

Albemarle County Planning Commission
September 13, 2016

The Albemarle County Planning Commission held a regular meeting on Tuesday, September 13, 2016, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Tim Keller, Chair; Karen Firehock, Vice Chair; Jennie More, Daphne Spain, Pam Riley, and Bruce Dotson. Bill Palmer, UVA representative, was present. Members absent were Mac Lafferty.

Other officials present were J.T. Newberry, Planner, Scott Clark, Senior Planner; Elaine Echols, Acting Chief of Planning; Mandy Burbage, Senior Planner; David Benish, Acting Director of Planning; Sharon Taylor, Clerk to Planning Commission and Greg Kamptner, Deputy County Attorney.

Call to Order and Establish Quorum:

Mr. Keller, Chair called the meeting to order at 6:01 p.m. and established a quorum.

AFD-2016-00002 Carter's Bridge Addition – Manis

Notice is hereby given that the Albemarle County Planning Commission will hold a public hearing to receive public comments regarding the addition of the following parcel to the Carter's Bridge Agricultural and Forestal District (Albemarle County Code § 3-210) on September 13, 2016, at 6 p.m., in the Auditorium of the Albemarle County Office Building, 401 McIntire Road, Charlottesville, Virginia. The parcel proposed for addition (Tax map 122, parcel 18) is approximately 100 acres in size and is located at 6100 Blenheim Road. The Albemarle County Agricultural and Forestal Districts Advisory Committee has recommended approval of this addition. (Scott Clark)

Mr. Clark explained that the next two items are both about agricultural forestal districts. These are voluntary conservation districts that landowners can join; they run in ten year periods and while people are enrolled in these districts that are limited from doing most forms of subdivision for lots under 21 acres. There are other restrictions; but, the main impact on most landowners is the restrictions on when subdivision. There are 27 districts across the county; 943 parcels and over 72,000 acres are in this voluntary conservation program.

The Carter's Bridge item is just a request to add a new parcel to an existing district. This district is in the southeastern portion of the county as you can see mostly east of Route 20 in the area of Carter's Bridge and Glendower north of Scottsville. This is an existing long standing district that has 88 parcels and over 8,900 acres of land protected. The current request is to have one parcel with 100 acres located on the Hardware River. It is a mostly wooded parcel with some open areas and one dwelling.

At the July meeting the Agricultural-Forestal District Committee recommended approval of the proposed addition. He said he had a couple of sample motions for the Commission's use and he would be happy to answer any questions.

Mr. Keller invited questions for staff. There being none, he opened the public hearing and invited public comment. There being no public comment, the public hearing was closed and the matter before the Commission for discussion and action.

Mr. Dotson said that it seemed like an appropriate addition and recommended approval of the addition to AFD-2016-00002 Carter's Bridge Addition – Manis to the Board of Supervisors.

Ms. More seconded the motion.

There being no discussion Mr. Keller asked for a roll call.

The motion was approved by a vote of 6:0:1 (Lafferty absent).

The meeting moved to the next agenda item.

AFD-2016-00004 South Garden District Review

Periodic (10-year) review of the South Garden Agricultural and Forestal District, as required in section 15.2-4311 of the Code of Virginia. The district includes the properties described as Tax map 99, parcels 35, 102; tax map 109, parcel 70; tax map 110, parcels 8, 10, 18, 18E, 27; tax map 119, parcel 2. The district includes a total of 2,202 acres. The area is designated as Rural Area in the Comprehensive Plan and the included properties are zoned RA Rural Areas. (Scott Clark)

Mr. Clark said this is a periodic district review. Every 10 years each district is reviewed by the Board of Supervisors for a decision on whether or not to continue it. This is one of those projects and this is the only district review we have this year. The South Garden District is located in the area of South Garden and Fan Mountain. It shown in green on the map and is about 2,200 acres. The district was created in 1999 and it has had a few additions and withdrawals since that time and still has about 2,200 acres as he mentioned of which over 950 are considered important agricultural soils in the comprehensive plan. Of course, the entire 2,200 acres assist with protecting both the rural character and the rural resources in the rural portions of our county.

The review period is the one time in which the members of these districts can request to withdraw from a district by right. There is no review of that if they decide they want to withdraw then they are withdrawn. At any other point during the ten-year cycle it is very difficult to withdraw from the districts. We have notified the landowners of their opportunity to withdraw if they desire to and as yet we have received no requests to do so. At the July meeting the Agricultural-Forestal District Committee recommended renewal of the South Garden District for another ten-year period, and he would be happy to take any questions.

Mr. Keller invited questions for staff.

Ms. Spain asked what are the costs and the benefits of the district designation to the people who live in it.

Mr. Clark replied that there are a few. When the districts first started in the late 80's and into the 90's the main benefits he had heard from people at that time was one, to sort of reassure each other as neighbors that they were not planning to develop their land. So they were committing to agriculture and conservation. Another is that it is more difficult for the state to take land for transportation improvements if it is committed to agriculture and open space in one of these districts. So it was in the era when there was a lot of possible bypass routes planned that these were pretty popular and there were a lot of people who joined them during that time. Another reason these days is that for some parcels being in the district is a way to qualify for the open space land use value taxation rate, which is similar to the agricultural tax rate. But, it does not have the same sort of production requirements that you would have to as an agricultural operation or a forestry operation that you commit to a conservation program and receive a similar tax benefit. It is not automatic; it is a separate program they have to join the district first and then still apply for the tax benefit. But, it is an option for a lot of people.

Ms. Spain thanked Mr. Clark.

Mr. Keller invited other questions for staff. There being none, he opened the public hearing and invited public comment about the South Garden District review. There being no public comment, the public hearing was closed and the matter before the Commission for discussion and action.

Mr. Dotson said he had a question on the action that we would recommend. He asked if it is to continue for a specific ten-year period or just to continue.

Mr. Clark replied that usually the Commission motion is just to renew for a ten-year period and that period is set from the actual action date of the Board. In this case it will most likely be October 5th.

Ms. Firehock seconded the motion.

There being no discussion Mr. Keller asked for a roll call.

The motion was approved by a vote of 6:0:1 (Lafferty absent).

Mr. Keller said that both AFD-2016-00004 South Garden District Review and AFD-2016-00002 Carter's Bridge Addition – Manis would be moving onto the Board of Supervisors for their decision.

The meeting moved to the next agenda item.