



**COUNTY OF ALBEMARLE**  
**Department of Community Development**  
401 McIntire Road, North Wing  
Charlottesville, Virginia 22902-4596

Phone (434) 296-5832

Fax (434) 972-4176

To: Agricultural-Forestal Districts Advisory Committee  
From: Scott Clark, Senior Planner  
Date: February 26, 2016  
Re: Acceptance Standards for AFD Additions

At its February 1, 2016 meeting, the Agricultural-Forestal Districts Advisory Committee directed staff to prepare a list of potential criteria for acceptance of proposed additions to existing districts. The tables below list existing and potential criteria for the Committee's consideration.

The criteria in Table A are already included in the state enabling legislation that creates the District program and defines how they are to be run. By state law, these criteria "should be considered by the local planning commission and the advisory committee."

<b>Table A: Existing Criteria from the Code of Virginia</b>		
<b>Criterion</b>	<b>Comments</b>	<b>Recommendation</b>
1. The agricultural and forestal significance of land within the district or addition and in areas adjacent thereto;	Staff reviews this criterion based on soil capability. However, all land in the County's Rural Areas is considered to be significant.	Staff recommends that the County continue to use a parcel's location in the Rural Areas as a sufficient indicator of its importance for conservation.
2. The presence of any significant agricultural lands or significant forestal lands within the district and in areas adjacent thereto that are not now in active agricultural or forestal production	Significant lands are generally recommended for addition whether or not they are currently in active agricultural or forestal use.	
3. The nature and extent of land uses other than active farming or forestry within the district and in areas adjacent thereto;	Commercial and residential uses of properties are noted in staff review of proposed additions.	

4. Local developmental patterns and needs;	While local development patterns are part of staff review, the primary local need is protection of Rural Area land.	
5. The comprehensive plan and, if applicable, the zoning regulations;	Focus here is on land conservation goals from the Comprehensive Plan.	
6. The environmental benefits of retaining the lands in the district for agricultural and forestal uses	Environmental benefits are already considered. Note that nearly all Rural Area parcels offer some environmental benefit.	
7. Any other matter which may be relevant	Please see the following table for other potential criteria	

The criteria in Table B are “other matters which may be relevant” to District additions in Albemarle. This list is drawn from the Comprehensive Plan, Committee discussions, and existing criteria related to other County conservation programs.

<b>Table B: Potential New Criteria</b>		
<b>Criterion</b>	<b>Comments</b>	<b>Recommendation</b>
8. Presence/absence of development potential	Parcels without small-lot (under 21 acre) development potential are not effectively protected by District membership. Furthermore, those parcels can use District membership to gain lower tax rates without making a commitment to conservation.	Staff recommends that the County adopt a policy of not accepting parcels without development rights into the Districts.
9. Parcel size	Parcels of various sizes can make an effective conservation commitment, provided that they have development potential. Very small parcels (4-6 acres or less) may have little development potential to give up, but have become very rare as proposed additions.	Staff recommends that the County not set a parcel-size criterion for District additions.
10. Minimum percentages of highly productive soils	Most Rural Area parcels have some amount of high-priority soils. Also, parcels with few or no important soils may still have development potential and resources worth protecting.	Staff recommends that the County not set a criterion requiring a minimum percentage of important soils for District additions.
11. Location in a historic district	Rural properties located in historic districts would already qualify for addition by virtue of	Staff recommends that the County not set a criterion regarding historic designations for District additions.

	being designated as Rural Areas by the Comprehensive Plan.	
12. Scenic qualify or designation	While parcels of scenic importance are often worthy additions to Districts, they generally would already qualify for addition by virtue of being designated as Rural Areas by the Comprehensive Plan. Many parcels that are not considered scenic have other resources worth protecting.	Staff recommends that the County not set a criterion regarding scenic character for District additions.
13. Active agricultural or forestal use	A goal of the District program is to protect rural land resources whether or not they are currently in agricultural or forestal use. Parcels not in those uses have valuable resources, and parcels in those uses are not required to remain those uses.	Staff recommends that the County not set a criterion requiring active agricultural or forestal use for District additions.
14. Location in Water Supply Protection Areas	Districts can help to protect public water quality. However, parcels outside the Water Supply Protection Areas can also protect important resources.	Staff recommends that the County not set a criterion regarding location in Water Supply Protection Areas for District additions.
15. Floodplains, wetlands, and other important water features	These resources can be protected by District limitations on development. However, parcel without these features can still make a significant contribution to conservation.	Staff recommends that the County not set a criterion regarding the presence of important water features for District additions.
16. Mountain Protection Areas and critical slopes	Districts can help to prevent development of these areas. However, parcels outside these areas are also valuable parts of the Districts.	Staff recommends that the County not set a criterion regarding Mountain Protection Areas or critical slopes for District additions.

Recommendation: After a more thorough analysis of potential acceptance criteria for District additions, staff continues to believe that the presence or absence of development potential remains the single most important criterion. Staff requests that the Committee (1) affirm that Rural Area parcels meet the general addition criteria listed in Table A; and (2) either (a) endorse a policy of not accepting parcels without development rights into the Districts, or (b) provide other guidance on the potential new criteria listed in Table B.