

ACTIONS
Board of Supervisors Meeting of July 15, 2026

July 16, 2026

AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
1. Call to Order. The meeting was called to order at 1:00 p.m. by the Chair, Mr. Gallaway. All BOS members were present except for Ms. Duncan. Also present were Jeff Richardson, Andy Herrick, Claudette Borgersen, and Travis Morris.		<u>VIDEO</u> Link to Video
4. Adoption of Final Agenda. By a vote of 5:0, ADOPTED the final agenda as amended.		
5. Brief Announcements by Board Members. <u>Fred Missel:</u> - Reported that included in the recently approved State budget was approval for 1.48 million to build a trail at Biscuit Run Park and will connect the Monacan Tribute Park in Southwood to the new Biscuit Run Stream Restoration Project and the new pedestrian bridge. - Announced that on Saturday, July 18, there would be a Motown fundraiser at the Yancey Community Center, and all the proceeds would benefit the Yancey Food Pantry. <u>Bea LaPisto-Kirtley:</u> - Reminded community members that early voting was in process and encouraged everyone to vote. <u>Ann Mallek:</u> - Announced that, as of the previous day, the Rivanna Water and Sewer Authority had declared our region to be in a drought watch. She encouraged community members to conserve water. <u>Ned Gallaway:</u> - Noted that the federal government passed the 21st Century ROAD (Renewing Opportunity in the American Dream) to Housing Act. - Commented that she would be attending the National Association of Counties Annual Conference.		
7. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board. <u>Christine Putnam</u>, Scottsville District resident, addressed the Board to encourage them to pass an ordinance and take steps to regulate confined animal feeding operations (CAFO'S). <u>Zach Landsman</u>, Student at the University of Virginia, requested the Board send a letter to the Virginia General Assembly ahead of the 2027 legislative session in support of a bottle deposit bill. <u>Frances Lee-Vandell</u>, White Hall District resident, spoke regarding funding of a local housing voucher program. <u>Stuart Overbey</u>, Samuel Miller District, spoke regarding a biosolid's ordinance. <u>Cooke Costa Harvey</u>, Amherst County resident and candidate for the Fifth Congressional District, addressed the board regarding his candidacy as an Independent. <u>Phil Riese</u>, Rivanna District resident, spoke		

	regarding item #17 on the agenda. • <u>Freddy Weinberg</u>, White Hall District resident, spoke regarding controlling kudzu in Albemarle County.	
8.2	Fiscal Year 2026 Appropriations. • ADOPTED resolution to approve appropriations #2026048; #2026049; and #2026050 for County government projects and programs.	<u>Clerk</u>: Forward copy of signed resolution to Finance and Budget, and County Attorney's office. (Attachment 1)
8.3	Authorize County Executive to Sign the Special Use Permit (SP) Application for Beaver Creek Pump Station. • ADOPTED resolution which would authorize the County Executive to sign and submit Special Use Permit SP 2026 00005 for the floodplain fill associated with the Beaver Creek Pump Station Project.	<u>Clerk</u>: Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 2) <u>County Executive</u>: Proceed as authorized.
8.4	Resolution to Accept Road(s) in the Westlake Hills Subdivision Phase 1 into the State Secondary System of Highways. (<i>White Hall Magisterial District</i>) • ADOPTED resolution.	<u>Clerk</u>: Forward copy of signed resolution to Community Development, and VDOT. (Attachment 3)
8.5	Secondary Six-Year Plan Hard-Surfacing Rural Roads Resolutions. • ADOPTED the following resolutions to designate the segments of the roads specified above as Rural Rustic Roads: • Resolution Designating Route 718 (Murrays Lane) as a Rural Rustic Road; • Resolution Designating Route 613 (Giannini Lane) as a Rural Rustic Road; • Resolution Designating Route 748 (Broken Sun Road) as a Rural Rustic Road; • Resolution Designating Route 717 (Old Sand Road) as a Rural Rustic Road; • Resolution Designating 638 (Blacks Lane) as a Rural Rustic Road; and • Resolution Designating Route 640 (Gilbert Station Road) as a Rural Rustic Road	<u>Clerk</u>: Forward copy of signed resolutions to Community Development and County Attorney's office. (Attachments 4-9)
8.6	SE-2026-00013 RWSA Pump Station at 4384 Berkmar Drive. • ADOPTED resolution to grant a modification to establish a setback of 32 feet for the north water tank.	<u>Clerk</u>: Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 10)
8.7	Appointment of Ned Gallaway as Voting Delegate for the 2026 NACo Annual Conference. • APPOINTED Ned Gallaway as Voting Delegate for the 2026 NACo Annual Conference.	
9.	Presentation: Virginia Department of Transportation (VDOT) Quarterly Report. • RECEIVED.	
10.	Presentation: Human Services Needs Assessment. • RECEIVED.	
	Recess. • At 2:46 p.m., the Board recessed and reconvened at 2:58 p.m.	
11.	Fiscal Year 28 Budget Process: County Funding Process Modifications. • By a vote of 5:0, APPROVED Eligibility Criteria for County Grant Programs. • By a vote of 5:0, DIRECTED staff to pursue implementing the following: realignment of agencies based on staff recommendation, implementation of the funding matrix,	<u>Finance and Budget</u>: Proceed as directed. (Attachment 11) (Attachment 12)

introduction of a simplified application, and no change to the program timeline. • By a vote of 4:1 (Mallek), APPROVED changes to the Arts, Cultural and Festivals Funding Process. • By a vote of 5:0, APPROVED the Community Non-Profit Capital Request Process.	(Attachment 13) (Attachment 14)	
12. Closed Meeting. • At 4:32 p.m., the Board went into closed meeting pursuant to section 2.2-3711(A) of the Code of Virginia: • under subsection (1), to discuss and consider appointments to various boards and commissions including, without limitation: the Pantops Community Advisory Committee, the Public Defender's Office Citizens Advisory Committee, the Region Ten Community Services Board, the Solid Waste Alternatives Advisory Committee, and the Social Services Advisory Board; and • under subsection (8), to consult with legal counsel regarding specific legal matters (including recent amendments to <i>Virginia Code</i> § 58.1-605.1 and § 58.1-606.1) requiring the provision of legal advice by such counsel.		
13. Certify Closed Meeting. • At 6:00 p.m., the Board reconvened into an open meeting and certified the closed meeting.		
14. Boards and Commissions: a. Vacancies and Appointments. • APPOINTED Mr. Peter Hallock to the Pantops Community Advisory Committee with said term to expire on June 30, 2028. • APPOINTED Ms. Lisa Hardy to the Region Ten Community Services Board with said term to expire on June 30, 2029. • REAPPOINTED Mr. Barry Blumenthal to the Region Ten Community Services Board with said term to expire on June 30, 2029. • APPOINTED Mr. Reed Chrobak to the Solid Waste Alternatives Advisory Committee with said term to expire on May 31, 2030.	<u>Clerk:</u> Prepare appointment/reappointment letters, mail pamphlet, update Boards and Commissions webpage, and notify appropriate persons.	
15. From the County Executive: Report on Matters Not Listed on the Agenda. <u>Jeff Richardson:</u> • Presented the July Progress Albemarle report.		
16. Public Comment on: Matters Previously Considered or Currently Pending Before the Board (Other than Scheduled Public Hearings). • <u>Doug Earle</u>, Scottsville District resident, spoke regarding Ranked Choice Voting. • <u>The following individuals spoke regarding Concentrated Animal Feeding Operation (CAFO).</u> • Bart Tau • Sarah Eck • Dierdra Cassy Kerrigan • Tim Schmidt • Adelaide O'Brian • Paula Beasley • Carles Rendleman • Shaun Cossette		

	Phil Reise, Rivanna District, requested a third-party independent investigation into the Albemarle County Public Schools.	
17.	Action Item: Resolution Requesting Circuit Court to Order a Sales Tax Referendum. By a vote of 5:0, ADOPTED Resolution Requesting the Circuit Court to Order a Referendum Pursuant to Virginia Code § 24.2-684 (Sales Tax Referendum).	Clerk: Forward copy of signed resolution to County Attorney's office. (Attachment 15) County Attorney: Proceed as discussed.
18.	Action Item: Employer Assisted Housing Program Ordinance. By a vote of 5:0, ADOPTED ordinance establishing the Albemarle County Employer Assisted Housing Program.	Clerk: Forward copy of signed ordinance to Human Services, Finance and Budget, and County Attorney's office. (Attachment 16)
19.	Pb. Hrg.: Public Hearing for Conveyance of a Portion of County Owned Parcel 62F-E2. By a vote of 5:0, ADOPTED resolution approving the temporary construction easement and conveyance of a portion of County Parcel 62F-E2 to VDOT and authorizing the County Executive to sign the necessary documents once approved as to form and substance by the County Attorney.	Clerk: Forward copy of signed resolution to Facilities and Environmental Services, and County Attorney's office. (Attachment 17) County Attorney: Provide Clerk with copy of signed Deed. (Attachment 18)
20.	Pb. Hrg.: TA202500004 Add a New Category of Countywide Certificate of Appropriateness for Rooftop Solar Installations in the Entrance Corridors. By a vote of 5:0, ADOPTED ordinance to amend the Albemarle County Code to add rooftop solar installations as a category of structures, sites, improvements, or architectural elements eligible for county-wide certificates of appropriateness.	Clerk: Forward copy of signed ordinance to Community Development and County Attorney's office. (Attachment 19)
21.	From the Board: Committee Reports and Matters Not Listed on the Agenda. Moved earlier on the agenda.	
22.	Adjourn to August 5, 2026, 1:00 p.m. Lane Auditorium. The meeting was adjourned at 8:24 p.m.	

ckb/tom

Attachment 1 – Resolution to Approve Additional FY 2026 Appropriations

Attachment 2 – Resolution to Authorize the County Executive to Apply for a Special Use Permit for County-Owned Parcel 05700-00-00-00400

Attachment 3 – Resolution to Accept Road(s) in the Westlake Hills Subdivision Phase 1 into the State Secondary System of Highways

Attachment 4 – Resolution to Designate Route 718 (Murrays Lane) as a Rural Rustic Road

Attachment 5 – Resolution to Designate Route 613 (Giannini Lane) as a Rural Rustic Road

Attachment 6 – Resolution to Designate Route 748 (Broken Sun Road) as a Rural Rustic Road

Attachment 7 – Resolution to Designate Route 717 (Old Sand Road) as a Rural Rustic Road

Attachment 8 – Resolution to Designate Route 638 (Blacks Lane) as a Rural Rustic Road

Attachment 9 – Resolution to Designate Route 640 (Gilbert Station Road) as a Rural Rustic Road

Attachment 10 – Resolution to Approve SE-2026-00013 RWSA Pump Station at 4384 Berkmar Dr

Attachment 11 – Eligibility Criteria for County Grant Programs

Attachment 12 – Human Services Funding Process Framework

Attachment 13 – Arts, Cultural, and Festivals Process

Attachment 14 – Community Non-Profit Capital Request Process

Attachment 15- Resolution Requesting the Circuit Court of Albemarle County, Virginia, to Order a Referendum

Attachment 16 – Ordinance No. 26-A(6)

Attachment 17 – Resolution Approving the Conveyance of a Temporary Construction Easement and a Portion Of County-Owned Parcel 062F-00-00-000E2 to the Virginia Department of Transportation

Attachment 18 – Deed of Gift and Donation - Parcel 062F0-00-00-000E2 (62F-E2)

Attachment 19 – Ordinance No. 26-18(1)

**RESOLUTION TO APPROVE
ADDITIONAL FY 2026 APPROPRIATIONS**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That the FY 26 Budget is amended to increase it by \$577,066;
- 2) That Appropriations #2026048; #2026049; and #2026050 are approved;
- 3) That the appropriations referenced in Paragraph #2, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2026.

**RESOLUTION TO AUTHORIZE THE COUNTY EXECUTIVE TO APPLY FOR A SPECIAL USE
PERMIT FOR COUNTY-OWNED PARCEL 05700-00-00-00400**

WHEREAS, the County owns Parcel 05700-00-00-00400 ("Parcel 57-4"), more commonly known as Beaver Creek Park, where the Beaver Creek Reservoir is located;

WHEREAS, on August 27, 2025, the Rivanna Water and Sewer Authority ("RWSA") submitted a site plan application for a new pump station at the Beaver Creek Park (the "Pump Station Project");

WHEREAS, the Pump Station Project requires approximately 1,000 square feet of fill within the floodplain;

WHEREAS, the County Engineer has determined that *Albemarle County Code* § 18-30.3.11 requires a Special Use Permit for such fill; and

WHEREAS, the County, as the property owner, must sign the Special Use Permit application (SP-2026-00005);

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia hereby authorizes the County Executive to submit any administrative Special Use Permit applications related to the RWSA Beaver Creek Pump Station Project, including SP-2026-00005. The County Executive is further authorized to execute any documents necessary to complete such applications, provided that such execution does not constitute approval of the Special Use Permit itself.

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 15th day of July 2026, adopted the following resolution:

RESOLUTION

WHEREAS, the street(s) in **Westlake Hills Subdivision Phase 1**, as described on the attached Additions Form AM-4.3 dated **July 15th, 2026**, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised the Board that the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the street(s) in **Westlake Hills Subdivision Phase 1**, as described on the attached Additions Form AM-4.3 dated **July 15th, 2026**, to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED that the Board guarantees a clear and unrestricted right- of-way, as described, exclusive of any necessary easements for cuts, fills and drainage as described on the recorded plats; and

FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.



COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION
Form AM 4.3

In Albemarle County

by Resolution of the governing body adopted 7/15/2026

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes to the secondary system of state highways.

A Copy Testee

Signed (County Official):

Claudia K. Boyer

Report of Changes in the Secondary System of State Highways

Project/Subdivision: Westlake Hills Phase I

CHANGE TYPE	RTE NUM & STREET NAME	CHANGE DESCRIPTION	FROM TERMINI	TO TERMINI	LENGTH	NUMBER OF LANES	RECORDATION REFERENCE	ROW WIDTH
Addition	Rt. 1902 - Jonna Street	New subdivision street §33.2-705	Cul-de-sac South end of Jonna Street	Intersection with Westhall Drive	0.14	2	4518/001	57.0
Addition	Rt. 1903 - Westhall Drive	New subdivision street §33.2-705	Intersection with Eastern Avenue	50ft East of intersection with Jonna Street	0.18	2	4518/001	61.0
Addition	Rt. 1915 - Eastern Avenue	New subdivision street §33.2-705	Crozet Greenways hiking trail	0.03mi North of intersection with Jonna Street	0.25	2	4518/001	92.50

**RESOLUTION TO DESIGNATE ROUTE 718 (MURRAYS LANE)
AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia desires to consider whether a 0.80-mile segment of Route 718 (Murrays Lane) from Route 29 to the end of state maintenance, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates a 0.80-mile segment of Route 718 (Murrays Lane) from Route 29 to the end of state maintenance, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that a 0.80-mile segment of Route 718 (Murrays Lane) from Route 29 to the end of state maintenance, be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Resident Engineer.

**RESOLUTION TO DESIGNATE ROUTE 613 (GIANNINI LANE)
AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia desires to consider whether a 0.20-mile segment of Route 613 (Giannini Lane) from Route 602 to the end of state maintenance, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates a 0.20-mile segment of Route 613 (Giannini Lane) from Route 602 to the end of state maintenance, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that a 0.20-mile segment of Route 613 (Giannini Lane) from Route 602 to the end of state maintenance, be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Resident Engineer.

**RESOLUTION TO DESIGNATE ROUTE 748 (BROKEN SUN ROAD)
AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia desires to consider whether a 0.50-mile segment of Route 748 (Broken Sun Road) from Route 633 to the end of state maintenance, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates a 0.50-mile segment of Route 748 (Broken Sun Road) from Route 633 to the end of state maintenance, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that a 0.50-mile segment of Route 748 (Broken Sun Road) from Route 633 to the end of state maintenance, be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Resident Engineer.

**RESOLUTION TO DESIGNATE ROUTE 717 (OLD SAND ROAD)
AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia desires to consider whether a 1.04-mile segment of Route 717 (Old Sand Road) from Route 6 to Route 755, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates a 1.04-mile segment of Route 717 (Old Sand Road) from Route 6 to Route 755, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that a 1.04-mile segment of Route 717 (Old Sand Road) from Route 6 to Route 755, be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Resident Engineer.

**RESOLUTION TO DESIGNATE ROUTE 638 (BLACKS LANE)
AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia desires to consider whether a 0.50-mile segment of Route 638 (Blacks Lane) from Route 795 to the end of state maintenance, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates a 0.50-mile segment of Route 638 (Blacks Lane) from Route 795 to the end of state maintenance, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that a 0.50-mile segment of Route 638 (Blacks Lane) from Route 795 to the end of state maintenance, be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Resident Engineer.

**RESOLUTION TO DESIGNATE ROUTE 640 (GILBERT STATION ROAD)
AS A RURAL RUSTIC ROAD**

WHEREAS, Virginia Code § 33.2-332 permits the hard-surfacing of certain unpaved roads deemed to qualify for designation as a Rural Rustic Road; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1,500 vehicles per day; and

WHEREAS, the Board of Supervisors of Albemarle County, Virginia desires to consider whether a 0.52-mile segment of Route 640 (Gilbert Station Road) from Route 1094 to 0.52 miles west of Route 1054, should be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of any pending development that will significantly affect the existing traffic on this road; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

WHEREAS, this road is in the Board's six-year plan for improvements to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors hereby designates a 0.52-mile segment of Route 640 (Gilbert Station Road) from Route 1094 to 0.52 miles west of Route 1054, a Rural Rustic Road, and requests that the Resident Engineer for the Virginia Department of Transportation concur in this designation; and

BE IT FURTHER RESOLVED, the Board requests that a 0.52-mile segment of Route 640 (Gilbert Station Road) from Route 1094 to 0.52 miles west of Route 1054, be hard-surfaced and, to the fullest extent prudent, be improved within the existing right-of-way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Virginia Department of Transportation Resident Engineer.

**RESOLUTION TO APPROVE SE-2026-00013
RWSA PUMP STATION AT 4384 BERKMAR DR**

WHEREAS, upon consideration of the staff reports prepared for SE-2026-00013 RWSA Pump Station at 4384 Berkmar Dr and the attachments thereto, including staff's supporting analysis, any comments received, the relevant factors in *Albemarle County Code* §§ 18-4.10.3.1(c) and 18-33.9, the Albemarle County Board of Supervisors hereby finds the public health, safety or welfare would be equally or better served by the modification or waiver of the requirements of Albemarle County Code §18-4.10.3.1(b)(1).

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a special exception for SE 2026-00013 RWSA Pump Station at 4384 Berkmar Dr. on Parcel 03200-00-00-041A2 to reduce the setback for the north water tank from 49 feet to 32 feet.

Attachment A: Eligibility Criteria for County Grant Programs

- 501(c)3 nonprofit (or equivalent)
- Substantial service provision provided to County residents
- Agency program has been in operation for minimum of two years
- Agency is incorporated and registered with Virginia Department of Agriculture and Consumer Services (VDACS)
- Annual audit if total operating budget is \$1,000,000 or more OR every three years if total operating budget is less than \$1,000,000
- Fundraising and administration makes up less than 25% of program expenses
- Agency is overseen by a volunteer board
- Agency must agree to adhere to any expectations set out in the annual appropriations resolution before receiving funding appropriated by the Board of Supervisors.

Attachment B: Human Services Funding Process Framework

Based on Board of Supervisors direction, the FY28 Human Services Funding Process will be updated to reflect three changes:

1. Moving 4 agencies from the Human Services Funding Process (HSFP) to the process for Other Health and Welfare Agencies;
2. Implementation of a matrix to determine staff recommendations for funding; and
3. Adoption of a streamlined application process for requests of \$25,000 or less.

Background:

For the past two fiscal years, applicants have been tiered into four categories guided by the 2023 Human Services Needs Assessment. The intent of the tiering is to allocate funding to services for the most vulnerable populations guided by the Human Services Needs Assessment, as follows:

- 1) Direct service and impact on basic needs and vulnerable populations;
- 2) important and critical services;
- 3) Positive impact and protective community factors; and
- 4) Preventative community programs.

Consistent with current practice, staff recommend reviewing the programs in these tiers to reflect the priorities identified in the 2026 Human Services Needs Assessment, also on the Board's agenda for the July 15, 2026 meeting. For example, the 2023 assessment identified adolescent mental health as a priority and the 2026 assessment broadens mental health across all groups, so a mental health agency that serves more than adolescents would be prioritized higher than in prior years.

Proposals for Board Discussion:

1. Based on Board feedback during the FY 27 budget process, the Board approved moving 4 programs from the HSFP model to the model for "Other Health and Welfare Agencies". These programs are:
 - a. Foothills Child Advocacy Center
 - b. Piedmont Housing Alliance
 - c. Offender Aid Restoration (OAR) – Therapeutic Docket
 - d. Offender Aid Restoration (OAR) – Adult Recovery Court

Other Health and Welfare Agencies are groups that provide essential, unique community services which are not duplicated by operational programs within the County government and which the County might otherwise provide. In some cases, the amount of funding provided to a particular agency is determined based on a regional agreement or Memorandum of Understanding (MOU). For a complete list of programs that are considered "Other Health and Welfare Agencies," please refer to pages 172 and 175 of the [FY 27 Recommend Budget document](#).

2. For community non-profit organizations applying to the Human Services Funding process, the Board approved introducing a standardized funding matrix that outlines the maximum allowable grant amounts for applicants. This matrix will be published at the very beginning of the application cycle, providing greater transparency and clearer insight into how staff arrive at funding recommendations. The matrix would provide structure to how much funding an agency may be eligible to receive based on two major factors:
 - a. The program's priority tier (Tier 1, Tier 2, or Tier 3), which reflects the County's assessment of community need based on the 2026 Human Services Needs Assessment and alignment with strategic priorities; and
 - b. The total size of the organization's annual budget, ensuring funding levels are proportionate and that County dollars do not make up an outsized share of any single organization's overall financial resources.

Using this matrix as the guiding framework, funding recommendations would be developed in the following order:

1. Tier 1 programs (highest priority)

These programs would be reviewed and funded first. Because Tier 1 programs typically require higher levels of investment to meet the most critical community needs, they would collectively be eligible for up to 65 percent of the total allocation available in the Human Services Funding process. This cap helps ensure that Tier 1 programs can receive larger awards while also protecting a portion of the budget for lower tiers.

2. Tier 2 programs

After Tier 1 recommendations are completed, staff would move to Tier 2 programs. Within Tier 2, funding recommendations would begin with the highest-ranked programs based on scoring criteria such as alignment with community needs based on the 2026 Human Services Needs Assessment, program effectiveness, and financial stewardship. Awards would be made in order of score until either Tier 2 needs are met or available funds are exhausted.

3. Tier 3 programs

If there are remaining funds after Tiers 1 and 2 have been funded, staff would next review Tier 3 programs. Funding recommendations would again begin with the highest-scoring programs in this tier and continue in descending order until all available funds have been allocated.

This structured approach offers several benefits:

- It increases clarity and predictability for non-profit organizations by giving them an early understanding of the maximum funding they might be eligible to receive. This improves transparency and helps applicants prepare realistic budgets.
- It ensures that programs in the highest-priority tiers (those most closely aligned with the latest Human Services Needs Assessment and County goals) have access to larger potential awards than those in lower tiers. This directs the greatest share of resources to the greatest areas of need.
- It sets a cap on the proportion of an organization's total annual budget that the County will fund for Tiers 2 and 3. This prevents the County from unintentionally becoming a dominant or primary funder for any community non-profit, supporting healthier financial sustainability and diversification for partner agencies.

If the sample funding matrix below was effective for FY 27 budget recommendations, it would have been applied to 21 funded programs totaling approximately \$912,000 with an average of \$43,000 per non-profit program. Currently, 19 out of 21 programs would align with this matrix, including all Tier 1 programs; meaning, their funding recommendations would remain the same under this new process.

Sample Human Services Funding Process Grant Recommendation Matrix

Program Impact Tier	Agency Total Operating Budget		
	<\$0.5M	\$0.5 - \$2M	\$2M +
Tier 1 Direct service & impact on basic needs and vulnerable populations <i>(total allocation capped at 65% of HSFP set-aside)</i>	\$80K	\$160K	\$320K
Tier 2 Important and critical services	\$20K or 10% whichever is less	\$40K or 5% whichever is less	\$80K or 2.5% whichever is less

Tier 3 Positive impact and protective community factors	\$10K or 10% <i>whichever is less</i>	\$20K or 5% <i>whichever is less</i>	\$40K or 2.5% <i>whichever is less</i>
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In addition, the Board directed staff to consider how agency requests could be phased into this new process over two years.

3. The Board voted to adopt a simplified application process for smaller funding requests of \$25,000 or less. Streamlining the application process for these lower-dollar proposals will reduce administrative burden for both applicants and reviewers, accelerate decision timelines, and make the funding more accessible to a broader range of organizations who meet the eligibility criteria. This approach supports operational efficiency, encourages greater participation from community partners (especially those with limited grant-writing capacity) and allows staff to focus more time and resources on reviewing larger, more complex applications.

Staff Review Process – Unchanged from Prior Year

Application review teams consist of volunteer residents and County staff members who use Board approved evaluating factors to assign a numerical ranking score to each proposal. Funding recommendations are not made by the review teams; their role is exclusively to review and evaluate the applications. Recommendations for funding amounts are formulated by County staff and are based upon program evaluation scores and the latest Human Services Needs Assessment prioritization.

In the matter of Human Services Funding Process timing, the Board voted to keep the timing as is, with non-profits submitting applications in September, individual awards made through the County's budget process, and awards issued to non-profits beginning July.

Attachment C: Arts, Cultural, and Festivals Process

The Board voted to update the Arts, Culture and Festival Process based on the intent to:

- a) support as many eligible programs as possible;
- b) recognize that such programs are more challenging to evaluate alongside each other due to their diverse goals/intents;
- c) the programs contribution to the County's overall quality of life rather than meeting a basic Governmental service need; and
- d) scale administrative burden to the size of funding awards and the overall program.

Board approved programmatic updates for the following four facets of the Arts, Cultural and Festivals process:

Facet #1: Program Timing & Allocation

The Arts, Cultural and Festivals process will begin imminently following the appropriation of the FY 28 budget. The Board's adopted budget would include a total amount for the program, to be allocated in the subsequent months.

Program schedule:

- April – Budget Process determining total amount available for Arts, Cultural & Festivals funding
- May – Development of Program Materials by Staff
- June – Solicit for Proposals
- July – Proposal Evaluation by Staff
- August – Board Review & Approval of Awards
- September – Awards Disbursed

Facet #2: Funding Formula

The Board voted in support of having staff recommend funding for eligible programs in proportion to the amount each program requests. Staff's initial recommendations will allocate funds proportionally based on each organization's request, without exceeding the total funding available.

For example, if the Board allocates \$20,000 for Arts, Cultural, and Festival programs and receives three requests of different amounts, each award would be calculated as the same percentage of the amount requested, up to the total \$20,000 available:

Program	Funding Request	Award Amount (95% of request)
Art Festival	\$3,500	\$3,325
Theater Co.	\$7,000	\$6,650
Cultural Event	\$10,000	\$9,500
	TOTAL:	\$19,475

The approval of grants from the Arts, Cultural, and Festivals process would continue to remain solely with the Board of Supervisors.

Facet # 3: Funding Cap Establishment

A maximum funding amount of \$5,000 per organization will be available. This maximum will be published at the start of the process.

Facet # 4: Simplified Proposal Review Process

Reviews are based on whether or not the program is eligible using the criteria in Attachment A, and if they are, they are recommended for funding.

In addition, the Board directed staff to consider how agency requests could be phased into this new process over 2 years.

Attachment D: Community Non-Profit Capital Request Process

On September 7, 2022 the Board of Supervisors approved a budget process modification to create a community non-profit capital request process where non-profit community partners could bring forward requests for formal consideration, to be funded with capital funds. The intent of this process was to create a process similar to those in place for operating reviews so that all requests may be considered at the same time when developing the Capital Improvement Plan (CIP), rather than outside the annual budget process.

After the first year of the process, the Board approved updated direction on July 19, 2023 to provide greater clarity on expectations to community non-profits and the guidance for funding recommendations made to the Board. These expectations included:

1. Projects must meet the County's definition of a capital project, as applied to County Government and Public School requests.
2. Prioritized projects will align with objectives identified in the FY 24-28 Strategic Plan.
3. Projects will be evaluated in the context of the total five-year CIP. For example, the first four years of the upcoming CIP will use the adopted CIP as a starting point for updating the plan.
4. The project should leverage funding from other sources, meaning that the County should not be requested to fund 100% of a project. If the project serves a significant portion of another locality or localities, the community non-profit should seek a commitment from those localities.
5. The community non-profit should have the capacity to administratively manage the project, meaning this should not be work assumed to be done by County staff.
6. Projects should have documentation that they are far enough along to provide confidence that it will succeed, and the request timeline should reflect that status. For example, a project with completed design and substantial fundraising support in-hand would be considered sooner in the CIP than a project that was at a more conceptual stage with fundraising in earlier stages.
7. Projects should increase services, not only maintain existing facilities. For example, projects are not intended be prioritized for items such as replacing water heaters or other projects that would normally be contemplated by the County as a maintenance/replacement project for its own facilities.
8. Projects from community non-profits where the County may have a long-standing obligation to continue to provide services if the entity did not exist will be prioritized over those where such an obligation does exist.

**RESOLUTION REQUESTING THE CIRCUIT COURT OF ALBEMARLE COUNTY, VIRGINIA, TO
ORDER A REFERENDUM PURSUANT TO *VIRGINIA CODE* § 24.2-684 CONCERNING THE
IMPOSITION OF A LOCAL SALES AND USE TAX PURSUANT TO *VIRGINIA CODE* § 58.1-605.1**

WHEREAS, the Board of Supervisors of the County of Albemarle, Virginia (the "Board") seeks to submit to the qualified voters of Albemarle County a referendum question concerning whether the County of Albemarle shall impose a one-percent (1%) local sales and use tax, the net revenues of which will be dedicated solely to capital projects for the construction or renovation of schools; and

WHEREAS, *Virginia Code* § 58.1-605.1 requires that such a tax may be imposed only if approved by the qualified voters of the locality in a referendum held in accordance with *Virginia Code* § 24.2-684;

WHEREAS, if approved, the sales tax shall expire by June 30, 2046; and

WHEREAS, the Board finds it appropriate and necessary to request that the Circuit Court enter an order calling a referendum on November 3, 2026.

NOW, THEREFORE, BE IT HEREBY RESOLVED that:

1. The Board hereby requests that the Circuit Court of Albemarle County enter an order directing that a referendum be held on November 3, 2026 on the following question:
"Shall the County of Albemarle impose a one-percent (1%) sales and use tax to fund capital projects for the construction or renovation of schools, with revenues to be used solely for those purposes, and the tax to expire on June 30, 2046?"

☐ Yes
☐ No
2. The Board authorizes and directs the County Attorney or the Clerk of the Board to file a petition with the Circuit Court requesting entry of an order calling the referendum pursuant to *Virginia Code* § 24.2-684.
3. The County Executive, County Attorney, and Clerk are authorized to take all actions necessary and appropriate to carry out the intent of this Resolution.

ORDINANCE NO. 26-A(6)

AN ORDINANCE TO ESTABLISH AN EMPLOYER ASSISTED HOUSING PROGRAM FOR COUNTY EMPLOYEES UNDER VIRGINIA CODE § 15.2 542

WHEREAS, *Virginia Code* § 15.2 542 authorizes certain County Boards of Supervisors “to provide grants, loans, and other assistance for county and school board employees, as well as employees of local constitutional officers, to purchase or rent residences ... within the county” using non state funds; and

WHEREAS, the Albemarle Housing Investment Fund (AHIF) has \$840,000 available to support one time funding for affordable housing initiatives; and

WHEREAS, County staff proposes a five-year pilot employer-assisted housing program to provide down payment and rental security deposit assistance to eligible County employees with household income at or below 80% area median income; and

WHEREAS, the Board of Supervisors desires to establish an ordinance under *Virginia Code* § 15.2-542 to legally effectuate this pilot program.

NOW, THEREFORE, BE IT ORDAINED that, pursuant to the authority in *Virginia Code* § 15.2-542, the Albemarle County Board of Supervisors hereby authorizes the use of funds, other than state funds, to provide grants, loans, and/or other assistance for employees of the County, of the School Board, and/or of local constitutional officers, to purchase or rent residences, for use as the employee's principal residence, within the County, subject to program guidelines.

**RESOLUTION APPROVING THE CONVEYANCE OF A TEMPORARY CONSTRUCTION
EASEMENT AND A PORTION OF COUNTY-OWNED PARCEL
062F-00-00-000E2 TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION**

WHEREAS, the County of Albemarle ("County") owns Parcel 062F0-00-00-000E2 ("Parcel 62F-E2");

WHEREAS, the Virginia Department of Transportation ("VDOT") is constructing a continuous green-T intersection at the intersection of Rio Road East (Route 631) and Belvedere Boulevard (Route 1900) (the "Project") and requires the use of a portion of Parcel 62F-E2;

WHEREAS, VDOT has requested the conveyance of 111 square feet in fee simple and a 150-square-foot temporary construction easement on Parcel 62F-E2 to facilitate the Project;

WHEREAS, a public hearing was held pursuant to *Virginia Code* § 15.2-1800 to consider VDOT's request to convey fee simple of a portion of Parcel 62F-E2 and a temporary construction easement.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves the conveyance of the land in fee simple and temporary construction easement to VDOT on Parcel 62F-E2 and authorizes the County Executive to sign any documents needed to effect this conveyance on behalf of the County, once those documents have been approved as to form and substance by the County Attorney.

TAX MAP # 062F0-00-00-000E2

UPC 123901
Parcel 206**PREPARED BY VDOT
UNDER SUPERVISION OF THE
OFFICE OF THE ATTORNEY GENERAL**

Exempted from recordation taxes
and fees under Sections 58.1-811(A)(3),
58.1-811(C)(5), 58.1-3315, 25.1-418,
42.1-70, 17.1-266, 17.1-279(E), and 58.1-811(D)

This **DEED OF GIFT AND DONATION** is made this 17th day of July, 2026,
between the **COUNTY OF ALBEMARLE, VIRGINIA**, a political subdivision of the Commonwealth
of Virginia, "Grantor", and the **COMMONWEALTH OF VIRGINIA, DEPARTMENT OF
TRANSPORTATION**, "Grantee".

WITNESSETH: In consideration of the good will and public benefit to be derived from this
donation including the improvement of the roads of the Commonwealth, and other good and
valuable consideration, the Grantor hereby gives, grants, and conveys unto the Grantee in fee
simple with General Warranty and English Covenants of Title, the land located in the County of
Albemarle, Virginia, described as follows:

Being as shown on Sheets 6 and 6RW of the plans for Route 631, State Highway Project
0631-002-036, R-201, beginning on the East (right) side of the JWP/Rio North Construction
Baseline from the lands now or formerly belonging to Shepherds Ridge at Dunlora Community
Association, Inc. opposite approximate Station 115+15.00 to the lands now or formerly belonging
to 999 Rio LLC opposite approximate Station 115+32.00, and containing 111 square feet more or
less, land; together with the temporary right and easement to use the additional area shown as
being required for the proper construction of cut/fill slopes and roadway construction, containing
150 square feet, more or less. Said temporary easement will terminate at such time as the
construction of the aforesaid project is complete.

And being a part of the same land acquired by the Grantor from Bondstone Ventures LLC, by Deed dated October 3, 2016 and recorded October 21, 2016 in Deed Book 4830, Page 20, in the Clerk's Office of the Circuit Court of Albemarle County, Virginia.

For a more particular description of the land herein conveyed, reference is made to Sheets 6 and 6RW showing outlined in RED the land conveyed in fee simple, and outlined in ORANGE the temporary construction easement which photocopies are hereto attached as part of this conveyance to be recorded herewith in State Highway Plat Book _____, Page _____.

The Grantor by the execution of this instrument acknowledges that the plans for the aforesaid project as they affect the Grantor's property have been fully explained to the Grantor or the Grantor's authorized representative.

The Grantor by the execution of this instrument acknowledges that the land being conveyed hereunder is being donated to the Commonwealth of Virginia for highway use or associated uses. The Grantor also acknowledges that the Grantor is entitled to be compensated for the land hereby conveyed and, pursuant to Virginia Code Section 25.1-417 and by this donation, hereby waives the Grantor's right to an appraisal and to compensation.

The Grantor covenants and agrees for Grantor their heirs, successors and assigns, that the consideration hereinabove mentioned shall be in lieu of any and all claims to compensation for land, and for damages, if any, to the value of the remaining lands of the Grantor which may result by reason of the use to which the Grantee will put the land being conveyed, including such drainage facilities as may be necessary. This paragraph, however, does not apply to any physical damages caused by the Grantee, its agents and contractors done to the Grantor's remaining property during construction of the aforesaid project.

By accepting and recording this deed, the Grantee accepts the donation of the before described real estate.

SIGNATURE(S) AND NOTARY CERTIFICATE(S) ON FOLLOWING PAGE(S)

-3-

WITNESS the following signature(s) and seal(s)

COUNTY OF ALBEMARLE, VIRGINIA, a
political subdivision of the Commonwealth of
Virginia

By Jeffrey B. Richardson (SEAL)

Title County Executive

COMMONWEALTH OF VIRGINIA

City
COUNTY OF Charlottesville

The foregoing instrument was acknowledged before me this 17th day of July,

2026, by Jeffrey B. Richardson, County Executive
(Name of officer or agent) (Title of officer or agent)

of the County of Albemarle, Virginia, a political subdivision of the Commonwealth of Virginia.

My Commission expires Oct. 31, 2027
Notary Registration No.: 7153762

Cheryl L. Skeen
Notary Public

Approved as to form:

J.P.C. Lee
County Attorney

GRANTEE'S MAILING ADDRESS:

Virginia Department of Transportation
Right of Way and Utilities Section
87 Deacon Road
Fredericksburg, VA 22405

PROJECT John Wawner Parkway Roundabout and Rte. 631 (Rio Road East)
UPC 123901
PARCEL 206



ORDINANCE NO. 26-18(1)

AN ORDINANCE TO AMEND CHAPTER 18, ZONING, ARTICLE III DISTRICT REGULATIONS, SECTION 30, OVERLAY DISTRICTS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 18, Zoning, Article III, District Regulations, is hereby amended and reordained as follows:

By Amending:

Sec. 30.6.4 Certificate of appropriateness

Chapter 18. Zoning**Article III District Regulations**

....

Sec. 30.6.4 Certificates of appropriateness.

The architectural review board is authorized to issue certificates of appropriateness for any structure, and associated improvements, or any portion thereof, that are visible from the EC street to which the parcel is contiguous, as follows:

- a. *Development requiring a certificate of appropriateness.* The following developments require a certificate of appropriateness:
 1. *Building permits required.* Each structure and/or site improvement for which a building permit is required, even though it is not a development for which a site plan is required, unless the structure and/or site improvement is exempt under section 30.6.5. No building permit shall be approved until the certificate of appropriateness is obtained.
 2. *Site plans required.* Each structure and/or site improvement for which a building permit is required in a development for which a site plan is required, unless the improvement is exempt under section 30.6.5. No site plan shall be approved until the certificate of appropriateness is obtained.
- b. *Types of certificates of appropriateness.* The architectural review board is authorized to issue the following types of certificates of appropriateness:
 1. *Specific developments.* For specific developments associated with one or more building permits or a single site plan.
 2. *Signs in a new multi-business complex or shopping center.* For all of the signs in a new multi-business complex or shopping center, where the architectural review board first conducts a comprehensive sign review. Once a certificate of appropriateness for signs in a new multi-business complex or shopping center is issued, the director of planning is authorized to determine whether a particular sign satisfies the conditions of the certificate of appropriateness.
 3. *County-wide certificates of appropriateness.* County-wide certificates of appropriateness may be issued for classes of structures, sites, improvements, or architectural elements, subject to the applicable design criteria and procedures, as follows:
 - a. *Categories of structures, sites, improvements, or architectural elements eligible for county-wide certificates of appropriateness.* The following categories of structures, sites, improvements, or architectural elements shall be eligible for county-wide certificates of appropriateness:
 1. Structures located 750 feet or more from an EC street that are not more than five stories tall.

2. Structures that are proposed to be located behind another structure that fronts an EC street as viewed from the EC street, where the rear structure is no more than twice the height of the front structure.
 3. Personal wireless service facilities.
 4. Signs, except for wall signs whose height exceeds 30 feet.
 5. Safety fencing and screening fencing.
 6. New or replacement rooftop-mounted or ground-mounted equipment.
 7. Additions to structures or improvements for which a certificate of appropriateness was issued, where the design of the addition to the structure or improvement is consistent with the architectural design approved with the certificate of appropriateness.
 8. New structure or site lighting or changes to existing structure or site lighting.
 9. Minor amendments to site plans and architectural plans.
 10. Building permits for which the proposed change occupies 50 percent or less of the altered elevation of an existing structure.
 11. Permits classified in sections 5-202, 5-203, 5-204 and 5-208(A) not otherwise exempt under section 30.6.5(k).
 12. New structures, site changes, or reuse of existing structures in accordance with section 20.C.
 13. The following items when located on parcels that are subject to a public-private partnership agreement executed by the County of Albemarle: structures, sites, improvements, and/or architectural elements.
 14. Rooftop solar installations.
- b. *Design criteria.* The board may establish appropriate architectural or design features under the design guidelines that a structure, site, improvement or architectural element must be found to be consistent with in order to be eligible to be subject to a county-wide certificate of appropriateness. The architectural or design features may include, but are not limited to: (i) building and structure height; (ii) building and structure size; (iii) scale or mass; (iv) appropriate roof forms; (v) appropriate building materials and/or colors; (vi) minimum planting requirements; (vii) minimum screening requirements; (viii) building, structure and/or site improvement locations; and (ix) the structural and design details of signs.
- c. *Determination of compliance by director of planning.* Once a county-wide certificate of appropriateness is issued, the director of planning is authorized to determine whether a particular structure, site, improvement or architectural element satisfies the specific design criteria of the county-wide certificate of appropriateness. The director or a member of the architectural review board may request at an upcoming meeting that the architectural review board, instead of the director, determine whether a particular structure, site, improvement or architectural element satisfies the specific design criteria of the county-wide certificate of appropriateness.
- d. *Action and appeal.* Any person requesting a determination whether a proposed structure, site, improvement or architectural element satisfies the specific design criteria of a county-wide certificate of appropriateness shall submit a request to the director of planning providing the information required by the director. The procedure for submittal and action under section 30.6.6(b), (c), (d) and (f) shall apply.
1. *By the director.* If the director determines that the proposed structure, site, improvement or architectural element does not satisfy the specific design criteria of the county-wide certificate of appropriateness, the director shall send notice to the person requesting the determination of his decision. The person requesting the determination may either: (1) appeal the director's decision to the architectural

review board by filing an appeal with the director within ten days after the date of the director's notice of decision; or (2) file an application and proceed under sections 30.6.6 and 30.6.7.

2. *By the board.* If the board determines in its own review or on an appeal of the director's decision that the proposed structure, site, improvement or architectural element does not satisfy the specific design criteria of the county-wide certificate of appropriateness, the board shall send notice to the person requesting the determination of its decision. The person requesting the determination may either: (1) appeal the board's decision to the board of supervisors under the procedure in section 30.6.8(b), (c) and (d); or (2) file an application and proceed under sections 30.6.6 and 30.6.7.
- c. *Authority to assure consistency with applicable design guidelines.* In determining whether a structure or associated improvements are consistent with the applicable design guidelines, the architectural review board may specify the following, which are in addition to the requirements of the underlying zoning district or of section 32, provided that the board may not authorize any maximum standard to be exceeded, or any minimum standard to not be met:
1. *Architectural features.* The appearance of any architectural feature including, but not limited to, its form and style, color, texture and materials.
 2. *Size and arrangement of structures.* The configuration, orientation and other limitations as to the mass, shape, area, bulk, height and location of structures. In considering the arrangement and location of structures, the architectural review board may require that the existing vegetation and natural features be used to screen structures and associated improvements from one or more EC streets to which the parcel is contiguous as provided in section 30.6.2(b).
 3. *Location and configuration of parking areas and landscaping.* The location and configuration of parking areas and landscaping and buffering requirements.
 4. *Landscaping measures.* In addition to the requirements of section 32.7.9, landscaping measures determined to be appropriate to assure that the structures and associated improvements are consistent with the applicable design guidelines.
 5. *Preservation of existing vegetation and natural features.* The preservation of existing trees, wooded areas and natural features.
 6. *Appearance of signs.* In addition to the applicable requirements of section 4.15, the appropriate style, size, colors, materials, illumination and location of all proposed signs, and any other applicable design guidelines. Each application for a certificate of appropriateness for one or more signs shall be accompanied by a site plan or sketch plan that shows the location of all signs proposed to be erected on the lot or lots subject to the site plan or sketch plan.
 7. *Fencing.* The location, type and color of all fencing, including safety fencing.
- d. *Authority to impose conditions to assure development is consistent with the applicable design guidelines.* The architectural review board is authorized to impose reasonable conditions in conjunction with any approved certificate of appropriateness to assure that the development is consistent with the applicable design guidelines. The architectural review board also is authorized to approve plans showing, or identifying in a certificate of appropriateness, existing trees, wooded areas and natural areas to be preserved, the limits of grading or other land disturbing activity including trenching and tunneling, in order to, among other things, protect existing features, and grade changes requiring tree wells or tree walls.
- e. *Authority of zoning administrator to determine compliance with certificate of appropriateness.* The zoning administrator is authorized to determine whether a development, including a sign, satisfies the terms and conditions of the certificate of appropriateness.
- f. *Effect of certificate of appropriateness.* Each structure or associated improvement for which a certificate of appropriateness was issued shall be established and maintained in accordance with the terms, conditions and requirements of the certificate. Each site plan and building permit shall demonstrate that the structures and associated site improvements will satisfy the terms, conditions and requirements of the certificate.

(§ 30.6.4, 10-3-90; § 30.6.4.1, 10-3-90; 5-18-94; § 30.6.4.2, 10-3-90; § 30.6.5(formerly § 30.6.3.2, 7-8-92; Ord. 01-18(3), 5-9-01); § 30.6.4, Ord. 10-18(5), 5-12-10; Ord. 12-18(2), 3-14-12; Ord. 21-18(4), 9-1-21; Ord. 23-18(1), 10-4-23, Ord. 26-18(1), 7-15-26)

Sec. 30.6.4.1(Repealed 5-12-10, Now see 30.6.4)

Sec. 30.6.4.2(Repealed 5-12-10, Now see 30.6.4)