

**COUNTY OF ALBEMARLE
TRANSMITTAL TO BOARD OF SUPERVISORS**

<p>AGENDA TITLE: ZTA 2019-03 Religious Assembly Use in RA</p> <p>SUBJECT/PROPOSAL/REQUEST: Amend the Zoning Ordinance to codify equal treatment of religious assembly uses in the Rural Area (RA) under the Religious Land Use and Institutionalized Person Act (RLUIPA) of 2000 and permit nonconforming RA religious assembly uses minor expansions that do not increase capacity.</p>	<p>AGENDA DATE: December 18, 2019</p> <p>STAFF CONTACTS: Lea Brumfield, Bill Fritz, Bart Svoboda</p> <p>Presenter: Lea Brumfield, Senior Planner</p>
--	---

BACKGROUND: This zoning text amendment was initiated by a resolution of intent adopted by the Board of Supervisors on April 5, 2017, along with several other initiatives. This resolution was intended to codify equal treatment of religious assembly uses in the Rural Area (RA) under the Religious Land Use and Institutionalized Person Act (RLUIPA). The Board held a work session on this proposed amendment on March 20, 2019. At that time, the Board directed staff to draft an ordinance to permit by-right religious assembly of no more than 200 persons in the RA, to propose performance standards for all religious assembly uses in the RA, and to permit nonconforming religious institutions in the RA to make minor expansions to their structures that do not increase assembly capacity.

The Planning Commission held a public hearing regarding the attached zoning text amendment (ZTA) on November 5, 2019. The staff report and minutes from that public hearing are provided as Attachments A and B. The Commission recommended approval of ZTA 2019-03 as provided in Attachment D, and did not request any changes.

DISCUSSION: In the Board of Supervisors' work session on March 20, 2019, it was suggested that the ZTA be drafted following the adoption of a ZTA on events at agricultural operations. The events at agricultural operations ZTA, which aligned regulations for events at agricultural operations with regulations for events at farm wineries, breweries, and distilleries, was adopted on May 15, 2019.

RECOMMENDATION:

Staff recommends that the Board adopt the attached proposed Ordinance (Attachment D).

ATTACHMENTS:

- A. Staff report for November 5, 2019 PC Public Hearing
- B. PC Minutes from November 5, 2019 PC Public Hearing
- C. PC Action Memo from November 5, 2019 PC Public Hearing
- D. Proposed Ordinance recommended for approval by the PC November 5, 2019