

**COUNTY OF ALBEMARLE
STAFF REPORT**

Project Name: AFD2023-000001 Virginia Evans- Kinloch AFD Addition	Staff: James Fulcher, Natural Resources Planner
Agricultural and Forestal District Advisory Committee Meeting: October 2, 2023	
Planning Commission Public Hearing: November 14, 2023	Board of Supervisors Public Hearing: December 6, 2023

PROPOSAL

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.

Note that this code description will need to be modified during this addition process to reflect the following changes:

- The addition of Tax Map 50 Parcels 19A1, 19B and 19C (2.58, 2.16 and 2.57 acres respectively), which were legally created by division of parcel 50-19 in 2019.
- The division of the 105.36-acre Tax Map 65 Parcel 86 into Tax Map 65 Parcel 86B (2 acres), and the renumbering of the original parcel to Tax Map Parcel 65-1-86 (103.36 acres).
- The combination of Tax Map 65 Parcels 93A1, 95 and 95A form a single 12.66-acre Parcel: 65-93A1.

The District is located on either side of Route 231, in the vicinity of Cismont, Cash's Corner, and Cobham. It now includes 32 parcels and 1,584.962 acres.

This proposal would add one parcel to the District (see attached map):

Requested Additions			
Parcel	Acres	Acres of Important Soils	Development Potential
50-5A	25.78	14.15 locally important 11.63 prime	Three unused development rights

The property consists of predominantly open land, and has one dwelling, as well as a living area above an outbuilding (1,008 square feet).

Section 3-201(F) of the County Code states that the Agricultural-Forestal Districts Committee and the Planning Commission shall apply the following criteria in their respective reviews of each application:

1. Agricultural and forestal significance of the land.
The agricultural and forestal significance of land within the district or addition and in areas adjacent thereto; in judging the agricultural and forestal significance of land, any relevant agricultural or forestal maps may be considered, as well as soil, climate, topography, other natural factors, markets for agricultural and forestal products, the extent and nature of farm structures, the present status of agriculture and forestry, anticipated trends in agricultural economic conditions and such other factors as may be relevant.

The entire 25.78-acre property has soils that are rated as Prime or Locally Important for agriculture in the Comprehensive Plan.

2. Significant agricultural or forestal lands not in active production. *The presence of any significant agricultural or forestal lands within the district and in areas adjacent to the district that are not now in active agricultural or forestal production, considering the maps, factors, markets, and other information described in subsection (F)(1);*

The District and the surrounding area is mostly open agricultural land and forest. Other than scattered small-lot residential development, there are no large areas of non-rural land uses in the vicinity.

3. Uses other than active farming or forestry. *The nature and extent of land uses other than active farming or forestry within the district and in areas adjacent to the district;*

The area surrounding the property has seen some conversion of rural land to residential uses, but there are still significant areas of large rural parcels. The Districts in this area help to protect rural land-use patterns.

4. Development patterns. *Local development patterns and needs;*

The area is a partially-developed rural area, with both large farm and forest parcels and some smaller residential parcels. The Comprehensive Plan calls for protection of rural land uses and natural resources.

5. Comprehensive Plan and zoning regulations. *The Comprehensive Plan and the applicable zoning regulations;*

The District is entirely designated as Rural Areas in the Comprehensive Plan, and the parcels included in the District are zoned RA Rural Areas. As the property proposed for addition shares the same designations, its inclusion in a conservation program is appropriate under the Comprehensive Plan.

6. Environmental benefits. *The environmental benefits of retaining the lands in the district for agricultural and forestal uses;*

Protecting and preserving this land in an Agricultural and Forestal District will help protect forest and productive farmland, which the Comprehensive Plan and the Rural Areas section of the Zoning Ordinance seek to preserve. Conservation of this area will help maintain the environmental integrity of the County and aid in the protection of ground and surface water and agricultural soils, and wildlife habitat.

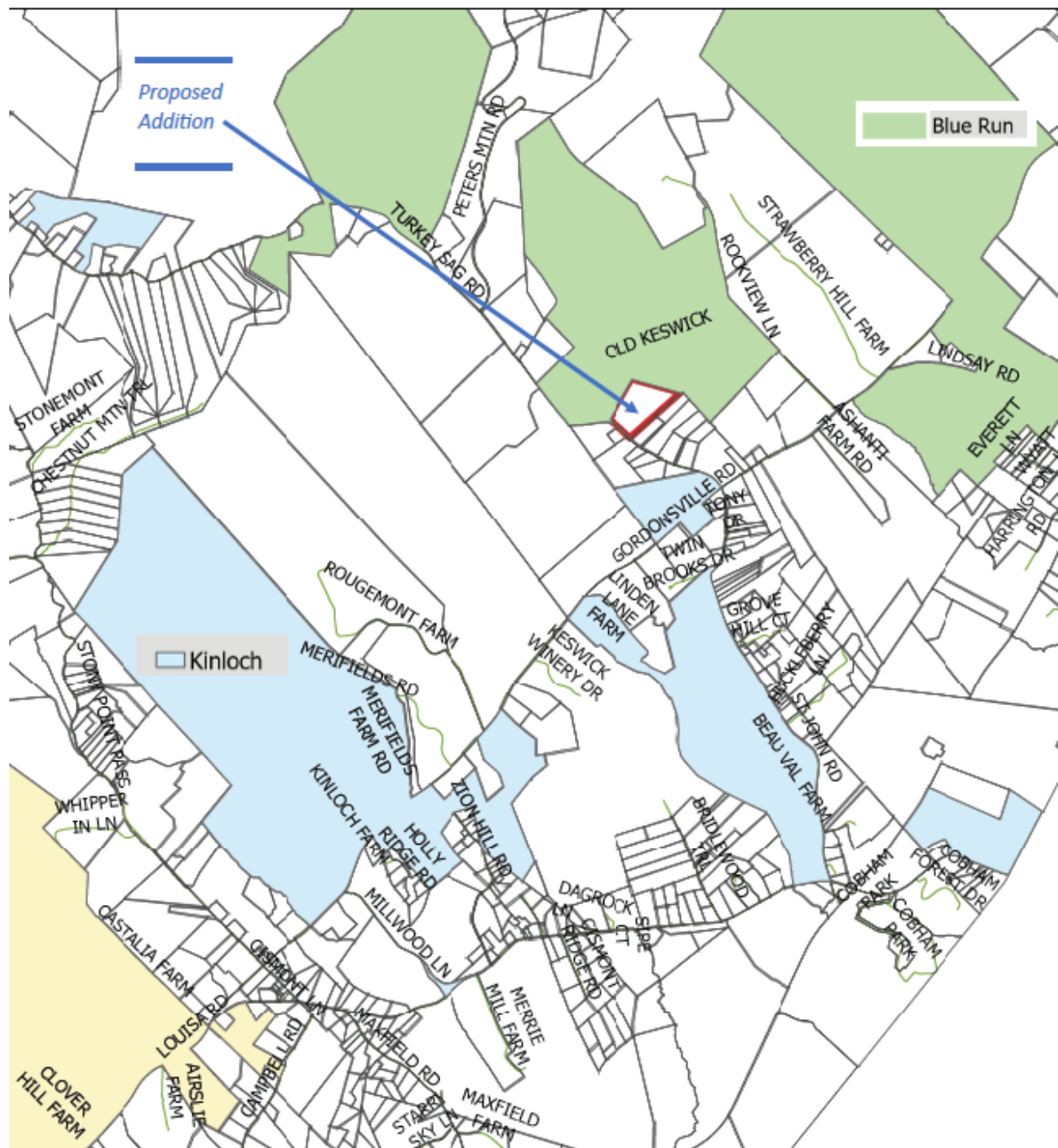
7. Development rights. *Whether any parcel has one or more development rights that would allow the creation of one or more parcels less than 21 acres in size; in considering whether to include any parcel in a district, the policy of the County is to not include any parcel determined to have no development rights and cannot be further divided to create one or more parcels less than 21 acres in size;*

The parcel has five theoretical development rights, two of which are used for the dwelling and the outbuilding living space. It therefore has three unused development rights, making it eligible for addition to a District.

8. Other. *Any other relevant matter.*
Staff found no other relevant matters.

RECOMMENDATION

At their meeting on October 2, 2023, the Agricultural & Forestal Districts Advisory Committee voted unanimously to recommend approval of the proposed addition.



AFD202300001 Virginia Evans
Kinloch AFD Addition
Tax Map 50, Parcels 5A

