



# 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*

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Wednesday, December 1, 2021

1:00 PM

Electronic Meeting

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### Regular First 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. Proclamations and 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. [21-522](#) Stream Health Initiative Phase II.  
*(Kimberly Biasioli, Natural Resources Manager)*
10. [21-523](#) Work Session to Discuss Blighted Properties and Property Maintenance.  
*(Amelia McCulley, Deputy Director, Community Development)*

**3:40 p.m. - Recess.**

**3:50 p.m. - Presentations:**

11. [21-553](#) Board-to-Board, November 2021, a monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors.  
*(Graham Paige, Chair, School Board)*
12. [21-530](#) Fiscal Year 2022 Mid-year Revenue Update and Recommended Allocation.  
*(Jeff Richardson)*

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

**14. 5:00 p.m. - Closed Meeting.**

**15. Certify Closed Meeting.**

**16. Boards and Commissions:**

- 16.1. [21-529](#) Vacancies and Appointments.  
*(Travis Morris)*

**6:00 p.m.**

**17. 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.**

**Public Hearings:**

18. [21-542](#) An Ordinance to Approve County Police and Fire Rescue Sworn and Uniformed Employee Bonuses. To receive public comment on its intent to adopt an ordinance to authorize the payment of monetary bonuses to eligible public safety employees of Albemarle County pursuant to Virginia Code § 15.2-1508. The ordinance would authorize a one-time payment of \$3,000.00 to eligible full-time and part-time regular employees of the Albemarle County Police Department and the Albemarle County Department of Fire Rescue who were active employees as of December 1, 2021 and who fill a total position of 0.7 full time equivalent and above, and a sign-on payment of \$3,000.00 to all sworn or uniformed full-time and part-time regular employees of the Albemarle County Police Department and the Albemarle County Department of Fire Rescue who have a hire date between December 1, 2021 and November 30, 2022, and who fill a total position of 0.7 full time equivalent and above.

*(Mia Coltrane, Director, Human Resources – Local Government)*

19. [21-543](#) Fiscal Year 2022 Budget Amendment and Appropriations.

*(Andy Bowman, Chief of Budget Division)*

20. [21-518](#) An Ordinance to Amend County Code Chapter 15, Taxation. To receive public comment on its intent to adopt an ordinance to amend County Code Chapter 15, Taxation. The proposed ordinance would amend Article 9, Transient Occupancy Tax (§§ 15-900 Definitions, 15-901 Transient occupancy tax imposed; amount, 15-902 Collecting and remitting the tax; reports, 15-903 Preserving records, and 15-905 Enforcement; duty of Director of Finance), to provide that the retail sales and use tax and transient occupancy taxes on accommodations may be collected and remitted by an accommodations intermediary, instead of only by the accommodations provider, pursuant to Va. Code §§ 58.1-3818.8, 58.1-3819, and 58.1-3826.

*(Jian Lin, Chief of Revenue Administration)*

**21.**     [21-541](#)

Agricultural and Forestal Districts (AFDs). 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 add lands to certain districts, as specified below:

- a) AFD 2021-06 Glen Oaks District AFD – District Review. The proposed ordinance would amend Section 3-216, Glen Oaks 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 1, 2026, and to remove any parcels in the district 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 1, 2026; and
- b) AFD 2021-07 Free Union AFD – Addition. The proposed ordinance would amend Section 3-215, Free Union Agricultural and Forestal District, to add TMP 7-26B to the district; and
- c) AFD 2021-08 Blue Run AFD – Addition. The proposed ordinance would amend Section 3-208, Blue Run Agricultural and Forestal District, to add TMPs 22-12, 22-16, and 34-51 to the district.

*(Scott Clark, Senior Planner)*

22. [21-524](#) ZTA202100002 Special Exception Procedures. This proposed ordinance would amend certain sections of County Code Chapter 18 (Zoning). To the extent that the following County Code sections identify the Albemarle County Planning Commission and certain administrative agents as responsible for considering and acting on requests for zoning waivers, modifications, variations, and substitutions, the proposed ordinance would amend each of these sections by substituting the Albemarle County Board of Supervisors for the Commission and those agents (respectively), in order to clarify and confirm that the Board is to consider and act on zoning special exceptions, consistent with applicable case law: § 18-4.2 (Critical slopes); § 18-4.2.2 (Building site area and dimensions); § 18-4.2.5 (Modification or waiver); § 18-4.6.6 (Lot access requirements); § 18-4.10.2.1; § 18-4.10.3.1 (Exceptions—Excluded from application); § 18-4.10.3.2 (Exceptions—Limited); § 18-4.12.2 (Applicability); § 18-4.12.13 (Loading areas); § 18-4.12.15 (Minimum design requirements and improvements for parking areas); § 18-4.12.16 (Minimum design requirements and improvements for parking spaces within parking areas or parking bays); § 18-4.12.17 (Minimum design requirements and improvements for vehicle access aisles); § 18-4.17.5 (Modification or waiver); § 18-4.18.07 (Modification or waiver); § 18-5.1 (Supplementary regulations); § 18-5.1.24 (Subordinate retail sales); § 18-5.1.44 (Farm worker housing); § 18-5.2A (Home occupations in the rural areas zoning district); § 18-8.5.5.3 (Variations from approved plans, codes, and standards of developments); § 18-20B.3 (Area and bulk regulations); § 18-20B.7 (Sidewalks and street trees). In addition, the proposed ordinance would repeal County Code § 18-2.5 (Procedures for administrative waivers), and update other outdated references and provisions.

*(Rebecca Ragsdale, Principal Planner)*

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

**24. Adjourn to December 15, 2021, 1:00 p.m., electronic meeting pursuant to Ordinance No. 20-A(16).**

**CONSENT AGENDA**

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

8.1. [21-520](#) 2021 Redistricting.

*(Greg Kamptner)*

8.2. [21-526](#) Partial Release of Liability Related to the Loss of Use of a Damaged County-Owned Fire Engine.

*(David Puckett)*

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

8.3. [21-550](#) Community Development Department Work Program - Mid Year Update.

*(Jodie Filardo)*

Thank you for attending today's public hearing. During the 2021 Calendar Year, the Chair is Ned L. Gallaway and the Vice-Chair is Donna P. Price.

During the time set aside for "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" ("From the Public"), individuals may address the Board of Supervisors concerning matters previously considered by the Board or matters that are pending before the Board. Please visit the Participation Guide for Public Meetings on the Albemarle County Board of Supervisors webpage for instructions on how to join the virtual 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. 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.

Albemarle County residents may sign up online in advance of the meeting to speak during Public Hearings and "From the Public" at <https://albemarle.legistar.com/Calendar.aspx> and clicking on eComment for the select meeting. To create an account, click on the sign-up link at the top right corner of the eComment webpage. Residents who are unable to sign up in advance of the meeting may do so during the meeting through the webinar chat, provided there are remaining slots available. If you require assistance, please contact the clerk's office at [clerk@albemarle.org](mailto:clerk@albemarle.org) or call 434-296-5843.

Up to 10 persons may speak during each "From the Public" session. The 10 speakers are determined on a first-come, first-served basis, with those persons signing up to speak before the meeting having priority. Each speaker may speak for up to three minutes and at only one "From the Public" session at each meeting. The speaker may include a visual or audio presentation, provided that the presentation is received by the Clerk at least 48 hours before the "From the Public" session at which the speaker plans to speak.

Time keeping is conducted by the Clerk. In order to give all speakers equal treatment and courtesy, the Board requests that speakers adhere to the following guidelines:

- When called on to speak, state your name and magisterial district
- Address comments directly to the Board as a whole
- If you have written statements, e-mail them to the Clerk at [clerk@albemarle.org](mailto:clerk@albemarle.org)
- 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
- Back and forth debate is prohibited

**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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