



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, August 7, 2019

1:00 PM

Lane Auditorium

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

Action Item:

9. [19-438](#) Proposed 2020 Legislative Priorities.
(Greg Kamptner)

2:30 p.m. - Work Sessions:

10. [19-432](#) Rules for the Public's Use of the County Office Buildings and Their Grounds.
(Greg Kamptner)

3:15 p.m. – Recess.**3:30 p.m. - Work Sessions (continued):**

11. [19-418](#) State Scenic River designation for the James River.
(David Hannah, Natural Resources Manager)

4:00 p.m. - Presentations:

12. [19-429](#) FY17-FY19 Strategic Plan Final Report.
(Kristy Shifflett, Director, Project Management Office)
13. [19-338](#) Charlottesville-Albemarle SPCA (CASPCA) Annual Presentation.
(Angie Gunter, Executive Director, CASPCA)

14. 4:45 p.m. - Closed Meeting.

Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- *Under Subsection (1), to discuss and consider:*
 1. *The annual performance of the Clerk to the Board and the County Attorney;*
 2. *Appointments to the ACE Committee and three County advisory committees; and*
 3. *Candidates for appointment as Director of Community Development; and*
- *Under Subsection (7), to consult with legal counsel and briefings by staff members pertaining to actual litigation between the Board of Supervisors and the Scottsville Volunteer Rescue Squad; and*
- *Under Subsection (8), to consult with and be briefed by legal counsel and staff regarding specific legal matters requiring legal advice relating to a possible zoning violation on industrially zoned land and the application of certain requirements of the State Stormwater Management Act and the Water Protection Ordinance to agricultural lands.*
- *Under Subsection (19), to receive information pertaining to operations, procedures, tactical planning, security plans and measures, and personnel deployments for the weekend of August 9-12, which is the second anniversary of the 2017 Unite the Right event, where discussion in an open meeting would jeopardize the safety of people or the safety of County facilities and buildings.*

Closed meeting motion subject to change

15. Certify Closed Meeting.**16. Boards and Commissions:**

16.1. [19-331](#) Vacancies and Appointments.

(Travis Morris)

6:00 p.m.**17. From the Public: Matters Not Listed for Public Hearing on the Agenda.****Public Hearings:****18.** [19-422](#) FY 2020 Budget Amendment and Appropriations.

(Andy Bowman, Budget Manager)

19. [19-328](#) Ordinance to Update the Address of the Branchlands Precinct Polling Place Location. To receive comments on its intent to adopt an ordinance to amend County Code Chapter 2, Administration, Article I, Elections, by amending Section 2-102, Rio Magisterial District, to update the official address of the Senior Center, the polling place for the Branchlands Precinct, to 491 Hillsdale Drive.

(Jake Washburn, General Registrar)

20. [19-424](#) Ordinance to Amend County Code Chapter 9, Motor Vehicles (School Bus Arm). To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 9, Motor Vehicles and Traffic, Article VIII, Video-Monitoring System, to provide that: i) the system support provided by contracted private entities includes charging and prosecuting violations; ii) a private provider of video-monitoring systems and related support services may obtain records on behalf of the County regarding the registered owners of vehicles captured by a video-monitoring system; iii) only law enforcements officers of the County may authorize the issuance of a civil summons or ticket to violators; iv) personal information collected by the system shall be limited pursuant to Virginia Code § 46.2-208(B)(30); v) a civil summons for a violation may be executed pursuant to Virginia Code § 19.2-76.2 and by mailing a copy to the vehicle owner at the address contained in the records of the Virginia Department of Motor Vehicles to include information and directions regarding rebutting the allegation by filing an affidavit; and vi) civil penalties shall be paid to the County, and to make other minor revisions consistent with Virginia Code § 46.2-844.

(Greg Kamptner)

21. [19-393](#) ZTA 201700001 Homestay (previously Transient Lodging). To receive comments on its intent to adopt of the following ordinance changes to the Albemarle County Code: ZTA 201700001 Homestay (previously Transient Lodging): Amend Section 18-3.1 to remove the definitions of bed and breakfast and tourist lodging and add a definition for homestay; Remove and Retitle Section 18-5.1.17 to Homestays; Retitle Section 18-5.1.48 from Bed and Breakfast to Homestays; Amend Section 18-5.1.48 to clarify that residency on a parcel requires at least 180 days of residency within a calendar year, require homestays to be owner-occupied, require homestay owners to provide the contact information for the owner and other designated agent to abutting property owners, permit an entire residence in the Rural Areas Zoning District to be rented for a maximum of 45 days in a calendar year and a maximum of seven days in any one month during the calendar year; Amend Section 18-10.2.1 to replace the term “bed and breakfast” with the term “homestay”; Amend Sections 18-12.2.1, 18-13.2.1, 18-14.2.1, 18-15.2.1, 18-16.2.1, 18-17.2.1, 18-18.2.1, 18-20A.6 and 18-20B.6 to replace the term “tourist lodgings” with the term “homestays”; Amend Sections 18-19.3.1 and 18-20.3.1 to add homestays as a by-right use; Amend Section 18-4.12.6 to replace the terms “tourist lodging” and “bed and breakfast” with the term “homestay,” require one off-street parking space per guest room in addition to the parking required for a single family dwelling, and exclude homestays from eligibility for parking alternatives; Amend Section 18-35.1(f)(3) to replace the term “tourist lodging” with the term “homestay”.

(Bart Svoboda, Zoning Administrator/Director of Zoning)

22. [19-417](#) Ordinance to Amend County Code Chapter 7, Health and Safety. To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 7, Health and Safety, by adding Article VI, Short-term Rental Registry. The ordinance would establish registration requirements for operators of short-term rentals, as well as penalties for nonregistration and multiple violations.

(Greg Kamptner)

23. [19-431](#) Ordinance to Amend the Albemarle County Fire and Rescue Office of the Fire Marshal Fee Schedule. To receive public comment on its intent to adopt an ordinance to amend the fee schedule of the Albemarle County Fire and Rescue, Office of the Fire Marshal, to add a \$50 fee for homestay inspections, and to adopt the existing fee schedule, as amended, by ordinance.

(Greg Kamptner)

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

- 24.1. [19-379](#) Discussion of the process for subordinate public bodies to formally communicate to the Board; placing matters on the public body's agenda; informing affected parties of the proposed communication.

(Ann Mallek)

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

26. Adjourn to August 21, 2019, 1:00 p.m., Lane Auditorium.

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

- 8.1. [19-293](#) Approval of Minutes: September 5, September 12, and December 5, 2018.
- 8.2. [19-421](#) FY 2019 Appropriations.
(Andy Bowman)
- 8.3. [19-420](#) Proposed Lease for Office Space for the Office of Economic Development at 110 Old Preston Avenue, Charlottesville, VA 22902.
(Michael Freitas)
- 8.4. [19-419](#) Proposed Lease for Office Space for the Finance Department at 400 Preston Avenue, Suite 200, Charlottesville, VA 22902.
(Michael Freitas)
- 8.5. [19-416](#) Request for Authorization for Carr-Greer Farmhouse to be Evaluated for Historic Registers.
(Siri Russell)
- 8.6. [19-428](#) Belvedere Special Exception to modify Section 4.16.3.3 (Recreational Amenity deadline).
(Rebecca Ragsdale)

8. FOR INFORMATION (no vote necessary):

- 8.7. [19-437](#) County Grant Application/Award Report.
(Holly Bittle)
- 8.8. [19-261](#) Capital Projects Status Report - 2nd Quarter 2019.
(Blake Abplanalp)
- 8.9. [19-304](#) Environmental Quarterly Report – 4th Quarter FY 19.
(Greg Harper)
- 8.10. [19-295](#) Board-to-Board, July 2019, a monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors.
(Phil Giaramita)
- 8.11. [19-294](#) VDoT Monthly Report (August) 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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