

COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD201700001 Free Union Addition - Shepherd	Staff: Scott Clark, Senior Planner
Agricultural and Forestal District Advisory Committee Meeting: October 24, 2017	
Planning Commission Public Hearing: November 14, 2017	Board of Supervisors Public Hearing: December 13, 2017

PROPOSAL

The Albemarle County Code currently contains this description of the Free Union District:

Sec. 3-213 Free Union Agricultural and Forestal District.

The district known as the "Free Union Agricultural and Forestal District" consists of the following described properties: Tax map 7, parcels 6, 7, 8A, 9, 9A, 9B, 9B1, 9C, 33; tax map 16, parcels 4B, 4C, 13A, 13D, 15A, 15A3, 15C, 15E, 15G, 16B, 17, 26, 30B, 36, 37, 52B1, 52B2, 54; tax map 17, parcels 8B, 8C, 17C, 18H, 20A2, 22, tax map 29, parcels 1D, 1H (part), 31A. This district, created on September 21, 1988 for not more than 10 years and last reviewed on October 8, 2008, shall be next reviewed prior to October 8, 2018.

The District is located in is located in the northwestern portion of the County, east of Fox Mountain. It was created in September, 1988, and included 1,546 acres. It now includes 35 parcels and 1,437 acres.

AFD201700001 Free Union Addition – Shepherd This proposal would add two parcels to the District (see Attachment A).

Requested Additions			
Parcel	Acres	Acres of Important Soils	Development Potential
16-3	3.6	25.35	1 development right (used by the existing dwelling)
16-3D	21.75		Four development-right lots

Please note that while the property is currently divided into two parcels, the landowners intend to re-combine it into one parcel. Staff has discussed this with the County Attorney's office and verified that the restrictions of the District will not prevent this recombination.

The property is almost entirely wooded, and includes one dwelling.

ANALYSIS OF THE ADDITION REQUEST

Section 3-201(F) of the County Code states that the Agricultural-Forestal Districts Committee and the Planning Commission shall apply the following criteria in their respective reviews of each application:

The agricultural and forestal significance of land within the district or addition and in areas adjacent thereto; in judging the agricultural and forestal significance of land, any relevant agricultural or forestal maps may be considered, as well as soil, climate, topography, other natural factors, markets for agricultural and forestal products, the extent and nature of farm structures, the present status of agriculture

and forestry, anticipated trends in agricultural economic conditions and such other factors as may be relevant.

The entire property has soils rated highly for production of hardwood trees in the Comprehensive Plan, and nearly the entire property is currently wooded.

The presence of any significant agricultural lands or significant forestal lands within the district and in areas adjacent thereto that are not now in active agricultural or forestal production, considering the maps, factors, markets, and other information described in subsection (F)(1);

The proposed addition and the majority of the surrounding area, both in and out of the Free Union District, is mostly forested, with more open agricultural land to the east and south.

The nature and extent of land uses other than active farming or forestry within the district and in areas adjacent thereto;

The primary non-agricultural, non-forestry uses in this area are residential uses.

Local development patterns and needs;

The area is rural, with a mix of large farm and forest parcels and smaller residential parcels. Comprehensive Plan policies call for protection of rural land uses and natural resources.

The comprehensive plan and the applicable zoning regulations;

The District is entirely designated as Rural Areas in the Comprehensive Plan, and the parcels included in the District are zoned RA Rural Areas. As the property proposed for addition shares the same designations, its inclusion in a conservation program is appropriate under the Comprehensive Plan.

The environmental benefits of retaining the lands in the district for agricultural and forestal uses;

Protecting and preserving this land in an Agricultural and Forestal District will help protect forest and productive farm land, which the Comprehensive Plan and Rural Areas Zoning Ordinances seek to preserve. Conservation of this area will help maintain the environmental integrity of the County and aid in the protection of ground and surface water, agricultural soils, and wildlife habitat.

Whether any parcel has one or more development rights that would allow the creation of one or more parcels less than twenty-one (21) acres in size; in considering whether to include any parcel in a district, the policy of the county is to not include any parcel determined to have no development rights and cannot be further divided to create one or more parcels less than twenty-one (21) acres in size; and

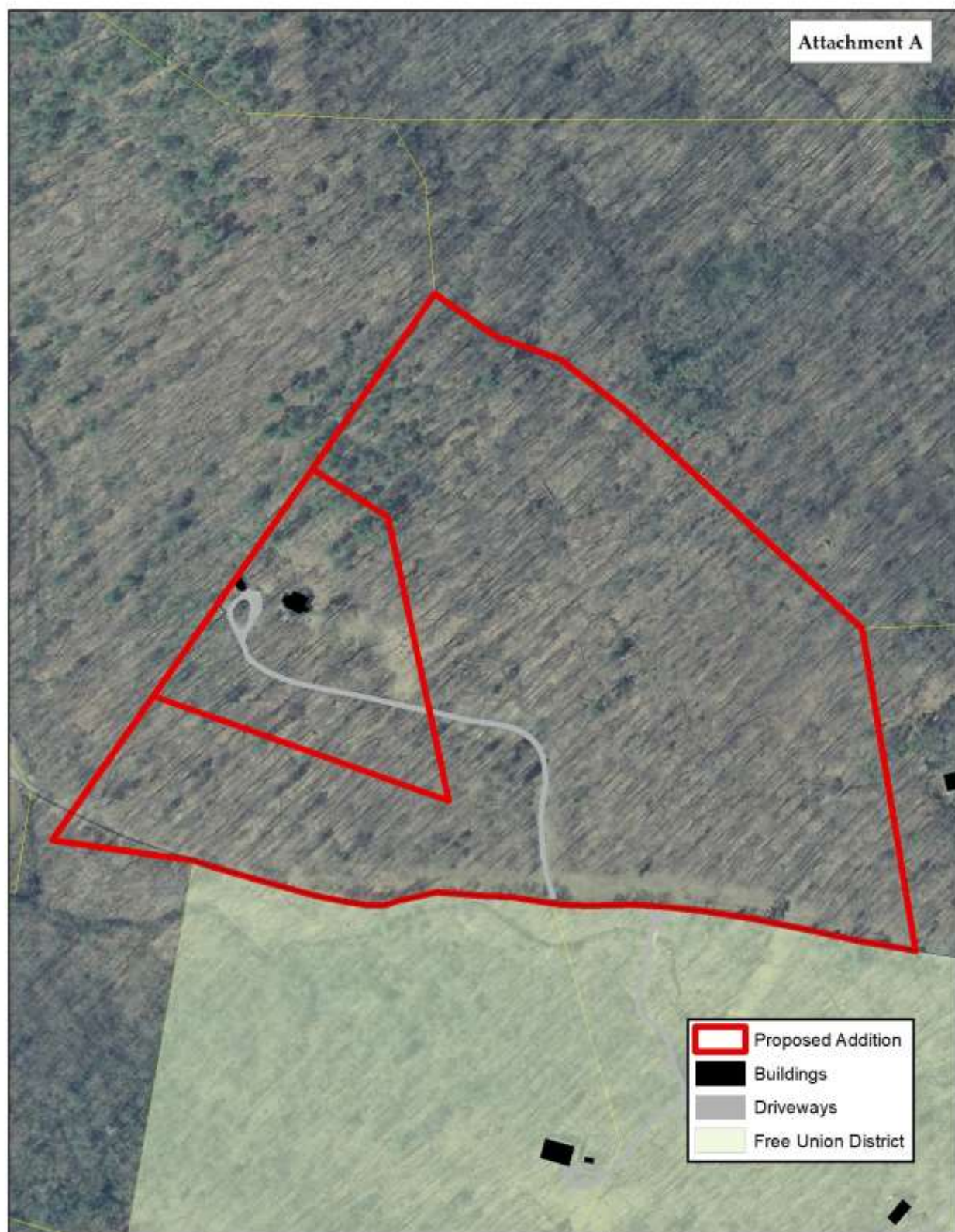
The property has four unused rights for lots under 21 acres in size. Therefore it would be appropriate to include it in the District under this policy.

Any other matter which may be relevant

Staff has found no other relevant matters.

RECOMMENDATION

At their meeting on October 24, 2017 the Agricultural-Forestal Districts Advisory Committee unanimously voted to recommend approval of this addition request.



AFD201700001 Free Union Addition - Shepherd

COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD201700004 Ivy Creek Addition – Winn	Staff: Scott Clark, Senior Planner
Agricultural and Forestal District Advisory Committee Meeting: October 24, 2017	
Planning Commission Public Hearing: November 14, 2017	Board of Supervisors Public Hearing: December 13, 2017

PROPOSAL

The Albemarle County Code currently contains this description of the Ivy Creek District:

Sec. 3-217 Ivy Creek Agricultural and Forestal District.

The district known as the “Ivy Creek Agricultural and Forestal District” consists of the following described properties: Tax map 44, parcels 19, 19A, 19B, 20, 20A, 20B, 20C, 20D, 20E, 20F, 20G, 21A1, 21A2, 21C(part); tax map 45, parcels 5F, 5F4. This district, created on November 2, 1988 for not more than 7 years, since amended at its last review on December 4, 2013 to continue for not more than 10 years, shall next be reviewed prior to December 4, 2023.

The District is located along Woodlands Road, to the west of the South Fork Rivanna Reservoir. It was created in November, 1988 and included 315 acres. It now includes 16 parcels and 244 acres.

AFD201700004 Ivy Creek Addition – Winn This proposal would add 2 parcels to the District (see Attachment A).

Requested Additions			
Parcel	Acres	Acres of Important Soils	Development Potential
44-18	7.65	7.65	3 development-right lots
44-21A3	4.23	4.23	2 development-right lots

Parcel 18 is half open and half wooded, and includes one dwelling. Parcel 21A3 is entirely open, and has no dwellings. Both parcels would be unusually small as individual District additions. However, they are contiguous to and included in the applicants’ existing farm, which already has five parcels and 129 acres in the District.

ANALYSIS OF THE ADDITION REQUEST

Section 3-201(F) of the County Code states that the Agricultural-Forestal Districts Committee and the Planning Commission shall apply the following criteria in their respective reviews of each application:

The agricultural and forestal significance of land within the district or addition and in areas adjacent thereto; in judging the agricultural and forestal significance of land, any relevant agricultural or forestal maps may be considered, as well as soil, climate, topography, other natural factors, markets for agricultural and forestal products, the extent and nature of farm structures, the present status of agriculture and forestry, anticipated trends in agricultural economic conditions and such other factors as may be relevant.

The entirety of parcel 18 has soils designated as Prime, Locally Important, or Unique (orchard and vineyard soils) in the Comprehensive Plan. The entirety of parcel 21A3 has soils designated as Prime or Locally Important.

The presence of any significant agricultural lands or significant forestal lands within the district and in areas adjacent thereto that are not now in active agricultural or forestal production, considering the maps, factors, markets, and other information described in subsection (F)(1);

The District and the surrounding land are mostly in open or wooded land, but there are a significant number of residential lots in the area.

The nature and extent of land uses other than active farming or forestry within the district and in areas adjacent thereto;

The area surrounding the District has seen significant conversion of rural land to residential uses. The Districts in this area help to protect rural land-use patterns.

Local development patterns and needs;

The area is a developed rural area, with both farm and forest parcels and smaller residential parcels. The Comprehensive Plan policies calls for protection of rural land uses and natural resources.

The comprehensive plan and the applicable zoning regulations;

The District is entirely designated as Rural Areas in the Comprehensive Plan, and the parcels included in the District are zoned RA Rural Areas. As the property proposed for addition shares the same designations, its inclusion in a conservation program is appropriate under the Comprehensive Plan.

The environmental benefits of retaining the lands in the district for agricultural and forestal uses;

Protecting and preserving this land in an Agricultural and Forestal District will help protect forest and productive farm land, which the Comprehensive Plan and Rural Areas Zoning Ordinances seek to preserve. Conservation of this area will help maintain the environmental integrity of the County and aid in the protection of ground and surface water and agricultural soils, and wildlife habitat.

Whether any parcel has one or more development rights that would allow the creation of one or more parcels less than twenty-one (21) acres in size; in considering whether to include any parcel in a district, the policy of the county is to not include any parcel determined to have no development rights and cannot be further divided to create one or more parcels less than twenty-one (21) acres in size; and

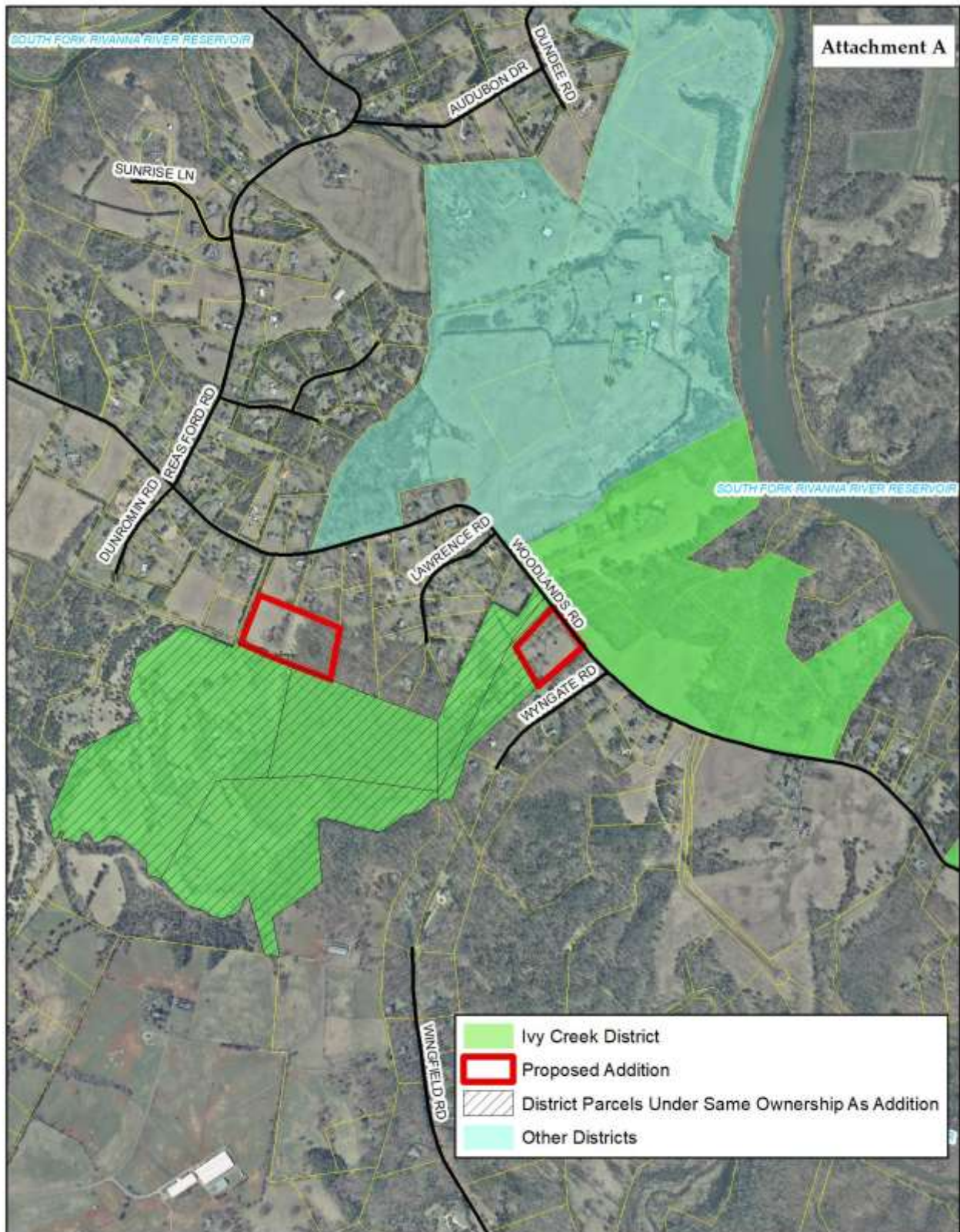
Both parcels have small-lot development potential. Although they are smaller than most District parcels, their development potential and the fact that they are contiguous to the owners' existing farm in the District make it appropriate to add them under this policy.

Any other matter which may be relevant

Staff found no other relevant matters.

RECOMMENDATION

At their meeting on October 24, 2017 the Agricultural-Forestal Districts Advisory Committee voted unanimously to recommend approval of this addition request.



AFD201700004 Ivy Creek Addition - Winn