



# 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, November 7, 2018

1:00 PM

Lane Auditorium

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### Regular Day Meeting

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:
7. From the Public: Matters Not Listed for Public Hearing on the Agenda.
8. Consent Agenda (on next sheet)

### 1:30 p.m. - Action Items:

#### 9. Legislative Priorities:

- 9.1. [18-567](#) Proposed 2019 Legislative Priorities.  
*(Greg Kamptner)*
- 9.2. [18-557](#) Draft 2019 Thomas Jefferson Planning District (TJPD) Legislative Program.  
*(David Blount, TJPD Legislative Liaison)*

10. [18-569](#) County's FY20-22 Strategic Plan.

*(Kristy Shifflett, Director, Project Management Office)*

**3:00 p.m. - Recess**

**3:15 p.m. - Work Sessions:**

11. [18-534](#) Review of the Finalization of the Economic Development Strategic Plan (Project ENABLE).

*(Roger Johnson, Director, Economic Development)*

12. [18-558](#) ACSA201800002, Christian Aid Mission Request for Sewer Service.

*(David Benish, Chief of Planning)*

**13. 5:00 p.m. - Closed Meeting.**

**14. Certify Closed Meeting.**

**15. Boards and Commissions:**

- 15.1. [18-543](#) Vacancies and Appointments.

*(Travis Morris)*

**6:00 p.m.**

**16. From the Public: Matters Not Listed for Public Hearing on the Agenda.**

**Action Items:**

17. [18-546](#) Park's Edge Apartments.

*(Ron White, Chief of Housing)*

18. [18-560](#) Miller School Road (Route 635) and Owensville Road (Route 676) Through-Truck Restrictions.

*(Kevin McDermott, Transportation Planner)*

**Public Hearing:**

19.     [18-535](#)     ZTA201800005 Section 35 Fees. To receive public comment on its intent to adopt the following ordinance to amend Chapter 18, Zoning, of the Albemarle County Code: (1) Amend Section 18-35.1 (Fees) in order: (i) to delete the fee for a citizen-initiated zoning text amendment; (ii) to delete the fee to defer scheduled public hearings at the applicant's request, but to extend existing notice fees to the re-advertisement and notification of a public hearing after advertisement of a public hearing and a deferral is made at the applicant's request; (iii) to require applicants to pay calculated notification and legal advertisement costs for citizen-initiated zoning map amendments solely pertaining to proffers that do not affect use or density, when the board of supervisors authorizes alternative application and procedural requirements under Section 18-33; (iv) to add a fee of \$1,770 to reapply for a zoning map amendment or a special use permit that is substantially the same as a withdrawn application, when authorized by the Board of Supervisors; (v) to add an initial notice fee of \$435, to be provided in conjunction with application, for preparing and mailing notices and published notice, except for uses under Sections 18-5.1.47 and 18-5.2A, or applications submitted under Section 18-30.7.6, for which there would be no fee; and (vi) to add a notice fee of \$220 for farmers' markets for published notice under Section 35.1(b)(6); (2) Amend Section 18-35.2 (Calculation of Fees in Special Circumstances) to limit the availability of the reduced fee when there is a simultaneous review of an application for a zoning map amendment or a special use permit and a site plan or subdivision plat to only when an application for a special use permit for outdoor display and sales is reviewed simultaneously with a site plan; (3) Amend Section 18-35.3 (Mode and Timing for Paying Fees) to allow zoning application fees to be paid by credit or debit card; (4) Amend Section 18-35.4 (Fee Refunds) to allow initial notice fees to be refunded if a zoning application is withdrawn within 70 days after the date the application is officially submitted; and (5) Amend Section 18-35.5 (Pre-Existing Use Fee Waiver) to eliminate pre-existing use fee waivers for zoning text amendments. The proposed fees and fee increases are authorized by Virginia Code §§ 15.2-2241(9) and 15.2-2286(A)(6).

*(Bill Fritz, Development Process Manager)*

20. [18-559](#) Ordinance to Amend County Code Chapter 3, Agricultural and Forestal Districts. To receive public comment on its intent to adopt an ordinance to amend Chapter 3, Agricultural and Forestal Districts, of the Albemarle County Code by reorganizing and rewriting the chapter and adding new sections. Specifically, the ordinance would add definitions (§ 3-106) and a procedure to appeal decisions of the Director of Planning to the Board of Supervisors (§ 3-107). The ordinance also would: (1) amend the regulation pertaining to limitations on the terms of members of the agricultural and forestal committee to allow a member to serve an additional (third or more) term if a successor is not appointed within six months after the expiration of the member's term (§ 3-104); (2) clarify the rules pertaining to the effect of creating a district by more comprehensively describing the uses and development permitted in a district by codifying a series of consistent interpretations of Chapter 3 and by expressly prohibiting borrow areas and borrow pits as by-right uses (§§ 3-202, 3-302); and (3) amend the procedure for reviewing an existing district by more fully describing the procedure for hearing and action by the Board and by identifying the factors to be considered during district review (§§ 3-204, 3-304).

*(Greg Kamptner)*

21. **From the Board: Committee Reports and Matters Not Listed on the Agenda.**
22. **From the County Executive: Report on Matters Not Listed on the Agenda.**
23. **Adjourn November 14, 2018, 2:00 p.m., Lane Auditorium.**

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

- 8.1. [18-545](#) Approval of Minutes: July 9, 2018.
- 8.2. [18-548](#) FY 19 Appropriations.  
*(Andy Bowman)*
- 8.3. [18-554](#) ZMA200400007 Belvedere Special Exceptions to Application Plan and Code of Development.  
*(Rebecca Ragsdale)*
- 8.4. [18-537](#) Ivy MUC Tipping Fee Changes.  
*(Michael Freitas)*
- 8.5. [18-549](#) Resolution Authorizing County's Acceptance of an Edward Byrne Justice Assistance Grant Program Grant.  
*(Holly Bittle)*

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

- 8.6. [18-570](#) Q1 FY 19 Quarterly Financial Report; FY 18 Year End Economic Indicators Report; FY 18 Annual Economic Indicators Table I.  
*(Bill Letteri)*
- 8.7. [18-550](#) Environmental Quarterly Report - 1st Quarter FY19.  
*(Andy Lowe)*
- 8.8. [18-547](#) Capital Projects Status Report - 3rd Quarter CY2018.  
*(Blake Abplanalp)*
- 8.9. [18-566](#) Board-to-Board, October 2018, a Monthly Report from the Albemarle County School Board to the Albemarle County Board of Supervisors.  
*(Phil Giaramita)*
- 8.10. [18-544](#) VDOT Monthly Report (November) 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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