



Albemarle County

Meeting Agenda Board of Supervisors

Supervisor, Samuel Miller District Jim H. Andrews
Supervisor, Rio District Ned L. Gallaway
Supervisor, Rivanna District Bea LaPisto-Kirtley
Supervisor, White Hall District Ann H. Mallek
Supervisor, Jack Jouett District Diantha H. McKeel
Supervisor, Scottsville District Donna P. Price
County Executive, Jeffrey B. Richardson
Clerk, Claudette K. Borgersen

Wednesday, August 3, 2022

1:00 PM

Lane Auditorium

Regular First Meeting

The opportunities for the public to access and participate in the hybrid meeting are posted on the Albemarle County website on the Board of Supervisors home page and on the Albemarle County calendar. Participation will include the opportunity to comment on those matters for which comments from the public will be received.

1. Call to Order.
2. Pledge of Allegiance.
3. Moment of Silence.
4. Adoption of Final Agenda.
5. Brief Announcements by Board Members.
6. Proclamations and Recognitions:
7. 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.
8. Consent Agenda (on next sheet)

1:40 p.m. - Action Items:

9. [22-359](#) Rio Road Corridor Plan.

(David Benish, Development Process Manager)

10. [22-371](#) SE2022-36 5600 Turkey Sag Road Homestay. (Rivanna Magisterial District)
(Lea Brumfield, Senior Planner II)
11. [22-370](#) SE2022-23 Broadhead Cottage Homestay. (Rivanna Magisterial District)
(Lea Brumfield)

3:00 p.m. - Recess

3:15 p.m. - Presentation:

12. [22-358](#) Stream Health Initiative - Mid-year Update.
(Kimberly Biasioli, Natural Resources Manager)

13. 3:45 p.m. - Closed Meeting.

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; and*
- *pertaining to the memorandum of agreement between the County and the City of Charlottesville concerning the County courts:*
- *under subsection (3), to discuss and consider the acquisition of real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the County; and*
- *under subsection (8), to consult with and be briefed by legal counsel regarding specific legal matters requiring legal advice relating to the County's rights under the terms of the memorandum of agreement and under state law.*

Closed meeting motion subject to change

14. Certify Closed Meeting.

15. Boards and Commissions:

- 15.1. [22-308](#) Vacancies and Appointments.
(Travis Morris)

6:00 p.m.

16. From the County Executive: Report on Matters Not Listed on the Agenda.

17. 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.

Public Hearings:

18. [22-354](#) SP202200005 Community Christian Academy at RiverStone Church. PROJECT: SP202200005 Community Christian Academy at RiverStone Church MAGISTERIAL DISTRICT: Rivanna TAX MAP/PARCEL: 046B2-01-00-00200 LOCATION: 1515 Insurance Lane PROPOSAL: A special use permit request for a private school use. PETITION: A request for a special use permit under Section 18- 20.4.2 to use existing space within the RiverStone Church located at 1515 Insurance Ln which measures 3.44 acres for a private school serving up to 100 upper-elementary to high-school students. The proposed school plans to use the existing building and parking area while operating from 7:30am-4:30pm Monday through Friday. ZONING: PUD Planned Unit Development - residential (3 – 34 units per acre), mixed with commercial, service and industrial uses ENTRANCE CORRIDOR: Yes OVERLAY DISTRICT: EC Entrance Corridor, AIA Airport Impact Area and Steep Slopes – Managed COMPREHENSIVE PLAN: Commercial Mixed Use – commercial, retail, employment uses, with supporting residential (no maximum density), office, or institutional uses in the Community of Hollymead in the Places29 Master Plan.
- (Kevin McCollum, Planner)*
19. [22-364](#) SP202100017 Foster Forge Farm School. PROJECT: SP202100017 Foster Forge Farm School MAGISTERIAL DISTRICT: Jack Jouett TAX MAP/PARCEL: 06000-00-00-068E0 LOCATION: South side of Barracks Road, approximately 400 feet northwest of the intersection with Montvue Drive PROPOSAL: New private middle school on a 6.44-acre parcel, with up to 60 students. PETITION: Private schools are allowed by special use permit under Section 10.2.2(5) of the Zoning Ordinance. No dwelling units proposed. ZONING: RA, Rural Area - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots) ENTRANCE CORRIDOR: Yes OVERLAY DISTRICT: AIA - Airport Impact Area; FH - Flood Hazard Overlay District 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) within Rural Area 1 of the Comprehensive Plan.
- *Applicant requests deferral**
- (Scott Clark, Senior Planner II)*

20. [22-368](#) Ordinance to Amend County Code Chapter 4, Animals - Vicious Dogs. To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 4, Animals, by amending Section 4-222, Vicious Dogs, which requires a law-enforcement officer or animal control officer, who is located in the jurisdiction in which a vicious dog resides or in which the vicious dog committed a prohibited act, to apply to a magistrate for a summons for a vicious dog. The amended ordinance also establishes the timing of an evidentiary hearing and an appeal.

(Amanda Farley, Senior Assistant County Attorney)

21. [22-337](#) ZTA202200006 Definition of "Agricultural Operation." To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 18 (Zoning) by amending Section 3.1 (Definitions) to clarify that the definition of agricultural operation includes the housing of livestock, as the term is defined in Virginia Code § 3.2-6500.

(Andy Herrick, Deputy County Attorney)

22. From the Board: Committee Reports and Matters Not Listed on the Agenda.

- 23. Adjourn to August 17, 2:30 p.m., Lane Auditorium.**

CONSENT AGENDA**8. FOR APPROVAL (by recorded vote):**

- 8.1. [22-343](#) Approval of Minutes: October 21 and December 16, 2020.
- 8.2. [22-355](#) Fiscal Year 2022 Appropriations.
(Andy Bowman)
- 8.3. [22-356](#) Fiscal Year 2023 Appropriations.
(Andy Bowman)
- 8.4. [22-372](#) Amend Rule 8 of the Board's Rules of Procedure.
(Steve Rosenberg)
- 8.5. [22-328](#) SE202200026 Moore's Creek Wireless Facility Special Exception (1631 Monacan Trail).
(Rebecca Ragsdale)
- 8.5.1. [22-378](#) Resolution Affirming the Appointment and Contract of the County Attorney.
- 8.5.2. [22-379](#) Change Start Time for August 17, 2022, meeting to 2:30 p.m.

8. FOR INFORMATION (no vote necessary):

- 8.6. [22-331](#) Board-to-Board, July 2022, a monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors.
(Phil Giaramita)

Thank you for attending today's public hearing. During the 2022 Calendar Year, the Chair is Donna P. Price and the Vice-Chair is Bea LaPisto-Kirtley.

During the time set aside for "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" ("From the Public"), individuals may address the Board of Supervisors concerning matters previously considered by the Board or matters that are pending before the Board. Up to 10 persons may speak during each "From the Public" session. The 10 speakers are determined on a first-come, first-served basis. Each speaker may speak for up to three minutes and at only one "From the Public" session at each meeting.

During Public Hearings, the Board will only acknowledge speakers addressing the item listed for Public Hearing. Speakers are limited to one appearance of three minutes per public hearing item. Applicants are limited to a ten-minute presentation of their proposal and are allowed a five-minute rebuttal at the close of the public hearing.

Speaker may include a presentation, provided that the presentation is received by the Clerk at least 48 hours before the meeting.

To speak during Public Hearings and "From the Public" Albemarle County community members may sign up online in advance of the meeting at <https://albemarle.legistar.com/Calendar.aspx>. Click on eComment for the select meeting. To create an account, click on the sign-up link at the top right corner of the eComment webpage. Residents who are unable to sign up in advance of the meeting may do so during the meeting either through the webinar chat or in person, provided there are remaining slots available. If you require assistance, please contact the clerk's office at clerk@albemarle.org or call 434-296-5843.

Please visit the Participation Guide for Public Meetings on the Albemarle County Board of Supervisors webpage for instructions on how to join the meeting virtually.

Time keeping is conducted by the Clerk. In order to give all speakers equal treatment and courtesy, the Board requests that speakers adhere to the following guidelines:

Time keeping is conducted through a timer and a light system at the podium. The green light will go on when you begin speaking and this begins your allotted time; a yellow light indicates you have one minute to finish your comment; a red light indicates your time has expired. In order to give all speakers equal treatment and courtesy, the Board requests that speakers adhere to the following guidelines:

- When called to the speaker's podium, state your name and magisterial district
- Address comments directly to the Board as a whole
- Give written statements and other supporting material to the Clerk
- If you represent a group or organization, you may ask others present to raise their hands and be recognized
- If you exceed your allotted time, you will be asked to end your comments
- If a speaker does not use all allocated time, the unused time may not be shared with another speaker
- Speakers are permitted one opportunity to comment during each of the public comment periods per meeting
- Back-and-forth debate is prohibited
- Do not speak from your seat or out of turn
- Persons in the audience are encouraged to raise their hands to indicate their support or opposition to speakers at the podium or any item during the meeting
- Please refrain from applause and other forms of approval or disapproval, as a courtesy to each speaker
- Signs are permitted in the meeting room so long as they are not attached to any stick or pole and do not obstruct the view of persons attending the meeting

All comments are live streamed, recorded and published on the Albemarle County website.

Please turn all device notifications to vibrate.

Clerk, Board of County Supervisors
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