



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, December 16, 2020

1:00 PM

Electronic Meeting

Regular Second Meeting

This meeting is being held pursuant to and in compliance with Ordinance No. 20-A(16), An Ordinance to Ensure the Continuity of Government During the COVID-19 Disaster. The opportunities for the public to access and participate in the electronic meeting are posted on the Albemarle County website on the Board of Supervisors' home page and on the Albemarle County calendar. Participation will include the opportunity to comment on those matters for which comments from the public will be received.

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 or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.
8. Consent Agenda (on next sheet)

1:40 p.m. - Work Sessions:

9. [20-581](#) Options to Address Blight and Building Maintenance.

(Michael Dellinger, Building Official / Andy Herrick, Deputy County Attorney)

2:40 p.m. - Recess.

3:00 p.m. - Work Sessions (continued):

10. [20-591](#) Work Session on Rio29 Form-Based Code.

(Rachel Falkenstein, Principal Planner)

4:00 p.m. - Presentations:

11. [20-590](#) Thomas Jefferson Health District COVID-19 Update.

(Ryan McKay, Senior Policy Analyst, TJHD)

4:30 p.m. - Action Item:

12. [20-571](#) Emergency Ordinance to Amend Emergency Ordinance No. 20-E(7), An Ordinance to Prevent the Spread of the Novel Coronavirus, SARS-CoV-2, and the Disease it Causes, Commonly Referred to as COVID-19.

(Greg Kamptner)

13. 4:45 p.m. - Closed Meeting.

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

- *Under Subsection (3), to discuss or consider the acquisition of property for the County's public trail system in the Scottsville Magisterial District.*
- *Under Subsection (7), to consult with legal counsel and briefings by staff members pertaining to actual litigation involving a Virginia corporation and two zoning decisions where consultation or briefing in an open meeting would adversely affect the litigating posture of the County and the Board; and*
- *Under Subsection (8), to consult with and be briefed by legal counsel requiring the provision of legal advice by counsel regarding new enabling authority regarding firearms, volunteer emergency medical service providers in the County, a zoning decision, a zoning overlay district, and a mixed-use development.*

Closed meeting motion subject to change

14. **Certify Closed Meeting.**

6:00 p.m.

15. From the Public: Matters Not Listed for Public Hearing on the Agenda or on Matters Previously Considered by the Board or Matters that are Pending Before the Board.**Presentation:**

16. [20-570](#) 2020 Year in Review.

(Emily Kilroy, Director, Communications and Public Engagement)

Public Hearings:

17. [20-577](#) 20-03(1) – Agricultural and Forestal Districts. Ordinance to amend County Code Chapter 3, Agricultural and Forestal Districts, Article 2, Districts of Statewide Significance, Division 2, Districts, to review certain districts, and to make corrections to certain district regulations to identify all those tax map parcels within the districts, as specified below:
- a) AFD 2020-01 Batesville AFD – District Review. The proposed ordinance would amend Section 3-207, Batesville 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 December 16, 2025, to identify TMP 70-40 as no longer being in the district (this parcel was removed from the district by the former owners' heirs), to identify TMP 85-3A1 as being in the district (this parcel was created by the division of another parcel in the district), and to remove TMP 85-17B, 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 December 16, 2025; and
 - b) AFD 2020-02 High Mowing AFD – District Review. The proposed ordinance would amend Section 3-220, High Mowing 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 December 16, 2030, and to remove any parcels for which a request for withdrawal is received before the Board acts on the proposed ordinance.

(Scott Clark, Senior Planner)

18. [20-576](#) ZTA202000003 Outdoor Storage and Outdoor Activities at Recycling Uses in Industrial Zoning Districts. To receive public comments on its intent to adopt an ordinance: (i) to amend Albemarle County Code § 18-5.1.51 (Outdoor activities in industrial districts) to permit special exceptions to that section only after notice to abutting property owners; and (ii) to amend Albemarle County Code § 18-5.1.52 (Outdoor storage in industrial districts) (a) to require outdoor storage areas in industrial districts be fully screened by a planting strip, existing vegetation, berm, a solid wall or fence, or a combination thereof; (b) to permit the outdoor storage of inert materials at a recycling collection or recycling processing center provided that the materials are stored no closer than 100 feet to any abutting agricultural or residential lot line and that a vegetative buffer is maintained within the required 100-foot setback; and (c) to permit special exceptions to that section only after notice to abutting property owners; and (d) to make technical changes.

(Rebecca Ragsdale, Principal Planner)

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

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

21. Adjourn to January 6, 2021, 1:00 p.m., electronic meeting pursuant to Ordinance No. 20-A(16).

CONSENT AGENDA

8. FOR APPROVAL (by recorded vote):

8.1. [20-583](#) FY 2021 Appropriations.

(Andy Bowman)

8.2. [20-580](#) Anti-displacement and Tenant Relocation Policy Implementation Guidelines.

(Stacy Pethia)

8.3. [20-563](#) County Support of Thomas Jefferson Foundation's Grant Proposal for Proposed property Acquisition in Support of the Planned Rivanna River Greenway.

(Bob Crickenberger)

8. FOR INFORMATION (no vote necessary):

8.4. [20-564](#) County Grant Application/Award Report, Including CARES Funding.

(Kristy Shifflett / Heather Taylor)

8.5. [20-507](#) VDoT Monthly Report (December) 2020.

(Carrie Shepherd)

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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