.

(Ord. 08-18(3), 6-11-08; Ord. 10-18(1), 1-13-10)

20B.4 PARKING

The parking, stacking and loading requirements stated in section 4.12 of this chapter shall apply in the DCD, subject also to the following:

- A. *No maximum number of spaces.* Notwithstanding section 4.12.4(a), there shall be no limitation on the maximum number of parking spaces that may be provided.
- B. *Minimum number of parking spaces.* Notwithstanding sections 4.12.6 and 4.12.7, except when shared parking is approved as provided in subsection 20B.4(C) below, the following schedule shall apply to determine the minimum number of off-street parking spaces required to be provided:
 - 1. *Residential uses:* One (1) space for each dwelling unit having one (1) bedroom; two (2) spaces for each dwelling unit having two (2) or more bedrooms.
 - 2. *Non-residential uses:* For all non-residential uses other than assisted living facilities and skilled nursing facilities, one (1) space per one thousand (1,000) square feet of net floor area. For assisted living facilities and skilled nursing facilities, one (1) space per each five (5) bedrooms plus one (1) space per employee per shift, or as otherwise provided in a parking study submitted by the applicant and reviewed and approved by the zoning administrator. For the purposes of this subsection, “net floor area” shall be deemed to be: (a) eighty (80) percent of the gross floor area; or (b) at the request of the applicant, the actual floor area as shown on floor plans submitted by the applicant, delineating the actual net floor area, which plans shall be binding as to the maximum net floor area used.

ALBEMARLE COUNTY CODE

3. *Non-residential uses; bicycle parking spaces:* For non-residential uses, one (1) bicycle parking space per ten (10) automobile parking spaces required.
- C. *Shared parking.* Notwithstanding section 4.12.10(d), the aggregate number of parking spaces required for all uses participating in the shared parking shall not be reduced by more than seventy-five (75) percent. Within the DCD, the term “nearby lot” as used in section 4.12.10 means a lot within the DCD or a lot within one-quarter (1/4) mile of the lot with which parking will be shared.
- D. *Screening from public streets.* Each parking area having more than five (5) spaces that abuts or is visible from one or more public streets abutting the lot on which the parking area is located shall be screened from the streets with continuous evergreen shrubs or opaque walls comprised of materials such as, but not limited to, masonry or board, at a height not to exceed four (4) feet, or by a combination of evergreen shrubs and opaque walls. Opaque walls shall be augmented with landscape vegetation such as shrubbery, trees, or other vegetation approved by the agent. If evergreen shrubs are used as the screen, the shrubs shall measure at least twenty-four (24) inches in height at the time of planting, and at maturity shall be three (3) to five (5) feet in height. Evergreen shrubs shall be planted between three (3) and five (5) feet on-center, depending upon the species selected. See Figure 5.
- E. *Landscaping.* The requirements of subsection 32.7.9.7(a) and (b) of this chapter shall apply only to parking areas having more than twenty-five (25) spaces. Subsection 32.7.9.7(c) of this chapter shall not apply to parking areas within the DCD. See Figure 6.

(Ord. 08-18(3), 6-11-08; Ord. 17-18(5), 10-11-17)

20B.5 LANDSCAPING

For each development requiring approval of a site plan under section 32 of this chapter, the landscaping requirements in the DCD shall be as follows:

- A. *Screening.* Notwithstanding subsections 32.7.9.8(a) and 32.7.9.8(c)(1) of this chapter, the rear of each lot shall be screened from any abutting lot containing single-family detached or attached dwelling units, or any abutting lot in a residential or the rural areas zoning district. See Figures 7 and 8. The required screening shall consist of vegetative screening, an opaque wall or fence, or alternative vegetative screening, as provided below, to the reasonable satisfaction of the agent:
 1. *Vegetative screening.* If only vegetative screening is provided, the screening strip shall be at least twenty (20) feet in depth. Vegetative screening shall consist of a double staggered row of evergreen trees planted fifteen (15) feet on center, or a double staggered row of evergreen shrubs planted ten (10) feet on center.
 2. *Opaque wall or fence.* If an opaque wall or fence is provided, it shall be a minimum of six (6) feet in height and plantings may be required by the agent at intervals along the fence or wall.
 3. *Alternative vegetative screening.* The agent may approve alternative methods of vegetative screening that better meet the intent to screen commercial uses from residential uses and districts. In approving alternative vegetative screening, the agent shall make the approval in writing and state the reason for approving the alternative.
- B. *Tree canopy.* Subsection 32.7.9.9 of this chapter shall not apply within the DCD.

(Ord. 08-18(3), 6-11-08)

20B.6 OUTDOOR LIGHTING

Notwithstanding subsection 4.17.4(b)(1) of this chapter, the spillover of lighting from first-story luminaries from non-residential uses in the DCD onto public streets and onto other non-residential uses is permitted, provided that the Virginia Department of Transportation approves the spillover of light onto public street rights-of-way.

(Ord. 08-18(3), 6-11-08)

20B.7 SIDEWALKS AND STREET TREES

For each development requiring approval of a site plan under section 32 of this chapter, sidewalks and street trees in the DCD shall be provided as follows:

- A. *Sidewalk design.* Each sidewalk proposed to be accepted for maintenance by the Virginia Department of Transportation shall be designed and constructed according to Virginia Department of Transportation standards or to the standards in the design standards manual, whichever is greater. Each sidewalk proposed to be privately maintained shall be constructed using concrete, designed so that no concentrated water flow runs over them, and otherwise satisfy the standards in the design standards manual. Each sidewalk on Crozet Avenue, Three Notch'd Road and the street identified in the Crozet master plan as the new Main Street shall be at least ten (10) feet wide. All other sidewalks shall be at least eight (8) feet wide. See Figure 9.
- B. *Sidewalk ownership.* Each sidewalk, including street trees, proposed to be accepted for maintenance by the Virginia Department of Transportation, shall be dedicated to public use. Each sidewalk, including street trees, proposed to be privately maintained, shall be maintained by the owner of the lot on which the sidewalk and street trees exist or an owners association that is obligated to maintain the sidewalk and street trees. The agent may require that a sidewalk proposed by the developer to be privately maintained instead be dedicated to public use if the agent determines that the sidewalk serves a public purpose and there is a need for the sidewalks to be publicly owned and maintained.
- C. *Street trees.* Notwithstanding section 32.7.9.6 of this chapter, street trees shall be planted within grates on each sidewalk or in a planting strip abutting the sidewalk, spaced at a minimum of twenty-five (25) and a maximum of forty (40) feet on center and the distance of each tree from the edge of the sidewalk shall be approved by the agent. Street trees shall be selected from a current list of recommended large shade trees, subject to the approval of the agent when site conditions warrant medium shade trees. See Figure 9.
- D. *Waivers from sidewalk and/or street tree requirements.* In accordance with the procedures stated in subsection 20B.3(I), the agent may waive the requirements for a sidewalk and/or street trees where the developer demonstrates that: (i) either the Virginia Department of Transportation prohibits establishing sidewalks and/or planting street trees or existing utility easements prohibit establishing sidewalks and/or planting street trees; (ii) there are unusual physical conditions on the lot or an adjoining lot including, but not limited to, the location of existing structures and parking areas, steep topography or other environmental features, the narrowness, shallowness, size or shape of the lot, or the width or alignment of the existing sidewalk, that make it impossible or unfeasible to provide the required sidewalk and/or street trees as provided in subsections 20B.7(A) and (C); or (iii) the strict application of the requirements of subsections 20B.7(A) and (C) would not further the purposes of this chapter or the DCD or otherwise serve the public health, safety, or welfare or achieve the goals established in the comprehensive plan.

(Ord. 08-18(3), 6-11-08; Ord. 10-18(1), 1-13-10)

ALBEMARLE COUNTY CODE

Figures

Figures 1 through 9 are for illustration purposes only. If there is a conflict or inconsistency between a regulation in section 20B to which a Figure pertains and the Figure itself, the regulation is controlling. In addition, Figures 1 through 9 merely illustrate specific requirements and do not show all applicable requirements of section 20B.

Figure 1: Front setbacks

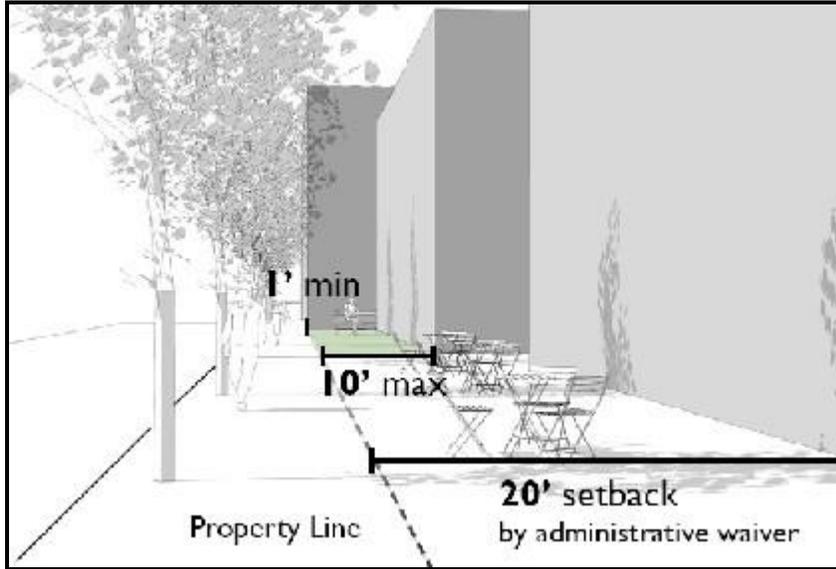
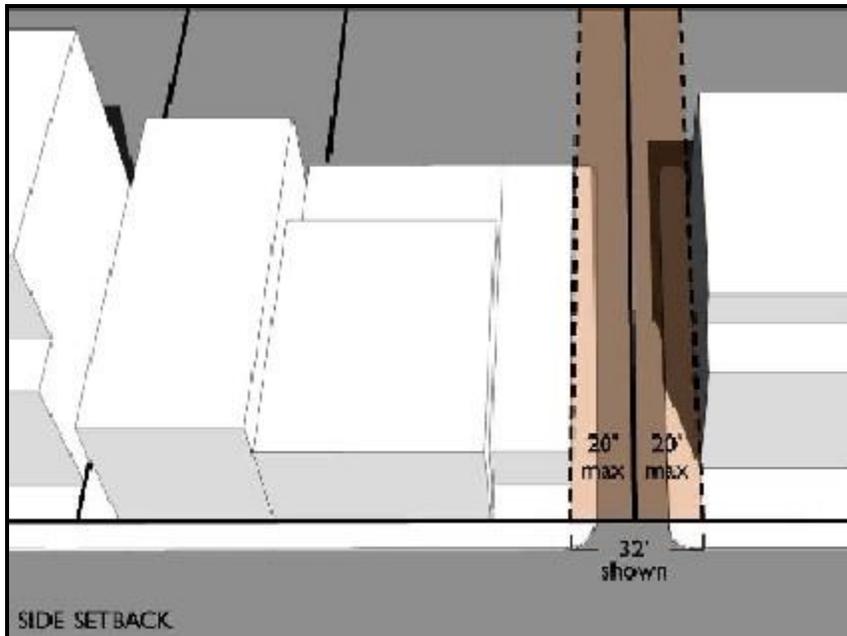


Figure 2: Side setbacks



ALBEMARLE COUNTY CODE

Figure 3: Building façade breaks

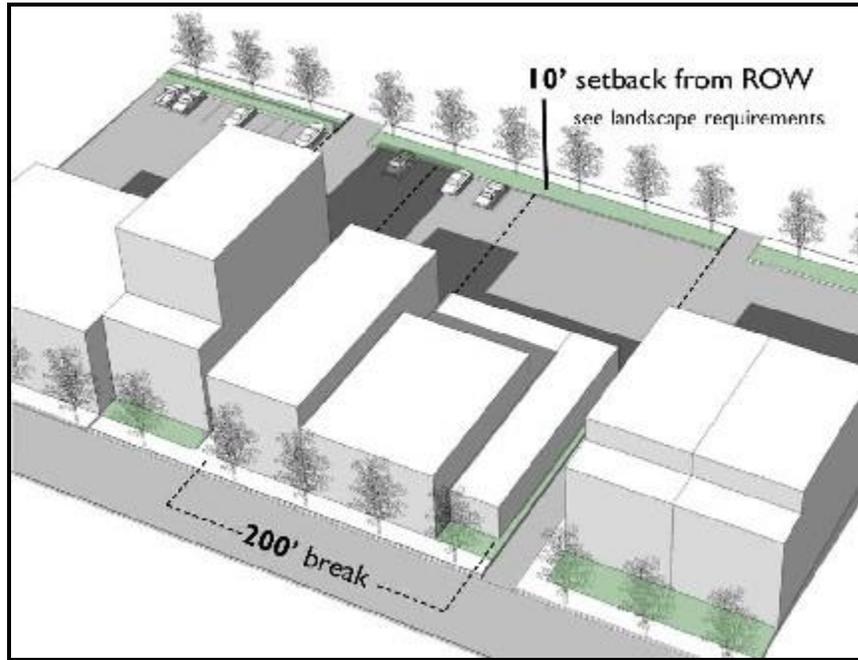
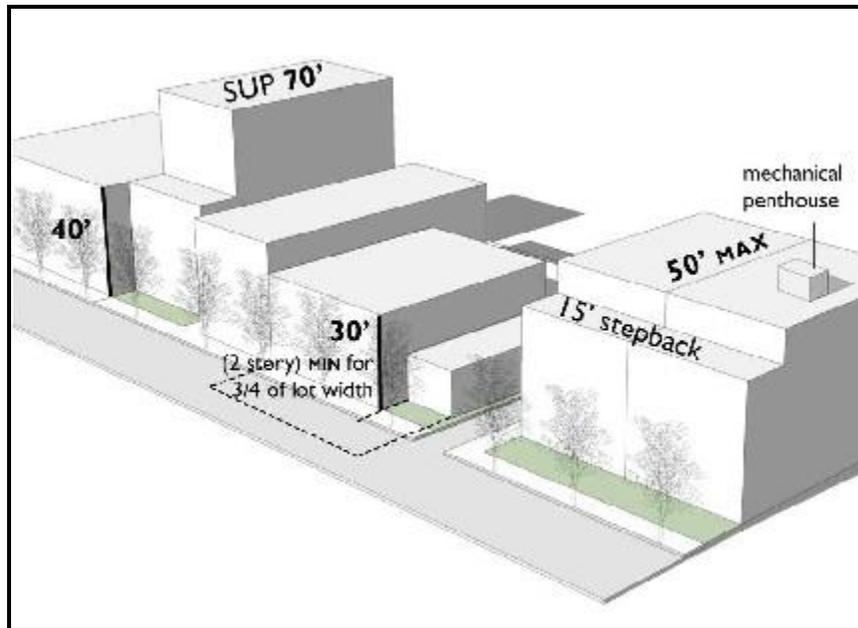


Figure 4: Stepbacks and building height



ALBEMARLE COUNTY CODE

Figure 5: Parking areas; screening from public streets



Figure 6: Parking areas; landscaping



ALBEMARLE COUNTY CODE

Figure 7: Screening requirements

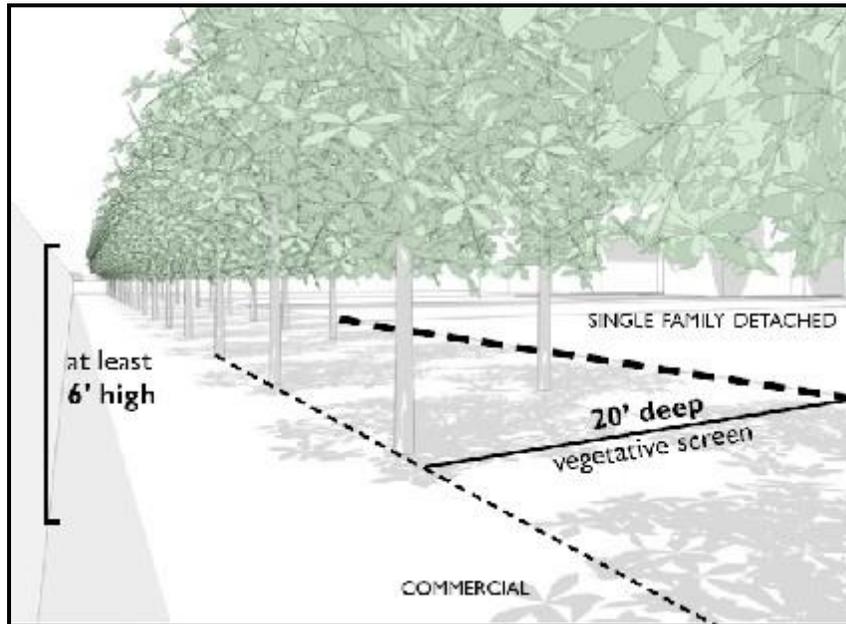
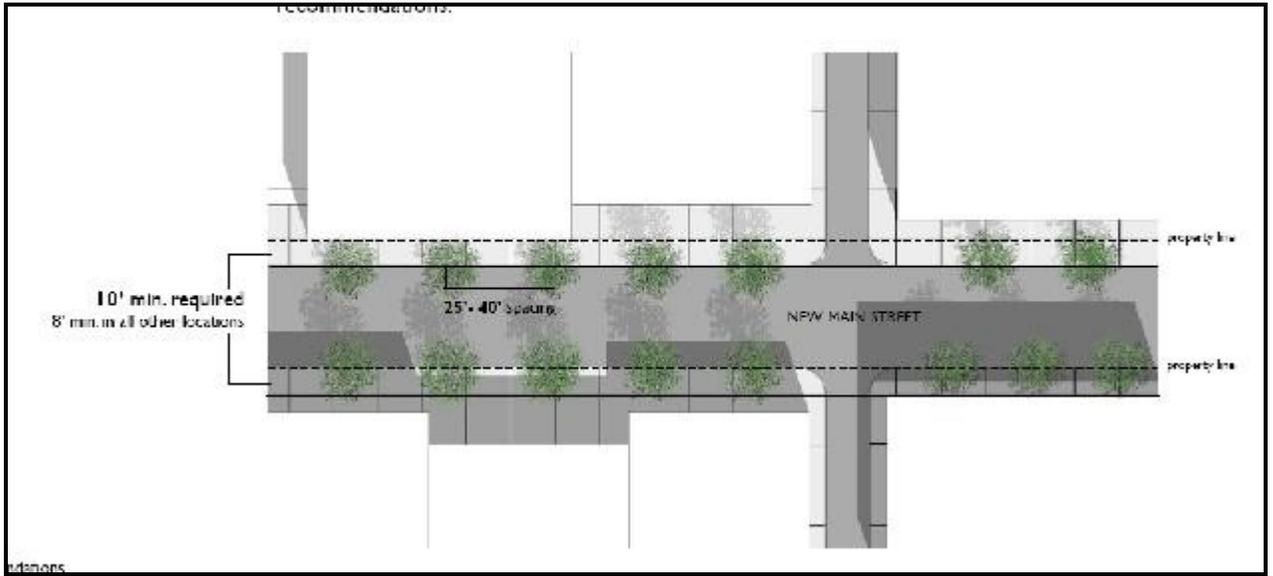


Figure 8: Screening requirements



Figure 9: Sidewalks and street trees



(Ord. 08-18(3), 6-11-08)

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.

(Ord. 13-18(8), 12-11-13)