COUNTY OF ALBEMARLE PLANNING
STAFF REPORT SUMMARY

Proposal: TA-2025-02 Industrial Height	**Staff:** William D. Fritz, AICP
Planning Commission Public Hearing: September 9, 2025	**Board of Supervisors Hearing:** October 1, 2025
Proposal: Zoning text amendment to allow increased building height in the industrial districts.	
Factors Favorable: Allows the Board of Supervisors to increase building height to accommodate specialized industrial activities.	**Factors Unfavorable:** None identified.
RECOMMENDATIONS: Staff recommends that the Planning Commission recommend approval of the proposed zoning text amendment.	

STAFF CONTACT: William D. Fritz, AICP
PLANNING COMMISSION: September 9, 2025
BOARD OF SUPERVISORS: October 1, 2025

ORIGIN: The Board of Supervisors adopted a resolution of intent to amend the ordinance on August 6, 2025 (Attachment 1).

PROPOSAL: The proposed zoning text amendment would allow the Board of Supervisors to approve a special exception to increase building height above the current maximum height of 65 feet in the industrial districts.

PUBLIC PURPOSE TO BE SERVED: The current ordinance has no administrative process to increase building height in the industrial districts.

The height of structures in the industrial districts may either be increased by a variance granted by the Board of Zoning Appeals or during a rezoning request. A variance may only be granted under the following circumstances: 1. If the requirements of the ordinance unreasonably restrict the utilization of the property; or 2. Granting the variance would alleviate a hardship due to a physical condition relating to the property. It is unlikely that any industrial use would meet these strict requirements. To permit modern industrial uses and promote the County's economic development goals, it may be appropriate to amend Chapter 18 of the Albemarle County Code to provide an administrative or legislative procedure to allow increased structure heights in the Industrial District.

Additionally, the ordinance does permit height to be increased by the Board of Supervisors during consideration of a request to rezone to a planned development. During the review of the Stonefield development the Board of Supervisors authorized a building height of 105 instead of the standard 65-foot limit.

Staff's opinion is that utilizing the rezoning process to permit increased height presents an unnecessary burden on a developer if the purpose is solely to increase building height due to the submittal requirements and review process. The proposed zoning text amendment would allow the Board to grant a special exception. This allows the Board to consider the potential impacts of increased building height and impose any appropriate conditions. The existing ordinance requires special exceptions to be acted on within 90 days.

Staff discussed the possibility of using a special exception to allow for increased building height with Fire/Rescue while reviewing this zoning text amendment. The safety concerns of increased building height are adequately addressed by the building code, and no specific concerns were identified by Fire/Rescue. Moreover, during the review of any proposal to increase a building height above 65 feet, the Fire/Rescue Department would be consulted to review the specific proposal.

The strategic plan includes the following: "Quality of Life - Encourage a vibrant community with economic and recreational opportunities that serve all community members." This text amendment provides for additional economic opportunities by expanding the types of industrial uses that can locate in the County.

ANALYSIS OF THE PROPOSED ZONING TEXT AMENDMENT

Zoning Ordinance section 33.6(B) establishes factors to be reasonably considered by the Planning Commission and Board of Supervisors in the review of ZTAs. Each factor is reviewed below:

(i) the existing use and character of property

This zoning text amendment applies only to properties zoned industrial. During the review of any special exception to increase height the use and character property can be considered.

(ii) the comprehensive plan

The existing comprehensive plan includes the following objective: "Ensure that there is sufficient land to accommodate future business and industrial growth, and plan for infrastructure to serve employment areas where these businesses are located." The proposed comprehensive plan includes similar language: "Ensure the availability of sufficient land with existing or planned infrastructure, including a diversity of sites across the Development Areas to accommodate future business and industrial growth, especially for Target Industries." To have sufficient land for industrial growth the County needs adequate land area and regulations to allow the use of that land for industrial activities. By allowing the Board to increase building heights the County can better utilize the industrial land it has and accommodate target industries.

(iii) the suitability of property for various uses

The special exception process allows the Board to consider the suitability of individual properties.

(iv) the trends of growth or change

The height limits were established in 1980 when the ordinance was adopted and have not been updated since the original adoption. Adopting a provision to increase building height allows the County to adapt to changes in industrial practices that have occurred during the 45 years since the adoption of the original ordinance.

(v) the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies

Industrial practices have changed in the 45 years since the adoption of the height regulations. The County has become aware that certain high-tech industries may require portions of the manufacturing facility to have heights above 65 feet. This amendment allows the County to adapt to the future requirements of the community.

(vi) the transportation requirements of the community

This text amendment does not impact transportation.

(vii) the requirements for airports, housing, schools, parks, playgrounds, recreation areas, and other public services

This text amendment does not impact on these public services. Staff notes that airport overlay district would be considered during any request for height increases.

(viii) the conservation of natural resources

This text amendment does not impact natural resources.

(ix) the preservation of flood plains

This text amendment does not impact flood plains.

(x) the protection of life and property from impounding structure failures

As stated above, staff contacted fire rescue for comments on potential impact on life and property. No concerns were identified. The site plan and building permit review processes will ensure that safety is adequately addressed.

(xi) the preservation of agricultural and forestal land

This text amendment does not impact agricultural and forestal land.

(xii) the conservation of properties and their values

This text amendment does not adversely impact properties of their value. Allowing increase height may help to preserve or increase property value by allowing a wider range of industrial uses.

(xiii) the encouragement of the most appropriate use of land throughout the County

This text amendment only applies to industrially zoned land. Allowing an increase in building height permits the County to encourage and support appropriate industrial use of industrial land.

(xiv) equity

During the review of any special exception request impacts on equity may be considered.

This ordinance will be reviewed by the three (3) criteria previously established by the Board for amendments:

Administration/Review Process: Permitting increases in height using the special exception process allows for a more efficient review process compared to using the zoning map amendment process.

Housing Affordability: This text amendment does not impact housing affordability.

Implications to Staffing/Staffing Costs: It is unlikely that there will be a large number of requests to increase building height. The special exception process is well defined and can be managed with existing staff. No negative impact to staffing or staffing costs are anticipated.

SUMMARY

Staff finds the following factors favorable to this request:

1. Consistent with the strategic plan.
2. Consistent with the comprehensive plan.
3. Safety and impact on surrounding areas can be reviewed on a case-by-case basis.

Staff finds the following factors unfavorable to this request:

1. None identified.

RECOMMENDED ACTION

Staff recommends that the Planning Commission recommend approval of the proposed zoning text amendment (Attachment 2).

ATTACHMENTS

Attachment 1 – TA-2025-00002 Structure Height Regulations in Industrial Districts - Resolution of Intent

Attachment 2 – TA-2025-00002 Structure Height Regulations in Industrial Districts - Proposed Ordinance