

ORDINANCE NO. 23-3(3)

AN ORDINANCE TO AMEND CHAPTER 3, AGRICULTURAL AND FORESTAL DISTRICTS OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that
Chapter 3, Agricultural and Forestal Districts is hereby reordained and amended as follows:

By Amending:

Sec. 3-201 Creating a district
Sec. 3-205 Withdrawing land from a district
Sec. 3-206 Fees
Sec. 3-301 Creating a district
Sec. 3-305 Withdrawing land from a district

By Removing:

Sec. 3-306 Fees

CHAPTER 3 AGRICULTURAL AND FORESTAL DISTRICTS

Article 3. Districts of Statewide Significance

Division 1. Procedure

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Sec. 3-201 – Creating a district.

Each district shall be created as follows:

1. *Application.* On or before any application date set by the Director of Planning, any landowner may submit an application to create a district to the Director. The application must be made on a form developed and provided by the Director and must be signed by each landowner whose land is proposed to be included in the district. Each submitted application must include maps, aerial photographs, or both, as may be required by the Director, that clearly show the boundaries of the proposed district, the boundaries of the parcels owned by each applicant, and any other features prescribed by the Director.

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Sec. 3-205 – Withdrawing land from a district.

- D. *Withdrawal in the discretion of the Board of Supervisors.* At any time after the district is created, an owner of land within the district may request to withdraw the land, in whole or in part, from the district, as follows:

1. *Filing a written request.* The landowner must file a written request for withdrawal with the Director of Planning. The request must identify the landowner, identify the land or part thereof proposed to be withdrawn by parcel identification number, state the reason for the request, and address the criteria for review stated in subsection (D)(2). The landowner must pay the fee required by County Code Chapter 1, Article 5 when the request is filed.

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Sec. 3-206 - Fees.

A landowner must pay a fee to withdraw land from a district as follows:

- A. *Amount.* The amount of the fees are as provided in County Code Chapter 1, Article 5.

(§ 2.1-2; 6-8-83, § 3-5; 12-16-87, 12-11-91, 7-1-92; Code 1988, § 2.1-2; § 3-206, Ord. 98-A(1), 8-5-98; Ord. 18-3(1), 11-7-18; Ord. 23-3(3), 12-6-23)

State Law reference— Va. Code § 15.2-4303.

Article 3. Districts of Local Importance

Division 1. Procedure

Sec. 3-301 - Creating a district.

Each agricultural and forestal district of local significance shall be created as follows:

- A. *Application.* On or before any application date set by the Director of Planning, any landowner may submit an application to create a district to the Director. The application must be made on a form developed and provided by the Director and must be signed by each landowner whose land is proposed to be included in the district. Each submitted application must include maps, aerial photographs, or both, as may be required by the Director, that clearly show the boundaries of the proposed district, the boundaries of the parcels owned by each applicant, and any other features prescribed by the Director.

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Sec. 3-305 – Withdrawing land from a district.

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- D. *Withdrawal in the discretion of the Board of Supervisors.* At any time after a district is created, an owner of land within the district may request to withdraw the land, in whole or in part, from the district, as provided herein:
 1. *Filing written request.* The owner must file a written request for withdrawal with the Director of Planning. The request must identify the landowner, identify the land or part thereof proposed to be withdrawn by parcel identification number, state the reason for the request, and address the criteria for review set forth in subsection (D)(2). The landowner must pay the fee required by County Code Chapter 1, Article 5.

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(9-15-93; Code 1988, § 2.1.1-4; § 3-306, Ord. 98-A(1), 8-5-98; Ord. 18-3(1) , 11-7-18; Ord. 23-3(3), 12-6-23)

State Law reference— Va. Code § 15.2-4403.

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of six to zero, as recorded below, at a regular meeting held on December 6, 2023.



Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Andrews	<u>Y</u>	___
Mr. Gallaway	<u>Y</u>	___
Ms. LaPisto-Kirtley	<u>Y</u>	___
Ms. Mallek	<u>Y</u>	___
Ms. McKeel	<u>Y</u>	___
Ms. Price	<u>Y</u>	___