A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on March 5, 2025, at 1:00 p.m. in Lane Auditorium, Second Floor, Albemarle County Office Building, 401 McIntire Road, Charlottesville, Virginia, 22902.

PRESENT: Mr. Jim H. Andrews, Mr. Ned Gallaway (absent from 4:07 p.m. to 5:10 p.m.), Ms. Beatrice (Bea) J.S. LaPisto-Kirtley, Ms. Ann H. Mallek, Ms. Diantha H. McKeel, and Mr. Mike O. D. Pruitt (absent from 5:35 p.m. to 6:10 p.m.).

ABSENT: none.

OFFICERS PRESENT: County Executive, Jeffrey B. Richardson; County Attorney, Andy Herrick; Clerk, Claudette K. Borgersen; and Senior Deputy Clerk, Travis O. Morris.

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:00 p.m., by the Chair, Mr. Jim Andrews.

Mr. Andrews introduced the Albemarle County Police Department Officers present to provide their services at the meeting, Master Police Officer Dana Reeves and Sergeant Matthew Riley.

Agenda Item No. 2. Pledge of Allegiance.
Agenda Item No. 3. Moment of Silence.

Agenda Item No. 4. Adoption of Final Agenda.

Mr. Andrews said that he had heard no recommendations or requests for a change to the agenda, and asked for a motion.

Ms. McKeel **moved** to adopt the final agenda. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

Agenda Item No. 5. Brief Announcements by Board Members.

Ms. Mallek said that she recently returned from the Saturday-Sunday steering committee meetings in Washington at the National Association of Counties (NACo), which were 18-hour days with lots of good work done. She noted that every year, staff members from various legislative committees in Congress spoke to the Environment, Natural Energy, and Land Use Committee, as well as the Veterans and Military Affairs Committee, to discuss their expectations and priorities.

Ms. Mallek said that what struck her was the significant generational shift among the committee members, with many now in their 20s, compared to the 40-50-year-olds in the past. She said that there was also a pressing concern at the Veterans Committee regarding the large number of veterans who had been let go from their positions, providing essential services such as caseworker services, medical care, and other support to fellow veterans. She expressed hope that this issue would be addressed, as the loss of 6,000 staff members from the agency already facing significant backlogs in providing services to veterans was a cause for concern.

Mr. Pruitt said that he would like to note a few events for everyone to add to their calendars. He said that the Active Mobility Summit would take place on March 6 and March 7 in Woolen Mills, a unique venue in the Scottsville district. He said that he had attended it last year and found it to be a valuable event. He said that the summit focused on creating human-powered pedestrian mixed-use systems that can thrive in their community. He said that the summit would be held on March 6 from 5:30 p.m. to 8:00 p.m. and on March 7 from 9:00 a.m. to 12:00 p.m.

Mr. Pruitt stated that there would be a ribbon-cutting ceremony for a new project by SCAN, the Scottsville Arts and Nature Foundation. He said that they had acquired a historic commercial property in downtown Scottsville and were converting it into a public art gallery space, known as the Gallery on Valley, located at 460 Valley Street. He said that the ribbon-cutting would occur on March 20 at 12:00 p.m. and the gallery's first show would run from that time until April 27.

Mr. Pruitt said that also related to Scottsville, in 2022, the Town Council had approved one of the largest housing developments in Scottsville's history, which would build 36 new single-family homes on Bird Street. He noted that this project would likely reshape the character of Scottsville and hopefully increase pedestrian traffic to local small businesses, which depended on it, and that it would help stimulate the farmers' markets.

Ms. LaPisto-Kirtley said that in the Rivanna District, they had successfully closed off Free Bridge Lane as part of Darden Towe for a one-year pilot project to assess its usage as a pedestrian walkway. She said that from November to December, a total of 2,302 people used the lane, and from January to March an additional 6,405 people used it. She said that although it was cold in January and February, the numbers demonstrated that people were indeed utilizing the lane. She said that this was a very positive outcome.

Ms. LaPisto-Kirtley said that yesterday, she received a call from a resident on St. John Road, who expressed gratitude to the County, and everyone involved for providing fiber internet. She said that the resident mentioned that his grandson was now able to do his homework from home, which meant a great deal to her. She said that she would like to extend her appreciation to Gary Wood, the president of Central Virginia Electric Co-operative (CVEC), who played an instrumental role in securing fiber internet for this area, along with Albemarle's own staff, including Mike Culp and Jason Inofuentes. She expressed her gratitude to CVEC for stepping up to provide this essential service to the community.

Ms. McKeel said that she had no announcements today.

Mr. Gallaway said that he would like to briefly mention a couple of upcoming events. He said that the Rio District Community Budget Town Hall will take place on Tuesday, March 18 from 5:30 p.m. to 7:30 p.m. at The Center. He said that on Thursday, March 13, there would be the Central Virginia Regional Housing Partnerships Biennial Housing Summit, and that the event was sold out already. He said that it promised to be a valuable opportunity to discuss solutions to the affordable housing issue. He said that that year's summit was focused on finding solutions, and he encouraged those who had registered to attend the event.

Mr. Gallaway said that he had attended the NACo Legislative Conference, where he served on the Community Economic Development and Workforce Committee. He said that Saturday was a long day, but he would like to highlight one particular presentation called Breaking the Paper Ceiling, which focused on STARS: workers who are Skilled Through Alternative Routes. He said that this program focuses on individuals who may not have a college degree but have significant work experience and skills. He said that they often face obstacles in applying for jobs that require a four-year degree, hindering their upward mobility in their careers.

Mr. Gallaway said that what STARS, Opportunity at Work, and the individuals working to break the paper ceiling were doing was collaborating with employers in both the public and private sectors to remove the requirement for a four-year degree where appropriate, allowing individuals to explore and discuss alternative paths. He said that this initiative aimed to open up opportunities for those who may not have considered a degree due to various reasons, and once employed, these programs can assist them in obtaining the degree if needed.

Mr. Gallaway said that he found this to be an interesting concept. He said that although he had not been aware of this program before, he believed it was a good idea to share it with the business owners, their organization, and the community in Albemarle. He said that by doing so, it may help expand the pool of applicants and provide a more diverse range of candidates, potentially addressing the frustration of receiving applications from individuals with degrees that did not align with their needs. He said that he thought it would be a good topic for today's meeting.

Mr. Andrews noted that they had seven upcoming budget town halls, and he encouraged the public to attend the one that suited their schedule. He said that he would be attending the town hall at Monticello High School on March 20, and the Yancey Community Center on March 27. He said that other Supervisors would be attending different town halls, so he encouraged everyone to attend regardless of which one they could attend.

Mr. Andrews said that he recently came across an announcement in the news about the Energy Resource Hub's launch party, which he found interesting. He said that it would take place at the Carver Rec Center on March 11 from 4:00 p.m. to 7:00 p.m. He said that this was a joint initiative between the County, City, and non-profit organizations aimed at helping people save energy and reducing their environmental footprint.

Mr. Andrews said that he noticed that there were still a couple of slots available for the March 8 tire collection at the Southern Convenience Center. He said that this event was a new initiative, and attendees must sign up in advance. He said that the collection would take place between 8:00 a.m. and 4:00 p.m. He said that this event was a precursor to other hazardous household waste and other collections scheduled for April 25 and 26 at the Ivy Solid Waste and Recycling Center, which they would discuss later.

Agenda Item No. 6. Proclamations and Recognitions.
Item No. 6.a. Proclamation Celebrating CAAR's 100th Anniversary.

Mr. Gallaway **moved** to adopt the Proclamation Celebrating CAAR's 100th Anniversary, which he read aloud.

Ms. LaPisto-Kirtley **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

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Proclamation Celebrating CAAR's 100th Anniversary

WHEREAS, since its establishment on June 22, 1925, The Charlottesville Area Association of REALTORS® (CAAR) has been the leading voice for real estate in Central Virginia. Today, CAAR represents more than 1,300 real estate professionals and affiliate members; and

WHEREAS, over the past century, CAAR has made significant contributions to the Albemarle real estate industry by advocating for the protection of private property rights and providing its members with the tools and technology needed to achieve expertise in serving the needs of their customers and clients; and

WHEREAS, reflecting on its past, the Association recognizes the profound changes it has made in recent years to embed diversity, equity, and inclusion into every aspect of its operations, and it remains committed to advancing these efforts in the future. The Association's commitment to professionalism and ethics has established it as a trusted and reliable resource in the real estate community; and

WHEREAS, CAAR members are deeply committed to enriching Albemarle's neighborhoods. The Association engages in a variety of educational programs and community service events each year, demonstrating a steadfast dedication to community development and welfare. This community engagement has helped foster a stronger, more vibrant Albemarle County.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Albemarle County Board of Supervisors, do hereby commend the Charlottesville Area Association of REALTORS® for their significant contributions to our community and extend a heartfelt "congratulations" for their 100 years of service to the residents of Albemarle County.

Signed this 5th day of March 2025.

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Mr. Josh White, Charlottesville Area Association of Realtors (CAAR) President, expressed his gratitude to the Board of Supervisors and County employees for their recognition of CAAR and their work. He said that it was truly an honor for him to be there, especially considering the significant contributions that had been made to the community over the past hundred years. He said that he found it rewarding to be able to support individuals in one of the most pivotal moments in their lives, including first-time homebuyers, developers, investors, and others on their journey to real estate. He said that he appreciated the acknowledgment of CAAR's efforts.

Ms. Mallek said that she thanked Mr. White for CAAR being the first voice to welcome people to their area. She said that it was very important that at each stage, when someone was new or even considering, they met friendly people in stores and friendly people in offices, making them think that this was a place they would like to be. She said that she appreciated his efforts in doing so.

Mr. Pruitt noted that 100 years is a long time. He thanked Mr. White for all of CAAR's work.

Ms. LaPisto-Kirtley thanked Mr. White for attending today and accepting this on behalf of all the CAAR members who have done an outstanding job. She said that they greatly appreciated the efforts CAAR made for their community.

Ms. McKeel acknowledged that 100 years was a long time. She said that she had not needed CAAR's general services because she had lived in her house for 50 years, but she knew they did a great job. She said that they had a lovely, fairly new facility as well. She thanked Mr. White for all of CAAR's work.

Mr. Gallaway said that he was happy to say that the facility was located in the Rio District. He said that 100 years is a significant milestone, so he assumed the celebratory cake would be huge.

Mr. White said that actually, they were having a barbecue event for their members.

Mr. Gallaway said that there was much to celebrate here. He said that he had the privilege of attending a forum that he believed was part of a leadership academy that CAAR offered to its members. He said that he appreciated the high-quality training and professional development that the organization provided to everyone.

Mr. Gallaway said that regardless of whether one was a solo realtor or part of a large agency, small businesses were the engine of most localities. He said that he appreciated the vibrant real estate industry that the organization helped maintain in their locality. He said that he wished the organization all continued success. He said that the largest purchase many people made was a house, and cars could be their second-biggest significant investment.

Mr. Gallaway said that as someone who had worked in the automotive industry, he understood the importance of providing excellent service to clients. He said that he believed this really mattered in giving the community a unique character and feel. He said that he appreciated CAAR's commitment to this and congratulated them on their 100th anniversary.

Mr. Andrews extended his congratulations and echoed the sentiment that the trust people had in real estate agents and those who assisted them with large transactions was substantial. He said that he appreciated all that CAAR did for the community.

Mr. Gallaway presented the proclamation to Mr. White.

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Item No. 6.b. Proclamation Celebrating Women's History Month.

Ms. Mallek **moved** to adopt the Proclamation Celebrating Women's History Month, which she read aloud.

Ms. LaPisto-Kirtley **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

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Proclamation Celebrating Women's History Month

WHEREAS, Women's History Week originated in the United States in 1978, launched in California during the week of International Women's Day, and the movement spread across the country; and

WHEREAS, A consortium of women's groups and historians successfully lobbied for national recognition of the week honoring women's contributions to American history, until the first Presidential proclamation was issued by Jimmy Carter in 1980; and

WHEREAS, Subsequent presidents continued to proclaim a National Women's History Week until Congress passed a law in 1987 designating March of each year as Women's History Month, and authorized each President thereafter to issue an annual proclamation; and

WHEREAS, Albemarle County honors all the women, past and present, from our county, commonwealth and country whose invaluable contributions are often not recognized or recorded, and whose determination and leadership positively impacts our lives every day.

NOW, THEREFORE, BE IT PROCLAIMED that we, the Albemarle County Board of Supervisors, do hereby acknowledge and commemorate the month of March 2025 as Women's History Month, with special recognition of the women who diligently lead our County to a brighter future for all.

Signed this 5th day of March 2025

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Ms. Kathleen Baines introduced herself as an Albemarle County employee and member of the Women in Government Affinity Group. She noted that the agenda indicated that Brandee Sullivan would be accepting this proclamation today, and she was joined by a small group of her colleagues and members of the group as well.

Ms. Baines said that on behalf of the group, they would like to express their gratitude jointly to the Board for this proclamation. She said that they were grateful to be recognized but also acknowledged that this recognition was a testament to the collective strength and support of all women who work at Albemarle County. She said that this recognition reflected the County's values of integrity, innovation, stewardship, learning, and community, and highlighted the importance of creating an environment where all women can succeed and thrive.

Ms. Brandee Sullivan said that the Women in Government Affinity Group had been a cornerstone in building connections. She said that through this group, they were forging meaningful relationships, sharing experiences with each other, and developing a platform for mentorship and professional development. She said that the positive outcomes from the network were numerous, and it continues to empower and uplift women working for the County, providing them with the tools and support needed to thrive in their roles.

Ms. Kimberly Price-Chambers said that the connections and conversations that took place in the Women in Affinity Group meetings were a testament to the power of vulnerability. She said that it was through their shared experiences, their willingness to be open and honest, and their courage to acknowledge their imperfections that they found their strength. She said that vulnerability enabled them to form deeper connections, to empathize with one another, and to offer support in ways that nothing else could. She said that this affinity group provided opportunities to make that happen.

Ms. Erin Buchanan said that she worked in Social Services. She said that as they celebrated National Women's History Month, they should continue to uplift and empower each other. She said that they should also honor the legacy of the women and men who came before them and paved the way for future generations of women to thrive and succeed. She said that together, they could face the challenges that lay ahead with resilience and determination. She said that she wanted to extend her gratitude to the Board for this honor. She said that the Women in Government Affinity Group was proud to be a part of such a remarkable organization and looked forward to the future.

Ms. Mallek said that she would like to take everyone back to the 1910s, when her grandmother worked as a seamstress for the Ziegfeld Follies and escaped from a Swedish household to travel on the train and sew costumes across the country. She said that moving forward, her mother played a pivotal role in the water quality effort, partnering with Eni Nash and Charlotte Humphreys to organize their community to better care for their rivers and streams.

Ms. Mallek said that they all had lots of shoulders on which to stand and to build upon, and she was impressed by the progress they had made. She said that in 1971, she worked at Harvard Medical School, where she was told explicitly that she was being paid half the salary of her male colleagues for the same job. She said that although it was acceptable to the institution at the time, it was not to her. She said that, thankfully, they had made significant strides in addressing this issue. She said that they were worth every penny, and she appreciated the dedication and hard work they brought to their community.

Mr. Pruitt said that since they were here on behalf of women in government, he believed it was essential to consider this perspective as they thought about the role of women's history in the United States. He said that the previous organization, celebrating its 100th birthday, marked a significant milestone. He said that when CAAR was founded, women had only been able to vote in this County for six years.

Mr. Pruitt said that this was a remarkable change, and it was worth noting that when CAAR was established, every single person on this Board would have been a man. He said that it was reasonable to assume that several of them would have stood for office without women being able to vote for them. He said that now, they had perfect parity on this Board.

Mr. Pruitt said that he had mentioned this last year when this proclamation came before them. He said that in India, there was an act that provided for reserved seats for women on Gram Panchayat, the equivalent of a village local government. He said that this shift in representation could have a profound impact, particularly for women from lower, underrepresented castes, because they were often able to run for office and gain access to positions they would not otherwise have been able to secure due to their caste.

Mr. Pruitt said that this opened up opportunities beyond just sex, encompassing class and race, allowing them to push for policies that were more equitable and care-minded for their community. He said that he believed it was powerful for them to remember the significant impact they were unlocking in government, their economy, and their community by extending participation and cooperation to women. He said that the role of women growing in government had been a boon in how they approached problems and engaged with community issues. He thanked the affinity group members for joining them today and expressed that he was honored to celebrate women's history with them.

Ms. LaPisto-Kirtley said that she was grateful for the outstanding women in the group. She said that during the meeting, a young lady mentioned the word "imperfections." She said that however, she did not see any imperfections; they were all perfect. She said that when she joined this Board, they had a Board of five women and one male representative, Mr. Gallaway. She said that she was so proud that the affinity group members were all present to celebrate Women's History Month. She said that she was incredibly proud of the advancements they had made.

Ms. LaPisto-Kirtley said that although they were all younger than she was, and that she was excited about the advancements they had achieved and the ones they would continue to make in the future. She said that they were not slowing down; they were moving forward with full force. She extended her gratitude to the affinity group members for being there, and it was an honor to present this proclamation and to honor their contributions.

Ms. McKeel thanked everyone for being there and for their leadership in the County Government. She said that she also appreciated recognizing the other female leaders in the audience. She said that they had a significant presence of female leaders from Albemarle County in the room. She said that she wanted to take a moment because, as elected officials, they were naturally competitive. She said that she wanted to challenge Ms. Mallek’s statement that she was the oldest person at the dais; her birthday was the first week in April, and she would be 75, so she believed she may actually be older.

Ms. Mallek said that her birthday was April 17, so that was true.

Ms. McKeel said that they had many amazing women to recognize locally, but she wanted to take a moment to recognize someone of state significance. She said that she would like to recognize Maggie Lena Walker. She said that born to enslaved parents in Richmond, Virginia, Maggie rose to become one of the leading female business leaders in the United States at the turn of the century. She said that Maggie came to national prominence when she became the first woman to charter a bank in the United States. She said that before that, she worked as a writer for a newspaper and later focused on accounting and math, which ultimately led to her banking endeavors.

Ms. McKeel said that she founded the St. Luke Penny Savings Bank, a groundbreaking institution that not only served African American adults but also encouraged children to save through the distribution of savings banks. She said that in 1924, the Penny Savings Bank had grown to include 50,000 members spread across Virginia, a remarkable achievement. She said that despite the challenges of the Great Depression, St. Luke's Penny Savings Bank persevered, eventually consolidating with other larger banks and moving to downtown Richmond.

Ms. McKeel said that although Ms. Walker died in 1934, the Walker House, where she lived, remains a designated National Historic Site, maintained by the National Park Service. She said that although the site was currently open only two days a week, she encouraged everyone to visit when they are in Richmond.

Ms. McKeel said that another locally renowned woman she wanted to recognize was Emily Couric. She said that Emily was a state senator representing this locality. She said that Emily had a passionate commitment to lifelong learning, and she was especially dedicated to motivating young people, whom she truly loved to work with. She said that she served on the Charlottesville School Board, a role that many people were not aware of, before serving in the state Senate.

Ms. McKeel said that Emily was a friend and mentor to her, and she knew to many others in this community, as well as those in the audience. She said that the Emily Couric Cancer Center was named in her honor, and she also established a leadership scholarship award, which was presented annually to local high school students who are future leaders.

Ms. McKeel said that she wanted to express her sincere appreciation for the affinity group's presence there today. She said that as she reflected on the contributions of individuals like Maggie Walker and Emily Couric, she was reminded that all of them were leaders in their own right.

Mr. Gallaway said that he had always enjoyed celebrating women's contributions as part of this proclamation, as he had mentioned in the past. He said that in his childhood, he was heavily influenced by women, especially his grandmother, who was his sole influence until her passing in 2004. He said that it was through those influences that he spoke to his daughters, who were now navigating the world on their own. He said that he tried to pass on the lessons he learned from them, even though they were independent and strong, and they may not need his advice.

Mr. Gallaway said that while in Washington D.C., he had the opportunity to visit the National Portrait Gallery and walk through the museum. He said that he was surprised to learn that Jeanette Rankin was the first woman elected to Congress in 1916, and that Montana granted women the vote before it was granted nationally. He said that he was also struck by her courage, as she stood against the U.S. entry into World War I, joining 49 men in opposition.

Mr. Gallaway said that he had no idea about her story, and he was excited to learn more about her. He said that as they moved forward, he was looking forward to celebrating Women's History Month, and he hoped that Montana's efforts to elect and re-elect women like Jeanette Rankin would be recognized. He thanked all of the affinity group's dedication and for being there with the Board.

Mr. Andrews said that he would like to express his appreciation for all that their affinity group does and for the celebration of Women's History Month. He said that upon reviewing the proclamation, he noticed that it began with International Women's Day, progressed to Women's History Week, and now spanned an entire month. He said that he believed this was a positive trend, and he appreciated the opportunity to learn more about the Women in Government Affinity Group, which was fascinating. He said that he was glad to see that they were working together to discuss these issues.

Ms. Mallek presented the proclamation to Ms. Baines

Agenda Item No. 7. Public Comment on: Matters Previously Considered or Currently Pending Before the Board (Other than Scheduled Public Hearings).

Ms. Lynne Gebhard, Scottsville District, said that she was an equine business owner and farmer. She said that Biscuit Run was the largest park and a gem of the County parks system. She said that the equine community had requested consideration for adding equine trails back into the park. She said that she had offered to meet with Director of Parks and Recreation, Mr. Robert Crickenberger, to discuss a proposal; they were patiently awaiting an answer. She said that a consideration for the Board of Supervisors that had yet to be presented was the economic benefit of equine trails as they related to tourism.

Ms. Gebhard said that horseback riding leveraged the historic significance of Albemarle County and added to the number of attractions and activities that their community offered. She said that it further added ambiance and character to the community for many people seeking vacation activities or weekend getaways. She said that other activities that would dovetail into an exceptional experience in their community included wine tasting, fine dining, Monticello, and other historic sites that would round out a complete package.

Ms. Gebhard said that she was asking what their intentions were of adding horse trails to Biscuit Run at any point in the future. She said that she invited all Board of Supervisors to visit her horse farm to become more aware and educated about horse farming in Albemarle County.

Mr. Mark Gebhard, Scottsville District, said that he was an equine business owner, a horse farm owner, a retired military officer, and a professional engineer. He said that the first issue he wanted to discuss was his concern as to whether the County was being run as a democracy or a bureaucracy.

Mr. Gebhard said that the actions and decisions of the County Planning Commission (PC) and the Board of Supervisors would add to his final determination. He said that based on his observations, the PC was acting more like professional cheerleaders than elected officials. He said that he had previously discussed this issue with Mr. Pruitt, and he would allow him to provide further insight to the rest of the Supervisors and would not elaborate on this issue further at this time.

Mr. Gebhard said that he would like to focus on the AC44, Appendix B, Parks, Recreation, and Open Space. He said that in his view, this plan appeared to be a plan to create a plan, or possibly a strategy to create a strategy. He said that he had been in communication with Mr. Bob Crickenberger on this issue and had identified several deficiencies in the plan. He said that Mr. Crickenberger had responded, and his response was “noted” or “contacted the Community Development Department (CDD),” which raised questions about who was ultimately responsible for this section. He said that he hoped that when Mr. Ben Holt presented his plan THAT afternoon, he would shed some light on this matter.

Mr. Gebhard said that another criticism he had was that the objectives and actions in the plan needed to be quantified, specific, measurable, and achievable. He said that this would enable them to communicate the exact plan to the community and taxpayers what they could expect. He said that his final comment was that the Comprehensive Plan needed to be a living document that was flexible and responsive to market forces that impact the Development Area. He said that he would also like to know from Mr. Holt if he had implemented any of the questions he had previously sent to Mr. Crickenberger into his plan before he presented it today.

Agenda Item No. 8. Consent Agenda.

Ms. McKeel said that she would like to make a comment regarding the Consent Agenda. She said that this may be for Mr. Richardson’s consideration, but she would like to request the opportunity to bring up the Cost of Community Services Study as a future agenda item. She said that the study contains some interesting information that would be beneficial not only to their organization but also to the public.

Ms. McKeel said that she understood that their agendas were often tight, and she did not intend to prolong the discussion today. She said that if her fellow Supervisors agreed, she believed it would be valuable to have a brief discussion about the study at a future point in time.

Mr. Andrews said that at this time, it was an item for the Board to receive information on, but staff could provide more information on it in the future, and he asked if there was a motion.

Ms. LaPisto-Kirtley **moved** to approve the consent agenda. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

Item No. 8.1. Fiscal Year 2025 Appropriations.

The Executive Summary forwarded to the Board states that Virginia Code § 15.2-2507 provides that any locality may amend its budget to adjust the aggregate amount to be appropriated during the fiscal year as shown in the currently adopted budget; provided, however, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by first publishing a notice of a meeting and holding a public hearing before amending the budget. This Code section applies to all County funds, i.e., General Fund, Capital Funds, E911, School Self-Sustaining, etc.

The total change to the Fiscal Year 2025 budget due to the appropriations itemized in Attachment A is $1,255,352. A budget amendment public hearing is not required because the proposed appropriations do not exceed one percent of the currently adopted budget.

Staff recommends that the Board adopt the attached Resolution (Attachment B) to approve the appropriations for the County government projects and programs described in Attachment A.

ATTACHMENT A

Appropriation #2025031

Sources:	Local Revenue	$78,852
Uses:	Vehicle Replacement Fund	$78,852
Net Change to Appropriated Budget:		**$78,852**

Description:
This request is to appropriate $78,852 in insurance recovery revenue, to the Vehicle Replacement Fund

to be used toward the purchase of replacement vehicles for the Albemarle County Police Department, the Facilities and Environmental Services Department, and Albemarle County Fire Rescue.

Appropriation #2025032

Sources:	Local Revenue	$1,500
Uses:	Virginia Career Works	$1,500
Net Change to Appropriated Budget:		**$1,500**

Description:
This request is to appropriate $1,500 from the American Farmland Trust to Virginia Career Works to support agriculture related job training.

Appropriation #2025033

Sources:	State Revenue	$100,000
Uses:	Virginia Department of Forestry (VDOF) Forest Sustainability Fund	$100,000
Net Change to Appropriated Budget:		**$100,000**

Description:
This request is to appropriate $100,000 in State grant funding to be used for Invasive Species Management at Albemarle County Parks to include forestry mulching, invasive tree removal, hazardous tree removal, contracted basal bark and cut stump application, contracted foliar treatment, etc.

Appropriation #2025034

Sources:	State Revenue	$1,075,000
Uses:	Department of Housing and Community Development (DHCD) Community Development Block Grant (CDBG) Program	$1,075,000
Net Change to Appropriated Budget:		**$1,075,000**

Description:
This request is to appropriate $1,075,000 in Community Development Block Grant funding. As part of the ongoing redevelopment of the Southwood Mobile Home Park, Habitat for Humanity of Greater Charlottesville (Habitat) will use the funds to support new infrastructure installation in Village 3, the first village to be constructed in Phase 2 of the Southwood Mobile Home Park project.

By the above-recorded vote, the Board adopted the attached Resolution (Attachment B) to approve the appropriations for the County government projects and programs described in Attachment A:

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RESOLUTION TO APPROVE
ADDITIONAL FY 2025 APPROPRIATIONS

BE IT RESOLVED by the Albemarle County Board of Supervisors:

1) That the FY 25 Budget is amended to increase it by $1,255,352;

2) That Appropriations #2025031; #2025032; #2025033; and #2025034 are approved;

3) That the appropriations referenced in Paragraph #2, above, are subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2025.

* * * * *

APP#	Account String	Description	Amount
APP2025031	3-7200-99000-341000-410800-9999	SA2025031 Insurance Reimbursement for Totaled Vehicles (PD, FES, ACFR)	$78,852.00
APP2025031	4-7200-31100-412560-800500-9999	SA2025031 Insurance Reimbursement for Police Totaled Vehicles	$30,490.00
APP2025031	4-7200-33400-412560-800500-9999	SA2025031 Insurance Reimbursement for ACFR	$25,712.00

		Totaled Vehicles	
APP2025031	4-7200-41100-412560-800500-9999	SA2025031 Insurance Reimbursement for FES Totaled Vehicles	$22,650.00
APP2025032	3-1000-82100-318000-181109-9999	SA2025032 American Farmland Trust to VA Career Works	$1,500.00
APP2025032	4-1000-89200-481000-560000-0049	SA2025032 American Farmland Trust to VA Career Works	$1,500.00
APP2025033	3-5464-71012-324000-240500-9999	SA2025033 State Revenue: Virginia Department of Forestry (VDOF) Forest Sustainability fund	$100,000.00
APP2025033	4-5464-71012-471010-331300-9999	SA2025033 Expenditure-Spec Rev & Other Funds: Virginia Department of Forestry (VDOF) Forest Sustainability fund	$100,000.00
APP2025034	3-5406-51400-333000-330009-9999	SA2025034 Federal Revenue: CDBG Southwood Phase II	$1,075,000.00
APP2025034	4-5406-51400-481000-390004-9999	SA2025034 Admin Fees: CDBG Southwood Phase II	$75,000.00
APP2025034	4-5406-51400-481000-593000-0057	SA2025034 Pass Thru Grant to Habitat: CDBG Southwood Phase II	$1,000,000.00

_____

Item No. 8.2. Memorandum of Agreement between the County and the Albemarle Fire Rescue Foundation, Inc.

The Executive Summary forwarded to the Board states that the Albemarle County Fire Rescue Foundation, Inc. ("Foundation") was incorporated on January 7, 2025, with its purpose to help the County improve firefighter health, safety, and wellness, enhance their ability to perform life-saving duties, and expand resources to protect lives, property, and the environment. Staff worked with the Foundation to prepare a Memorandum of Agreement ("MOA") (Attachment A), which the Foundation endorsed on January 28, 2025, and which the County Attorney has preliminarily approved.

In addition to the MOA establishing operating procedures and assigning responsibilities between the County and the Foundation, the MOA authorizes the County Executive to accept any Foundation grant or donation less than $500,000.00, which the Board otherwise would need to consider accepting in every instance under terms and conditions proposed by the Foundation. For this reason, the Board must take action approving the MOA terms and authorizing the County Executive to sign on its behalf once the County Attorney approves the MOA as to substance and form.

There are no impacts on the budget if this MOA is approved.

Staff recommends that the Board adopt the attached Resolution substantively approving the Memorandum of Agreement.

By the above-recorded vote, the Board adopted the attached Resolution substantively approving the Memorandum of Agreement:

RESOLUTION APPROVING THE MEMORANDUM OF AGREEMENT WITH THE ALBEMARLE COUNTY FIRE RESCUE FOUNDATION

WHEREAS, the Albemarle County Fire Rescue Foundation (the “Foundation”) founded and formed on January 7, 2025, as a Virginia nonstock, not-for-profit corporation;

WHEREAS, the mission of the Foundation is to provide resources, assistance, and recognition of the Albemarle County Fire Rescue Department and its members; and

WHEREAS, the Board finds it is appropriate to memorialize the Foundation’s intentions and operating relationship with the County in a Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia, hereby approves the form of the Memorandum of Agreement attached hereto as Attachment A. The County Executive is authorized to execute and deliver the Memorandum of Agreement that is substantially in such form, containing such completions, omissions, insertions, and changes consistent with this resolution as approved by the County Executive and the County Attorney, whose approval shall be evidenced conclusively by their execution and delivery of the Memorandum of Agreement.

* * * * *

MEMORANDUM OF AGREEMENT

between

COUNTY OF ALBEMARLE, VIRGINIA

and

ALBEMARLE COUNTY FIRE RESCUE FOUNDATION

This Memorandum of Agreement ("MOA") is made by and between the County of Albemarle, Virginia, a political subdivision of the Commonwealth of Virginia ("County"), and Albemarle County Fire Rescue Foundation, a not-for-profit Virginia nonstock corporation ("Foundation").

WHEREAS, the County, through its Albemarle County Fire Rescue Department ("ACFR"), owns, operates, and maintains real estate, buildings, equipment, emergency response apparatus, and a variety of related property and operates a variety of operations, programs, trainings, and services independently and in support of the Albemarle County Coordinated Fire and Rescue System ("System") and in mutual aid with other localities; and

WHEREAS, one of the County's goals is to enhance the well-being and quality of life for all community members through the provision of the of the highest level of public service consistent with the prudent use of public funds; and

WHEREAS, ACFR's vision is to provide superior firefighting, emergency medical, and emergency management services, as well as related public safety services; and

WHEREAS, the Foundation was founded and incorporated on January 7, 2025, for the purposes of: providing resources, assistance, and recognition of the Albemarle County Fire Rescue Department and its members; and

WHEREAS, the Foundation operates as a legal entity separate from the County and is governed independently by a Board of Directors, the members of which are not employed by the County; and

WHEREAS, the County and the Foundation wish to cooperate to sustain and strengthen the successful operation, maintenance, and management of the provision of public safety response for firefighting, emergency medical services, emergency management efforts, and other programs for the health and safety of the County's residents and visitors by memorializing the Foundation's and the County's respective responsibilities.

NOW, THEREFORE, in consideration of the above and the mutual efforts of the County and Foundation, they agree as follows:

1. **Operating Procedures.**
   - **a.** In its efforts to obtain donations, the Foundation shall communicate the following information to prospective donors:
     - **i.** the Foundation is a separate legal entity organized for the purpose of encouraging voluntary, private gifts, trusts, and bequests for the benefit, support, and enhancement of ACFR's existing, future, and planned activities, facilities, equipment, and properties;

ii. the Foundation's Board of Directors is responsible for the Foundation's governance, including the recruitment of volunteers, planning and management of projects, and investing of its endowment and other funds; and

iii. funds donated to the Foundation in support of any of ACFR's operations must be made to the Foundation and not to the County or ACFR.

b. The Foundation agrees that in its efforts to solicit and accept donations of any kind, the Foundation shall:

i. coordinate its funding goals, programs, and campaigns with the County so that together the County and the Foundation can ensure the Foundation's efforts align with (A) ACFR's vision, mission, community needs assessment(s), priority projects, procedures and policies (collectively, "ACFR Guidance'), and (B) the County's vision, mission, strategic plan, comprehensive plan, current and future master plans, and other internal plans, policies, and procedures (collectively, "County Guidance");

ii. advise donors that any specified purpose, restriction, term, or condition the donor attaches to a donation requires written approval from the County prior to such donation being made or accepted; and

iii. advise donors that any donation that includes a financial or contractual obligation binding on the County, including ongoing and future maintenance or capital improvement commitments, requires written approval from the County's Board of Supervisors or its designee prior to such donation being made or accepted.

c. When a donation is made for a particular purpose or with conditions or restrictions, the Foundation shall be responsible for reporting to the donor how the donation was used.

d. In its efforts to provide financial support and in-kind contributions and services to the County on behalf of ACFR, the Foundation agrees to:

i. allow the County to use the Foundation's name and logo in materials intended to promote the cooperation between the County and the Foundation, to assist the Foundation in soliciting donations of any kind, and to promote Foundation programs, activities, events, and projects;

ii. register and maintain registration with the U.S. Internal Revenue Service as a charitable, non-profit organization and meet all state and local charitable solicitation requirements, including registration with the Virginia Department of Agricultural and Consumer Services;

iii. obtain all necessary permits, licenses, special insurance, equipment, and inspections for Foundation programs, activities, events, and projects, and pay all expenses incidental to the planning and conduct of such programs, activities, events, and projects;

iv. plan, coordinate, and work with the County on specific programs, projects, and funding opportunities, which the parties contemplate may require additional agreements from time-to-time, both between the County and the Foundation, and among the County, the Foundation and third parties;

v. be solely responsible for recruiting, enrolling, instructing, and managing its members, volunteers, and contractors;

- **vi.** plan, coordinate, and work with the County on fundraising activities, including those activities to occur on County properties;
- **vii.** expend donations, both financial and in-kind, in support of Foundation operations and in furtherance of Foundation programs, activities, and projects, and events that are intended to benefit ACFR; and
- **viii.** upon dissolution, apply all remaining funds designated to support a specific site, program, or project to the County to be used as designated for support of ACFR operations.

e. In consideration of the Foundation's contributions to and support of the ACFR, the County shall assist the Foundation, subject to and in alignment with ACFR Guidance and County Guidance, as follows:

- **i.** advise the Foundation of a liaison or liaisons from the County to the Foundation, designated by the County Executive, to facilitate communications and to attend meetings of the Foundation's Board of Directors;
- **ii.** suggest potential donors and grant sources to the Foundation;
- **iii.** coordinate with the Foundation in its efforts to obtain grant awards appropriate to ACFR;
- **iv.** allow the Foundation to use the County's name (but not its seal) and ACFR's name and logo in its promotional and fund-raising materials, subject to the prior written approval of the County;
- **v.** allow the Foundation to apply for special event permits to conduct fundraising programs and activities on County properties in

coordination with the County without having to pay the County's special event permit application fees or County site/room reservation fees; and

vi. obtain the approval of the County Board of Supervisors of any grant or donation, including an in-kind donation of goods or services, in an amount equal to or greater than $500,000.00 (the County Executive being expressly authorized, in the exercise of the County Executive's discretion, to accept any grant or donation less than $500,000.00).

2. **Record Keeping.**

 a. All Foundation correspondence, financial records, donor and prospective donor information, and records of every kind belong exclusively to and under the control of the Foundation. The Foundation must maintain such information and records separate and apart from all County records.

 b. The Foundation shall maintain publicly available, updated, and current copies of its articles of incorporation, bylaws, and amendments to such governing documents. The Foundation shall provide to the County a photocopy of its IRS Form 990 (Return of Organization Exempt from Income Tax) without any accompanying documentation disclosing the names of any specific Foundation donors.

 c. The Foundation shall prepare and reconcile on an annual basis a Treasurer's Report, which it will share with the County. Additionally, the Foundation will provide annually to the County a financial report prepared in accordance with *Statements of Financial Accounting Standards 117* (Financial Statements for Not-for-Profit Organizations). This financial report must be provided to the

County on or before June 30 of each year, but it shall not contain any information disclosing the names of any specific Foundation donors.

d. Nothing in this MOA shall be construed to preclude the County from disclosing any records as and to the extent required by the Virginia Freedom of Information Act.

3. No Agency, Partnership, or Employment Relationship.

This MOA does not create a partnership between the Foundation and the County and creates no rights or duties arising from a partnership. Neither does this MOA create an agency relationship between the Foundation and the County. No rights of or entitlement to employment between the parties and their respective officers, directors, employees, agents, members, or volunteers arise by virtue of this MOA.

4. Insurance, Indemnification, and Hold Harmless.

a. Prior to the commencement of any project or the conduct of any special event on County property, the Foundation shall provide to the County a certificate of insurance evidencing maintenance by the Foundation of (i) commercial general liability insurance, in an amount not less than $1,000,000.00, covering all of the Foundation's operations relating to the performance (A) by the Foundation and its officers, directors, employees, agents, members, and volunteers of work under this MOA on County property, and (B) by the Foundation of its other obligations under this MOA, and (ii) directors and officers liability insurance, in an amount acceptable to the County. The County and its officers, employees, and agents shall be named as additional insureds. The certificate of insurance must provide, in a substantially similar form, that the insurance covered by the certificate shall not be canceled or materially altered except after thirty (30) days written notice provided to and received by the County. Such insurance coverage shall be primary and noncontributory. The Foundation defends, indemnifies, and holds harmless the County and its officers, employees, and agents from claims, suits, liability, damage, and expenses of any kind that might arise from the Foundation's or its officers', directors', employees', agents', members', or volunteers' negligence, recklessness, or intentional misconduct or the Foundation's failure to perform its obligations under this MOA. The provisions of this section shall survive termination of this MOA as to acts or omissions occurring prior to the effective date of termination. Nothing in this MOA shall be construed to waive or limit the County's sovereign immunity or to waive or limit any immunity the Foundation may enjoy under Virginia law as a charitable non-profit organization or by virtue of its work on County property. By signing this MOA, the Foundation certifies that, as of the date of this MOA, it has no employees and is not subject to Workers' Compensation Insurance requirements under Title 65.2 of the Code of Virginia, 1950, as amended. If at any time hereafter the Foundation becomes subject to such Workers' Compensation Insurance requirements, then it must certify in writing its compliance with such requirements and provide to the County written verification of Workers' Compensation Insurance coverage.

b. If the Foundation organizes and provides services to the County under this MOA, the Foundation shall require all of its officers, directors, employees, agents, members and volunteers who provide such services under this MOA to sign an Assumption of Risk, Release of Liability, and Indemnification Agreement (each a "Release Form" and collectively, the "Release Forms") before providing such services. The Foundation must maintain all original Release Forms for at least three (3) years after the conclusion of a project covered by such Release Form and provide to the County a true copy or copies upon request. Parents, guardians, or legal custodians of members and volunteers under the age of eighteen (18) years must sign Release Forms on their own behalf and on behalf of the minor member or volunteer participating hereunder.

5. Term.

This MOA becomes effective upon execution by all parties. The initial term of this MOA shall expire on December 31, 2029. It may be renewed for subsequent five-year terms upon the written consent of both parties.

6. Termination.

Either party may terminate this MOA in whole or in part at will by delivering to the other party written notice of termination at least ninety (90) days prior to the effective date of any such termination.

7. Dispute Resolution.

If a dispute as to any provision of this MOA arises or if either party materially breaches or fails to perform its obligations under this MOA, the other party may give written notice of the dispute or material breach. The parties will meet to resolve the dispute or material breach within thirty (30) days of receipt of the notice. If the parties fail to resolve the dispute within sixty (60) days of such notice or a longer time upon which the parties might agree, the parties will enlist the services of a mediator to resolve the dispute.

8. Notice.

Any notice or notices required or permitted to be given under this MOA shall be given by certified mail, postage prepaid, to the following at the noted addresses. Any notice or notices provided shall also be delivered in a pdf format by email.

To the County:	Albemarle County Fire Rescue 460 Stagecoach Rd. Charlottesville, Virginia 22902 Attention: Chief Dan Eggleston Email: deggleston@albemarle.org
with a copy to:	County of Albemarle 401 McIntire Road Suite 228 Charlottesville, Virginia 22902 Attention: County Executive Email: jrichardson3@albemarle.org
To the Foundation:	Albemarle County Fire Rescue Foundation 323 2nd Street SE, Suite 900 Charlottesville, Virginia 22902 Attention: Valerie W. Long, Registered Agent Email: vlong@williamsmullen.com

9. Mechanic's Liens.

During the term of this MOA, the Foundation will promptly remove or release any mechanic's or materialman's lien attached to or on any County property or any portion by reason of any act or omission of the Foundation, its contractors or its agents in connection with any activity performed by the Foundation. The Foundation will hold harmless the County and its officers, employees, agents, and volunteers from any such lien or claim of lien. This provision shall survive termination, cancellation, or expiration of this MOA.

10. No Funding Obligations.

This MOA creates no fiscal or funding obligation on either party. Nothing in this MOA shall be construed to require either party, the Albemarle County Board of Supervisors, the Board of Directors of the Foundation, or any affiliate, agency, or department of the parties or respective boards to obligate or expend funds.

11. Ownership of Improvements.

Unless the parties otherwise agree in writing, all improvements made under this MOA belong to and are owned by the County. The parties intend all immunities provided for under Virginia common law and the Virginia Code, as amended, from liability for damages arising from the installation, maintenance, and operation of any improvement permitted herein, shall apply fully and without limitation.

12. Modification, Amendment, and Waiver.

There may be no modification to this MOA except in a writing executed by the authorized representatives of the Foundation and the County.

13. Severability.

Any provision of this MOA which is prohibited or unenforceable shall be ineffective only to the extent of such prohibition or unenforceability without invalidating the MOA's remaining provisions.

14. Governing Law and Venue.

This MOA and all matters related hereto shall be governed exclusively by the laws of the Commonwealth of Virginia and all questions arising with respect to the validity, interpretation, obligations, or performance under and pursuant to this MOA shall be determined in accordance with such laws. The Foundation shall comply with all federal, state, and local statutes, ordinances, and regulations now in effect or hereafter adopted in the performance of its obligations set forth in this MOA. Any and all suits for any claim or for any and every breach of duty arising out of this MOA shall be maintained in the appropriate court of competent jurisdiction in the County of Albemarle, Virginia.

15. Entire Agreement.

This writing constitutes the entire agreement of the parties.

16. Participation in Similar Activities.

This MOA is non-exclusive in that it does not restrict either party from participating in similar activities or arrangements with other public or private agencies, organizations, or individuals.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Agreement to be executed by their duly authorized representatives as of the latest date noted below.

COUNTY OF ALBEMARLE, VIRGINIA

By: ______________________
Jeffrey B. Richardson
County Executive

3/7/25
Date

Approved as to form:

____
County Attorney

ALBEMARLE COUNTY FIRE RESCUE FOUNDATION

By: Valerie W. Long
Valerie W. Long
Director

February 17, 2025
Date

Item No. 8.3. Resolution to Accept Road(s) in the Brookhill Subdivision Phase 1 into the State Secondary System of Highways. (Rivanna Magisterial District).

By the above-recorded vote, the Board adopted the Resolution to Accept Road(s) in the Brookhill Subdivision Phase 1 into the State Secondary System of Highways:

The Board of County Supervisors of Albemarle County, Virginia, in regular meeting on the 5th day of March, 2025, adopted the following resolution:

R E S O L U T I O N

WHEREAS, the street(s) in Brookhill Subdivision Phase 1, as described on the attached Additions Form AM-4.3 dated March 5th, 2025, fully incorporated herein by reference, is shown on plats recorded in the Clerk's Office of the Circuit Court of Albemarle County, Virginia; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised the Board that the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle Board of County Supervisors requests the Virginia Department of Transportation to add the street(s) in Brookhill Subdivision Phase 1, as described on the attached Additions Form AM-4.3 dated March 5th, 2025, to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements; and

BE IT FURTHER RESOLVED that the Board guarantees a clear and unrestricted right- of-way, as described, exclusive of any necessary easements for cuts, fills and drainage as described on the recorded plats; and

FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

* * * *

Form AM 4.3
(Rev 02/03/2025)

ICR ID: 40535029
SSAR

VDOT COMMONWEALTH OF VIRGINIA DEPARTMENT OF TRANSPORTATION
Form AM 4.3

In Albemarle County

by Resolution of the governing body adopted 3/5/2025

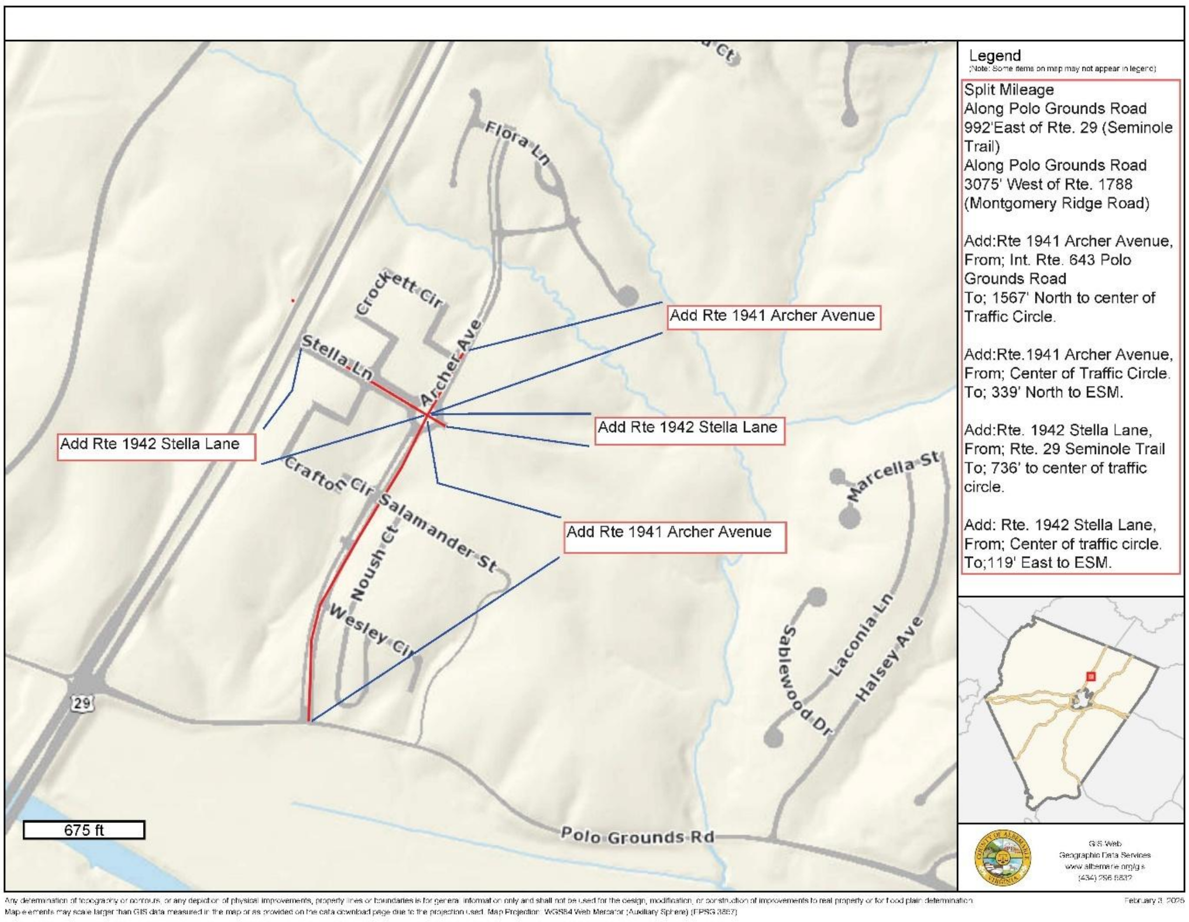
The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes to the secondary system of state highways.

A Copy Testee Signed (County Official): Claude Ahlberg

Report of Changes in the Secondary System of State Highways

Project/Subdivision: **Brookhill Ph 1**

CHANGE TYPE	RTE NUM & STREET NAME	CHANGE DESCRIPTION	FROM TERMINI	TO TERMINI	LENGTH	NUMBER OF LANES	RECORDATION REFERENCE	ROW WIDTH
Addition	Rt. 1941 - Archer Avenue	New subdivision street §33.2-705	Center of Traffic Circle	339' North to ESM	0.06	2	DB 5121/644	93.00
Addition	Rt. 1941 - Archer Avenue	New subdivision street §33.2-705	Int Rte 643 Polo Grounds Road	1567' North to center of Traffic Circle	0.30	2	DB 5121/644	109.00
Addition	Rt. 1942 - Stella Lane	New subdivision street §33.2-705	Rte 29 Seminole Trail	736' East to center of Traffic Circle	0.14	2	DB 5121/644	109.00
Addition	Rt. 1942 - Stella Lane	New subdivision street §33.2-705	Center of Traffic Corcle at Stella and Archer	119' East to ESM	0.02	2	DB 5121/644	105.00



Item No. 8.4. SE202400037 Woodbrook Apartments - Perimeter Landscape Buffer.

The Executive Summary forwarded to the Board states that the applicant requests a variation to modify the yard requirements associated with the approved application plan for Woodbrook Apartments (ZMA202300006). Under County Code § 18-8.5.5.3(a)(1), the Board of Supervisors may grant a variation of an approved plan, code, or standard for minor changes to yard requirements. The proposed variation is to allow a dumpster to be relocated from the adjacent Parcel ID 04500-00-00-091B1+ onto one of the 6' perimeter landscaping areas required on the application plan for Woodbrook Apartments. The 6' perimeter landscaping area would remain the same size, and the dumpster would be fully screened.

Staff recommends that the Board adopt the attached Resolution (Attachment C) to approve a variation to allow a minor change to the yard requirements in the approved application plan.

By the above-recorded vote, the Board adopted the attached Resolution (Attachment C) to approve a variation to allow a minor change to the yard requirements in the approved application plan:

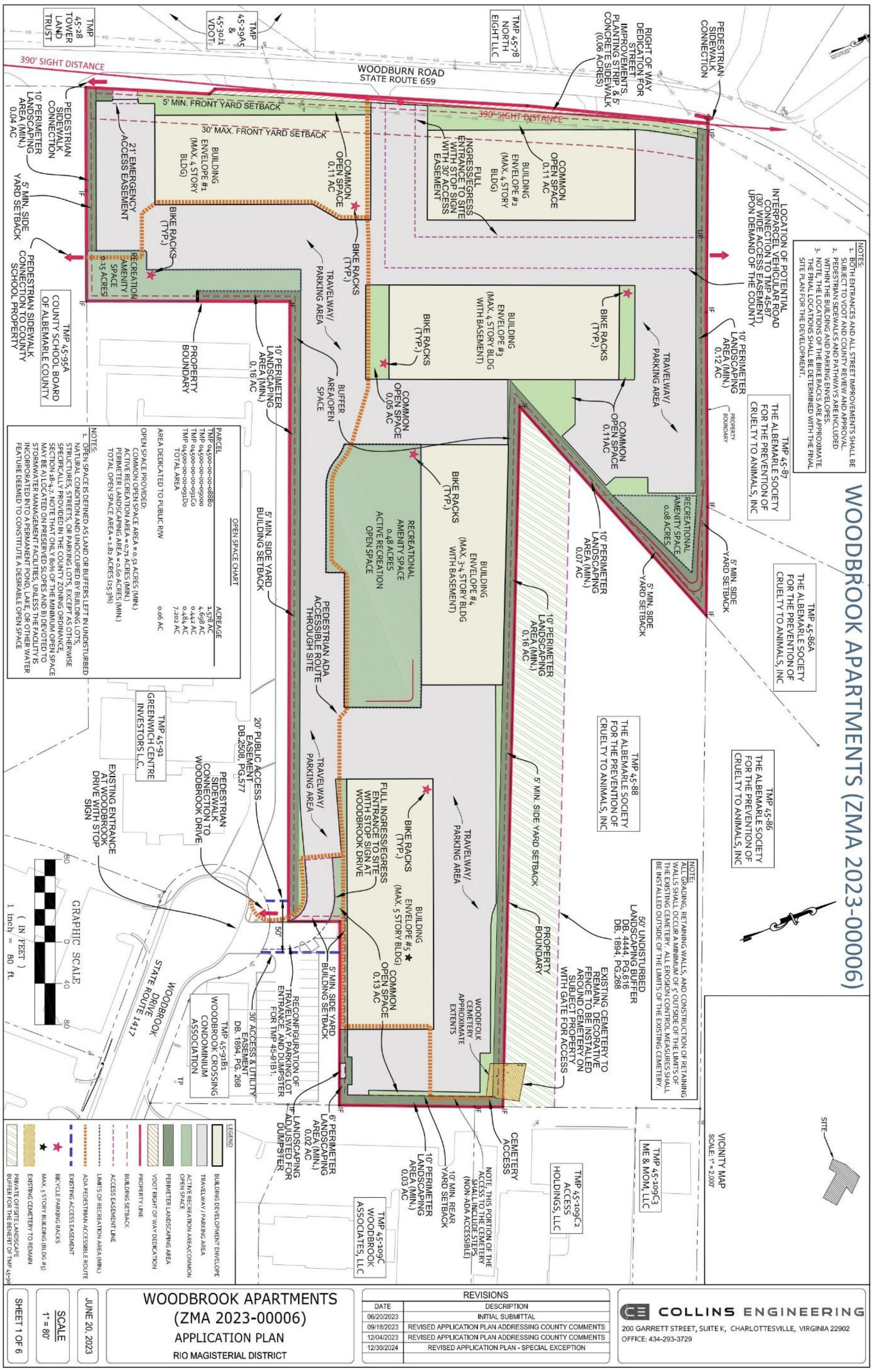
RESOLUTION TO APPROVE SE2024-00037
WOODBROOK APARTMENTS- PERIMETER LANDSCAPE BUFFER

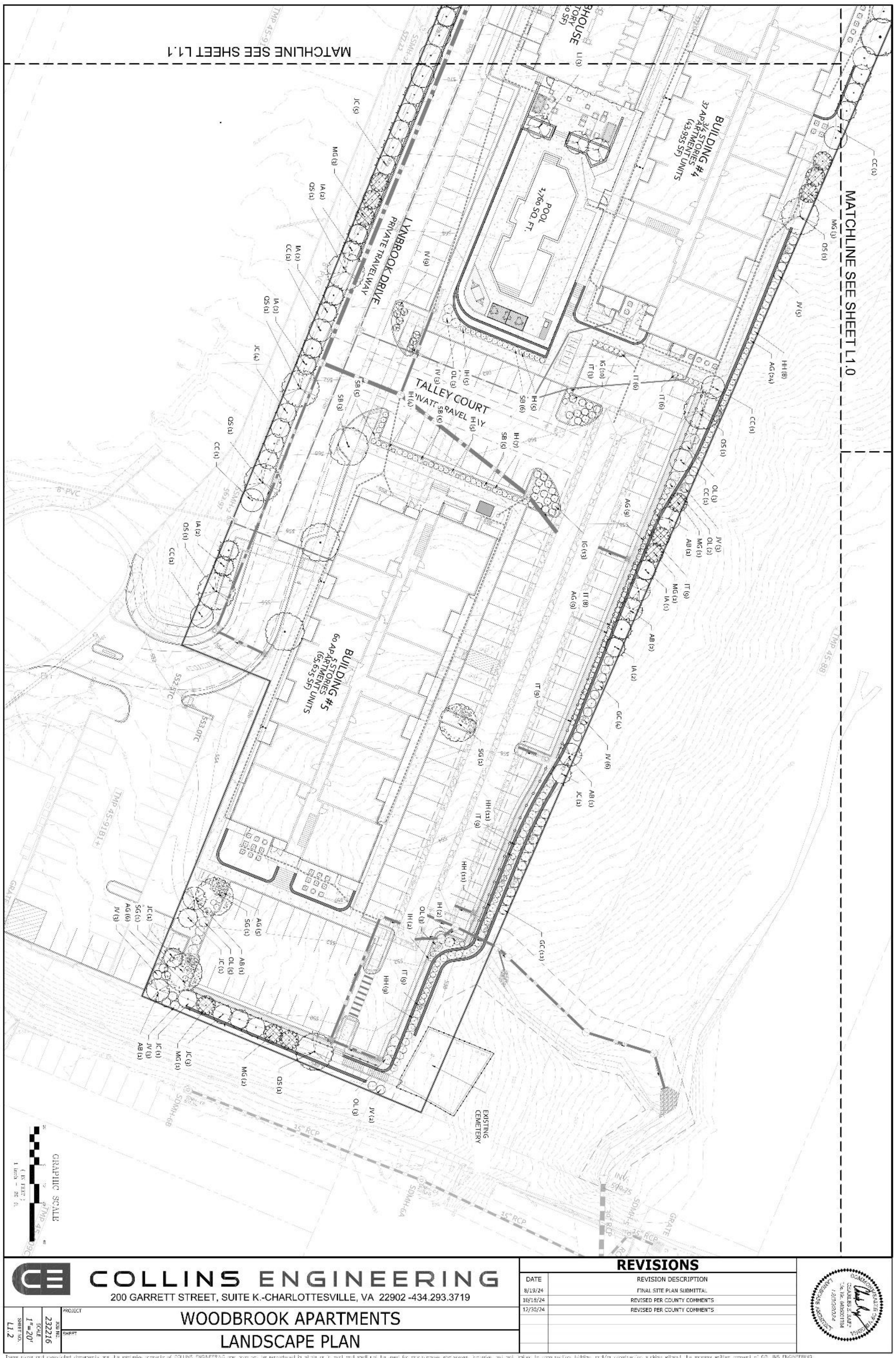
WHEREAS, upon consideration of the staff reports prepared for SE2024-00037 Woodbrook Apartments Perimeter Landscape Buffer and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-8.5.5.3(c) and 18-33.9(A), the Albemarle County Board of Supervisors hereby finds that the proposed variation:

(i) is consistent with the goals and objectives of the comprehensive plan;
(ii) does not increase the approved development density or intensity of development;
(iii) does not adversely affect the timing and phasing of development of any other development in the zoning district;
(iv) does not require a special use permit; and
(v) is 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 a variation to allow a dumpster to be relocated from the adjacent Parcel ID 04500-00-00-091B1+ onto one of the 6' perimeter landscaping areas required on the application plan for Woodbrook Apartments.

* * * * *


WOODBROOK APARTMENTS (ZMA 2023-00006)
WOODBURN ROAD
STATE ROUTE 659
390' SIGHT DISTANCE
NOTES:
1. BOTH ENTRANCES AND ALL STREET IMPROVEMENTS SHALL BE SUBJECT TO VDOT AND COUNTY REVIEW AND APPROVAL.
2. PEDESTRIAN SIDEWALKS AND PATHWAYS ARE INCLUDED WITHIN THE BUILDING AND PARKING ENVELOPES.
3. NOTE, THE LOCATIONS OF THE BIKE RACKS ARE APPROXIMATE. THE FINAL LOCATIONS SHALL BE DETERMINED WITH THE FINAL SITE PLAN FOR THE DEVELOPMENT.
BUILDING ENVELOPE #1 (MAX. 4 STORY BLDG)
BUILDING ENVELOPE #2 (MAX. 4 STORY BLDG)
BUILDING ENVELOPE #3 (MAX. 4 STORY BLDG WITH BASEMENT)
BUILDING ENVELOPE #4 (MAX. 3-4 STORY BLDG WITH BASEMENT)
BUILDING ENVELOPE #5 (MAX. 5 STORY BLDG)
RECREATIONAL AMENITY SPACE 0.48 ACRES ACTIVE RECREATION OPEN SPACE
TMP 45-86A THE ALBEMARLE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, INC
TMP 45-88 THE ALBEMARLE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, INC
TMP 45-86 THE ALBEMARLE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, INC
TMP 45-87 THE ALBEMARLE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, INC
TMP 45-95A COUNTY SCHOOL BOARD OF ALBEMARLE COUNTY
TMP 45-91 GREENWICH CENTRE INVESTORS L.C.
TMP 45-91B1 WOODBROOK CROSSING CONDOMINIUM ASSOCIATION
TMP 45-109C WOODBROOK ASSOCIATES, LLC
TMP 45-109C2 ACCESS HOLDINGS, LLC
TMP 45-109C3 ME & MOM, LLC
WOODBROOK DRIVE STATE ROUTE 1417
WOODFOLK CEMETERY APPROXIMATE EXTENTS
50' UNDISTURBED LANDSCAPING BUFFER DB. 4444, PG. 618 DB. 1894, PG. 268
GRAPHIC SCALE
1 inch = 80 ft.
VICINITY MAP SCALE: 1" = 2,000'
WOODBROOK APARTMENTS
(ZMA 2023-00006)
APPLICATION PLAN
RIO MAGISTERIAL DISTRICT
JUNE 20, 2023
SCALE 1" = 80'
SHEET 1 OF 6
REVISIONS
DATE DESCRIPTION
06/20/2023 INITIAL SUBMITTAL
09/18/2023 REVISED APPLICATION PLAN ADDRESSING COUNTY COMMENTS
12/04/2023 REVISED APPLICATION PLAN ADDRESSING COUNTY COMMENTS
12/30/2024 REVISED APPLICATION PLAN - SPECIAL EXCEPTION
COLLINS ENGINEERING
200 GARRETT STREET, SUITE K, CHARLOTTESVILLE, VIRGINIA 22902
OFFICE: 434-293-3729



______

Item No. 8.5. SE202500002 Woodbrook Apartments - Use Buffer.

The Executive Summary forwarded to the Board states that the applicant requests a special exception to disturb the 20-foot use buffer required by County Code § 18-21.7(c) between commercial and adjacent residential use. Under County Code § 18-21.7(c), the Board of Supervisors may waive by special exception the prohibition of construction activity, grading, or the clearing of vegetation in the use buffer. This request is in association with the proposed adjacent Woodbrook Apartments.

The subject parcel, known as Woodbrook Crossing, was approved with a shared entrance with the adjacent Woodbrook Apartments parcel. In order to achieve this interconnection, the approved application plan for Woodbrook Apartments (ZMA202300006) identified the relocation of the subject parcel's existing dumpster, but did not specify the location. In order to meet the requirements of the approved application plan, the existing parking requirements of the subject parcel, and because of the small size of the parcel (0.55 acres), the dumpster would be relocated within the Woodbrook Apartments site. The subject parcel would obtain access through the 20' use buffer and additional parking would be relocated within the use buffer as well.

Staff recommends that the Board adopt the attached Resolution (Attachment D) to approve a special exception to allow disturbance within the 20' use buffer, subject to the recommended conditions.

By the above-recorded vote, the Board adopted the attached Resolution (Attachment D) to approve a special exception to allow disturbance within the 20' use buffer, subject to the recommended conditions**:**

RESOLUTION TO APPROVE SE2025-00002
WOODBROOK APARTMENTS - USE BUFFER

WHEREAS, upon consideration of the staff reports prepared for SE2025-00002 Woodbrook Apartments - Use Buffer and the attachments thereto, including staff's supporting analysis, any comments received, and all relevant factors in Albemarle County Code §§ 18-21.7(c) and 18-33.9(A), the Albemarle County Board of Supervisors hereby finds that:

(i) the developer or subdivider has demonstrated that grading or clearing is necessary or would result in an improved site design;
(ii) minimum screening requirements will be satisfied; and
(iii) existing landscaping in excess of minimum requirements will be substantially restored;

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves a special exception to disturb the 20-foot use buffer required by County Code § 18-21.7(c) on the subject parcel, subject to the conditions attached hereto.

* * *

SE 2025-0002 Woodbrook Apartments Use Buffer Conditions

1. Development of the use must be in general accord with the conceptual plan titled, "Woodbrook Crossing: Special Exception Plan," drawn by Collins Engineering, dated 12-30-2024. To be in general accord, development must reflect the following major elements essential to the design of the development:
    a. The location for access to the proposed dumpster within the 20' use buffer.
    b. The location of the three parking spaces within the 20' use buffer.

2. Disturbance of the use buffer is limited to access to the proposed dumpster and the relocation of three parking spaces.

3. The entirety of the undisturbed 20' use buffer must be screened in accordance with County Code § 18-32.7.9 (Landscaping and Screening).

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Item No. 8.6. Cost of Community Services Study, ***was received for information***.

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Item No. 8.7. Albemarle Broadband Authority Quarterly Report (4th Qtr, CY 2024), ***was received for information***.

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Agenda Item No. 9. **Action Item:** SE-2025-00003 Rockfish Gap Turnpike Country Store.

The Executive Summary forwarded to the Board states that under County Code § 18-5.1.45(a)(4), an historic country store building may not exceed the gross floor area of the building as it existed on November 12, 2008, or 4,000 square feet gross floor area, whichever is greater. Under § 18-5.1(a), the Board of Supervisors may modify or waive any requirement of section 18-5, including the country store maximum square footage. The applicant is requesting a modification of the maximum gross floor area of the class A country store known as the Greenwood Grocery, located on Parcel 07100-00-00-004A1, with an address of 6701 Rockfish Gap Turnpike, from 4,000 square feet to approximately 5,600 square feet. The proposed modification is intended to incorporate the adjacent residential structure at 6695 Rockfish Gap Turnpike into the country store use.

A detailed staff analysis is provided in Attachment B.

Staff recommends that the Board adopt the attached resolution (Attachment D) to approve the special exception to increase the permitted square feet gross area for a class A country store at 6701 Rockfish Gap Turnpike to approximately 5,600 square feet, on the condition that all structures and uses associated with the subject class A country store must be located on the same parcel.

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Ms. Lea Brumfield, Senior Planner II, said that before the Board was Special Exception 2025-03 for 6701 Rockfish Gap Turnpike, the Greenwood Grocery Country Store expansion. She said that the request was for a modification of the maximum gross floor area of the Greenwood Grocery. She explained that, per the regulations in Country Stores, Supplementary Regulations 5.1, the maximum gross floor area for Country Stores Class A is 4,000 square feet, and this item was a request for an expansion from 4,000 to approximately 5,600 square feet.

Ms. Brumfield said that displayed on the slide was an aerial view of the current grocery store and the smaller building that, as described in the staff report, was requesting to be included in the country store. She said that also included was an aerial view of the plan provided by the applicant, showing the one-story block building, which was the country store, and the one-and-a-half-story frame residence, which would be incorporated into the country store Class A.

Ms. Brumfield said that for context, the grocery itself was built as a hut for fruit sales around 1957. She said that although the exact timeline was unclear, the hut was expanded into a country store between 1960 and 1990 with regular changes and updates and expansions. She said that it was burned in 1999 and then rebuilt between late 1999, 2000, through 2003 as a nonconforming Class A country store with nonconforming status. She said that in 2008, the Class A country store regulations were adopted, establishing the Greenwood Grocery as a Class A country store.

Ms. Brumfield said that the residence that they were requesting to add was occupied by Basil and Vernell Morris between 1951 and 1999; they were also the operators of the country store during that time period. She said that the location was used for fruit sales and later additional sales from a picnic table and a pickup truck before they moved to the grocery location on the parcel next door.

Ms. Brumfield said that following the fire that destroyed the country store building in 1999, the residence was used as a primary sales location for the business of the country store. She said that recently, the current owners submitted a building permit application for alterations to the building, which raised questions about the type of permit required. She said that initially, it was submitted as a residential permit, but after discussions with the applicant, it was determined that a commercial permit was necessary for the country store use.

Ms. Brumfield said that this led to a letter of determination, which clarified that the residence was not traditionally part of the actual country store building, and as a result, the applicant was seeking a special exception today. She said that while they worked through the process, the construction remained paused. She said that the applicant was now there to request the expansion of the overall square footage.

Ms. Brumfield said that she would like to provide some context by showing the Board a view of the country store from the front, the parking lot area, and the side of the building. She said that on the other side of the property, they could see the house where construction was started and halted to renovate the location for country store use. She said that the applicant plans to combine the two properties into one parcel, which staff recommends, as it would result in a single use of a country store on the parcel.

Ms. Brumfield said that because the properties were owned by the same individual, there was a fence separating them for country store operations. She said that looking out from the country store entrance, they could see the turnpike, with some trees and bushes in the front yard. She said that while there was not extensive screening, any exterior changes would require further consideration. She said that staff recommended that the Board adopt the resolution in the staff report.

Mr. Andrews said that the issue was that they had two separate buildings, which would then become one lot and one place. He asked if there would be a problem if there had been two separate owners with separate stores.

Ms. Brumfield said that if the residence had been used as a country store and established as its primary use, then that would have been a country store. She said that since it was not primarily used as a country store, but rather as a residence with accessory uses, that would be a different situation.

Mr. Gallaway said that at their last Board meeting, when they discussed the Rural Area, they explored ideas that could exist in the Rural Area, including country stores and similar concepts. He said that he could not help but make a comment to draw their memories back to that previous conversation. He said that this type of use came to be due to the individuals involved who made it work, which was similar to what was happening now; however, back then there were no regulations in place to allow it to happen.

Mr. Gallaway said that he did not think that the Board would have any problem with supporting this and this was not a criticism, but it was worth noting that this did make everything more expensive for those involved and, ultimately, for the people purchasing from them. He asked if they would have a problem with a similar project of 1,600 square feet in another location. He said that perhaps that was why it was being presented to them individually, to assess each application. He said that he was wondering if they were allowing their regulations to hinder their ability to support businesses that wanted to make this happen or to expand.

Ms. McKeel said that she agreed that the effort it took to abide by the regulations in terms of time and expense was an issue.

Mr. Gallaway said that staff time was a consideration, noting that if this proposal moved forward, it was a relatively quick item for them to address. He said that he was wondering what else staff time could have been used for in this situation.

Ms. Mallek said that this example illustrated how things in transition, such as those that had been operating for 50 or 100 years, must adapt to modern regulations. She said that she was glad that she had the opportunity to thank Ms. Brumfield earlier because it was a complex issue from a civilian's point of view, and she herself had often struggled to obtain the correct building permits. She said that she appreciated the help provided for people in this process.

Mr. Andrews said that he would make the motion because this was in the Samuel Miller District.

Mr. Andrews **moved** that the Board of Supervisors adopt the special exception in the form of Attachment D. Ms. Mallek **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

Ms. Mallek said that Greenwood Grocery was a true community hub, and they provided exceptional food for the Virginia Association of Counties (VACo) Board during their visit to the County last spring. She said that they established valuable connections with local growers and sandwich makers, offering a wide range of delicious items available through their catering services. She said that it was indeed a gem, and she was delighted that they would continue to operate, serving the best strawberries in the area.

RESOLUTION TO APPROVE SE-2025-00003
ROCKFISH GAP TURNPIKE COUNTRY STORE

WHEREAS, upon consideration of the Memorandum prepared in conjunction with the SE-2025-00003 Rockfish Gap Turnpike Country Store application and the attachments thereto, including staff's supporting analysis, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-5.1 and 18-33.9, the Albemarle County Board of Supervisors hereby finds that a modified regulation would serve the public health, safety, or welfare, or satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the specified requirement.

NOW, THEREFORE, BE IT RESOLVED, that in association with the SE-2025-00003 Rockfish Gap Turnpike Country Store application, the Albemarle County Board of Supervisors hereby grants a special exception to increase the permitted square feet gross area for a class A country store at 6701 Rockfish Gap Turnpike to approximately 5,600 square feet, provided that all structures and uses associated with the subject class A country store must be located on the same parcel.

Agenda Item No. 10. **Work Session:** AC44: Parks, Recreation and Open Space.

The Executive Summary forwarded to the Board states that Albemarle County is updating the Comprehensive Plan through the Albemarle County 2044 (AC44) project. The project is in Phase 3: drafting language for the four-part Comprehensive Plan document and developing Plan actions.

The draft language for the Part III - Parks, Recreation, and Open Space chapter in Attachment B is built upon community input and reflects the Planning Commission's and Board's feedback.

Albemarle County's parks and recreation facilities, greenways, and open space areas enhance the quality of life for community members by providing exercise, physically active transportation connections, social interaction, and connection to nature. These publicly accessible amenities, and associated land, also aid in the preservation of natural landscapes, historic resources, and habitat, while providing enhanced climate resilience. Managed parks and athletic facilities offer active recreation opportunities, such as playgrounds and organized sports programs. Preserved nature areas, greenways, and blueways (waterway trails) provide a means for passive recreation, such as walking, biking, paddling, fishing and enjoying nature.

The majority of Albemarle County's large parks and open spaces are located within the Rural Area, which contains 95% of the County land area. Given the allocation of dedicated land and recreation amenities within the Rural Area, AC44 places special emphasis upon expanding the parks, open space and recreation amenities within the Development Area, where most county community members reside. This emphasis includes an expansion of shared use paths within and throughout the greenway network, including upgrading existing trails to shared use paths where appropriate and creating new shared use path connections. By expanding this urban network of parks, open space and paths, more residential neighborhoods will be located within walking or biking distance of these amenities.

AC44 also seeks to provide more inclusive access to community members of all backgrounds and ability levels to enjoy parks, greenway paths, recreational facilities, and recreational activities. Such measures include increasing universal access to greenways and parks, expanding facilities at parks and recreation centers, and offering more athletic and recreational programs.

County parks, open spaces, greenways and blueways trail networks provide a valuable contribution towards climate resilience. The preserved public land within these areas offers the benefits of natural resources, including trees and other vegetation that provide carbon sequestration, reduced heat impacts, and streamside buffering that reduces pollution, runoff and while mitigating flood impacts for county waterways. Greenway paths support multi-modal transportation options such as biking and walking, reducing the emissions associated with vehicle travel. Additionally, sustainable management practices offer opportunities to support native species of plants and animals and to employ green maintenance strategies, such as no-mow zones.

For reference, a summary of previous Planning Commission and Board of Supervisors feedback on Parks, Recreation, and Open Space is provided as Attachment D. Community input themes associated with the topic are summarized in Attachment C.

An updated AC44 outline is provided as Attachment A. As a reminder, the topics within the red box will be the focus of today's work session. This work session focuses on proposed comprehensive plan language within Attachment B, including the draft actions, with particular emphasis upon the actions associated with the following objectives:

- Objective 2: increasing county owned land for parks, greenways, and recreation facilities, prioritizing the Development Areas.
- Objective 3: accelerating the development of urban parks and greenways within a 15-minute walk of residents in the Development Areas.
- Objective 6: expanding the greenways network to increase multimodal connections.

The Planning Commission previously held a work session on Tuesday, January 28, 2025, to discuss the Parks, Recreation, and Open Space chapter.

There is no budget impact associated with this agenda item.

Staff requests the Board review and provide feedback on the draft Parks, Recreation, and Open Space chapter.

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Mr. Ben Holt, Senior Planner II, stated that he would be presenting on behalf of the Long-Range Planning Team. He said that the work session would focus on the Parks, Recreation, and Open Space chapter. He said that he would keep his presentation brief, and he would be sharing duties with Tim Padalino, Chief of Parks Planning, to his right. He said that they would make sure to allow ample time for discussion and feedback.

Mr. Holt stated that the presentation would cover previous feedback from the Planning Commission (PC) and the Board, including their recent work session with the PC last week. He said that they would also examine community input and general content for the chapter, as well as take a sneak peek at the upcoming stages of AC44. He said that the focus topics would include expanding park and trail development within Development Areas, creating more walkable access, improving sustainable management practices within park facilities, and increasing multimodal connections within the greenways network.

Mr. Holt said that previous PC and Board feedback included support for new parks and green spaces within the Development Area, as well as concerns that they had relied too heavily on developers to provide green space that ultimately was inaccessible to the general public. He said that the feedback also highlighted the need for new funding sources, enhanced connectivity for the parks and greenways system, provision of community gathering spaces, and consideration of the costs associated with expanding and maintaining their park system.

Mr. Holt said that during their work session on February 25, the PC noted that the language should be vetted to ensure the objectives within the chapter were measurable and achievable. He said that the PC also expressed consensus support for expanding the parks network within Development Areas and utilizing area plans to integrate parks planning and trails connectivity. He said that the PC also discussed exploring funding sources, including a potential land acquisition fund, and their desire to expand the Rivanna trail system to include additional launch facilities for canoes and kayaks. He said that they also suggested considering how their parks and recreation facilities could function as gathering spaces for events and arts.

Mr. Holt said that the public feedback supported the expansion of parks and trails networks within Development Areas, as well as expanded amenities and programs catering to diverse users and age groups, including accommodations for art and entertainment, and more inclusive accessibility for all. He said that the feedback also supported sustainable management practices, expanded Rivanna River access, and expanded facilities for pools and splash pads, which were popular amenities with the public.

Mr. Holt said that at their community open house event on January 29, staff received support for the Parks and Recreation master planning process, allowing the public to inform their plans and needs assessment. He said that the public also expressed interest in acquiring new land for the parks system and revisiting specific recreational uses desired by the public. He said that there was also ongoing interest in adding equestrian trails within Biscuit Run Park. He said that although individual trails within each park were not addressed at the Comprehensive Plan level, these uses will be considered and assessed as part of the Countywide parks and recreation needs assessment and future park master plans, noted in Actions 1.1 through 1.3.

Mr. Holt said that the goal statement of the chapter indicated that the parks and trail system would provide both passive and active recreation opportunities, active modes of transportation, support climate resilience, and feature welcoming and inclusive amenities.

Mr. Holt said that chapter objectives included planning for current and future community needs, increasing County land ownership for parks facilities and greenways, expanding parks and greenways within Development Areas, improving accessibility, enhancing sustainability, expanding multimodal connections, and expanding recreation facilities and programs for the public. He said that these objectives align with the continued themes from the 2015 plan, which include developing parks and greenways, protecting natural areas, expanding public access, and enhancing multimodal connections.

Mr. Tim Padalino, Chief of Parks Planning, said that he was pleased to be present and engage with the Board regarding AC44's Parks, Recreation, and Open Space chapter. He said that in terms of the emerging themes they were focusing on and incorporating into this plan, they were prioritizing the acquisition of County-owned land for parks and greenways, expanding parks and greenways within Development Areas, including pocket parks, increasing walkable access to parks and greenways measured by one-quarter mile or a 15-minute walk, and enhancing their focus on environmental resilience and sustainable land management practices. He said that these practices included invasive species management, restoration of forests, riparian areas and streams, and conservation of natural heritage resources.

Mr. Padalino said that an additional emphasis was placed on the Rivanna River, and more specifically, the combination of separate but interrelated planned projects along the river corridor. He said that this vision of a Rivanna Greenway and Blueway was a regional river park system with expanded greenway trails and improved Blueway access points or river parks. He said that the idea was that this was a large-scale vision extending from Brook Hill River Park down to the future Buck Island River Park, encompassing 17 river miles, linking Places 29 and Pantops Development Areas, the City of Charlottesville, Monticello, which was a World Heritage Site, and the Rural Area within the Rivanna District.

Mr. Padalino said that currently, the top priority projects would be upgrades to Brook Hill River Park, the extension of the Old Mills Trail Greenway from Pantops to Milton, and development of the future Milton Landing River Park. He noted that, based on the terms of their Greenway Easement Deed with Monticello, Albemarle County must begin construction of the Old Mills Trail extension by or before August 2027, which required them to begin the design and permitting phase in FY26, but it was currently unfunded.

Mr. Padalino added that Buck Island River Park was another excellent opportunity as a future County park. He said that while the river park projects and Greenway Trail extension may be a higher priority, he wanted to bring this to the Board’s attention. He said that this was not a new idea, as the Rivanna corridor vision was already outlined in their Comprehensive Plan, master plans, and the Urban Rivanna River Corridor Plan prepared by Thomas Jefferson Planning District Commission (TJPDC) for the City and County.

Mr. Padalino said that to summarize, Rivanna was the primary waterway in the Charlottesville-Albemarle metro area, currently underutilized but with great potential as a top highlight of their region's outdoor recreation and open space portfolio. He said that his final point of emphasis was that they currently had documented needs for additional parks, greenways, athletic fields, and sport courts, and these needs were growing due to factors such as anticipated population growth, urbanizing land patterns, especially in Development Areas, and increased visitation and use. He said that this resulted in a deepening of parks and greenways, which were essential for their quality of life, health and wellness, and economy.

Mr. Padalino said that for example, during the coronavirus pandemic, they saw a 16% increase in visitation in 2020, followed by an additional 14% increase in 2021. He said that in calendar year 2023, Albemarle County Parks saw over 600,000 more visitors than in 2019, representing a 40% increase over a short period. He said that this trend was consistent with national data, highlighting the importance of parks and greenways as essential infrastructure for thriving communities.

Mr. Holt said that in terms of how this Parks and Recreation Chapter fit into the overall Comprehensive Plan, they had overlap with Transportation, as portions of the County's trail network were maintained at a higher level and were part of the transportation network. He said that Environmental Stewardship was another related chapter, as their parkland helped preserve native species, and it also overlapped with Development Areas Land Use and Housing, where open space areas and pocket parks were essential amenities to have near housing for community access.

Mr. Holt said that this chapter also overlapped with their Historic, Scenic, and Cultural Resources chapter, their Thriving Economy chapter, Community Facilities, and Resilient Communities.

Mr. Holt said that moving forward, they would continue their discussion on land use and community design guidelines with the Board on April 2. He said that the Thriving Economy Chapter would be reviewed at a PC work session on March 11 and at the Board meeting on April 16. He said that they also recently held a Lunch and Learn event to cover the Thriving Economy Chapter. Community Facilities and Infrastructure would be covered with the PC at a work session on March 25 and with the Board on April 16, in a joint session to discuss Economy and Community Facilities chapters. A tentative date for their Lunch and Learn with the Community Facilities chapter was March 27. He said that their Engage Albemarle website would continue to be a critical part of their engagement efforts, as they published draft chapters for the remaining AC44 topics.

Mr. Holt said that with that, they would now proceed to their discussion portion. He said that staff would like to highlight Objectives 3, 5, and 6 as areas that required particular input, and then they would open the floor to any other objectives and actions the Board would like to discuss.

Mr. Andrews asked if staff was seeking general feedback on Objectives 3, 5, and 6, or if they had specific questions the Board should answer.

Mr. Holt replied that staff was not looking for anything specific; these objectives were reviewed with the PC as well because staff felt these were areas that might be points of investment in their systems.

Ms. Mallek said that regarding Objective 3, it was a grand idea to have more small places with shade and a bench. She said that many people over many years had said they did not have to have everything at once; could they start with something simple that they could actually implement? She said that a simple combination of a boulder, a shade tree, and a bench for a mother to sit on was a really great idea. She said that several people had spoken about these small pocket parks, which could easily fit into their Growth Area for many years. She said that she certainly supported this concept and believed it would be a great opportunity for the Board to designate more of these small areas during the approval process.

Mr. Pruitt stated that he generally agreed with Objective 3 as drafted. He said that he appreciated the point they were making about the Board needing a forcing function to move this forward. He said that something the Board had discussed and generally agreed on was the importance of investing in urban parks and pocket parks.

Mr. Pruitt said that, however, it was one thing for the Board to say it needed to happen, but it was another to actually make it happen. He said that without a clear plan and a commitment to public funding, it was unlikely to move forward. He said that he believed this was an opportunity for the Board to weigh in and push the issue, which would then enable staff to develop a proposal and move it forward.

Mr. Pruitt said that he appreciated the point they were making about the need for public funding, and he thought this was a necessary first step to making this a reality. He said that he also assumed that this aligned with the previous objective regarding the limited availability of County-owned land in dense Urban Areas, such as the Rio region and downtown Crozet. He said that they needed to think strategically about acquiring land, which also involved considering the financial implications.

Mr. Pruitt said that he wanted to emphasize that the concept of equity was frequently mentioned in their discussions, and he believed it was essential to understand its literal meaning. He said that as he reflected on this while reading a psalm at church this weekend, he realized it was about doing to someone what justice required by providing them with what they needed based on their circumstances. He said that in the context of parks, this meant that everyone deserved access to an amenity that was not currently available to them due to distance or cost.

Mr. Pruitt said that, for example, a family who could not easily take their children to Wildrock due to distance or cost should have access to a park. He said that this had to be something they reminded themselves of when it came to parks, as it was easy to view them as a normative good in all circumstances. He said that if they were not actively considering the population they served, they may be using their own money in a regressive manner.

Mr. Pruitt said that this was why he had shared his thoughts with advocates who had spoken today and during previous Board meetings. He said that in most cases, he believed equestrian trails were a regressive and inefficient use of funding, as most equestrians had access to significant amenities on their own, and that they were in the upper strata of incomes. He said that this was fundamentally an inequitable use of funding.

Mr. Pruitt said that he brought this up because it had particular relevance to the necessity of urban parks, which often served lower-income areas and provided access to people who did not have the means to travel. He said that this informed the broader chapter.

Ms. LaPisto-Kirtley said that regarding Actions 3.1 and 3.2, she had no concerns and was fine with how it was. She said that she would like to know if they had any County-owned land in the Urban Areas that could be used to establish a park. She said that if they did, that would be a significant step forward; if not, they would need to identify where they could purchase some land to do that.

Ms. McKeel said that Objective 3 was particularly close to her heart. She said that at this point, she believed the 5% of land designated as the Development Area should be the driving force behind their efforts. She explained that many of their parks were located in the hinterlands and were inaccessible to many residents. She said that she was looking at this through the lens of connectivity and transportation, whether it was by car, bicycle, or horse. She said that considering this, she thought of this as the 5% driving the connectivity efforts.

Ms. McKeel said that she would like to take a moment to mention that they did have two parks in the Development Area that required attention to accessibility: Charlotte Humphreys Park and the Ivy Creek Natural Area (ICNA). She said that Charlotte Humphreys Park required safety improvements around crossing roads that were particularly hazardous. She said that the ICNA was a wonderful park for a high-density area, but people could not walk there. She said that she would like to specifically focus on connectivity to the ICNA.

Ms. McKeel said that from the Rock Store to the ICNA, it was impossible to walk, and they had all of the high density of apartment buildings in the area. She proposed that they consider a multiuse path from the Rock Store to the ICNA. She said that this path would need to be designed with safety in mind, and that they should improve the sight distance with the bank and construct a turn lane that goes down toward Earlysville Road, which was prone to fender benders and close calls with the guardrails.

Ms. McKeel said that it appeared that almost every weekend, someone was driving into the guardrail. She said that they had a resident willing to give them right of way for that turn lane. She said that from a safety and accessibility perspective, they needed to reevaluate the entrance and consider it as part of a larger vision that allowed people to walk from Hydraulic Road, or Commonwealth, or Whitewood to the ICNA, and they should be providing safe access. She said that to clarify, she was referring to the east-west turn lane, as they currently had a turn lane in the opposite direction.

Ms. McKeel said that she would like to explore opportunities for commercial partnerships, particularly in the Urban Areas. She said that Fashion Square Mall, Stonefield, Rio Hill, Hollymead Town Center, and other developed areas had free space that they should consider converting into a green space.

Ms. McKeel suggested considering partnerships with commercial businesses and developers to create more innovative and community-focused developments, rather than solely focusing on dog parks and parking lots for new development. She added that working with the School System could lead to opportunities to create more public spaces or park areas, such as with the Lambs Lane campus.

Mr. Gallaway said that he agreed with a lot of Ms. McKeel's comments. He said that to start, he would like to address the issue of accessibility. He said that specifically, he would like to focus on the 15-minute walk from a public park or greenway trail. He said that while it was mentioned that this goal was achievable and measurable, he believed it was unrealistic to expect a 15-minute walk from a public park in the Development Area. He said that in contrast, a 15-minute walk to a public greenway trail, utilizing their existing multi-use paths, was a more realistic goal.

Mr. Gallaway said that he also felt that their public parks should offer more than just a bench and a tree. He said that they required private developments to include playgrounds for younger children, and their school spaces were designed with younger kids in mind. He said that it seemed that they prioritized open fields for teenagers and passive spaces for older individuals, which may not be sufficient.

Mr. Gallaway said that unless they were involved with an organized club or activity, there were not many pickup games happening, except for Cobalt Ridge, where the tennis court was often converted into a soccer field, a sport called "Futsal." He said that based on the community at Cobalt Ridge, it appeared that this type of arrangement was becoming more common.

Mr. Gallaway said that providing teens with something to do would likely result in the long-term tenure of small children's playgrounds would be extended. He said that he had received emails about the vandalized dugouts at Woodbrook's baseball field, which often was due to idle hands. He said that to address this, they should consider alternative solutions for teens aged 12 to 18.

Mr. Gallaway said that he believed they had the means and ability to provide facilities across the age spectrum, but it was especially important in Development Area, where the use would be most intense. He said that since families would be living in multifamily buildings, they were missing an opportunity to cater to a segment of the population that did not require organized events to engage in physical activity. He said that this would include basketball courts.

Mr. Gallaway said that for instance, there was only one basketball hoop near a church and the mall, and it was only accessible to the church community. He said that he believed that they were missing out on providing similar facilities in private developments. He said that he was unable to think of a basketball court that was outdoors at a school. He said that the school facilities had amenities but were not considered open to the public. He said that the fields were not accessible during school hours, making it challenging for users to access them.

Mr. Gallaway said that he believed that parents of teenagers would be advocating for such facilities, as most community members who brought this up were seniors who recognized the need for teenagers to have activities to engage in. He said that he was using this as a point to emphasize that the Development Area should provide facilities for this demographic.

Mr. Gallaway said that it would be impractical to install a basketball court in a location like Beaver Creek. He said that instead, they needed to think of programming in a different way, taking into account the results of their last activities survey. He said that he did not believe basketball courts or similar facilities needed to be explicitly mentioned in the Comprehensive Plan. He said that the Comprehensive Plan should acknowledge the need for Parks and Recreation services that catered to the entire population, including teenagers. He said that this was a glaring gap in the Development Area.

Mr. Gallaway said that considering the 15-minute walkability that Ms. McKeel had mentioned, it became critical in terms of connectivity and accessibility, especially for teenagers who would soon be driving and changing their daily routines. He said that he would like to know if the Rio 29 Small Area Plan had been reviewed and if the commitments and design elements in it had been deemed appropriate. He said that in this chapter, he did not read anything referencing the Rio 29 Small Area Plan at the Comprehensive Plan level in terms of implementing that work to address parks and recreation in those four quadrants.

Mr. Padalino said that he knew they had reviewed it and had been working on it in conjunction with the form-based code and other related initiatives. He said that he did not think that it had been a major focus in these action items.

Mr. Gallaway said that he believed it would be beneficial to revisit their commitment to the Rio 29 Small Area Plan. He said that they had discussed the idea of providing a park-like amenity behind the library and the quadrant area. He said that the County had committed to working in partnership with developers to take on maintenance and ownership if anything were to develop from the small area plan in the form-based code.

Mr. Gallaway said that he thought this needed to be addressed in the Comprehensive Plan to ensure that if a developer was reviewing the Comprehensive Plan, they knew that the County was committed to maintaining an amenity the developer provided. He said that he believed there was an opportunity to revisit the small area plan and figure out how to incorporate this into the Comprehensive Plan, as he believed this was the right level for that commitment.

Mr. Gallaway said that Objective 3 was a good starting point, but his comments were more aligned with the overarching goal of creating a connected parks system. He said that this goal was stated as creating a connected and accessible network of parks and trails, which he assumed meant that all parks were connected to one another in some way, allowing for easy access between them. He said that for example, he wanted to clarify that staff meant that a trail would connect Biscuit Run to the park at Rivanna and 29. He said that he was trying to understand what "connected" meant in this context.

Mr. Holt said that the idea, viewed holistically within the Development Area, was to create a network that included parks, open space pockets, and trail networks. He said that this network aimed to provide the community with enhanced walkable access to these features, allowing them to move from one space to another.

Mr. Padalino said that the goal was not to create a literal, unbroken greenway trail connection between every park. He said that that would be a wonderful vision to achieve over time, but he believed the goal statement was more about increasing connectivity in a broader sense, whether it was between residential districts and their parks, residential districts and greenways, or greenways and parks.

Mr. Padalino said that the aim was to make progress in all these different types of connections. He said that if, over time, they were able to achieve a point where all their County parks were interconnected by greenways, ideally with other recreational opportunities in the City or at the university, that was what they were working towards. He said that he did not think the goal statement was intended to be quite that literal but rather was to increase the level of connectivity.

Mr. Gallaway said that regarding transit, he would like to know how the MicroCAT pilot program was being used to access parks. He said that Charlotte Humphreys would likely fall within the pilot area. He said that he was calling attention to the possibility that if this were to be connected, a microtransit system could be a viable option for moving people around, as it did not require a fixed route from all parks.

Mr. Andrews said that he agreed that the idea of accelerating the development of urban parks, pocket parks, and greenways was something he supported. He said that the way it was phrased in this objective, with a 15-minute walk from a public park or greenway trail, he believed was important because it was an achievable objective that they should strive for. He said that this aligned with their connectivity master plan and highlighted the need to consider sidewalks and other factors that may impact accessibility.

Mr. Andrews said that making places like Ivy Creek more accessible to people would be wonderful. He said that while he supported the direction of accelerating urban parks, he wanted to make a point that a rural park may not be accessible to people who lived in the Rural Area; they likely would need a car or other mode of transportation to get there. He said that staff had mentioned statistics about the dramatic increase in park usage, and he wanted to explore this further by examining which parks were experiencing this increase and comparing the utilization of closer-in parks to those that were further out. He said that he was supportive of Objective 3 overall.

Ms. McKeel said that she wanted to make a quick point because it was easy to overlook that they were currently building a pedestrian bridge across 29 North, which had been a significant barrier to connectivity. She said that Charlottesville had an abundance of trails and parks, and this bridge would provide connectivity. She said that their plan was to include a transit stop on one side, which would eventually connect Charlottesville and Albemarle.

Mr. Andrews said that he was aware that this facility was actually part of a figure that they had that showed the different parks over three years, and how usage had increased. He said that specifically, Darden Towe Park and Crozet Park were mentioned.

Mr. Pruitt said that he had another point to add regarding Objective 3, which was actually discussed on page five. He said that the "Parks by Location" box did a good job of clarifying the different nature of parks based on their location for the public. He said that, according to this, Rural Area parks were primarily intended as recreation opportunities with scenic and nature resources such as mountain streams and forests. He said that these parks were usually geared toward hiking, walking, biking, paddling, fishing, and equestrian uses.

Mr. Pruitt said that in contrast, parks in Development Areas tended to be smaller and had amenities like playgrounds, athletic fields, and indoor recreation facilities. He said that he thought this helped to provide context for the different types of parks. He said that he would like to raise a concern. He said that the statement was descriptive, not normative, and he was not sure if it was the Board's intention to make it a normative statement. He said that he believed it was reasonable to assume that Rural Area parks were intended to be destinations and public amenities for accessing nature.

Mr. Pruitt said that sometimes, they were criticized for preserving nature, but it was actually private land, so what were they preserving it for? He said that he saw value in this approach and recognized it as a different value than the need for futsal and fields in Development Areas for kids to play. He said that he was not sure if they had captured this as a specific, concrete objective or component of an objective for how they wanted to demarcate these parks. He said that he would like to discuss this further as a potential normative performance standard to clearly state that this was what they wanted in one area, and this was what they wanted in another area.

Ms. Mallek said that she would like to review a few points she had written down as others shared their thoughtful comments. She said that her initial comment about the boulder and bench was intended to be a place to start, not be the sole focus of their efforts. She said that one of the challenges at the first Crozet park, which the community board had faced in the past six months, was the competition between parking and pickup games for adults who wanted to play there during their lunch breaks. She said that this highlighted the importance of the multipurpose design.

Ms. Mallek said that to ensure users could access the connector trail without having to walk an extra 30 feet, it was essential to manage parking in a way that did not obstruct the trail. She said that this issue had been addressed, but it demonstrated the community's interest in the park. She said that she wholeheartedly supported the comments about the teenagers, as they had hung out at the four-way stop in Crozet Avenue and Three Notch'd Road for years, and had begged for a skate park. She said that this was included in the Crozet Park Master Plan, but it was still an unrealized goal.

Ms. Mallek emphasized the importance of getting a turn lane at Ivy Creek, as it was crucial for pedestrian safety, especially during snowy conditions. She said that achieving this goal could be done more simply by adopting a more minimal, VDOT-approved design. She said that this approach would also help them avoid being priced out of projects due to their tendency to opt for more elaborate solutions. She said that there were both an electric utility easement and an ACSA (Albemarle County Service Authority) easement from the rock store to and perhaps a crossing into Ivy Creek, and that there were different ways that really smart people could figure that out and moving it forward.

Ms. Mallek said that she would encourage staff to include red dots in the greenway map at all locations currently lacking them, including Milton, Buck Island, and Darden Towe, as they may not be in operation at present but should be. She said that Buck Island, which had been donated to the County in 2010, could have been easily accessible with a $200,000 driveway. She said that at the very least, they could put their boat in at Brook Hill, and someone could fish them out at the Fluvanna border after a 17-mile paddle. She said that would be a significant benefit for their tourism dollars and help raise awareness of the various activities available in their area.

Mr. Padalino said that Ms. Mallek's point was well taken; they had struggled with determining which maps to include which details. He said that at this draft level, they decided to create a Rivanna River-specific map on page eight of the chapter, which did call out the planned future river parks and greenway trails. He said that some of this information overlapped with the greenways plan, and that they had zoomed in and examined the river-oriented planned future projects on page 8 for the Board's awareness.

Mr. Andrews said that they would now discuss Objective 5, which was to increase environmental sustainability and resilience.

Ms. Mallek said that she had previously written that certain parks required different management levels due to their unique features. She said that Arrowhead Park, for example, should not be used for soccer due to the rare plants and sensitive areas present, making it one of only five locations in North America where these plants could be found. She said that as a result, they had a responsibility to protect this area.

Ms. Mallek said that under 5.1, she had written the Safer Chemical Policy, which was adopted in 2010, needed to be strengthened and utilized more effectively. She said that currently, the policy was largely ineffective, as it only required filing a form and obtaining approval, with little room for alternative discussion. She said that this had led to an excessive use of chemicals in their parks, contrary to the policy's original intent.

Mr. Pruitt said that consolidating Specific Measurable Achievable Relevant Time-bound (SMART) goals could be challenging, and he felt like he must point out when he saw one, they had already accomplished. He said that he was specifically looking at Action 5.6, which was a good activity that they were currently doing, and which should be included, and he thought the work they were doing on this issue was really great. He said that he might like to see it expanded in some way.

Mr. Pruitt said that if they were going to include something that they could plausibly already take credit for, it needed to have a SMART goal connected to it, showing what they were actually trying to accomplish. He said that otherwise, he did not have major flags or concerns regarding Objective 5.

Mr. Pruitt said that unlike their previous discussion, it was not immediately clear how this would require a major budget commitment. He said that this seemed more like a planning dimension for the department's ongoing work. He said that he was thinking of Mr. Andrews' comments on the unveiling of Biscuit Run, where he discussed the regenerative work that had been done to the ecosystem during that project.

Mr. Pruitt said that it was a planning dimension, a consideration, and a goal incorporated into other park activities. He said that he appreciated how that needed to be an objective, but he did not see this as a major external additional commitment. He said that he did not see major externalities that this implicated. He said that if there was something he was missing, he asked that staff please let him know. He said that he saw this as less immediately impactful and consequential than the previous one.

Mr. Padalino said that he thought the Board deserved recognition for creating a full-time position for a natural resources specialist within Parks and Recreation recently. He said that there was a financial commitment there. He said that based on his understanding of this issue, which was not his area of expertise, he believed that resource needs were based on the extent of the need and the extent of the County's parkland acreage. He said that he was aware that there were invasive species spread across both upland parks, future parklands like Hedgerow, and along the Rivanna River.

Mr. Padalino said that he was also aware of the partnerships that had been formed, leveraging the community's caring and well-resourced nature to tackle these issues. He said that removing invasive species was a major overhaul, and installing native plant communities was another separate investment. He said that the scope and scale of the issue were quite substantial. He said that he was aware that there had been resource requests in the past, and he believed that there were some actions that could be taken without additional resources, while others required deliberate and significant investment.

Ms. LaPisto-Kirtley said that she would like to clarify the objective regarding volunteer teams on 5.6. She said that by the statement, it appeared that they were coordinating volunteer teams as an objective, but she wondered if this was something they would continue to do. She said that based on her understanding, this was already an ongoing process, as they had volunteer teams in place at Pantops and along the Rivanna River. She said that it might be more accurate to state that objective as a continuation of their current work in that regard.

Mr. Padalino said that he agreed that this was a good idea. He said that he thought it could be improved with a “continue and expand” the coordination of volunteers, as others had suggested. He said that having some metrics in place would help determine exactly what they were trying to achieve, as they were already implementing this process.

Ms. LaPisto-Kirtley said that the volunteers’ work had made a big difference along Free Bridge Lane, where one could now see the Rivanna River. She said that she believed “continue to coordinate and expand” should be added.

Ms. McKeel said that Section 5.1 discussed the management, and it occurred to her that what they really needed was a template or a management plan for parks and open spaces of varying sizes. She said that this was just a thought, but she believed a template based on size would be beneficial, especially when considering pocket parks versus Biscuit Run, which were quite different. She said that in her mind, if she were looking at a template, it might be something based on size.

Ms. McKeel said that maybe she misunderstood Mr. Pruitt’s comments, but they needed to be cautious when creating these documents, ensuring they did not simply become lists of action items. She said that she was concerned that lengthy documents could become overwhelming, making it difficult to identify the main focus.

Ms. McKeel said that Section 5.3 puzzled her, as she was not an expert in this area. She said that she had a question about implementing best practice lake management strategies to reduce harmful algae blooms and improve water quality in County lakes. She said that her understanding was that the primary issue lay with residents living near these waterways, and the pollutants coming from their yards.

Mr. Padalino said that Ms. McKeel was correct that upstream land uses were the primary determinant of downstream water quality. He added that this action could be better stated as continuing to implement best practices. He said that their Superintendent Jim Barber, in collaboration with department leadership, had made significant efforts in recent years to address harmful algae blooms, implement proactive monitoring, and take necessary steps to keep their lakes open to the extent possible.

Ms. McKeel said that it may be beneficial to identify specific action steps to get the target population to comply with the County's efforts in improving water quality.

Mr. Gallaway said that he recalled in the fall, Ms. Mallek and he had commented that, of course, Chris Greene Lake did not experience algae blooms during the drought because there was no water flowing into it. He asked, short of implementing a Chris Greene Lake Act and applying it to all their lakes, what could they do? He said that their stream buffers and existing ordinances should be protecting this public asset from upstream issues. He said that this highlighted the need to address such situations. He said that he remembered when the Rio Hill Shopping Center was being renovated and paint got into a waterway, causing the streams behind Woodbrook to turn white, there was a clear call to action.

Mr. Gallaway said that they should have taken similar steps when Chris Green Lake shut down due to an algae bloom. He said that they would shut it down, inform the public, and restrict use. However, that did not seem to be enough. He said that the Parks and Recreation Department could only do so much. He said that this issue called out another department for addressing upstream behavior. He said that when they identified the source of the white paint and corrected the problem, it seemed to him that they needed to address similar issues in this Comprehensive Plan or in some other administrative standard.

Mr. Gallaway said that at the very least, they should acknowledge that they cannot just fix problems caused by upstream behavior. He said that they needed to hold those responsible accountable. He said that this may be considered enforcement. He said that others had discussed the Chesapeake Bay Act itself. He said that to him, the environmental concern was not the only issue at play. He said that if they were to shut down another public asset to the community due to other behaviors, they would likely take further steps to mitigate that issue. He said that when one of their lakes was shut down, he was not always sure if they were taking the same level of action to address the underlying causes.

Mr. Andrews said that he did not have much to add. He said that he believed the comment made in Action 5.1 about recognizing that they have different sizes, uses, and locations that require different management styles. He said that when considering County-owned properties that were not yet parks, it seemed excessive to attempt to manage invasive species at the Hedgerow property without any real access or usage. He said that he agreed with the majority of the comments made, so he would let this stand as a priority item.

Ms. Mallek said that she wanted to add to the discussion about the algae bloom. She said that currently, they were relying on chemicals to address the issue, but that was not a sustainable solution, as they did not fully understand the long-term effects on swimmers. She said that there was an alternative approach that Ms. McKeel had suggested: adopting more chapters of the Chesapeake Bay Act.

Ms. Mallek said that this would provide control over buffers upstream in their waterways, giving Mr. Barber more authority to address the issue. She said that they had seen similar problems at Beaver Creek, where individuals were violating regulations by weed whacking down to the ground, despite being prohibited from doing so for 200 feet. She said that it was the same individuals repeatedly causing issues, and it was frustrating to deal with.

Ms. McKeel said that as a strong supporter of the Chesapeake Bay Act. She said that Ms. Mallek referred to biosolids as sludge, which she believed was a more accurate and descriptive term. She said that if they were to adopt the Chesapeake Bay Act, it would ensure that biosolids were handled properly, as that was a requirement of the act.

Recess. The Board adjourned its meeting at 3:00 p.m. and reconvened at 3:15 p.m.

Agenda Item No. 10. **Work Session:** AC44: Parks, Recreation and Open Space, *continued.*

Mr. Andrews said that next, they would discuss Objective 6, which was to expand the greenways network to enhance outdoor recreation and increase multimodal connections.

Ms. Mallek said that this would give her the opportunity to highlight the value of their gravel roads for walking and bicycling in the Rural Area, where the density of people was too far apart to require sidewalks. She said that the gravel roads offered tremendous benefits for the people who lived along them and also for those who traveled through the area without vehicles, either walking long distances or biking. She said that for example, she recently had the chance to discuss the parking situation at Ridge Road with VDOT and County staff. She said that they were looking for a solution to the problem of people parking all over the area.

Ms. Mallek said that, however, it was clear that the people who were coming and going were all residents of the Growth Area, who were traveling out to enjoy the area and the scenery and finding it much more enjoyable than walking in circles. She said that this was the kind of experience that was available to them in the Rural Area if they were willing to take care of their gravel roads.

Mr. Pruitt said that as they had discussed in Objective 3, this was a significant project that warranted their attention and implicated substantial County resources. He said that he believed they were aware of his commitment to this objective. He said that he had mentioned earlier in this meeting the annual event, the Active Mobility Summit, which Peter Krebs organized. He said that the Active Mobility Summit from last year had included a comprehensive discussion of the broad vision for this initiative and its potential to energize the region.

Mr. Pruitt said that to illustrate the potential impact, they should consider Riverview Park, a non-County park. He said that it was easily accessible from his district and was one of the most visited places in the City, despite not being near any clear amenities other than itself. He said that he believed they could energize this entire corridor with similar activity, much like the Washington Old Dominion Trail in Northern Virginia. He said that the trail had industries, pop-ups, and commercial activity thriving along its route, as well as bike shops and breweries that would not exist without the trail's proximity to them because of the multimodal transit for recreation that cut through that. He said that he viewed this as the County's most immediate way to create an economic engine. He said that to be honest, the idea sounded appealing. He said that he was enthusiastic about the prospect of being part of this trail. He said that he envisioned a continuous path that he could use to run 20 miles one day, with his husband picking him up on the other end, when he could not run any longer. He said that he was genuinely excited about this opportunity, despite the significant commitment required.

Ms. LaPisto-Kirtley said that she believed this was extremely important. She said that unfortunately, they always had financial concerns, and now with the government and state potentially pulling back on something, that concern remained. She said that this was a 20-year plan that would actually be very beneficial. She said that not only would it be beneficial for the residents who lived there, but also for tourism. She said that many people would visit from outside the County, spend the evening, spend their money there, and this would directly impact their tourism.

Ms. LaPisto-Kirtley said that Mr. Pruitt was correct in calling this an economic engine, augmenting what they already had and bringing in new visitors who came to walk the trails, hike, and spend a couple of days before leaving. She said that this would benefit all of them.

Ms. LaPisto-Kirtley said that she did not have anything to add, but she was impressed by Objective 6.6. She said that she believed that adding in “support” in addition to the word “sustain” may be more effective in the language, but she understood it as it was presented, as well.

Ms. McKeel said that she had a few high-level thoughts to share, and overall, she was very supportive of improving and maintaining their current facilities. She said that when it came to new purchases and significant expenses, she was not in favor of taking on those costs, to be honest. She said that they had a significant amount of parkland and limited funds. She said that she believed they needed to allocate funds to address safety and health concerns in their parks. She said that the kiosks at their rural parks were not adequately staffed, and enhanced communication options would be beneficial.

Ms. McKeel said that she was not sure what those options might be, but she thought it was essential to explore ways to increase safety without having a physical presence. She said that she also thought it was critical to address health and safety issues, as well as water quality concerns. She said that she appreciated the efforts made so far, but she believed they needed to exercise caution to ensure they were not taking on more than they could handle or finance.

Mr. Gallaway said that if the County acquired property, they may prioritize other things. He said that he was satisfied with Objective 6, but he noticed that Action 6.5 included a Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant, which he hoped would not be eliminated. He said that the other RAISE grant for the bike and pedestrian bridge project over the Rivanna River from Pantops to Woolen Mills was also a priority. He said that this project would connect two areas that were difficult to connect otherwise, and he believed that should be mentioned. He stated that they should emphasize the alternative funding aspect of that more than the project goal. He said that in the two attempts to get the planning grant for the bike-ped bridge, the project scored exceptionally well, and they were encouraged to keep applying to get the grant.

Mr. Andrews said that he was supportive of everything that was in there. He said that he also agreed that the Three Notched Trail study was funded, and they wanted to continue that work. He said that there was a description when this topic was introduced, and at one point staff had discussed the Old Mills Trail and concerns about losing opportunities there. He said that he would like to understand this better, but he did not want to see them lose an opportunity that would take them east as well as west, connecting their parks to the community and other amenities like Monticello, made accessible by their greenways. He said that he was very supportive of this.

Mr. Andrews said that the last focus topic was to discuss other objective actions that needed input. He said that in addition to that, there were many pages of description in this chapter that they had not thoroughly discussed. He said that he would like to open it up now and have a more free-flowing discussion. He said that they would do one more round, and then they would see where it led as things came up.

Ms. Mallek said that she had written down that a template for management plans that could be adapted to different-sized parks would be helpful, so they did not have to recreate the wheel every time a great idea came up or a donor like Buck Island offered 200 acres or Arrowhead offered 500 acres. She said that they should evaluate and update maintenance standards for rural roads used in Rural Areas. She said that draft Action 2.4 was also missing, and she believed it may have been relocated to another section. She said that she would provide staff with her notes about these as well.

Ms. Mallek said that they had previously discussed gravel roads, access to and partnership with the Shenandoah National Park. She said that in the Blue Ridge Committee, they had discussed the possibility of a weekend kiosk at Sugar Hollow, similar to the one at Oak Leaf Canyon, which collected funds to support rangers and safety measures.

Ms. Mallek said that she would hand over the responsibility of the Three Notch'd Trail to Mr. Richardson, as she was concerned about the possibility of clawback if they had already spent the money. She said that for 7.3, expanding existing programs and community centers, and partnerships to identify reuse of existing buildings for community center activities, as well as gravel road festivals in other counties. She said that Albemarle could copy some of the things that they were doing.

Ms. Mallek said that community members had suggested adding a new objective to improve opportunities for walking, biking, and other outdoor recreation in Rural Areas on existing unpaved and low-stress routes. She said that this topic seemed to be floating in limbo among parks, transportation, and natural resources, and she was not sure where it would be addressed. She said that she would like to reiterate the importance of this discussion, as they had previously touched upon it and were concerned it may be forgotten. She said that to provide a thorough understanding, she would suggest identifying and mapping frequently used routes, including those utilized by Strava and other mapping services.

Ms. Mallek said that she was trying to find the maps of the running routes, and one of them was a 16-mile loop through the White Hall District and a 25-mile loop on gravel were particularly helpful for long-distance runners. She said that limiting paving to high-maintenance challenge areas instead of paving the whole thing. She said that locating parking areas within public rights-of-way and posting signage along recreational routes to increase driver awareness.

Ms. Mallek said that people did not know what to do on Ridge Road, and she was hopeful that Dominion would grant her permission to talk to people about the possibility of a trail connection under the highway line between Decca Lane and Ridge Road, which could provide a valuable location for a trail connection. She said that staff were also working on finding solutions to these issues.

Ms. Mallek said that educating road users, working with businesses and community groups to educate road users about etiquette and safety. She said that while state laws had made progress with that in recent years, pedestrians and bicyclists still faced significant danger. She said that as a child, she had ridden ponies along country roads with her family, and everyone would slow down and move over, making it a safe experience. She said that now, she rarely ventured outside her property due to the fear of being struck by a vehicle.

Ms. Mallek said exploring creative ways to fill funding gaps for parking greenway infrastructure. She said that she had shared these suggestions with the Board and would distribute them to County staff. She said that she thought there was a lot to chew on, and that they could do a better job.

Mr. Pruitt said that he wanted to start by commenting on a previous section, and then he would address two specific sections that he had comments on. He said that he had forgotten to mention this earlier, and it was not until his peers brought it up that he remembered. He said that for 6.5, support the RAISE study for the Three Notched Trail. He said that he was deeply enthusiastic about the Three Notched Trail and hoped it would be built during his lifetime.

Mr. Pruitt said that he wanted to draw attention to the fact that this was a 20-year plan. He said that Action 6.5 suggested that they should complete the task within the next two years, but he believed that a 20-year goal for the Three Notched Trail would be more suitable. He said that he recognized that this may be challenging due to the uncertainty of what the study will say about feasibility, but he thought it was essential to have a clear vision for the trail. He said that he believed they should establish a clear milestone for the trail's development, one that was meaningful and achievable in the future.

Mr. Pruitt said that he wanted to highlight Action 2.1, which called for a land acquisition policy. He said that he had previously mentioned this, but he wanted to reiterate that he thought this policy was essential. He said that he believed the County acquired land for various reasons, including schools, housing, and parks and trails.

Mr. Pruitt said that housing was something that they did not really do, but that there was growing community interest in land banking and land trusts. He said that schools had been a persistent issue, and they needed to explore different tools for acquiring land. He said that the primary method they would employ would likely be through blight condemnations, which would enable them to place properties in a land bank.

Mr. Pruitt said that parks and trails differed from these acquisitions, in his understanding. He said that trails were typically acquired through voluntary donations, easements, and gifts from individual donors, but they may want to expand on this. He said that he also believed that they lacked clear, official guidelines for their acquisition policy, which could make them a challenging negotiating partner at times, as their rules were not clearly communicated.

Mr. Pruitt said that he thought this was an area where they could improve. He said that if they could establish a set of coordinated practices and guidelines for their acquisitions, including what they were willing to negotiate on and what they were not, he believed this would enable them to act more efficiently. He said that this framework could also help them achieve their other goals, which often required individual, discrete easements and acquisitions.

Mr. Pruitt said that the more they could streamline their process and fit these into a clean framework, the faster they could engage with these opportunities. He said that he did not intend to propose any changes to their current proposal, but he wanted to emphasize the importance of this for his fellow Board members.

Mr. Pruitt said that he would like to highlight two other critical issues: equity in the context of parks and recreation, and economic development in the context of trail development. He said that it was essential to acknowledge that there were core, fundamentally inequitable aspects of County government behavior, such as the way they distributed economic development benefits to businesses. He reiterated that their economic development efforts often involved providing money and benefits to wealthy individuals and businesses, which could be seen as deeply inequitable.

Mr. Pruitt said that they made decisions because they understood that they had broad-term, long-range, equitable impacts. He said that it created desired outcomes for people who would not otherwise be served. He said that it helped generate jobs for the target population they were trying to create those jobs for. He said that it also helped grow their revenue base in a way that allowed them to decrease taxation.

Mr. Pruitt said that he would like to raise the consideration of aligning economic impacts when deciding whether to deviate from equal access or equitable requirements. He said that one of their commenters had touched on this with regard to equestrian trails, which he had already expressed his opposition to spending public funds on, could have economic benefits. He said that if they could argue that these benefits outweighed the regressive nature of spending on them, then he thought there was a strong case to be made for them, especially if there were no other incompatible uses.

Mr. Pruitt said that they could brainstorm other types of recreation that would primarily benefit people with access to amenities, but these trails had economic benefits that might have broader, structural implications on equity. He said that he thought it was helpful to enshrine this consideration in their allocation of County funds, as it was not currently enshrined anywhere. He said that this could be a valuable consideration. He said that he simply raised the point that they did things that may not be strictly equitable, but had long-term equitable impacts, as they aimed to generate a rising tide.

Ms. LaPisto-Kirtley said that she was supportive of everything that was proposed by staff. She said that she would like to bring up one point, specifically Action 2.3, for clarification purposes. She said that to ensure it was clear that the Albemarle County Parks Foundation was a separate 501(c)3 organization that raised its own funds independently of the County. She said that it did not join with the County to raise money, but it did utilize the County's opinion regarding what funds could be raised for.

Ms. LaPisto-Kirtley said that therefore, she would like to see Action 2.3 revised to “accelerate the implementation of County parks projects through joint efforts with the Albemarle County Parks Foundation, and others.” She noted that this was part of a 20-year plan, and they did not know what other entities or organizations may emerge in the future, which could also raise funds and provide services to the County.

Ms. McKeel said that she would be happy to support Ms. LaPisto-Kirtley’s proposed change to the language. She said that for clarity, she would like to focus on the big picture. She said that they were reviewing Albemarle County 44, a 20-year Comprehensive Plan. She said that their Comprehensive Plan was required to be updated every five years, although it may be six years in this case. She said that regardless, the law mandated updates. She said that what she was trying to convey was that nothing in this plan was set in stone. She said that it was not a fixed document that could not be changed.

Ms. McKeel said that it was essential for people to understand this. She said that their Capital Improvement Plan (CIP) was a good example; they passed a five-year and ten-year CIP, but they could adjust it along the way. It was not a rigid document that had been brought down from the mountains and could not be altered; it served as a guideline. She said that she thought it was good to have this on record.

Ms. McKeel agreed with Mr. Pruitt on some of his points about equity. She said that regarding Objective 1, which called for robust community engagement at multiple venues, she had observed that they engaged the community in a very robust manner, both at the School Board level and the Board of Supervisors level. She said that in fact, she believed they did more robust community engagement than many other communities. She said that she supported community engagement, but she wanted to ensure that their engagement efforts were not being used as a delay tactic. She said that their community sometimes used engagement as a means to delay decisions for years, and she had witnessed this happen on several occasions.

Ms. McKeel said that she firmly believed that community engagement should be used to inform decisions, not solely determine them. She said that they needed to strike a balance between robust community engagement and practical decision-making. She said that she was deeply concerned because they frequently had the same voices at the table, and the same groups represented, while struggling to hear from a diverse range of community voices.

Ms. McKeel said that after 28 years, she had yet to figure out how to effectively bring all these voices to the table. She said that she was not criticizing anyone, but they must also ensure that the voices of those who were not at the table were represented. She said that when she was involved in School Board decisions, she would often tell the audience that she had to represent the children and parents who were not in attendance.

Ms. McKeel said that this can be challenging, but it is doable. She said that staff and elected officials often have a broader understanding of the issues than community members. She said that she was not criticizing anyone, but they had access to a wealth of information, and despite their efforts to share it with the community, people often failed to hear or understand it. She said that this was a broader observation about community engagement that she had observed.

Ms. McKeel said that moving forward to Action 1.7, she was thrilled to see the inclusion of art in this document. She said that as someone who had visited numerous parks across the United States, she could attest that art could greatly enhance the park experience. She said that in Europe, Japan, Australia, New Zealand, and other countries, art was often incorporated into park design. She said that she believed it would be wonderful for their community to adopt this approach. She said that they had a talented pool of local artists, and starting with them would be a great way to begin.

Ms. McKeel said that upon reviewing the objectives, she thought Objectives 2 and 3 could be easily combined.

Mr. Padalino said that Ms. McKeel's comment was well considered. He said that Objective 2 of the plan was meant to be an action item that aligned with the broader objective of accelerating the development and delivery of parks and greenways. He said that some actions in Objective 2 seemed to be unrelated to the overarching objective, he thought in 2.2.

Ms. McKeel said that she was always willing to reduce these types of documents, as she had mentioned earlier that day. She said that she believed a more targeted and concise approach was better than including everything. She said that combining the two would be beneficial.

Ms. McKeel said that she and Mr. Gallaway had already mentioned the potential for collaboration with the Schools. She said that she agreed that collaboration with the Schools could provide opportunities for young people between 11 to 18 years old. She said that she also agreed with Mr. Gallaway that idle hands can get into trouble. She said that she found it interesting when the School Board changed the high school and middle school hours to 4:00 p.m., rather than 3:00 p.m., they had seen documentation of a decrease in juvenile crime, as kids were no longer alone for extended periods without adult supervision. She said that she was in favor of finding ways to engage this group of young people.

Ms. McKeel said that regarding increased public transportation access, she believed they were working hard to achieve this. She said that with the new Authority formed and their efforts with transit, she hoped this would take care of itself.

Ms. McKeel said that regarding Objective 7, 7.2, outdoor lighting, she hoped their update to their outdated lighting ordinance would be coming soon. She said that she was also mentioning dark skies, as she believed it was very important for their parks and neighborhoods. She emphasized that having dark skies and safety lighting were not mutually exclusive; she believed it was possible to achieve both.

Ms. McKeel said that unfortunately, the University sometimes struggled to understand this concept. She said that she would love to see them collaborate with the University and the City to address this issue. She said that the University was the main contributor to light pollution in their area, and a visit to Pantops would demonstrate the extent of the problem. She said that if they could work together with the University, it would be a significant improvement.

Ms. McKeel said that she would like to bring up the issue of signage in their community. She said that the condition of the signs, particularly those maintained by VDOT, was unacceptable. She said that many of the signs were dirty, making them less reflective, so they were difficult to read at night. She said that this lack of well-maintained signage gave the community a negative impression and could be hazardous for drivers, especially at night. She said that it was not a good look for their tourism, and it was not safe or healthy for their residents. She said that she had already mentioned this to VDOT, but she believed it was essential that they worked together to address this issue.

Mr. Padalino said that they could examine their park signage, and he agreed that this was a great topic that intersected with other chapters and staff and departments. He said that that was a well-considered point.

Ms. McKeel said that the main issue she was highlighting was that their VDOT signage required more attention and maintenance than a simple cleaning and washing. She said that she appreciated Mr. Padalino pointing out the connection. She believed this was a good opportunity to bring it up.

Mr. Gallaway said that on page 4, they discussed community centers. He said that it appeared that the document mentioned having community centers throughout the Development Area in relation to schools, private, nonprofit, and other organizations. He said that they relied heavily on external entities to provide community centers. He said that for example, Yancey was the single official County community center.

Mr. Padalino said that Scottsville, B.F. Yancey, and Greenwood were the community centers. He said that the Meadows, which did not offer the same level of services as the other communities, was the fourth community center.

Mr. Gallaway said that in the urban ring, they had community centers such as the Center at Belvedere, the Northside Public Library, and the schools. He said that this was acceptable because they could not afford to build all these different pieces in the Capital Improvement Plan (CIP). He said that however, they often acted as if they had community centers, which were not truly community centers.

Mr. Gallaway said that the text mentioned that these centers were free to use and did not require retail purchases. He said that this freedom also meant that they were subject to the schedules of the schools and private facilities. He said that he did not want to give the impression that they had community centers in the Development Area that were Albemarle County's community centers.

Mr. Gallaway said that they should acknowledge and embrace that they partnered with other organizations and say that this was how they would proceed until they could invest in their own community center. He said that if they adopted the word change that Ms. LaPisto-Kirtley was discussing with the Parks Foundation, which he had no issue with, they needed to clarify that they were not limiting their options.

Mr. Gallaway said that they had examples of public-private partnerships (P3), such as the Crozet development, which was a P3, and the trailhead in the Rio Point development. He said that there were many other potential partnerships that could occur, and not just through the Parks Foundation. He said that therefore, any rewording should reflect this idea and acknowledge the possibility of partnerships beyond just the Parks Foundation.

Ms. LaPisto-Kirtley said that this was why she suggested adding “and others.”

Mr. Gallaway said that he did not think that “and others” told developers that the County wanted to partner with them. He said that the term "public-private partnership" was the specific term that was being referred to. He said that he understood the rewording and the intent behind it, but he believed that they needed to acknowledge the value of P3s, especially in this chapter, as they had been instrumental in helping them achieve their goals in the past.

Mr. Gallaway said that specifically, Action 1.3 caught his attention, as it addressed the issue of equitable access to recreation opportunities, which he had previously commented on for teenagers. He said that this was an area where he believed there was a gap, and that was why it stood out to him.

Mr. Gallaway said that Action 1.6 raised another question: did they have a full-time equivalent (FTE) dedicated to identifying and pursuing alternative funding sources and partners?

Mr. Padalino said that he believed this was a challenging question to answer from his perspective, but he would like to draw attention to the Office of Grants and Agreements (OGA). He said that he worked closely with Mrs. Morgan Rakes and Ms. Brandee Sullivan. He said that typically, Parks and Recreation staff identified grant opportunities and then partnered with OGA to develop them through executive staff and other departments.

Mr. Padalino said that in addition to grant opportunities, there were other alternative funding sources, such as the legislative agenda successfully identified by Ms. Kilroy and the Economic Development Office, which had secured General Assembly funding for the development of Biscuit Run Park. He said that this highlighted multiple different types of funding sources available.

Mr. Gallaway said that was good to hear because he did get concerned that when something like that was included in a plan, it could become a passive initiative. He said that if it was not a day-to-day focus, it may never get off the ground. He said that he worried that some initiatives may be included in the plan but ultimately fell by the wayside. He said that, however, it sounded like they had a clear plan in place to address this, so he thanked Mr. Padalino for that. He asked if schools charged fees for use by outside groups.

Ms. McKeel said that if it was a group unassociated with the schools, they would charge for the use of facilities.

Mr. Gallaway said that he believed stating that the school facilities were generally free to use was incorrect.

Ms. McKeel said that she believed the trigger appeared to be if the meeting or the group that was meeting charged an entrance fee, then the schools also charged a fee. She said that she believed that was one of the nuances at play here.

Mr. Gallaway said that moving on to Objective 7, he had written a question down that was directed at himself and other Board members. He said that his question was: Can they really do this? He said that when considering Action 7.3, he also thought about Ms. McKeel's comments on the importance of arts and wanting more arts in there. He said that this raised a concern that, based on the Board’s prioritization of funding, these types of projects often got overlooked. He said that small road projects, for instance, often fell by the wayside because larger projects could dominate the discussion and overshadow other initiatives.

Mr. Gallaway said that as a result, arts and public spaces were often overlooked. He said that providing more parks programs to meet the existing demand that was filled by other organizations. He said that when he looked at 7.3 and considered the comment about the arts, and providing a community center that was not partnered with somebody else, he was left wondering if they could truly make this happen. He said that he was looking at them, but ultimately, it was essential to prioritize and budget for this initiative. He said that they needed to make a conscious decision to allocate resources and put it in the CIP or budget to make it a reality. He said that it was worth bringing to their attention.

Ms. LaPisto-Kirtley said that on Objective 7.3, that she understood Mr. Gallaway's perspective, but also the envisioned concept, such as Free Bridge Lane, which involved collaborating with the local art community and having volunteers display their artwork. She said that having a food truck could be a viable idea, as it would not require a significant budget commitment. She said that what she thought they could do was host presentations, which would not cost the County any money. She said that they could also consider hosting musical concerts or other events in the future.

Ms. LaPisto-Kirtley said that she believed it would be beneficial to incorporate public-private partnerships into 2.3, as Mr. Gallaway had mentioned earlier, to explore potential funding opportunities. She said that such language would be beneficial to include in this document.

Ms. McKeel said that the arts were an area of interest, particularly when they visited Greenville, where they saw some excellent examples of how the City of Greenville collaborated with their visitor's bureau to display artwork that attracted visitors and boosted tourism. She said that this approach could be a way to increase tourism. She said that she believed that their community had many benefactors who would be willing to support local art initiatives if they were to implement them.

Mr. Andrews said that he would keep his comment brief by referencing the Piedmont Environmental Council (PEC) letter and email, which he hoped staff had received. He said that several points in the letter were worth highlighting, such as the importance of their parks and recreational activities to their tourism industry and the connections to their tourism industry.

Mr. Andrews said that the discussion of community centers and their relationships to other areas, including the designated community centers, was noteworthy. He said that the PEC also emphasized the value of connecting private properties and open spaces to their community, providing access to parks and recreation. He said that they mentioned Foxhaven, Foxfield, and others that were not necessarily the County’s parks.

Mr. Andrews said that PEC also submitted several comments about potential greenway connections that should be included and indicated on the maps, some extending beyond the maps. He said that they also talked about community events in County parks, which should be considered. He said that he would like staff to review the PEC comments, even if some deviated from the framework they were proposing. He said that regarding the increase in visitors to their parks, total visits on page 13 and the chart of visits over the last three years were inconsistent, so it should be reviewed.

Ms. Mallek said that she would like to follow up on the arts. She said that the National Endowment for the Arts had ongoing grant programs. She said that she recently became aware of a new person at the Grants Office, but she would make sure to forward any relevant information she received as a member of the commission. She said that the executive director was frequently sending out emails about these opportunities. She said that if anyone was interested in joining the Arts and Culture PC, she encouraged them to do so, as it was important.

Ms. Mallek said that when community centers and private properties hosted events, that people be welcomed, but it was important to not list something as being open all the time, considering the potential interactions with livestock, such as cattle, to avoid any negative outcomes. She said that for properties like Panorama and Foxfield, listing events held there could be beneficial, as it expanded opportunities for people to learn about the area and attend events like dog shows, search and rescue exhibitions, and other activities.

Mr. Andrews said that he believed the comment should be tempered by the fact that this was their County's Comprehensive Plan. He said that it was really about how much they would seek out opportunities to partner with events like this as part of their Parks and Recreation focus.

Ms. McKeel said that to reiterate regarding community centers, she noticed that they had listed facilities in the south, east, and west, but not in the north. She said that given that a significant portion of their population resided in the north, she thought it was worth noting this omission. She said that as Mr. Gallaway had mentioned earlier, the diagram they had here illustrated the locations of the community centers as south, east, and west, but not in the north.

Mr. Pruitt said that he wanted to raise a point regarding their previous conversations about accessibility and costs related to community centers. He said that specifically, he was looking at Action 7.3 and he wanted to reiterate the critique he had expressed before. He said that he believed they could take credit for addressing this issue today.

Mr. Pruitt said that to make this goal more concrete, they needed to establish a specific and quantifiable objective. He said that he had received a trifold from Albemarle County Parks and Recreation that outlined the classes being offered, and it appeared that most of these were public-private partnerships. He said that individuals had reached out to them to offer reduced-price yoga classes at a community center.

Mr. Pruitt said that if they were going to set goals, they should set them for community centers as well. He said that this could involve expanding existing programs, increasing the number of staffed classes, or offering lower-cost or free classes. He said that this got to the issue of universal access.

Mr. Pruitt said that additionally, he wanted to raise the point that community centers also charged a $50 per hour fee for room reservations. He said that this was similar to the fees charged at their schools. He said that if they were concerned about the issues of access posed by relying on the market and private partners, then they should also consider addressing these issues. He said that for example, he could reserve a room for free at the library, but he was charged a fee at Yancey. He said that if this was something they did not like, then they should grapple with it.

Mr. Padalino said that this had been a very productive work session. He said that the Board had provided detailed commentary and high-level feedback. He said that he was eager to collaborate with the Long-Range Planning team to process this and work with the Parks leadership team to refine it before it was finalized.

Mr. Holt said that he would like to make one additional comment to Ms. Mallek. He said that the document that she had shared, which had marked-up notes from previous goals, objectives, and drafts, appeared to be an earlier version. He said that most of the items that Ms. Mallek had thought were missing had been relocated or combined some action steps and rearranged others. He said that he would encourage Ms. Mallek to perform a markup on the current draft, and if she had any questions about the changes, she should follow up with staff, and they would point out where the items had been moved.

Mr. Gallaway left the meeting at 4:07 p.m.

Agenda Item No. 11. Closed Meeting.

At 4:08 p.m., Mr. Pruitt **moved** that the Board go into Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- under subsection (1) to discuss and consider appointments to various boards and commissions including, without limitation: the Agricultural and Forestal District Advisory Committee, the Crozet Community Advisory Committee, the Economic Development Authority, the Equalization Board, the Historic Preservation Committee, and the Jefferson Area Board for Aging;
- under subsection (3), to discuss and consider the acquisition of real property both in the Scottsville Magisterial District and along Commonwealth Drive, Dominion Drive, each for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County and the Board;
- under subsection (8), to consult with legal counsel regarding specific legal matters requiring the provision of legal advice related to substantial risk orders and emergency substantial risk orders; and
- under subsection (29), to discuss the negotiation of a public contract with the Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals involving the expenditure of public funds, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the County and the Board.

Ms. LaPisto-Kirtley **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.
ABSENT: Mr. Gallaway.

Mr. Gallaway returned at 5:10 p.m.

Mr. Pruit left the meeting at 5:35 p.m.

Agenda Item No. 12. Certify Closed Meeting.

At 6:04 p.m., Ms. LaPisto-Kirtley **moved** that the Board of Supervisors certify by a recorded vote that, to the best of each supervisor’s knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting, were heard, discussed, or considered in the closed meeting.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, and Ms. McKeel.

NAYS: None.
ABSENT: Mr. Pruitt.

Non-Agenda Item. Resolution Approving an Agreement with the Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals (CASPCA) for Public Animal Shelter Services.

Ms. McKeel **moved** that the Board of Supervisors adopt the Resolution Approving an Agreement with the Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals for Public Animal Shelter Services. Ms. Mallek **seconded** the motion

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, and Ms. McKeel.
NAYS: None.
ABSENT: Mr. Pruitt.

RESOLUTION APPROVING AN AGREEMENT WITH THE CHARLOTTESVILLE-ALBEMARLE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS FOR PUBLIC ANIMAL SHELTER SERVICES

WHEREAS, the Board finds it is in the best interest of Albemarle County to enter into an agreement with the Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals to provide public animal shelter services for the County.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves entering an agreement with the Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals to provide public animal shelter services for Albemarle County and authorizes the County Executive to sign an agreement once the agreement has been approved as to form and content by the County Attorney.

AGREEMENT FOR PROVISION OF ANIMAL SHELTER SERVICES

THIS AGREEMENT FOR THE PROVISION OF ANIMAL SHELTER SERVICES (this "Agreement") is made as of this 31st day of March, 2025, by and among the CHARLOTTESVILLE-ALBEMARLE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS (the "SPCA"), a Virginia nonstock corporation (SCC No. 00115279), located at 3355 Berkmar Drive, Charlottesville, Virginia; the COUNTY OF ALBEMARLE, VIRGINIA (the "County"), a political subdivision of the Commonwealth of Virginia; and the CITY OF CHARLOTTESVILLE, VIRGINIA, a body politic and corporate (the "City", and together with the SPCA and the County, the "Parties"). The City and the County are hereinafter also referred to individually as a "local governing body," and collectively as the "local governing bodies".

In consideration of the mutual covenants herein contained, and subject to the terms and conditions herein set forth, the parties mutually covenant and agree as follows:

I. Purpose and Scope

The local governing bodies are required to maintain or cause to be maintained a public animal shelter and to provide certain public shelter services, pursuant to § 3.2-6546 of the Code of Virginia (1950), as amended, and regulations and guidelines established by the Virginia Department of Agriculture and Consumer Services, together with other applicable laws and regulations, including the local governing bodies' ordinances ("applicable law"). SPCA agrees to provide all required services for a public animal shelter, in addition to those services included in this Agreement ("Shelter Services"), according to applicable law, on behalf of the City and County. All Shelter Services will be provided at the SPCA facility, located at 3355 Berkmar Drive, Charlottesville, Virginia (the "Facility"), unless otherwise expressly agreed. SPCA, a Private Animal Shelter operating for the same purpose as a Public Animal Shelter under this Agreement with the City and County, will be registered with the Virginia Department of Agriculture and Consumer Services under the Public Shelter Designation for the duration of this Agreement.

II. Term and Pricing.

A. Term of Agreement. Upon full execution, this Agreement replaces in its entirety the agreement among the Parties, dated November 6, 2009. The initial term of this Agreement shall be for three (3) years ("Initial Term"), commencing as of March 16, 2025 (the "Commencement Date"). The first "year" of the Initial Term will be from March 16, 2025-June 30, 2026. Every term year thereafter will be from July 1, 202x-June 30, 202x+1 to follow the fiscal year schedule. The City and/or County have the exclusive option to renew this Agreement for two additional one-year terms beyond the Initial Term ("Renewal Term(s)"). In order to exercise the option to renew, the City or County or both must provide timely notice, as set forth in Section II.D., below.

B. Termination. Any Party may terminate this Agreement for any reason by providing no less than 12 months' written notice to the persons identified in Section XI. Notice of termination by one of the Parties shall only terminate the agreement with such Parties as indicated in the Notice of Termination. The agreement shall remain in force with respect to any Parties not subject to the noticed termination.

C. Contract Pricing. In consideration for the Shelter Services to be provided by the SPCA hereunder, the City and County each shall pay to the SPCA the following amounts (the "Annual Fees") according to their official census population[1] calculation for the respective year:

Initial Term: Year 1 (March 16, 2025-June 30, 2026): $13.00/capita[2];

Year 2 (July 1, 2026-June 30, 2027): $16.00/capita; and

Year 3 (July 1, 2027-June 30, 2028): $17.50/capita.

Renewal Term(s), if exercised:

Year 4 (July 1, 2028-June 30, 2029): $19.00/capita; and

Year 5 (July 1, 2029-June 30, 2030): $20.00/capita.

Payment of Annual Fees shall be made in quarterly installments during each term year and may be paid in advance at the option of the local governing bodies. With Year 1 traversing 472 days, installments shall be made over five periods and may be paid in advance at the option of the local governing bodies.

D. Notice of Intent to Exercise Option to Renew. In order for the local governing bodies, or either local governing body to exercise its option to renew this Agreement, written notice of intent to renew must be delivered pursuant to Section XI of this Agreement no less than 12 months prior to the expiration of the last year of the Initial Term, or no less than 12 months prior to the expiration of a Renewal Term.

III. Shelter Services.

A. Definitions:

1. "Shelter Services" shall mean the impoundment and care of Animals delivered to the Facility, as more particularly described in Exhibit A, attached hereto and made a part hereof. Whether expressly stated, this term will

[1] For purposes of this Agreement, the "official census population" shall refer to the most recent estimate of the population for the City and the County, as applicable, as published by the U.S. Census Bureau utilizing the American Community Survey 5-Year Population Data. The most recent American Community Survey 5-Year Population Data as of ratification of this Agreement is the 2023 population estimate.

[2] Based on the current US Census Bureau population figures for the County (113,683) and the City (45,863), the County's Year 1 fee will be $1,477,879 (113,683 x $13) and the City's fee will be $596,219 (45,863 x $13).

include services in compliance with all relevant laws and ordinances in effect for a public animal shelter;

2. "Animal" or "Animals" shall mean dogs, cats, and other companion animals as defined in § 3.2-6500 of the Code of Virginia (1950), as amended; owned companion animals found running at large, surrendered in the field, or impounded; companion animals found by the public within the jurisdiction of the local governing bodies; and dogs surrendered to the shelter by rightful owners residing within the jurisdiction of the local governing bodies; and
3. "Impound agents" shall mean animal control and protection officers, public safety officers, and any other agents of the local governing bodies who deliver Animals to the Facility.

B. Services Provided:

The SPCA shall provide Shelter Services for all Animals delivered to the Facility by the County's and City's respective Impound Agents. Except as otherwise expressly provided in this Agreement, or as required by applicable law, the manner in which Shelter Services are provided, including, without limitation, the hours of operation and staffing of the Facility, and the decision whether and when to euthanize any Animal while in its custody and is not subject to any stray, bite quarantine, or protective custody holds, including evidentiary holds, shall be in the sole reasonable discretion of the SPCA. Any Animal impounded, confined, and held in the custody of the Public Animal Shelter under this Agreement shall be subject to the responsible locality's determination as to any lawful disposition during any hold and prior to the lawful transfer or release of such Animal to any other humane society, animal shelter, or other releasing agency. The City and County retain the right to request the euthanasia of any Animal deemed to pose a public safety or public health risk. Should the SPCA not agree to euthanize the Animal(s) at the request of the City and/or County, the City and/or County shall have the right to exercise the option to remove and dispose of the Animal(s) from the Facility for which Shelter Services are being provided pursuant to this Agreement.

IV. Responsibilities of the SPCA. The SPCA shall provide Shelter Services, as described in Exhibit A. In addition, the SPCA will:

A. Prepare and provide to the local governing bodies copies of an annual audit and an annual budget;
B. Cause its Executive Director or their designee to meet with representatives of the local governing bodies before the end of each Agreement Year, or at such other date mutually agreed by the Parties, to discuss the annual audit and the annual budget;
C. Retain at all times copies of the books and records relating to this Paragraph IV for the Term of this Agreement, provide notice of the intent to destroy records from 2019 and after related to and arising from services provided under the prior

agreement, and provide a reasonable opportunity for the City and County to request copies of such records.

C. At any reasonable time(s) and upon reasonable prior request, provide to the local governing bodies and their respective authorized agents, access to such books and records as may be necessary for the local governing bodies to confirm that the SPCA is complying with the provisions of this Agreement;
D. Comply with all current and future laws and regulations governing public animal shelters;
E. Bear responsibility for any fines imposed by any regulatory body for any failure to comply resulting from the SPCA's action or inaction. The SPCA shall not bear any responsibility for fines imposed based on the action or inaction of Impound Agents or other agents of the local governing bodies. The SPCA, however, assumes responsibility for the treatment of any Animal upon the lawful delivery and transfer of custody of such Animal to the Public Animal Shelter by an Impound Agent.
F. Assume any costs associated with the SPCA maintaining compliance with all laws and regulations.

V. Responsibilities of Local Governing Bodies. The local governing bodies shall pay the Annual Fees, as provided herein. In addition, the local governing bodies will:

A. Deliver to the Facility Animals confiscated for "running at large" in the County/City;
B. Designate a supervising County/City official to whom the SPCA may deliver routing communications, notifications, and any other requests or information;
C. Require Impoundment Agents to comply with the SPCA's check-in procedures and all other written, reasonable rules and regulations of the SPCA, provided that any rules and regulations affecting the provision of Shelter Services do not, in the reasonable judgment of the local governing bodies, impair the provision of Shelter Services under this Agreement.
D. Require Impoundment Agents to comply with applicable law in handling and delivery of Animals to the Facility;
E. In the case of owned Animals surrendered to an Impound Agent for disposal, provide an admittance form complying with applicable law, with the owner's signature;
F. In the case of any dead Animal, as defined in this Agreement, provide a photograph of the Animal, as well as a written description of the animal, location found, and probable cause of death. In the event the Animal is being held as evidence, deliver such Animal to the area established by the SPCA for holding. Additionally, provide the case number and contact information for the responsible law enforcement or legal officer. If such Animal is deceased, the Animal will be held in the SPCA freezer until the evidence hold has been released. The SPCA shall be promptly notified by responsible law enforcement or legal officers upon the release of any evidence hold.

G. For any Animal delivered to the Facility by an Impound Agent after a bite incident, the Impound Agent will provide, in writing, the owner's name (if known, contact information) and any information known to the Impound Agent regarding the circumstances of the bite and animal outcome information, and notify the local office of the Virginia Department of Health;

H. For any Animal delivered to the Facility by an Impound Agent with aggressive behavior or any other serious behavioral issue known to or described to an Impound Agent, provide such information, in writing, on the SPCA admission form. The Impound Agent shall notify the SPCA if the Animal's owner will be or has been charged or has been found guilty of any laws regarding dangerous or vicious animals. In the event the owner is not seeking to appeal the decision or is unable to meet the restrictions, Impound Agents will notify the Animal's owner or custodian that they will have their pet euthanized either by a private veterinarian or the animal shelter. If the latter, surrender paperwork must be provided to the SPCA as soon as possible and prior to the animal being euthanized.

I. Provide reasonable advance notice, when practicable, to the SPCA in cases of a large number of Animals confiscated or impounded from one situation (a large number shall be greater than 10 Animals); and,

J. Exercise best efforts to resolve any disagreement regarding the implementation of this Agreement by consulting with the Executive Director of the SPCA.

VI. Default. Failure by either of the local governing bodies to pay any installment of the Annual Fees or any other sum due under this Agreement within forty-five (45) days following the date on which such payment is due shall constitute a default hereunder as to the non-paying local government body. Failure by the local governing body to cure such payment default, or failure by either a local governing body or the SPCA to cure any other material breach of this Agreement, including any material breach of the audit provisions of paragraph 4 of this Agreement, within forty-five (45) days following receipt of written notice thereof, may result in termination of this Agreement, as to the defaulting party or parties, at the election of the non-defaulting party.

VII. Insurance. The SPCA shall maintain sufficient insurance to protect itself and the local governing bodies from any claims that may arise from the operation of the Facility pursuant to this Agreement. Such insurance shall meet or exceed the minimum coverage requirements reasonably established by the local governing bodies and may be provided by commercial carriers or by self-insurance or by any combination of the two by certificate from the insurance provider, naming the local governing bodies as additional insureds. Proof of such coverage shall be provided to the local governing bodies upon request.

VIII. Indemnification. The SPCA shall be responsible for, shall defend against and shall indemnify and hold the County Indemnitees and City Indemnitees (as hereinafter defined) harmless from and against, any and all lawsuits, claims, demands, losses, or actions made or taken against any of the County or City Indemnitees based upon, arising from, or incident to the decisions and/or actions of the SPCA or any of its officers, directors, employees, agents, or volunteers to the extent any such lawsuits, claims, demands, losses, or actions arise from any failure of the SPCA to meet its obligations in accordance with Chapter 65, Title 3.2 of the Code of Virginia, as amended, (Virginia Code § 3.2-6500, et seq.) which details provisions for adequate care, shelter, exercise, feed, space, and water. For purposes hereof, the "County Indemnitees" shall mean, collectively, the County and its Board of Supervisors, employees, representatives, officials, and agents; the "City Indemnitees" shall mean the City and its Council, employees, representatives, officials, and agents.

IX. Assignment. No party shall assign or transfer all or any part of its right, title, or interest in this Agreement, without the prior written consent of the other parties.

X. Governing Law. This Agreement shall be governed by the laws and regulations of the Commonwealth of Virginia.

XI. Notices. All notices required to be given under this Agreement shall be delivered, by first-class registered mail, as follows:

To the SPCA: Charlottesville-Albemarle SPCA
3355 Berkmar Drive
Charlottesville, VA 22901
Attn: Executive Director

To the County: County of Albemarle
401 McIntire Road
Charlottesville, VA 22902
Attn: County Executive

To the City: City of Charlottesville
605 E. Main St.
Charlottesville, VA 22902
Attn: City Manager

XII. Complete Agreement; Amendments. This Agreement constitutes the final expression of the parties and supersedes all previous agreements and understandings, written or oral, relating to the rights and responsibilities of the Parties hereunder for the time period covered hereby. This Agreement may not be altered, amended, or modified except by written instrument executed by duly authorized representatives of the Parties.

XIII. Non-Appropriation. In accordance with Virginia Code § 15.2-2506, the County's or the City's obligation to pay any Annual Fee or other sum due hereunder shall be subject to the respective locality's governing body appropriating adequate funds. In the event a local governing body does not appropriate funds due or expected to become due under this Agreement, the non-appropriating local governing body must notify the SPCA immediately and this Agreement will terminate as to that non-appropriating locality upon the exhaustion of appropriated funds without penalty or expense to the non-appropriating locality. The non-appropriating local governing body shall be obligated to pay the SPCA for services rendered only to the extent for which funds have been appropriated. To the extent permitted by the Constitution of Virginia and Virginia statute, neither the City nor the County shall fail to appropriate adequate funds with the intent and for the purpose of prematurely terminating this Agreement or in an attempt to alter the terms thereof.

XIV. Board Representation. The local governing bodies shall each be permitted to appoint one individual to serve at the pleasure of the appointing local governing body as a Director on the SPCA Board of Directors subject to SPCA Director term lengths, term limits, and compliance with Bylaws and general Board policies. Notwithstanding the foregoing, Board representatives appointed by the City and County shall be exempt from any fundraising or contribution requirements as well as any requirements to serve on committees.

IN WITNESS WHEREOF, the parties do hereby set forth their signatures and do hereby represent that the individuals who have executed this Agreement have been duly authorized to bind the local governing bodies and the SPCA, respectively, to the terms and conditions hereof.

[Signature page follows]

CHARLOTTESVILLE-ALBEMARLE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS ("SPCA")

By: E Jones

Libby Jones, Executive Director

COUNTY OF ALBEMARLE, VIRGINIA ("COUNTY")

By: ______________________

Jeffrey B. Richardson, County Executive

Approved as to form:

By: Andrew H Herrick

County Attorney

CITY OF CHARLOTTESVILLE, VIRGINIA ("CITY")

By: ______________________

Samuel Sanders, Jr., City Manager

Approved as to form:

By: ______________________

City Attorney

EXHIBIT A

Description of Shelter Services

Shelter Services to be provided by the SPCA:

- Impoundment services for all Animals delivered by the City/County Impound Agents or City/County residents; to include all Animals surrendered directly to Impound Agents and protective custody cases, stray and return to owner/guardian services, bite quarantine, dangerous animal holding, and all other holds as required by applicable laws and regulations;
- Owner surrender services for all Animals delivered by City/County residents during business hours, provided appropriate space is available for such Animal. As is appropriate, efforts will be made to assist owners in rehoming or disposing their Animal themselves so as not to incur additional shelter expense. Surrender for euthanasia will be considered on a case-by-case basis as approved by the Directors of Operations or Veterinary Services;
- Euthanasia services when shelter veterinarians are onsite for all Animals and wildlife delivered by City/County Impound Agents that cannot be safely euthanized in the field;
- Veterinary, Adoption, Foster & Animal Care services to shelter residents in compliance with Virginia Code and Virginia Department of Agriculture and Consumer Services regulations;
- Facility access to City and County public safety officials as needed outside of normal business hours;
- Provide response to all free-roaming cat calls, along with education, resources, and trap-neuter-return services, supporting City and County residents to mitigate the spread of disease and control cat overpopulation;
- Transport from and reimbursement to contracted emergency vets for stabilizing care for sick/injured stray Animals delivered by Good Samaritans after hours;
- Maintain a dedicated public animal shelter intake area where dog and cat runs or cages are available to Impound Agents for temporary intake delivery and custody transfer, such area subject to advance approval by the Virginia Department of Agriculture and Consumer Services.
- Low-cost veterinary services to low-income City/County residents to the extent operationally viable to do so. Such services shall be dependent on veterinary availability;

- Provide timely updates regarding policy, procedures, or protocols relating to public Shelter Services and provide a process for informal and formal input/feedback;
- Provide resources and training for Impound Agents to review in the event that they are not familiar with SPCA Shelter operating procedures and protocols. The designated intake area will have clearly posted signage indicating required intake procedures and all required forms;
- At the request of an Impound Agent at the time of, or within 48 hours, of impoundment, provide detailed veterinary assessments of impounded Animals for the purposes of animal welfare investigations;
- For Animals held as evidence or pending further investigation or trial, the shelter shall place the animals on "Protective Custody." Animals impounded on Protective Custody will be handled, cared for, and vaccinated in accordance with all applicable laws. The Impound Agent will provide as much detail and instructions as possible upon delivery and will provide timely updates to shelter staff. No Animal will be removed from Protective Custody or be subject to elective or non-emergency surgery without authorization from the Impound Agent or their supervisor;
- Maintain and publicize hours of operation. Establish reasonable business hours to accommodate stray and redemption services for members of the public in accordance with applicable law and Virginia Department of Agriculture and Consumer Services standards;
- Allow Impound Agents reasonable access to applicable shelter records and shelter record software;
- Respond in a timely manner to animal care or welfare concern brought to shelter management's attention by an Impound Agent. Additionally, respond in a timely manner to any regulatory violation based upon, arising from, or incident to the decisions and/or actions of the SPCA or any of its officers, directors, employees, agents, or volunteers, pay any and all related fines associated with any regulatory violation, and be responsible for any costs associated with regaining and maintaining compliance with any regulatory requirements;
- Impound Agents are responsible for accurately completing all required impoundment forms and intake protocols. The SPCA will notify representatives for the City and the County of any regulatory violation, potential or incurred, as a result of non-compliance.
- Develop and maintain an emergency evacuation plan for shelter residents. An SPCA representative will be made available to the City or the County to consult on local

community emergency evacuation and disaster overflow plans that may include routine tabletop exercises relating to Animal impoundment or evacuation during a crisis, emergency, or disaster;

- The shelter will ensure that all Animals adopted and redeemed have all applicable vaccinations, identification, and alteration as provided in Virginia law and Regulations and local City/County ordinances. Any exceptions will be clearly documented in the Animal's record. If follow-up is required, it will be reported to the City and County representatives in a timely manner;
- In the event Impound Agents have the need to temporarily borrow supplies, it must be on a request-only basis and such agents will be required to return the borrowed items in the same condition in which they were borrowed (e.g., cleaned and sanitized, unbroken, etc.). General disposable or consumable supplies should be procured by the responsible local government as needed for Impound Agents during the course of their work;
- All Parties will exercise best efforts to resolve any disagreement regarding the implementation of this Agreement and updates to any applicable policies and protocols by consulting with the designated representative of the SPCA and each jurisdiction's Impound Agents.

Agenda Item No. 13. Boards and Commissions.
Item No. 13.a. Vacancies and Appointments.

Ms. McKeel **moved** that the Board make the following appointments to Boards and Commissions:

- **Appoint** Mr. Jonah Fielding to the Agricultural and Forestal Advisory Committee to a partial term ending on April 17, 2026.
- **Appoint** Mr. Brad Cogan to the Agricultural and Forestal Advisory Committee with said term to expire on April 17, 2027.
- **Appoint** Mr. Joseph Jones, and Ms. Ann Craddock to the Agricultural and Forestal District Advisory Committee with said terms to expire on April 17, 2028.
- **Reappoint** Mr. Shawn Brydge, Mr. Michael Monaco, and Mr. Andrew Bowers to the Crozet Community Advisory Committee with said terms to expire on March 31, 2027.
- **Appoint** Mr. Frank Friedman to the Economic Development Authority as the Rio District representative to fill an unexpired term ending on January 19, 2026.
- **Appoint** Mr. Frank Friedman to the Equalization Board as the Rio Magisterial District representative, with said term to expire on December 31, 2025.
- **Appoint** Mr. Luke Roark to the Historic Preservation Committee with said term to expire on June 4, 2027.
- **Appoint** Ms. Novella Thompson and Ms. Jane Foy to the Jefferson Area Board for Aging with said terms to expire on March 31, 2027

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, and Ms. McKeel.
NAYS: None.
ABSENT: Mr. Pruitt.

Agenda Item No. 14. From the County Executive: Report on Matters Not Listed on the Agenda.

There was no report.

Agenda Item No. 15. From the Public: Matters on the Agenda but Not Listed for Public Hearing or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.

Ms. Victoria Veliky, Scottsville District, said that she had learned a lot over the past two weeks. She said that first, she discovered that equestrian trails were not to be considered at Biscuit Run Park. She said that she was surprised she had missed that. She said that then, she found out that the equine business wording had been removed from the new Comprehensive Plan. She said that then, she heard about AC44, which she did not know about. She said that to get caught up, she spent an entire day conducting research and trying to understand what was happening in Albemarle County, particularly regarding Biscuit Run Park.

Ms. Veliky said that she delved into the words "land use" and the concept of the land use tax benefit for equine businesses. She said that she also got caught up on the AC44 plan. She said that she encouraged anyone watching the live feed or seated behind her in the auditorium to thoroughly review their interests that would be included in AC44. She said that then, she saw that her tax assessment went up. She said that then, she saw that their taxes would be increased. She said that she did not know how she missed that. She said that AC44 would be with them for the next 20 years.

Ms. Veliky said that based on her observations from the February 19 Board of Supervisors meeting, the Planning Commission meeting on February 25, and the Board work session on the Parks and Recreation presentation that day, she believed their leadership had ambitious and expensive plans in the AC44. She said that the comments she observed were both broad and specific. She asked if this was where her tax dollars were going towards? She said that she had some suggestions on how to allocate her tax dollars more effectively. She said that specifically, she proposed reinstating the words for equine business use in the AC44 and including equine trails at Biscuit Run Park. She requested that the Board notify her by certified mail if either of these things would not happen.

Mr. Pruitt returned to the meeting at 6:10 p.m.

Ms. Ann Wicks, Samuel Miller District, said that she was present for three reasons. She said that she first wished to express her support for the new horse trails as referenced in Action 6.1 in the Parks and Recreation draft. She said that secondly, she asked the Board to reconsider their decision regarding equine access to trails at Biscuit Run.

Ms. Wicks said that lastly, she requested that AC44 include language that recognizes the County's thriving equine industry and supports its future growth. She said that ten years ago, she was familiar with the 2015 Comprehensive Plan and was excited about the state's plans for Biscuit Run, which included horse trails. She said that as a full-time teacher and owner of a small horse farm, she missed the two community input gatherings held after the County leased Biscuit Run, although she was certain she had completed an online survey.

Ms. Wicks said that living in a County whose 2015 Comprehensive Plan clearly recognized the economic impact of the local horse industry and specified wanting to find ways to support it, she was surprised to learn in December that horses were not included as part of Biscuit Run's multiuse trails. She said that as equestrians in Albemarle now knew all too well, even when things were written down, community members needed to pay attention and speak up.

Ms. Wicks said that by assuming the horse trails specified in the State Park Plan would carry over to the County, they were naive. She said that by not showing up to express their desire to have horse trails at Biscuit Run, it was assumed there was no interest. She said that trail access was critical to a thriving horse economy, a fact clearly recognized at the state level, and though horse trails were originally planned by the state, lack of local input led to the loss of trail access.

Ms. Wicks said that she was one of many horse owners in the County who would like to see that changed. She said that the 2015 Comprehensive Plan made several direct references to the County's equine industry and identified goals to support that industry. She said that under the Rural Area goal on page 29, Strategy 1.F. stated, "study ways in which the County can better support the local horse industry."

Ms. Wicks said that this was further elaborated on page 200, where the plan stated, "opportunities exist to grow this industry even more. Further study was needed to determine the extent to which the County should take advantage of this growing industry." She said that she would like to know about any studies that had been conducted and how they were informing AC44.

Ms. Wicks said that beyond Action 6.1, which mentioned providing new trails for horseback riding, she was concerned that the current draft of AC44 did not reference the equine industry's contributions to their County. She said that if they envisioned horses as an integral part of the County's rural cultural and economic fabric in its future, it was essential to ensure continued access to horse trails beyond the two parks on the northern perimeter that currently allowed horses. She said that AC44 should include references to the importance of the County's equine industry and plans to support it, as mentioned in their 2015 Comprehensive Plan.

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Ms. Shawnee Baker, White Hall District, said that this was either her fourth or fifth week in a row attending each of these committees, as the horse community has come to realize the changes affecting the AC44, equine business use, land use, and the Biscuit Run Park differences.

Ms. Baker said that she was speaking on behalf of the equine industry in central Virginia. She said that with 18 years of experience managing a busy local tacks shop in this town, she was well aware of the significance of this issue. She said that Virginia has a substantial equine community, and many people travel to their local area, drawn by their facilities.

Ms. Baker said that the horse enthusiasts who visit from all over Virginia not only shop, buy gas, and stay in town for lunch but also ride at the available facilities, visit the parks, and contribute to increasing tax revenue for their community. She said that the success of Preddy Creek and Pleasant Grove, among others, demonstrates the importance of these facilities. She said that she would like to encourage the Board to focus on continuing to develop horseback riding trails at Biscuit Run Park, as originally contemplated in the Virginia State Park Plan. She said that furthermore, she believed it was essential to evaluate the AC44 business use, land use, and other factors to ensure that all equine industries are included in this evaluation.

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Ms. Liz King, White Hall District, said that she owned Millington Stables, a farm that has been in operation since 1969, and she had been there for 37 years. She said that for 55 years, the farm has provided continual revenue to the community, even during the COVID-19 pandemic. She said that they currently offer more than 80 riding lessons per week, and each of these lessons brings value to the community by supporting local businesses such as feed suppliers, tack stores, farriers, veterinarians, farm workers, tractor repair services, and industries associated with riding programs.

Ms. King said that their program was varied and offers beginner lessons, horse shows, hunting, trail riding, Gymkhana clinics, 4-H, and pony clubs. She said that they utilized the available facilities in the area, including Preddy Creek and Pleasant Grove, to provide diverse experiences. She expressed deep concern that the plans for Biscuit Run Park have changed. She urged the Board to focus on developing horseback riding trails at Biscuit Run, as originally contemplated in the Virginia Park Plan.

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Agenda Item No. 16. **Public Hearing: Public Hearing on the County Executive's FY 2026 Recommended Budget.** To receive comments on the County Executive's FY 2025/2026 Recommended Budget.

Mr. Jeff Richardson, County Executive, said that staff introduced this budget to the Board on February 26, and the public hearing that evening marked the first of several opportunities for public input. He said that prior to the hearing, he would provide an overview of the remarks regarding the FY26 budget.

Mr. Richardson said that he would like to extend his appreciation to their staff, as well as the Board, for their hard work and dedication throughout the budget process, which began in the fall. He said that he would also like to take a moment to thank all County staff who had worked tirelessly throughout the fall, winter, and early spring to bring them to this point.

Mr. Richardson said that he would discuss the recommended budget, but before he did, he would like to briefly discuss their Strategic Plan and how they align their resources through their strategic planning process into each annual budget. He said that specifically, he would touch on the three lenses that their community uses to gauge the performance of County Government. He said that these lenses were economic vibrancy, service delivery and response, and quality of life.

Mr. Richardson said that economic vibrancy refers to the health and strength of their local economy. He said that service delivery and response related to their people, policies, response times, and business systems that enable them to provide services to every community member. He said that quality of life encompasses a range of factors, including commute times, affordable housing, job opportunities, greenways, good schools, and lower taxes. He suggested that their connection to service delivery had a direct impact on their community's quality of life.

Mr. Richardson said that he would now take a moment to examine quality of life in more detail. He said that he wanted to reiterate that their approach was subjective, broad, and action oriented. He said that that evening, they would gain some insight from the members of the public who were there to discuss the budget and what mattered most to them. He said that the current slide provided a brief overview of what people typically discussed when they talked about how their quality of life was affected. He said that it was a tall order, as local government bears the heavy responsibility of addressing quality of life issues, and they cannot do it alone, which was why partnering with key agencies was crucial. He said that by leveraging these partnerships, they could achieve more with less and positively impact the community they serve.

Mr. Richardson said that the key to prioritizing resources during the budget process was to align their strategic goals with their multiyear Strategic Plan and each year's budget process. He said that the Board would see that they had six strategic goals, which were represented in the budget, both in ongoing operations and the County's $129 million CIP (Capital Improvement Plan) for local government infrastructure investments and ongoing projects.

Mr. Richardson said that they had to look through these strategic goals aligned with their finances through the affordability lens. He noted that he often said that regardless of their financial situation, they would run out of money before they ran out of opportunities and problems that arose through their Strategic Plan work.

Mr. Richardson said that as an example of their multi-year budgeting process, they budget annually, and this year's budget was balanced. He said that he would discuss this further, but this slide represented their multiyear budgeting approach, recognizing that decisions made in one year would impact the next year. He said that if one reviewed the FY24 budget process, they would see a slide that guided some of the decisions made during that time. He said that on the bottom left corner of the page, there was a $4.9 million amount associated with out-year obligations.

Mr. Richardson said that the obligations were listed on the top right and were also highlighted in the yellow box. He said that as a result, they had withheld almost $5 million of ongoing funding in FY24, recognizing that they had committed to certain obligations that were already underway and tied to service delivery in this community. He said that they had decided to save some of the ongoing revenue to plan for out-year obligations.

Mr. Richardson said that he would like to highlight a few points. He said that one was the commitment to three new schools for the Public School System, which were currently under construction. He said that two of the schools would open in FY27, marking the first new schools built in Albemarle County in 20 years.

Mr. Richardson said that they had made a multiyear commitment to increase personnel in the Fire and Rescue Department to offset the loss of volunteer professional services in the County. He said that this was a combination system that served residents throughout Albemarle County, and they developed a strategy to competitively pull down federal SAFER (Staffing for Adequate Firefighters and Emergency Response) grant dollars to fill positions in the Fire and Rescue Department, knowing that these positions had out-year obligations attached to them.

Mr. Richardson said that looking ahead to FY27 and beyond, they would see the operational costs associated with opening two of those new schools already being considered. He said that they were also closely monitoring the connection between Schools and state funding. He said that he would like to remind the Board that their local government was responsible for 72% of their local School System's costs, while the state covered approximately 28%. He said that they were currently evaluating the state funding for next year, which was tied to the Local Composite Index (LCI).

Mr. Richardson said that the LCI was a complex formula used by the state to evaluate all communities in Virginia every two years, and it played a significant role in determining state funding. He said that there was a possibility that the funding could be adjusted next year, which could impact the gap between local government and state funding.

Mr. Richardson said that they were also reviewing their revenue sharing agreement with the City and their relationship with key partner agencies in the services they provided. He said that additionally, they were considering the federal SAFER money and the relationship they had with their local government services.

Mr. Richardson said that he would like to revisit the slide he shared with the Board the previous summer, and that they continued their work through the summer and fall. He said that their goal was to focus on FY26, where they analyzed the expenses and predicted revenues, anticipating a 3.1% gap in their total budget, amounting to approximately $13 million. He said that this gap was a significant concern, and they would need to work hard to balance the budget.

Mr. Richardson said that this budget was recommended and balanced at $0.894 of real property per $100 of assessed value, which represented a recommended $0.04 dedicated tax rate increase. He said that on the far right of the slide, it recommended a personal property tax rate of $4.28 per $100 of valuation, which would restore the rate that had been steady for about 20 years, prior to the pandemic. He said that during the pandemic, they reduced the personal property tax by $0.86 as a temporary measure to alleviate the impact of increased used car prices. He said that those prices had stabilized, and they were now seeking to fully restore the pre-pandemic rate. He said that the two bottom revenues, food and beverage and transit occupancy tax, would remain unchanged.

Mr. Richardson said that he would like to take a moment to explain the $0.04 dedicated tax rate increase. He said that $0.032 (80%) of this increase would be dedicated to public safety. He said that in

FY26, they were obligated to pay $9.9 million to repay the Federal Emergency Management Agency (FEMA) grants that funded 57 firefighter positions, as well as new police officers, to fully fund their public safety plan and other public safety expenses. He said that this dedicated funding would support their public safety obligations and initiatives.

Mr. Richardson said that the remaining $0.008 had been recommended to be split between operational revenue and the County School System. He said that $0.004 represented $1.2 million, which would support continued education funding and would be a supplement to the rest of the revenue coming in, which was split between Local Government, Schools, and their capital program. He said that the final $0.004, also $1.2 million beginning in FY26, would be Albemarle County's first ongoing revenue stream, dedicated to affordable housing. He said that this would remain the case as long as the Board determined, ensuring ongoing investment in County accessibility. He said that in addition to this ongoing revenue, there was an additional one-time money of $3 million, also dedicated to affordable housing, if the budget were passed by the Board.

Mr. Richardson said that their General Fund revenues for the upcoming year were the primary focus because that was where all the tax revenue was received, and it was the funding source for Schools, capital debt, and Local Government, and it was where the Board had the most policy discretion.

Mr. Richardson said that General Fund revenues had grown by 9.7% in the recommended budget, representing $42.5 million in additional revenue from last year to FY26. He said that he would track this for the Board in a few minutes, notating where the majority of this $42 million was being earmarked.

Mr. Richardson said that on the expenditure side, the recommended expenditures were balanced based on revenues. He said that approximately 45% of the money was sent to Albemarle County Public Schools (ACPS), who were their closest partner on a day-to-day basis, with which they worked closely. He said that some of this was dictated by state laws, but they took this obligation very seriously.

Mr. Richardson said that he would like to take a minute or two to delve into the investments more specifically, and then he would wrap it up and he would turn it back over to the Board for the public hearing. He said that he would walk through some of the revenue, including earmarked revenue going into FY26, and tie it back to their Strategic Plan.

Mr. Richardson pointed out that this connection would become apparent when they discussed certain topics and their strategic goals, including safety and well-being, and workforce and customer service. He said that this alignment was consistent throughout the recommended budget, as they again aligned their five-year Strategic Plan with their year-to-year budget planning.

Mr. Richardson said that Albemarle County was committed to ensuring Fire Rescue and Police had the resources they needed to serve the community effectively. He said that in recent years, Albemarle County had successfully leveraged four federal grant funding opportunities from FEMA's SAFER program to hire firefighters. He said that these hires addressed critical challenges, including volunteer shortages and an increasing demand for fire and emergency medical services, particularly in the urban ring. He said that since 2021, calls for service for Fire Rescue had increased by almost 16%.

Mr. Richardson said that in addition to the call volume, he suggested to the Board that the complexity of the calls had also continued to rise. He said he would discuss this further with Police and the evolution of their work, including the creation of the Human Services Alternative Response Team (HART).

Mr. Richardson said that the funding had allowed them to defer the cost associated with bringing the 57 positions on board, as shown on the slide. He said that they had pulled down $12.7 million in federal funding. He said that this funding worked by being pulled to the community, earmarked for specific gaps, and then over time the federal government stepped away with the Local Government expected to take over. He said that in their case, it was a thoughtful strategy five years ago that they had started this process because they saw the slow but predicted decline in volunteer professionals across Albemarle County. He said they had begun using this strategy to expedite the addition of positions across the County to handle their calls for service.

Mr. Richardson said that in this budget, they were also recommending funding for six new police officers to support public safety. He said that the six positions he had requested in this budget represented the highest number of new positions added since FY2016, should the Board approve this request. He said that this had been a part of their Police Department's request since 2022. He said that since 2021, they had added 13 police officer positions to address a wide range of needs within their Police Department. He said that their department was a full-service agency, including animal control, criminal investigation, and a partnership with federal, state, and local agencies.

Mr. Richardson said that after reviewing the number of miles their officers cover and the increase in calls for service, he became convinced that additional support was necessary. He said that in 2024, they reached a significant milestone, crossing the 75,000 calls threshold. He said that to reiterate, in 2024, the Albemarle County Police Department (ACPD) received 75,402 calls for service.

Mr. Richardson said that he believed that the additional six officers, which would be assigned to patrol duty, would create a more favorable staffing situation on a day-to-day basis. He said that given their 725 square miles to cover, 365 days a year, having all six positions dedicated to patrol would help improve coverage and response times, particularly during busy periods and in the Rural Area where officers were often spread far apart.

Mr. Richardson said that he would like to bring to the Board's attention that they were currently undertaking a comprehensive public safety staffing study, which would assess both Police and Fire Rescue departments. He said that this study aimed to ensure that they were providing effective public safety responses, taking into account industry standards and best practices. He said that although the study's results would not be available until later this year, it would inform their recommendations for infrastructure, deployment, and staffing to address the changing risk profile of the County as it continued to grow.

Mr. Richardson said that he would also like to mention the HART team, which had been instrumental in addressing the increasing complexity of calls and the volume of calls. He said that the County, with the Board's support, had created the HART team, an interdisciplinary team that had been effective in handling mental health crisis calls. He said that they had continued to monitor its performance.

Mr. Richardson said that moving forward, he would like to focus on human services funding, which supported goals one and four in their Strategic Plan. He said that the recommended budget for next year was $1.6 million, a $385,000 increase, or 31% from the current year, to fund 26 separate programs that partnered with Albemarle County Government to support local, nonprofit, and community organizations. He said that this funding would strengthen the regional safety net and improve residents' access to vital services.

Mr. Richardson said that this included 26 programs, such as Loaves and Fishes, which provided emergency food, People and Congregations Engaged in Ministry (PACEM), which provided emergency shelter, and the Ready Kids program, which offered mental health care for kids and teens. He said that he believed this area of their funding was a force multiplier, as it enabled them to partner with community organizations to deliver vital services to their residents.

Mr. Richardson said that when it comes to community services, Albemarle County collaborates with regional agencies and organizations to ensure residents have access to essential services without shouldering the full cost of operations. He said that in public safety, this investment amounts to $12.5 million. He said that a notable example was the Albemarle-Charlottesville Regional Jail, which was undergoing renovation through a regional partnership. He said that this was the first renovation in 50 years, and the County's share of the debt service next year, combined with operational funding, was approximately $5.3 million.

Mr. Richardson said that this partnership also included the Blue Ridge Juvenile Detention Center, the Charlottesville-Albemarle Society for the Prevention of Cruelty to Animals (SPCA), and the Emergency Communications Center, the County's 911 system. He said that this partnership between the City, County, and University, where they housed those staff under one roof to save money on infrastructure, aimed to enhance 911 services and emergency response coordination, with the County's share being $5.3 million.

Mr. Richardson said that moving on to the County's investment in Schools, he would like to discuss the partnership with ACPS. He said that as their clearest partner, they had a clear understanding of their funding obligations and responsibilities. He said that in next year's budget, he had recommended a $14.3 million increase in operational funding for the Schools, representing a 7.3% increase. He said that this would also allow the Board to consider allocating $6.2 million in one-time funding to support their jointly owned healthcare program, a self-funded health care program between the County, Local Government, Schools, and partner agencies. He said that he would also like to mention that the County is currently building three new schools and plans to open two in 2027.

Mr. Richardson said that affordable housing was a priority. He said that as he had mentioned earlier, $0.004 of the proposed increase would be allocated to affordable housing, which equaled $1.2 million of dedicated revenue for affordable housing if this budget was approved, along with an additional $3 million one-time investment. He said that this totaled $4.2 million earmarked in the FY26 budget for the Board’s consideration. He said that this would add to the prior investment of $17.7 million in housing investments over the past five years.

Mr. Richardson said that he would like to take a minute to discuss the importance of the Economic Development Fund. He said that they had allocated about $1 million of additional one-time money to the fund for next year. He said that they continued to focus on growing their target sectors, including biotechnology and national security innovation, such as Rivanna Futures and the Commonwealth Bio Accelerator. He said that the recent announcement with Afton Scientific, where CEO Tom Thorpe announced a $200 million capital investment, with plans to add 200 workers in this local industry.

Mr. Richardson said that to partner with their Albemarle County School System, PVCC, and UVA on future life sciences, advanced manufacturing, and cybersecurity job opportunities, they needed to continue to partner on redevelopment projects that delivered public infrastructure. He said that their current partnership with Home Depot at the Fashion Square Mall site was a good example. He said that Home Depot's investment of $26 million would result in over 100 jobs, with plans to open later this year.

Mr. Richardson said that this budget supported their workforce, with $3.5 million earmarked for a market adjustment, resulting in a 3% pay increase for County staff. He said that they were also recommending continued funding for their public safety pay plan to maintain competitive salaries within the County Government market. He said that this funding would also support ongoing market studies to ensure they remained competitive, which would help them with their recruiting and retention efforts, as well as turnover.

Mr. Richardson said that the Board had observed a 24% increase in their healthcare rates. He said that as a self-funded entity, their healthcare plan costs were entirely generated by the performance of their plan. He said that they had observed rising healthcare claims and increasing costs for the County over the past several years. He said that in light of this, he was requesting that the Board approve the transfer of $9 million into their healthcare fund's fund balance. He said that separately, they had recently announced the opening of the first-ever County health clinic for County employees and covered lives under their health plan. He said that this clinic was a best practices model, not only in Virginia but across the United States.

Mr. Richardson said that he would like to take a moment to discuss their focus on cost savings and efficiencies in workforce and service delivery. The Board had challenged staff last year to identify cost savings and efficiencies within their budget, and they had worked diligently to achieve approximately $500,000 in annual cost savings. He said that they anticipated identifying $1 million in cost savings for FY25 and FY26, which would cover both periods.

Mr. Richardson said that this included examining vacant positions and reengineering processes to ensure staffing was aligned with priorities. He said that they were also committed to fully implementing their systems modernization work across all departments, both internal and external, to maximize efficiency as they implemented new systems in their operating departments.

Mr. Richardson said that their recommended budget included eliminating 11.7 positions, all of which were currently vacant on the Local Government side. He said that these positions would be eliminated in FY26 if this budget was approved, and the 11.7 positions were offset by six new positions in the Police Department. He said that this resulted in a net reduction of six positions in the County.

Mr. Richardson said that next, he would discuss their recommended FY26 through FY30 CIP highlights. He said that this presentation provided a snapshot of the key initiatives and investments they were undertaking on the Local Government side. He said that they had a significant amount of multiyear investments, including a five-year CIP that covered both Local Government and School projects. He said that when combining these two CIPs, the total investment in their community's infrastructure over the next five years was over $300 million.

Mr. Richardson said that on the School side, this amounted to nearly $190 million. He noted that they had successfully met the expanding capacity request with the northern feeder pattern elementary school, which he believed was a significant achievement. He said that additionally, they were fully funding the school bus replacement program for the next five years within their current CIP. He said that they were working hard to meet the schools' expectations regarding their infrastructure and CIP needs.

Mr. Richardson said that in Local Government, their investments covered a broader range of the six strategic goals, including partnerships. He said that a notable example was the Central Library renovations, which they were undertaking in partnership with the City. He said that they also undertook some projects independently.

Mr. Richardson said that as he concluded, it was ironic that earlier that day they had discussed AC44, specifically related to parks, recreation, and open space. He said that he appreciated the displayed slide because it provided a snapshot of their day-to-day operations. He said that they regularly shared this information with new employees during their orientation, asking them to point out something they did not know about. He said their responses often highlighted various aspects of their work, but all of these efforts mattered in terms of quality of life, their response to calls for service, and the service they provided to their citizens every day.

Mr. Richardson said that in summary, he would like to revisit the $42.5 million figure. He said that three years ago, they were examining their out-year obligations, many of which were tied to public safety. He said that they had a significant obligation to make a meaningful difference in this community. He said that when they examined the revenue growth, $42.5 million, they could see that they were investing in an increase in both ongoing and one-time funds of approximately $20 million in education, $10 million in public safety.

Mr. Richardson said that they were also investing in human services and housing, $2.2 million, workforce and service delivery, $3 million, and their revenue sharing agreement with the City continued to grow, with this year's increase projected at 2.4%. He said that they had an additional $2.4 million in CIP and debt, as well as their partnerships with community partners.

Mr. Richardson said that he would cover the next steps. He said that as they began the fiscal year budget calendar on March 5, they would hold a public hearing on the budget, followed by a series of work sessions in March and potentially into April if necessary. He said that they would be hosting town halls, with Board members accompanying staff to visit with community members in different districts throughout the County. He said that they would provide an overview of the budget and hear the community's thoughts on their budget. He said that their goal was to have a budget approved and appropriated by May 7, as they planned for FY26.

Mr. Andrews opened the public hearing.

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Ms. Karen Egan, Rivanna District, said that she appreciated the support provided by the Board for Albemarle County Public Schools (ACPS). She said that however, she was here to discuss the urgent need for CIP funding, as capital improvement needs were high and urgent. She said that ACPS faced significant overcrowding and were antiquated.

Ms. Egan said that the majority of ACPS students currently attended schools that were at or over 95% capacity, with several exceeding 100%. She said that seven elementary schools were over capacity, including Agnor, Baker-Butler, Greer, Woodbrook, Murray, Mountain View, and Red Hill. She said that eighth was Hollymead, which would soon reach capacity due to the growth in the northern development plan.

Ms. Egan said that although the capacity data indicated that most middle schools had room for additional students, she was concerned about the stories being shared. She said that at Lakeside Middle School, there was a shortage of classroom space, resulting in classes being held in the library or gym. She said that teachers had to use each other's classrooms during planning periods to teach due to this shortage.

Ms. Egan said that the most pressing issue was the high schools, which were all over capacity and had been for many years. She said that the planned Center 2 would not be sufficient to alleviate overcrowding at Albemarle High School. She said that the Long-Range Planning Committee projected that the student population at Albemarle High School would be nearly double that of the other high schools in just 10 years, raising equity concerns.

Ms. Egan said that this committee also recommended building a new northern feeder high school, which would serve a diverse student body. She said that currently, ACPS had 77 portable classrooms in use, with most having students actively in them, leading to safety concerns, health issues with poor ventilation, mold, noise, and lack of daylight. She said that the schools were antiquated, with the oldest schools constructed over 80 years ago, averaging over 50 years old per school.

Ms. Egan said that much-needed improvements had not been funded each year and were being consistently pushed off. She said that the schools desperately needed these facilities, as many of them had been in need for years. She said that unfortunately, many of the schools had received inadequate, poor, or borderline facility rankings. She said that some of these schools were overcrowded, requiring repairs that had not been done.

Ms. Egan said that the data indicated that the public had historically supported the schools. She said that in 1974, the public approved a referendum to build Western Albemarle High School. She said that in 2016, a bond referendum passed with 73.52% in favor. She said that they could not continue to delay addressing these needs and push them to future years. She said that the demands were high and urgent. She said that their buildings required repair, and they needed new facilities. She said that they were needed now. She said that the longer they waited, the higher the costs became.

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Mr. Brad Rodgers, Rivanna District, said that he was present to emphasize the urgent need for Albemarle County to allocate sufficient funds for school facilities in the County's budget. He said that for over 15 years, Albemarle had underfunded school facilities, and despite some projects now underway, the children and teachers bore the burden of subpar facilities. He said that the School Board had presented a $500 million needs-based Capital Improvement Plan (CIP).

Mr. Rodgers urged each Supervisor to collaborate with their School Board members, tour each school, and gain a deeper understanding of the CIP's contents and its significance to the community. He also encouraged the Board to develop a funding strategy to update and modernize all of the County's school facilities.

Mr. Rodgers said that while they had heard of proposed legislative solutions, such as a 1% sales tax, which had yet to gain sufficient support, there were other tools available to them that could be used immediately. He suggested considering bond referendums, public-private partnerships, specific tax-based carve-outs for schools, or other methods to fund critical school facilities. He thanked the Board for their dedication to the future of their students and for considering these critical steps to bring their school infrastructure forward.

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Mr. Tom Eckman, Rivanna District, said that he was a member of Interfaith Movement Promoting Action by Congregations Together (IMPACT). He said that for eight years, IMPACT had been advocating for an affordable housing trust fund. He said that these trust funds had been successfully implemented across the country, helping seniors, essential workers, families, and individuals find stable housing.

Mr. Eckman said that for every dollar put into a housing trust fund, nonprofit developers could leverage an extra eight dollars from other sources, maximizing the impact of the fund to build new and preserve existing affordable housing for those who needed it most. He said that the trust fund should prioritize the people who needed it most, namely households making 60 percent of the AMI (area median income) and below. He said that those individuals required it most.

Mr. Eckman said that through his work with PACEM, he had met many hardworking people who were staying in shelters, and the reason they were there was because they could not afford the rent of having an apartment. He said that the County had invested money into the housing fund, but it had not been effective as it could have been because there was no trust fund structure in place to leverage these dollars. He said that the policy had been approved three years ago, and the affordable housing crisis was growing, and this inaction was missing opportunities.

Mr. Eckman said that having a housing trust fund was a good idea. He said that in his career, he had learned firsthand that a good idea was worthless unless it was acted upon. He said that when he worked for a small business in Dupont, they had developed a reverse osmosis device to desalinate water, and they were facing a possible sale or shutdown.

Mr. Eckman said that many had resisted making changes and did not want to take the risk of improving the product. He said that their research manager had empowered them to take action, saying, "If you have a good idea, I empower you to do it." He said that they had taken that idea and redesigned the device, improving its efficiency, doubling its flow, making it less expensive to manufacture and install, and their business had turned around.

Mr. Eckman said that they had gone on to have 3,000 of these devices used in the world's largest desalination plant, because they had been given the opportunity to act on their idea and they had done it. He said that today, they required at least four Supervisors to secure the County staff's approval of $10 million annually for the trust fund, thereby empowering the staff.

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Mr. Dave Norris, Executive Director of the Charlottesville Area Association of Realtors Foundation (CAAR), which covered both the County and the City. He said that realtors were on the front lines of the community's housing challenges, witnessing the impact of rising housing prices and how it pushed homes out of reach for the very people who worked hard to make the community function. He said that several months before, CAAR had sent a letter to the Albemarle County Board of Supervisors regarding their budget.

Mr. Norris said that the letter, addressed to Chair Andrews, stated that CAAR supported the inclusion of a $10 million line item for an affordable housing trust fund in the County Executive's FY26 proposed budget and beyond. He said that this proposed funding demonstrated the community's commitment to prioritizing housing affordability, both rental and ownership. He said that CAAR did not take this decision lightly, and that this was the first time CAAR had taken a position on a budget line item. He explained that their Public Affairs Committee and Board of Directors had thoroughly discussed this policy and determined that they could not remain silent on this important community issue.

Mr. Norris said that at the August CAAR Property Rights Luncheon, Piedmont Housing Alliance Executive Director Sunshine Mathon had stated, "Development of affordable housing is hard; it is not for the faint of heart. Financial engineering is required to achieve affordability. Housing affordability does not exist without some form of subsidy." He said that that the letter proceeded in some detail about the benefits of a substantial housing trust fund commitment and concluded with thanking the Board for their service to the community, and was signed by Anne Burrows, 2024 CAAR President.

Mr. Norris noted that he had been a member of the Charlottesville City Council when they established an affordable housing trust fund for the City. He said that he could attest that there was no better way for a local government to spur affordable housing development than to make a robust financial commitment to the cause. He emphasized that it works. He asked the Board to please do their best to achieve this goal.

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Ms. Lois Sandy, Rio District, said that she had been an Albemarle County resident for over 50 years. She said that she was aware that there were several thousand adults in the Albemarle community who were unable to afford housing close to their workplaces. She said that a couple of years ago, the Albemarle County School Board had made a verbal commitment to allocate $10 million towards an affordable housing trust fund at a Nehemiah Action meeting. She said that however, this year's budget had drastically reduced the trust fund to approximately $4.2 million, which was insufficient to meet the community's needs.

Ms. Sandy said that she wished to share a personal story to illustrate the challenges citizens faced. She said that one of her longtime friends and her husband, both born and raised in Albemarle, had three children. She said that they had rented a duplex for three years but were informed by the owner that they would have to leave by the end of the school year because they were selling the units. She said that her friends frantically searched for affordable rentals but were unsuccessful. She said that by the end of the school year, they had to board with a local business for over six weeks, struggling to find a suitable solution.

Ms. Sandy said that they eventually pooled their resources, hired a realtor, and purchased a house far from their previous location, which required an hour-long commute and a change of school systems for their children. She said that this experience had been particularly challenging for them, with the added expenses of time, maintenance, gas, and more. She said that to her, it was unacceptable for this industrious couple.

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Mr. Michael Monaco, White Hall District, said that he resided in the Emerson Commons neighborhood within the Crozet Development Area. He noted that as of 20 minutes ago, he was still the chair of the Crozet Community Advisory Committee.

Mr. Monaco said that he was pleased to see the increase in the real property tax rate in this budget, as it created a dedicated stream of funding into the affordable housing fund. He said that the fluctuating annual funding amounts in the affordable housing fund had been a barrier to predictable, sustainable development of affordable housing. He said that however, the actual dollar amount in this draft budget, $4.2 million, was insufficient.

Mr. Monaco said affordable housing was a cause close to his heart. He said that he, along with his wife, and 57 other households, had successfully purchased a designated affordable for-sale proffered unit in the County over the past decade. He said that they had barely navigated the bureaucratic process to qualify and still would not have qualified for a mortgage without family assistance.

Mr. Monaco said that their good fortune and privilege had truly opened his eyes to the fragility of housing in Albemarle County. He said that since living in Crozet, he had encountered numerous individuals who lived in Waynesboro, Staunton, Fluvanna, Madison, Nelson, and other surrounding Counties due to unaffordability in Albemarle County. He said that census data supported this, with 58% of workers in Charlottesville City and Albemarle County residing outside the County.

Mr. Monaco said that just today, he had learned about an individual who planned to leave her job in Crozet and move to Richmond, as the cost of living in Crozet had become unaffordable. He said that his experience working in affordable housing for the past seven years had only reinforced this simple yet undeniable truth: housing in Albemarle County was too expensive, and government action to provide for low-income families had been slow-moving at best and inadequate at worst.

Mr. Monaco said that 80% of the additional $0.04 real property tax was earmarked for public safety, and they had previously discussed where that money was being allocated. He urged the Board to carefully consider what it truly meant to address public safety. He asked if their unhoused neighbors safe. He said that studies had shown that unsheltered populations were at a significantly higher risk of being victimized in cases of violent crime. He said that one study found that nearly half of unhoused individuals surveyed reported experiencing violence while being without a home.

Mr. Monaco said that if someone did not know where they would sleep next month, next week, or tonight, they were not safe. He said that housing was a crucial component in improving public safety. He said that the latest County Affordable Housing Report indicated that they needed 2,320 total homes affordable to families making below 30% of the AMI within the next 15 years. He reiterated that meeting this need was imperative and required significant public investment, estimated at $10 million.

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Mr. Matthew Gillikin said that he was a City resident and co-chair of Livable Cville, an all-volunteer organization advocating for good housing and transportation policies in the Charlottesville area. He said that 50 local organizations, including some of the great organizations serving their community, had signed a letter addressed to the Board, requesting $10 million a year for affordable housing and a trust fund. He said that they continued to ask for this funding.

Mr. Gillikin said that their goal was to make housing a human right, ensuring that everyone had access to affordable housing. He said that according to the Housing Albemarle Housing Goal, their County aimed to provide safe, decent, and sanitary housing available to all income and age levels, primarily in Development Areas, and equally to current and future County residents. He said that this goal was a commitment to housing for all. He said that he recently saw that the average price of a new detached single-family home in Albemarle County was $850,000 in 2024.

Mr. Gillikin said that this was a staggering figure. He said that the Orange Dot Report, released in October, revealed that 18% of Albemarle County families struggled to meet their basic needs, with housing being a major area of concern. He said that to address this, they needed to say yes to housing policies that would enable more families to thrive, stay in the County, and have a future there, with opportunities for housing that could be passed down through generations. He said that he respectfully requested that the funding for the Housing Trust Fund be increased in the FY26 budget to at least $10 million per year.

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Mr. Keith McGlamery, White Hall District, said that he and his wife, Sammy, had lived in Albemarle County for 12 years. He said that he appreciated the opportunity to share his thoughts about the housing trust fund and affordable housing in Albemarle County. He said that he would like to thank the Board of Supervisors and County Executive Richardson for including $4.2 million in the proposed budget for the housing trust fund. He urged the County to fund the additional $5.8 million, citing the reasons outlined below.

Mr. McGlamery said that the Board was well aware that there were many factors to consider. He said that for Albemarle County, it involved a statistical analysis of the financial investment in affordable housing needs and the necessary tax revenues required to address those needs. He said that these analyses were considered in conjunction with revenue demands for other County services.

Mr. McGlamery said that as Supervisors, they faced the challenge of addressing competing needs with finite resources. He said that that evening, they had already heard from other speakers about those financial issues and choices affecting affordable housing and the housing trust fund. He said that in his brief remarks, he would like to focus on the benefits of the personal, familial, emotional, and other so-called soft impacts on the lives of their County residents with low incomes, which those of them fortunate to have more financial security sometimes lost sight of.

Mr. McGlamery said that he wanted to bring attention to the role of the housing trust fund in enabling homes, not just building houses. He said that a house provided shelter, but it was the people who lived in it, particularly families, who transformed it into a home. He said that a home was a sanctuary where individuals could experience safety, security, and a sense of belonging and acceptance. He said that the places people considered home and remembered from the past played a significant role in shaping their lives.

Mr. McGlamery said that fully funding the housing trust fund at $10 million to create 300 new affordable houses would have a substantial benefit in terms of investing in the quality of life in those houses. He said that family life and domestic discord may be expected to improve in various ways. He said that with a significantly reduced number of evictions and foreclosures, the attention of parents was likely to shift towards their children's education, health, and overall well-being.

Mr. McGlamery said that this shift would have a significant benefit to the lives of residents. He said that furthermore, increased stability in families may lead to reduced involvement from other County agencies. He said that as a result, the Housing Trust Fund's expenditures for low-income housing were likely to contribute to healthier communities in the areas where such housing was located.

Ms. Heidi Gilman Bennett, Samuel Miller District, said that Family Council, an all-volunteer organization representing families across all ACPS public schools, needed to promote their cause effectively. She said that she had previously spoken with the Board about the CIP request and the urgent need to fund their overcrowded and antiquated public school buildings.

Ms. Bennett said that she would focus on the ACPS operating budget that night. She said that the cost of running quality public schools was substantial. She said that although the ACPS budget had increased, so had the costs for school divisions across Virginia. She said that on a per-pupil cost basis, ACPS was well aligned with other school divisions in costly areas like Northern Virginia. She explained that this made sense; the bulk of the ACPS operating budget went towards paying their talented teachers and school staff.

Ms. Bennett said that additionally, their class sizes were also aligned with those of other school divisions across the state. She said that she would be sharing data on class sizes across all grade levels with the Board. She said that as a parent of two children currently in their public schools, she wanted to remind the Board that investing in ACPS was a good decision.

Ms. Bennett said that the services their community's children needed were urgent and heartbreaking, and school was the right place to provide those services, including mental health support, addressing homelessness, basic medical and dental care, Career Technical Education (CTE), and basic academics. She said that given the potential for tax increases and a high cost of living in their area, she expected extra scrutiny of the ACPS budget. She said that, however, ACPS would present a needs-based budget to maintain the current level of essential services.

Ms. Bennett said that despite challenges, such as children struggling to read and do math, the right instruction was finally being implemented. She said that furthermore, she was aware that central office staffing was being reorganized and reduced. She said that these were important developments. She said that Family Council would continue to advocate for wise use of funds and support the ACPS operating budget. She said that there were many positive things happening in their public-school classrooms, and she urged the Board to continue supporting the ACPS operating budget. She thanked the Board for investing in their children, in her children, and in the County's future.

Mr. Larry Brown, Rivanna District, said that he was there that evening to discuss the work of Loaves and Fishes. He said that he had a deep understanding of the organization, having started as a volunteer and donor, and recently joined the Board of Directors. He said that he believed in the value that Loaves and Fishes brought to their community. He said that he would like to extend his gratitude to County Executive Richardson for including Loaves and Fishes in the operational and capital improvement budgets for this year in his recommendations.

Mr. Brown said that Loaves and Fishes provided a week's worth of free, healthy groceries to over 10,000 individuals from Virginia each month, with 40% of those individuals residing in Albemarle County. He said that 65% of the food distributed by the pantry was perishable food, including fresh fruits and vegetables, proteins like milk, eggs, meat, and alternative proteins. He said that approximately 52% of the food they distributed came from the Blue Ridge Area Food Bank, 33% was rescued from local grocery stores, and 10% was food they purchased or received through donations.

Mr. Brown said that to illustrate the scope of their organization, in 2024, they distributed 2.8 million pounds of food to 128,000 individuals in over 33,000 households. He said that recently, in January, they saw a significant increase in the amount of food needed and distributed, with 3,286 households receiving assistance over 16 distribution days, serving over 13,000 individuals, and 37% of those being children under 18 years of age. He said that Loaves and Fishes relied on a small staff and a large number of volunteers to operate. He said that in January, they hosted 560 volunteers who contributed over 1,200 hours of service to the organization. He thanked the County for their support and looked forward to continuing to work with them.

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Ms. Jane Colony Mills, White Hall District, said that she was the Executive Director of Loaves and Fishes Food Pantry. She said that she would like to express her gratitude to Mr. Richardson and County staff for the inclusion of Loaves and Fishes, a vital food service in the County's FY26 budget through the Human Services funding process, and the funding for their CIP to upgrade one of their walk-in freezers. She said that this was particularly important, as 65% of the food they distributed was perishable, and increasing their capacity to safely store it would enable them to better respond to the growing need in their community.

Ms. Mills said that in January 2025, 50% of the people who visited their pantry were Albemarle County residents. She said that they provided a week's worth of nutritious, healthy groceries tailored to individual diets, serving over 10,000 people each month. She said that in 2024, the number of people seeking their assistance increased by 28% over 2023 and 92% since 2022, with one-third of their visitors returning twice a month.

Ms. Mills said that the individuals they served included seniors, children, adults, people with disabilities, victims of domestic violence, and unhoused individuals. She said that 33% of the food they distributed last year was donated by grocery stores or food freight haulers who were rejected by the Walmart Distribution Center in Louisa, effectively reducing food waste at the Ivy Materials Utilization Center. She said that any food they could no longer distribute to humans was given to pig farmers.

Ms. Mills said that to ensure their services were accessible to all, they had staff members fluent in Spanish, Dari, Pashto, and Arabic, allowing visitors to communicate in their native languages. She said that their full-time dietitian offered live cooking classes and social media sessions, working with visitors to accommodate special diets and introducing them to new foods. She expressed her gratitude to the County for proposing continued funding for MicroCAT, which had provided numerous County residents without transportation access to healthy food.

Ms. Mills said that she would also like to thank the Sheriff's Department, the Police Department, Fire and Rescue, the Department of Social Services, and Albemarle County Public Schools for their efforts in directing traffic, providing food, and bringing together the various components to make food access accessible in their area.

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Ms. Vikki Bravo said that she was here speaking on behalf of IMPACT (Interfaith Movement Promoting Actions by Congregations Together), their interfaith direct action group, regarding the proposed budget. She said that she would like to ask those in support of affordable housing to please raise their hands. She said that currently, $4.2 million is proposed for housing, but they required $10 million.

Ms. Bravo said that $10 million from the County, combined with outside funds that would be leveraged by the Affordable Housing Trust Fund, would allow them to construct approximately 300 affordable apartments. She said that over the course of 10 years, that would translate to around 3,000 apartments. She said that the need for affordable housing continues to rise due to higher eviction rates since COVID-19 and the conversion of formerly affordable buildings into luxury apartments, so they were not simply standing still; they were falling behind.

Ms. Bravo said that The New York Times recently published an article, "America is Pushing Its Workers into Homelessness," which she would share with them all through the Board Clerk. She said that as an example, at 10:00 p.m. a hospital technician pulled into a Walmart parking lot with four kids, one still nursing, were packed in the back of her Toyota. She said that she told them it was an adventure, but she was terrified someone would call the police. She said that she stayed awake for hours, her scrubs folded in the trunk, listening for footsteps or any sign of trouble. She said that her shift started soon, and she would walk into the hospital exhausted, pretending everything was fine.

Ms. Bravos said that in their community, they had PACEM (People and Communities Engaged in Ministry), sponsored by their faith organizations, to house people during the cold months. She said that they might assume that the individuals sleeping in their synagogues and churches were unemployed.

Ms. Bravo said that however, as Tom Eckman shared earlier, people with jobs were sleeping in churches during the winter. She said that they were aware that the County had many financial responsibilities. She asked, if the workers who support their economy could not afford to live there, what kind of County are they?

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Ms. Lindsey Hepler said that she was the Engagement Director for Lighthouse Studio. She said that they appreciated the opportunity to discuss their proposal for increased funding for Lighthouse in the County budget report. She said that as they were aware from the email they sent yesterday, Lighthouse had consistently received funding through the Human Services funding program since 2019, when they were allocated $16,642 in the FY20 budget.

Ms. Hepler said that in FY24, they requested $20,000 for their educational programs, and they received an exemplary rating, with funding of $17,308. She said that in FY25, they requested $25,000, and again received a solid rating, and were granted funding of $17,308. She said that this year, they were rated as a Tier 3 program, indicating a positive impact and protective community factors, yet they are facing a 100% decrease in funding from the County.

Ms. Hepler said that this drastic reduction, from consistent funding for six years to zero, would be a significant loss for Lighthouse Studio. She said that this year, they requested $25,000 for their educational programs, and their application was rated as exemplary. She said that however, they were recommended for $0 in funding.

Ms. Hepler said that they continue to offer the same high-quality programs for their community, particularly through their work with Albemarle County Public Schools, and they submitted the same quality information in their application. She said that last year, they served 543 students in Albemarle County, partnering with 18 County-based nonprofit organizations and schools. She said that their students closely resemble the demographics of the area they serve.

Ms. Hepler said that across Lighthouse programming in 2024, 23% were Black, 9% Hispanic, and 59% White. She said that by comparison, the 2020 Census showed that Albemarle County was 11% Black, 8% Hispanic, and 80% White. She said that their needs had not changed, and this reduced amount of funding creates a material financial strain for their organization. She said that there was no conversation or indication that the County would revoke their funding.

Ms. Hepler said that their partners at the Boys and Girls Club recently reminded them that research consistently shows that students who participate in the arts demonstrate higher levels of engagement, civic participation, and career readiness. She reiterated that this loss would be significant for them. She requested that the Board consider restoring funding for Lighthouse Studio in FY2026 at $17,308.

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Ms. Deanna Gould, White Hall District, said that she was the Director of Lighthouse Studio. She said that in addition to the County’s support for FY25, she and Ms. Hepler had secured grant and foundation funding to cover filmmaking education for 18 County schools and nonprofits. She said that although the County's support did not cover all the funding that they needed, it was significant and losing it would greatly impact them.

Ms. Gould said that they saw the County as their partner, working towards the same goal of providing a service for those who otherwise would not have access. She said that County funding had helped them partner with many institutions, including Albemarle and Monticello High Schools, Mountain View, Blue Ridge Detention Center, Boys and Girls Clubs, and others. She said that they worked with these institutions multiple times throughout the year.

Ms. Gould said that the grant application focused on numbers, but it did not convey the depth of their relationship or the importance of their work. She said that she would like to share some feedback from their community partners. She said that Center 1 had partnered with them since Fall 2022, providing students with work-based learning experiences, but their partnership had done much more than that.

Ms. Gould said that they stated that Lighthouse provided teenagers with authentic, hands-on learning opportunities that targeted a wide range of skills; under their leadership, she had seen their students grow in a collaborative setting where they were treated as professionals and given the opportunity to showcase their ideas. She said that they stated that Lighthouse was a wonderful asset for their community.

Ms. Gould said that Henley reported that student engagement was at an all-time high when Lighthouse was here. She said that they stated that the filmmakers did an excellent job making connections between writing, filmmaking, and the creative process, ensuring that all voices were heard. She said that in Ivy Elementary, the students had benefited from Lighthouse classroom instruction for many years, and they provided Vinegar Hill Theater as a screening venue and an unforgettable field trip destination, welcoming their families.

Ms. Gould said that Reclaimed Hope stated that their kids had disability or mental health diagnoses, but Lighthouse came in without any judgement. She said that their staff had praised Lighthouse for being the only provider that had kept every child's interest. She said that Tech Girls had also seen positive results from their partnership; Lighthouse was an inclusive, welcoming space that inspired students to take creative risks. She said that they stated their collaborations had increased access to computer science and helped young women build confidence in robotics, and they were well aware that Lighthouse's work was a valuable asset to their community.

Ms. Gould said that a Tandem parent stated that they had been involved with Lighthouse for over ten years as their child attended many workshops and made 23 films, as well as an educator who brought students to Lighthouse to make films for classes. She said that they stated the professionalism and high-quality instruction provided by the staff, as well as the creativity and joy they inspired in their students made Lighthouse very deserving.

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Ms. Suzanne Keller, Scottsville District, said that she was present with IMPACT. She said that she lived at Cavalier Crossing on 5th Street, which was an affordable housing complex that had been purchased by a developer and was being converted into luxury apartments. She said that the current residents would be kicked out by the end of July. She said that this would result in over 100 low-income individuals being displaced and entering the Albemarle-Charlottesville housing market on August 1. She asked if the County was prepared to handle this influx.

Ms. Keller asked if the Board had sufficient funding to provide even basic assistance to people like herself who were being displaced into their community. She said that this was why they needed a housing trust fund of at least $10 million. She said that it was not only a response to this particular large emergency, but also a necessary measure to address the daily, smaller-scale crises occurring throughout the County.

Ms. Keller said that rents were being jacked up, and people were losing their housing. She asked where they would go, and how far $4.2 million would go in addressing this reality. She said that she was present to speak for individuals like herself, who lived daily with the fear of losing their homes and ending up on the streets. She said that she hoped that when the Supervisors returned to their homes, they would give this issue serious consideration.

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Mr. Todd Cone, Rio District, said that he was a retired person living alone in an apartment. He said that he would like to discuss the housing situation. He said that last year, he was looking for a more affordable place to live. He said that he had a two-bedroom apartment, but after his wife passed away, he thought it was time for him to downsize to a one-bedroom.

Mr. Cone said that fortunately, a one-bedroom apartment became available in the same building he was in, just across the corridor from his apartment. He said that the landlord showed him the apartment, and it seemed fine, but the rent was actually higher than what he was paying for the two-bedroom apartment. He said that he asked about the reason for the higher rent, and the landlord explained that there was more demand now for one-bedroom apartments.

Mr. Cone said that he was not surprised by this. He said that the landlord also mentioned that he might need to reapply and requalify to rent the one-bedroom apartment, even though he had been renting there for nearly eight years. He said that he looked around at other places in the area and found that the one- versus two-bedroom situation was not unique.

Mr. Cone said that many places had similar rent differentials between apartment sizes. He said that as a result, he decided to stay in his current apartment, even though the rent increased significantly while his income remained the same. He said that he applied for a housing voucher through the lottery system, and his application was accepted, but he had not heard anything since then. He said that he would keep the Board updated on any developments.

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Mr. David Veliky, Scottsville District, said that he was here to speak on the rate increase in the Albemarle County budget. He thanked Mr. Richardson for his presentation. He said that he believed the increase was $42.5 million. He said that it sounded like a significant amount of money to him. He said that to better understand the situation, that he reviewed some properties he had associations with. He said that the first one he examined was currently assessed at $356,000, up from $336,000 last year and $261,000 five years ago, representing a 36% increase.

Mr. Veliky said that another property was now assessed at $574,000, up from $520,000 last year and $431,000 five years ago, with a 10% and 33% increase, respectively. He said that a third property he had was currently assessed at $343,000, up from $325,000 last year and $251,000 five years ago, with a 5% and 33% increase, respectively. He said that another house was assessed at $256,000, up from $212,000 last year and $173,000 five years ago, with a 20% and 47% increase, respectively.

Mr. Veliky said that a fourth house was assessed at $377,000, up from $304,000 last year and $235,000 five years ago, with a 24% and 60% increase, respectively. He said that a house on Stony Point Road was assessed at $378,000, up from $285,000 last year and $205,000 five years ago, with a 32% and 84% increase, respectively. He said that given these significant increases in value and taxes, his question was: How could it not be feasible for the County to justify this assessed increase?

Mr. Veliky said that if the government were to reduce its budget by 84%, he would consider that a fair adjustment. He asked if this was ridiculous.

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Ms. Heidi Yoon, Rio District, said that she was a parent at Agnor Elementary and also a representative of the Agnor Elementary and Family Council. She said that in their community, they were witnessing the rapid development of projects along Rio Road. She said that according to ACPS, over 200 students were expected to move to their area, attending Agnor or Woodbrook Elementary, Journey or Burley Middle School, and Albemarle High School.

Ms. Yoon said that given the growth in their County and the increasing needs in their schools, she strongly supported the current capital improvement projects to build new schools and renovate their aging facilities. She said that the construction of the Center 2 High School and the upper school at Mountain View Elementary marked the first major project to break ground since 2002. She requested that the Board continue to support capital improvement projects for their schools. She emphasized that the need was already present, and their schools were already bursting at the seams.

Ms. Sadhbh O'Flynn said that she was a climate justice policy manager at the Community Climate Collaborative (C3). She said that she was there that evening in support of the housing trust fund request and an initiative to establish a $1 million annual climate action implementation plan. She said that she wanted to reflect on the concept of obligations. She said that the draft budget presentation earlier highlighted the County's existing financial obligations for the next five years, which painted a challenging picture of the path ahead with many compounding obligations landing all at once.

Ms. O'Flynn said that it became increasingly clear that they had an obligation to address the inequities that had developed over time, as their societies had evolved. She said that the more they learned about these inequities, the more evident it became that they had a responsibility to rectify them. She said that it was impossible not to see the connection between climate justice and affordable housing.

Ms. O'Flynn said that affordable housing and density were, in fact, climate solutions. She said that as Albemarle County worked to advance its climate goals, locally assured funding was critical to realizing the vision outlined in the Climate Action Plan. She urged both the Board and the County Executive to consider whether they were not obligated to meet the goals set out in the Climate Action Plan.

Ms. O'Flynn said that, notably, there was no climate funding recommended in the FY26 budget. She said that without a committed implementation fund for climate action, addressing the current existential crisis of climate change risked becoming optional. She said that the County's planning processes recognized and reiterated that climate change mitigation and equity were the foundational principles guiding their future.

Ms. O'Flynn asked when this would translate to reliable annual allocations in the budget. She said that until climate action became a budgetary obligation, they could anticipate that emissions-reducing projects would continue to be dropped from County budgets. She added that she had provided specific examples of this in her memo yesterday.

Ms. O'Flynn said that climate change mitigation was now a universally inescapable obligation. She said that as the federal landscape continued to undermine climate action, affordable housing, and equity, that they must rise up and not shrink back. She said that regardless of federal denialism, the accounting for climate change would continue to come due in Albemarle County, in the lifetimes of everyone currently living in the County and those who had not yet been born. She said that the question was, how much interest did they want to pay on that obligation?

Ms. O'Flynn said that C3 and their partners therefore recommended that the County match the City of Charlottesville in creating a dedicated annual $1 million Climate Action Plan implementation fund, available for use in cross-departmental collaboration and for community climate action. She said that they asked the Board to demonstrate bold leadership in supporting this much-needed initiative. She requested that community-sustaining funding sources, such as the Community Climate Action Grant, not be ended this budget year or any future budget year.

Ms. Sarah Delgado, Rio District, said that she was speaking as a resident as well as a member of C3, and as a mother. She said that she worked directly with the community and local youth at C3. She said that she was a proud resident of this community and she appreciated the support the Board had given to the Climate Action Plan and the County's goals for greenhouse gas emissions reductions. She said that in order to achieve these goals, it would require funding, and federal support for energy efficiency was going away.

Ms. Delgado said that therefore, they must take action here at home to reduce emissions without that support. She said that she was calling on the Board today to support an annual $1 million Climate Action Plan implementation fund to support climate resiliency. She emphasized that the climate crisis was critical. She said that the youth she worked with did not question that it was imminent, but they did question the commitment of the adults in charge to continue taking actions that they had known for years were the right things to do.

Ms. Delgado said that she was asking the Board to establish a funding mechanism that would not only reduce emissions but also mitigate the impact of rising energy costs on their small businesses and most vulnerable residents. She said that with only $100,000 a year, funds like the Community Climate Action Grants had supported some remarkable small-scale projects, and she asked that they imagine what they could achieve with additional funding for Community Climate Action. She thanked the Board for investing in the future of their community.

Ms. Lanika Hester, Jack Jouett District, said that she was born and raised in Charlottesville and had lived in Albemarle County for the past 17 years. She said that the last time she spoke, she shared her experience of living in a house with severe mold issues. She said that it took them approximately 10 months to address the problem, but during that time, she became severely ill, and her daughter became so sick that she had to drop out of school. She said that the recovery period was incredibly challenging; even now, she struggles with anxiety about the situation.

Ms. Hester said that they were left in a difficult position, and she was forced to choose between rent and healthcare, because she could not afford both. She said that as a result, she was now battling to afford to pay the rent. She said that she came here today because one of the questions posed to her was, "Why wouldn't you just move?"

Ms. Hester said that the reason was because she could not afford to do so. She said that she was asking that the Board increase the funds for affordable housing, not just for individuals in her situation, but also to address the growing homelessness crisis in the community. She said that affordable housing was being turned into luxury apartments, and the increasing rent without a corresponding increase in income has left many of them without the basic necessities.

Ms. Hester said that the housing trust fund was the best way for the County to provide a safety net. She said that if more developments were built, the County needed to support nonprofits in preserving affordable housing. She said that she hoped they would increase the funding for the Housing Trust Fund to $10 million. She said that anything less would likely mean that the County's assistance would be insufficient to prevent more people from becoming homeless.

Ms. Hester said that for Albemarle County Emergency Relief Program, she requested an increase in funding to $2 million. She said that currently it was providing $800; however, $800 was insufficient even for a one-bedroom apartment. She said that she was asking that the Board consider increasing the funding to provide more support for individuals in need of affordable housing.

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Ms. Ang Conn said that she was the Director of Housing Programs at The Haven. She said that in her role, she administered rapid re-housing, homeless prevention, and the Laura DeLapp Haven Housing Fund. She said that all three programs provide housing support to Charlottesville City and Albemarle, Fluvanna, Louisa, Nelson, and Greene Counties. She said that she was there to emphasize the critical importance of affordable housing in their community. She said that as the Director of Housing Programs, she had witnessed firsthand the struggles faced by an overwhelming number of County families and individuals who were unable to maintain their current housing or secure, safe, stable housing.

Ms. Conn said that two key factors that contribute to this instability were the lack of affordable, accessible housing units and the screening tools used to prohibit households from accessing housing. She said that affordable housing not only provided a roof over their heads but also fostered a sense of security and belonging, which was essential for the overall well-being and development of their community members. She said that as the decision-makers, it was the Board’s responsibility to ensure that every Albemarle County community member, regardless of their social or economic background, had access to affordable housing options.

Ms. Conn said that investing in affordable housing was not just a matter of social justice; it was an investment in the future of their community and the health and well-being of every community member. She said that the benefits of affordable housing extend beyond individual families, contributing to better education outcomes for children, improved healthcare for residents, and increased economic opportunities for the community as a whole. She said that when families are not burdened with the high cost of housing, they can allocate their resources towards other essential needs, such as education, healthcare, transportation, and food.

Ms. Conn said that by allocating a portion of the budget to affordable housing initiatives, they could create a more inclusive and prosperous community where everyone has the opportunity to thrive. She urged the Board to consider the long-term benefits of affordable housing and to allocate the necessary funds to support these vital programs.

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Ms. Elizabeth Carpenter said that she was a resident of Charlottesville. She said that she was there to speak about her experience as a nurse in their community for over 20 years. She said that she currently worked in primary care at UVA and had previously worked as a home visiting nurse with Child Health Partnership. She said that through these experiences, she had come to realize the significance of affordable housing. She said that housing was a pressing public health issue. She acknowledged that the Board had a limited impact on Medicaid cuts, the federal and state budgets, and the executive appointments made in those departments.

Ms. Carpenter said that, however, the Board could have a huge impact on the health of their community by fully supporting affordable housing. She said that in every single district, there were children in every school who were either currently homeless, doubled up with family members or friends, or at risk of homelessness. She said that this instability affects their learning and health and made it challenging to manage chronic or acute health conditions. She urged the Board to prioritize public health and fully fund the affordable housing fund.

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Ms. Veronica Vitko said that she was a junior at Albemarle High School. She said that she was there today because she firmly believed that Albemarle County must uphold its commitment to climate action, not just in words, but in action and funding. She said that climate action was not optional; it was a responsibility they owed to their community, their health, and their future. She said that the County had made a promise with its Climate Action Plan, but without funding, that promise remained unfulfilled. She said that they needed real investment in sustainable solutions that would benefit both current and future generations.

Ms. Vitko said that as a young person, she was acutely aware that her generation would face the consequences of inaction. She said that the choices they made today would determine what their future would look like. She said that they were at a pivotal moment in time where actions that supported climate action had the potential to rectify their past mistakes, but inaction would further harm their communities and environment. She urged the Board to recommit to the Climate Action Plan by establishing an implementation fund. She said that a budget was a statement of priorities, and she urged the Board to ensure that climate action remained one of them.

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Ms. Cathryn Riley said that she was also a junior at Albemarle High School. She said that this was her second time speaking before the County Board. She said that as a teenager in this community, she felt compelled to speak up for her future and the futures of those who would come after her. She said that she wanted the Board to consider the kind of world their children will inherit. She said that it will be one ravaged by raging hurricanes, devastating forest fires, and polluted air, or one powered by renewable energy, sustainable housing and transportation, and clean air.

Ms. Riley said that the Board had the power to shape this community's destiny. She urged the Board to take ownership of this responsibility and work towards creating a world that they would want your children to live in. She said that small changes can have a significant impact. She said that by cutting climate resource funds, they were directly affecting not only their life, but also the lives of their children and the community. She urged the Board to take action now and be part of the change they want to see.

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Ms. Amalia Keshap said that she was a student at Albemarle High School. She said that as a member of the next generation in Albemarle County, she believed that their community's impact on the environment was an issue that closely affected her life and that of her peers. She said that each day at school, she learned about and worked to prevent the effects of climate change through environmental science courses and student-run clubs and projects.

Ms. Keshap said that to see this effort reflected throughout their entire County would mean the world to her. She said that they cannot remedy climate change alone. She said that funding climate action would be to invest in opportunities for a better future, one that includes a safer planet for all of them.

Mr. Nels Akerson said that he was a resident of the City of Charlottesville. He said that he was speaking to the Board today to amplify the stories of those who worked in Charlottesville and Albemarle County but lived outside of it.

Mr. Akerson said that he was there to express his support for increasing the funding for a housing trust fund in Albemarle County as recommended in the Livable Cville Housing Coalition letter. He said that the proposed budget for FY26 recommended $4.2 million for affordable housing, but he strongly believed that this amount was insufficient to address the severe housing shortage in the area. He said that approximately 5,000 affordable units were needed by 2040, and the average monthly rent was $2,000.

Mr. Akerson said that as a former teacher who taught in the area, he was all too familiar with the fact that a teacher’s salary was insufficient to cover this average monthly payment. He said that many of his colleagues had to commute from neighboring localities, including Waynesboro, Louisa, and Staunton, due to the high cost of living in Albemarle County. He said that the AMI was approximately $124,000, but a first-year teacher with a master's degree in Albemarle County earned around $59,000, which was less than 50% of the AMI.

Mr. Akerson meant that many teachers, including himself, were considered low-income households. He said that when considering the various expenses that households faced, such as food, childcare, student loans, healthcare, and transportation, it became clear that many families lacked the financial flexibility to afford housing. He urged the Board to take this into account and consider increasing the funding for the housing trust fund to $10 million.

Mr. Akerson said that by doing so, the Board could help create a community where everyone, including teachers, could find housing if they chose to. He said that the Board of Supervisors could alleviate the financial burden on many families in the area. He said that the need to do so was urgent. He urged the Board to ease the financial strain and burden on many residents in the County that they supervised by fully funding the housing trust fund with $10 million.

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Mr. Rolf Braun, White Hall District, said that like others who spoke earlier, he lived in an affordable unit in the City. He said that an aggressive speculator bought it and forced everyone out of the building. He said that he was evicted and was extremely close to becoming another statistic on the streets, and unfortunately, this is becoming more common, not less. He said that the City was trying to address the issue, but it cannot meet the need alone. He said that there was more land available in the County, and many people he knows commute from Staunton or Louisa or nearby areas.

Mr. Braun said that he found it absurd to see that despite the growing problem, the County plans to spend less on ongoing funding over the next five years compared to the previous five years, if he calculated it correctly. He said that additionally, looking at the expenditure on hiring more police, it was clear that there were available funds. He said that it could be used as a discretionary justification for response times, which was beneficial for the community; however, if the County could find the money for police funding, it could find the money for housing.

Mr. Braun said that he would like to focus on one area where that money could be found. He suggested zeroing out the so-called economic development money, which was essentially corporate welfare for the national security industry. He said that if they could not find money for housing, they should zero out Rivanna Futures and spend that money on housing instead. He said that these funds were used to militarize the County's economy, as well as the jobs created due to exacting discriminatory security clearance requirements and specialized job descriptions were mostly for people moving here. He said that they were creating jobs and demand for housing, but not for local residents. He emphasized that it was shameful that the County funded something that created a need for more housing without providing the necessary supply.

Mr. Braun noted that this had led to the County relying heavily on federal spending and hiring, which was now at risk. He said that it was ironic that one of the few respites from this demand might be if DOGE stopped spending and laid off employees here. He assured them that respite would only be temporary, given the scale of the housing problem. He said that until the County could adequately fund housing supply, he requested allocating a full $10 million or more to the affordable housing fund, and he urged the County to stop giving Wendell Wood and the military-industrial complex, as well as corporate defense contractors, a giveaway. He reiterated his support for housing and opposed a militarized County economy.

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Ms. Jenny Rector, Scottsville District, said that tax bills continued to rise year after year. She said that residents' income did not keep pace with these increases. She said that to make matters worse, other expenses such as food prices, health insurance premiums, out-of-pocket health costs, water, and other utilities were also on the rise. She said that as a result, many people are struggling to keep up, falling behind year after year. She said that unfortunately, many residents do not receive annual raises, and many must pay the full increase in health insurance premiums.

Ms. Rector said that the situation was dire. She said that many people were losing their jobs, and the uncertainty was high. She said that food and other essential costs remain high. She urged the Board not to pass a higher tax rate, nor one that would maintain the current tax bills. She said that she proposed a tax rate that would actually lower tax bills. She said that lowering tax bills was an important component of affordable housing. She said that she strongly supported increased funding for affordable housing. She recommended reviewing the budget proposal to identify areas where expenditures could be scaled back.

The Board members thanked the public for attending and for their comments and encouraged the public to refer to the budget calendar and to continue to engage on the budget.

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Non-Agenda Item. **Recess.** The Board adjourned its meeting at 8:18 p.m. and reconvened at 8:31 p.m.

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Agenda Item No. 17. **Public Hearing: <u>ZMA202300017, SP202300020, and SE202300041 Chestnut Grove Manufactured Home Park Community. Advertised as ZMA202300017 Chestnut Grove Manufactured Home Park.</u>**

PROJECT: ZMA202300017, SP202300020, and SE202300041 Chestnut Grove Manufactured Home Park Community
MAGISTERIAL DISTRICT: Samuel Miller
TAX MAP/PARCEL: 13400-00-00-00400
LOCATION: Adjacent to 9020 Chestnut Grove Rd. On the southside of Chestnut Grove Rd (723) approximately one mile west of the intersection of Chestnut Grove Rd and James River Rd (626).
PROPOSAL: Rezone property from Rural Areas to R-4 Residential with a special use permit and special exception application to establish a manufactured home park community.
PETITION: Rezone 50.618 acres from Rural Areas to R-4 Residential with a special use permit under section 18-15.2.2(14) to establish a 50 unit manufactured home park on the site. Associated with this request is a special exception application to modify the manufactured home park regulations in section 18-5.3.
ZONING: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)
PROFFERS: Yes
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) in Rural Area 4 of the Comprehensive Plan.

The Executive Summary forwarded to the Board states that at its meeting on December 10, 2024, the Planning Commission (PC) voted 3:1 (Commissioner Moore voted in the minority, Commissioners Clayborne, Bivens, and Carrazana absent) to recommend denial of both ZMA202300017 and SP202300020 for the reasons listed in the staff report. The PC asked a few clarifying questions on the affordability of mobile homes, water availability, and resource impacts. Approximately 15 members of the public spoke at the Planning Commission Meeting, most in opposition to the proposal. The PC's original staff report (with a minor edit), action memo, and minutes are attached (Attachments A, B, and C).

The PC agreed with the staff's recommendation of denial for both the ZMA and the SP. No changes to the applications have occurred since the PC recommendation for denial.

Section 5.1 of the Zoning Ordinance provides that any requirement of Section 5 may be modified or waived in an individual case as provided herein:

a. The Board of Supervisors may modify or waive any such requirement upon a finding that such requirement would not forward the purposes of this chapter or otherwise serve the public health, safety, or welfare or that a modified regulation would satisfy the purposes of this chapter to at least an equivalent degree as the specified requirement; and upon making any finding expressly required for the modification or waiver of a specific requirement; except that, in no case, shall such action constitute a modification or waiver of any applicable general regulation set forth in section 4 or any district regulation. In granting a modification or waiver, the commission may impose conditions as it deems necessary to protect the public health, safety, or welfare.

Manufactured home parks are subject to the supplementary regulations in Section 5.3 of the Zoning Ordinance. The Applicant has requested a special exception to modify or waive six specific regulations as described in the Application Narrative (Attachment A1). Staff's analysis of each special exception is provided below.

- *[Sec. 5.3.4(B)] Each manufactured home shall front on an internal street.*
  - Staff sees no reason to reduce the standards to allow travelways to replace internal streets. **Staff recommends denial of this Special Exception.**

- *[Sec. 5.3.7(C)] Outdoor living and storage areas. An outdoor living area shall be provided on each manufactured home lot. At least 100 square feet shall be hard surfaced. Storage buildings not to exceed 150 square feet shall be permitted in a designated area on each lot. Additional storage facilities may be provided in common areas.*
  - Staff sees no reason to grant this Special Exception. The requirement is for a 100 square foot hard surfaced area and a 150 square foot area designated for a storage building to be located on each lot. The applicant claims that "modern manufactured homes may include an outdoor deck or patio area". However, staff does not believe this is sufficient reasoning to waive this requirement. **Staff recommends denial of this Special Exception.**

- *[Sec. 5.3.8(A)] Off-street parking. Off-street parking for manufactured homes, recreational uses, and service areas shall be provided in accordance with section 4.12 of this ordinance.*
  - Staff sees no reason waive the requirement for standard street sections. **Staff recommends denial of this Special Exception.**

- *[Sec. 5.3.8(B)] Internal street. A minimum of right-of-way width of 40 feet shall be established on internal private streets for the purpose of measuring setbacks. The right-of-way shall be maintained clear of all obstructions.*
  Internal private streets shall be constructed to the following minimum standards:

1. *Minimum typical street section for lot frontages of 85 feet or greater*
3. *General Design Notes:*
   b. *Pavement shall be prime and double seal bituminous surface treatment. Base shall be six inches of2IA or 2IB aggregate base.*
   - Staff recommends that the development meet the street design standards that apply to manufactured homes including paved private streets. Unpaved streets may result in maintenance issues for residents. **Staff recommends denial of this Special Exception.**

- *[Sec. 5.3.8(C)] Recreation requirements. See section 4.16.*
  - Because of the distance to any park or playground facilities, staff believes that typical recreation requirements should apply to this development. **Staff recommends denial of this Special Exception.**

- *[Sec. 5.3.8(D)] Pedestrian access. The requirements of section 32.7.2.3 shall be met.*
  - There are no sidewalks in the vicinity of this site and these low-volume streets would not have opportunities for future extensions or connections to adjacent parcels. In keeping with the rural character, staff supports waiving the requirement for sidewalks. The proposed primitive trails support pedestrian activity throughout the site**. If the Board approves the ZMA and SP, staff would support this Special Exception.**

The PC recommended denial of the SP and the ZMA and therefore had no comments on the proposed Special Exception.

The PC recommends that the Board adopt the attached Resolution to disapprove ZMA202300017 Chestnut Grove Manufactured Home Park Community (Attachment D).

The PC recommends that the Board adopt the attached Resolution to disapprove SP202300020 Chestnut Grove Manufactured Home Park Community (Attachment E).

Staff Recommends that the Board adopt the attached Resolution to disapprove SE202300041 (Attachment F)

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Mr. Andrews noted that only today did the staff receive the signed proffers from the owner of the Chestnut Grove property. He said that, however, Board Rule 5(a)4(c) required that final signed proffers be received by the County no later than nine calendar days before the date of the advertised public hearing.

Mr. Andrews said that in order for the Board to consider these proffers that evening as advertised, the Board would need to suspend this rule, which could be done with a motion and a vote under Board Rule 13(b). He asked if there was a motion to suspend Rule 5A for the purpose of considering the proffers, which, although previously discussed, had not been officially signed for submission.

Mr. Pruitt asked if these were consistent with what was already included in the packet that was made available.

Mr. Andrews said that was correct. He said that the items included were the same. He said that they had not undergone any changes; they had simply not been finalized or signed.

Mr. Herrick said that was correct; the content was identical to what was included in the package, but the package itself had not been signed.

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Mr. Pruitt **moved** that the Board of Supervisors suspend Board Rule 5(a)4(c). Ms. McKeel **seconded** the motion

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. McKeel, and Mr. Pruitt.
NAYS: Ms. Mallek.

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Mr. Kevin McDermott, Deputy Director of Planning, said that he will be presenting staff's proposal for the Chestnut Grove Manufactured Home Park. He said that the project included an application for rezoning, a special use permit, and special exceptions. He said that they would hold separate public hearings on the legislative items. He said that he would provide an initial presentation that included the detailed proposal and necessary information.

Mr. McDermott said that for the rezoning, he would allow for questions in the public hearing and a vote on the rezoning. He said that following that, he would have a brief separate presentation on the special use permit, during which he would also allow for questions and a public hearing. He said that finally, they would have a brief presentation on special exceptions, with a vote to follow. He explained that the property location was in southern Albemarle County, on the south side of Chestnut Grove Road, approximately one mile west of the intersection of Chestnut Grove Road and James River Road. He said that the existing conditions indicated that the property was zoned for Rural Areas. It spanned approximately 50.62 acres.

Mr. McDermott noted that a Water Protection Ordinance (WPO) buffer was present, and there were critical slopes on the property. He said that to provide a clear aerial view of the site, he had superimposed the property boundaries onto the displayed aerial image. He said that the surrounding area was characterized by rural uses, including low-density single-family residential, forests, open space, and agricultural uses. He said that the zoning was Rural Areas, and the use was permitted by right. He said that single-family homes were allowed on half an acre per unit, as well as agriculture, farm wineries, and country stores. He said that the special use permit allowed for community centers, private schools, and daycare facilities.

Mr. McDermott stated that the Comprehensive Plan recommends this area as Rural Area 4. He said that the purpose of Rural Areas was to preserve and protect agricultural, forestal, open space, and natural, historic, and scenic resources. He noted that it does allow for residential development at half a unit per acre in development lots. He said to delve into the details of the proposal, re-zoning was proposed to R-4 Residential and included a special use permit to permit a manufactured home park. He said that the R-4 zoning district was the lowest density residential zoning that allows manufactured homes with a special use permit. He said that the plan on the screen showed the general concept plan proposed.

Mr. McDermott said that they could see the 50-unit manufactured home park, with the homes marked in orange. He said that there were two entrances to Chestnut Grove, one for this portion and another for the adjacent portion. He said that the manufactured homes would have parking along new proposed internal streets, and there was an on-site well and septic system. He said that they could see potential locations of wells and drain fields on the site. He added that the applicant had volunteered proffers that restricted the uses and density of the property, including affordability measures. He said that these proffers addressed staff concerns with the special use permit, so they would discuss conditions separately.

Mr. McDermott said that certain uses that were not compatible or supportive of the surrounding area had been proffered out, including triplexes, townhouses, and public uses, which were not permitted by right. He said that assisted living facilities, hospitals, and standalone parking were not allowed by special use. He said that the proffers also restricted the density to 50 manufactured homes, with a maximum of six units if they were not manufactured homes. He reiterated that this would allow for six residential units by right.

Mr. McDermott said that if the applicant did not pursue manufactured homes, the zoning would still be restricted to six units. He said that regarding affordability, the applicant had proffered requirements, including 33% of the units would be affordable land lease units at 50% AMI, while the remainder of the land uses would be 100% AMI. He said that the units not land leased would be affordable rental units at 60% AMI. He said that staff had identified the affordability component as a positive aspect of the development. He said that this was the only positive aspect they had identified.

Mr. McDermott said that they had also compiled a list of concerns that the Board could review in their packet, which included inconsistencies with the Rural Area goals and objectives, as well as their growth management policy. He said that the proposal's additional residential development in the Rural Area was not aligned with these goals. He said that the development lacked adequate services, facilities, and infrastructure to support it.

Mr. McDermott said that insufficient information was available to determine whether the proposal could be supported by the proposed central water and sewer service facility, as the Virginia Department of Health required more information to review the locations of wells and drain fields. He said that until the stream buffer field survey confirmed the buffer limits, there was potential conflict with home sites within the buffer. He said that notably, some homes in the WPO buffer were located within the stream buffer on the concept plan. He said that these concerns were identified by staff.

Mr. McDermott summarized that the staff and the Planning Commission (PC) had recommended denying the rezoning. He said that he was happy to take questions regarding the rezoning. He said that as previously mentioned, there would be a future follow-up presentation on the special use permit. He said that Ms. Stacy Pethia was present and available to address questions related to affordability on the project.

Ms. Mallek asked if staff could provide more information about how land lease units worked. She asked if someone would bring their own manufactured home to place on the leased land.

Mr. McDermott said was correct. He said that under the land lease units, the lessees would be responsible for bringing in their own units and placing them on the land and would pay lease rates to the owner.

Ms. Mallek said that she did not see any information regarding the stabilization of these leases into the future. She said that she was asking about this because of the experience in Adele Street, Crozet, where land prices increased significantly after a new owner took over the property. She said that she was not aware if this information was included in the documents provided.

Mr. McDermott asked if Ms. Mallek was referring to a time period of affordability.

Ms. Mallek said that she was wondering about a time period in which there would be no increases in the land leases.

Mr. McDermott said that he would review the information he had, but the applicant may be able to provide some clarification.

Mr. Pruitt said that he must confess that he was not entirely clear on how an affordability standard for chattel loans to AMI applies in the context of a land lease model. He said that he was unsure what they were calculating it to, as it was not their entire housing cost. He said that they would likely have a separate chattel loan that was part of their housing costs, which he struggled to incorporate into the affordability calculation.

Mr. Pruitt said that he was uncertain about what they were guaranteeing with affordable land lease models. He said that if staff were available to answer this question, he would appreciate clarification. He said that based on his understanding, it seemed that the affordability guarantee would only ensure that the lot rents themselves remained at an affordable AMI level, which was not a significant guarantee, as it would still be subject to the chattel loan. He asked what the servicing fire station would be for this project, as he believed it was crucial.

Mr. McDermott said that he did not have that information readily available, but he could obtain it for the Board.

Mr. Pruitt said that staff had mentioned a partner presentation to this, as there were six special exceptions requested. He asked if that would be explained following this presentation, and before the applicant spoke in the public hearing.

Mr. McDermott said that the special exceptions would be addressed after the public hearings. He said that they would be holding two public hearings on this matter, and if the rezoning was approved, followed by the approval of the special use permit, they would then evaluate the special exceptions. He said that there would also be public hearings after the rezoning process was completed, including this one, and after the special use permit was approved.

Mr. Pruitt said that he had another question regarding how this process worked. He said that Ms. Pethia might be able to provide an answer. He said that he was aware that Virginia's Tenant Opportunity to Purchase Act (TOPA) law was somewhat weak, and he would like to understand its application in this context.

Mr. Pruitt said that specifically, when a landlord of a mobile home park sold, there was a tenant opportunity for purchase. He said that he was unsure if this TOPA law was affected by the fact that this community was a blended community, comprising both landlord-owned rentals as well as tenant-owned units paying lot rent. He asked if the blended ownership structure had implications for how TOPA worked, and he wondered if there were additional considerations that needed to be taken into account.

Ms. Stacy Pethia, Assistant Director of Housing said that under Virginia Code, mobile and manufactured home parks were classified as rental housing, regardless of whether tenants owned their own units or rented ones from the landlord. She clarified that this did not have any impact on the law.

Mr. Andrews asked about the potential value of including the details of the special use permit in the zoning application, rather than having a separate public hearing.

Mr. Herrick said that he believed it was appropriate to address any questions the Board may have regarding the special use permit, keeping in mind that this was a separate application.

Mr. Andrews said that he wanted to ensure that their questions were answered. He asked if Mr. McDermott could provide information about that item.

Mr. McDermott said that the special use permit was a request under Chapter 18 of the code, specifically for manufactured home parks, which were permitted in the R4 residential district. He said that this permit allowed for the establishment of a manufactured home park. He said that he would be happy to review the assessment of the factors involved in the special use permit process.

Mr. Herrick said that he would recommend that it be addressed during that public hearing.

Mr. Andrews asked if Mr. McDermott had a separate slide for the special exception analysis in the staff report.

Mr. McDermott said that the special exceptions were listed in the staff report, but he would list them for the Board’s edification. He said that manufactured home parks must have internal streets as per Section 5.3.4. He said that the applicant was requesting an exception to this regulation; they were requesting a special exception so they could use “internal travel ways” instead of streets. He said that the applicant was seeking to waive the requirement for outdoor living areas, which must include a 100-foot hard-surfaced area and a storage building area.

Mr. McDermott said that they were requesting an exception to the off-street parking requirement, which was related to the streets. He said that the recreation requirements were specific, and they were providing a system of trails as opposed to formal recreational areas. He said that they were asking to waive the requirement for pedestrian access, which meant sidewalks. He said that these six special exceptions were what they were seeking.

Mr. Pruitt asked if the Board would review these special exceptions if they approved the SUP.

Mr. Herrick said that there would be a separate hearing on the SUP requirements, regardless of the outcome of the ZMA.

Ms. LaPisto-Kirtley said that for this application, she understood that the private internal travel ways would be designated as gravel roads.

Mr. McDermott said that was correct.

Ms. LaPisto-Kirtley asked if the residents would maintain those.

Mr. McDermott said yes.

Ms. LaPisto-Kirtley said that the owner owned the land, and when a manufactured home was brought in, the residents were responsible for maintaining the travel ways. She said that now, they were asking for an exception to not be required to have a storage area, citing that many manufactured homes came with a patio. She said that she was not entirely clear on why they could not have both.

Mr. McDermott said that the applicant could respond to why they did not want to have both options, but staff would recommend that they did not support this special exception because staff believed it would be worthwhile to accommodate the outdoor spaces and storage areas on the site. He said that the owner of the trailer park would be responsible for maintenance of the travel ways. He said that the applicant would have to explain the specific method by which they would ensure maintenance was performed.

Ms. LaPisto-Kirtley said that the manufactured home park community would be responsible overall, which was comprised of the people who owned the manufactured homes. She noted that they would be paying for the maintenance of their own travel ways, but they did not own the land underneath their homes. She said that she was simply highlighting this point, not making a statement.

Ms. LaPisto-Kirtley said that on page 8 of their summary, there was inadequate information to determine whether the proposal could be supported by the proposed central water and sewer facility, and the Virginia Department of Health (VDH) had not received sufficient information to review the proposals. She asked if this situation remained unchanged.

Mr. McDermott confirmed that it had remained unchanged. He said that they had not received the soil report or any additional information from the Virginia Department of Health. He said that he was unsure if the applicant had engaged a consultant to conduct the necessary analysis, but staff had not received any additional information on it.

Ms. LaPisto-Kirtley asked for clarification about the applicant requesting R-4 zoning in a Rural Area.

Mr. McDermott said that was correct; it would be R-4 zoning in an area that the Comprehensive Plan recommended for rural use.

Mr. Gallaway asked if the lack of water and sewer connectivity at this stage should influence the Board's consideration of the rezoning request, or if it would be resolved at the site plan stage.

Mr. McDermott said that staff were unable to determine whether this would be feasible to construct at this time. He said that therefore, it was for the Board to consider. He said that typically, they would not be able to make that determination until the site plan stage.

Mr. Gallaway said that if the Board were to approve the rezoning and it was not supported or did not go through, the applicant would be stuck with the rezoning and would be unable to develop the land as they had intended. He said that he was glad Mr. McDermott was here to answer some of these questions. He said that he would like to focus on the staff concerns, so he would review the items they had listed in the staff summary.

Mr. Gallaway said that number two stated that the proposal was inconsistent with the County's growth management policy. He said that he assumed this was because the proposal did not direct residential development to the designated Development Area. He said that he wondered if the growth management policy explicitly prohibited residential development in the Rural Area.

Mr. McDermott said that it did not state that they could not include residences in the Rural Area.

Mr. Gallaway said that this was due to existing development rights.

Mr. McDermott said exactly. He said there were the development rights and the requirement for one home on every two acres in the Rural Area, whereas this project would allow for four homes per acre with the rezoning.

Mr. Gallaway asked what the by-right buildout would be.

Mr. McDermott said that the zoning allowed for six homes to be built by right.

Mr. Gallaway said that he did not see how any development such as this got built in their County; it was not dense enough to be approved for the Development Area.

Mr. McDermott said that it was a fair statement. He said that when analyzing this, it was essential to refer to the Comprehensive Plan. He said that staff's recommendation was based on the Comprehensive Plan.

Mr. Gallaway said that it was a matter of degree. He said that if 6 units were allowed, but 50 were not, it implied that a judgment call was necessary for cases where the density was lower, such as in Development Areas where densities were typically 250, 300, or more. He said that the inconsistency arose because the amount of units proposed made it inconsistent with the growth management policy.

Mr. McDermott said that was correct, and the growth management policy that directed growth to Development Areas was an important consideration.

Mr. Gallaway said that number three stated that there were inadequate services, facilities, and infrastructure to support the development. He asked if there were adequate services to support the six by-right homes.

Mr. McDermott said that the intent behind this was to convey that there was an expectation for a certain level of services in Rural Areas and a different expectation for services in Development Areas. He said that they were examining here that they were applying Development Area densities to Rural Areas, which created a conflict between what they would expect in terms of services for a Development Area-level of density that was actually located in a Rural Area.

Mr. Gallaway said that was a fair point, but he thought it was a matter of degree. He said that six homes could still produce children who needed to attend school, although the number might be smaller.

He said that according to the staff report, there were concerns about providing transportation to these students.

Mr. Gallaway said that regardless of whether there was one student or 20, they still needed to ensure that a bus was available. He said that in terms of fire services, the staff report suggested that 50 residents might put some strain on the fire department, which seemed to contradict the fire department's own assessment. He asked Mr. McDermott whether he believed 50 residents would indeed put an additional strain on fire services in this area.

Mr. McDermott said that he would not make a judgment about whether or not the fire department could handle the 50 units. He said that the point he wanted to make was that 50 units was more than six, and therefore, it would likely require additional services that they would then need to fund.

Mr. Gallaway said that he agreed that was a fair point, but he also thought they should acknowledge that whether it was a single tree that caught on fire, one home that caught on fire, or one of 50, the fire department still needed to respond to the property. He said that this meant that response times and other factors remained a concern.

Mr. Gallaway said that while there may be 50 more opportunities for a home to catch on fire, a fire was a fire regardless of its origin, and the fire department would still need to respond in a timely manner. He asked about a point made earlier about restricting the zoning in some circumstances.

Mr. McDermott clarified that if the rezoning was approved, which would move the property to R-4 zoning, the proffers stated that even if it was under R-4, the only way they could build 50 units was if they were manufactured homes, not single-family homes.

Mr. Gallaway asked if there were four neighboring homes.

Mr. Gallaway said that he mentioned this earlier during their AC44 work session, but it seemed like it would be challenging for homes like those four to be built nowadays. He said that if this planned property were to move forward under the by-right option, they would be acquiring six units on two acres of land. He said that a speaker had mentioned the average home in the County was $800,000. He said that if they were to apply the same by-right option to this property, with six units on two acres each, he would imagine that the price points for those neighboring properties would be significantly higher, possibly with a substantial multiplier.

Mr. McDermott said that was correct. He said that to clarify, the current parcel overall was 50 acres, so the six homes might be on two-acre lots, while others could have larger acreages.

Mr. Gallaway said that regarding transportation, he understood that when discussing proximity to services, businesses, grocery stores, and other amenities, it was acknowledged that there was no reliable public transportation service in the immediate vicinity. He said that the report also noted that while proposal did offer an affordable housing option, but other costs, including transportation, significantly impacted the development's real affordability level.

Mr. Gallaway said that according to AAA, owning a personal vehicle cost over $10,000 per year. He said that they had previously discussed the need to allocate funds for affordable housing, citing the need to address commutes from Waynesboro and Staunton, and the high cost of vehicle ownership.

Mr. Gallaway said that he was wondering when staff had used a similar rationale to support or oppose a project. He said that by adding the cost of owning a car to the affordable housing option, it made the project less affordable. He said that he was curious to know when staff had used this type of rationale to sway opinions in the past.

Mr. McDermott said that he was unsure if staff had used that information before. He said that given that this proposal was being considered as an affordable housing option, they thought it was an important consideration for the Board to take into account. He said that when evaluating affordability, it was essential to consider that transportation costs were the second-largest expense for households. He said that therefore, staff wanted to ensure that this factor was a consideration, as this proposal specifically aimed at providing affordable housing options.

Mr. Andrews said that to clarify, on the slide provided, staff had uses permitted by right, single-family homes at 0.5 acres per unit. He said that he believed the intended standard was 0.5 units per acre. He said that it appeared that the recommended minimum lot size was two acres. He said that he wondered if he was reading this incorrectly.

Mr. McDermott clarified that they required two acres per unit.

Mr. Andrews said that it would be 0.5 units per acre, instead of acres per unit.

Mr. McDermott said that was correct.

Mr. Andrews said that the previous slide had a similar issue.

Mr. McDermott said that he had mixed up the acres and units on one slide, but on the previous slide, it was correct.

Mr. Andrews clarified that there was mention of Rural Area 4 in the Comprehensive Plan, but that was different than R-4 zoning, which was what was being requested. He said that he just wanted to clarify that point.

Mr. McDermott said that was correct; the Comprehensive Plan breaks up the Rural Areas into sections.

Mr. Andrews said that he believed most of his questions had been asked, but he was not sure if they had been answered. He said that he was still unclear about what was included in affordability and what various costs were encompassed by that term. He said that for now, he was willing to wait for clarification.

Mr. Andrews opened the public hearing.

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Mr. Justin Shimp said that he was the engineer and investor in this project. He said that he was joined by James Moss, the primary owner and operator of this facility. He said that he would like to start by briefly addressing the question of why this proposal was being presented. He said that the answer was that it could not be done anywhere else. He said that this was a one unit per acre development, which was significantly different from their typical development of six units or 15 units per acre in the Development Area.

Mr. Shimp said that the cost of constructing a $600,000 house justified this development, but unfortunately, it made it impossible to deliver affordable housing with these land prices and infrastructure costs. He said that in order to make it happen, the government would need to subsidize a substantial amount. He said that what had been heard tonight was a compelling argument for why this was an important issue.

Mr. Shimp said that he appreciated the eloquence with which it had been presented by the public. He said that he wanted to assure the Board that he had no doubt that the County staff, including those in front of him and around him, did not have a desire to be inequitable in housing or in this community. He said that however, there were long-standing policies that had not been re-examined, which could lead to outcomes that were unfair.

Mr. Shimp said that this was what he was presenting here tonight, and why he was undertaking this project. He said that it was important. He said that to provide some context, he would like to share a personal experience. He said that years ago, he had purchased an affordable housing complex in Nelson, where he lived. He said that this experience had given him a different perspective on the issue, and he had begun to think more critically about how they could create more affordable housing in a way that aligned with people's desires to live. He said that they had heard the concerns tonight about raising taxes and the various expenses that came with it.

Mr. Shimp said that this proposal offered a way to provide affordable housing without incurring those costs. He said that after 10 to 12 years of experience in this field, he could attest that the problem had worsened. He said that they consistently discussed affordable housing in every project, but the gap between what people could afford, and the cost of a house had only grown larger, not smaller, over time.

Mr. Shimp said that as a result, he had proposed an alternative approach. He said that during the PC meeting, there was a brief but insightful discussion about the overall context of this issue. He said that generally speaking, the PC acknowledged that this was a commendable cause, but they could not simply approve these developments everywhere.

Mr. Shimp said that one Commissioner brought up an interesting point about "greenlining", and he said that redlining, a historic injustice that denied African Americans and others the right to build equity in housing due to their race. He said that in many ways, he believed they had inadvertently created exclusivity in Albemarle County's Rural Areas, driving up prices. He said that according to recent data, the median new construction price in Rural Areas of Albemarle County was $1.35 million for a new house.

Mr. Shimp said that using conventional math, a household income of $366,000 was needed to afford that traditional mortgage. He said that this translated to 360% of the AMI. He said that while he did not have the exact data, according to the last census, 19% of residents in the County earned over $200,000 per year. He said that this suggested that the $366,000 income, which represented the income threshold to afford a new house, may be within the 5% income range for 95% of the County's residents.

Mr. Shimp said that proximity was a discussion as well, and he had emailed all relevant information, but he would briefly touch on it. He said that the dotted red line on the provided map was marking the boundary of the parcel, and the blue dot represented the locations of his employees from his survey company. He said that they would see some of them within the parcel, but many were outside of it. He said that residents from Dillwyn, Scottsville, Lovingston, Staunton, and even west of Staunton, commuted to Charlottesville to work. He said that this was the housing they could afford. He said that his project was a community, with approximately 120 residents.

Mr. Shimp said that these individuals would have the ability to own a boat, an ATV, have some space, and a storage shed if they chose. He said that their density of one unit per acre was the lowest development probably proposed in years. He said that it was not in the Development Area, but rather in the Rural Area. He said that they could not possibly achieve a one-dwelling unit per acre in the Development Area. He said that the houses would be $2 million each. He said that this was twice the density of the Rural Area, but they were talking about houses that were a third of the size.

Mr. Shimp said that they hoped to get some questions on this, and they were essentially guaranteeing all the units would be rented to residents at 100% of the Area Median Income, but 33% at 50% of the AMI. He said that the reason for the 33% at 50% AMI was that some residents may start at 50% AMI but may make more money over time. He said that they did not want to have to displace them because they simply made too much money to live in the park anymore.

Mr. Shimp said that the site concept, as Mr. McDermott had explained, was as follows. He said that their open space, which was approximately 70% open space, would be converted into a pond, drain fields, and grassy areas. He said that there would be no real roads or development in this area. He said that zooming in a bit, he could describe these areas as similar to a Belmont lot. He said that the yards would allow for sufficient space to garden and other amenities that the Rural Area allowed.

Mr. Shimp said that in contrast, those options were not available to those living in apartments in Charlottesville, such as those on South First Street, or to those who worked in landscape maintenance and needed to park their trailers at home. He said that this type of housing product provided people with the opportunity to do things like that. He said that the rent numbers were well-known, but what was interesting was that approximately 10,000 households in this County were rent-burdened.

Mr. Shimp said that a breakdown from 2022 showed that 44% of renting households paid more than 30% of their income on rent expenses. He said that what was particularly noteworthy is the calculation of the 30-year cost of living in the park, including land rent and buying one's own home. He said that according to figures provided by Clayton Homes, if the land rent was $500 per month and the home cost $90,000, with a 20% down payment of $18,000, the total cost in the first year would be approximately $16,000 and change.

Mr. Shimp said that in contrast, renting an apartment on Avon would cost around $23,000 and change. He said that the math was intriguing: if one had a fixed-rate loan, in 20 years, one would have paid off your home, and one would only pay the lot rent. He said that on the other hand, if one rented for 20 years, with an annual appreciation of 4%, one’s rent would be very expensive.

Mr. Shimp said that as a result, people who could live in these communities could cap their costs substantially more than those who rented. He said that their numbers indicated that over 30 years, someone living in the mobile home park community would be $700,000 better off than renting an apartment. He said that while there may be additional transportation costs, this represented a substantial amount of money. For 50 units, that was a total of $35 million. He said that if the County were to subsidize this, approximately $1.2 million per year would be created in value, benefiting the residents who were saving this money. He said that these units came with added bonuses, such as the ability to have pets, more privacy, and storage sheds.

Mr. Shimp said that this could lead to a significant improvement in quality of life, allowing individuals to work one job and focus on their families. He said that he had been wondering why mobile home parks were treated so differently. He said that when he cleared 14 acres of land to build homes for 50 moderate to low-income households, it was met with resistance. He said that, however, clearing land for farming activities was not considered unusual, whereas creating six large homes with similar land impacts was viewed as acceptable. He said that this inconsistency was particularly striking when considering the impact on the 50 families who would benefit from this type of housing but were unable to afford the six houses being proposed.

Ms. Mallek said that she would appreciate an explanation of how paved roadways and gravel travel ways were intended to operate. She said that she was concerned about how individuals with disabilities or those with strollers would navigate the area without paved roadways, sidewalks, or cindered trails to facilitate visits to their neighbors.

Mr. Shimp said that to clarify, the roads were not gravel, but rather a tar and chip surface, similar to what is commonly found on rural roads leading to this site. He said that with this surface, residents would be able to park approximately five to ten feet from their porch and then have a short walkway leading up to their home.

Mr. Shimp said that this was likely more accessible than many apartment complexes, as many of these required residents to climb three flights of stairs. He said that for those who were not technically disabled, living in an apartment with three flights of stairs could be a significant challenge, especially for seniors. He said that in contrast, this option allowed residents to drive and park right next to their home, making it a more accessible and convenient living arrangement.

Ms. Mallek said that the photo showed was a front-on house rather than the arrangement of the lot. She asked where this house would be on the lot where they were all stacked in.

Mr. Shimp said that this house would be turned sideways, and this picture did not show the homes surrounding it. He said that the result would be a more expensive home, but someone could still choose to purchase it. He said that any of these lots could accommodate a wider house, as they were slightly wider than the existing ones.

Mr. Shimp said that although it was difficult to visualize on a smaller scale, there was room for a wider house in these setbacks. He said that the house would extend significantly, and the porch would always face to the side. He said that parking would be in the front of the house, and one could walk along the porch and side. He said that although they had not yet finalized the site plan, this was how it would function.

Mr. Pruitt said that he would like to start by acknowledging and commending the unique presentation style used during this public hearing. He said that he believed it was unusual for someone to present normative policy arguments without discussing the site in detail. He said that this approach suggested that the applicant had listened to their concerns in previous hearings and were aware of what resonated with them.

Mr. Pruitt said that he would appreciate it if the applicant could clarify some aspects of the site. He said that specifically, he noticed that the parcel was densely clustered, despite being a large 50-acre area. He said that they were working with a relatively small fraction of that space. He said that he would like to understand the reasoning behind this approach. He said that he assumed that cost was a factor, such as saving on paving. He asked if there were other factors at play that contributed to this decision.

Mr. Shimp said that it was a cost-driven decision. He said that topography also played a role, as they aimed to minimize land disturbance to preserve more land than necessary, while also considering the cost. He said that the most suitable property in this area was the front zone, where they could build with relatively minimal disturbance, placing the units on the ground as they existed.

Mr. Shimp said that upon reviewing the site, there were additional challenges to consider. He said that he believed there was also logic to this approach. He said that these 6,000 square foot lots were a reasonable size, and the fact that they had 75% open space spoke to the idea of balancing residential development with preservation in a Rural Area.

Mr. Pruitt said that based on his last question, he understood that the gravel was primarily a parking pad. He said that he could visualize that. He said that he could picture, for example, developments on historic houses on Valley Street in Scottsville, where there was a gravel parking pad parallel to the road. He asked if the parking pad he was envisioning was approximately one car in size, or if it was larger than that.

Mr. Shimp said that he believed that the County code required a minimum of two parking spaces per home.

Mr. Pruitt said that Mr. Shimp briefly mentioned this during his presentation, but due to time constraints, he did not have a chance to fully explain it. He said that he would like to revisit the land lease AMI limitation to ensure he understood it correctly.

Mr. Shimp said that in essence, it was challenging with a land lease because they did not know how someone was paying it. He said that someone could pay cash, even if they had limited financial resources, such as $20,000 or $50,000, and purchase a used home in good condition, which would significantly reduce their costs. He said that alternatively, they may have a mortgage, as they had noted. He said that to address this, they had decided to cap the individuals they leased to, focusing on those with affordable housing, and limit the leases to 50% of the Area Median Income. He said that this approach allowed them to cater to those who could afford it, given the various variables involved in how someone might own their home.

Mr. Pruitt asked if Mr. Shimp could remind him of the duration of the time limit on that proffer.

Mr. Shimp said that it would be indefinite.

Mr. Pruitt asked if this meant that the land would remain tied to the proffer, even if another firm bought the property.

Mr. Shimp confirmed that they would have to comply with those same rules.

Mr. Pruitt said that there were various ways that developments like this could emerge, involving different capital partners and business partners working together. He said that it was not uncommon for there to be an exclusive dealer for the homes that may be built on the site in the future. He said that for example, an exclusive partner might be identified, such as a company that sold mobile homes, and they would also serve as the sole financier for those mobile homes. He asked if Mr. Shimp had identified any potential partners that he anticipated working with, or if he already identified partners that individuals may be interested in bringing their own homes to this lot.

Mr. Shimp said no; they did not intend to do that. He said there were existing providers in the area, but they aimed to offer maximum flexibility to users. He said that a minimum standard would be required, but it would not be prescriptive. He said that users would be free to bring their own equipment, as long as it met a certain construction standard. He said that they wanted to strike a balance between providing a service and giving users the freedom to choose their own approach. He said that Mr. Moss and he, along with one other individual, were the investors, and the project would be owned and operated by a small business.

Mr. Pruitt asked if they had identified the builder that would be working with them for the facilities they planned to own.

Mr. Shimp said that they had not.

Mr. Pruitt asked if they were planning to be owner-financers for any of the tenants.

Mr. Shimp said no.

Ms. LaPisto-Kirtley asked if Mr. Shimp would not be purchasing the mobile homes for the site. She said that instead, the residents would be purchasing their own mobile homes and bringing them onto the site.

Mr. Shimp said that they may purchase some of these units. He said that there was a provision for renter-occupied properties, which would allow the park owner to choose, and likely would, to buy, say, 10 homes. He said that these homes would be rented out at the 60% AMI threshold, and the rental agreements would be in perpetuity. He said that as a result, some of these units would likely be purchased, while others would be available for purchase by individuals, who could choose from new or used models and set their own prices.

Ms. LaPisto-Kirtley said that she would like to know if all the renters would be moving into new homes.

Mr. Shimp said that he was uncertain whether he could provide a definitive answer to that question. He said that there were two options.

Ms. LaPisto-Kirtley said that the slide showed a lifespan of 30 years, but mobile homes typically have a lifespan of between 30 and 50 years.

Mr. Shimp said that newer homes might last longer. He said that construction standards had changed significantly over the years. He said that given this, he believed a 50-year lifespan seemed reasonable to him. He said that the payoff was that most loans were paid off in 20 years, which was the typical financing period. He said that therefore, the theory was that if one could purchase a home and it lasted 50 years, and one paid off the loan in 20 years, the latter 30 years of their life would be equivalent to owning the home outright, as one would not be paying a mortgage.

Ms. McKeel said that she was aware that the lifespan of manufactured homes often surprised people, but the new ones were quite different from what they used to think about them. She said that specifically, the older trailers came to mind.

Mr. Shimp said that to be fair, when they expanded the Crozet mobile home park, there were some residents who had lived in their homes for 50 or 60 years, and they were in a state of disrepair, but they were still their homes, and they loved them. He said that he did not want to overlook the value of those homes for people who were happy with them. He said that he believed that generally speaking, anything in this park would be new, Housing and Urban Development (HUD)-standard construction. He said that they would not permit anything that was 30 years old to enter the park, essentially.

Ms. McKeel said that regarding construction standards, based on what he said, she understood that he was suggesting there would be regulations on the type of construction allowed for mobile homes and manufactured units. She asked for more clarification on what specific controls or guidelines he envisioned for these types of structures.

Mr. Shimp said that they wanted the park to have a clean and neat appearance. He said that a house in disrepair was not a viable option, as it would not be moved anyway. He said that there would be minimum standards that must be met. He said that this was standard practice for all parks, where residents expected certain amenities, such as a wide path, skirting, and a walkway. He said that they would establish these requirements for all units to be placed in a similar manner.

Ms. McKeel said that initially, she was considering gravel, which was a concern, but she now saw the reasoning behind his suggestion. She said that the material he was using did pack down, which made more sense to her.

Mr. Shimp said that the surface was a tar-and-chip material, where gravel was first laid down and then topped with a layer of tar-and-chip. He said that this was similar to the process used by VDOT when converting rural roads to a rustic surface, as he had done previously.

Ms. McKeel said that the surface it provided was more solid than just gravel, which could be challenging to navigate. She said that she would appreciate clarification on the piece regarding the health department and the lack of information they have received. She asked if that was information from Mr. Shimp.

Mr. Shimp said that the Virginia Health Department is a state agency with its own set of requirements, which were typically handled during construction. He said that they issued construction permits, and for instance, if this project was approved and they determined that the soil requirements cannot be met for the number of units planned, they would have to build fewer units. He said that they had conducted a soil test earlier to verify that they had enough area for their purposes.

Mr. Shimp said that they would not want to go through all this if it were approved and resulted in a reduced number of homes, such as eight, but they could not obtain County approval for the site plan until the Health Department had completed their own requirements. He said that this would include soil borings, soil profiles, and calculations for the size of the drain field needed for this use, which would be a shared mass drain field among the users.

Mr. Shimp said that the water works regulations also required them to drill a well and pump it for 48 hours to confirm sustained yields, which was an expensive and time-consuming process.

He said that typically, these steps were not taken ahead of a zoning action, and if they did not have them, the state would regulate the issue, with no exceptions. He said that as a result, they had not pursued this further.

She said that that made sense to her. She said that the picture he showed of the manufactured home had a porch and a skirt around it. She said that some of these homes would likely have a similar design, while others may not be as elaborate. She said that they would be offering both rental and ownership options. She said that the land itself was not owned by the manufactured home residents; they were renting the land. She said that she was trying to understand this concept because they did not typically deal with manufactured homes.

Mr. Shimp said that he believed that no one had proposed a Comprehensive Plan update since approximately 1986. He clarified that the park owner retained ownership of the land, which was a corporation.

Ms. McKeel asked who the owner of the park was.

Mr. Shimp said that that would be himself, Mr. Moss, and their other investor.

Ms. McKeel said that it was not just vague individuals, but rather a specific arrangement where he would be the park owner and someone else would be involved.

Mr. Shimp said that was correct. He said that it was worth noting that these types of facilities could always be repurposed or sold in the future, but the current structure was that they owned the land and would build and operate the facility themselves.

Ms. McKeel asked if there would be a homeowners association for the community.

Mr. Shimp said that this was essentially what the residents were paying for with their rent. He said that when they paid $500 a month, it included maintenance of the facilities, such as snow removal and road upkeep. He said that they were responsible for their 6,000 square foot lot, including tasks like mowing their own grass and installing their own fence. He said that, however, the infrastructure that allowed them to access their home was covered by their rent, essentially.

Ms. McKeel asked if the common areas would be taken care of by management.

Mr. Shimp said that was correct.

Ms. McKeel asked if the green space included more than just a holding pond.

Mr. Shimp said that the green space was actually a pond, which was situated near a spring that could supply water. He said that during the site review with the fire marshal's office, one of the comments was that a water source was needed. He said that what made this site uniquely suitable for this type of project was that they had a spring that could provide a pond.

Mr. Shimp said that as a result, they would build a pond. He said that he had also installed a dry hydrant on site, which provided the fire department with a water supply. He said that this was another reason why he had been looking for a property like this, as the unique factors involved could be challenging to find at a price that allowed for construction.

Ms. McKeel asked if they would be covering up any stream beds.

Mr. Shimp said that there was no disruption to the stream for any of buildings. He said that the pond would be situated within the stream. He said that this created a disturbance to the stream, but it was a necessary one to create the pond. He said that there was no disruption to the stream due to any of the housing.

Ms. McKeel asked if there would be any manufactured homes in the floodplain.

Mr. Shimp said that there were no flood plains near this location, and the site was elevated above the stream by a significant margin.

Mr. Gallaway said that the takeaway here was different from what they had discussed with staff earlier. He said that in terms of the water supply in this Rural Area, he understood that water was a sensitive topic. He said that when considering the six units by right and the need to provide water for 6 units versus 50 units, there may be concerns about whether there was sufficient water supply to meet the needs of the project, as well as the remaining area. He asked Mr. Shimp to speak to what he had found or what he knew about this issue.

Mr. Shimp said that there were two key points he would like to address. He said that firstly, this site was essentially a closed water system, where they withdrew water from the ground, sent it to a mass drain field, and the water returned to the soil, effectively cycling back to its source. He said that while there were layers of geology involved, the water ultimately returned to its original source.

Mr. Shimp said that their interest in finding a 50-acre site stemmed from the fact that there was a natural groundwater recharge per acre, which was a known phenomenon. He said that in commercial areas, there was a 400-gallon site acre per day limitation, as outlined in the ordinance, which dated back to a health department rule. He said that for example, with 50 acres, that would be 20,000 gallons per day, which aligned with the 400-gallon site acre limit.

Mr. Shimp said that their actual usage was around 6,000 to 7,000 gallons per day, so the acreage provided a cushion for groundwater recharge, as rainwater recharged the aquifer. He said that they believed this area was large enough to support natural groundwater recharge. He said that a Tier 3 or Tier 4 groundwater study would be conducted if the site plan moved forward, which would involve a detailed evaluation of the groundwater recharge.

Mr. Shimp said that they had already conducted a Freedom of Information Act (FOIA) request to the health department, which revealed several reasonable wells in the area, including those with 7, 20, and 30 gallons of water per day. He said that while some may dispute the significance of these numbers, he considered them a sign that water was present in the area. He said that since they were effectively reusing the water they used, they were not a consumptive use that would drain the aquifer, making this site a more sustainable option.

Mr. Gallaway said that they had discussed up zonings in the past, regardless of their location, and the number that was typically targeted. He said that in this case, he was aiming for 50. He said that often, this number was chosen because it made the project viable. He said that he would appreciate it if Mr. Shimp could explain the reasoning behind choosing 50 rather than 30.

Mr. Shimp said that a significant factor in this decision was a simple mathematical calculation. He said that the normal density for a Rural Area was typically one unit per two acres. He said that if they were building half of a standard unit, this density logic held. He said that it was also related to zoning regulations.

Mr. Shimp said that although they were doing something different here, the density was not substantially higher than what was allowed in a Rural Area. He said that it was a numbers game. He said that you needed a certain number of units to make the project viable. He said that the flat land suitable for building could accommodate approximately 50 homes. He said that this also influenced their decision.

Mr. Shimp acknowledged that the Board could approve this project with conditions, such as limiting the number of units. He said that for them, 50 units was a number that made this project viable, especially considering they were limiting rents for their rental units to 60% of the area median income.

Mr. Gallaway said that he would like to discuss the entrance and exits to this property. He said that in any project or rezoning, the impact on existing residents versus the potential benefits of upzoning or rezoning was a consideration. He said that he saw two potential entry-exit scenarios for this property. He said that given their expertise on the area, he expected to hear from residents and speakers about their perspectives on this issue.

Mr. Gallaway said that in his opinion, it was essential to design the entry-exit system to minimize disruptions and ensure a safe, controlled flow of traffic. He said that unlike a single-family residence on two acres, where the potential for multiple cars exiting at once was a concern, this property's design should prioritize a more orderly and efficient traffic flow.

Mr. Shimp said that VDOT had different standards for various traffic volumes, which was why there were distinct requirements for different types of entrances. He said that for a single-family home, he was required to have 300 feet of site distance. He said that in contrast, a commercial entrance like this one would require a much longer distance, likely around 550 feet.

Mr. Shimp said that this highlighted a standard of intent and a higher standard of construction for commercial entrances compared to private driveways. He said that given the current traffic volume of 160 trips and the planned increase of 350 trips, it was clear that there would be more traffic on the road. He said that when compared to other traffic increases in other areas, this increase was relatively minor. He said that in a Development Area, an increase of 350 trips would be considered negligible and not even noteworthy.

Mr. Gallaway said that he understood the point, but given the area, this was a substantial increase over what currently existed.

Mr. Andrews asked if any members of the public wished to speak on this item.

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Ms. Isobel Ziluca said that she was relatively new to the area and was currently building on her property. She said that as a result, she could speak to the well and septic systems. She said that her property was approximately half a mile from the proposed site. She said that she had purchased 20 acres plus a smaller parcel, which she had combined to take advantage of the Rural Area designation. She said that the smaller parcel was not particularly useful, but she thought it would be more rural-like and was able to secure forestry deductions in land use.

Ms. Ziluca said that she had already planted several native Virginia trees and planned to continue planting non-agricultural trees to keep the forestry. She said that when starting the building process, there was an existing road, and it took a long time to get the process started because she encountered a lot of issues with runoff and abatement, with the County overseeing these regulations. She said that the road was not very steep and significant.

Ms. Ziluca said that she had followed all the necessary rules and regulations and then moved on to the well and septic systems. She said that the septic system was particularly challenging, as it was located in a rocky area. She said that she had an alternate septic system in place. She said that the first well she drilled was a dry hole at 400 feet, and she was fairly certain she was the most recent well in the area. She said that the second well, also at 400 feet, provided sufficient water. She said that she should note that the area was known for dry wells, according to her well driller, Matheny.

Ms. Ziluca said that he had done numerous wells in the area and had stated that he had encountered this issue on several occasions. She said that if they had visited the site, they would be aware that it was a ravine with steep hills that descended towards the James River and Chesapeake Bay waterway. She said that the ravine was rocky and wooded, and it was not open space. She said that, therefore, significant earthmoving would be required. She said that she hoped that the applicant would implement all the necessary regulations to enforce for this project, which she believed were not in line with the area's character.

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Mr. David Roadcap, Samuel Miller District, said that he strongly encouraged the Board to reject this development, as it contradicted the criteria Albemarle County used to determine what development to allow in Rural Areas. He said that given the ongoing AC44 process, he was sure the Supervisors were all aware that the community, including the Board, PC, County staff, and the community at large, had invested significant effort into developing this plan.

Mr. Roadcap said that as such, the plan represented the consensus and desires of the community. He said that as the governing body, the Board should respect their wishes and not deviate from the plan without compelling reasons. He said that as Mr. Pruitt noted, this proposal appeared to be largely driven by political arguments from the developer, and while politics inevitably played a role in development of a plan, the considerations of a developer requesting to overrule that plan should be taken with a grain of salt.

Mr. Roadcap said that upon reviewing the plan, in his opinion and that of many community members who attended the community meetings, the development fell short of meeting the criteria for Rural Area development. He said that his email, provided as part of the package, outlined how the proposal failed to meet at least nine of the ten essential criteria. He said that the tenth criterion, he lacked sufficient data to comment on.

Mr. Roadcap said that furthermore, the development's high density relative to the surrounding area, the undue stress it would place on already overburdened emergency services, the likelihood of groundwater contamination, and the increase in traffic were just a few of the reasons it failed to meet the criteria. He said that additionally, while affordable housing was essential, it should be implemented according to the development plan and meet the needs of the residents who would use it.

Mr. Roadcap said that this development was not suitable for the area. He said that it was far from amenities and required long-distance travel from work for anyone who lived there. He said that furthermore, it posed a variety of other issues that made it unsuitable for the area. He said that in conclusion, he urged the Board to respect the analysis of the staff and the PC, and reject this development.

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Mr. Matthew Gillikin said that he was a resident of the City of Charlottesville and co-chair of Livable Cville. He said that he was speaking on behalf of Livable Cville in support of the Chestnut Grove development. He said that escalating housing costs in Albemarle County and the limited amount of new affordable housing threatened the vibrancy of the County's Rural Areas. He said that increasingly, the benefits of rural Albemarle County were accessible only to those with significant financial means. He said that the Chestnut Grove development would allow 50 families to make rural Albemarle County their home, families who would otherwise not be able to do so due to the affordability proffers.

Mr. Gillikin said that this was an excellent opportunity for the County to address its affordable housing goals without spending a single dollar from its affordable housing funds, leaving budget room to support deeply affordable housing in the urban core. He said that this was where essential workers, such as teaching assistants, CNAs, truck drivers, and restaurant staff, would have a chance to live. He said that this was a place where many retirees would be able to go after they had completed their working careers.

Mr. Gillikin said that otherwise, these individuals would end up in outlying counties and not be able to be part of the permanent Albemarle community. He said that given that over 70% of this development would remain open space, approving this development was consistent with the County's desire to balance the benefits of living in Rural Areas, the environmental benefits of Rural Areas, and the urgent need to address the housing shortage for residents at lower income levels.

Mr. Gillikin said that if denied, the site would likely be developed into six very expensive homes. He said that despite its many benefits, manufactured housing had been stigmatized through association with negative stereotypes about lower-income residents. He said that they hoped the County would see beyond these negative associations and stereotypes.

Mr. Gillikin said that the County had seen a decline in manufactured housing options over the past few years, and this was an opportunity to rebuild this very affordable form of housing. He said that housing was a basic human right, and manufactured housing was a good option for many community members who would like to live outside the Development Area. He said that manufactured housing was a potential solution for addressing affordable housing needs in rural Albemarle County.

Mr. Gillikin said that Supervisor Gallaway had noted that they were dealing with multiple competing priorities. He said that it was evident that the Comprehensive Plan was a well-oiled machine for building million-dollar homes in Rural Areas, presenting a more straightforward path than other types of housing. He said that he hoped this could serve as an opportunity for the Board to explore what affordable housing looked like in Rural Areas and how to make it a reality. He said that they must consider what policy changes were necessary to incorporate affordable housing requirements into the Comprehensive Plan, as well as other relevant factors.

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Mr. William Frasier, Jr. said that he was a 73-year-old resident of Albemarle County, born and raised here. He said that he currently lived on Social Security. He said that about a year ago, he was living in a motor home in Carlton Trailer Court, but his home caught on fire. He said that he could not get a new home there because they were selling the property, so he had nowhere to put a home.

Mr. Frasier said that as a result, 51 more families will have to find a new place to live within the next three years. He said that for the past year, he had been living at different locations, including with his nieces on Chestnut Grove Road, Porter's Road, and President Road, and currently, he was staying in the basement of his sister's home on 250 Boyd’s Tavern. He said that despite being in this area his whole life, he was facing a difficult situation.

Mr. Frasier urged the Board to take the time to vote for this matter, as he feared he would not have a home. He said that Social Security was not a guarantee, and he had struggled to find affordable housing. He said that the cheapest apartment he could find was $1,800 a month, and even a lower payment option was unaffordable. He said that he was simply trying to survive.

Mr. Frasier said that if he were to get a trailer, he might be able to move in. He said that when he purchased his trailer, he paid $16,000 for it, and after paying it off in four years, his monthly rent was $350. He said that with his Social Security, he would be able to make ends meet. He said that he was here to ask for the Board’s vote in support of the application.

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Mr. Steve Batten said that he was a resident of the City of Charlottesville, but most of his family resided in the County. He said that it was clear with the support shown earlier that they needed affordable housing. He said that the proposed budget also indicated that some of it could not be funded by the County. He said that this proposal served as an alternative that the County could create affordable housing without depleting the already strained fund. He said that he was in support of this idea, as he believed it would provide opportunities for first-time homebuyers, young couples, to establish themselves in the community.

Mr. Batten said that this was crucial, as these young couples, if they left, would not return, resulting in a talent drain. He said that earlier, someone had mentioned that they supported affordable housing, but not in their own backyard. He said that he did not think that was an acceptable approach. He said that Scottsville, located nearby, had amenities and needed young workers, including those who may not yet earn $300,000 a year. He said that this area could support such individuals, and it was close enough to provide the necessary workforce.

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Ms. Casey Chisholm, Scottsville District, said that she stood before the Board not only as a single mother, but also as a member of her community who was facing one of the most significant challenges of her life: finding affordable housing. She said that as a single mother, she was doing her best to provide for her children, ensuring they had a stable and secure future.

Ms. Chisholm said that, however, the reality of rising rents and the lack of affordable options had made it incredibly difficult to provide them with a home where they feel safe and comfortable. She said that every day, she worried about how they would manage the high cost of living and whether they would have a place to call home next month. She said that she was not alone in this struggle. She said that many families in the County are facing the same challenges, and it was affecting their entire community.

Ms. Chisholm said that they needed more affordable housing options, homes that are within reach for families like hers. She said that this was why she was here today to ask for the Board’s support on this project. She said that she was not just asking for herself, but for all the hardworking families who deserved a safe place to live without the constant worry of eviction and homelessness. She said that in her opinion, this project was not just about providing a roof over their heads; it was about laying the foundation for a brighter future. She said that with stable housing, they could focus on their work, their children's education, and their community's well-being.

Ms. Chisholm said that she understood that there may be concerns about the project, but she truly believed that with proper planning and collaboration, this project could be a positive addition to their County. She said that together, they could offer a modern, safe, and affordable solution to housing while supporting local growth and prosperity. She said that by approving the development of this community, they could create affordable living spaces that will attract new residents and provide an option for those struggling to find suitable homes.

Ms. Chisholm said that it will not only benefit their families but also generate increased tax revenue, creating opportunities for local businesses and services. She said that she knew that there are challenges, but she believed that by working together, they can find solutions that make a real difference for their families in need. She requested the Board to please consider their organization in their planning and decision-making and help create an environment where families like hers can thrive.

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Ms. Theresa Warren, Scottsville District, said that listening to the discussion on affordable housing this evening was much needed. She said that she had previously spoken at the last meeting about this same project. She said that as a resident of Scottsville, she had lived there for five years, having previously resided on the Fluvanna side. She said that she absolutely loved it there and had lived at the lake before that.

Ms. Warren said she did not want to leave, but the housing situation was a significant issue. She said there was a lack of affordable housing options in the area, and she was aware of a project that proposed 36 new homes in Scottsville, priced at over $300,000, which was unaffordable for many of the current Scottsville residents. She said affordable housing was a pressing concern, and she believed this project could help some residents, including herself, and would be a great asset to their community.

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Mr. Curtis Moon said that he was a Charlottesville resident. He said that he thought this proposal was a great idea, based on what he had heard tonight. He said that housing was a significant challenge for many people, including himself. He said that as someone on Social Security and disability, he was all too familiar with the difficulties of affording rent and medical bills. He said that a $1,200 to $1,400 monthly rent was a substantial burden.

Mr. Moon said that he believed that if two individuals could come together to make a difference, providing a home for 50 people would be a significant step forward. He said that it would offer a place where they could pay their bills and have a sense of stability. He said that he wholeheartedly supported this proposal and did not see why it should not be approved by the Board.

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Mr. Raylee Wade said that he was a business owner in Waynesboro. He said that his wife and he own an assisted living home for senior citizens. He said that they had 15 employees, with six of them residing in mobile homes in Waynesboro and Augusta County. He said that he had spoken to several of them about their experiences living in mobile homes and parks, and the consensus was that they were very content and happy with the affordability and value for their money. He said that this was a positive development.

Mr. Wade said that a single mom, for example, moved from an apartment to a mobile home in Country Estates in Grottoes. He said that she loved her new home, particularly the yard, which was a first for her and her child. He said that he spoke to five out of six employees, and they all expressed their satisfaction. He said that he did not have the exact numbers, and he would not pretend to know them. He said that however, it was clear that this would provide a home for 50 families.

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Mr. Ronald Morris said that he was in full support of the Chestnut Grove Park. He said that as a resident of Greene County, he had a personal connection to the issue. He said that growing up, he lived in a mobile home park his entire life. He said that his father worked hard to save money. He said that his father purchased his first trailer on Harris Street when he was just four years old, and they lived there until he was 16. He said that during that time, his father paid off the trailer and saved enough money to buy a piece of land.

Mr. Morris said that he then moved their mobile home to that land, and today, he still resided in that home. He said that he was content with his decision, and he believed it was a crucial factor in their family's stability. He said that if it were not for the mobile home park, he was not sure what their family would have done. He said that they started out in poverty, but they had a roof over their head. He said that he was 100% in support of the park, and if it was approved, he may even consider moving there himself.

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Mr. Culley Baggett said that he was a lifelong citizen of central Virginia. He said that he was surprised to find that he was not the first person to bring up affordable housing tonight, but it was clear that it was a significant issue. He said that as a building contractor and local land developer, he was there to express his support for this much-needed project.

Mr. Baggett said that it was not just a project; it was a necessity, a need that could be a step in the right direction for many people. He said that for those who may not have the financial means to buy or build a traditional home, this could be the first step towards achieving the American dream of homeownership.

Mr. Baggett said that as a young person in this area, he may not have the financial resources to purchase a brick-and-mortar home, but he could afford to buy a new mobile home from one of their local manufacturers. He said that the cost of a mobile home was a fraction of what it would take to buy a lot and build a traditional home. He said that he did not have the $100,000 needed to buy a lot and put it on it. He said that he believed that Chestnut Grove could fill this void.

Mr. Baggett said that if someone bought a mobile home and paid for it over eight to ten years, they would have something tangible to show for their investment. He said that they would own something that could be used as a down payment for a new home, either in this area or elsewhere. He said that he had other points to make about this project, but after hearing tonight's discussion, he believed it was clear that a crisis existed for affordable housing.

Mr. Baggett said that he saw no reason not to push this project forward, even if it was outside the Comprehensive Plan. He said that these special use permits were in place for just such situations. He said that as Mr. Shimp had mentioned earlier, if a project like this, a high-density project, were moved closer to the City, where it was already zoned for, the cost of the land would be prohibitively expensive, making it impossible to justify the cost of the land. He said that therefore, the Rural Area was the more suitable location for this manufactured home park.

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Ms. Darby Lowe stated that she was a resident of the corner of Chestnut Grove Road and James River Road, having lived there for 30 years. She said that other than the first resident who spoke of her difficulty in drilling her well, she was the only person who actually lived in this area; everyone else was from other places. She said that while others may have been praising the project for providing affordable housing, she was here to represent the community, which had been vocal about its opposition to this project.

Ms. Lowe said that out of the 100 people who attended the PC meetings at the Yancey Center and Scottsville, nearly all of them were against the project. She said that the only reason that was deemed approvable by the PC was the affordable housing aspect. She said that however, she would like to focus on the other issues that made this project unsuitable.

Ms. Lowe said that the site was prone to erosion, with a steep slope that put the stream and its buffer zone at risk. She said that the stream itself ran directly to the James River, which was protected by conservation easements that prohibited septic systems from contaminating the waterway. She said that she would like to highlight the traffic concerns, particularly on Chestnut Grove Road, which saw 150 trips per day.

Ms. Lowe said that James River Road, with its 950 vehicles in 12 hours, was often overlooked. She said that this intersection was already a safety concern, with numerous close calls reported by residents. She said that James River Road was the oldest road in Albemarle County, with a twisty and curvy design that made it prone to accidents. She said that adding 150 more cars to this road would be unacceptable. She said that emergency services, as previously discussed, were a significant concern.

Ms. Lowe said that the wait time for the emergency squad was 50 minutes, and similarly, the police response time was also 50 minutes. She said that they could not put 50 homes there with that level of service. She said that the school's seating capacity was also not mentioned, but it was worth noting that there were 33 new homes in the Blenheim subdivision and 30 new homes in the Bird Street in Scottsville, all of which lacked essential amenities such as jobs, public transportation, and childcare.

Ms. Lowe said that visiting this area would reveal the stark contrast to other setups. She said that finally, a trailer costs $90,000, and setting it up required an additional $70,000, with a 20% down payment. She said that there were only two banks in Virginia who would loan, which she verified with Clayton Homes herself. She said that additionally, personal property taxes must be paid, because realty only applied to double-wide trailers, which this development was not allowing. She said that the lot rent was a significant concern, as only 17 units were affordable, with 50% of the AMI threshold. She said that when she calculated the numbers, it became clear that affordability was not a viable option for this park.

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Ms. Emily Dreyfus, Rio District, said that it was well-known that affordable housing issues were intricately linked to health and safety and economic development. She said that ideas like this should be recognized and celebrated. She said that she had spent considerable time on Chestnut Grove Road. She said that she had visited the area numerous times and had never encountered another vehicle. She said that the road was wide enough that even in the unlikely event of a collision, she would not be concerned. She said that there was a common response, "not in my backyard," and she understood that it was a natural reaction. She said that they needed to transcend that mindset. She said that this was a crucial issue, and they must be innovative. She said that she hoped the Board would be open to flexibility and move this forward.

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Mr. Jeff Rossen said that he resides in Charlottesville, but more importantly, he was a supervisor in the operating room at the University of Virginia. He said that he had 10 employees who worked for him, and he was the only person who lives within a 45-minute radius of the university. He said that this was because they all earn between $30,000 and $45,000, and unfortunately, they cannot afford to live in the Charlottesville and Albemarle area due to the high housing costs.

Mr. Rossen said that everyone in this room relies on healthcare at some point in their lives. He said that these individuals who care for patients every day cannot afford to live in their community because of the unaffordable housing prices. He said that he strongly believed that private funding for affordable housing projects such as this were essential. He requested the Board consider taking advantage of such opportunities to support affordable housing projects like this one.

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Mr. Nick Hamner said that the Board must carefully consider the type of housing it approves. He said that in addition to the recommendations by the Planning Office and the PC, which opposed the proposed development, there were considerable reasons why this development starkly contrasted with the County's Comprehensive Plan. He said that his primary objection to the proposed development was that it failed to create a true home ownership opportunity.

Mr. Hamner said that the only owner of the dirt of a lot stood to create wealth and build equity. He said that in this case, the home was not an asset but a liability that depreciated in value from the moment it left the sales lot. He said that to truly provide for a home ownership opportunity, the proposed development should require residents to own the dirt and the lot.

Mr. Hamner said that this would allow residents to build equity and achieve the American dream of home ownership. He said that without resident ownership of the dirt, the proposed development was nothing more than a predatory lending scheme.

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Mr. Tim Taylor said that he would like to thank them all for being there and accepting his voice, as they had heard many comments about affordable housing. He said that it took him 90 minutes to get there because he was from Spotsylvania and he worked in Fredericksburg, but he had been a Charlottesville native for his entire life, except for the past 10 years.

Mr. Taylor said that he was 55 years old. He said that he was excited about this project because he had a twin brother there, and he also had two other siblings who lived there, as well as a sibling in Florida who had come to visit him after the hurricane and was considering moving back. She said that she was talking about moving back because they had just buried their mother the previous year, and the anniversary was just a couple of days ago.

Mr. Taylor said that this was his home, and when he talked about quality of life, it was not just about the price of a house; it was about where one would spend their time with friends and family. He said that when he walked in, he recognized about 15 people, and the smiles and waves really solidified his desire to return. He said that as a senior citizen, he was 55 and had survived a couple of heart attacks.

Mr. Taylor said that he did not know how many days he had left, but he wanted to have the opportunity to purchase an affordable house if this project moved forward. He said that at one time, he had four houses here when he was married, and he had supported his wife through med school. He said that he had moved to Fredericksburg for her job, but she was now living in Myrtle Beach with her second husband.

Mr. Taylor said that he was alone on a fixed income, but he did not need expensive houses. He said that he would love the opportunity to consider a purchase like this, not just because of the price, but because it was about quality of life. He said that he would love to go fishing in the Jackson River, and he would like to spend time with his twin brother and other friends, including his friend Bryant Bibb, the retired police captain, and his fellow golfer. He said that he appreciated their concern, and he would like to address the question of where the funds for affordable housing would come from. He acknowledged that it was not an easy task.

Mr. Taylor said that they had been elected to their positions, and he was sure they would do their best to make the most informed decision possible. He said that ultimately, he was confident that they would make the best choice for affordable housing. He said that personally, he had been trying to return to Charlottesville for about five years now, after his divorce. He said that he kindly requested that the Board consider his plea, along with many others.

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Ms. Adelaide O'Brien said that she resided on Hatton Ferry Road. She said that she would like to address the misconception that mobile homes are inherently affordable housing. She said that mobile and manufactured homes can be considered affordable housing if the homeowner owns the land beneath the home. She said that the proposal for Chestnut Grove does not meet this criteria, as the homeowner will not own the land.

Ms. O'Brien said that unless the mobile or manufactured homeowner owns the land, they are typically limited to personal property loans, such as car loans, which often come with higher interest rates and shorter repayment terms. She said that mobile homes depreciate over time, whereas site-built homes do not. She said that the mobile home park industry is known for its predatory practices, with minimal financial risk for the park owner and significant financial risk for the homeowner. She said that when homeowners do not own the land, they are vulnerable to rent spikes for the lot.

Ms. O'Brien said that the cost to move a mobile home can be prohibitively expensive for most tenants. She said that she would like to reference a New York Times article from March 2022, titled "Investors Are Buying Mobile Home Parks, Residents Are Paying the Price." She said that the article highlights the industry's business model, which relies on the fact that tenants cannot afford to move their homes, keeping revenue stable and making it easier to raise rents without losing occupancy.

Ms. O'Brien said that this model benefits only the property owners, at the expense of mobile home buyers and the community as a whole. She said that she respectfully requests that the Board not consider the rezoning of this property or provide a special use permit, as this would only serve to further exploit the mobile home buyers and undermine the well-being of their community at large.

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Mr. Kevin Fletcher, 7814 Chestnut Grove Road, Samuel Miller District, said that he was not in favor of this project. He said that the developers had not conducted a thorough traffic study, instead relying on a guess of what the traffic might be like on Chestnut Grove Road. He said that they did not have concrete data to support their claims. He said that their plan for water and septic systems was also based on speculation. He said that they hoped it would work, but the idea of regenerating water through a septic field for 50 homes seemed overly optimistic.

Mr. Fletcher said that if it failed, the developers would still retain ownership of the land, which had been rezoned. He said that notably, a significant portion of conservation easement land was located in this area of southern Albemarle County, where private citizens were actively working to protect Rural Areas. He said that the County should not support this project, as it contradicted the other residents' work and the Comprehensive Plan.

Mr. Fletcher agreed that affordable housing was a necessity in Albemarle County, but this proposal was flawed and did not address the needs of the community. He suggested that County staff develop a plan for mobile home parks to be considered, rather than simply allowing the proposal to be hashed out in a piecemeal manner. He said that if implemented, this project would likely lead to the proliferation of mobile home parks throughout the County, with potential locations including Reas Ford Road, Davis Shop Road, and Stony Point.

Mr. Fletcher said that the only incentive being offered was affordable housing, which was not sufficient to justify the project. He said that in conclusion, the water and traffic issues were insurmountable, making this project unfeasible.

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Mr. Sean Williams, Scottsville District, said that he used to live on President's Road before moving back in with his parents. He said that he has two children; his son was two years old, has autism and attends the VIA School on Route 29. He said that his daughter was seven and in second grade. He said that recently, they had faced financial difficulties, and they had relocated to Buckingham, where housing prices increased, and they had to sell their house. He said that they were now trying to make ends meet.

Mr. Williams said that this project presented an opportunity for him, as he had already purchased a trailer for $5,000 and now needed land. He said that although there may be concerns about water availability, he had experience with drilling wells in the area, and he was confident that it was possible. He said that he understood that the codes in Albemarle County could be strict, but he believed this project could provide a chance for people like him and his family to succeed. He said that he hoped that the Board would continue to push forward with this initiative.

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Mr. Allen Herndon said that he had recently purchased 127 acres on Chestnut Grove Road, and he had been a general contractor for 35 years, building houses and other structures in the area. He said that he had excavated a lot of land and noticed they did not have any literature from the applicant about the soil erosion on this site. He said that her personally had been on this land for 38 years, and he knew every piece of it. He said that parcel was very steep. He said that examining the lines on the map indicating the topography, the closer the lines were together, the steeper the land was.

Mr. Herndon said that he was aware that this area was commonly referred to as Dry Creek, due to the creek bottom that ran through the property and dried up in the summertime. He said that he had also spoken with Mr. Roadcap, who purchased the adjacent land. He said that Mr. Roadcap mentioned that the creek on his property also went dry in the summer. He said that as someone who owned a piece of land nearby, he strongly advised against proceeding with this development.

Mr. Herndon said that the removal of soil would likely exacerbate water runoff issues, and he did not see any sediment control ponds in place. He said that building a house on this site would require significant measures, such as silt fencing. He said that a similar project across the road spent $22 million to complete the "Save the Bay" initiative at the old Lone Oak Farm.

Mr. Herndon said that farm was just across the road, so this was situated very close to the James

River. He said that they had just restored a stream about 250 yards away. He said that considering the traffic, traffic only went one way in the morning towards Route 6, with nothing coming towards James River Road. He said that this development was just not fit for the community. He said that people often discussed affordable housing, and he could personally attest to its importance. He said that, growing up, he had lived in a house trailer, too.

Mr. Herndon said that, however, they could not simply wrap affordable housing into a project that involved shaving off the ground and excavating. He said that a lot of trees would be ripped out, and it would be a very costly, bad idea for this general area. He said that as for the Fire and Rescue Department, he did not live in the area, but he knew the Scottsville team did their best.

Mr. Herndon said they were preparing to potentially replace the Fire Department with a professional team. He said that this was essentially a trailer park; if they built 50 more trailers, they would need professionals to respond quickly, because otherwise people would die because they could not get there fast enough. He said that he appreciated the Board’s time and would like to see them reject this proposal.

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Ms. Melissa Cobb said that she was a lifelong resident of Albemarle County. She said that she resided on James River Road, just shy of Chestnut Grove. She said that she would like to discuss responsibility. She said that she agreed that the County had a responsibility to accurately address housing issues within their County, as well as other concerns. She said that, however, it was irresponsible to ignore the facts. She said that the community had consistently presented these facts, including personal experiences from community members about strained resources such as emergency services, water supply, and public services.

Ms. Cobb said that these concerns had been mentioned earlier in the budget meeting, and road maintenance and traffic concerns had been repeatedly discussed over the past year. She said that at each meeting, the same unchanged plan was presented by the developer. She said that meanwhile, the developer and their supporters continued to blindly support the idea of affordable housing, which was not the solution. She urged the Board to make an educated, safe, and responsible decision to deny this proposal.

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Mr. Rolf Braun, White Hall District, said that he must admit that he was not familiar with the specific issues surrounding this site and the proposed site plan. He said that however, some people have raised legitimate concerns, such as water supply, transportation, affordability, traffic, parking, and outdoor space. He said that he did not have personal expertise on these matters, but he believed that some concerns have been repeatedly raised that did not align with the County's priorities.

Mr. Braun said that what the County should ask was not whether approving this project will set a precedent for others, or whether it will limit the options for future development. He said that the concern was, if they did not approve this, what could be approved? He said that the developer stated that this project cannot be approved under the Comprehensive Plan anywhere in the County, and that unsubsidized affordable housing was also not feasible in the County. He emphasized that this created a concerning situation, as it suggested that the Comprehensive Plan was not a useful guide for development in any case.

Mr. Braun said that he did not think it made a lot of sense that traffic issues were so concerning when there were solutions. He said that the person who called it the end of the earth was, ironically, a judge who serves on the Juvenile and Domestic Relations (JDR) Court, did not once mention that housing instability issues were directly related to domestic violence. He said that she ought to know that from her court experience.

Mr. Braun said that it seemed like the backyard of people who did not want this development near them were about a mile away, and practically everyone outside of that area was so concerned about the overall situation that they needed something to be built somewhere. He said that they must ask, if they did not build this, then what would they build, and if not now, then when? He said that he strongly encouraged the County to approve the project if the legitimate site issues can be addressed. He said that if those issues arose, he would ask that they defer the project rather than deny it.

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Mr. Michael Williams, Samuel Miller District, said that he had been a resident of Chestnut Grove for 32 years. He said that his house was the third from the right of the map provided. He said that he knew this area quite well. He said that the house to the right of his had a cistern due to difficulties accessing well water, and the house on the opposite side of him had to install a second well after the original one dried up. He said that given his own situation, where he owned the land and house, he was in favor of affordable housing. He noted that on the following day, he would have a new roof put on his house, which would benefit him and no one else.

Mr. Williams said that with the proposed plan, which involved leasing property and incurring additional expenses such as road maintenance and taxes, did not make it affordable. He said that commuting to work also added to the costs. He said that his house, valued at $220,000 on a two-acre lot, was a prime example of how affordable housing could be integrated into the area without resorting to mobile home parks. He said that he wanted to express his support for affordable housing, but he believed this location was not suitable for it.

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Mr. Andrews asked if the applicant had a rebuttal to the public comments.

Mr. Shimp said that he would like to thank everyone who participated in this discussion. He said that many insightful comments were shared, and he appreciated the opportunity to hear from those who were directly impacted by the need for affordable housing. He said that the most compelling evidence was the personal stories of individuals who were struggling to find affordable housing.

Mr. Shimp said that it had been heard that various proposals for addressing this issue included the potential for affordable housing options. He said that for example, a man could find a suitable home for a relatively low price, such as $10,000 or $20,000, and move there. He said that this was a life-changing opportunity.

Mr. Shimp said that in contrast, paying $1,800 a month in rent for five years, with no savings, was a less desirable option. He said that the benefits of this project lay in providing choices for individuals. He said that it had also been heard that concerns about the potential impact on traffic were valid, but he noted that this area was currently relatively underdeveloped and had limited traffic.

Mr. Shimp said that the presence of timberland and conservation efforts in the area was a positive aspect. He said that however, it was essential to balance development with environmental protection. He said that the County had regulations in place to protect streams and water sources, which were particularly effective for developers.

Mr. Shimp said that in contrast, cattle farmers were often exempt from these regulations. He believed that the most exciting aspect of this project was that it provided an opportunity for others. He said that when they provided a chance for someone else to succeed, it was a powerful way to make a positive impact.

Mr. Shimp said that he wanted to emphasize that it was essential to consider the needs of others, even if it may not directly benefit them. He said that they must strive to create opportunities for those who may not have the same advantages or resources as they did. He said that in land use, he observed that many people were saying they had it and liked it.

Mr. Shimp said that as a County, they did a great job of running a local government that people wanted to be a part of. He said that if they said they could not afford to provide this opportunity to someone because they did not have the necessary funds, it struck him as unfair. He said that he believed this was a great opportunity for everyone, and the purpose of this project was to provide housing that worked for all individuals and benefited their lives.

Mr. Shimp said that the Comprehensive Plan did not prohibit residential development in Rural Areas; in fact, it happened frequently. He said that as a matter of fact, he had developed subdivisions every day on two-acre lots in Rural Areas. He said that to date, no one had come forward with this proposal.

Mr. Shimp said that the Comprehensive Plan also stated that the majority of affordable housing was located in Development Areas, but not all. He said that he wondered how else they would provide affordable housing in Rural Areas if not through this type of project. He said that he thought many people had heard a lot, and he appreciated everyone's time. He said that he was very hopeful that this project could move forward, and they would build it, ultimately benefiting the people who had spoken out.

Mr. Andrews asked if the Board had any further questions before they closed the public hearing.

Ms. Mallek said that she had heard some very concerning things about water. She said that while she was not an engineer, she could review the green shapes on the screen and notice that the areas designated for septic fields were quite steep. She said that she was struggling to see how the proposed 50-foot increase in elevation would be feasible, given the 3% grade limit on septic fields.

Ms. Mallek asked that the comment about the recharge system, which Mr. Shimp had referred to as a closed-loop water system, be explained. She clarified that it took 10 to 20 years for groundwater to recharge in the ground. She said she would appreciate it if he could clarify what he meant by this statement regarding the water supply in this area.

Mr. Shimp said that the septic field's maximum slope was 25%, not 3%. He said that this was a long-standing health department rule, which was likely the origin of the County's critical slope rule. He said that when examining the drawing, the gray hatched areas represented 25% slope zones.

Mr. Shimp said that in the context of a closed-loop system, the correct term was "consumptive use" of water, which referred to the use of water that was taken from a source and not returned. He said that for example, if he were to build a winery, drill a well, and extract water from the ground, he could bottle and ship it away, making it a consumptive use of water. He said that this was because water was taken from a source and then removed from the watershed.

Mr. Shimp said that, however, it may take years for the water to recharge in this manner. He said that in contrast, if he were to discharge treated wastewater directly into a stream, he would be removing water from its source. He said that this was not a science where he could predict a specific percentage of groundwater recharge over a certain period. He said that instead, they viewed these systems as using water and returning it to its source, rather than consuming it.

Ms. Mallek asked if Mr. Shimp would offer lots for sale. She asked if he would give residents the opportunity to build personal wealth, rather than the owner or future owner doing so. She said that she believed the statements made previously were clear about this. She said that the homes in this area were not able to be financed as a traditional brick-and-mortar house, which put the residents at a significant disadvantage. She said that similarly, the other residents in the White Hall District, who had seen their parks sold, had also found themselves at a disadvantage as costs continued to rise on the lots.

Mr. Shimp said that he did not believe this type of park would allow for individual lots to be sold. He said that there was a different County zoning type that permitted this, but he did not believe they could implement it here. He said that in an ideal world, it would be possible for every resident to own a 6,000 square foot lot, where they could build their own home.

Mr. Shimp said that, however, that was not the reality they faced. He said that those who would benefit from this arrangement could not afford it. He said that if everyone who spoke in favor of this concept had the means to purchase their own land, they would have done so. He said that he did not disagree with the idea that owning one's own land was preferred, but they were trying to find a middle ground between that and renting for 30 years.

Mr. Shimp said that this was a more secure option than renting, as residents had their own home and could make it their own. He said that while it may not be as ideal as owning the land outright, this product offered a better life for those who could not afford to purchase their own property but could benefit from a more stable and secure living environment.

Ms. McKeel said that as usual, they had heard a lot about traffic, and there was a notable lack of a traffic study. She said that it was often the case that a traffic study was not conducted when VDOT determined that there was not enough traffic to warrant one.

Mr. Shimp said that was correct. He said that essentially, the standard threshold was 1,000 new trips per day, and they were currently at 350. He said that people who lived in the area would be aware of the increased traffic, but he did not think it would significantly impact the level of service, as they were not seeing a drastic change in how traffic patterns operated. He said that with so few trips, the results of a traffic study would not be significantly altered. He said that this was why they did not consider this option.

Ms. McKeel said that she had experience with this issue long enough to know that they typically did not conduct traffic studies when they determined that there was not enough traffic to impact the traffic. She said that to clarify, if one could not access water and could not install septic systems, this project was unlikely to move forward.

Mr. Shimp said that he agreed. He said that he would invest a significant amount of time and money in this endeavor, driven by a noble cause. He said that he had learned from past experiences that it was often a futile effort. He said that despite this, their research suggested that the likelihood of such an outcome was extremely low, almost impossible, based on the studies they had conducted. He said that Ms. McKeel was correct; he must continue to prove these points before he proceeded with building a single unit.

Ms. McKeel said that there were rules and regulations surrounding stormwater and the discharge of water, which would be addressed by staff at a later time.

Mr. Shimp said that was correct. He said that if a smaller development, such as building only six houses, were to be constructed, it may be possible to minimize the need for stormwater permitting. He said that with a larger development like theirs, a comprehensive stormwater permit plan would be required, including all necessary components.

Ms. Mallek asked how the developer would access the areas for the drain fields with a backhoe.

Mr. Shimp said that these maps, at this scale, with these contours, appeared to be steeper than they actually were. He said that this was a very large scale. He said that to answer the question, there was a road that already existed, running through and across this area, and connecting to the other side. He said that this road was originally a logging road built many years ago. He said that it was possible to drive a pickup truck across the other side to this area, with the trees having been cut and cleared. He said that there was also a developed road that had been used for agricultural purposes for years, providing access to this area.

Ms. Mallek said that as they knew, old agricultural roads were not permitted without proper drainage and other necessary infrastructure, as seen in the example of Advance Mills Farm from many years ago. She said that the issue was that simply because there was a logging road in the past, it did not automatically grant permission to drive machinery across the stream.

Mr. McDermott said that Mr. Svoboda might be able to answer whether they were allowed to use old forestry roads for construction access.

Mr. Shimp said that they could use it after they got a permit. He said that the survey indicated the road, but that did not mean they could simply proceed without proper authorization. He said that they had to adhere to the County permitting process and implement necessary stabilization measures, such as silt fence, before entering the area. He said that to address the question practically, there was already a culvert in place across the stream that they had crossed. He said that the exact date of its installation was unknown. He said that to use this area, they needed to obtain the County's approval for the permit. He said that once they received the permit, the terrain was very drivable across the area.

Ms. McKeel noted that Mr. Svoboda had nodded his head yes.

Mr. Pruitt said that several people had mentioned that the wells in this particular area often ran dry and the groundwater was unstable. He asked, if it was not possible to extract water from any of the wells, what the applicant would do.

Mr. Shimp said that he would then run cattle across the property. He said that the health department required that he achieve a certain number of gallons per minute in testing for each unit. He said that to meet this requirement, they would drill a well, specifically a Class 2C waterworks well, designed to serve a public water supply for that many residents.

Mr. Shimp said that they would then test the well and conduct a 48-hour drawdown test, where they pumped the well for 48 hours to determine how much it dropped, confirming a sustainable flow. He said that this flow rate told them how many units they could accommodate. He said that if they could not achieve the required water flow for 50 units, they were not permitted to build 50 units.

Ms. McKeel asked if Mr. Shimp was confident enough to take the risk.

Mr. Shimp said that was correct. He said that he had not drilled a well at that location yet, so he was not certain. He said that based on his research of the wells in the area and his experience hiring geologists who specialized in finding high-yield wells, he believed that if he paid the right amount of money for the right professional, they could locate one or more wells for him.

Ms. McKeel said that Mr. Shimp and his partners owned the property. She asked if they had plans to sell it quickly. She asked what would happen if he sold the property.

Mr. Shimp said that as a build-and-hold type, he was not looking to sell the property, but that did not preclude the possibility of doing so. He said that in reality, he could sell it, build it out, and then sell it again. He said that whoever purchased it would be responsible for adhering to the proffers outlined for this project, which had been presented tonight. He said that the property had been held in trust for the community, with the intention of maintaining its affordability and character, until a decision was made to allow for changes, if that decision was ever made.

Mr. Andrews said that there were repeated comments suggesting that he considered other locations or that this was the only viable option in the County. He said that considering the County's vast Rural Area, with 695 square miles of Rural Area, and the total area of 725 total square miles, he was curious about the decision-making process behind selecting this particular property. He said that he wondered what factors led Mr. Shimp to choose this location, and what made it the most suitable option for the County.

Mr. Shimp said that for them to proceed without any subsidy, their capped land price could not exceed approximately $10,000 per unit. He said that that was the maximum they could afford. He said that, for instance, he had been researching potential sites since they first brought this idea to the County, and they suggested it was a unique concept, but it was 24 miles away.

Mr. Shimp said that personally, he commuted 28 miles each way, so it was not completely unreasonable. He said that they had been searching for a suitable location, recognizing that it would be more ideal if it were closer. He said that however, the combination of terrain, suitable soils for drain fields, access to water for a creek, and the need to build a pond for fire suppression, along with the cost, made it challenging.

Mr. Shimp said that he had identified a 63-acre piece of land in western Albemarle County, near the Batesville-Afton area, which was listed for around $1.7 million. He said that if he were to purchase it and subdivide it into smaller lots, the price would be approximately $700,000 per lot. He said that this was why he believed this may be the only opportunity for them to find a suitable location, as the market value of buying a property and subdividing it into two-acre lots to sell a $1.3 million house was comparable to the cost of building this affordable housing from a dirt standpoint. He said that that was how they had arrived at their conclusion, based on their thorough search.

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Mr. Andrews closed the public hearing. He said that because this land was located in his district, he intended to make a motion to approve staff’s recommendation; however, he wanted to give the supervisors the opportunity to discuss this item before the vote.

Ms. Mallek said that she would be supporting the staff's recommended motion. She said that she was very concerned about several aspects, as evidenced by her questions. She emphasized that this was not a straightforward benefit for residents due to the cost of the unit and the significant cost of installing it, and the difficulty of removing it and relocating. She said that the equity did not necessarily benefit the unit owner, as it was a depreciable unit that could not be financed in the same way as a house. She said that this created a situation that could trap vulnerable individuals, and she was worried about the potential consequences.

Mr. Pruitt emphasized the significant challenges they were facing with this matter. He said that personally, he believed that this was the most difficult vote he had encountered. He said that from his perspective, the two biggest issues he had with it were that they had not adequately considered mobile home parks in their Comprehensive Plan and zoning code.

Mr. Pruitt said that it was clear that they had not fully contemplated the possibility of mobile home parks being proposed, and as a result, they had not established clear limiting factors. He said that he strongly believed that their Comprehensive Plan did not account for the potential impact of mobile home parks, and their zoning code did not provide a framework for allowing them in Rural Areas.

Mr. Pruitt said that this lack of foresight was a serious concern, and he thought it was a fundamental failure on the part of this Board. He said that while he was not present when the last Comprehensive Plan was created, he believed it was essential to acknowledge this oversight. He said that they also seemed to have gestured toward addressing this issue, but it was unclear how relevant it would be to their decision.

Mr. Pruitt said that, however, it was evident from the list of special exceptions required that they had not adequately considered how to handle mobile homes. He said that their current zoning code had onerous criteria, and they did not have mobile home-specific zoning districts. He said that in fact, neighboring jurisdictions like Chesterfield had multiple districts for mobile homes, based on different levels of amenities, standards, density, and spacing.

Mr. Pruitt said that not having such districts was a significant concern, as it forced them to cross the bright line, which was a deeply serious issue. He said that upzoning the Rural Area in any small portion was a serious matter. He said that in addition to his previous concerns, he believed that mobile home parks were inherently predatory.

Mr. Pruitt said that he was sorry to Mr. Shimp; he thought he was doing good work here, but mobile home parks were inherently exploitative. He said that any land lease model was inherently extractive and could be easily weaponized. He said that Mr. Shimp had a reputation to protect in this community, so if he was the owner, there was a level of comfort, but there was nothing binding him to stay on as the owner.

Mr. Pruitt said that while they did have proffers that were binding for 30 years, but it was still deeply concerning. He said that he had conducted extensive research on the dangers of land lease models, and those concerns weighed heavily on him.

Mr. Pruitt said that the recent closures of James River Outdoor, Batteau, Luetybell's, James River Boutique, James River Runner, and Lumpkins were all businesses that had closed in Scottsville. He said that the fact that four of these businesses had closed in the last 30 days was particularly alarming. He said that Scottsville desperately needed a sustainable population, and the trend of people buying million-dollar homes and avoiding town was a pressing issue.

Mr. Pruitt said that he firmly believed that increasing foot traffic and population in Scottsville was crucial, as it would enable people to work and shop in the area. He said that he was deeply moved by the public comments today, and he must admit that his perspective had shifted. He said that he had expressed this concern before from this Board, from this dais, regarding the missing voice of working-class individuals, particularly those from Rural Areas who were often overlooked.

Mr. Pruitt said that these individuals typically sought amenities and a place to live, yet their perspectives were rarely heard. He said that in contrast, it was often the affluent residents in Rural Areas who were represented, specifically those living in homes valued at $1.3 million. He said that, however, on that day, they had heard from some individuals who had traveled to attend, making their statements all the more impactful. He said that he was not pleased with this situation. He said that as a result, he intended to be supportive of the project, rather than the staff's proposal.

Ms. LaPisto-Kirtley said that in her opinion, this was a good idea, but a bad location, and she believed it fell into the rural versus the Development Area. She said that as a Board, they had stated that they would not increase the Development Area. She said that in the Development Areas, there were suitable locations for mobile home parks.

Ms. LaPisto-Kirtley said that they were not opposed to mobile home parks; in fact, they had had them before, such as the RST project, which was a mobile home park prior to its current use. She said that this project was not supported by staff or the PC, although she would make her own decision. She said that she was concerned about the water and the fact that the people who would be living there would not own the land.

Ms. LaPisto-Kirtley said that she firmly believed that they needed more affordable housing. She said that she strongly supported that concept. She said that they must ensure that they were placing it in the right location. She said that she believed there were suitable locations in the Development Area, but as a Board, they needed to choose to go higher and denser in the Development Area to provide for affordable housing. She said that she would be supporting denial.

Ms. McKeel said that she understood the complexity of the issue, but she was firmly in favor of the development. She said that she believed that denying this project would have a significant impact on the individuals who had expressed a desperate need for affordable housing. She said that she was willing to give Mr. Shimp the opportunity to move forward with this project, provided that he could secure the necessary infrastructure, including access to water. She said that without a reliable water source, she did not believe he would be able to proceed. She said that she was also unsure if there was a 30-year limit on the proffers.

Mr. McDermott said that it was a 30-year term for the proffers.

Ms. McKeel said that it still did not change her mind. She said that she firmly believed that they needed to start doing something different. Over the past 12 years, she had been on the Board, and the affordable housing situation had only worsened. She said that she was willing to draw a line in the sand and say that she was willing to do something different. She said that she appreciated that this was an unusual site, and they were not setting any precedents here. She said that this site presented an opportunity to provide affordable housing for people, which was unlikely to happen in the Development Area due to the high cost of properties.

Ms. McKeel said that the Development Area simply could not afford to create a project like this. She agreed that they had been struggling to create a development like this, and one of the reasons she was supporting this was because they had failed to get their act together over the past 12 years. She said that she was embarrassed that Chesterfield had four districts. She said that however, Chesterfield also had affordable housing issues. She said that she was very supportive of this project. She said that she understood why staff had made the recommendations they did.

Ms. McKeel said that the Board had the authority to overrule staff if they disagreed. She said that staff had valid reasons for their decision, as they were bound by certain commitments they had to fulfill. She said that they could make informed judgments about what was right in specific situations. She said that that was the Board’s role, and she was stating that she did not agree with staff's position on this matter, despite appreciating their hard work. She stated that she would be supporting this project.

Mr. Gallaway said that he appreciated everyone’s remarks and the acknowledgment that, like many up zonings, these decisions were never easy. He said that ultimately, it came down to impacts and whether they could be mitigated. He said that some comments had been made that this type of project was not the right fit for this location, and that was not using Mr. Shimp’s argument.

Mr. Gallaway said that this decision was either this place or no place in the County. He said that he would like to explain why. He said that one reason mobile home parks could not exist in the Development Area was that if they connected to water and sewer, each unit required a connection fee, and that added to the other costs in the Development Area.

Mr. Gallaway said that it was a straightforward issue. He said that they had discussed this with the owners of existing mobile home parks, including those that had closed and would be redeveloped. He said that in the past, one could pay one connection fee and get multiple units for it, but that was no longer the case. He said that essentially, they were saying that they had no place for this type of facility in the County. He said that he felt that this was wrong. He said that he had heard concerns about the need for landownership for home ownership, but the density they were pushing into the Development Area was all rental.

Mr. Gallaway said that for example, they had just approved an up-zone near RST that may have some home ownership, but the others were subsidized. He said that he thought it was worth considering that they had allowed other developments in Rural Areas that were out of context and character, similar to the three homes that bordered this property, which had been bought up for four or five times their value and replaced with a big electronic transmission station. He said that this development would accommodate 50 people.

Mr. Gallaway said that he must admit he often liked to joke with the public, especially when campaigning for something, that he was not only a politician but also a car salesperson. He said that however, the thought was that there were circumstances where individuals faced extremely limited options, and it was essential to avoid restricting their choices due to good intentions. He said that this option provided a steppingstone to home ownership or rebuilding situation, allowing individuals to make their own decisions without external influence.

Mr. Gallaway said that personally he was troubled by the fact that they were only allowing a specific type of profile to build and purchase land in the rural area of the County, with a 50-unit limit in the Development Area. He said that this contradicted their Comprehensive Plan, which emphasized the need for density. He said that a scorecard would demonstrate that failing to approve maximum density would lead to underutilized Development Areas.

Mr. Gallaway clarified that he was not speaking out of lack of empathy for rural residents, as this development would change the landscape and have greater impacts. He said that one speaker had mentioned that they could not decide on this without a good reason. He said that in his opinion, this type of population, potentially younger, was exactly what this area needed.

Mr. Gallaway said that he was not convinced that the proposed development would be limited to younger residents, given their understanding of the need for affordable housing. He said that when considering their Rural Areas, the comment had been made that they would need to go professional, but he was concerned that they were not putting in place a new, younger population in these areas. He said that at the Berkmar fire department, they did not have a volunteerism issue; there were a lot of young people there.

Mr. Gallaway said that to maintain adequate staffing, they needed to recruit new volunteers. He said that he thought this proposal was worthy of consideration. He said that he respectfully disagreed with the notion that approving one project automatically meant approving multiple ones. He said that this had been a concern of his. He said that he appreciated the applications submitted, as they provided a unique type of unit and housing stock that fulfilled a need. He said that he believed this supported his statements regarding the Comprehensive Plan, which emphasized the need for Rural Areas to contribute to solving affordable housing.

Mr. Gallaway said that he considered 50 units to be an acceptable and manageable number, rather than a catalyst for sprawl or excessive development in the Rural Area. He said that he was sure there were other points he would like to make, but his questions about schools and fire departments had likely made his position clear. He said that he would like to respectfully request that they consider vehicle costs more thoroughly when making recommendations.

Mr. Gallaway said that while the profile of individuals who would live in this facility already took into account these expenses, he believed it was essential to give this more careful thought, especially since they would be living and working within their County boundaries, rather than in neighboring localities like Waynesboro or Staunton. He said that he was becoming increasingly concerned that they were pushing out one segment of the population, and now they were starting to push out another. He said that this facility, at least, appeared to be a temporary solution to this concern.

Mr. Andrews said that he could approach this from multiple angles. He said that one comment that was made was about the age and demographics of the people living in these facilities. He said that personally, he recalled his father, who lived in a mobile home at the end of his life, never built any equity by doing so. He said that his father simply lived there. He said that his grandfather, when he was older, also lived in a mobile home. He said that given this, he did not think this was necessarily an opportunity for young people.

Mr. Andrews said that the demographics of the residents varied, but in any case, they did not build equity by living in these types of facilities. He said that he did not have a problem with mobile homes themselves, but he did have a concern that their Comprehensive Plan often led to rezoning. He said that as a result, when they received applications for rezoning, they assessed whether they aligned with the Comprehensive Plan and decided whether to approve them based on various factors.

Mr. Andrews said that in this case, he felt that this project was driven by the developer's interests, and while it did address the affordable housing issue in one way, it did not align with the housing goals outlined in their approved plan, which states that it is low-priority and infeasible to provide transit to the Rural Areas, that they preserve and maintain the County’s aging housing stock of existing communities, but environmental and sustainability supported by locating new development into the Development Areas close to employment opportunities. He said that Housing Albemarle and the Comprehensive Plan laid out all the reasons why they had thought this through and said this was not the direction they were choosing to go.

Mr. Andrews said that there was an acknowledged and pressing need for affordable housing, and he hoped they did not wait another 12 years to address it. He said that they may need to consider revising rules regarding the placement of manufactured homes, as he believed there was evidence that they were not the same as traditional mobile homes, and modular construction offsite could make affordable housing more feasible.

Mr. Andrews said that it was a straw man argument to single out someone for criticism solely because they built a $1.3 million house in a Rural Area, as if that was the only option available. He said that they had heard examples of more modest houses in the same Rural Area. The question was, could the person who owned that house afford it?

Mr. Andrews said that if there were impediments to building certain types of houses, then they should discuss those. He said that he would rather have a coherent approach to addressing these issues, with staff having thought through the pros and cons before approving a project. He said that it was inconsistent with their past plans and did not reflect the Comprehensive Plan or Housing Albemarle. He said that without thorough consideration of available options, such as manufactured housing, he was unable to support this proposal. He said that it felt too ad hoc, and he was concerned that they had not adequately attended to the housing component.

Ms. Mallek said that to clarify, her sole concern was the potential loss of financing benefits for individuals who would be affected by this policy. She said that she was not suggesting that living in a certain type of house was not the American dream. She said that she was worried about putting people in a vulnerable position where someone would be making significant profits for someone else without having access to any assets or opportunities for themselves. She said that she thought it was worth considering that the County could support alternative approaches, such as tying in fees and addressing impediments that might be hindering the development of smaller houses and lots.

Mr. Andrews said that he appreciated the reminder, and he wanted to make a comment about the differences between rental and this type of situation. He said that there was a significant amount of inertia involved if someone decided to make a commitment to live in this situation. He said that they would likely need to purchase a mobile home, which may require financing and a long-term commitment.

Mr. Andrews said that while it was possible to sell a mobile home, it was a different scenario from a year-to-year rental agreement, where flexibility was more readily available. He said that in a rental, one could choose to renew or move on to a new situation with relative ease, whereas this was a more permanent commitment. He said that therefore, it was not accurate to say that this situation was better than renting.

Ms. LaPisto-Kirtley said that what was driving her crazy was that she knew what they all wanted: affordable housing and diverse housing options. She said that they seemed to be stuck with the old Comprehensive Plan, and she wished they could have a work session to determine what they truly wanted and then identify potential locations. She said that a recent audience member had mentioned that a one-bedroom apartment was only slightly less expensive than a two-bedroom house.

Ms. LaPisto-Kirtley said that she believed they could offer various types of affordable housing, such as tiny homes or mobile manufactured homes, but it was essential that they approach this strategically. She said that they needed to decide where to place these units and ask staff to provide recommendations. She said that ultimately, as a Board, they must agree on a plan and move forward, rather than simply rehashing what they already had.

Mr. Andrews **moved** that the Board of Supervisors adopt the Resolution (Attachment D) to deny ZMA202300017 Chestnut Grove Manufactured Home Park for the reasons stated in the staff report. Ms. Mallek **seconded** the motion.

The motion failed by the following recorded vote:

AYES: Mr. Andrews, Ms. LaPisto-Kirtley, and Ms. Mallek.
NAYS: Mr. Gallaway, Ms. McKeel, and Mr. Pruitt.

Mr. Andrews said that they had a 3-3 tie, which meant the motion to deny had been rejected. He said that if someone wished to make a motion to approve, that was an option, but he suspected it would also be a 3-3 tie.

Mr. Herrick said that to clarify the record, he had sent out a proposed ordinance for approval for Board members to review and consider

Mr. Pruitt **moved** that the Board of Supervisors adopt the Ordinance to approve ZMA202300017 Chestnut Grove Mobile Home Park. Ms. McKeel **seconded** the motion.

The motion failed by the following recorded vote:

AYES: Mr. Gallaway, Ms. McKeel, and Mr. Pruitt.
NAYS: Mr. Andrews, Ms. LaPisto-Kirtley, and Ms. Mallek.

Mr. Herrick said that the rezoning application had failed, and therefore, the next step would be to hold a public hearing on the special use permit.

Mr. McDermott said that the applicant had requested a special use permit for the 50-unit manufactured home park, which was permitted in an R-4 residential district. He said that however, due to the motion to deny the rezoning to an R-4, this application could not be approved. He clarified that it did require a vote from the Board of Supervisors. He said that they had considered the factors if this were approved, but the staff still recommended denial. He said that he was happy to address any questions they may have before opening the public hearing.

Mr. Andrews opened the public hearing.

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Mr. Shimp said that he was disappointed in the outcome of the last vote. He clarified that he was unable to build this product in the Development Area. He said that they would have to give someone the land, and with zero economic incentive. He said that the density of 10 stories tall could not be justified, and the only way to justify the price of land was the density of 30 or 40 units per acre, not one unit per acre. He said that he had done this many times and worked with all the developers in town, and no one could make this work.

Mr. Shimp said that that this is why they had chosen the location they did. He said that they would reevaluate what could be done. He said that he was not giving up on the idea of building affordable housing in the Rural Area, as he believed it was the only way to achieve this goal without alternative solutions. He said that he wished the Board had given this more consideration, and perhaps some people could reconsider over time.

Mr. Shimp said that he understood that their positions may not be understood, but this was a unique opportunity that arose only once every 18 months, and 50 families would be denied this opportunity without its approval. He said that he was disappointed, but he respected their opinions. He said that he hoped they would reconsider or consider alternative approaches, as he was unable to build this anywhere else.

Mr. Andrews invited members of the public signed up to speak.

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Mr. Allen Herndon said that he would like to remind everyone that the public had already spoken on this matter. He said that he did not know anyone who would agree with this proposal. He said that there were no rules in Albemarle County that would allow this to happen. He said that for reference, the County had already designated 21 acres at Lone Oak Farm as a reference site, and there were 11 lots on 1100 acres, as well as some additional acres nearby. He said that Mr. Shimp was proposing to put 50 mobile homes on 15 acres and claim it as 50 acres, with one mobile home per lot. He said that however, that land could not be used for this purpose.

Mr. Herndon said that if any of them visited the site, he would ask that they take someone with them, because the land was very steep. He said that he previously told them that it was steep and lacked water. He said that Mr. Shimp was incorrect, and he wanted to add that Mr. Shimp did not show them a picture of a mobile home, but rather a conventional stick-built home. He said that Ms. Mallek spoke up on this, as Mr. Shimp was entirely wrong, and this proposal should never have been considered. He said that he did not know how they could have a special use hearing for something that had not been approved by the public, let alone the County.

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Mr. Rolf Braun, White Hall District, said that he wanted to make a quick comment. He said that he thought it was paternalistic to say that they should not approve this project because it would not allow the residents to build equity. He said that the reality was that the only place they could build equity was likely in another County or even farther away. He said that they needed to weigh their options against their interests, job locations, and other factors.

Mr. Braun said that he initially thought that perhaps the developer could provide greater assurance that the park would not be sold out from under them, and that they would be able to build equity. He asked if there was a way to prevent the land rate from increasing significantly, or if there was a way to provide some kind of guarantee of stability on the land. He said that these were questions that were open to him, and he urged the developer to address them.

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Mr. Andrews told Mr. Shimp he had five minutes for rebuttal.

Mr. Shimp said that he wanted to reiterate his statement. He said that he had been on that land and had a deep understanding of its potential. He said that given his extensive experience with numerous site plans, he was confident that they could build this project on that property. He said that he did not think it was possible to dispute his expertise in this matter. He said that they had successfully built projects on his own land in the past. He said that he owned that land and was well-versed in its capabilities. He said that it was buildable.

Mr. Shimp said that he wanted to set the record straight on this point. He said that he appreciated the opportunity to clarify this. He said that he believed the Board had the flexibility to reconsider this decision within a reasonable timeframe. He said that if anyone had concerns or suggestions for alternative approaches, he was open to discussing them and exploring options that could work. He said that he wanted to emphasize that he was committed to collaboration and finding a solution that worked for everyone.

Mr. Andrews closed the public hearing.

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Mr. Andrews **moved** that the Board of Supervisors adopt the Resolution (Attachment E) in the transmittal summary to deny SP202300020 Chestnut Grove Manufactured Home Park for the reasons stated in the staff report. Ms. Mallek **seconded** the motion.

In further discussion, Mr. Pruitt said that if they were genuinely concerned, as he believed several board members and audience members from both sides of the aisle were, about the predatory nature of mobile home parks and land lease ownership in this context, he would suggest they push for strengthened TOPA laws every year. He said that the current law was weak, and rent stabilization was crucial in this context, as it could prevent the displacement of elderly individuals who could not afford to move their homes.

Mr. Pruitt said that he had worked on this issue in Southern California, where it was a severe problem. He said that if this Board sincerely believed in addressing this concern, they should be pushing their delegation for rent stabilization, particularly in this context. He said that he would like to raise this point to the Board. He said that additionally, as he sat in this legislative capacity, he was reminded that they had previously addressed similar concerns, and they had been challenged on this. He said that he acknowledged that they were guided by the Comprehensive Plan, but he believed these issues were original and required a collective conversation.

Mr. Pruitt said that perhaps they should have a serious discussion at their next annual Board retreat to address how they approached conflicts with their past guidance, as he did not want to be bound by outdated decisions. He said that he was grateful for the opportunity to share his thoughts.

Mr. Andrews called the vote on the motion to deny SP202300020.

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, and Mr. Pruitt.
NAYS: Ms. McKeel.

Mr. Herrick said that the special exception would be an action item and therefore did not require a public hearing.

Mr. McDermott said that these special exceptions were related to a mobile home park that they had not approved, so they could not move forward with this. He said that if there were any questions, he was happy to address them, but staff had previously recommended denying these proposals due to their previous recommendation to deny the others.

Mr. Andrews moved that the Board of Supervisors adopt the Resolution (Attachment F) of the transmittal summary to deny Special Exception 202300041, Chestnut Grove Manufactured Home Park, for the reasons stated in the staff report. Ms. Mallek seconded the motion.

AYES: Mr. Andrews, Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, and Mr. Pruitt.
NAYS: None.

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RESOLUTION TO DISAPPROVE SP202300020
CHESTNUT GROVE MANUFACTURED HOME PARK COMMUNITY

WHEREAS, upon consideration of the staff report prepared for SP202300020 Chestnut Grove Manufactured Home Park Community, the recommendation of the Planning Commission, the information presented at the public hearing, any comments received, and all of the unfavorable factors identified by staff relevant to the proposed special use permit in Albemarle County Code 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

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

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby disapproves SP202300020 Chestnut Grove Manufactured Home Park Community.

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RESOLUTION TO DISAPPROVE SE202300041
CHESTNUT GROVE MANUFACTURED HOME PARK COMMUNITY

BE IT RESOLVED that, upon consideration of the staff reports prepared in conjunction with the special exception request and the attachments thereto, including staff's supporting analysis, the Planning Commission's recommendation of denial, all of the comments received, and all of the factors relevant to the proposed special exception in Albemarle County Code §§ 18-5.1 and 18-33.9, the Albemarle County Board of Supervisors finds that modified regulations would not satisfy the purposes of the Zoning Ordinance to at least an equivalent degree as the applicable requirements.

WHEREUPON, the Albemarle County Board of Supervisors hereby disapproves the Chestnut Grove Manufactured Home Park Community special exception application (SE202300041).

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Agenda Item No. 18. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Ms. Mallek said that she would send an email to everyone about her reports. She said that this was regarding the do not pave list and communication, which they could discuss next time.

Mr. Pruitt said that he had no reports this evening.

Ms. LaPisto-Kirtley said that she had no reports this evening.

Ms. McKeel said that she had no reports this evening.

Mr. Gallaway said that unfortunately, they did not receive good news from the Metropolitan Planning Organization (MPO) regarding SMART SCALE and their future with SMART SCALE. He said that this situation was a significant concern, with the potential to impact their Capital Improvement Plan.

Mr. Gallaway said that based on the MPO's projections, it appeared that only $50 million to $60 million projects may be approved, which was a stark contrast to their previous proposals, many of which were valued at over $100 million. He said that further, VDOT suggested that localities may need to buy down these projects. He said that he wanted to highlight two key issues for staff to consider.

Mr. Gallaway said that he wanted to ensure that his understanding of the MPO's presentation was accurate, as he had made some comments during the meeting that may have been misinterpreted. He said that if he misunderstood, staff would need to clarify the information. He said that secondly, if the MPO's projections were correct, they would need to reassess their funding strategy for smaller projects, such as those in the $10 million to $20 million range.

Mr. Gallaway said that additionally, he believed they needed to start working with their state delegation to find a more effective way to fund road projects, as their current approach was not yielding the desired results. He said that they had a long list of transportation priorities, including the 5th Street Station diverging diamond intersection (DDI) and the Barracks Road projects, which were unlikely to be completed under their current funding model. He said that this was a pressing concern that the Board needed to address and begin planning for.

Mr. Gallaway said that if it was the case that these projects were not just a matter of figuring out how to improve the SMART SCALE application, but rather a more significant issue, then it was not just a matter of tweaking the scoring system. He said that these projects had already scored well. He said that he appreciated that. He said that, however, it appeared that the funding criteria were shifting, with a new requirement that projects must be in the range of $30 to $50 million to be considered.

Ms. LaPisto-Kirtley asked if there was any reason given for these changes.

Ms. Mallek said that the change in scoring focus was a decision made by the Commonwealth Transportation Board members, who shifted the approach from what it had previously been. She said that the reason for this change was their dissatisfaction with who received the bill and approvals. She said that as a result, they now have a new approach in place.

Ms. Mallek said that her comment to Sean Nelson from VDOT was that initially, the $100 million had been deemed too large, so it had been broken down into smaller sections. She said that however, it had later been determined that these sections were too small, and they were now recombining the elements. She said that the lack of consistency was incredibly frustrating, and she found it difficult to work with the uncertainty.

Mr. Gallaway said that those in the state legislature were not as important as the fact that they needed to figure out how to fund transportation projects. He said that even with previous SMART SCALE initiatives, they had to find a way to make it work. He said that there were too many communities in this Commonwealth that desperately needed transportation projects, which localities could not afford on their own. He said that it was the state's responsibility to find a solution, and he believed VACo (Virginia Association of Counties) and others should remind them of this as they moved forward, especially with the upcoming Governor's race.

Ms. LaPisto-Kirtley asked if they did not have the money, or they did not know what they wanted to do.

Mr. Gallaway said that he believed they did not have the necessary funds, and as a result, they were stating that this reduction in applications had saved them money. He said that the state needed to establish a more reliable funding mechanism to support road projects throughout the Commonwealth.

Ms. McKeel said that it was worth noting that Virginia had not raised a gas tax in 30 years.

Ms. Mallek said that this situation was further complicated by their decision to switch to wholesale pricing, rather than the rate they pay at the pump, resulting in a significant reduction in revenue.

Mr. Gallaway said that he had certain priorities that they discussed on the legislative agenda, but this was a significant issue that required thorough discussion, planning, and consideration, and it was essential that people were aware of it. He said that he apologized for bringing it up at 11:40 p.m.

Agenda Item No. 19. Adjourn.

At 11:37 p.m., the Board adjourned its meeting to March 10, 2025, 3:00 p.m. in Room 241, Albemarle County Office Building, 401 McIntire Road, Charlottesville, VA, 22902. Mr. Andrews said information on how to participate in the meeting would be posted on the Albemarle County website Board of Supervisors home page and on the Albemarle County calendar.

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Chair

Approved by Board
Date: 11/05/2025 Initials: CKB