



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

Wednesday, March 20, 2019

1:00 PM

Lane Auditorium

Regular 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:
 - 6.1. [19-211](#) Proclamation Recognizing March 2019 as Colon Cancer Awareness Month.
(Cathy Bauer, Director of UVA Endoscopy)
 - 6.2. [19-100](#) Proclamation Recognizing Census Awareness Day.
 - 6.3. [19-194](#) Government Finance Officers Association (GFOA) Budget Award.
7. From the Public: Matters Not Listed for Public Hearing on the Agenda.
8. Consent Agenda (on next sheet)

1:30 p.m. - Action Item:

9. [19-223](#) Amendment to the FY 20 Proposed Budget.
(Lori Allshouse, Director, Office of Management and Budget)

1:45 p.m. - Work Session:

10. [19-214](#) Religious Land Uses.
(Bill Fritz, Development Process Manager/Ombudsman)

2:15 p.m. - Discussion Item:

11. [19-219](#) Climate Action Plan Update.
(Andy Lowe, Environmental Compliance Officer)
12. [19-178](#) Planning Consideration for FY 21 - 25 CIP Development Process.
(Jeff Richardson)

13. 4:00 p.m. - Closed Meeting.

Pursuant to Section 2.2-3711(A) of the Code of Virginia:

- *Under Subsection (1), to discuss and consider appointments to the Albemarle County Economic Development Authority for which there are pending vacancies or requests for reappointments.*
- *Under Subsection (3), to discuss and consider the acquisition of real property for a public sidewalk and related improvements in the Jack Jouett Magisterial District, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board; and*
- *Under Subsection (6), to discuss and consider the investment of public funds in an affordable housing project in the northern portion of the Scottsville Magisterial District where bargaining is involved and where, if made public initially, would adversely affect the financial interest of the County; and*
- *Under Subsection (7), to consult with legal counsel and briefings by staff members pertaining to litigation between the Board and Global Signal Acquisitions, where consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the County and the Board; and*
- *Under Subsection (8), to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice relating to:*
 1. *The County's duty to maintain and repair real property that it owns in the Scottsville Magisterial District; and*
 2. *A pending zoning map amendment pertaining to a proposed residential project; and*
 3. *The terms of a possible agreement with a volunteer rescue squad.*

Closed meeting motion subject to change

14. Certify Closed Meeting.

15. Boards and Commissions:

- 15.1. [19-207](#) Vacancies and Appointments.

(Travis Morris)

6:00 p.m.

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

17. [19-177](#) ZMA201800006 3223 Proffit Road. PROJECT: ZMA201800006 3223 Proffit Road MAGISTERIAL DISTRICT: Rivanna TAX MAP/PARCEL: 032A0020000200 LOCATION: 3223 Proffit Road PROPOSAL: Rezone property to allow for a higher density residential development. PETITION: Rezone 7.29 acres from the RA Rural Areas district, which allows for residential uses at a density of 0.5 units per acre, to the R-15 Residential zoning district which allows residential (15 units/acre). A maximum of 109 dwelling units is proposed at a gross and net density of 14.9 units/acre. ZONING: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots). OVERLAY DISTRICT: AIA- Airport Impact Area; Managed Steep Slopes PROFFERS: Yes COMPREHENSIVE PLAN: Urban Density Residential - residential (6.01 – 34 units/ acre); supporting uses such as religious institutions, schools, commercial, office and service uses in the Hollymead-Places 29 Master Plan.

(Cameron Langille, Senior Planner)

18. [19-176](#) CPA201800006 Birdwood. To review and act on proposed amendments to portions of the Southern and Western Urban Neighborhoods Master Plan. The proposed amendments involve sections of the Plan which directly relate to the Birdwood property (identified as Tax Map Parcel #07500-00-00-06300), including the "Future Land Use" section and the "Other Areas of Importance" subsection. This Comp Plan Amendment process follows the recent completion of the Birdwood Area B Study, which was formally endorsed by the Planning and Coordination Council (PACC) on September 20, 2018.

(Tim Padalino, Senior Planner)

19. [19-213](#) 19-03(1) – Agricultural and Forestal Districts. Ordinance to amend Division 2, Districts, of Article II, Districts of Statewide Significance, of the Albemarle County Code, to review the Hardware AFD, and to make corrections to the Hardware AFD regulations to identify all those tax map parcels within the district, as specified below:
- a) AFD 2017-02 Hardware AFD – District Review. The proposed ordinance would amend Section 3-218, Hardware Agricultural and Forestal District, to continue the district for all parcels identified in the district regulations, to set the next district review deadline date of March 20, 2024, to identify TMPs 86-16F1 and 86-16F2 as being in the district (these parcels were created by subdivision of another parcel in the district), to identify TMPs 88-3M, 88-3R, 88-3T, 88-3U, 88-3V, 88-6A, 88-20A, 88-20B, 88-20C, 88-20D, 88-20F, 88-23, 88-23E, 88-23F, 88-24, 88-24A, 88-24B, 88-26B, 88-29, 88-40, and 88-42 as being in the district (these parcels were inadvertently omitted from the district in Ordinance 17-03(1), adopted on December 13, 2017), and to remove TMPs 86-14, 86-16E, and 88-26B, as well as any parcels for which a request for withdrawal is received before the Board acts on the proposed ordinance.

The review of the district will be reduced from once every ten years to once every five years, so that the next review of the district after the current review will occur prior to March 20, 2024 (the “next review”).

A condition to continuation of this district is that the Board of Supervisors may modify the district during its next review by removing parcels with no development rights that cannot be further divided to create one or more parcels less than 21 acres in size, but which qualify for open-space use valuation because of their being in the district.

(Scott Clark, Senior Planner)

20. **From the Board: Committee Reports and Matters Not Listed on the Agenda.**
21. **From the County Executive: Report on Matters Not Listed on the Agenda.**
22. **Adjourn to March 28, 2019, 3:00 p.m., Room 241.**

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

- 8.1. [19-205](#) Approval of Minutes: June 6, 2018.
- 8.2. [19-226](#) Adoption of Amended Board Rules of Procedure
Adoption of Amended Board Administrative Policies
(*Greg Kamptner*)

8. FOR INFORMATION (no vote necessary):

- 8.3. [19-216](#) Review of the Personal Wireless Service Facilities Policy.
(*Bill Fritz*)
- 8.4. [19-201](#) Albemarle County 2018 4th Quarter Building Report.
(*Ruth Emerick*)
- 8.5. [19-202](#) Albemarle County 2018 End of Year Building Report.
(*Ruth Emerick*)
- 8.6. [19-203](#) Albemarle County 2018 4th Quarter Certificate of Occupancy Report.
(*Ruth Emerick*)
- 8.7. [19-204](#) Albemarle County 2018 End of Year Certificate of Occupancy Report.
(*Ruth Emerick*)
- 8.8. [19-197](#) VDoT Monthly Report (March) 2019.
(*Joel DeNunzio*)

Thank you for attending today's public hearing. During the 2019 Calendar Year, the Chair is Ned L. Gallaway and the Vice-Chair is Rick Randolph.

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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