

Project Name: AFD202400001 Ivy Creek District Review	Staff: James Van Vranken, Planner
Agricultural and Forestal District Advisory Commit	tee Meeting: December 3, 2024
Planning Commission Public Hearing: December 17, 2024	Board of Supervisors Public Hearing: February 19, 2025
Proposal: Periodic review of the Ivy Creek AF District.	Comprehensive Plan Designation: Rural Areas

Periodic Review of Agricultural and Forestal Districts

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

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

When a district is reviewed, land within the district may be withdrawn at the owner's discretion by filing a written notice with the Board at any time before the Board acts to continue, modify, or terminate the district.

<u>New Policy for District Reviews</u>

In October 2016, the Board updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

In November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning, the

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

Some districts are now reaching the end of their five-year review period. Staff will therefore make fiveyear or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD 202400001 IVY CREEK DISTRICT REVIEW

The Albemarle County Code currently contains this description of the Ivy Creek District:

Sec. 3-221 Ivy Creek Agricultural and Forestal District.

The district known as the "Ivy Creek Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on November 2, 1998.

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

1. Tax map 44: parcels 18, 19, 19A, 19B, 20, 20A, 20B, 20C, 20D, 20E, 20F, 20G, 21A1, 21A2, 21A3, 21C (part).

2. Tax map 45: parcels 5F, 5F4.

C. Review. The district is reviewed once every ten years and will next be reviewed prior to December 4, 2023.

The District is located either side of Woodlands Road, to the west of the South Fork Rivanna Reservoir (see Attachment A), and includes 19 parcels and 249 acres. No withdrawal requests have so far been received.

<u>Agricultural and Forestal District Significance:</u> Of the 249 acres in the Ivy Creek District, 231 acres have soils listed as particularly important for agriculture in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the Ivy Creek District includes approximately 19 addressable structures. (The majority of these structures are dwellings, but any barns or other large structures with addresses may be included.)

<u>Local Development Patterns:</u> The District consists of a mix of open land and forest. There are seven parcels in the District, totaling 141 acres, that are under conservation easements. A total of 21 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, horticultural, or open-space use.

Comprehensive Plan Designation and Zoning Districts: The District is entirely designated as Rural Areas

in the Comprehensive Plan, and the parcels included in the District are zoned RA Rural Areas.

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

Code Corrections:

• In October 1999, a boundary line adjustment brought 2.09 acres of Parcel 44-21C and 0.48 acres of Parcel 44-21C1 into the District. It so happens that both parcels lack development potential (see below), so are being recommended not to continue regardless.

<u>Withdrawal:</u> Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on October 16, 2024.

No withdrawal requests have so far been received.

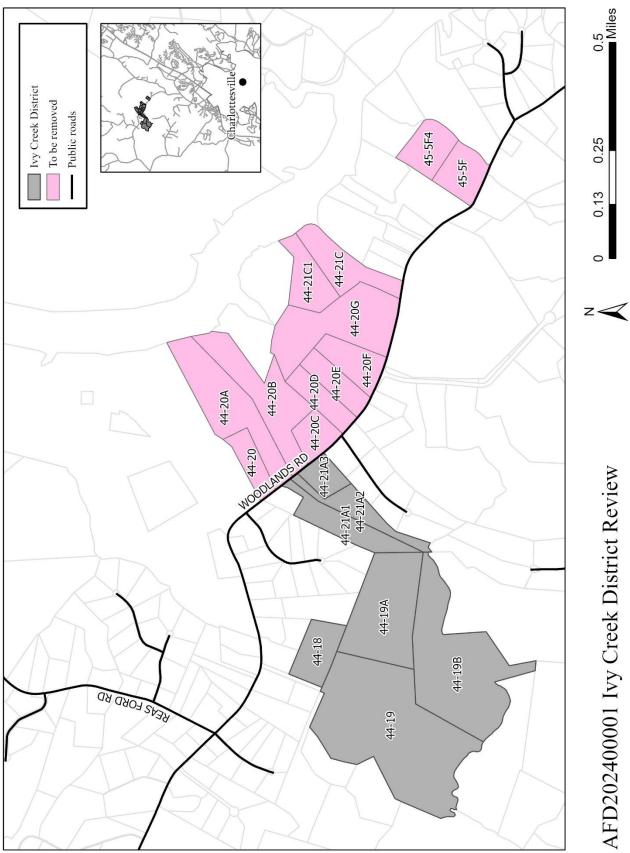
<u>Development Potential:</u> The District includes 12 parcels, totaling 123 acres, that have no remaining development potential and are recommended not to continue in the District. None of these parcels are in Open Space taxation.

Parcel	Acreage	Tax Status
0440000002000	5.06	Full-rate tax
04400000020A0	21.11	Use-Value: Agriculture & Forestry
04400000020B0	21.02	Full-rate tax
04400000020C0	5.28	Full-rate tax
04400000020D0	5.69	Full-rate tax
04400000020E0	5.81	Full-rate tax
04400000020F0	6.09	Full-rate tax
04400000020G0	21.86	Full-rate tax
04400000021C0	2.09	Full-rate tax
04400000021C1	0.48	Full-rate tax
04500000005F0	6.92	Full-rate tax
04500000005F4	7.00	Full-rate tax

<u>Recommendation</u>: Staff recommended that the Agricultural-Forestal Districts Advisory Committee recommend renewal of the Ivy Creek District, with the above-noted removals, for another 10-year period. At its meeting on December 3, the Advisory Committee voted to recommend renewal of the District for the recommended time period with any requested withdrawals but not the staff-recommended removals.

Attachments:

A. Ivy Creek AF District Map





Project Name:	Staff: James Van Vranken, Planner	
AFD202400002 Hardware District Review		
Agricultural and Forestal District Advisory Committee Meeting: December 3, 2024		
Planning Commission Public Hearing: December 17, 2024	Board of Supervisors Public Hearing: February 19, 2025	
Proposal: Periodic review of the Hardware AF District.	Comprehensive Plan Designation: Rural Areas	

Periodic Review of Agricultural and Forestal Districts

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

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

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

New Policy for District Reviews

In October 2016, the Board updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

In November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning, the

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

Some districts are now reaching the end of their five-year review period. Staff will therefore make fiveyear or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD 202400002 HARDWARE DISTRICT REVIEW

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

Sec. 3-218 Hardware Agricultural and Forestal District.

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

A. Date created. The district was created on November 4, 1987.

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

- 1. Tax map 72: parcel 51C.
- 2. Tax map 73: parcels 38, 41A, 41B1, 41B2, 42, 42A, 43, 44.
- 3. Tax map 74: parcels 6H, 6N, 26, 28, 28B.
- 4. Tax map 75: parcels 4A, 5.
- 5. Tax map 86: parcels 16, 16A, 16C, 16D, 16F, 16F1, 16F2, 16H, 27, 27A.
- 6. Tax map 87: parcels 10, 13A1, 13A2, 13E (part consisting of 89.186 acres), 16A.
- 7. Tax map 88: parcels 2A, 3M, 3R, 3T, 3U, 3V, 6A, 20A, 20B, 20C, 20D, 20F, 23, 23E, 23F, 24, 24A, 24B, 26B (part), 29, 40, 42.
- 8. Tax map 99: parcels 10 (part), 29, 52, 52B.

C. Review. The district is reviewed once every five years and will next be reviewed prior to March 20, 2024.

The District is located southwest of Charlottesville, along Taylors Gap Road, Rt. 29 South, and Plank Road (see Attachment A), and includes 59 parcels and 3,225 acres. One withdrawal request has so far been received.

<u>Agricultural and Forestal District Significance:</u> Of the 3,225 acres in the Hardware District, 2,181 acres have soils listed as particularly important for agriculture in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the Hardware District includes approximately 48 addressable structures. (The majority of these structures are dwellings, but any barns or other large structures with addresses may be included.)

<u>Local Development Patterns:</u> The District consists of a mix of open land and forest. There are 12 parcels in the District, totaling 1,353 acres, that are under conservation easements. A total of 1,711 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, horticultural, or open-space use.

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

<u>Environmental Benefits</u>: Conservation of this area will help maintain the environmental integrity of the County and aids in the protection of agricultural soils, mountain resources, critical slopes, and wildlife habitat.

Code Corrections:

• In October 2009, Parcels 86-27 and 86-27A were together subdivided into Parcels 86-27, 27A, 27B, and 27C. Staff was not aware of this subdivision at the time, so Parcels 27B and 27C were not carried through the district review in 2019. Those parcels were intended to continue in the District, so staff is proposing to amend the Code during this review. The landowners of the two parcels have been contacted and made aware of the situation; neither landowner has so far indicated their desire to withdraw.

<u>Withdrawal:</u> Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on October 16, 2024.

We have so far received one withdrawal request:

Parcel	Owner	Acreage
08800000020C0	HARRIS, DARRICK	7.18

<u>Development Potential:</u> The District includes 23 parcels, totaling 433 acres, that have no remaining development potential.

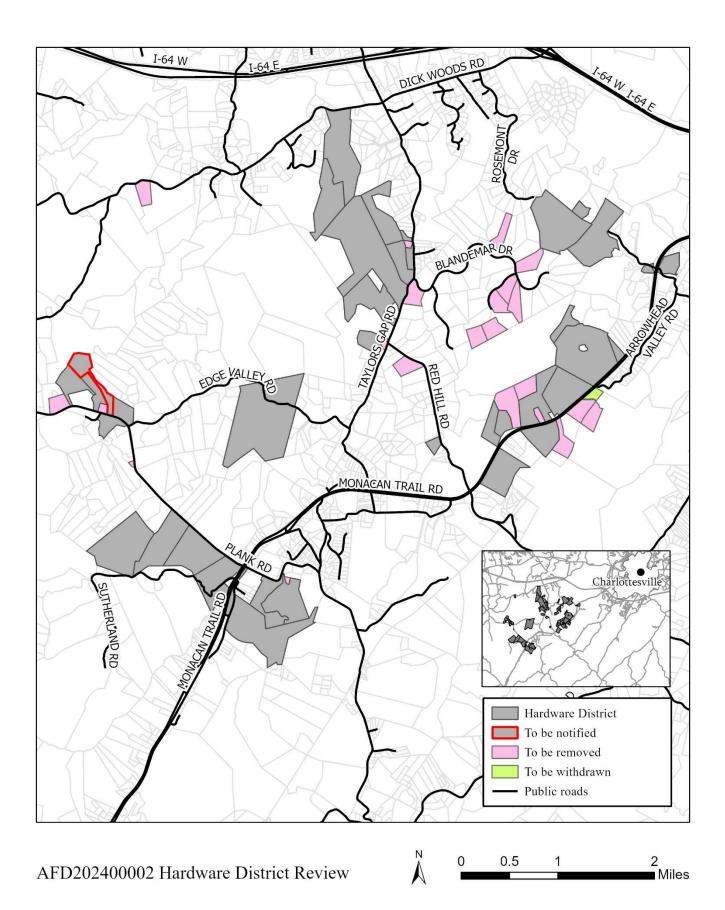
Parcel	Acreage	Tax Status
07200000051C0	21.00	Use-Value: Open Space
07300000041B2	3.50	Full-rate tax
07400000006H0	23.83	Full-rate tax
07400000006N0	21.00	Full-rate tax
08600000016A0	1.59	Full-rate tax
08600000016D0	5.40	Full-rate tax
08600000016F1	46.15	Use-Value: Open Space
08600000016H0	21.13	Use-Value: Forestry
08700000013A2	2.99	Full-rate tax
08700000016A0	21.03	Full-rate tax
08800000002A0	21.00	Use-Value: Agriculture & Forestry
08800000003M0	21.00	Use-Value: Agriculture & Forestry
08800000003R0	21.83	Use-Value: Agriculture & Forestry
08800000003T0	21.00	Use-Value: Agriculture & Forestry

Two of the parcels (highlighted) are in Open Space taxation. The owner of 72-51C was notified of the policy on April 23, 2019, so the parcel is recommended not to continue in the District. The owner of 86-16F1 has not been notified, as the parcel was not in Open Space taxation during the last review. The review policy states that this parcel should continue in the District for five years. The other listed parcels are recommended not to continue.

<u>Recommendation</u>: Staff recommended that the Agricultural-Forestal Districts Advisory Committee recommend renewal of the Hardware District, with the above-noted withdrawal and removals, for another 5-year period. At its meeting on December 3, the Advisory Committee voted to recommend renewal of the District for the recommended time period with the requested withdrawal but not the staff-recommended removals.

Attachments:

A. Hardware AF District Map





Project Name: AFD202400003 Eastham District Review	Staff: James Van Vranken, Planner
Agricultural and Forestal District Advisory Commit	tee Meeting: December 3, 2024
Planning Commission Public Hearing:	Board of Supervisors Public Hearing:
December 17, 2024	February 19, 2025
Proposal: Periodic review of the Eastham AF District.	Comprehensive Plan Designation: Rural Areas

Periodic Review of Agricultural and Forestal Districts

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

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

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

<u>New Policy for District Reviews</u>

In October 2016, the Board updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

In November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning, the

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

Some districts are now reaching the end of their five-year review period. Staff will therefore make fiveyear or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD 202400003 EASTHAM DISTRICT REVIEW

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

Sec. 3-213 Eastham Agricultural and Forestal District.

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

A. Date created. The district was created on October 2, 1985.

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

1. Tax map 46: parcels 91B, 91C, 91E.

2. Tax map 47: parcel 17B.

3. Tax map 63: parcels 1, 1A, 1A1, 2, 4, 14G, 14H, 14I, 26, 26A, 27, 28, 28A, 30F, 30G, 41A, 41A1, 41A2.

C. Review. The district is reviewed once every ten years and will next be reviewed prior to August 6, 2024.

The District is located on either side of Stony Point Road (Rt. 20), northeast of Charlottesville and halfway to Stony Point (see Attachment A), and includes 22 parcels and 1,029 acres. No withdrawal requests have yet been received.

<u>Agricultural and Forestal District Significance:</u> Of the 1,029 acres in the Eastham District, 808 acres have soils listed as particularly important for agriculture in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the Eastham District includes approximately 32 addressable structures. (The majority of these structures are dwellings, but any barns or other large structures with addresses may be included.)

<u>Local Development Patterns</u>: The District consists of a mix of open land and forest. Seven of the parcels in the District, totaling 587 acres, are under conservation easements. A total of 370 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, horticultural, or open-space use.

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

<u>Environmental Benefits</u>: Conservation of this area will help maintain the environmental integrity of the County and aids in the protection of agricultural soils, floodplains, mountain resources, critical slopes, and wildlife habitat.

<u>Withdrawal:</u> Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on October 16, 2024.

No withdrawal requests have so far been received.

<u>Development Potential:</u> The District includes 11 parcels, totaling 183 acres, that have no remaining development potential.

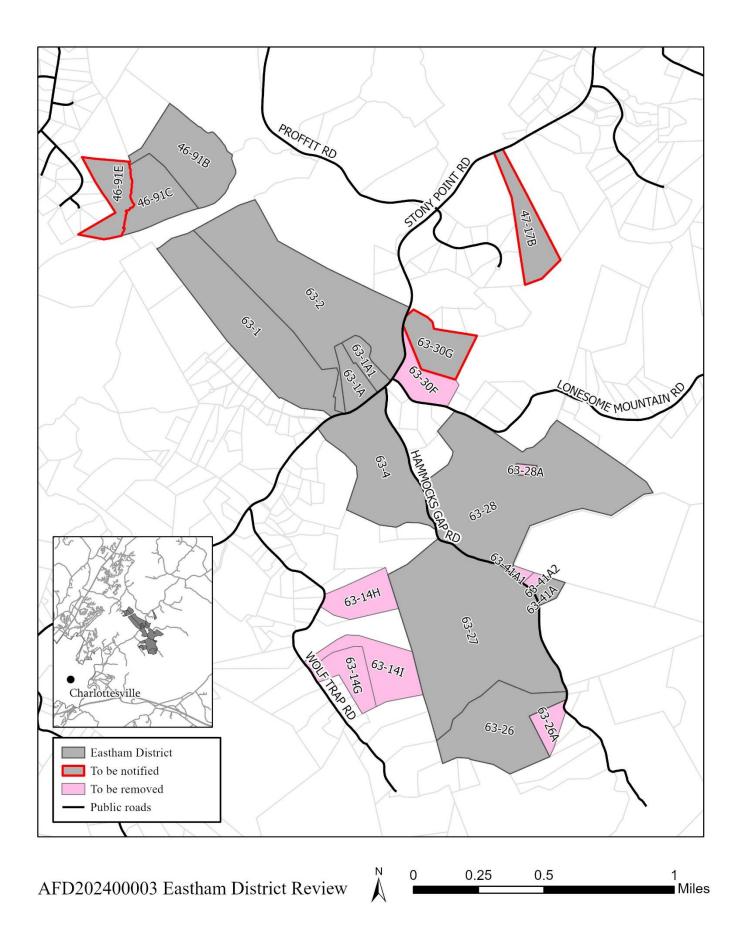
Parcel	Acreage	Tax Status
04600000091E0	23.00	Use-Value: Open Space
04700000017B0	27.82	Use-Value: Open Space
06300000014G0	21.00	Full-rate tax
06300000014H0	21.00	Use-Value: Agriculture & Forestry
0630000001410	30.00	Full-rate tax
06300000026A0	9.76	Full-rate tax
06300000028A0	2.14	Full-rate tax
06300000030F0	21.36	Use-Value: Agriculture
06300000030G0	22.72	Use-Value: Open Space
06300000041A1	2.00	Full-rate tax
06300000041A2	2.09	Full-rate tax

Three of the parcels (highlighted) are in Open Space taxation. This is the District's first review since 2018, so staff is recommending that the District be renewed for five years and the owners of these three parcels be notified of the review policy. All other parcels listed in the table are recommended not to continue.

<u>Recommendation</u>: Staff recommended that the Agricultural-Forestal Districts Advisory Committee recommend renewal of the Eastham District, with the above-noted removals, for a 5-year period. At its meeting on December 3, the Advisory Committee voted to recommend renewal of the District for the recommended time period with any requested withdrawals but not the staff-recommended removals.

Attachments:

A. Eastham AF District Map





Project Name:	Staff: James Van Vranken, Planner
AFD202400004 Pasture Fence Mountain District Review	
Agricultural and Forestal District Advisory Committee M	feeting: December 3, 2024
Planning Commission Public Hearing:	Board of Supervisors Public Hearing:
December 17, 2024	February 19, 2025
Proposal: Periodic review of the Pasture Fence Mountain	Comprehensive Plan
AF District.	Designation: Rural Areas

Periodic Review of Agricultural and Forestal Districts

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

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

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

<u>New Policy for District Reviews</u>

In October 2016, the Board updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

In November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning, the

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

Some districts are now reaching the end of their five-year review period. Staff will therefore make fiveyear or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD 202400004 PASTURE FENCE MOUNTAIN DISTRICT REVIEW

The Albemarle County Code currently contains this description of the Pasture Fence Mountain District:

Sec. 3-229 Pasture Fence Mountain Agricultural and Forestal District.

The district known as the "Pasture Fence Mountain Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on November 17, 1993.

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

1. Tax map 13: parcels 1, 5, 8, 10, 12.

C. Review. The district is reviewed once every ten years and will next be reviewed prior to August 6, 2024.

The District is located in the far northwest of the County, west of Browns Gap Turnpike and east of Skyline Drive (see Attachment A), and includes 1,222 acres across six parcels. No withdrawal requests have so far been received.

<u>Agricultural and Forestal District Significance:</u> Of the 1,222 acres in the Pasture Fence Mountain District, 1,153 acres have soils listed as particularly important for forestry in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to forestal uses, the Pasture Fence Mountain District includes approximately two addressable structures. (Addressable structures are most likely to be dwellings, but barns or other large structures with addresses may be included.)

<u>Local Development Patterns:</u> The District consists of mountainside forest and a few small patches of open land. None of the parcels in the District are under conservation easement. All of the parcels in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, horticultural, or open-space use.

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

<u>Environmental Benefits</u>: Conservation of this area will help maintain the environmental integrity of the County and aids in the protection of ground and surface water, forestal soils, mountain resources, critical slopes, and wildlife habitat.

Code Updates:

• In October 2020, Parcel 13-12 was divided into Parcels 13-12A and 13-12B by an Official Determination of Parcel of Record and Development Rights.

<u>Withdrawal:</u> Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on October 16, 2024.

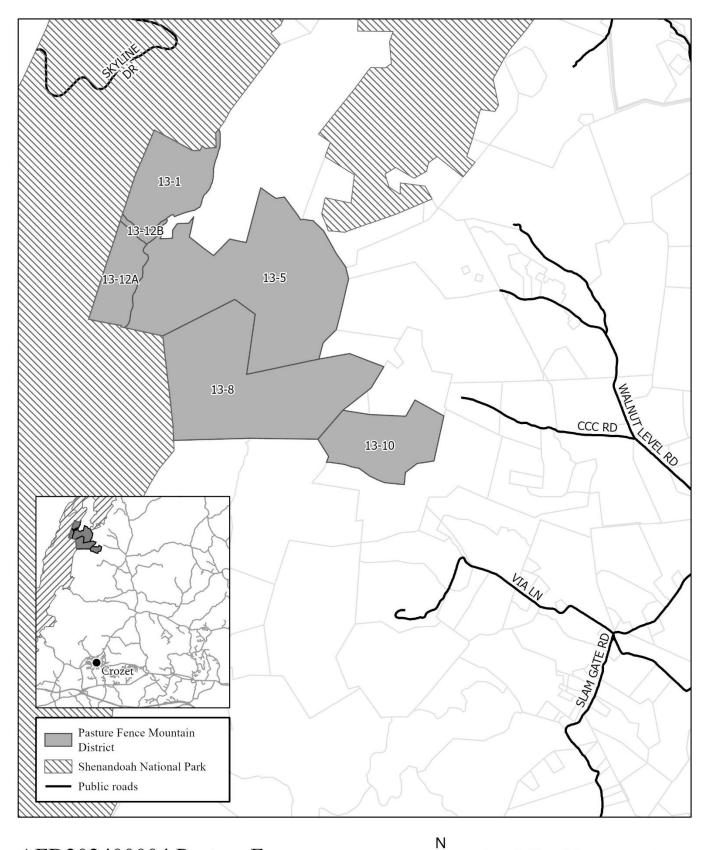
No withdrawal requests have so far been received.

Development Potential: All parcels in the District retain some development potential.

<u>Recommendation</u>: Staff recommended that the Agricultural-Forestal Districts Advisory Committee recommend renewal of the Pasture Fence Mountain District for another 10-year period. At its meeting on December 3, the Advisory Committee voted to recommend renewal of the District for the recommended time period.

Attachments:

A. Pasture Fence Mountain AF District Map



AFD202400004 Pasture Fence Mountain District Review





Project Name: AFD202400005 North Fork Moorman's River District Review	Staff: James Van Vranken, Planner	
Agricultural and Forestal District Advisory Committee Meeting: December 3, 2024		
Planning Commission Public Hearing:	Board of Supervisors Public Hearing:	
December 17, 2024	February 19, 2025	
Proposal: Periodic review of the North Fork Moorman's River AF District.	Comprehensive Plan Designation: Rural Areas	

Periodic Review of Agricultural and Forestal Districts

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

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

<u>New Policy for District Reviews</u>

In October 2016, the Board updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

In November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning, the Board directed staff to implement a plan to:

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

Some districts are now reaching the end of their five-year review period. Staff will therefore make fiveyear or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD 202400005 NORTH FORK MOORMAN'S RIVER DISTRICT REVIEW

The Albemarle County Code currently contains this description of the North Fork Moorman's River District:

Sec. 3-227 North Fork Moorman's River Agricultural and Forestal District.

The district known as the "North Fork Moorman's Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on November 17, 1993.

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

1. Tax map 4: parcels 1, 2, 3, 4.

C. Review. The district is reviewed once every ten years and will next be reviewed prior to August 6, 2024.

The District is located in the far northwest of the County, surrounded on three sides by Shenandoah National Park (see Attachment A), and includes 270 acres across four parcels. No withdrawal requests have so far been received.

<u>Agricultural and Forestal District Significance:</u> All 270 acres of the North Fork Moorman's River District contain soils listed as particularly important for forestry in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: The North Fork Moorman's River District includes no addressable structures.

<u>Local Development Patterns:</u> The District consists of mountainside forest and small patches of open land. None of the parcels are under conservation easements. All of the parcels in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, horticultural, or open-space use.

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

<u>Environmental Benefits</u>: Conservation of this area will help maintain the environmental integrity of the County and aids in the protection of ground and surface water, forestal soils, mountain resources, critical slopes, and wildlife habitat.

<u>Withdrawal:</u> Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on October 16, 2024.

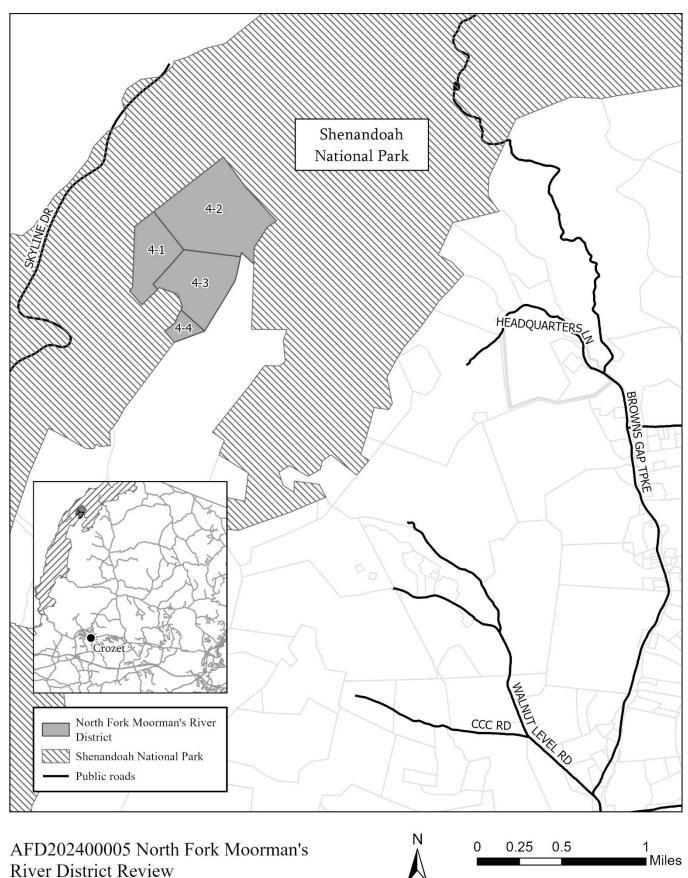
No withdrawal requests have so far been received.

Development Potential: All parcels in the District retain some development potential.

<u>Recommendation</u>: Staff recommended that the Agricultural-Forestal Districts Advisory Committee recommend renewal of the North Fork Moorman's River District for another 10-year period. At its meeting on December 3, the Advisory Committee voted to recommend renewal of the District for the recommended time period.

Attachments:

A. North Fork Moorman's River AF District Map



River District Review





Project Name: AFD202400006 Free Union District Review	Staff: James Van Vranken, Planner
Agricultural and Forestal District Advisory Commit	tee Meeting: December 3, 2024
Planning Commission Public Hearing:	Board of Supervisors Public Hearing:
December 17, 2024	February 19, 2025
Proposal: Periodic review of the Free Union AF District.	Comprehensive Plan Designation: Rural Areas

Periodic Review of Agricultural and Forestal Districts

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

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

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

<u>New Policy for District Reviews</u>

In October 2016, the Board updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

Iin November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning, the

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

Some districts are now reaching the end of their five-year review period. Staff will therefore make fiveyear or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD 202400006 FREE UNION DISTRICT REVIEW

The Albemarle County Code currently contains this description of the Free Union District:

Sec. 3-215 Free Union Agricultural and Forestal District.

The district known as the "Free Union Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on September 21, 1988.

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

- 1. Tax map 7: parcels 6, 7, 8A, 9, 9A, 9B, 9B1, 9C, 26B, 33.
- 2. Tax map 16: parcels 4B, 4C, 13A, 13D, 15A, 15A3, 15C, 15E, 15G, 16B, 17, 26, 30B, 36, 37, 52B1, 52B2, 54.
- 3. Tax map 17: parcels 8C, 17C, 18H, 20A2, 22.
- 4. Tax map 29: parcels 1D, 1H (part), 31A.

C. Review. The district is reviewed once every five years and will next be reviewed prior to September 18, 2024.

The District is located to the northwest of Free Union, extending as far north as Boonesville (see Attachment A), and includes 35 parcels and 1,524 acres. No withdrawal requests have so far been received.

<u>Agricultural and Forestal District Significance:</u> Of the 1,524 acres in the Free Union District, 817 acres have soils listed as particularly important for agriculture in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the Free Union District includes approximately 39 addressable structures. (The majority of these structures are dwellings, but any barns or other large structures with addresses may be included.)

<u>Local Development Patterns:</u> The District consists of a mix of open land and forest. There are eight parcels in the District, totaling 812 acres, that are under conservation easements. A total of 620 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, horticultural, or open-space use.

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

<u>Environmental Benefits</u>: Conservation of this area will help maintain the environmental integrity of the County and aids in the protection of agricultural soils, mountain resources, critical slopes, and wildlife habitat.

Code Updates:

• In May 2023, a boundary line adjustment between Parcels 16-15A and 16-15A3 (both within the District) combined them into a single District parcel (15A).

<u>Withdrawal:</u> Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on October 16, 2024.

No withdrawal requests have so far been received.

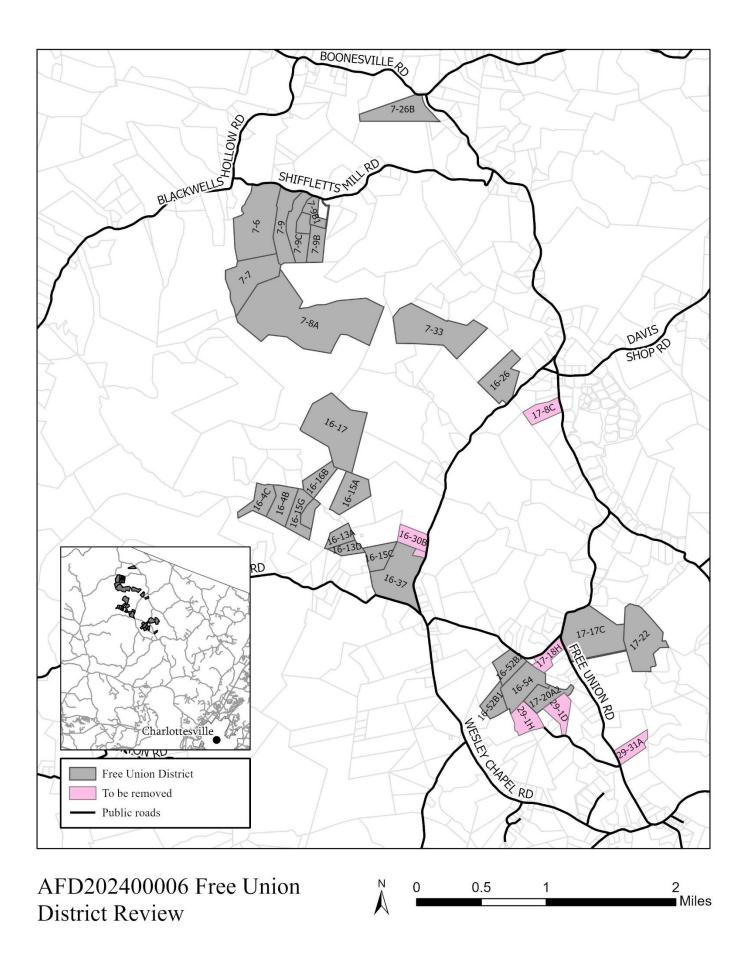
<u>Development Potential:</u> The District includes seven parcels, totaling 131 acres, that have no remaining development potential and are recommended not to continue in the District. None of the parcels are in Open Space taxation.

Parcel	Acreage	Tax Status
01600000030B0	21.01	Full-rate tax
0160000003600	3.01	Full-rate tax
01700000008C0	21.90	Use-Value: Agriculture & Forestry
01700000018H0	19.16	Full-rate tax
02900000001D0	21.02	Full-rate tax
02900000001H0	12.34	Use-Value: Agriculture & Forestry
02900000031A0	20.05	Use-Value: Agriculture & Forestry

<u>Recommendation</u>: Staff recommended that the Agricultural-Forestal Districts Advisory Committee recommend renewal of the Free Union District, with the above-noted removals, for another 10-year period. At its meeting on December 3, the Advisory Committee voted to recommend renewal of the District for the recommended time period with any requested withdrawals but not the staff-recommended removals.

Attachments:

A. Free Union AF District Map





Project Name: AFD202400007 Carter's Bridge District Review	Staff: James Van Vranken, Planner	
Agricultural and Forestal District Advisory Committee Meeting: December 3, 2024		
Planning Commission Public Hearing: December 17, 2024	Board of Supervisors Public Hearing: February 19, 2025	
Proposal: Periodic review of the Carter's Bridge AF District.	Comprehensive Plan Designation: Rural Areas	

Periodic Review of Agricultural and Forestal Districts

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

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

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

<u>New Policy for District Reviews</u>

In October 2016, the Board updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

In November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning, the

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

Some districts are now reaching the end of their five-year review period. Staff will therefore make fiveyear or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD202400007 CARTER'S BRIDGE DISTRICT REVIEW

The Albemarle County Code currently contains this description of the Carter's Bridge District:

Sec. 3-211 Carter's Bridge Agricultural and Forestal District.

The district known as the "Carter's Bridge Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on April 20, 1988.

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

- 1. Tax map 101: parcels 55A, 60.
- 2. Tax map 102: parcels 17A, 17B, 17B1, 17C, 17D, 18, 19, 19A, 19C, 20B.
- *3. Tax map 111: parcel 48.*
- 4. Tax map 112: parcels 1, 3, 15, 15A, 16E, 16E1, 16E2, 16F2, 16J, 16K, 18H, 19E, 19F, 20, 21, 33A, 37D.
- 5. Tax map 113: parcels 1, 1A, 6A, 11F, 11F1, 11F2, 11F3, 11H, 11I, 11J, 11K.
- 6. Tax map 114: parcels 2, 25A, 30, 31B, 31C, 31D, 57, 57C, 57D, 67C, 67D, 67E, 67F, 67I (part).
- 7. Tax map 122: parcels 4, 4A, 6, 7, 8, 9, 10, 12, 12D, 12E, 12N, 18, 18D, 33, 33A.
- 8. Tax map 123: parcel 13B.

C. Review. The district is reviewed once every five years and will next be reviewed prior to September 18, 2024.

The District is located mostly to the north and southeast of Keene, on the Scottsville Road (Rt. 20) (see Attachment A), and includes 73 parcels and 6,099 acres. Two withdrawal requests have so far been received.

<u>Agricultural and Forestal District Significance:</u> Of the 6,099 acres in the Carter's Bridge District, 4,883 acres have soils listed as particularly important for agriculture in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the Carter's Bridge District includes approximately 74 addressable structures. (The majority of these structures are dwellings, but any barns or other large structures with addresses may be included.)

<u>Local Development Patterns:</u> The District consists of a mix of open land and forest. There are 23 parcels in the District, totaling 3,885 acres, that are under conservation easements. A total of 1,973 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, horticultural, or open-space use.

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

<u>Environmental Benefits</u>: Conservation of this area will help maintain the environmental integrity of the County and aid in the protection of agricultural soils, mountain resources, critical slopes, and wildlife habitat.

Code Updates:

- In January 2021, a boundary line adjustment between Parcels 122-33 and 122-36 brought the latter parcel partially into the District. The owners of that parcel have requested to withdraw.
- In January 2023, Parcel 122-12D was split by family subdivision into 122-12D1 and 122-12D2.

<u>Withdrawal:</u> Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on October 16, 2024.

We have so far received two withdrawal requests:

Parcel	Owner	Acreage
1220000003600	SEAY, JOHN BRIDGEMAN JR OR JUNE W	2.1
12200000012D2	HARDING FAMILY REVOCABLE TRUST	25.92

<u>Development Potential</u>: The District includes 22 parcels, totaling 457 acres, that have no remaining development potential.

Parcel	Acreage	Tax Status
11200000016K0	39.52	Use-Value: Agriculture & Forestry
11300000011F0	24.15	Full-rate tax
11300000011F1	22.04	Full-rate tax
11300000011F2	22.57	Use-Value: Forestry
11300000011F3	24.56	Full-rate tax
11300000011H0	21	Full-rate tax
1130000001110	21	Use-Value: Forestry
11300000011J0	22.09	Use-Value: Forestry
11300000011K0	22.82	Use-Value: Forestry
1140000000200	29.42	Use-Value: Open Space
11400000025A0	2.61	Full-rate tax
11400000031B0	25.78	Use-Value: Forestry
11400000031C0	21	Full-rate tax
11400000067C0	21.04	Full-rate tax
11400000067D0	29.16	Full-rate tax

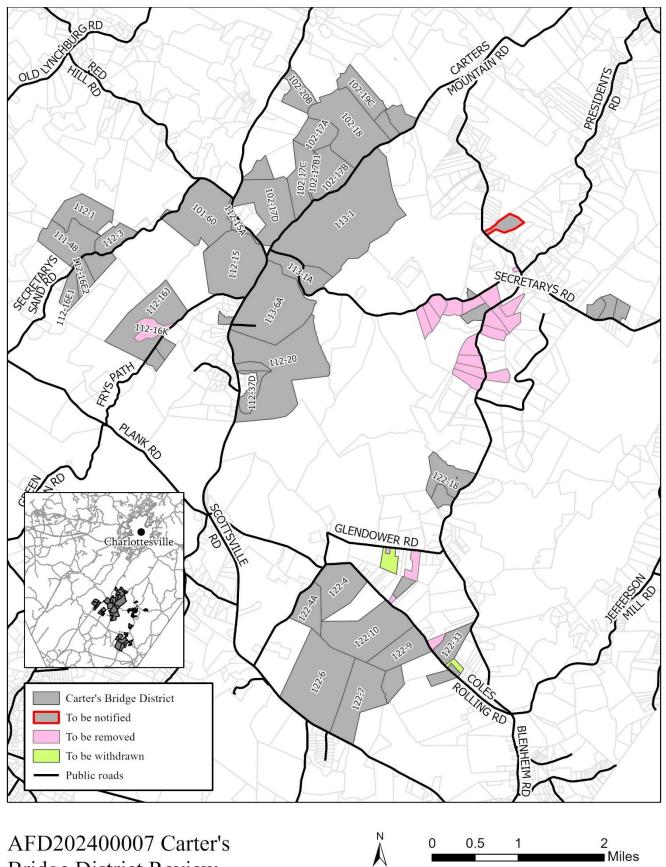
11400000067E0	25.67	Use-Value: Forestry
11400000067F0	22.86	Full-rate tax
1140000006710	7.81	Full-rate tax
122000000012D1	2	Full-rate tax
12200000012E0	21.82	Full-rate tax
122000000012N0	2	Full-rate tax
12200000033A0	12.24	Full-rate tax

One of the parcels (highlighted) is in Open Space taxation. The owner has not been notified (the parcel was not in Open Space during the last review), so the parcel is recommended to continue in the District for five years. All other parcels are recommended not to continue in the District.

<u>Recommendation</u>: Staff recommended that the Agricultural-Forestal Districts Advisory Committee recommend renewal of the Carter's Bridge District, with the above-noted withdrawals and removals, for another 5-year period. At its meeting on December 3, the Advisory Committee voted to recommend renewal of the District for the recommended time period with the requested withdrawals but not the staff-recommended removals.

Attachments:

A. Carter's Bridge AF District Map



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AFD202400007 Carter's Bridge District Review



Project Name:	Staff: James Van Vranken, Planner	
AFD202400011 Jacobs Run District Review		
Agricultural and Forestal District Advisory Committee Meeting: December 3, 2024		
Planning Commission Public Hearing:	Board of Supervisors Public Hearing:	
December 17, 2024	February 19, 2025	
Proposal: Periodic review of the Jacobs Run AF District.	Comprehensive Plan Designation: Rural Areas	

Periodic Review of Agricultural and Forestal Districts

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

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

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

<u>New Policy for District Reviews</u>

In October 2016, the Board updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

In November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning, the

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

Some districts are now reaching the end of their five-year review period. Staff will therefore make fiveyear or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD 202400011 JACOBS RUN DISTRICT REVIEW

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

Sec. 3-222 Jacobs Run Agricultural and Forestal District.

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

A. Date created. The district was created on January 6, 1988.

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

- 1. Tax map 18, parcel 16C.
- 2. Tax map 19: parcels 25, 25A.
- 3. Tax map 19A: parcels 9, 22, 31.
- 4. Tax map 20: parcels 6J, 6S.
- 5. Tax map 30: parcel 32B.
- 6. Tax map 31: parcels 1, 1B, 4K, 8, 8E, 16, 16B, 44C, 44G2, 45, 45B.

C. Review. The district is reviewed once every five years and will next be reviewed prior to December 18, 2024.

The District is located around Earlysville, mostly to the north and west (see Attachment A), and includes 20 parcels and 1,105 acres. Two withdrawal requests have so far been received.

<u>Agricultural and Forestal District Significance:</u> Of the 1,105 acres in the Jacobs Run District, 1,021 acres have soils listed as particularly important for agriculture in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the Jacobs Run District includes approximately 27 addressable structures. (The majority of these structures are dwellings, but any barns or other large structures with addresses may be included.)

<u>Local Development Patterns:</u> The District consists of a mix of open land and forest. There are two parcels in the District, totaling 187 acres, that are under conservation easements. A total of 823 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, horticultural, or open-space use.

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

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

<u>Withdrawal:</u> Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on October 16, 2024.

We have so far received two withdrawal requests:

Parcel	Owner	Acreage
0310000000100	WEBBER FAMILY LLC	155.05
0310000000800	CLUNIE LLC	141.25

<u>Development Potential:</u> The District includes 7 parcels, totaling 128 acres, that have no remaining development potential and are recommended not to continue in the District. None of the parcels are in Open Space taxation.

Parcel	Acreage	Tax Status
019A000000900	21.19	Full-rate tax
019A000002200	21.41	Full-rate tax
019A000003100	22.79	Full-rate tax
02000000006J0	28.64	Full-rate tax
0200000000650	21.01	Use-Value: Agriculture & Forestry
03100000004К0	1.05	Full-rate tax
03100000008E0	12.18	Use-Value: Agriculture & Forestry

<u>Recommendation</u>: Staff recommended that the Agricultural-Forestal Districts Advisory Committee recommend renewal of the Jacobs Run District, with the above-noted withdrawals and removals, for another 10-year period. At its meeting on December 3, the Advisory Committee voted to recommend renewal of the District for the recommended time period with the requested withdrawals but not the staff-recommended removals.

Attachments:

1. Jacobs Run AF District Map

