

<p style="text-align: center;">ACTIONS Board of Supervisors Meeting of March 15, 2023</p>		
		March 17, 2023
AGENDA ITEM/ACTION	ASSIGNMENT	VIDEO
<p>1. Call to Order.</p> <ul style="list-style-type: none"> Meeting was called to order at 1:00 p.m., by the Chair, Ms. Price. All BOS members were present. Ned Gallaway left the meeting at 7:28. Also present were Jeff Richardson, Steve Rosenberg, and Claudette Borgersen. 		Link to Video
<p>4. Adoption of Final Agenda.</p> <ul style="list-style-type: none"> Announced that on March 14 Consent Agenda Item 8.4 Emergency Management Operations Plan was updated on the website to correct administrative errors. Added proposal to send a letter to the DEQ opposing the repeal of the Regional Greenhouse Gas Initiative to Agenda Item #18, From the Board: Committee Reports and Matters Not Listed on the Agenda. By a vote of 6:0, ADOPTED the final agenda as amended. 		
<p>5. Brief Announcements by Board Members.</p> <p><u>Jim Andrews</u></p> <ul style="list-style-type: none"> Announced that E-Waste signups for electronic waste were available on the Rivanna Solid Waste Authority website and encouraged community members to sign up. Stated that Budget Town Hall meetings are scheduled and are posted on the Albemarle County website. <p><u>Ann Mallek</u></p> <ul style="list-style-type: none"> Reported that the Crozet Tunnel had been open to visitors for 18 months, and since that time there had been 243,000 visitors from all around the world. Mentioned that the Piedmont Workforce Development Board and the Elected Officials Group held their first joint meeting and will continue to do so. She noted they are becoming an independent C3 to support larger grants. She mentioned they were holding job fairs at Monticello High School, PVCC, and around the region. Commented that she forwarded to the Board an update on the NACo Veterans and Military Services Committee about funding support for the <i>Commitment to Veterans Support and Outreach Act</i> which would authorize federal funding to expand and strengthen County Veteran Service Officers (CVSOs). Expressed appreciation to the Rivanna Water and Sewer Authority for using the highest level of testing standards for PFAS (per-and polyfluoroalkyl substances) and using one of the 50 certified labs in the country. She noted that the EPA recently proposed new standards, which Albemarle County already exceeded, and that the public comment period was open for the new drinking water rules. <p><u>Diantha McKeel</u></p> <ul style="list-style-type: none"> Thanked staff and Dan Rosensweig for providing a tour of Southwood to the Places 29 Hydraulic Community Advisory Committee. 		

<p><u>Bea LaPisto-Kirtley</u></p> <ul style="list-style-type: none"> • Commented that she also visited Southwood previously, and commended Dan Rosensweig for receiving feedback from the community. • Attended the Police Community Advisory Committee meeting and noted that all three police chiefs from the University of Virginia, the City of Charlottesville, and Albemarle County are working together to make our community safe. <p><u>Donna Price</u></p> <ul style="list-style-type: none"> • Requested that community members state specifics regarding the proposed budget when submitting comments to the Board of Supervisors. 		
<p>6. Proclamations and Recognitions.</p> <p>a. Proclamation Recognizing March 2023 as the 21st Annual March for Meals Month.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED proclamation and presented to Robin Wynn Goldstein. <p>b. Proclamation Recognizing March 23 through March 26, 2023, as the 29th Annual Festival of the Book.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED proclamation and presented to Kevin McFadden. <p>c. Proclamation Celebrating Women's History Month.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED proclamation and presented to Kaki Dimmock. <p>d. Proclamation Recognizing Emergency Management Professionals' Week.</p> <ul style="list-style-type: none"> • By a vote of 6:0, ADOPTED proclamation and presented to John Oprandy. 	<p>(Attachment 1)</p> <p>(Attachment 2)</p> <p>(Attachment 3)</p> <p>(Attachment 4)</p>	
<p>7. From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> • The following individuals spoke towards item #8.2, an Ordinance to Modify the Real Estate Tax Relief for the Elderly and Disabled: <ul style="list-style-type: none"> • <u>J. Dirk Nies</u> • <u>Carmen Alicia Morales Perez Nies</u> • <u>Sally James</u>, White Hall District, spoke towards agenda item #9, Work Session: FY 24 Operating and Capital Budget. 		
<p>8.2 Schedule a Public Hearing to Consider the Adoption of an Ordinance to Modify the Real Estate Tax Relief for the Elderly and Disabled.</p> <ul style="list-style-type: none"> • SCHEDULED a public hearing to consider the adoption of the proposed ordinance. 	<p><u>Clerk:</u> Schedule on agenda when ready and advertise in this Daily Progress.</p> <p>Finance and Budget: Notify Clerk when ready to schedule.</p>	
<p>8.3 Resolution Approving the County's Participation in a Proposed Settlement of Opioid-Related Claims.</p> <ul style="list-style-type: none"> • ADOPTED resolution to approve the County's participation in the latest proposed Opioid Settlement Agreement and to AUTHORIZED the County Attorney to execute the necessary documents on the County's behalf. 	<p><u>Clerk:</u> Forward copy of signed resolution to County Attorney's office. (Attachment 5)</p> <p><u>County Executive:</u> Proceed as authorized.</p>	
<p>8.4 Albemarle County Emergency Operations Plan.</p> <ul style="list-style-type: none"> • ADOPTED Resolution approving the Albemarle County Emergency Operations Plan. 	<p><u>Clerk:</u> Forward copy of signed resolution to Fire Rescue and County Attorney's office. (Attachments 6-7)</p>	
<p>8.5 SE202200043 Victorian Heights.</p>	<p><u>Clerk:</u> Forward copy of signed resolution to Community</p>	

	<ul style="list-style-type: none"> • ADOPTED Resolution to approve the special exception request. 	Development and County Attorney's office. (Attachment 8)	
8.6	<p>SE202200069 Old Trail Blocks 33 and 34.</p> <ul style="list-style-type: none"> • ADOPTED Resolution to approve the special exception request. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 9)	
9.	<p>Work Session: FY 24 Operating and Capital Budget.</p> <p>a. Updates from Prior Work Sessions.</p> <ul style="list-style-type: none"> • HELD. <p>b. Finalize Tax Rate for Advertising.</p> <ul style="list-style-type: none"> • Motion to advertise the following rates for public hearing for the 2023 tax year: \$0.854/\$100 of assessed value for real estate, public service property, and manufactured homes; \$3.42/\$100 of assessed value for tangible personal property; \$3.42/\$100 of assessed value for miscellaneous and incidental tangible personal property employed in a trade or business that is not otherwise classified as machinery and tools, merchants' capital, or short-term rental property, and that has an original cost of less than \$500; and \$3.42/\$100 of assessed value for machinery and tools, PASSED by a vote of 6:0. <p>c. Approval of FY 24 Proposed Budget for Advertising.</p> <ul style="list-style-type: none"> • By a vote of 6:0, AUTHORIZED staff to advertise for public hearing the FY 24 proposed budget which is the same as the County Executive's Recommended Budget, including any staff recommended changes (and any additional amendment(s) made by the Board of Supervisors). 	<p><u>Clerk:</u> Advertise in the Daily Progress.</p> <p><u>Clerk:</u> Advertise in the Daily Progress.</p>	
10.	<p>Closed Meeting.</p> <ul style="list-style-type: none"> • At 3:28 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 the six-month performance of the County Attorney. 		
11.	<p>Certify Closed Meeting.</p> <ul style="list-style-type: none"> • At 6:00 p.m., the Board reconvened into open meeting and certified the closed meeting. 		
12.	<p>From the County Executive: Report on Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> • Presented the County Executive's Monthly report. 		
13.	<p>From the Public: Matters Not Listed for Public Hearing on the Agenda.</p> <ul style="list-style-type: none"> • <u>Eric Morris</u>, White Hall District, spoke towards the 2023 tax rate. • The following individuals spoke towards affordable housing: <ul style="list-style-type: none"> • <u>Matt Seaton</u> • <u>Mira Abdalla</u> • <u>Nava Khurgel</u> 		
14.	<p>Pb. Hrg.: SP202200020 Esmont – Scottsville Transmission Line Rebuild Project.</p> <ul style="list-style-type: none"> • By a vote of 5:0 (Gallaway absent), ADOPTED resolution to approve SP202200020, subject to the conditions contained therein. 	<u>Clerk:</u> Forward copy of signed resolution to Community Development and County Attorney's office. (Attachment 10)	
15.	<p>Pb. Hrg.: SP202200030 Spring Hill Farm Amendment.</p>	<u>Clerk:</u> Forward copy of signed resolution to Community	

**PROCLAMATION RECOGNIZING
MARCH 2023 AS THE 21st ANNUAL MARCH FOR MEALS MONTH**

WHEREAS, on March 22, 1972, President Richard Nixon signed into law a measure that amended the Older Americans Act of 1965 and established a national nutrition program for seniors 60 years and older; and

WHEREAS, Meals on Wheels America established the March for Meals campaign in March 2002 to recognize the historic month, the importance of the Older Americans Act Nutrition Programs, both congregate and home-delivered, and raise awareness about the escalating problem of senior hunger in America; and

WHEREAS, the 2023 observance of March for Meals celebrates the 21st year in the county of providing an opportunity to support Meals on Wheels programs that deliver vital and critical services by donating, volunteering, and raising awareness about hunger and isolation; and

WHEREAS, the Meals on Wheels program has served the Charlottesville/Albemarle community admirably for 45 years, serving 325 homebound citizens and delivering 70,620 home-delivered meals in 2022, with the help of its volunteers who are the backbone of the program; and

WHEREAS, Meals on Wheels of Charlottesville/Albemarle provides nutritious meals to homebound citizens throughout the city and county that help them maintain their health and independence, thereby preventing unnecessary falls, hospitalizations and/or premature institutionalization; and providing a powerful opportunity for social connection for homebound residents to help combat the negative health effects and economic consequences of loneliness and isolation.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Albemarle County Board of Supervisors, do hereby recognize March 2023 as the 21st annual March for Meals Month in the county, and urge every resident to take this month to honor Meals on Wheels, the neighbors they serve, and the volunteers who care for them.

Signed this 15th day of March 2023.

**PROCLAMATION
VIRGINIA FESTIVAL OF THE BOOK**

WHEREAS, the County of Albemarle believes that literacy is critical to active and engaged citizenship and is committed to promoting reading, writing, and storytelling for all, both within and outside its borders; and

WHEREAS, reading stimulates the creative and intellectual growth of individuals while also building community through shared experiences, discourse, and understanding; and

WHEREAS, the 2023 VIRGINIA FESTIVAL OF THE BOOK, with events presented locally and live-streamed, draws attendees and attention to Albemarle County from around the globe while providing most programs free of charge to attendees and offering greater accessibility through closed-captions, recap videos, and transcripts; and

WHEREAS, the 2023 VIRGINIA FESTIVAL OF THE BOOK brings diverse authors from across the state and around the nation to convene in Albemarle County, Virginia, sharing their stories and inspiring our county's citizens to share theirs; and

WHEREAS, Virginia Humanities, the Virginia Center for the Book, the University of Virginia, local businesses and schools, and cultural and civic organizations collaborate with the VIRGINIA FESTIVAL OF THE BOOK to connect with one another through reading, foster empathy for the stories of others, and promote literacy for all; and

NOW, THEREFORE, BE IT PROCLAIMED that we, the Albemarle County Board of Supervisors do hereby recognize

**THURSDAY, MARCH 23 THROUGH SUNDAY, MARCH 26, 2023
AS THE
TWENTY-NINTH ANNUAL
VIRGINIA FESTIVAL OF THE BOOK**

and encourage community members to participate fully in the wide range of available programs and activities.

Signed this 15th day of March 2023.

Proclamation Celebrating Women's History Month

WHEREAS, Women's History Month originated in the United States in 1911 in conjunction with the first International Women's Day to recognize the heritage and achievements of women; and

WHEREAS, the recognition of women's history was officially proclaimed as a national week in 1980 by the president of the United States; and

WHEREAS, Albemarle County recognizes and honors all women for their stories, challenges and triumphs, and leadership throughout our nation and in our lives every day; and

NOW, THEREFORE, BE IT PROCLAIMED that we, the Albemarle County Board of Supervisors, do hereby acknowledge and commemorate the month of March 2023 as Women's History Month, with a special recognition to highlight the women who diligently lead our County to a brighter future for all.

Signed this 15th day of March 2023.

**PROCLAMATION RECOGNIZING
EMERGENCY MANAGEMENT PROFESSIONALS' WEEK**

WHEREAS, the emergency management team of Albemarle County and the Commonwealth of Virginia work tirelessly behind the scenes to create a safer, stronger and more resilient County in the midst of natural disasters, pandemics, civil unrest, terrorism and other man-made and natural threats and hazards; and

WHEREAS, every emergency begins and ends locally and emergency managers are considered a vital public service to and between essential services that assist Albemarle County to prepare for, respond to and recover from emergencies; and

WHEREAS, emergency managers develop emergency plans and procedures, organize training for first responders and community partners, manage, lead, and provide skills and resources to minimize the impact of disasters, work with state and federal agencies to find the most effective methods of disaster recovery, to increase safety and security, as well as build business continuity; and

WHEREAS, the role of emergency managers in creating a safer more resilient community is more important than ever.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Albemarle County Board of Supervisors do hereby recognize March 19-23, 2023 as

EMERGENCY MANAGEMENT PROFESSIONALS' WEEK

in Albemarle County and encourage all citizens to honor the Albemarle County Emergency Management team and to recognize their service behind the scenes and their commitment to the health, safety, and welfare of all who live and visit in Albemarle County.

Signed this 15th day of March 2023.

RESOLUTION

A RESOLUTION OF THE ALBEMARLE COUNTY BOARD OF SUPERVISORS APPROVING OF THE COUNTY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST TEVA, ALLERGAN, WALMART, WALGREENS, CVS, AND THEIR RELATED CORPORATE ENTITIES, AND DIRECTING THE COUNTY ATTORNEY TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE COUNTY'S PARTICIPATION IN THE SETTLEMENTS

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its counties and cities, including the County of Albemarle, by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by the County's various departments and agencies; and

WHEREAS, the Commonwealth of Virginia and its counties and cities, including Albemarle County, have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of the Commonwealth and the County; and

WHEREAS, settlement proposals have been negotiated that will cause Teva, Allergan, Walmart, Walgreens, and CVS to pay billions of dollars nationwide to resolve opioid-related claims against them; and

WHEREAS, the County has approved and adopted the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the "Virginia MOU"), and affirms that these pending settlements with Teva, Allergan, Walmart, CVS, and Walgreens shall be considered "Settlements" that are subject to the Virginia MOU, and shall be administered and allocated in the same manner as the opioid settlements entered into previously with opioid distributors McKesson, Cardinal Health, and AmerisourceBergen, and opioid manufacturer Janssen Pharmaceuticals; and

WHEREAS, the County Attorney has reviewed the available information about the proposed settlements and has recommended that the County participate in the settlements in order to recover its share of the funds that the settlement would provide;

NOW THEREFORE BE IT RESOLVED that the Albemarle County Board of Supervisors, this 15th day of March, 2023, approves of the County's participation in the proposed settlement of opioid-related claims against Teva, Allergan, Walmart, Walgreens, CVS, and their related corporate entities, and directs the County Attorney to execute the documents necessary to effectuate the County's participation in the settlements, including the required release of claims against settling entities.

**RESOLUTION TO ADOPT LOCAL
EMERGENCY OPERATIONS PLAN**

WHEREAS, the County of Albemarle, Virginia may be subject to various hazards such as flash flooding, major river flooding, hurricanes, winter storms, tornadoes, hazardous materials incidents, resource shortages, civil unrest, and terrorism;

WHEREAS, Virginia Code § 44-146.19 requires the governing body to adopt a local Emergency Operations Plan ("EOP") every four years;

WHEREAS, in the past, the Board of Supervisors adopted the Regional Emergency Operations Plan as their local EOP;

WHEREAS, in 2019, the Board of Supervisors created the Division of Emergency Management ("DEM") in the Department of Fire and Rescue and tasked it with creating a local EOP for the County; and

WHEREAS, DEM staff have prepared a first iteration of the County's EOP for adoption.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors adopts the local Emergency Operations Plan as presented.

ALBEMARLE COUNTY EMERGENCY OPERATIONS PLAN

**ON FILE IN
CLERK'S OFFICE**

**RESOLUTION TO APPROVE
SE202200043 VICTORIAN HEIGHTS**

BE IT RESOLVED that, upon consideration of the staff reports prepared in conjunction with the SE202200043 Victorian Heights application and the attachments thereto, including staff's supporting analysis, all of the comments received, and all of the factors relevant to the special exceptions in Albemarle County Code §§ 18-4.19(4), 18-4.19(5), and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the proposed special exceptions are consistent with the intent of the R-15 Residential zoning district and the Neighborhood Model Principles of the Comprehensive Plan.

WHEREUPON, the Albemarle County Board of Supervisors hereby approves SE202200043 Victorian Heights and (a) grants a modification of Albemarle County Code § 18-4.19(4) from the maximum front setback for residential buildings from 25 feet to 38 feet for one building, to 54 feet for a second building, and to 71 feet for the third building, all as depicted in the application; and (b) waives the requirement in Albemarle County Code § 18-4.19(5) of a minimum 15-foot stepback, to allow a fourth story to be constructed without a stepback.

**RESOLUTION TO APPROVE
SE 2022-00069 OLD TRAIL BLOCKS 33 AND 34
VARIATIONS TO CODE OF DEVELOPMENT (ZMA201500001)**

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE 2022-00069 Old Trail Blocks 33 and 34 – Two Variations to Code of Development application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the factors relevant to the variations in Albemarle County Code §§ 18-8.5.5.3 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that the proposed variations:

- (1) would be consistent with the goals and objectives of the Comprehensive Plan,
- (2) would not increase the approved development density or intensity of development,
- (3) would not adversely affect the timing and phasing of development of any other development in the zoning district,
- (4) would not require a special use permit, and
- (5) would be in general accord with the purpose and intent of the approved application.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves special exceptions to vary the Code of Development for Blocks 33 and 34 of Old Trail to:

- 1) Reduce the minimum front, side, and rear setbacks from 7.5 feet to 5 feet, and
- 2) Reduce the maximum front setback from 30 feet to 25 feet.

**RESOLUTION TO APPROVE
SP202200020 ESMONT-SCOTTSVILLE TRANSMISSION LINE
REBUILD PROJECT**

WHEREAS, upon consideration of the staff report prepared for SP 202200020 Esmont-Scottsville Transmission Line Rebuild Project and the attachments thereto, including staff's supporting analysis, the information presented at the public hearing, any comments received, and all of the factors relevant to the special use permit in Albemarle County Code §§ 18-10.2.2(6) and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the Rural Areas (RA) zoning district, with the applicable provisions of *County Code* § 18-5.1.12, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP 202200020 Esmont-Scottsville Transmission Line Rebuild Project, subject to the condition attached hereto.

* * * * *

SP202200020 Esmont-Scottsville Transmission Line Rebuild Project Special Use Permit Condition

1. Development must be in general accord, as determined by the Director of Planning and the Zoning Administrator, with the conceptual plan titled "Esmont-Scottsville Transmission Line Rebuild Aerial Mapbook," prepared by Appalachian Power, and dated 7/13/2022. At a minimum, to be in general accord with the conceptual plan:
 - Supporting structures for the electrical transmission lines must remain within the right-of-way shown on the plan.
 - New transmission poles and other permanent structures must be steel structures with a dulled, galvanized finish.

Minor modifications to the plan that do not conflict with the above elements may be made to ensure compliance with the Zoning Ordinance.

**RESOLUTION TO APPROVE
SP202200030 SPRING HILL FARM**

WHEREAS, upon consideration of the staff reports prepared for SP 202200030 Spring Hill Farm and all of their attachments, including staff's supporting analysis, the information presented at the public hearings, any comments received, and all of the factors relevant to the special use permit in Albemarle County Code §§ 18-10.2.2(28) and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

1. not be a substantial detriment to adjacent parcels;
2. not change the character of the adjacent parcels and the nearby area;
3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the Rural Areas zoning district, and with the public health, safety, and general welfare (including equity); and
4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP 202200030 Spring Hill Farm, subject to the conditions attached hereto.

* * * * *

SP202200030 Spring Hill Farm Special Use Permit Conditions

1. Further division of the residue of Parcel 58-95 shall require amendment of this special use permit.
2. No further division of proposed Lot 1 and/or proposed Lot 2 is permitted.
3. Development of existing Parcel 58-95 (including proposed Lots 1 and 2) must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the Preliminary Subdivision Plat prepared by Kirk Hughes and Associates, last revised 1-06-23. To be in accord with the Preliminary Subdivision Plat, development must reflect the following major elements essential to its design:
 - a. Location of proposed Lots 1 and 2
 - b. Location of Conservation Areas
 - c. Location of entrance and access to proposed Lots 1 and 2
 Minor modifications to the Plat that do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.
4. Only one dwelling unit is permitted on each new lot (proposed Lots 1 and 2).
5. Stream buffers must be established and maintained consistent with Sec. 17-601 of Chapter 17 of the Albemarle County (the "Water Protection Ordinance") along all streams located on Lots 1 and 2 and Conservation Areas A and B as shown on the Preliminary Subdivision Plat; provided, however, that any existing entrance driveway and stream crossing that is permitted under the Water Protection Ordinance may remain within the stream buffer. A tree planting plan within the stream buffers to protect the currently open (non-forested) areas adjacent to the streams must be approved by the Agent, in consultation with the County Engineer, prior to the final subdivision plat creating the two new Lots 1 and 2. Prior to Lot 1 or Lot 2 engaging in agriculture, a best management practices plan must be approved by the Agent, which may at a minimum include:
 - Fencing livestock out of streams;
 - Installing alternative watering systems for livestock;
 - Planting riparian buffers with native vegetation; and
 - Establishing nutrient management plans.
6. Land clearing for residential development (including accessory structures such as sheds or pools) may not exceed two acres per parcel. This condition does not apply to agricultural or forestry use(s) of existing Parcel 58-95 (including proposed Lots 1 and 2). For purposes of this condition, land clearing for the construction of agricultural buildings, such as barns for the storage of tractors and other agricultural equipment, is considered agricultural use and not residential development.