

**COUNTY OF ALBEMARLE**  
**TRANSMITTAL TO THE BOARD OF SUPERVISORS**  
**SUMMARY OF PLANNING COMMISSION ACTION**

<b>AGENDA TITLE:</b> ZMA201700007 Hogwaller Farm	<b>AGENDA DATE:</b> September 12, 2018
<b>SUBJECT/PROPOSAL/REQUEST:</b> Rezone 7.52-acre parcel from Light Industrial (LI) which allows industrial, office, and limited commercial uses (no residential uses), to Rural Areas (RA) which allows agricultural, forestal, and fishery uses as well as residential uses.	<b>STAFF CONTACT(S):</b> Kamptner, Pohl, Benish, Padalino
<b>SCHOOL DISTRICTS:</b> Cale – Elementary; Walton – Middle; and Monticello – High	<b>PRESENTER(S):</b> Tim Padalino

**BACKGROUND:**

At the August 1, 2018 Board meeting, a public hearing was conducted on ZMA201700007 Hogwaller Farm. The staff report for that meeting included a recommendation for approval, and the Board voted to adopt Ordinance 18-A(5) to approve ZMA201700007. However, the County Attorney's Office has since concluded that another public hearing and Board action is required because the proffers were amended after the August 1 public hearing was closed. Due to the length of the August 1, 2018 staff report and attachments, it is not included with this Transmittal Summary, but may be found with the Board's August 1, 2018 meeting materials.

**DISCUSSION:**

The applicant has submitted revised proffers (Attachment A), which include all of the proffers the Board previously considered during the August 1 public hearing, as well as an additional proffer (#5) to establish a maximum limit of six hundred (600) square feet (aggregate total) for any structure(s) within the Flood Hazard Overlay District. This additional proffer formalizes the verbal commitment which was discussed and found to be acceptable at the August 1 Board meeting.

Please note the revised proffers do not include a commitment to specify gravel as the parking lot surface material. Although the applicant's intent is for the parking lot to be gravel, the applicant has expressed reluctance to have this material specification become a legislative requirement established through this ZMA petition. After extensive coordination with Frank Pohl, County Engineer and Floodplain Administrator, staff is in agreement with the applicant that the appropriate method and time to address the issue of parking lot materials is during the detailed review of the Floodplain Development Permit application, which is required for improvements within the Flood Hazard Overlay District. The Floodplain Development Permit application and review process would include project-specific and property-specific details that are necessary in order for the Floodplain Administrator to make an informed decision about the design and material specification(s) of proposed improvements.

**RECOMMENDATIONS:**

Staff recommends that the Board adopt the attached Ordinance (Attachment B) to approve ZMA201700007 with proffers.

**ATTACHMENTS:**

Attach. A – Revised Proffer Statement (signed and dated 8/20/2018) with proffered Conceptual Plan (dated 6/27/2018)  
Attach. B – Ordinance to Approve ZMA201700007