



Albemarle County

Meeting Agenda Board of Supervisors

Supervisor, Samuel Miller District Jim H. Andrews
Supervisor, Rio District Ned L. Gallaway
Supervisor, Rivanna District Bea LaPisto-Kirtley
Supervisor, White Hall District Ann H. Mallek
Supervisor, Jack Jouett District Diantha H. McKeel
Supervisor, Scottsville District Donna P. Price
County Executive, Jeffrey B. Richardson
Clerk, Claudette K. Borgersen

Wednesday, April 6, 2022

12:00 PM

Electronic Meeting

Budget Work Session and Regular First Meeting

The opportunities for the public to access and participate in the hybrid meeting are posted on the Albemarle County website on the Board of Supervisors home page and on the Albemarle County calendar. Participation will include the opportunity to comment on those matters for which comments from the public will be received.

12:00 p.m.

1. Call to Order.

Work Session:

2. [22-243](#) FY 2022-2023 Operating and Capital Budget.

3. Adjourn.

1:00 p.m.

1. Call to Order.

2. Pledge of Allegiance.

3. Moment of Silence.

4. Adoption of Final Agenda.

5. Brief Announcements by Board Members.

6. Proclamations and Recognitions:

- 6.1. [22-252](#) Proclamation Recognizing April as Fair Housing Month.

7. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.**8. Consent Agenda (on next sheet)****1:40 p.m. - Action Items:**

9. [22-239](#) Commonwealth Drive / Dominion Drive Sidewalk Project Update.
(Lance Stewart, Director, Facilities and Environmental Services)
10. [22-235](#) The Rebuilding American Infrastructure with Sustainability and Equity Grant Application - Three Notched Trail Shared Use Path.
(Jessica Hersh-Ballering, Principal Planner – Transportation)

3:15 p.m. - Recess**3:30 p.m. - Presentation:**

11. [22-230](#) Earlysville Road/Reas Ford Road Intersection Study.
(Kevin McDermott, Planning Manager)

12. 4:00 p.m. - Closed Meeting.**13. Certify Closed Meeting.****14. Boards and Commissions:**

- 14.1. [22-253](#) Vacancies and Appointments.
(Travis Morris)

6:00 p.m.**15. From the County Executive: Report on Matters Not Listed on the Agenda.****16. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.****Public Hearings:**

17. [22-223](#) SP202100015 Midway-Martin's Store 115kV Transmission Line. PROJECT: SP202100015 Midway-Martin's Store 115kV Transmission Line MAGISTERIAL DISTRICT(S): Samuel Miller TAX MAP/PARCEL(S): 07100000002500, 07100000002600, 071000000026C0, 071000000027A0, 071000000029B0, 071000000029H0, 071000000029I0, 071000000048A0, 07100000004900, 07100000005000, 07100000005200, 07100000005500, 07200000000700, 072000000010A0, 085000000016A0, 08500000001700, 085000000017B0, 08500000001800, 085000000018A0, 085000000018A2, 085000000018A3, 085000000018B0, 085000000018D0, 085000000018E0, 085000000020A0, 085000000020A1, 08500000002100, 085000000021D1, 085000000022B0 LOCATION: From Midway, running southwest for approximately 3.85 miles along an existing transmission corridor that continues west and south of Batesville. PROPOSAL: Upgrade an existing electrical transmission line from wooden H-poles approximately 60 to 70 feet in height to single iron poles approximately 70 to 95 feet in height. PETITION: Energy and communications transmission facilities under Section 10.2.2(6) of the Zoning Ordinance, on 29 parcels of land totaling approximately 859.68 acres. No dwelling units proposed. ZONING: RA Rural Area, which allows agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots) ENTRANCE CORRIDOR: No OVERLAY DISTRICT(S): Steep Slopes Overlay district, Flood Hazard Overlay district COMPREHENSIVE PLAN: Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential (0.5 unit/ acre in development lots).

(Scott Clark, Senior Planner II)

18. [22-224](#) SP202100016 CVEC Cash's Corner Substation. PROJECT: SP202100016 CVEC Cash's Corner Substation MAGISTERIAL DISTRICT(S): Rivanna TAX MAP/PARCEL(S): 05000-00-00-045C0 LOCATION: Approximately 1,850 feet north-west of Gordonsville Road (Route 231), from a point on Gordonsville Road approximately 0.4 miles north of the intersection of Gordonsville Road and Lindsay Road. PROPOSAL: Upgrade an existing electrical substation by expanding the equipment pad and adding equipment for 25 kilovolt distribution. PETITION: Energy and communications transmission facilities under Section 10.2.2(6) of the Zoning Ordinance, on 1-acre parcel. No dwelling units proposed. ZONING: RA Rural Area, which allows agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots) ENTRANCE CORRIDOR: No COMPREHENSIVE PLAN: Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential (0.5 unit/ acre in development lots).

(Scott Clark)

19. [22-225](#) SP202100013 Living Earth School. PROJECT: SP202100013 Living Earth School MAGISTERIAL DISTRICT: Samuel Miller TAX MAP/PARCEL(S): 08600-00-00-017C5 LOCATION: Pounding Creek Rd., approximately 1.3 miles south of the intersection with Dick Woods Rd. PROPOSAL: Day and overnight environmental-education camp PETITION: Day camp, boarding camp under Section 10.2.2.20 of the zoning ordinance on a 125-acre parcel. No dwelling units proposed. ZONING: RA Rural Area - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots) OVERLAY DISTRICT(S): Steep Slopes Overlay District COMPREHENSIVE PLAN: Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential (0.5 unit/ acre in development lots).

(Scott Clark)

20. [22-233](#) ZTA202100004 Public Hearing on Zoning Text Amendment to Homestay Zoning Regulations. To receive comments on a proposed ordinance to amend County Code Chapter 18, Zoning. The proposed ordinance would amend § 18-5.1.48 (Homestays) to create consistency in setback regulations between districts, require buffer/screening requirements to homestays in the Rural Areas, allow owners of Rural Areas parcels greater than five acres to request a waiver to allow a tenant resident manager in lieu of owner occupancy, and make structural and organizational updates for clarity.

(Lea Brumfield, Senior Planner II)

21. [22-234](#) Ordinance to Amend County Code Chapter 13, Solid Waste Disposal and Recycling, to Address Clutter. To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 13, Solid Waste Disposal and Recycling, to make it unlawful for any owner or occupant of property not zoned for farming or used for farming to store or accumulate clutter, to allow the County to require the owner or occupant to remove clutter or for the County to remove the clutter itself, to allow the County to charge the owner for the costs of removal and to impose a lien for the unpaid expenses on the property, and to impose civil penalties and criminal charges, as enabled by Virginia Code § 15.2-901.

(Richard DeLoria, Senior Assistant County Attorney)

22. From the Board: Committee Reports and Matters Not Listed on the Agenda.

23. Closed Meeting (if needed).

24. Adjourn to April 20, 2022, 1:00 p.m., Lane Auditorium.

CONSENT AGENDA**8. FOR APPROVAL (by recorded vote):**

- 8.1. [22-231](#) Fiscal Year 2022 Appropriations.
(Andy Bowman)
- 8.2. [22-242](#) Amend Section 8 of the Board's Rules of Procedure.
- 8.3. [22-177](#) Commonwealth of Virginia 457 Deferred Compensation Plan.
(Andy Herrick)
- 8.4. [22-232](#) Fiscal Year 2022 Virginia Department of Health (VDH) Local Government Agreement.
(Jacob Sumner)
- 8.5. [22-219](#) Donation of Surplus Gym Equipment to the Albemarle County Sheriff's Office.
(Jacob Sumner)
- 8.6. [22-254](#) Resolution to accept road(s) at CATEC into the State Secondary System of Highways and to Abandon/Delete a Portion of the CATEC Drive. (Rio Magisterial District)

8. FOR INFORMATION (no vote necessary):

- 8.7. [22-260](#) Facilities & Environmental Services (FES) Quarterly Report – 1st Quarter CY2022.
(Lance Stewart)
- 8.8. [22-215](#) Land Use And Environmental Planning Committee Semi-Annual Update.
(Lance Stewart)
- 8.9. [22-246](#) Transportation Planning Quarterly Report.
(Jessica Hersh-Ballering)
- 8.10. [22-222](#) January 2022 Winter Storm After Action Review.
(John Oprandy)
- 8.11. [22-251](#) Board to Board, March 2022, A monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors.
(Phil Giaramita)

Thank you for attending today's public hearing. During the 2022 Calendar Year, the Chair is Donna P. Price and the Vice-Chair is Bea LaPisto-Kirtley.

During the time set aside for "From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board" ("From the Public"), individuals may address the Board of Supervisors concerning matters previously considered by the Board or matters that are pending before the Board. Please visit the Participation Guide for Public Meetings on the Albemarle County Board of Supervisors webpage for instructions on how to join the virtual meeting.

During Public Hearings, the Board will only acknowledge speakers addressing the item listed for Public Hearing. Speakers are limited to one appearance of three minutes per public hearing item. Applicants are limited to a ten-minute presentation of their proposal and are allowed a five-minute rebuttal at the close of the public hearing.

Albemarle County residents may sign up online in advance of the meeting to speak during Public Hearings and "From the Public" at <https://albemarle.legistar.com/Calendar.aspx> and clicking on eComment for the select meeting. To create an account, click on the sign-up link at the top right corner of the eComment webpage. Residents who are unable to sign up in advance of the meeting may do so during the meeting through the webinar chat, provided there are remaining slots available. If you require assistance, please contact the clerk's office at clerk@albemarle.org or call 434-296-5843.

Up to 10 persons may speak during each "From the Public" session. The 10 speakers are determined on a first-come, first-served basis, with those persons signing up to speak before the meeting having priority. Each speaker may speak for up to three minutes and at only one "From the Public" session at each meeting. The speaker may include a visual or audio presentation, provided that the presentation is received by the Clerk at least 48 hours before the "From the Public" session at which the speaker plans to speak.

Time keeping is conducted by the Clerk. In order to give all speakers equal treatment and courtesy, the Board requests that speakers adhere to the following guidelines:

- When called on to speak, state your name and magisterial district
- Address comments directly to the Board as a whole
- If you have written statements, e-mail them to the Clerk at clerk@albemarle.org
- If you exceed your allotted time, you will be asked to end your comments
- If a speaker does not use all allocated time, the unused time may not be shared with another speaker
- Back and forth debate is prohibited

**All comments are live streamed, recorded and published on the Albemarle County website.
Please turn off all pagers and cellular telephones.**

Clerk, Board of County Supervisors
401 McIntire Road
Charlottesville, Virginia
22902-4596