

## COUNTY OF ALBEMARLE STAFF REPORT

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| <b>Project Name:</b><br>AFD202200002 Blue Run District Review                          | <b>Staff:</b> Scott Clark, Senior Planner II                    |
| <b>Agricultural and Forestal District Advisory Committee Meeting:</b> November 9, 2022 |                                                                 |
| <b>Planning Commission Public Hearing:</b><br>December 13, 2022                        | <b>Board of Supervisors Public Hearing:</b><br>January 11, 2023 |
| <b>Proposal:</b> Periodic review of the Blue Run AF District.                          | <b>Comprehensive Plan Designation:</b><br>Rural Areas           |

### **Periodic Review of Agricultural and Forestal Districts**

As established in the Code of Virginia, a district may continue indefinitely, but it must be reviewed by the County not more than every 10 years to determine whether the district should be continued. Before being considered by the Board of Supervisors, a district is reviewed by the County's Agricultural and Forestal District Advisory Committee and the Planning Commission. Both the Advisory Committee and the Planning Commission provide recommendations to the Board as to whether the district should be terminated, modified or continued.

Once it has received the recommendations of the Advisory Committee and the Planning Commission, the Board conducts a public hearing. After the public hearing, the Board may terminate, modify or continue the district. If the Board continues the district, it may impose conditions on the district different from those imposed on the district when it was created or last reviewed. Landowners within a district receive notice of this process, including notice of any proposed different conditions.

When a district is reviewed, land within the district may be withdrawn at the owner's discretion by filing a written notice with the Board at any time before the Board acts to continue, modify, or terminate the district.

### **New Policy for District Reviews**

In November, 2018, the Board directed staff to implement a plan to:

- Renew Districts for a five-year period, rather than for 10 years (one time).
- Notify landowners of parcels in reviewed districts that are enrolled in open-space use valuation but that have no development rights that:
  - Their parcels may be removed at the end of the five-year review period; and that
  - They have the option to withdraw from the open-space use valuation now to avoid roll-back taxation and fees when the parcels are removed.

Therefore, staff will recommend 5-year renewal periods for districts that include parcels that are enrolled in open-space use valuation and that have no development rights. For districts with no such parcels, staff will continue to recommend the standard 10-year review period for districts.

## **BLUE RUN DISTRICT REVIEW**

The Albemarle County Code currently contains this description of the Blue Run District:

### **Sec. 3-208 - Blue Run Agricultural and Forestal District.**

The district known as the "Blue Run Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on June 18, 1986.

B. Lands within the district. The district is composed of the following described lands, identified by parcel identification number:

1. Tax map 22: parcels 10, 12, 16.
2. Tax map 34, parcel 51.
3. Tax map 35: parcels 22, 23, 24A, 26, 26B, 26B1, 26C, 26D, 28A, 29, 31, 32A, 37A1, 41A, 41A1, 41E, 43.
4. Tax map 36: parcels 6A, 9, 20.
5. Tax map 49: parcels 4A1, 4A5, 24, 24A, 24B.
6. Tax map 50: parcels 5, 5B, 32A, 41A, 41Q, 42A, 42A1, 43, 45B, 47, 47A, 47B.
7. Tax map 51: parcels 13, 14.

C. Review. The district is reviewed once every ten years and will next be reviewed prior to December 5, 2022.

The District is located in the northeastern corner of the County, (see attached map), and includes 4,244 acres.

Agricultural and Forestal District Significance: Of the 4,244 acres in the Blue Run District, 2,850 acres have soils listed as particularly important for agriculture in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the Blue Run District includes approximately 38 dwellings. (This count is based on the number of addressable structures in the district, and may not be exact.)

Local Development Patterns: The District consists largely of wooded land in the Southwest Mountains, and open land east and west of the ridge. There are 23 parcels in the District, totaling 3,743 acres, that are under conservation easements. A total of 463.6 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, or open-space use.

Comprehensive Plan Designation and Zoning Districts: The District is entirely designated as Rural Areas in the Comprehensive Plan, and the parcels included in the District are zoned RA Rural Areas.

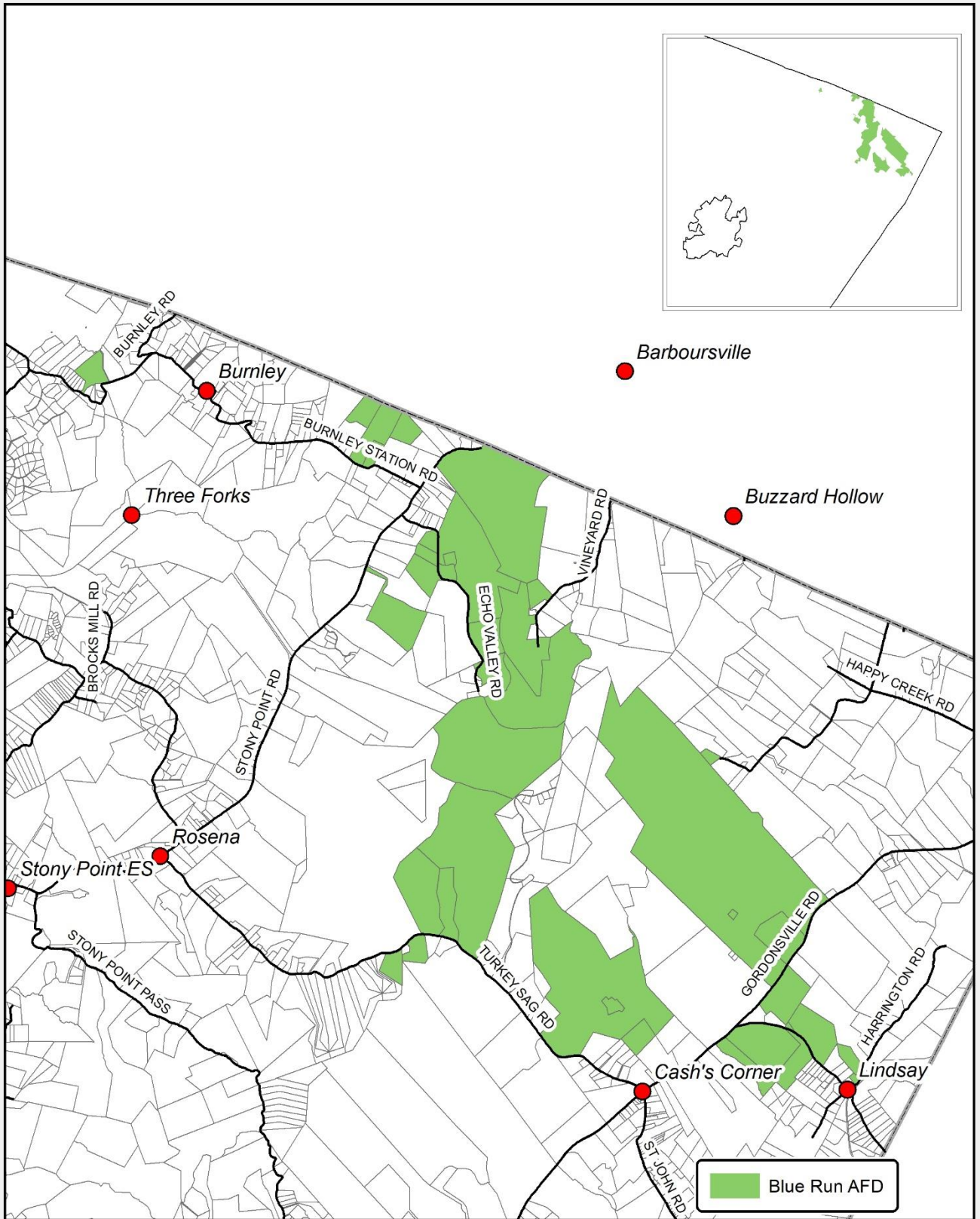
Environmental Benefits: Conservation of this area will help maintain the environmental integrity of the County and aids in the protection of ground and surface water, agricultural soils, floodplains, and wildlife habitat.

Withdrawal: Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on September 30th, 2022.

No withdrawal requests have yet been received.

Appropriate Review Period: The District includes nine parcels that are in the Open Space tax category. All of these parcels have remaining small-lot development rights. Therefore the appropriate review period for this district is ten years.

Recommendation: At their meeting on November 9, 2022, the Agricultural-Forestal Districts Advisory Committee voted unanimously to recommend renewal of the Blue Run District for a 10-year period.



AFD202200002 Blue Run Review

