

COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD2020-00002 High Mowing District Review	Staff: Scott Clark
Agricultural and Forestal District Advisory Committee Meeting: September 23, 2020	
Planning Commission Public Hearing: November 10, 2020	Board of Supervisors Public Hearing: December 16, 2020
Proposal: Periodic review of the High Mowing AF District.	Comprehensive Plan Designation: Rural Areas

Periodic Review of Agricultural and Forestal Districts

As established in the Code of Virginia, a district may continue indefinitely, but it must be reviewed by the County not more than every 10 years to determine whether the district should be continued. Before being considered by the Board of Supervisors, a district is reviewed by the County's Agricultural and Forestal District Advisory Committee and the Planning Commission. Both the Advisory Committee and the Planning Commission provide recommendations to the Board as to whether the district should be terminated, modified or continued.

Once it has received the recommendations of the Advisory Committee and the Planning Commission, the Board conducts a public hearing. After the public hearing, the Board may terminate, modify or continue the district. If the Board continues the district, it may impose conditions on the district different from those imposed on the district when it was created or last reviewed. Landowners within a district receive notice of this process, including notice of any proposed different conditions.

When a district is reviewed, land within the district may be withdrawn at the owner's discretion by filing a written notice with the Board at any time before the Board acts to continue, modify, or terminate the district.

New Policy for District Reviews

In November, 2018, the Board directed staff to implement a plan to:

- Renew Districts for a five-year period, rather than for 10 years (one time).
- Notify landowners of parcels in reviewed districts that are enrolled in open-space use valuation but that have no development rights that:
 - Their parcels may be removed at the end of the five-year review period; and that
 - They have the option to withdraw from the open-space use valuation now to avoid roll-back taxation and fees when the parcels are removed

Therefore, staff will recommend 5-year renewal periods for districts that include parcels that are enrolled in open-space use valuation and that have no development rights.

For districts with no such parcels, staff will continue to recommend the standard 10-year review period for districts.

AFD 2019-00009 HIGH MOWING DISTRICT REVIEW

The Albemarle County Code currently contains this description of the High Mowing District:

Sec. 3-220 - High Mowing Agricultural and Forestal District.

The district known as the "High Mowing Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on January 16, 1991.

B. Lands within the district. The district is composed of the following described lands, identified by parcel identification number:

1. Tax map 84: parcel 69A.

2. Tax map 85: parcels 39, 39H, 41A, 41A1.

C. Review. The district is reviewed once every ten years and will next be reviewed prior to December 1, 2020.

The District is located south of Batesville (see Attachment A), and includes 445.8 acres. No withdrawal requests have yet been received.

Agricultural and Forestal District Significance: Of the 445.8 acres in the High Mowing District, 403.9 acres have soils listed as particularly important for agriculture in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the High Mowing District includes approximately three dwellings. (This count includes all addressable structures in the District, and so may include any barns or other large structures with addresses.)

Local Development Patterns: The District consists of forest, orchard, and open land. There are two parcels in the District, totaling 236.6 acres, that are under conservation easements. The remaining 209.2 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, horticultural, or open-space use.

Comprehensive Plan Designation and Zoning Districts: The District is entirely designated as Rural Areas in the Comprehensive Plan, and the parcels included in the District are zoned RA Rural Areas.

Environmental Benefits: Conservation of this area will help maintain the environmental integrity of the County and aids in the protection of ground and surface water, agricultural soils, mountain resources, critical slopes, and wildlife habitat.

Withdrawal: Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on September 11, 2020.

Appropriate Review Period: The District includes one parcel that is in the Open Space tax category.

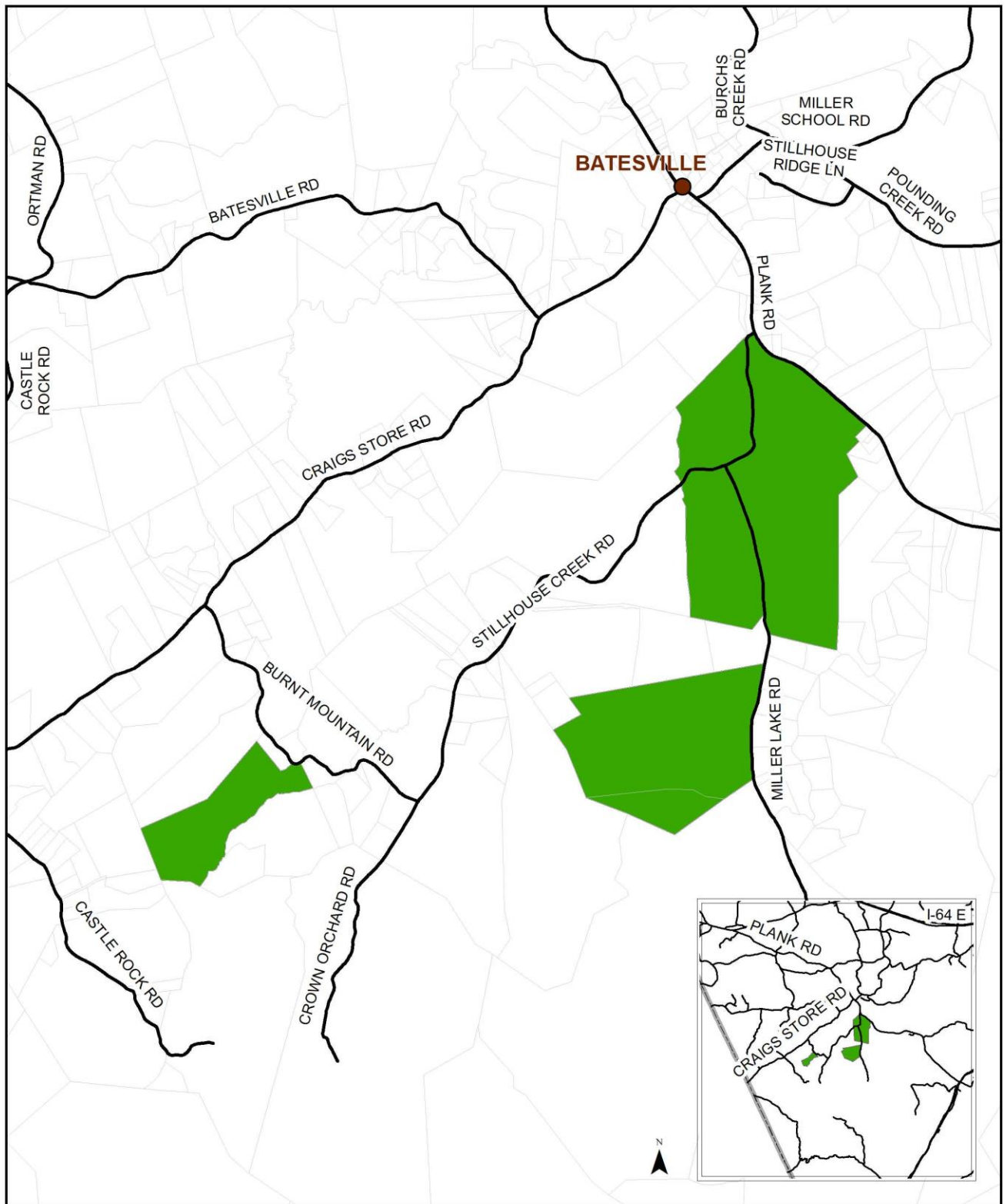
Parcel	Acreage	Tax Category	Development Rights
08400000069A0	63.195	Open Space	5

This parcel has five development rights. Therefore the appropriate review period for this district is ten years.

Recommendation: At their meeting on September 23rd, 2020, the Agricultural-Forestal Districts Advisory Committee unanimously recommended renewal of the High Mowing District for another 10-year period.

Attachments:

- A. Batesville AF District Map
- B. Planning Commission Nov. 10, 2020 Action Letter
- C. Planning Commission Nov. 10, 2020 Minutes



AFD202000002 High Mowing AFD Review

