



# Albemarle County

## Meeting Agenda Board of Supervisors

*Supervisor, Rivanna District Norman G. Dill*  
*Supervisor, Rio District Ned L. Gallaway*  
*Supervisor, White Hall District Ann H. Mallek*  
*Supervisor, Jack Jouett District Diantha H. McKeel*  
*Supervisor, Samuel Miller District Liz A. Palmer*  
*Supervisor, Scottsville District Rick Randolph*  
*County Executive, Jeffrey B. Richardson*  
*Clerk, Claudette K. Borgersen*

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Wednesday, March 14, 2018

6:00 PM

Lane Auditorium

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1. Call to Order.
2. Pledge of Allegiance.
3. Moment of Silence.
4. Adoption of Final Agenda.
5. Brief Announcements by Board Members.
6. Recognitions:
  - 6.1. [18-230](#) Russell "Mac" Lafferty, Jack Jouett District, Planning Commissioner
7. From the Public: Matters Not Listed for Public Hearing on the Agenda.
8. Consent Agenda (on next sheet)

Public Hearings:

9. [18-189](#) SP201700024 By Word of Mouth Automotive. PROJECT: SP201700024 – By Word of Mouth Automotive MAGISTERIAL DISTRICT: Rio TAX MAP/PARCEL(S): 061W0010C00100 LOCATION: 446 Westfield Road, Charlottesville, VA 22902 PROPOSAL: Motor vehicle sales as an accessory use to automobile repair service on 0.76-acre parcel. PETITION: Motor vehicle sales and rental under Section 18-22.2.2-(8) of the zoning ordinance. No new dwellings proposed. ZONING: C1 Commercial – retail sales and service; residential by special use permit (15 units/ acre) ENTRANCE CORRIDOR (EC): Yes. OVERLAY DISTRICT(S): Airport Impact Area (AIA) and Steep Slopes – Managed. COMPREHENSIVE PLAN: Urban Mixed Use – Neighborhood Service Center in Neighborhood 1, which allows for commercial, retail, and employment uses with supporting residential (3-20 units/acre).  
*(Tim Padalino, Senior Planner)*
10. [18-190](#) SP201700004 James River Runners. MAGISTERIAL DISTRICT: Scottsville TAX MAP/PARCEL(S): 13600-00-00-012A0, 13600-00-00-014A0 LOCATION: 10092 Hatton Ferry Rd PROPOSAL: Amend special use permit SP197800074 for canoe livery by expanding the camping area accessory to the canoe livery to allow 5 campsites on a new parcel of 1.8 acres (13600-00-00-014A0) PETITION: Expansion of canoe livery with accessory camping under Section 10.2.2.29 of the Zoning Ordinance, which permits boat landings and canoe liveries. ZONING: RA Rural Area - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots) OVERLAY DISTRICT(S): 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).  
*(David Fox, Neighborhood Planner)*
11. [18-191](#) SP201700018 Rivanna Solar. PROJECT: SP201700018 Rivanna Solar Project MAGISTERIAL DISTRICT: Scottsville TAX MAP/PARCEL(S): 09400-00-00-017A0 LOCATION: 2631 Buck Island Rd PROPOSAL: Solar-energy electrical generation facility, with solar panels occupying approximately 90 acres PETITION: Solar energy system allowed by special use permit under section 10.2.2.58 of the Zoning Ordinance on a 149-acre parcel. No new dwelling units proposed. ZONING: RA Rural Area - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots) OVERLAY DISTRICT(S): Entrance Corridor, 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).  
*(Scott Clark, Senior Planner)*

12. [18-196](#) Electoral Board and Registrar-Proposed New Voting Precincts and Voting Locations. To receive comments on its intent to adopt an ordinance to amend sections 2-101, 2-103, 2-105, and 2-106 of Article I, Elections, of Chapter 2, Administration, of the Albemarle County Code. The proposed ordinance would: Consolidate the Belfield Precinct into the Jack Jouett Precinct; Establish Jack Jouett Middle School, 210 Lambs Lane, Charlottesville, Virginia 22901 as the polling place for the consolidated Jack Jouett Precinct; Divide the current Free Bridge Precinct into the Free Bridge Precinct and the Pantops Precinct; Establish Broadus Memorial Baptist Church, 1525 Stony Point Road, Charlottesville, Virginia 22911 as the Pantops Precinct polling place; Divide the current Cale Precinct into the Cale Precinct and the Biscuit Run Precinct; Establish Monticello High School, 1400 Independence Way, Charlottesville, Virginia 22902 as the Biscuit Run Precinct polling place; Remove a portion of the current Crozet Precinct and a portion of the current Brownsville Precinct to create the Mechums River Precinct; and Establish Western Albemarle High School, 5941 Rockfish Gap Turnpike, Crozet, Virginia 22932 as the Mechums River Precinct polling place.

*(John Blair, Deputy County Attorney)*

13. [18-197](#) Ordinance to Amend County Code Chapter 5, Building Regulations. To receive public comment on its intent to adopt an ordinance to amend Chapter 5, Building Regulations, of the Albemarle County Code by: reorganizing the chapter; amending § 5-104 (Violation and penalty) to specify that violations of the building code shall be punishable and shall be abated as provided in Virginia Code § 36-106; amending § 5-200 (Permit and inspection fees, generally) to allow for payment of fees by commercially acceptable means other than cash or check, and to require the department of community development to keep an accurate account of all fees collected; amending § 5-203 (Fees for plumbing permits) to specify fees for plumbing permits in use groups F-1 and F-2; amending § 5-205 (Fees for amusement devices) to provide that fees for amusement devices shall be as provided in the Virginia Amusement Device Regulations (Chapter 31, Agency 5, Title 13 of the Virginia Administrative Code); amending existing § 5-208 (Fees for other permits, plan amendments, and reinspections) to remove fees for amusement device permits from that section; amending § 5-300 (Order to remove, repair, or secure) to eliminate the requirement of the Building Official to order the removal, repair, or securing of unsafe buildings and structures before the removal, repair, or securing of the unsafe buildings and structures, consistent with Virginia Code § 15.2-906; deleting existing § 5-301 (Authority of building official to remove, repair or secure); amending and reorganizing existing § 5-302 (Recovery of costs if building official removes, repairs or secures; lien) as a new § 5-301 that follows Virginia Code § 15.2-906(3) and § 15.2-906(4); adding a new § 5-302 (Demolition or removal of certain structures) to allow the County to demolish or remove certain derelict nonresidential buildings or structures with the written consent of the property owner, consistent with Virginia Code § 15.2-906(5); amending § 5-400 (Applicability) to make the building code pertaining to smoke detectors apply to all dwelling units instead of just buildings or structures containing four or more dwelling units, and making other non-substantive stylistic amendments or amendments to track current State law.

*(Andy Herrick, Senior Assistant County Attorney)*

14. **From the Board: Committee Reports and Matters Not Listed on the Agenda.**
15. **From the County Executive: Report on Matters Not Listed on the Agenda.**
16. **Closed Meeting. (if needed)**
17. **Adjourn to March 27, 2018, 3:00 p.m., Room 241.**

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

- 8.1. [18-234](#) Approval of Minutes: December 13, 2017
- 8.2. [18-222](#) FY 2018 Appropriation  
*(Lori Allshouse)*
- 8.3. [18-211](#) Ordinance to Amend County Code Chapter 2, Administration  
*(Greg Kamptner)*
- 8.4. [18-212](#) Ordinance to Amend County Code Chapter 3, Agricultural and Forestal Districts  
*(Greg Kamptner)*
- 8.5. [18-225](#) Rio29 Small Area Plan - NMD Priority Review Process  
*(Rachel Falkenstein)*
- 8.6. [18-209](#) Resolution of Intent to Amend the Zoning Ordinance to Allow Beekeeping in Residential Zoning Districts  
*(John Blair)*
- 8.7. [18-205](#) Request for Special Exception to parking setback for Farm Sales under Section 5.1.58(h) 3 of the Zoning Ordinance  
*(Francis MacCall)*

**8. FOR INFORMATION (no vote necessary):**

- 8.8. [18-213](#) Biennial Inspections for all Housing Choice Voucher Units  
*(John Freeman)*
- 8.9. [18-229](#) 2017 Fourth Quarter Building Report  
*(Rod Burton)*
- 8.10. [18-231](#) 2017 Fourth Quarter Certificate of Occupancy Report  
*(Rod Burton)*
- 8.11. [18-232](#) 2017 Year End Building Report  
*(Rod Burton)*
- 8.12. [18-233](#) 2017 Year End Certificate of Occupancy Report  
*(Rod Burton)*

- 8.13. [18-218](#) VDoT Monthly Report (March) 2018  
(Joel DeNunzio)

Thank you for attending today's public hearing. During the 2018 Calendar Year, the Chair is Ann H. Mallek and the Vice-Chair is Norman G. Dill.

During the time set aside for "Matters Not Listed for Public Hearing on the Agenda", individuals may address the Board of Supervisors concerning any issue not listed on the agenda for Public Hearing. Individuals are allowed three minutes to speak, unless otherwise decided. A sign-up sheet is provided at the 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. A sign-up sheet is provided at the meeting and you may sign up online in advance of the meeting at <http://www.albemarle.org/bosspeakers/>. Speakers will be called forward in an alternating pattern of in person sign ups and online sign ups. 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.

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. If more than 10 speakers are signed up to speak, the time allotted to speak will be reduced to two minutes and the yellow light will indicate you have 30 seconds to finish your comment. 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 off all pagers and cellular telephones.**

Clerk, Board of County Supervisors  
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