



Albemarle County

Meeting Agenda Board of Supervisors

*Supervisor, Rio District Ned Gallaway
Supervisor, Rivanna District Bea LaPisto-Kirtley
Supervisor, White Hall District Ann H. Mallek
Supervisor, Jack Jouett District Diantha H. McKeel
Supervisor, Samuel Miller District Liz A. Palmer
Supervisor, Scottsville District Donna P. Price
County Executive, Jeffrey B. Richardson
Clerk, Claudette K. Borgersen*

Wednesday, March 18, 2020

5:00 PM

Lane Auditorium

Regular Second Meeting

1. Call to Order.

2. Closed Meeting.

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

- *Under Subsection (8), to consult with and be briefed by legal counsel regarding specific legal matters requiring legal advice relating to:*
 1. *The continuity of County government during the COVID-19 disaster.*
 2. *The public's access to and use of the County Courthouse Grounds.*
- *Under Subsection (19), to discuss plans related to the safety of persons using the County facilities during the COVID-19 disaster.*

Closed meeting motion subject to change

3. Certify Closed Meeting.

- 3.1. [20-269](#) Resolution Consenting to the County Executive Issuing An Amended Declaration of Local Emergency.

6:00 p.m.

4. Call to Back Order.

5. Pledge of Allegiance.

6. Moment of Silence.

7. Adoption of Final Agenda.**8. Brief Announcements by Board Members.****9. From the Public: Matters Not Listed for Public Hearing on the Agenda.****10. Consent Agenda (on next sheet)****Action Items:**

11. [20-214](#) HS202000005 Homestay Special Exception (Smith).
(Francis MacCall, Principal Planner)
12. [20-213](#) HS202000012 Homestay Special Exception (Pape).
(Francis MacCall)
13. [20-215](#) HS202000003 Homestay Special Exception (Bahn - Hatton Ferry Hideaway).
(Francis MacCall)

Public Hearings:

14. [20-218](#) FY 20 Budget Amendment and Appropriations.
(Andy Bowman, Budget Manager)

15. [20-219](#) Ordinance to Amend Parking Provisions in County Code Chapter 9, Motor Vehicles. To receive comments on its intent to adopt an ordinance to amend Albemarle County Code Chapter 9, Motor Vehicles and Traffic, Section 9-102, General prohibitions, and Section 9-118, Removal or immobilization of vehicles with outstanding parking violations-enforcement of parking regulations; notice of violations; waiver of trial; contesting charges; penalties. The proposed ordinance would prohibit parking or stopping a vehicle within fifteen feet of any mailbox or within 20 feet from the intersection of curb lines, or, if no curb lines, within fifteen feet of the intersection of property lines at any highway intersection as provided in Virginia Code Section 46.2-1200; prohibit commercial and recreational vehicles from being parked on, and storage containers and dumpsters from being placed on, secondary streets in areas zones for residential use in the County; provide definitions for “commercial and recreational vehicles” and “areas zoned for residential use;” impose a \$25.00 fine for the violation of new regulations pertaining to commercial and recreational vehicles, storage containers, and dumpsters described above; increase current fines for other parking violations; and clarify the fine payment process.

(Richard DeLoria, Senior Assistant County Attorney)

16. [20-196](#) SP201900003 Hunters Way Coffee Shop. PROJECT: SP201900003 Hunters Way Coffee Shop MAGISTERIAL DISTRICT: Scottsville TAX MAP/PARCEL: 078000000049A0 LOCATION: 101 Shadwell Heights Rd or 100 Hunters Way, at the intersection of Richmond Rd PROPOSAL: Request approval for a new coffee shop on a 1.46 acre parcel. The proposed coffee shop would be a maximum of 700sf, have no indoor dining area, and may include a drive-thru. PETITION: Restaurant (coffee shop) not served by either public water or an approved central water supply under Section 24.2.2.18 of the Zoning Ordinance. No dwelling units proposed. ZONING: HC Highway Commercial – commercial and service; residential by special use permit (15 units/ acre) OVERLAY DISTRICT: Entrance corridor PROFFERS: No 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). POTENTIALLY IN MONTICELLO VIEWSHED: Yes.

(Mariah Gleason, Planner)

17. [20-224](#) Ordinance to Amend County Code Chapter 7, Health and Safety. To receive comments on its intent to adopt an ordinance to amend Albemarle County Code Chapter 7, Health and Safety, by reorganizing and rewriting the chapter, making violations of Article 1, Noise, with the exception of violations related to construction, demolition, or maintenance activities, punishable as class 3 misdemeanors, designating the Director of the Department of Community Development as the agent for naming roads and numbering structures, and updating the definitions in Article 4, Radioactive Materials, to conform to Virginia Code Section 32.1-227. The subject matter of Chapter 7 is composed of: Article 1, Noise; Article 2, Naming Roads and Numbering Properties; Article 3, Smoking; Article 4, Radioactive Materials (Div. 1, Purpose and Definitions, Div. 2, Disposal and Storage); Article 5, Nuisances (Div. 1, Uncontrolled Vegetation, Div. 2, Stagnant Water, Div. 3, Penalties); and Article 6, Short-Term Rental Registry.

(Greg Kamptner)

18. **From the Board: Committee Reports and Matters Not Listed on the Agenda.**
19. **From the County Executive: Report on Matters Not Listed on the Agenda.**
20. **Adjourn to April 1, 2020, 1:00 p.m., Lane Auditorium.**

CONSENT AGENDA**10. FOR APPROVAL (by recorded vote):**

- 10.1. [20-237](#) Approval of Minutes: September 17, 2019.
- 10.2. [20-222](#) Procurement of a Construction Management Contract for Courts Complex Project
(Blake Abplanalp)
- 10.3. [20-212](#) Authorization to Schedule Public Hearing for Ordinance to Amend County Code Chapter 5, Building Regulations, Article 2, Fees.
(Francis MacCall)
- 10.4. [20-221](#) B201903268ATWR Special Exception for Proposed Antenna Array at an Existing Wireless Facility (529 Woodchuck Lane)
(Rebecca Ragsdale)

10. FOR INFORMATION (no vote necessary):

- 10.5. [20-207](#) Report on Cash Proffer Revenue and Expenditures July 2018-July 2019
(Rebecca Ragsdale)
- 10.6. [20-236](#) 1st Quarter CY2020 Facilities and Environmental Services Report.
(Lance Stewart)

Thank you for attending today's public hearing. During the 2020 Calendar Year, the Chair is Ned L. Gallaway and the Vice-Chair is Donna P. Price.

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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