

# COUNTY OF ALBEMARLE

## TRANSMITTAL TO THE BOARD OF SUPERVISORS

### SUMMARY OF PLANNING COMMISSION ACTION

<b>AGENDA TITLE:</b> CPA 2016-01 Repeal of Cash Proffer Policy	<b>AGENDA DATE:</b> June 8, 2016
<b>SUBJECT/PROPOSAL/REQUEST:</b> Repeal of Cash Proffer Policy	<b>STAFF CONTACT(S):</b> Bill Fritz, Greg Kamptner
	<b>PRESENTER (S):</b> Bill Fritz

#### BACKGROUND:

The attached May 10, 2016 Planning Commission ("PC") staff report (Attachment A) explains that Senate Bill 549, which will be codified as Virginia Code § 15.2-2303.4 effective July 1, 2016, changes the law pertaining to proffers addressing impacts resulting from rezonings approving new residential developments (see Legislation Memorandum, Attachment D). Because the County's current Cash Proffer Policy, which is included in the Comprehensive Plan as Appendix A.3.3, will be inconsistent with this new legislation, a Comprehensive Plan Amendment is necessary to repeal the County's Cash Proffer Policy.

On May 10, 2016, the PC unanimously recommended repealing the Cash Proffer Policy. The PC discussion was limited due to the fact that the Cash Proffer Policy must be repealed due to the new legislation.

#### DISCUSSION:

The County may still collect cash proffers based on the impacts of the development. However, these impacts must be addressed on a case by case basis and will vary from project to project.

See the PC staff report for information regarding staff's anticipated budget impact to the County resulting from the repeal of the Cash Proffer Policy.

The PC, during its May 10, 2016 discussion, commented that it may be appropriate to consider comprehensive rezoning to align zoning with the designation of the Comprehensive Plan, as was done in Crozet.

#### RECOMMENDATIONS:

Staff and the Planning Commission recommend that the Board adopt the attached Resolution (Attachment C) to amend the Comprehensive Plan by repealing the Cash Proffer Policy.

#### ATTACHMENTS:

Attachment A – Staff report presented to the Planning Commission on May 10, 2016  
Attachment B – Planning Commission Action Letter  
Attachment C – Resolution to repeal the Cash Proffer Policy.  
Attachment D – Legislation Memorandum  
Attachment E – May 10, 2016 Planning Commission Minutes