

COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD202400008 Keswick District Review	Staff: James Van Vranken, Planner
Agricultural and Forestal District Advisory Committee Meeting: January 23, 2025	
Planning Commission Public Hearing: February 11, 2025	Board of Supervisors Public Hearing: April 2, 2025
Proposal: Periodic review of the Keswick AF District.	Comprehensive Plan Designation: Rural Areas

Periodic Review of Agricultural and Forestal Districts

As established in the Code of Virginia, a district may continue indefinitely, but it must be reviewed by the County not more than every 10 years to determine whether the district should be continued. Before being considered by the Board of Supervisors, a district is reviewed by the County's Agricultural and Forestal District Advisory Committee and the Planning Commission. Both the Advisory Committee and the Planning Commission provide recommendations to the Board as to whether the district should be terminated, modified, or continued.

Once it has received the recommendations of the Advisory Committee and the Planning Commission, the Board conducts a public hearing. After the public hearing, the Board may terminate, modify, or continue the district. If the Board continues the district, it may impose conditions on the district different from those imposed on the district when it was created or last reviewed. Landowners within a district receive notice of this process, including notice of any proposed different conditions.

When a district is reviewed, land within the district may be withdrawn at the owner's discretion by filing a written notice with the Board at any time before the Board acts to continue, modify, or terminate the district.

New Policy for District Reviews

In October 2016, the Board updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

In November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning, the Board directed staff to implement a plan to:

- Renew districts for a five-year period, rather than for 10 years (one time).
- Notify landowners of parcels in reviewed districts that are enrolled in open-space use valuation but that have no development rights that:
 - Their parcels may be removed at the end of the five-year review period; and that
 - They have the option to withdraw from the open-space use valuation now to avoid roll-back taxation and fees when the parcels are removed.

Some districts are now reaching the end of their five-year review period. Staff will therefore make five-year or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD 202400008 KESWICK DISTRICT REVIEW

The Albemarle County Code currently contains this description of the Keswick District:

Sec. 3-223 Keswick Agricultural and Forestal District.

The district known as the "Keswick Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on September 3, 1986.

B. Lands within the district. The district is composed of the following described lands, identified by parcel identification number:

- 1. Tax map 48: parcels 30, 30A, 30B, 30C, 30D, 30E, 45, 46.*
- 2. Tax map 63: parcels 39, 39A, 40, 42A.*
- 3. Tax map 64: parcels 5, 7, 7A, 8A, 9, 10, 10A, 10B, 10C, 10D, 11 12, 13, 13A, 14.*
- 4. Tax map 65: parcels 13, 14A, 14A1, 31C1, 31C3, 31D, 32.*
- 5. Tax map 79: parcel 46.*
- 6. Tax map 80: parcels 1, 2, 2A, 2C, 3A, 3A1, 3G, 3H, 3I, 4, 61D, 88, 114A, 115, 164, 169, 169A, 169C, 169C1, 174, 176, 176A, 182, 183A, 190, 192, 194.*
- 7. Tax map 81: parcels 1, 8A, 11H, 15A6, 15B, 63, 69, 72, 73, 74, 79.*

C. Review. The district is reviewed once every ten years and will next be reviewed prior to November 12, 2024.

The District is located north of Keswick, mostly to the west of Gordonsville Road (Rt. 22) (see Attachment A), and includes 73 parcels totaling 7,017 acres. No withdrawal requests have so far been received.

Agricultural and Forestal District Significance: Of the 7,017 acres in the Keswick District, 4,918 acres have soils listed as particularly important for agriculture and 6,380 acres have soils listed as particularly important for forestry in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the Keswick District includes approximately 116 addressable structures. (The majority of these structures are

dwellings, but any barns or other large structures with addresses may be included.)

Local Development Patterns: The District consists of a mix of open land and forest. There are 35 parcels in the District, totaling 5,336 acres, that are under conservation easements. A total of 1,677 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, horticultural, or open-space use.

Comprehensive Plan Designation and Zoning Districts: The District is entirely designated as Rural Areas in the Comprehensive Plan, and the parcels included in the District are zoned RA Rural Areas.

Environmental Benefits: Conservation of this area will help maintain the environmental integrity of the County and aids in the protection of agricultural soils, mountain resources, critical slopes, and wildlife habitat.

Code Updates: The following changes will be made to the draft code section for this district to be reviewed by the Board of Supervisors:

- In 2018, Parcel 65-14A1 was fully incorporated into Parcel 65-14A.
- In 2019, Parcel 80-3I was fully incorporated into Parcel 80-3H.
- In 2024, Parcel 80-2 was divided into Parcels 80-2D and 80-2E.

Withdrawal: Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on January 7, 2025.

We have so far received no withdrawal requests.

Development Potential: The District includes 17 parcels, totaling 330 acres, that have no remaining small-lot development rights.

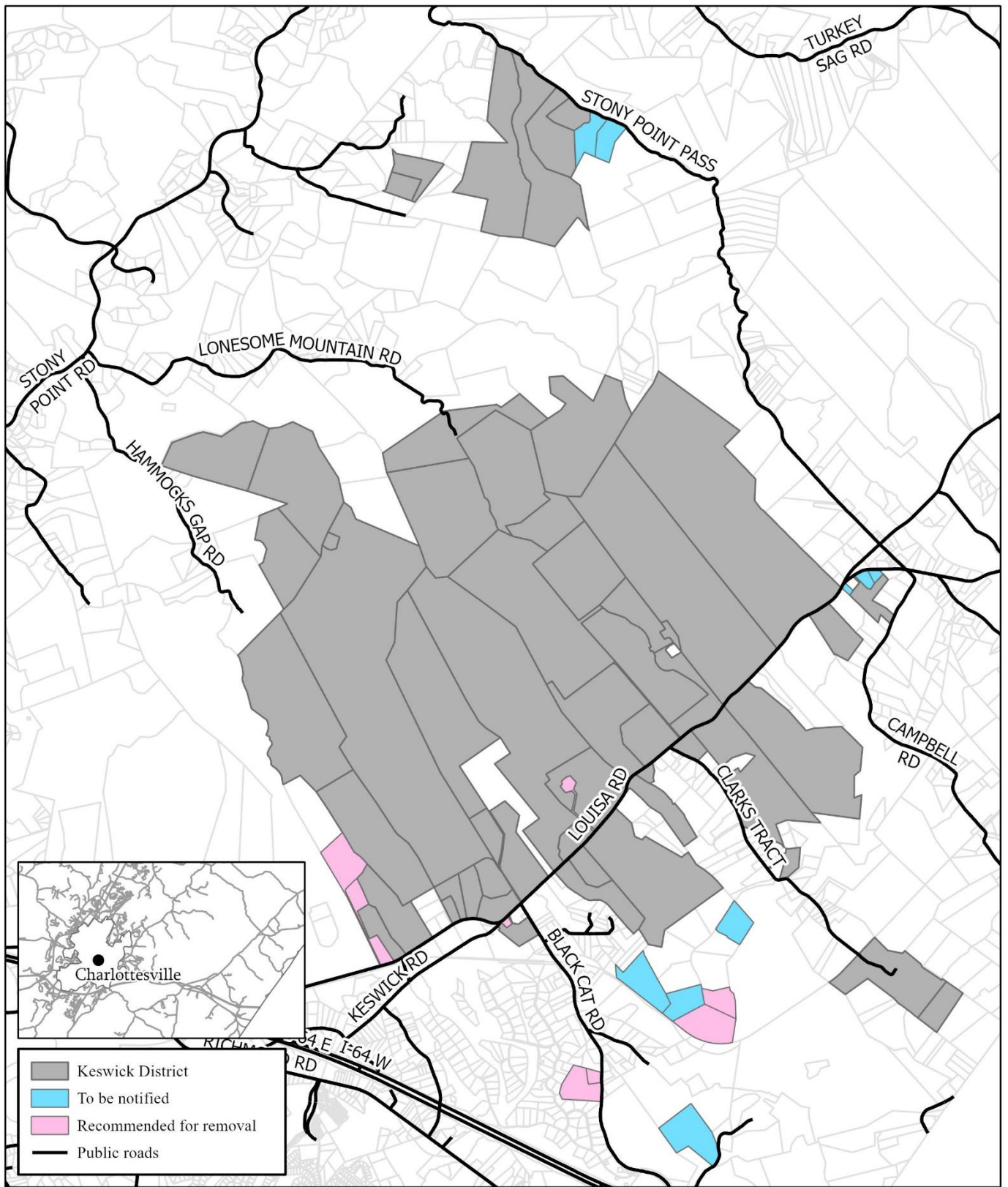
Parcel	Landowner	Acreage	Tax Status
04800000003000	LANE, ANNA T, TRS OF THE ANNA T. LANE TR	21.01	Open Space
048000000030A0	LANE, ANNA T, TRS OF THE ANNA T. LANE TR	21.02	Open Space
065000000031C1	SPICER, THOMAS E JR & JANE S SPICER TRS	3.92	Open Space
065000000031D0	SPICER, THOMAS E JR & JANE S SPICER TRS	1.51	Open Space
06500000003200	SPICER, THOMAS E JR & JANE S SPICER TRS	3.00	Open Space
080000000002B0	MYERS, PAMELA & GERALD TAYLOR	21.00	Agriculture
080000000002D0	HARMAN, ROBERT F TRS & MARILYN M HARMAN TRS	36.09	Regular taxable
080000000061D0	DROST, WILLIAM T & CATHERINE H DROST	25.67	Regular taxable
08000000008800	ARNOLD, ERICH	4.65	Regular taxable
08000000011500	ELLIS, ROBIN & CRAIG ELLIS	0.93	Regular taxable
08000000017600	KUNDRUN, FRITZ R OR CLAUDINE	5.25	Regular taxable
081000000011H0	AIELLO, MICHAEL ANTHONY OR TRACY LYNN CORTEZ	48.41	Open Space
08100000006900	LITZENBERGER, IRINA, TRS	22.41	Open Space
08100000007200	BALL, CHRISTOPHER M & MICHELE D BALL	21.78	Regular taxable
08100000007300	COX, DOUGLAS M OR JAYNE A	36.48	Agriculture
08100000007400	MAHAN, ANN O, TRS OF THE ANN O MAHAN TR	21.06	Open Space
08100000007900	MAHAN, ANN O, TRS OF THE ANN O MAHAN TR	36.21	Open Space

Nine of the parcels (highlighted in blue) are in Open Space taxation. Since this is the District's first review since 2018, those nine parcels are recommended to continue in the District for five years; their owners will be notified of the new policy. All other parcels listed in the table are recommended not to continue in the District.

Remaining Parcels: After the recommended removals, the District would contain 65 parcels totaling 6,865 acres.

Recommendation: Staff recommended that the Agricultural-Forestal Districts Advisory Committee recommend renewal of the Keswick District, with the above-noted removals, for a 5-year period.

At its meeting on January 23, the Advisory Committee voted to recommend renewal of the District for 10 years, with any requested withdrawals but without the staff-recommended removals, for the purpose of allowing the Committee time to bring an alternative proposal that is consistent with the purposes of AFDs and balances the County's broader needs.



AFD202400008 Keswick District Review





COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD202400009 Moorman's River District Review	Staff: James Van Vranken, Planner
Agricultural and Forestal District Advisory Committee Meeting: January 23, 2025	
Planning Commission Public Hearing: February 11, 2025	Board of Supervisors Public Hearing: April 2, 2025
Proposal: Periodic review of the Moorman's River AF District.	Comprehensive Plan Designation: Rural Areas

Periodic Review of Agricultural and Forestal Districts

As established in the Code of Virginia, a district may continue indefinitely, but it must be reviewed by the County not more than every 10 years to determine whether the district should be continued. Before being considered by the Board of Supervisors, a district is reviewed by the County's Agricultural and Forestal District Advisory Committee and the Planning Commission. Both the Advisory Committee and the Planning Commission provide recommendations to the Board as to whether the district should be terminated, modified, or continued.

Once it has received the recommendations of the Advisory Committee and the Planning Commission, the Board conducts a public hearing. After the public hearing, the Board may terminate, modify, or continue the district. If the Board continues the district, it may impose conditions on the district different from those imposed on the district when it was created or last reviewed. Landowners within a district receive notice of this process, including notice of any proposed different conditions.

When a district is reviewed, land within the district may be withdrawn at the owner's discretion by filing a written notice with the Board at any time before the Board acts to continue, modify, or terminate the district.

New Policy for District Reviews

In October 2016, the Board updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

In November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning, the

Board directed staff to implement a plan to:

- Renew districts for a five-year period, rather than for 10 years (one time).
- Notify landowners of parcels in reviewed districts that are enrolled in open-space use valuation but that have no development rights that:
 - Their parcels may be removed at the end of the five-year review period; and that
 - They have the option to withdraw from the open-space use valuation now to avoid roll-back taxation and fees when the parcels are removed.

Some districts are now reaching the end of their five-year review period. Staff will therefore make five-year or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD 202400009 MOORMAN'S RIVER DISTRICT REVIEW

The Albemarle County Code currently contains this description of the Moorman's River District:

Sec. 3-226 Moorman's River Agricultural and Forestal District.

The district known as the "Moorman's River Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on December 17, 1986.

B. Lands within the district. The district is composed of the following described lands, identified by parcel identification number:

- 1. Tax map 27: parcels 32, 34, 34A, 40, 40A, 40A1, 42, 42A.*
- 2. Tax map 28: parcels 2, 2A, 3, 4, 5, 6, 6A, 6B, 7A, 7A1, 7B, 8, 12, 12A, 12B, 13, 13A, 17A, 17C, 18, 25 (part), 30, 30A, 30A1, 30B, 31, 31A, 32B, 32D, 33, 34B, 35, 35B, 37A, 37B, 37C, 38.*
- 3. Tax map 29: parcels 2C, 4E, 8, 8B, 8E, 8E1, 8J, 9, 10, 15C, 40B, 40C, 40D, 45, 45H1, 45H2, 49C, 50, 54A, 61, 62, 63, 63A, 63D, 67C, 69F, 70A, 70B, 70C, 70F, 70H1, 70K, 70L, 70M, 71, 71A, 74A, 76, 78, 78A1, 79C, 79E, 79F, 84, 85.*
- 4. Tax map 30: parcels 10, 10A, 10C, 12, 12C, 12C1, 12D, 23.*
- 5. Tax map 41: parcels 8, 8B, 8C, 8D, 9E, 15, 15A, 17C, 18, 19, 41C, 41H, 44, 50, 50C, 65A1, 67B, 70, 72, 72B, 72C, 72D, 72E, 72F, 89.*
- 6. Tax map 42: parcels 5, 6, 6B, 8, 8C, 10, 10A, 10D, 37F, 37J, 38, 40, 40C, 40D, 40D1, 40G, 40H2, 41, 41B, 42B, 42B1, 43, 43A, 44.*
- 7. Tax map 43: parcels 1, 1F, 2A1, 2B, 3A, 4D, 5, 5A, 9, 10, 16B2, 16B3, 18E4, 18G, 18J, 19I, 19N, 19P, 20A, 20B, 20C, 21, 21A, 24A, 24B, 24C, 25A, 25B, 30, 30A, 30B, 30B1, 30B2, 30B3, 30B4, 30G, 30H, 30M, 30N, 32H, 33, 33E, 34D1, 41, 42, 43, 44, 45, 45C, 45D.*
- 8. Tax map 44: parcels 1, 2, 24, 26, 26A, 26B, 26C, 27B, 27C, 28, 29, 29A, 29D, 30, 30A, 30B, 31, 31A, 31A1, 31D, 31F, 31G, 31H.*
- 9. Tax map 57: parcel 69.*
- 10. Tax map 58: parcels 65A4, 65E, 65I.*

11. Tax map 59: parcels 32, 32A, 34, 35, 82A.

12. Tax map 60: parcels 2A1, 2A2.

13. Tax map 60E3: parcel 1.

C. Review. The district is reviewed once every ten years and will next be reviewed prior to November 12, 2024.

The District is located between Charlottesville and Crozet, predominantly to the north of Garth Road and south of Free Union (see Attachment A), and includes 226 parcels totaling 11,049 acres. Two withdrawal requests have so far been received.

Agricultural and Forestal District Significance: Of the 11,049 acres in the Moorman's River District, 8,486 acres have soils listed as particularly important for agriculture in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the Moorman's River District includes approximately 274 addressable structures. (The majority of these structures are dwellings, but any barns or other large structures with addresses may be included.)

Local Development Patterns: The District consists of a mix of open land and forest. There are 87 parcels in the District, totaling 6,010 acres, that are under conservation easements. A total of 4,740 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, horticultural, or open-space use.

Comprehensive Plan Designation and Zoning Districts: The District is entirely designated as Rural Areas in the Comprehensive Plan, and the parcels included in the District are zoned RA Rural Areas.

Environmental Benefits: Conservation of this area will help maintain the environmental integrity of the County and aids in the protection of ground and surface water, agricultural soils, mountain resources, critical slopes, and wildlife habitat.

Code Updates: The following changes will be made to the draft code section for this district to be reviewed by the Board of Supervisors:

- In October 2018, Parcel 44-30B was subdivided into Parcels 44-30B1, 44-30B2, and 44-30B3.
- In November 2020, Parcels 29-70A, 29-70K, 29-70L, and 29-70M were combined to form Parcel 29-70A1.
- In November 2020, a Letter of Determination from the Department of Community Development split Parcel 29-8E1 into Parcels 29-8E2 and 29-8H1.
- In September 2022, Parcels 43-41 and 43-42 were incorporated into Parcel 43-43.
- In March 2023, Parcel 28-31A was incorporated into Parcel 28-31.
- In July 2023, Parcel 29-69F was withdrawn from the District by request of the landowner's heirs.
- In November 2023, Parcel 41-72D was incorporated into Parcel 41-72B.

Withdrawal: Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on January 7, 2025.

We have so far received two withdrawal requests covering five parcels:

Parcel	Owner	Acreage
04100000000800	NONESUCH PROPERTIES LLC	9.91
041000000008B0	NONESUCH PROPERTIES LLC	40.70

041000000008C0	NONESUCH PROPERTIES LLC	22.36
041000000008D0	NONESUCH PROPERTIES LLC	8.48
0410000000050C0	MOSOLGO, ROBERT DANIEL & VALERIE WILDER MOSOLGO	21.14

Development Potential: The District includes 42 parcels, totaling 755 acres, that have no remaining small-lot development rights.

Parcel	Landowner	Acreage	Tax Status
02700000004200	SCOTT T NUNNALLY TRUST AMY B NUNNALLY TRUST	21.58	Regular taxable
02800000000600	GUERCIO, ANDREW A OR REBECCA R	23.36	Agriculture
0280000000012B0	LOWER, ELIZABETH ECKERSON, TRS	6.00	Regular taxable
0280000000017A0	PFEIFFER, GEORGE J	10.00	Regular taxable
0280000000030A0	MCMURRAY, W B GIO	21.96	Open Space
0280000000030A1	MCMURRAY, NOAH Y OR AMANDA RAE	2.20	Regular taxable
0280000000032D0	HUNT, JONATHAN N OR SIBYLLE C ROTACH-HUNT	9.35	Agriculture
0290000000002C0	FISHER, JOHN & JESSICA BLURTON	2.02	Regular taxable
0290000000008E2	THOMPSON, ALLAN JAMES III & PUJA SEAM	131.97	Open Space
0290000000040B0	DRISCOLL, DAVID L & ELIZABETH M DRISCOLL	2.25	Regular taxable
0290000000040C0	CLARKE, JILL A & MICHAEL E CLARKE	2.53	Regular taxable
0290000000040D0	CLARKE, CARTER	2.40	Regular taxable
0290000000045H1	LARS PETER LOTHBERG	21.00	Open Space
0290000000045H2	LOTHBERG, PETER	21.05	Open Space
029000000008400	WELLS, SAMUEL L	2.00	Regular taxable
029000000008500	MARSHALL, JOHN C OR MARILYN D	21.59	Open Space
0300000000012C1	MCMURDO, THOMAS MICHIE	2.95	Regular taxable
0300000000012D0	VIRGINIANS 1716 LLC	64.18	Agriculture & Forestry
0410000000041H0	JAHRSDOERFER, NATALIE A TRS	2.58	Open Space
041000000007200	STOWE, JONATHAN W & JESSIE E STOWE	28.35	Agriculture
0410000000072E0	ROLLING CEDAR FARM LLC	108.69	Agriculture & Forestry
0410000000072F0	JEFFERSON STREET PROPERTIES LLC	8.49	Regular taxable
0420000000010D0	PAUL D SUMMERS III CATHERINE F SUMMERS	14.52	Agriculture
042000000004100	UNIVERSITY STATION LLC	28.11	Agriculture
043000000000900	FAULCONER, JEANNE MARIE	1.99	Regular taxable
0430000000018E4	OGENS, DAVID OR LOCKE W	6.19	Regular taxable
0430000000025B0	SIEG, HEATHER HALSEY & CHARLES BEARD	2.64	Regular taxable
0430000000030B2	JUMPING BRANCH OWNERSHIP ENTITY LLC	1.20	Regular taxable
0430000000030B3	JUMPING BRANCH OWNERSHIP ENTITY LLC	3.89	Regular taxable
0430000000030N0	SPRINGHAVEN FARM II LLC	33.04	Open Space
0430000000032H0	WELLS, SAMUEL & ROBERTA, TRS	3.11	Regular taxable
043000000004500	HELGERSON, PAUL W & JILL A CARROLL, TRS	22.96	Forestry
0430000000045C0	HELGERSON, PAUL W & JILL A CARROLL, TRS	11.97	Forestry
0430000000045D0	HELGERSON, PAUL W & JILL A CARROLL, TRS	28.51	Forestry
0440000000026B0	MCCONNELL, LOUISE D TRS	0.50	Regular taxable

044000000029D0	DARBYS FOLLY LLC	3.03	Agriculture
044000000030B3	DARBYS FOLLY LLC	3.91	Agriculture
044000000031H0	RO HOME LLC	21.00	Regular taxable
058000000065A4	KOOISTRA, PAUL G, TRS	5.00	Regular taxable
058000000065E0	RINEHART, ROBERT H OR CHARLOTTE T	16.76	Regular taxable
058000000065I0	ALEXANDER, ANDREW & CATHERINE ALEXANDER	8.46	Regular taxable
059000000032A0	DOGWOOD LANE PROPERTIES LLC	21.36	Agriculture

Six of the parcels (highlighted in blue) are in Open Space taxation through their membership in the District. Since this is the District's first review since 2018, those six parcels are recommended to continue in the District for five years; their owners will be notified of the new policy.

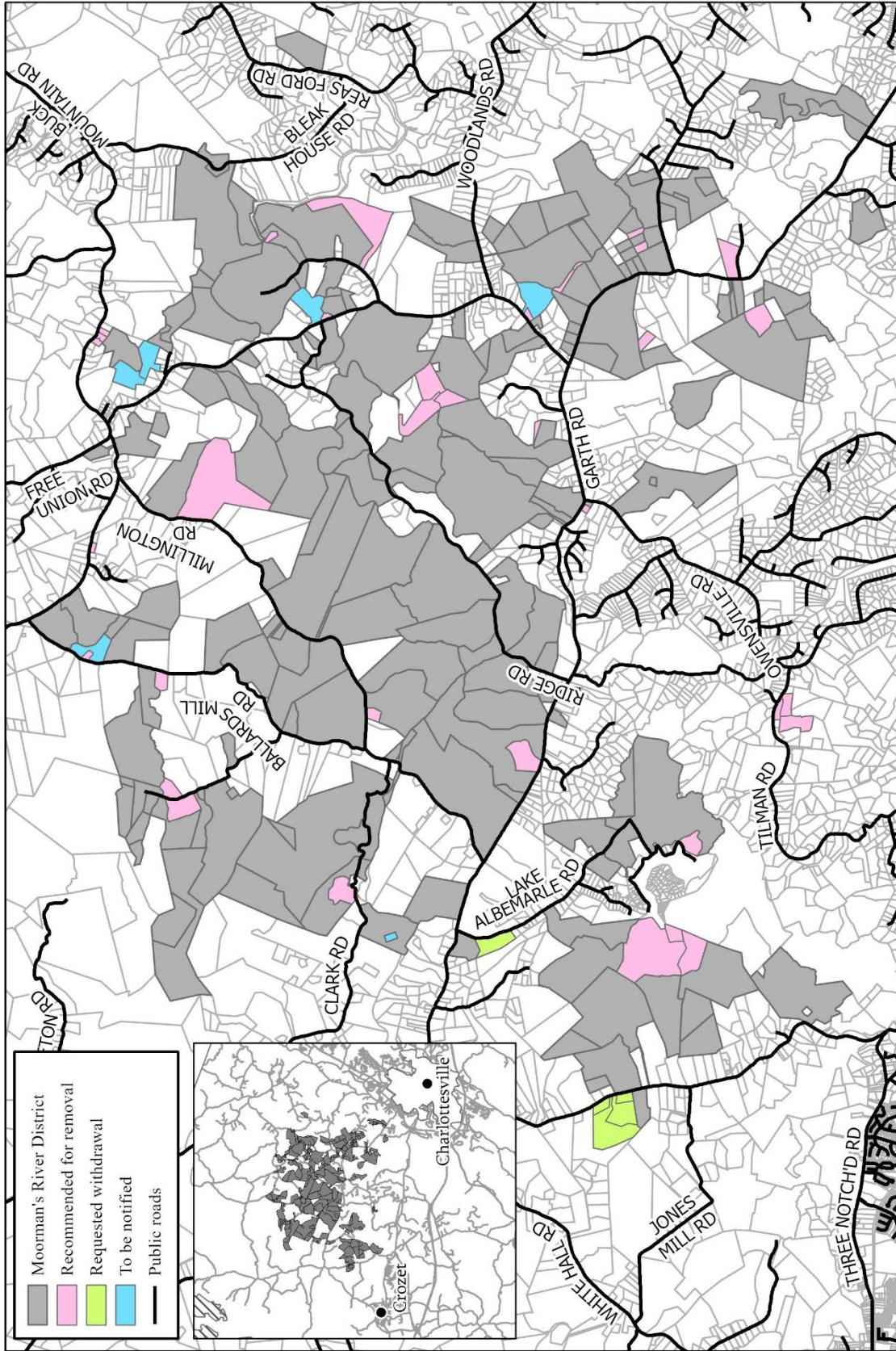
One parcel (highlighted in deep pink) is in Open Space taxation through an Open-Space Use Agreement. The landowner's taxation will not be affected by removal, so the parcel is recommended not to continue in the District.

All other parcels listed in the table are recommended not to continue in the District.

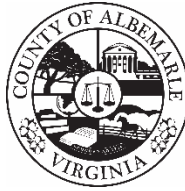
Remaining Parcels: After the requested withdrawals and recommended removals, the District would contain 185 parcels totaling 10,313 acres.

Recommendation: Staff recommended that the Agricultural-Forestal Districts Advisory Committee recommend renewal of the Moorman's River District, with the above-noted withdrawals and removals, for a 5-year period.

At its meeting on January 23, the Advisory Committee voted to recommend renewal of the District for 10 years, with any requested withdrawals but without the staff-recommended removals, for the purpose of allowing the Committee time to bring an alternative proposal that is consistent with the purposes of AFDs and balances the County's broader needs.



AFD202400009 Moorman's River District Review



COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD202400010 Kinloch District Review	Staff: James Van Vranken, Planner
Agricultural and Forestal District Advisory Committee Meeting: January 23, 2025	
Planning Commission Public Hearing: February 11, 2025	Board of Supervisors Public Hearing: April 2, 2025
Proposal: Periodic review of the Kinloch AF District.	Comprehensive Plan Designation: Rural Areas

Periodic Review of Agricultural and Forestal Districts

As established in the Code of Virginia, a district may continue indefinitely, but it must be reviewed by the County not more than every 10 years to determine whether the district should be continued. Before being considered by the Board of Supervisors, a district is reviewed by the County's Agricultural and Forestal District Advisory Committee and the Planning Commission. Both the Advisory Committee and the Planning Commission provide recommendations to the Board as to whether the district should be terminated, modified, or continued.

Once it has received the recommendations of the Advisory Committee and the Planning Commission, the Board conducts a public hearing. After the public hearing, the Board may terminate, modify, or continue the district. If the Board continues the district, it may impose conditions on the district different from those imposed on the district when it was created or last reviewed. Landowners within a district receive notice of this process, including notice of any proposed different conditions.

When a district is reviewed, land within the district may be withdrawn at the owner's discretion by filing a written notice with the Board at any time before the Board acts to continue, modify, or terminate the district.

New Policy for District Reviews

In October 2016, the Board updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

In November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning, the Board directed staff to implement a plan to:

- Renew districts for a five-year period, rather than for 10 years (one time).
- Notify landowners of parcels in reviewed districts that are enrolled in open-space use valuation but that have no development rights that:
 - Their parcels may be removed at the end of the five-year review period; and that
 - They have the option to withdraw from the open-space use valuation now to avoid roll-back taxation and fees when the parcels are removed.

Some districts are now reaching the end of their five-year review period. Staff will therefore make five-year or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD 202400010 KINLOCH DISTRICT REVIEW

The Albemarle County Code currently contains this description of the Kinloch District:

Sec. 3-224 Kinloch Agricultural and Forestal District.

The district known as the "Kinloch Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on September 3, 1986.

B. Lands within the district. The district is composed of the following described lands, identified by parcel identification number:

1. Tax map 49: parcels 5C, 6A1.

2. Tax map 50: parcels 13, 19.

3. Tax map 65: parcels 7, 7A, 8, 84A, 86, 89, 90, 91, 91A, 92, 93A, 93A1, 94, 94A, 94B, 94C, 95, 95A, 100, 121.

4. Tax map 66: parcels 2, 3C, 3G, 32, 32D, 32E, 34 (Albemarle County portion only), 34B.

C. Review. The district is reviewed once every ten years and will next be reviewed prior to November 12, 2024.

The District is located northeast of Cismont on the Gordonsville Road (Rt. 231) (see Attachment A), and includes 33 parcels totaling 1,710 acres. One withdrawal request, covering two parcels, has so far been received.

Agricultural and Forestal District Significance: Of the 1,710 acres in the Kinloch District, 1,383 acres have soils listed as particularly important for agriculture in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the Kinloch District includes approximately 49 addressable structures. (The majority of these structures are dwellings, but any barns or other large structures with addresses may be included.)

Local Development Patterns: The District consists of a mix of open land and forest. There are 15 parcels in the District, totaling 1,261 acres, that are under conservation easements. A total of 334 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, horticultural, or open-space use.

Comprehensive Plan Designation and Zoning Districts: The District is entirely designated as Rural Areas in the Comprehensive Plan, and the parcels included in the District are zoned RA Rural Areas.

Environmental Benefits: Conservation of this area will help maintain the environmental integrity of the County and aids in the protection of agricultural soils, mountain resources, critical slopes, and wildlife habitat.

Code Updates: The following changes will be made to the draft code section for this district to be reviewed by the Board of Supervisors:

- In January 2017, a 2-acre cemetery lot (Parcel 65-86B) was subdivided from Parcel 65-86. 65-86 was then relabeled as Parcel 65-1-86.
- In October 2020, Parcel 50-19 was subdivided into Parcels 50-19A1, 50-19B, and 50-19C.
- In August 2021, Parcels 65-95 and 65-95A were fully incorporated into Parcel 65-93A1.

Withdrawal: Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on January 7, 2025.

We have so far received one withdrawal request covering two parcels:

Parcel	Owner	Acreage
065000000084A0	COLES, JOHN, TRUSTEE; MILLWOOD TRUST	3.52
06500010008600	MILLWOOD TRUST	103.36

Development Potential: The District includes eight parcels, totaling 82 acres, that have no remaining small-lot development rights.

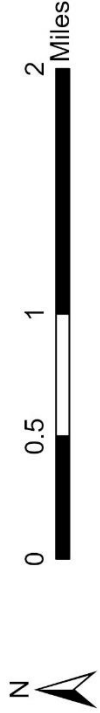
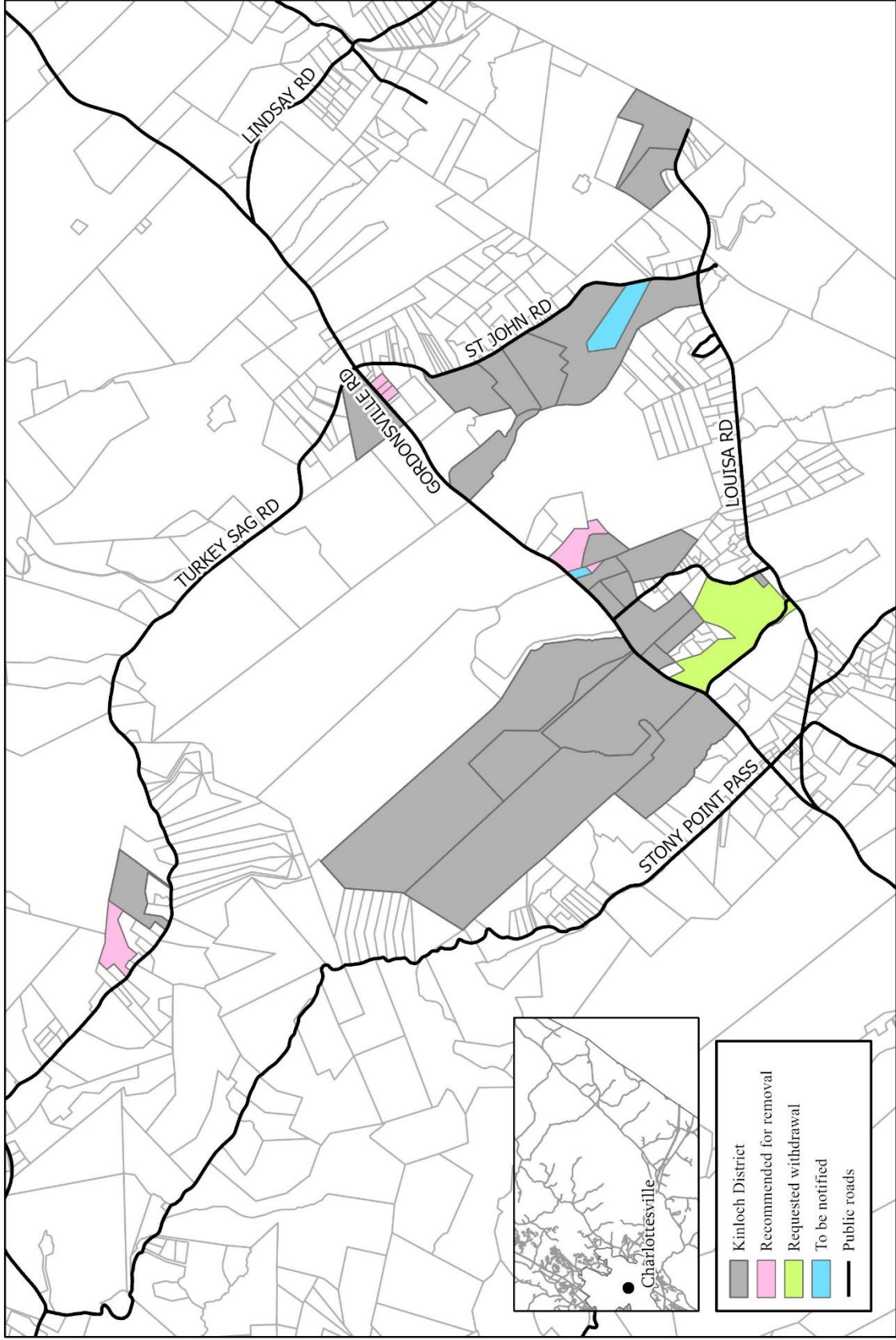
Parcel	Landowner	Acreage	Tax Status
049000000005C0	DAVID D BEASLEY & SARAH ANN ENG	21.19	Regular taxable
050000000019A1	BURACKER, BRADLEY W & CAITLIN J BURACKER	2.58	Regular taxable
050000000019B0	GORDONVILLE ROAD B LLC	2.16	Regular taxable
050000000019C0	ELKINS, CATHERINE K	2.57	Regular taxable
06500000009400	RIVES, S BARCLAY OR AGNES B	1.25	Regular taxable
065000000094A0	MELNIK, JOSEPH DAVID OR CHRISTINE C	19.60	Agriculture & Forestry
065000000094C0	RIVES, S BARCLAY OR AGNES B	3.00	Open Space
06600000003200	FISK, JACK ALAN REV TR & SISSY SPACEK REV TR	29.74	Open Space

Two of the parcels (highlighted in blue) are in Open Space taxation. Since this is the District's first review since 2018, those two parcels are recommended to continue in the District for five years; their owners will be notified of the new policy. All other parcels listed in the table are recommended not to continue in the District.

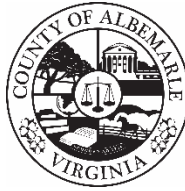
Remaining Parcels: After the recommended withdrawals and removals, the District would contain 25 parcels totaling 1,554 acres.

Recommendation: Staff recommended that the Agricultural-Forestal Districts Advisory Committee recommend renewal of the Kinloch District, with the above-noted withdrawals and removals, for a 5-year period.

At its meeting on January 23, the Advisory Committee voted to recommend renewal of the District for 10 years, with any requested withdrawals but without the staff-recommended removals, for the purpose of allowing the Committee time to bring an alternative proposal that is consistent with the purposes of AFDs and balances the County's broader needs.



AFD202400010 Kinloch District Review



COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD202400012 Fox Mountain District Review	Staff: James Van Vranken, Planner
Agricultural and Forestal District Advisory Committee Meeting: January 23, 2025	
Planning Commission Public Hearing: February 11, 2025	Board of Supervisors Public Hearing: April 2, 2025
Proposal: Periodic review of the Fox Mountain AF District.	Comprehensive Plan Designation: Rural Areas

Periodic Review of Agricultural and Forestal Districts

As established in the Code of Virginia, a district may continue indefinitely, but it must be reviewed by the County not more than every 10 years to determine whether the district should be continued. Before being considered by the Board of Supervisors, a district is reviewed by the County's Agricultural and Forestal District Advisory Committee and the Planning Commission. Both the Advisory Committee and the Planning Commission provide recommendations to the Board as to whether the district should be terminated, modified, or continued.

Once it has received the recommendations of the Advisory Committee and the Planning Commission, the Board conducts a public hearing. After the public hearing, the Board may terminate, modify, or continue the district. If the Board continues the district, it may impose conditions on the district different from those imposed on the district when it was created or last reviewed. Landowners within a district receive notice of this process, including notice of any proposed different conditions.

When a district is reviewed, land within the district may be withdrawn at the owner's discretion by filing a written notice with the Board at any time before the Board acts to continue, modify, or terminate the district.

New Policy for District Reviews

In October 2016, the Board updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

In November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning, the

Board directed staff to implement a plan to:

- Renew districts for a five-year period, rather than for 10 years (one time).
- Notify landowners of parcels in reviewed districts that are enrolled in open-space use valuation but that have no development rights that:
 - Their parcels may be removed at the end of the five-year review period; and that
 - They have the option to withdraw from the open-space use valuation now to avoid roll-back taxation and fees when the parcels are removed.

Some districts are now reaching the end of their five-year review period. Staff will therefore make five-year or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD 202400012 FOX MOUNTAIN DISTRICT REVIEW

The Albemarle County Code currently contains this description of the Fox Mountain District:

Sec. 3-214 Fox Mountain Agricultural and Forestal District.

The district known as the "Fox Mountain Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on December 2, 2009.

B. Lands within the district. The district is composed of the following described lands, identified by parcel identification number:

1. Tax map 14: parcels 26A, 26B, 26C.

2. Tax map 15: parcels 1, 10A.

C. Review. The district is reviewed once every five years and will next be reviewed prior to December 18, 2024.

The District is located north of White Hall on Browns Gap Turnpike (see Attachment A), and includes five parcels totaling 437 acres. No withdrawal requests have so far been received.

Agricultural and Forestal District Significance: Of the 437 acres in the Fox Mountain District, 297 acres have soils listed as particularly important for forestry in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the Fox Mountain District includes approximately two addressable structures. (The majority of these structures are dwellings, but any barns or other large structures with addresses may be included.)

Local Development Patterns: The District consists of a mix of open land and forest. There are no parcels in the District that are under conservation easement. A total of 435 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, horticultural, or open-space use.

Comprehensive Plan Designation and Zoning Districts: The District is entirely designated as Rural Areas in the Comprehensive Plan, and the parcels included in the District are zoned RA Rural Areas.

Environmental Benefits: Conservation of this area will help maintain the environmental integrity of the County and aids in the protection of ground and surface water, agricultural soils, mountain resources, critical slopes, and wildlife habitat.

Code Correction: The following change will be made to the draft code section for this district to be reviewed by the Board of Supervisors:

- An error in the code lists Parcel 15-1 instead of 15-10. This shall be corrected.

Withdrawal: Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on January 7, 2025.

We have so far received no withdrawal requests.

Development Potential: The District includes two parcels, totaling 28 acres, that have no remaining small-lot development rights.

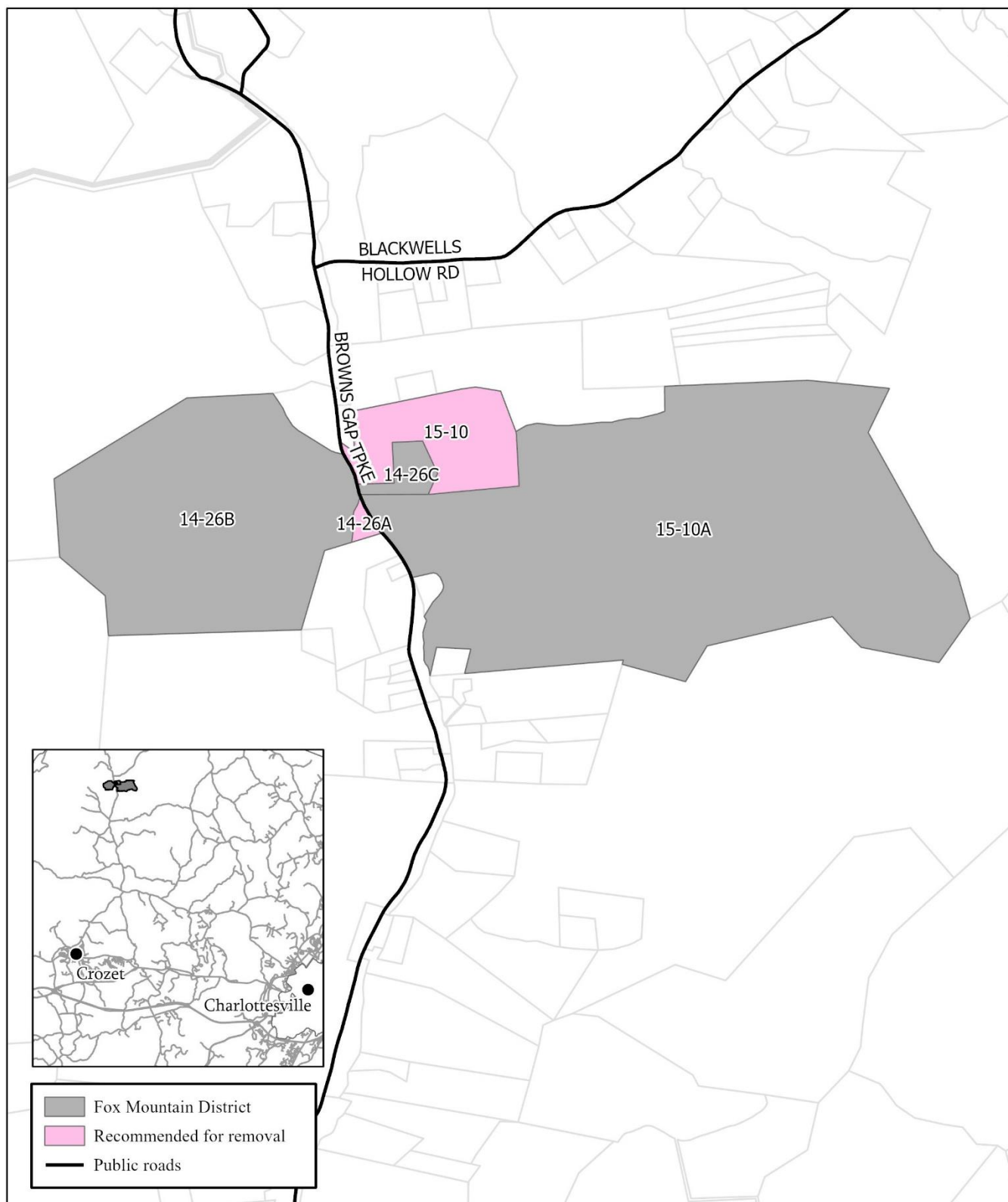
Parcel	Landowner	Acreage	Tax Status
014000000026A0	DETMER, DON E & MARY HELEN, TRS	1.55	Regular taxable
01500000001000	DETMER, DON E & MARY HELEN, TRS	26.69	Open Space

One of the parcels is in Open Space taxation. The parcel's owner was notified of the policy on January 23, 2020, so the parcel is recommended not to continue in the District. The other parcel is also recommended not to continue in the District.

Remaining Parcels: After the recommended removals, the District would contain three parcels totaling 409 acres.

Recommendation: Staff recommended that the Agricultural-Forestal Districts Advisory Committee recommend renewal of the Fox Mountain District, with the above-noted removals, for a 10-year period.

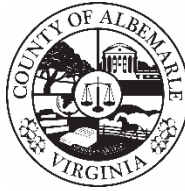
At its meeting on January 23, the Advisory Committee voted to recommend renewal of the District for 5 years, with any requested withdrawals but without the staff-recommended removals, for the purpose of allowing the Committee time to bring an alternative proposal that is consistent with the purposes of AFDs and balances the County's broader needs.



AFD202400012 Fox
Mountain District Review



0 0.25 0.5
Miles



COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD202400013 Buck's Elbow Mountain District Review	Staff: James Van Vranken, Planner
Agricultural and Forestal District Advisory Committee Meeting: January 23, 2025	
Planning Commission Public Hearing: February 11, 2025	Board of Supervisors Public Hearing: April 2, 2025
Proposal: Periodic review of the Buck's Elbow Mountain AF District.	Comprehensive Plan Designation: Rural Areas

Periodic Review of Agricultural and Forestal Districts

As established in the Code of Virginia, a district may continue indefinitely, but it must be reviewed by the County not more than every 10 years to determine whether the district should be continued. Before being considered by the Board of Supervisors, a district is reviewed by the County's Agricultural and Forestal District Advisory Committee and the Planning Commission. Both the Advisory Committee and the Planning Commission provide recommendations to the Board as to whether the district should be terminated, modified, or continued.

Once it has received the recommendations of the Advisory Committee and the Planning Commission, the Board conducts a public hearing. After the public hearing, the Board may terminate, modify, or continue the district. If the Board continues the district, it may impose conditions on the district different from those imposed on the district when it was created or last reviewed. Landowners within a district receive notice of this process, including notice of any proposed different conditions.

When a district is reviewed, land within the district may be withdrawn at the owner's discretion by filing a written notice with the Board at any time before the Board acts to continue, modify, or terminate the district.

New Policy for District Reviews

In October 2016, the Board updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

In November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning, the Board directed staff to implement a plan to:

- Renew districts for a five-year period, rather than for 10 years (one time).
- Notify landowners of parcels in reviewed districts that are enrolled in open-space use valuation but that have no development rights that:
 - Their parcels may be removed at the end of the five-year review period; and that
 - They have the option to withdraw from the open-space use valuation now to avoid rollback taxation and fees when the parcels are removed.

Some districts are now reaching the end of their five-year review period. Staff will therefore make five-year or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD 202400013 BUCK'S ELBOW MOUNTAIN DISTRICT REVIEW

The Albemarle County Code currently contains this description of the Buck's Elbow Mountain District:

Sec. 3-210 Buck's Elbow Mountain Agricultural and Forestal District.

The district known as the "Buck's Elbow Mountain Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on December 2, 2009.

B. Lands within the district. The district is composed of the following described lands, identified by parcel identification number:

1. Tax map 25: parcel 1.

2. Tax map 38: parcels 4, 7, 8, 10, 20.

3. Tax map 39: parcels 1, 1D, 1F, 1F1, 1G, 2B, 8, 10A, 21Q, 21R, 21Z.

C. Review. The district is reviewed once every five years and will next be reviewed prior to December 18, 2024.

The District is located northwest of Crozet, off Jarman's Gap Road (see Attachment A), and includes 17 parcels totaling 3,210 acres. No withdrawal requests have so far been received.

Agricultural and Forestal District Significance: Of the 3,210 acres in the Buck's Elbow Mountain District, 3,189 acres have soils listed as particularly important for forestry in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the Buck's Elbow Mountain District includes approximately 17 addressable structures. (The majority of these structures are dwellings, but any barns or other large structures with addresses may be included.)

Local Development Patterns: The District consists predominantly of forested uplands. There are no parcels in the District that are under conservation easement. A total of 3,102 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, horticultural, or open-space use.

Comprehensive Plan Designation and Zoning Districts: The District is entirely designated as Rural Areas in the Comprehensive Plan, and the parcels included in the District are zoned RA Rural Areas.

Environmental Benefits: Conservation of this area will help maintain the environmental integrity of the County and aids in the protection of ground and surface water, mountain resources, critical slopes, and wildlife habitat.

Withdrawal: Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on January 7, 2025.

We have so far received no withdrawal requests.

Development Potential: The District includes nine parcels, totaling 169 acres, that have no remaining small-lot development rights.

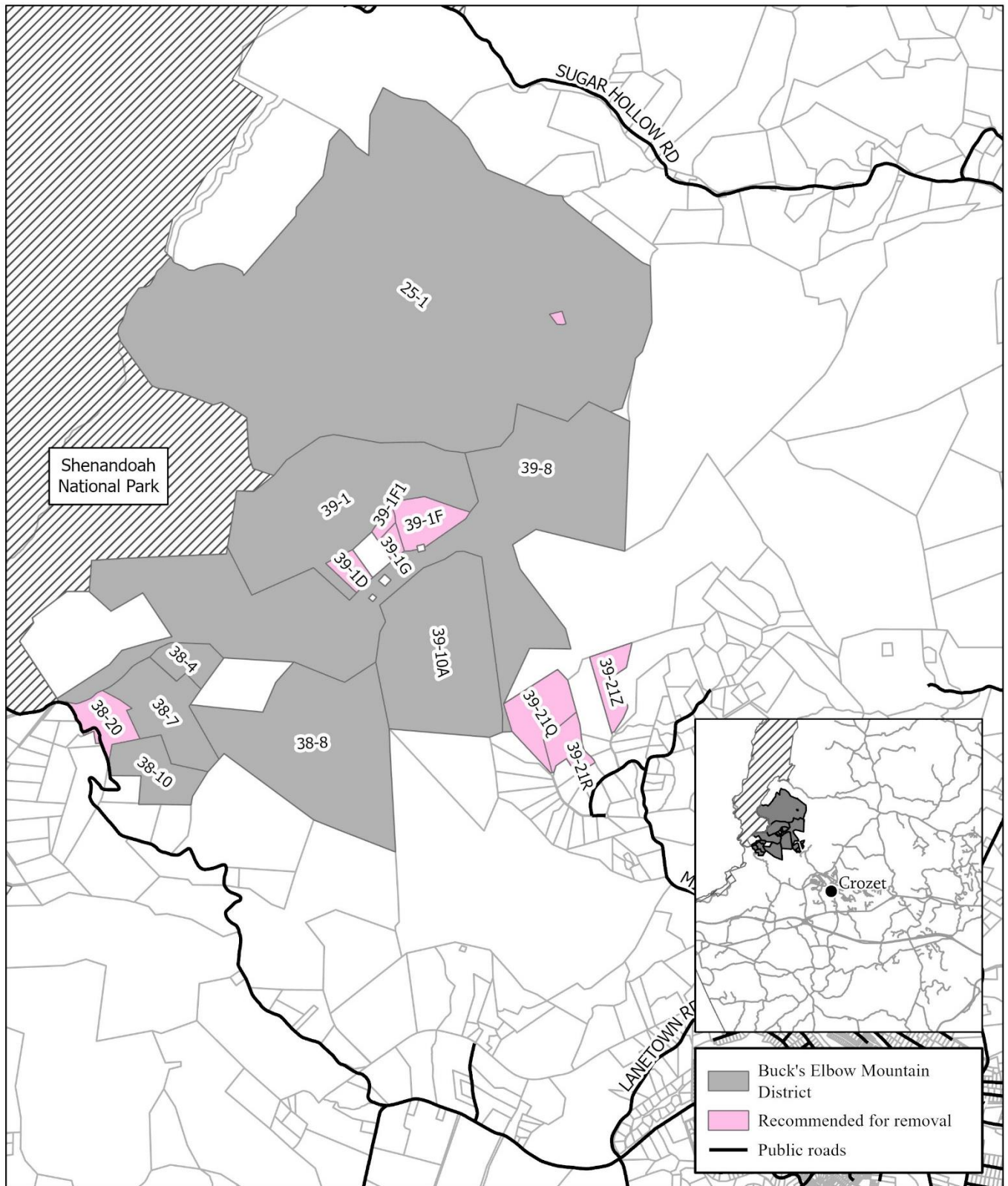
Parcel	Landowner	Acreage	Tax Status
03800000002000	CONNELLY, JULIA E, TRS	28.17	Forestry
039000000001D0	ANDREWS, WILLIAM L S & MARJORIE H ANDREWS TRS	11.52	Regular taxable
039000000001F0	SKYLINE CREST LLC	31.69	Agriculture & Forestry
039000000001F1	O'NEILL, MARIA NYSTROM	5.00	Regular taxable
039000000001G0	DANIEL ROSSER O'NEILL & DEBRA LYNN NYSTROM	6.25	Regular taxable
039000000002B0	MMF HOLDINGS LLC	2.00	Regular taxable
039000000021Q0	BEUTLER, WILLIAM W & ASHIRA B BEUTLER-GREENE	42.03	Regular taxable
039000000021R0	DUGAN, JAMES E OR JOANNE B	21.00	Regular taxable
039000000021Z0	DAY, BRIAN A OR JOAN T	21.00	Regular taxable

None of the parcels listed in the table are in Open Space taxation, so all nine are recommended not to continue in the District.

Remaining Parcels: After the recommended removals, the District would contain eight parcels totaling 3,041 acres.

Recommendation: Staff recommended that the Agricultural-Forestal Districts Advisory Committee recommend renewal of the Buck's Elbow Mountain District, with the above-noted removals, for a 10-year period.

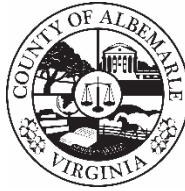
At its meeting on January 23, the Advisory Committee voted to recommend renewal of the District for 5 years, with any requested withdrawals but without the staff-recommended removals, for the purpose of allowing the Committee time to bring an alternative proposal that is consistent with the purposes of AFDs and balances the County's broader needs.



AFD202400013 Buck's Elbow
Mountain District Review



0 0.38 0.75 1.5
Miles



COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD202400014 Sugar Hollow District Review	Staff: James Van Vranken, Planner
Agricultural and Forestal District Advisory Committee Meeting: January 23, 2025	
Planning Commission Public Hearing: February 11, 2025	Board of Supervisors Public Hearing: April 2, 2025
Proposal: Periodic review of the Sugar Hollow AF District.	Comprehensive Plan Designation: Rural Areas

Periodic Review of Agricultural and Forestal Districts

As established in the Code of Virginia, a district may continue indefinitely, but it must be reviewed by the County not more than every 10 years to determine whether the district should be continued. Before being considered by the Board of Supervisors, a district is reviewed by the County's Agricultural and Forestal District Advisory Committee and the Planning Commission. Both the Advisory Committee and the Planning Commission provide recommendations to the Board as to whether the district should be terminated, modified, or continued.

Once it has received the recommendations of the Advisory Committee and the Planning Commission, the Board conducts a public hearing. After the public hearing, the Board may terminate, modify, or continue the district. If the Board continues the district, it may impose conditions on the district different from those imposed on the district when it was created or last reviewed. Landowners within a district receive notice of this process, including notice of any proposed different conditions.

When a district is reviewed, land within the district may be withdrawn at the owner's discretion by filing a written notice with the Board at any time before the Board acts to continue, modify, or terminate the district.

New Policy for District Reviews

In October 2016, the Board updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

In November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning, the Board directed staff to implement a plan to:

- Renew districts for a five-year period, rather than for 10 years (one time).
- Notify landowners of parcels in reviewed districts that are enrolled in open-space use valuation but that have no development rights that:
 - Their parcels may be removed at the end of the five-year review period; and that
 - They have the option to withdraw from the open-space use valuation now to avoid roll-back taxation and fees when the parcels are removed.

Some districts are now reaching the end of their five-year review period. Staff will therefore make five-year or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD 202400014 SUGAR HOLLOW DISTRICT REVIEW

The Albemarle County Code currently contains this description of the Sugar Hollow District:

Sec. 3-231 Sugar Hollow Agricultural and Forestal District.

The district known as the "Sugar Hollow Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on September 6, 1989.

B. Lands within the district. The district is composed of the following described lands, identified by parcel identification number:

1. Tax map 25: parcels 11C, 12, 13, 14, 14A, 14B, 14C, 18, 18A, 18B, 21, 21A, 24, 25, 26, 27, 28.

2. Tax map 26: parcels 5A, 10, 10B, 10D, 10F, 10G, 11C, 11D, 12A, 13, 14F, 19, 40B, 40C, 41A, 52, 52D.

3. Tax map 27: parcels 8, 8E (part), 24A, 25, 26.

4. Tax map 39: parcels 2, 2A, 3, 4, 13C3, 14, 15, 25, 25A.

5. Tax map 40: parcels 1, 9, 9C, 9D (part), 9E, 10, 10A, 10B, 10C, 12A, 22, 22A, 27A, 46C1, 49.

C. Review. The district is reviewed once every five years and will next be reviewed prior to December 18, 2024.

The District is located north of Crozet, both north and south of Sugar Hollow Road, (see Attachment A), and includes 64 parcels totaling 4,978 acres. One withdrawal request has so far been received.

Agricultural and Forestal District Significance: Of the 4,978 acres in the Sugar Hollow District, 4,764 acres have soils listed as particularly important for forestry in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the Sugar Hollow District includes approximately 55 addressable structures. (The majority of these structures are dwellings, but any barns or other large structures with addresses may be included.)

Local Development Patterns: The District consists predominantly of forested uplands. There are 30 parcels in the District, totaling 2,802 acres, that are under conservation easements. A total of 2,143 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural,

forestal, horticultural, or open-space use.

Comprehensive Plan Designation and Zoning Districts: The District is entirely designated as Rural Areas in the Comprehensive Plan, and the parcels included in the District are zoned RA Rural Areas.

Environmental Benefits: Conservation of this area will help maintain the environmental integrity of the County and aids in the protection of ground and surface water, mountain resources, critical slopes, and wildlife habitat.

Code Updates: The following changes will be made to the draft code section for this district to be reviewed by the Board of Supervisors:

- In November 2019, a portion of Parcel 27-8E that lies outside of the District was subdivided. The portion of the property that remains in the District was renamed 27-8E6.
- In November 2019, Parcel 27-26 was subdivided into Parcels 27-26A and 27-26B.
- In October 2023, Parcel 27-24A was incorporated into Parcel 27-25.

Withdrawal: Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on January 7, 2025.

We have so far received one withdrawal request:

Parcel	Owner	Acreage
040000000012A0	HENLEY, JOSEPH T III	19.10

Development Potential: The District includes 11 parcels, totaling 161 acres, that have no remaining small-lot development rights.

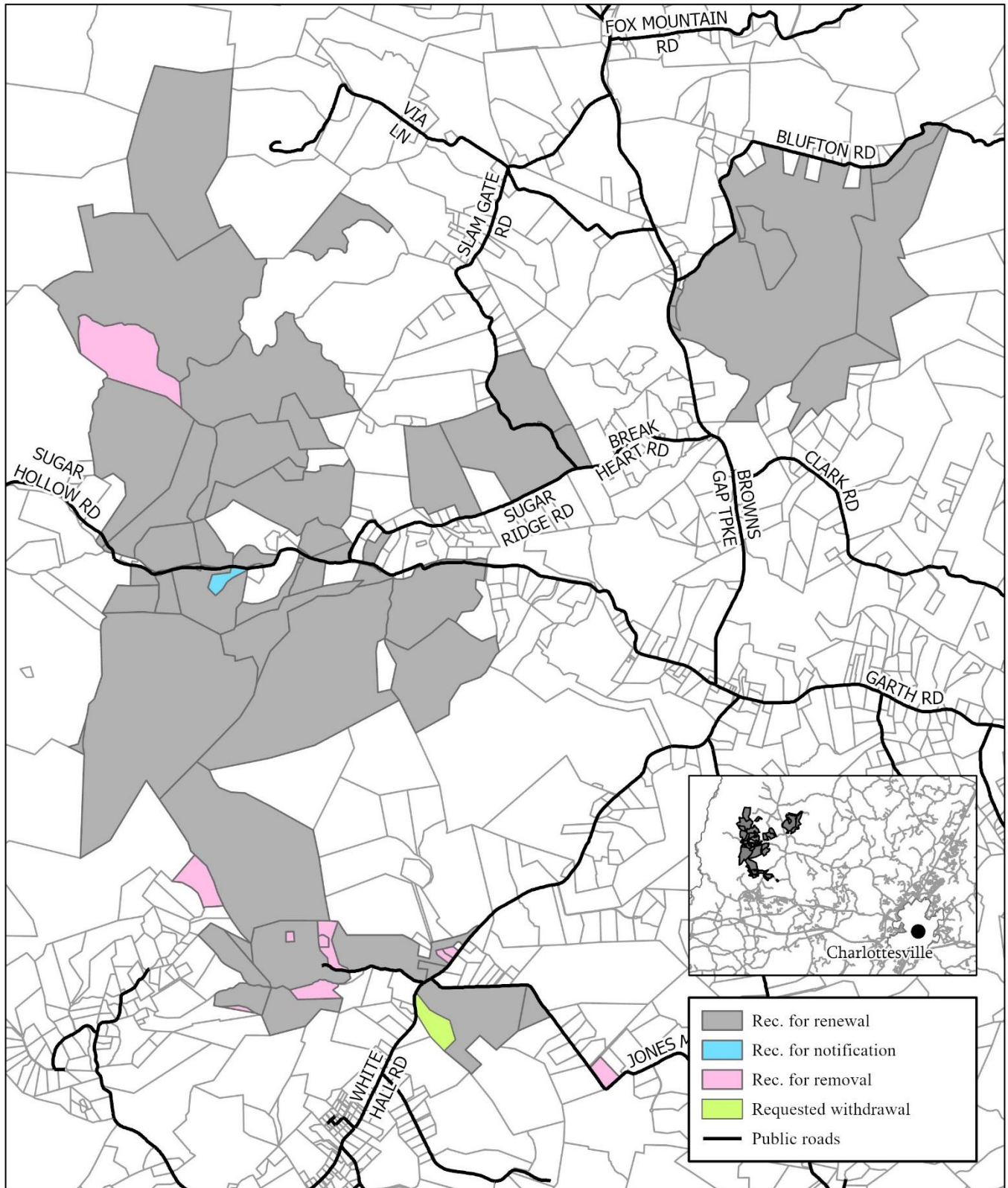
Parcel	Landowner	Acreage	Tax Status
02500000001400	SASH LLC	7.53	Open Space
02500000002400	STRICKLER, MARGIE P	88.58	Forestry
039000000013C3	EGGLESTON, ROBERT L OR DEBORAH S	21.15	Regular taxable
039000000025A0	HENLEY FOREST INC	1.70	Forestry
040000000009D0	JENSEN, TEMPLE H	2.07	Regular taxable
040000000009E0	JENSEN, TEMPLE H	2.19	Regular taxable
040000000010A0	HENLEY, CHARLES T OR SARAH J	2.01	Regular taxable
040000000010B0	BARNETT, TRACY H LIFE ESTATE & KABLE H BARNETT	11.36	Agriculture & Forestry
040000000010B1	PLUGER, BENJAMIN MICHAEL OR KABLE H	2.00	Regular taxable
040000000010C0	HENLEY, CHARLES TIMOTHY OR SARAH J	12.74	Agriculture & Forestry
040000000046C1	TREMAINE, SARAH C	9.93	Agriculture

One of the parcels (highlighted in blue) is in Open Space taxation. The owner has not been notified (the parcel was not in Open Space during the last review), so is recommended to continue in the District for five years. All other parcels listed in the table are recommended not to continue in the District.

Remaining Parcels: After the requested withdrawal and recommended removals, the District would contain 53 parcels totaling 4,806 acres.

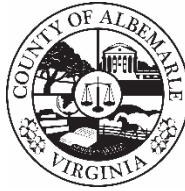
Recommendation: Staff recommended that the Agricultural-Forestal Districts Advisory Committee recommend renewal of the Sugar Hollow District, with the above-noted removals, for another 5-year period.

At its meeting on January 23, the Advisory Committee voted to recommend renewal of the District for 5 years, with any requested withdrawals but without the staff-recommended removals, for the purpose of allowing the Committee time to bring an alternative proposal that is consistent with the purposes of AFDs and balances the County's broader needs.



AFD202400014 Sugar Hollow District Review





COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD202400015 Buck Mountain District Review	Staff: James Van Vranken, Planner
Agricultural and Forestal District Advisory Committee Meeting: January 23, 2025	
Planning Commission Public Hearing: February 11, 2025	Board of Supervisors Public Hearing: April 2, 2025
Proposal: Periodic review of the Buck Mountain AF District.	Comprehensive Plan Designation: Rural Areas

Periodic Review of Agricultural and Forestal Districts

As established in the Code of Virginia, a district may continue indefinitely, but it must be reviewed by the County not more than every 10 years to determine whether the district should be continued. Before being considered by the Board of Supervisors, a district is reviewed by the County's Agricultural and Forestal District Advisory Committee and the Planning Commission. Both the Advisory Committee and the Planning Commission provide recommendations to the Board as to whether the district should be terminated, modified, or continued.

Once it has received the recommendations of the Advisory Committee and the Planning Commission, the Board conducts a public hearing. After the public hearing, the Board may terminate, modify, or continue the district. If the Board continues the district, it may impose conditions on the district different from those imposed on the district when it was created or last reviewed. Landowners within a district receive notice of this process, including notice of any proposed different conditions.

When a district is reviewed, land within the district may be withdrawn at the owner's discretion by filing a written notice with the Board at any time before the Board acts to continue, modify, or terminate the district.

New Policy for District Reviews

In October 2016, the Board updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

In November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning, the

Board directed staff to implement a plan to:

- Renew districts for a five-year period, rather than for 10 years (one time).
- Notify landowners of parcels in reviewed districts that are enrolled in open-space use valuation but that have no development rights that:
 - Their parcels may be removed at the end of the five-year review period; and that
 - They have the option to withdraw from the open-space use valuation now to avoid roll-back taxation and fees when the parcels are removed.

Some districts are now reaching the end of their five-year review period. Staff will therefore make five-year or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD 202400015 BUCK MOUNTAIN DISTRICT REVIEW

The Albemarle County Code currently contains this description of the Buck Mountain District:

Sec. 3-209 Buck Mountain Agricultural and Forestal District.

The district known as the "Buck Mountain Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on January 4, 1989.

B. Lands within the district. The district is composed of the following described lands, identified by parcel identification number:

1. Tax map 8: parcels 16A, 16C, 17E, 17F, 37, 44, 44A.

2. Tax map 17: parcels 2D6, 26B, 26C1, 26C2, 26C3.

C. Review. The district is reviewed once every five years and will next be reviewed prior to December 18, 2024.

The District is located north of Free Union between Free Union Road and Markwood Road (see Attachment A), and includes 14 parcels totaling 476 acres. No withdrawal requests have so far been received.

Agricultural and Forestal District Significance: Of the 476 acres in the Buck Mountain District, 337 acres have soils listed as particularly important for agriculture in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the Buck Mountain District includes approximately 11 addressable structures. (The majority of these structures are dwellings, but any barns or other large structures with addresses may be included.)

Local Development Patterns: The District consists of a mix of open land and forest. There are 3 parcels in the District, totaling 212 acres, that are under conservation easements. A total of 210 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, horticultural, or open-space use.

Comprehensive Plan Designation and Zoning Districts: The District is entirely designated as Rural Areas in the Comprehensive Plan, and the parcels included in the District are zoned RA Rural Areas.

Environmental Benefits: Conservation of this area will help maintain the environmental integrity of the County and aids in the protection of ground and surface water, agricultural soils, mountain resources, critical slopes, and wildlife habitat.

Code Update: The following change will be made to the draft code section for this district to be reviewed by the Board of Supervisors:

- In August 2021, Parcel 8-44 was split by family subdivision into 8-44B, 8-44C, and 8-44R.

Withdrawal: Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on January 7, 2025.

We have so far received no withdrawal requests.

Development Potential: The District includes five parcels, totaling 54 acres, that have no remaining small-lot development rights.

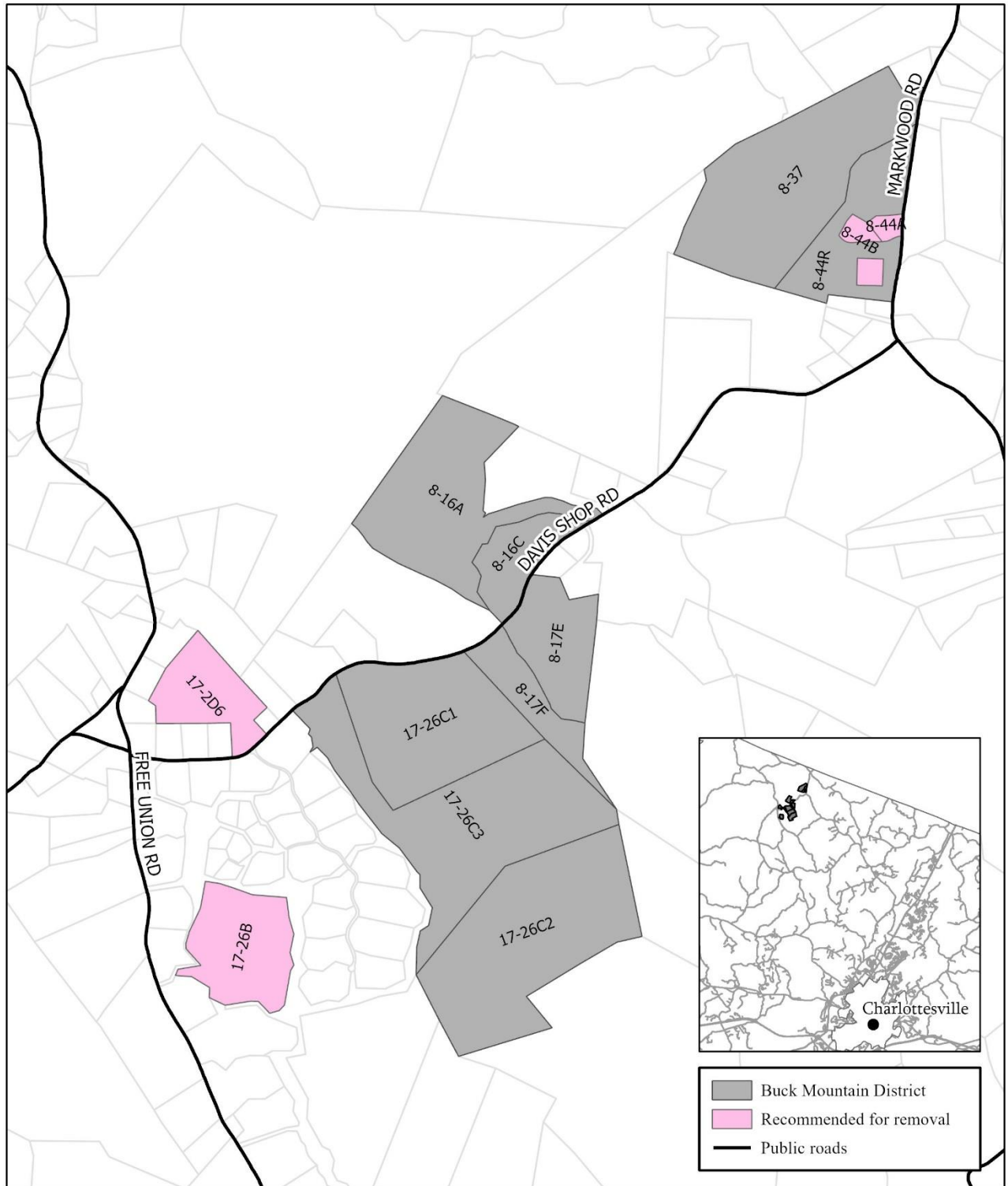
Parcel	Landowner	Acreage	Tax Status
008000000044A0	DUNN, JACOB BROOKS & DUNN, BRITTANY M	2.00	Regular taxable
008000000044B0	MORRIS, GUTHRIE N & JAMIE K MORRIS	2.06	Regular taxable
008000000044C0	SHIFFLETT, HEIDI A & JORDAN R SHIFFLETT	2.00	Regular taxable
017000000002D6	LEPORE, GREGORY F & BARBARA J WINN	21.00	Regular taxable
017000000026B0	KIMM, CHRISTOPHER ANDREW & EMILY O KIMM	26.89	Regular taxable

None of the parcels listed in the table are in Open Space taxation, so all five are recommended not to continue in the District.

Remaining Parcels: After the recommended removals, the District would contain nine parcels totaling 422 acres.

Recommendation: Staff recommended that the Agricultural-Forestal Districts Advisory Committee recommend renewal of the Buck Mountain District, with the above-noted removals, for a 10-year period.

At its meeting on January 23, the Advisory Committee voted to recommend renewal of the District for 5 years, with any requested withdrawals but without the staff-recommended removals, for the purpose of allowing the Committee time to bring an alternative proposal that is consistent with the purposes of AFDs and balances the County's broader needs.



AFD202400015 Buck
Mountain District Review



0 0.25 0.5 1 Miles