

**COUNTY OF ALBEMARLE
TRANSMITTAL TO THE BOARD OF SUPERVISORS
SUMMARY OF PLANNING COMMISSION ACTION**

<p>AGENDA TITLE: ZTA202300006, WPTA202300003, STA202300003, OTA202400002 Riparian Buffer Protection Standards</p> <p>SUBJECT/PROPOSAL/REQUEST: To establish performance standards for vegetation management and land uses within riparian buffers. The proposed amendment:</p> <ul style="list-style-type: none"> • Establishes the powers and duties of the Riparian Buffer Administrator. • Defines the boundaries of the riparian buffers (the same as currently defined in the Water Protection Ordinance). • Sets requirements for submittal of site-specific determinations of riparian buffer boundaries. • Sets general performance criteria for vegetation management in the buffers. • Lists the uses that are permitted in the riparian buffers, and those that are permitted only by Riparian Buffer Administrator approval, subject to a mitigation plan. • Sets the requirements for form, content, and bonding of mitigation plans. • Specifies procedures for special exceptions <p>SCHOOL DISTRICT: Not applicable</p>	<p>AGENDA DATE: June 17, 2026</p> <p>STAFF CONTACT(S): Richardson, Herrick, Tevendale, Svoboda, Pohl, Clark</p> <p>PRESENTER(S): Scott Clark, Frank Pohl</p>
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BACKGROUND:

The Planning Commission (PC) held a public hearing on February 10, 2026, and by a vote of 6:0 (Scottsville District vacant) recommended approval of ZTA202300006, WPTA202300003, STA202300003 and OTA202400002 Riparian Buffer Protection Standards. The main addition to the County Code would be in the Zoning Ordinance (Attachment G), with the riparian buffer protection standards in Section 4.23. The other attached ordinances that contain related amendments and deletions include Chapter 7, Health and Safety (Attachment D); Chapter 14, Subdivision of Land (Attachment E); and Chapter 17, Water Protection (Attachment F).

DISCUSSION:

The proposed Zoning ordinance amendment establishes performance standards for vegetation management and land uses within riparian buffers in all zoning districts. As summarized in Attachment A, the proposed ordinance would permit certain uses by right within the riparian buffers and would permit certain other uses only with Riparian Buffer Administrator approval and implementation of mitigation plans. Specific procedures for special exceptions are established in Section 4.23.10 and the relevant factors for the Board to consider mirror the criteria set forth in the Virginia Administrative Code.

PC Discussion

During the public hearing, the PC expressed concern about the proposed requirement for County approval of any removal of invasive species within the riparian buffers. The draft ordinance provided at the PC hearing (Attachment A1) required that landowners obtain approval from the Riparian Buffer Administrator before carrying out any removal of invasives. The PC was concerned that this requirement would dissuade landowners from carrying out beneficial removals of invasive plants, given the time and effort required to obtain County approval.

In response to the PC's concerns, staff revised section 4.23.7(K) of the current draft Zoning ordinance (Attachment G) to remove the requirement for Riparian Buffer Administrator approval of invasive-plant removals.

Ordinance Implementation

The draft Zoning Ordinance includes a delayed effective date of September 1, 2026. This date allows for time to publish changes to the Engineering Design Standards Manual (Attachment H) that are needed for implementation of the proposed ordinances. Staff can also use this time to provide information on the new ordinances to County residents.

RECOMMENDATIONS:

Staff recommends that the Board adopt the attached ordinances provided in Attachments D, E, F, and G (ZTA202300006, WPTA202300003, STA202300003, OTA202400002 Riparian Buffer Protection Standards).

ATTACHMENTS:

- A – Planning Commission staff report
 - A1- Proposed Ordinance
 - A2- Proposed Design Standards Manual Additions
- B – Planning Commission action letter
- C – Planning Commission minutes
- D – Proposed Ordinance (Chapter 7, Health and Safety)
- E – Proposed Ordinance (Chapter 14, Subdivision of Land)
- F – Proposed Ordinance (Chapter 17, Water Protection)
- G – Proposed Ordinance (Chapter 18, Zoning)
- H – Proposed Design Standards Manual Additions