

**Albemarle County Planning Commission
Work Session and Regular Meeting
Final Minutes May 12, 2026**

The Albemarle County Planning Commission held a public meeting on Tuesday, May 12, 2026, at 6:00 p.m.

Members attending were Karen Firehock, Vice-Chair; Corey Clayborne; Nathan Moore; Lonnie Murray; Mary Katherine King; Catherine Brown.

Members absent: Luis Carrazana, Chair.

Other officials present were Michael Barnes, Director of Planning; James Van Vranken, Conservation Program Manager; Francis MacCall, Deputy Zoning Administrator; Lea Brumfield, Senior Planner II; Bill Fritz, Development Process Manager; Jenny Tevendale, Deputy County Attorney; and Carolyn Shaffer, Clerk to the Planning Commissions.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Ms. Firehock established a quorum.

Public Hearing

AFD-2026-00001 Lanark AFD Withdrawal

James Van Vranken, Conservation Program Planner, said that before proceeding with the withdrawal application, he would like to provide a brief background on the conservation program. He said that the County had three conservation programs. He said that the most well-known was the conservation easement program, where landowners agreed to permanent protective measures on their land. He said that the Agricultural Forestal District (AFD) program was a five- to 10-year commitment with less restrictive measures than a conservation easement.

Mr. Van Vranken said that landowners in the AFD program could benefit from higher review standards for special use permits (SUP) in or adjacent to AFDs and may qualify the owner for the land use tax program. He said that however, it was essential to note that the AFD and land use programs were separate, and most parcels in land use were not in an AFD. He said that the benefits to the community from the AFD program included restrictions on parcels, such as a prohibition on using small lot development rights.

Mr. Van Vranken said that in Rural Areas, landowners could subdivide their property into as many parcels as they wanted, as long as each parcel was 21 acres or larger. He said that with small lot development rights, landowners could create parcels as small as two acres. He said that when parcels were in the AFD, they could not use these small lot development rights. He said that he had provided a visual representation of the theoretical maximum in the conservation program.

Mr. Van Vranken said that regarding the application for withdrawal, there were four opportunities to withdraw from a district, as outlined in the County Code. He said that the first was largely procedural, the second was the most common, occurring during regular district reviews, where landowners could withdraw by notifying the County. He said that the third was when a landowner

died, and the heirs could also withdraw by notifying the County. He said that the fourth type of withdrawal, which they were reviewing tonight, was by application to the Board of Supervisors.

Mr. Van Vranken said that this was a special application seeking permission to leave a district. He said that the district in question was the Lanark District, located south of Charlottesville on Carter's Mountain Road, near Blenheim Vineyard. He said that the parcel in question was highlighted in green on the map. He said that it was a forested area fronting on President's Road, with most of it consisting of hardwood forest. He said that the portion highlighted in blue was a home site, featuring an old house, accessory structures, and agricultural buildings.

Mr. Van Vranken said that the proposal was to withdraw just this 7.5-acre portion of the parcel from the district, as the landowners wished to use one of the small development rights to subdivide, creating a 7.5-acre parcel and sell it to the applicant. He said that the proposal stated that no extra development rights would be transferred with this subdivision. He said that as a result, what would be created was the 7.5-acre parcel, the one house, and no further development potential.

Mr. Van Vranken said that the remainder, the 43-acre residue, would remain in the district. He said that when reviewing these applications, the Board must consider the following criteria, which are outlined in pages two and three of the staff report. He said that staff had analyzed this application against these four criteria. He said that generally speaking, there was no new land use being proposed, which was an important consideration in some of these criteria.

Mr. Van Vranken said that the staff report noted that the house was already present, and therefore, there was no new land use. He said that the subdivision, or the change of ownership, staff believed had no adverse impact on the landowners remaining in the district to engage in agriculture and forestry. He said that this portion was not being taken out of forestry, and it was already a residential area. He said that on the other hand, the withdrawal was mostly in the interest of the landowner, not in the public interest.

Mr. Van Vranken said that while the proposal was consistent with the Comprehensive Plan, the County could not put conditions on these applications as they would for a special use permit. He said that therefore, there was no way to ensure that the landowners would not allocate more development rights to this small portion. He said that theoretically, if this was approved, they could turn around and make the division allocate two extra development rights and then have two extra houses that would not otherwise have been possible.

Mr. Van Vranken said that however, the proposal, as it had been made, was consistent with the Comprehensive Plan. He said that on the balance of these factors, staff had recommended approval of the withdrawal and the AFD Committee had recommended the same in a vote of six to one.

Mr. Murray asked how many small division rights this parcel had.

Mr. Van Vranken said that he believed it had five.

Mr. Murray asked if the idea was that the other small development rights would be distributed onto the other parcel.

Mr. Van Vranken said that the intention was for four parcels to remain with the residue, and one to be set aside for the 7.5-acre portion.

Mr. Clayborne asked if Mr. Van Vranken could repeat the worst-case scenario of the development rights being allocated to the other parcel.

Mr. Van Vranken said that in the worst-case scenario, three of the seven development rights were allocated to the 7.5-acre parcel. He said that if that were the case, the 7.5-acre parcel could then be subdivided into three smaller parcels, each as small as two acres. He said that this type of development was intended to be restricted and limited by the AFD program. He said that if this were to occur, it would be inconsistent with the Comprehensive Plan and the AFD program's purposes, as it would create two new units in the Rural Area.

Mr. Clayborne said that he had been on the Commission for six years and this process was still a bit unclear to him. He asked if staff could provide more information on the dissenting vote on the AFD Committee.

Mr. Van Vranken said that the AFD Committee was generally supportive of the applicant's proposal and intention, but there was a concern that even though the ownership of the property had changed, it was still in the AFD, and therefore the new owners should still be held accountable to the 10-year commitment.

Ms. Firehock asked if it was correct that there were only three years left in this 10-year commitment.

Mr. Van Vranken said yes.

Ms. Firehock opened the public hearing and asked if the applicant had a presentation.

John Baron Shelley said that he and his wife were the ones that wanted to purchase the 7.5-acre property after it was subdivided. He said that he thought Mr. Van Vranken had done a good job of addressing the concerns here. He said that one of the main concerns seemed to be the lack of guarantee that they would not transfer any development rights to this new parcel.

Mr. Shelley said that to put this into perspective, the individuals who purchased the 50-acre property had done so without any intention of developing on the property. He said that they had bought it solely to create a buffer of privacy and prevent development on their family members' adjoining properties. He said that the 7.5 acres did not border any of their family members' properties.

Mr. Shelley said that in fact, they viewed the existing house as a liability due to its poor condition, which raised concerns about liability if someone were to enter the property. He said that they had no interest in developing the remaining 42.5 acres, as they planned to pass it down to their children, who could then provide further protection for their properties. He said that this buffer was the primary reason they would not provide additional development rights to the 7.5 acres.

Mr. Shelley said that regarding enforceability, Mr. Van Vranken was correct that he could ask the property owner to give him an extra development right, but as he had stated, he had no reason to do so because it would defeat the purpose of the buffer. He said that they also had no issue presenting a contract of sale to the County that demonstrated a signed agreement that there would be no new development rights provided to the new parcel.

Mr. Shelley said that if individuals were interested in development, it would be entirely logical to begin with the part of the property that already had the well, septic, electric, and a solid foundation.

He said that it would be impractical for someone to have to obtain electric, septic, and other necessary permits for the entire 42 half-acre site. He said that that would not be the first place he would start with, by any means.

Ms. Firehock asked if the Commission had any questions for the applicant.

Mr. Murray said that this was at the front of the property, and any future division would require road frontage. He asked if there would be right-of-way or something else recorded through the property.

Mr. Shelley said that there were two options. He said that he could provide an easement, which would allow them to use the existing driveway on the left side of the property, which was close to the boundary of the 7.5-acre parcel. He said that he would provide him with an easement immediately to use that driveway and extend it past the 7.5 acres.

Mr. Shelley said that alternatively, other family members lived adjacent to that and could potentially provide a right-of-way through their property if needed. He said that the purpose of this easement was not to facilitate further development on the property, but rather to maintain it as private wooded acreage.

Ms. Firehock asked if there were any members of the public who wished to speak to this item. Seeing none, she closed the public hearing and the matter rested with the Commission.

Mr. Murray said that he was supportive of the proposal. He said that his minor concern was that the 10-year period provided a tax break, but they would not be providing conservation for the full 10 years.

Ms. Firehock asked staff if the property would be required to pay the back taxes, including the reduced taxes that had been applied for the past seven years, as a result of leaving the district early.

Mr. Van Vranken said that 43 acres of the parcel, primarily located in the rear portion, was currently in forestry land use. He said that if the parcel were to be fully removed from forestry land use, the tax rate would remain unchanged, as the forestry qualification still applied. He said that it was possible that a small portion, approximately half an acre, currently in forestry, would be removed from the forestry qualification and would require the payment of back taxes on that portion.

Ms. Firehock said that it sounded like a negligible impact to taxes.

Mr. Murray said that the new parcel was smaller than what was required for forestry, that parcel would have to pay back taxes.

Mr. Van Vranken said that that portion of the parcel was currently paying full-rate market tax.

Ms. Firehock said that it was only the forested part of the parcel that could be used for forestry that would receive the tax break.

Mr. Murray said that he appreciated the clarification.

Ms. Firehock said that it was complicated. She said that they could have land use tax breaks, and it could be an AFD at the same time.

Mr. Murray said that it was only if they were utilizing the single classification of land use tied to the AFDs, and it appeared that they were not using that one.

Mr. Moore said that he had no objection to this proposal.

Ms. Firehock said that she also did not have any objection to this application. She said that the applicant had provided a detailed description of their intentions to restore the existing house on the property. She said that this effort would bring previously dilapidated housing back into their housing stock. She said that while the applicant was not explicitly offering this as a condition of approval, they had provided a thorough explanation for the public's benefit.

Mr. Clayborne motioned that the Planning Commission recommend approval of AFD-2026-00001 Lanark District Withdrawal. Ms. King seconded the motion, which carried unanimously (6-0). (Mr. Carrazana was absent)

Adjournment

At 8:45 p.m., the Commission adjourned to May 26, 2026, Albemarle County Planning Commission meeting, 6:00 p.m.



Michael Barnes, Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards; transcribed by Golden Transcription Services)

Approved by Planning Commission
Date: 05/26/2026
Initials: CSS