

**COUNTY OF ALBEMARLE
TRANSMITTAL TO THE BOARD OF SUPERVISORS
SUMMARY OF PLANNING COMMISSION ACTION**

<p>AGENDA TITLE: ZMA202400004 Flow Steep Slopes Amendment</p>	<p>AGENDA DATE: May 7, 2025</p>
<p>SUBJECT/PROPOSAL/REQUEST: Rezone Preserved to Managed Steep Slopes; Remove existing proffers (ZMA201600023)</p>	<p>STAFF CONTACT(S): Filardo, Herrick, Barnes, McDermott, Ragsdale</p>
<p>SCHOOL DISTRICT: Stone Robinson Elementary School, Burley Middle School, and Monticello High School</p>	<p>PRESENTER (S): Rebecca Ragsdale, Planning Manager</p>

BACKGROUND:

At its meeting on February 25, 2025, the Planning Commission (PC) voted 6:0 to recommend denial of ZMA202400004 for the reasons stated in the staff report. No members of the public spoke at the public hearing. Attachments A, B, and C are the PC staff report, action letter, and meeting minutes. Staff recommended denial at that meeting based on two primary concerns:

1. The request included slopes that present more characteristics of Preserved Slopes than Managed Slopes.
2. The rezoning proposed to remove a 2.47 acre preservation area proffered with ZMA201600023 that provides protection for an intermittent stream but no equivalent measures were offered to offset those impacts.

DISCUSSION:

Staff recommended denial of the request reviewed at the PC public hearing (Figure 1) because it included the entirety of all Preserved Slopes on parcels 07800000001400, 078000000014A0, and 078000000014E0. However, both staff and the PC acknowledged portions of Preserved Slopes on 078000000014A0 are around a previously approved and constructed stormwater basin and could potentially support a more limited request that included less area. Additionally, staff believed that the proposal should provide mitigation to offset the loss of slopes and the 2.47-acre preservation area, provide hillside clean-up and stabilization, and include adequate area for plantings.

Following the PC meeting, a revised application and proffers were submitted. (Attachments D and E) The request is reduced and now limited to a 15,704 square foot area as shown on Attachment D and in Figure 2 below. Newly-submitted proffers now address the concern of the 2.47-acre preservation area previously proffered by providing on-site stormwater treatment for phosphorus reduction equal to twice the total phosphorus load reduction provided by 2.47 acres of forest land cover on the property. Replacement of the existing stormwater facilities with new enhanced stormwater facilities, agreement on a stream buffer area, and proposed stabilization on 078000000014E0 would improve the overall quality of this stream watershed.



Figure 1: Concept dated October 22, 2024

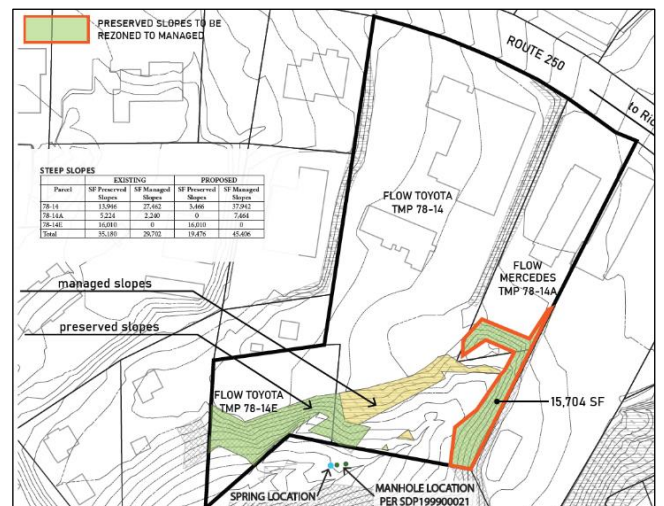


Figure 2: Concept dated April 9,

RECOMMENDATION:

Staff believes that prior concerns have been addressed and recommends that the Board adopt the attached Ordinance (Attachment F) to approve the rezoning from Preserved to Managed Slopes subject to the newly-submitted proffers (Attachment E).

PROPOSED MOTION:

To approve:

I move to adopt the ordinance attached to the staff report as Attachment F.

ATTACHMENTS:

- A. February 11, 2025 Planning Commission Staff Report
 - A1: Location Map
 - A2: Applicant Materials
 - A3: Steep Slopes Overlay District Regulations
- B. February 11, 2025 Planning Commission Action Letter
- C. February 11, 2025 Planning Commission Minutes
- D. Revised Application
- E. Revised Proffers dated April 24, 2025
- F. Ordinance to Approve ZMA202400004