

ZT24-01-01

**ORDINANCE TO
AMEND NEW CHAPTER 34 OF THE CHARLOTTESVILLE CITY CODE TO
REMOVE GENERAL RETAIL IN RESIDENTIAL DISTRICTS**

WHEREAS, on December 18, 2023 in Ordinance No. #O-23-168, City Council adopted the proposed City of Charlottesville Development Code as new Chapter 34, with the changes outlined in Attachment A, Development Code updates of December 18, 2023 (“Attachment A”), and repealed current Chapter 34 and Chapter 29 of the Charlottesville City Code; and

WHEREAS, Attachment A intended to include all of the changes to the advertised new Development Code agreed to by City Council during its work sessions and meetings regarding the new Development Code; and

WHEREAS, inadvertently omitted from Attachment A was the change to subsections 2.2.1 (Summary of Districts) and 3.2.2 (Permitted Use Table) to remove from R-A, RNA, R-B, and R-C districts “general retail (up to 4,000 square feet)” by special use permit, considered and desired by Council at its November 29, 2023 work session; and

WHEREAS, Council’s desire to now amend new Chapter 34 and correct this “scrivener’s error” does not require referral back to the Planning Commission for hearing and recommendation which have already occurred; and

WHEREAS, Council held a public hearing on February 1, 2024, after notice pursuant to law, on the subject amendment; and

WHEREAS, City Council finds that public necessity, convenience, general welfare, and good zoning practice require amendment of the new Chapter 34 Development Code to remove from R-A, RNA, R-B, and R-C districts “general retail (up to 4,000 square feet)” by special use permit;

NOW, THEREFORE, BE IT ORDAINED that the Charlottesville City Council does hereby amend new Chapter 34 of the new City of Charlottesville Development Code to remove from R-A, RNA, R-B, and R-C districts “general retail (up to 4,000 square feet) by a special use permit” as set forth in subsections 2.2.1 (Summary of Districts) and 3.2.2. (Permitted Use Table). Said amendment shall be effective February 19, 2024 with the remainder of new Chapter 34.