

A regular meeting of the Board of Supervisors of Albemarle County, Virginia, was held on February 3, 2021 at 1:01 p.m. This meeting was held by electronic communication means using Zoom and a telephonic connection due to the COVID-19 state of emergency.

PRESENT: Mr. Ned Gallaway, Ms. Beatrice (Bea) J. S. LaPisto-Kirtley, Ms. Ann H. Mallek, Ms. Diantha H. McKeel, Ms. Liz A. Palmer, and Ms. Donna P. Price.

ABSENT: None.

OFFICERS PRESENT: County Executive, Jeffrey B. Richardson; Deputy County Executive, Doug Walker; County Attorney, Greg Kamptner; Clerk, Claudette K. Borgersen; and Senior Deputy Clerk, Travis O. Morris.

Agenda Item No. 1. Call to Order. The meeting was called to order at 1:01 p.m., by the Chair, Mr. Gallaway.

Mr. Gallaway said the meeting was 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."

Mr. Gallaway said the persons responsible for receiving public comment are the Board of Supervisors of Albemarle County.

Mr. Gallaway said 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 homepage and on the Albemarle County calendar.

Agenda Item No. 2. Pledge of Allegiance.
Agenda Item No. 3. Moment of Silence.

Agenda Item No. 4. Adoption of Final Agenda.

Mr. Gallaway noted that at the end, under Matters from the Board, a letter of support was added to amend State Budget Item 382, #1, "Department of Wildlife Resources Boat Ramp Access Fees." He said this discussion would be held later.

Mr. Gallaway asked if there were any other items to add, or items to pull from consent, and heard none.

Ms. Palmer **moved** to adopt the final agenda as amended. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None.

Agenda Item No. 5. Brief Announcements by Board Members.

Ms. Mallek said her question to everyone was if they get the journal she held up to the camera. She said it is put out by the Virginia Department of Economic Development Partnership. She said she did not know how she started getting it a few months ago, but it was wonderful, and this month's issue was all about the land of tourism and economic development and is a great read. She said she would ask them to send one to everyone if the Supervisors tell her they do not receive it.

Mr. Gallaway said he believed he receives the journal.

Agenda Item No. 6. Proclamations and Recognitions.

Agenda Item No. 6.a. Proclamation Celebrating Black History Month.

Ms. McKeel **moved** to adopt the proclamation as she read it aloud. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None.

Ms. Irtefa Binte-Farid, Coordinator of Equity and Accountability, thanked the Board for taking the time to share the poignant and very relevant words of John Lewis and for their continued commitment to creating a more equitable and inclusive community for all in Albemarle County.

Ms. Binte-Farid said they were lucky that day to have Dr. Kevin Gaines from UVA join them to accept the proclamation. She said Dr. Gaines is the Julian Bond Professor of Civil Rights and Social Justice with a joint appointment in the Corcoran Department of History and the Carter G. Woodson Institute of African-American and African Studies. She said he is the author of *Lifting the Race: Black*

Leadership, Politics, and Culture During the 20th Century, which was awarded the African-American Studies Association's John Hope Franklin Book Prize. She said currently, Dr. Gaines is conducting research on the problems and projects of racial integration in the United States during and after the Civil Rights Movement.

Dr. Gaines thanked the Board of Supervisors for their leadership on equity issues and for inviting him to be there with him that day. He said he approves of John Lewis' words, and he hopes those words will continue to resonate throughout the years and people heed them, particularly during this fraught moment that everyone is going through.

Dr. Gaines said he was also there to share with the Board some words about the Carter G. Woodson Institute. He said it was an honor for him to represent the institute at UVA. He said since it was Black History Month, he should begin by saying a few words about Carter G. Woodson. He said Woodson is the founder of Black History Month and is known as the father of black history. He said Woodson lived from 1875 to 1950 and was born in Virginia, a son of former slaves.

Dr. Gaines said Woodson was educated at Howard University and the University of Chicago, but before that, he worked as a coal miner in West Virginia. He said Woodson's family was very poor, and so he had to support his family as well as himself. He said Woodson was not on the track to higher education that one seems to assume young people are on, but his education was delayed by the necessity of performing hard labor.

Dr. Gaines said Woodson was a visionary scholar and an institution builder. He said Woodson founded what was then called Negro History Week in 1926, and he chose February for Lincoln's Birthday. He said now, it has expanded to Black History Month.

Dr. Gaines said Woodson taught for most of his career at Howard University in Washington, D.C. He said Woodson also founded the Association for the Study of African American Life and History in 1915. He said this was a time in which the general historical profession of the United States, the American Historical Association, excluded Black scholars and was not a very receptive place for Black history.

Dr. Gaines said Woodson was committed to promoting and encouraging research into the neglected African American past and really made his mark. He said Woodson founded the pioneering scholar journal The Journal of Negro History, which still exists. He said the organization that Woodson founded, the Association for the Study of African American Life and History, still exists, and it is not the usual academic organization. He said if one goes to a meeting, they will find a lot of librarians because the big part of Woodson's goal was making sure that the research and the work that he did supported the work of African American librarians and K-12 educators in Black communities around the country.

Dr. Gaines said Woodson said of his life's work, encouraging the study of Black history, "I have made every sacrifice for this movement. I spent all my time doing this one thing and trying to do it efficiently."

Dr. Gaines said with Woodson being a son of Virginia, it stands to reason that UVA would have an institute devoted to African American and African studies that would bear his name. He said the Woodson Institute was founded in 1981 by historian Armstead Robinson, and from the start, it has promoted interdisciplinary scholarship, not just Black history, African American, and African studies. He said currently, the Woodson Institute has an undergraduate major and minor concentration. He said it also has a graduate certificate degree and, in fact, he would be teaching his first class of the semester that day in that degree. He said there is also an annual study abroad course taught every January in Ghana.

Dr. Gaines said what really put the Woodson Institute on the map was its internationally acclaimed residential fellowship program. He said this is a program that brings graduate students from all over the nation and world to work on topics in African American and African history and to complete their research projects. He said for over 25 years, the fellowship program has supported over 125 students, and their work has appeared in numerous books and journals. He said if one visits the offices of the Woodson Institute (hopefully soon, when everyone can be together in public again), they will see reproduction posters made out of the many books that were published by scholars whose work was supported by the Woodson Institute.

Dr. Gaines said the Woodson Institute currently has 14 full-time faculty and recently, UVA has recognized its contributions to scholarship and intellectual life on UVA grounds and beyond with a \$16 million investment to support new faculty hires and to support building the fellowship program.

Dr. Gaines thanked the Board for allowing him to be there. He said in conclusion, he believed that what Carter G. Woodson would want him to say is that Black history is central to U.S. history, and that Black history is for everyone. He said it was an honor to accept the proclamation on behalf of the Carter G. Woodson Institute.

Ms. McKeel thanked Dr. Gaines for coming and sharing this fascinating information. She said remembering back to her first teaching assignment in 1972, she was assigned to a school that had perhaps 400-500 children. She said there was one family of color. She said teaching Black History Month was a thrill because it was new then. She said even for her second-graders, it was a great effort,

and she loved it.

Dr. Gaines thanked Ms. McKeel. He said last semester, his students' final project in their course on the religious thought of the Civil Rights Movement was to present their final projects as little 'zines' (or small magazines for youth). He said they presented their project to local middle school students. He said this is something he has done a few times, and he feels that it is such a great thing to have college students, rather than writing a lackluster paper, actually master the material and be able to present it to local students who are very impressionable and are looking up to them. He said it has been a great experience.

Ms. McKeel said she has often found herself quoting John Lewis because he certainly had a way with words. She said she was shortening his quote, but that it was, "You see something, you say something."

Dr. Gaines agreed, adding that he should quote John Lewis more often himself.

Ms. Mallek said she appreciated this and was thrilled to hear Pastor Woods speaking last week, who grew up in Hillsborough, went to school in her district, and was a member at Piedmont Baptist. She said he was full of wonderful history of all the people he knew over the last 60-80 years.

Ms. Mallek said she still has a copy of what she now considers an atrocious Virginia history book that was yellow and pink on the cover and was part of a series. She said it makes one's hair stand on end to hear what unsuspecting children like herself (a child of Yankee immigrants in 1942) were taught. She said there were so many things that she had not learned until the last 5-10 years that she should have learned when she was 10 and 20, and not at 60 and 70. She said she was so grateful for all the work the Woodson Institute is doing so that everyone has a better understanding of their joint history and the individual parts of it that have definitely been neglected.

Ms. Price said there are three particular proclamations and recognitions that she looks forward to every year: the one celebrating the LGBT community, the one that celebrates women, and the one for Black history. She said Black history is American history. She said she grew up in Atlanta, in Fulton County and in DeKalb County, and she is so pleased to see that DeKalb County has recently announced that they are removing a memorial to the Lost Cause and replacing it with a statue of John Lewis. She said it makes her proud to see the advances that have taken place. She said there is still a long way to go.

Ms. Price said the loss of Mr. Lewis has been tremendous. She said he is an irreplaceable individual who has done so much to bring equality to all Americans. She said it was a pleasure for Dr. Gaines to be there that day and thanked him.

Ms. LaPisto-Kirtley thanked Dr. Gaines for what he said. She said having been raised in the military (but not in a Southern area), she was fortunate to have always been in a multicultural setting. She said it was hard for her when she realized that things were not like that all over the rest of the nation, and especially in the South, and she could not understand it because she always had friends of different cultures. She said this is what made it so enriching, and she followed it up by traveling a lot because people are people everywhere.

Ms. LaPisto-Kirtley said they have definitely come a long way as far as history. She said as a retired educator, there is so much misinformation that was given to them and now, it is being reported, as it should be reported, correctly. She said she is happy to see what they are doing, and they need to do more. She thanked Dr. Gaines for being there. She said she is proud of the direction they are taking in the County. She said there are so many people there who are wonderful people. She said people of color are not separate, but everyone is in this together. She said to her, there is no differentiation and if someone is a good person, they are good. She said if they are a jerk, they are a jerk. She said she is grateful to know a lot of good people.

Ms. Palmer thanked Dr. Gaines for being there and for sharing the interesting information. She said she had not known about the institute, and so it was all new information for her. She said she believes the older people have many stories to tell, but they have even more to learn.

Dr. Gaines said speaking as a historian, perhaps if Ms. Palmer has those stories to tell, she could start by writing them down so that they are not forgotten. He said historians are at the mercy of the archive, and so he would encourage preserving those kinds of memories and stories.

Mr. Gallaway said a few meetings ago, there was some talk about "Where Do We Go from Here?" and the public reading of the book by Martin Luther King, Jr. He said as he was thinking about the proclamation, he remembered the comments he made that this was a book that, very early on, helped him understand how to think about things when it comes to policymaking. He said he has been thinking about that book since then, and it is interesting how at times, some things seem to make sense with the timing of what their national picture looks like.

Mr. Gallaway said he would share two quotes from the book: "In the days ahead, we must not consider it unpatriotic to raise certain basic questions about our national heritage," and, "Power at its best is love implementing the demands of justice, and justice at its best is power correcting everything that stands against love." He said King's stance was that he was going to choose love, which is a powerful sentiment when going back to that as a basic foundation when thinking about policy.

Dr. Gaines said there is so much incredible wisdom and insight in that book, and he could not resist looking to his copy of it that is now falling apart, but he is holding onto it because of all the underlines he made in it. He said a lot of John Lewis' ideas, like the world house, come from Dr. King's work. He said Lewis certainly spoke of how inspiring Dr. King was to him, from early on. He said Lewis, like Dr. King, was called to do extraordinary work and had an incredible world historical impact.

Dr. Gaines said he was on a webinar honoring Lewis, posted by Georgetown University and the Clinton Institute in Dublin, Ireland, which also honored John Hugh, who was an Irish political leader who was instrumental in the reconciliation and peace negotiation between the IRA and the Irish government. He said Lewis is someone who truly made his mark around the world.

Ms. Binte-Farid thanked everyone for their comments.

Mr. Gallaway thanked Dr. Gaines for joining them and accepting the proclamation. He said he believed he spoke for all Supervisors by saying they would love to take Dr. Gaines up on his offer to visit the Woodson Institute as soon as they are able to get back to some normalcy and be together.

Dr. Gaines said it was a pleasure and an honor.

Proclamation Celebrating Black History Month

WHEREAS, Black History Month is celebrated during the month of February; and

WHEREAS, Albemarle County celebrates the wisdom of civil rights leaders and community builders this month and everyday; and

WHEREAS, the late John Lewis, speaking on the 50th anniversary of the Selma March and the subsequent attack on the gathering known infamously as "Bloody Sunday", said:

"We, as a nation, have a great deal to be thankful for.

Jimmie Lee Jackson, whose death inspired the Selma march, along with so many others, did not make [it] to see this day.

But you and I are here. We can bear witness to the distance we have come and the progress we have made in 50 years. And we must use this moment to recommit ourselves to do all we can to finish the work. There's still work left to be done. Get out there and push and pull, until we redeem the soul of America ...

Each of us must go back to our homes after this celebration and build on the legacy of the March in 1965. The Selma Movement is saying today that we all can do something. So I say to you, don't give up on the things that have great meaning to you. Don't get lost in a sea of despair. Stand up for what you believe. Because in the final analysis, we are one people, one family, the human family. We all live in the same House, the American House, the world House.

We're black. We're white. We are Hispanic, Asian-American, Native-American. But we're one people."; and

NOW, THEREFORE, BE IT RESOLVED, that the Albemarle County Board of Supervisors does hereby honor Black History Month and looks forward with the rest of our community to an even brighter future as one people committed to taking meaningful actions in order to create a more equitable and inclusive community for all.

Signed this 3rd day of February 2021

Agenda Item No. 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.

Mr. Gary Grant said he owns taxed, real, and personal property in the Earlysville area of the Rio District. He asked who has asked the six Democrat Supervisors to give away surplus taxes from County taxpayers in \$1,000 bonuses to their government employees. He asked if it was the County Executive, HR Director, or perhaps some County employees' compensation committee with the power to recommend their own bonuses. He asked how many community members have told the County they want their surplus tax payments given out as bonuses to County workers who have not lost hours or their government jobs during the COVID-19 era.

Mr. Grant asked if the six Democrat Supervisors have some as-yet-unreleased study proving that a majority of taxpayers want these surpluses given to County employees, and to employees who knew what their payrate and work hours were when they accepted their government jobs. He asked where the PowerPoint slide was justifying such bonuses to be paid for by over collected taxes.

Mr. Grant asked who was telling the six Democrats that this is what County residents want their hard-earned tax dollars spent on during a pandemic and the pandemic's aftermath, which is crushing the life out of both bodies and billfolds in the private sector. He asked if it was the Albemarle County Democratic Party leadership telling them to do this, or their campaign managers (especially those for Ms.

Palmer, Ms. McKeel, and Mr. Gallaway, who are up for reelection that fall).

Mr. Grant said speaking of those three Supervisors, one of the three white Democrats is also surplus and should be returned to the private sector. He said that according to the U.S. Census Bureau, 20% of Albemarle residents are non-white. He said for the sake of the equity and inclusion policy, the six-member all-white, all-Democrat Board appears to need at least 1.2 Supervisors of color. He asked if considering the County mission statement and values, all six white Democrats would agree that either Ms. Palmer, Ms. McKeel, or Mr. Gallaway should forgo his or her potential candidacy for at least 1.2 candidates of color.

Mr. Grant said he had a final question. He asked which six Supervisors would sick their pronoun police on him for uttering “his or her” profanities in his previous sentence.

Mr. Grant asked the Supervisors to be well. He thanked them for using taxpayer dollars to stream their meetings and for his less-than-three minutes of their valuable time. He wished them a productive meeting.

Mr. Neil Williamson, President of the Free Enterprise Forum, said later that day, the Supervisors would receive a presentation outlining conceptual scope of the 2021 Comprehensive Plan update. He said while the scope of the work and the plan seems very professional, the Free Enterprise Forum believes the Board of Supervisors needs to provide more context to the process and determine if stakeholders believe the current Comprehensive Plan solutions are working.

Mr. Williamson said as an organization, the Free Enterprise Forum does not take positions on projects, but they are following these proceedings closely. He said they watched as the unelected Crozet Community Advisory Committee (CCAC) straight-faced told the Planning Commission they do not want development in the Development Area. He said they watched as the CAC-driven master plan seek to retain neighborhood character rather than diversify housing types and grow smartly. He said they have watched with concern when citizen members of the CCAC question the integrity and professionalism of the County’s planning staff.

Mr. Williamson said his organization watched and was dismayed as one neighbor compared Dunlora to a crime-ridden Chicago neighborhood and the rezoning process as a hostage situation. He said they watched and were shocked to hear another resident testify that he wanted a fence between the phases of development because he did not want his single-family residing children exposed to “those people” living in townhouses and multifamily units.

Mr. Williamson said they watched that day as Albemarle County celebrated Black History Month by quoting John Lewis and endorsing a policy of using an equity lens for their decisions and then, by denying the rezoning, pushed the residential development to more exclusive an expensive product. He said they watched and were disappointed when a County survey respondent indicated, “Zoning laws are the best and easiest way to discriminate. Use your power. It’s what the people want.”

Mr. Williamson said the Free Enterprise Forum watched, but did not speak, as this Board has repeatedly reduced the number of units or completely voted down projects such as tiny houses, high-density, and transit-oriented development that seemed to meet the aspirational words of the existing Comprehensive Plan but were met with NIMBY neighborhood opposition.

Mr. Williamson said the Free Enterprise Forum will no longer remain silent on this important policy issue. He said more housing is needed everywhere, for everybody. He said this Board should consider what type of Comprehensive Plan they seek to produce with this three-year planning project. He said the Free Enterprise Forum believes diversity is their strength, and they call out the need for diversity of housing types, ownership types, and rental products at a variety of price points.

Mr. Williamson said they are not convinced this will be the result of the planning process as it is currently conceptualized. He said the elected Board of Supervisors will need to lead and provide stronger philosophical direction on the Comprehensive Plan process, or the NIMBY-leading CACs will.

Mr. Gallaway closed Matters from the Public.

Agenda Item No. 8. Consent Agenda.

Ms. Price **moved** to approve the consent agenda. Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None

Item No. 8.1. FY 2021 Appropriations.

The Executive Summary forwarded to the Board states that Virginia Code §15.2-2507 provides that any locality may amend its budget to adjust the aggregate amount to be appropriated during the fiscal year as shown in the currently adopted budget; provided, however, any such amendment which

exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by first publishing a notice of a meeting and holding a public hearing before amending the budget. The Code section applies to all County funds, i.e., General Fund, Capital Funds, E911, School Self-Sustaining, etc.

The total change to the FY 21 budget due to the appropriation itemized in Attachment A is \$3,328,201.41. A budget amendment public hearing is not required because the amount of the appropriation does not exceed one percent of the currently adopted budget.

Staff recommends that the Board adopt the attached Resolution (Attachment B) to approve the appropriation for school projects and programs as described in Attachment A.

By the above-recorded vote, the Board adopted the attached Resolution (Attachment B) to approve the appropriation for school projects and programs as described in Attachment A:

Appropriation #2021052 \$3,328,201.41

Source:	Local Non-Tax Revenue	\$324,333.71
	School Special Revenue Funds Balance	\$3,003,867.70

This request is to appropriate the following School Division appropriation requests approved by the School Board on December 10, 2020:

- This request is to appropriate \$324,333.71 in local recovered revenue and rebates for the E-rate program. This program is designed to ensure that all eligible schools and libraries have affordable access to modern telecommunications and information services. The E-rate program, which was established by the Federal Government, provides discounts for eligible telecommunications services, depending on economic need and location (urban or rural). The level of discount is based on the percentage of students eligible for participation in the National School Lunch Program or other federally approved alternative mechanisms. These funds will be used to provide students and staff reliable access to technology

The following requests are to appropriate the prior year fund balance of various special revenue funds to be expended in accordance with the specific requirements for each individual fund:

- Requests the appropriation of \$489.05 for the Fresh Fruit and Vegetable Fund to provide students with nutrition education and a fresh fruit or vegetable snack twice a week.
- Requests the appropriation of \$75.00 for the Title I Fund to support reading/language arts and math instruction for students with achievement levels that do not meet expected standards in the seven elementary schools with free-and-reduced lunch program participation percentages above the County average.
- Requests the appropriation of \$252.68 for the Migrant Fund to identify and serve all eligible Migrant students residing within the regional district (Albemarle, Alleghany, Augusta, Charlottesville, Chesterfield, Culpeper, Cumberland, Fluvanna, Goochland, Greene, Hanover, Louisa, Lunenburg, Madison, Nelson, Nottoway, Orange, Rockbridge, Staunton and Waynesboro).
- Requests the appropriation of \$200,262.86 for the Miscellaneous Grants fund to provide a means by which to receive, process, account, and report upon various small grants received by the Division. These grants typically are under \$5,000, with the majority of them between \$500 and \$1,000. Grants received may be for a very wide variety of areas including the arts, field trips, classroom specific projects, school-wide projects, etc. The primary criteria for inclusion in this fund is non-recurring and under \$25,000.
- Requests the appropriation of \$22,141.42 for the Miscellaneous Grants-Career and Technical Education/ Technology (CTE/TECH) fund to provide a means by which to receive, process, account, and report upon various grants received by the Division designated solely for career & technical education or technology education. These grants may range from under \$5,000 and up to \$25,000. Grants received are typically used for the purchase of technology equipment, industry certification exams, licensure tests and occupational competency assessments for students enrolled in high school CTE courses and project specific expenses which may include travel, field trips and supplies.
- Requests the appropriation of \$6,356.71 for the Economically Dislocated Worker's Fund to collaborate with institutions, agencies, and businesses, when requested, to provide tutoring and classes tailored to the individualized needs of particular students.
- Requests the appropriation of \$659.48 for the Alternative Education Fund to supplement existing General Equivalency Diploma (GED) services by developing specialized occupational training and employment necessary for students 16 years of age or older to become productive and contributing citizens.

- Requests the appropriation of \$100,000.00 for the CFA Institute-Summer Rental Fund. This fund is managed by the Department of Building Services and contains the direct expenses associated with the operation of the summer CFA rental. Residual funds are transferred from this fund to support the School Fund's operational budget. In addition, the contract with the CFA Institute requires substantial resources to reconfigure the building and support their rental. Due to the annual movement of all furniture, equipment, and materials in Monticello High School, periodic replacement of the carpet and furniture in affected areas is required and is included in this fund.
- Requests the appropriation of \$43,389.85 for the Algebra Readiness Fund to provide mathematics intervention services to middle school students who are at risk of failing the Algebra I end-of-course test.
- Requests the appropriation of \$613.33 for the KOVAR Corporation Grant to assist Virginians with intellectual disabilities through providing funding for specific projects and needs as sought after in an annual grant process. Most recently these funds have been used to purchase iPad mini devices equipped with software to improve communication for students with intellectual disabilities at all grade levels.
- Requests the appropriation of \$9,858.43 for the Carl Perkins Grant to support relevant, challenging academic and technical education (CTE) courses where students acquire knowledge and learn relevant technical applications of current and emerging careers while preparing for postsecondary studies and employment. The CTE curricula are focused around six program-specific areas: business and information technology, family and consumer sciences, health and medical sciences, marketing, technology education and engineering, and trade and industrial. Standard CTE course offerings are available in all middle and high schools. Advanced coursework and programs are also available through the three high school academies and dual enrollment coursework.
- Requests the appropriation of \$5,082.64 for the Special Education Jail Program to provide special education and related services to all eligible students incarcerated in the Charlottesville-Albemarle Regional Jail. The Individuals with Disabilities Education Act mandates that special education and related services be provided to all eligible students, including those who are incarcerated. Albemarle County Public Schools will provide special education services to eligible inmates housed in the Albemarle-Charlottesville Regional Jail. The Virginia Department of Education will reimburse the School Division for the costs associated with these services. This grant provides special education services to all eligible students aged 18 through 21.
- Requests the appropriation of \$25,837.41 for the Project Graduation Grant to provide remedial instruction for students who received passing grades for standard credit-bearing courses but failed the required SOL assessment needed to verify credits to complete their diploma requirements. Courses supported are Algebra I, Geometry, Algebra II, English: Reading, English: Writing, Science and/or History.
- Requests the appropriation of \$278.68 for the Integrated English Literacy and Civics Education (IELCE) grant to incorporate civics education into adult English Language Learners (ELL) classes where many participants are parents of Albemarle County students. Parents participating in their own educational pursuits positively affects their children's learning. The Project will incorporate instruction and activities, such as workforce preparation and digital literacy, to enhance the development of skills needed to enter the workforce and transition to postsecondary education.
- Requests the appropriation of \$35,338.07 for the Investing in Innovation program, which is a natural progression from the growing emphasis in education on the "maker curriculum" in elementary, middle, and high schools. This approach emphasizes project-based learning in which students develop their creativity and critical analysis skills as well as their ability to work in teams and communicate their findings.
- Requests the appropriation of \$64,000.00 for the STEM Early Learning through the Arts Grant to enhance learning in science, technology, engineering, and mathematics through the arts for kindergarten and preschool students. These funds are used to pay for one-week STEM-Arts classroom residencies in twenty Pre-K and Kindergarten classrooms each year.
- Requests the appropriation of \$208,925.78 for the Community Education Fund to provide quality attention, thoughtful guidance, authentic experiences, and engaging activities to enhance and expand the learning of Albemarle County Students in an extended-day learning program. These programs are self-sustaining, funded entirely by the tuition and fees collected for their use.
- Requests the appropriation of \$66,421.84 for the Families in Crisis Grant to provide an effective structure to meet the needs of homeless students, ensuring they receive equitable access to division services in order to succeed in school.
- Requests the appropriation of \$42,465.70 for the Drivers Safety Fund to offer driver's education behind-the-wheel and motorcycle safety programs operating on a fee-for-service basis in support of the Division's strategic plan. The Drivers Safety Fund is responsible for the following major programs and/or services: Drives Ed at Albemarle High, Drivers Ed at Monticello High, Drivers Ed at Western Albemarle High; and Motorcycle Rider Training Course.

- Requests the appropriation of \$74,538.40 for the Open Doors Fund to provide continuing education for approximately 3,000 community participants through a diverse range of tuition courses offered throughout the year. These courses foster lifelong learning skills in support of the Division's strategic plan.
- Requests the appropriation of \$312,062.86 for the Summer School Fund to offer summer programs to students in grades K-8 who fail to meet academic standards in the areas of language arts or mathematics, and to high school students in grades 9-12 (with payment of fees) who either want to replace a grade earned during the regular school session or earn required credits for graduation in support of the Division's strategic plan.
- Requests the appropriation of \$14,666.77 for the Community Public Charter School to provide an alternative and innovative learning environment, using the arts, to help children in grades six through eight learn in ways that match their learning styles; developing the whole child intellectually, emotionally, physically and socially. Seeking to serve students who have not succeeded in school, the program will close their achievement gap by offering a balance of literacy tutorials and an arts-infused curriculum.
- Requests the appropriation of \$12,000.00 for the McIntire Trust Fund to award two county high school graduates at each of the comprehensive high schools, one boy and one girl, based upon their outstanding character and scholarship, with a medal and cash award, and to also award middle and high schools for the social and cultural development of their students.
- Requests the appropriation of \$8,923.25 for the Foundation for Excellence Fund to award teachers of all grade levels and subject areas with funds to support individual projects through an annual grant process.
- Requests the appropriation of \$50,931.24 for the School Bus Replacement Fund to provide consistent funding for bus replacement.
- Requests the appropriation of \$533,484.48 for the Computer Equipment Replacement Fund, which ensures all eligible school staff and student designated computers and other instructional technology is replaced as it becomes obsolete, unsupported, or unserviceable, and retired from service.
- Requests the appropriation of \$1,133,813.21 for the Textbook Replacement Fund to provide teaching staff with necessary and contemporary learning resources that support implementation of Curriculum Framework, planning, instruction and assessment systems that promote student learning and close the achievement gap as well as prepare all students to be college and workforce ready when they graduate. Funds that remain at the end of the fiscal year will be used to purchase learning resources and textbooks for students and teachers.
- Requests the appropriation of \$30,998.56 for the Internal Service - Vehicle Maintenance Fund to reflect the cost of repairing vehicles not operated by the school division and provide the school division with some revenue stream associated with these repairs.

* * * * *

**RESOLUTION TO APPROVE
ADDITIONAL FY 2021 APPROPRIATION**

BE IT RESOLVED by the Albemarle County Board of Supervisors:

- 1) That Appropriation #2021052 is approved;
- 2) That the appropriation referenced in Paragraph #1, above, is subject to the provisions set forth in the Annual Resolution of Appropriations of the County of Albemarle for the Fiscal Year ending June 30, 2021.

* * * * *

APP#	Account String	Description	Amount
2021052	3-3010-63010-351000-510100-6599	SA2021052 Fresh Fruits/Veg Program	\$489.05
2021052	3-3101-63101-351000-510100-6599	SA2021052 Title I	\$75.00
2021052	3-3103-63103-351000-510100-6599	SA2021052 Migrant	\$252.68
2021052	3-3104-63104-351000-510100-6599	SA2021052 Misc Grants-Fund Balance	\$200,262.86
2021052	3-3105-63105-351000-510100-6599	SA2021052 CTE/Tech Grants-Fund Balance	\$22,141.42
2021052	3-3116-63116-351000-510100-6599	SA2021052 Economically Dislocated Workers	\$6,356.71
2021052	3-3142-63142-351000-510100-6599	SA2021052 Alternative Education	\$659.48
2021052	3-3145-63145-351000-510100-6599	SA2021052 CFA Institute-Summer Rental	\$100,000.00
2021052	3-3152-63152-351000-510100-6599	SA2021052 Algebra Readiness-Fund Balance	\$43,389.85

2021052	3-3159-63159-351000-510100-6599	SA2021052 KOVAR Grant-Fund Balance	\$613.33
2021052	3-3207-63207-351000-510100-6599	SA2021052 Carl Perkins-Fund Balance	\$9,858.43
2021052	3-3212-63212-351000-510100-6599	SA2021052 SPED Jail Grant-Fund Balance	\$5,082.64
2021052	3-3217-63217-351000-510100-6599	SA2021052 Project Graduation-Fund Balance	\$25,837.41
2021052	3-3221-63221-351000-510100-6599	SA2021052 EL Civics Partnership	\$278.68
2021052	3-3225-63225-351000-510100-6599	SA2021052 i3 Grant-Fund Balance	\$35,338.07
2021052	3-3226-63226-351000-510100-6599	SA2021052 STEM Learning Through The Arts-Fund Balance	\$64,000.00
2021052	3-3300-63300-351000-510100-6599	SA2021052 Community Education	\$208,925.78
2021052	3-3304-63304-351000-510100-6599	SA2021052 Families in Crisis	\$66,421.84
2021052	3-3305-63305-351000-510100-6599	SA2021052 Driver Safety	\$42,465.70
2021052	3-3306-63306-351000-510100-6599	SA2021052 Open Doors	\$74,538.40
2021052	3-3310-63310-351000-510100-6599	SA2021052 Summer School	\$312,062.86
2021052	3-3380-63380-351000-510100-6599	SA2021052 Community Public Charter School	\$14,666.77
2021052	3-3501-63501-351000-510100-6599	SA2021052 McIntire Trust	\$12,000.00
2021052	3-3502-63502-351000-510100-6599	SA2021052 Foundation for Excellence-Shannon Grant	\$8,923.25
2021052	3-3905-63905-351000-510100-6599	SA2021052 School Bus Replacement	\$50,931.24
2021052	3-3907-63907-351000-510100-6599	SA2021052 Computer Equipment Replacement	\$533,484.48
2021052	3-3909-63909-351000-510100-6599	SA2021052 Textbook Replacement	\$1,133,813.21
2021052	3-3910-63910-351000-510100-6599	SA2021052 Vehicle Maintenance	\$30,998.56
2021052	4-3010-63010-460204-600220-6520	SA2021052 Ed & Rec Supplies	\$489.05
2021052	4-3101-63101-461101-601300-6530	SA2021052 Ed & Rec Supplies	\$75.00
2021052	4-3103-63103-461101-580000-6530	SA2021052 Miscellaneous Expenses	\$150.00
2021052	4-3103-63103-461101-601300-6530	SA2021052 Ed & Rec Supplies	\$102.68
2021052	4-3104-63104-460700-601300-6530	SA2021052 Ed & Rec Supplies	\$200,262.86
2021052	4-3105-63105-460700-601300-6530	SA2021052 Ed & Rec Supplies	\$22,141.42
2021052	4-3116-63116-463348-132100-6530	SA2021052 P/TWages-Teacher	\$4,000.00
2021052	4-3116-63116-463348-135000-6530	SA2021052 P/TWages-Clerical	\$1,000.00
2021052	4-3116-63116-463348-210000-6530	SA2021052 FICA	\$382.50
2021052	4-3116-63116-463348-312700-6530	SA2021052 Prof. Ser. Consultants	\$100.00
2021052	4-3116-63116-463348-360000-6530	SA2021052 Advertising	\$100.00
2021052	4-3116-63116-463348-520100-6530	SA2021052 Postal Services	\$50.00
2021052	4-3116-63116-463348-550100-6530	SA2021052 Travel/Travel Education	\$200.00
2021052	4-3116-63116-463348-580500-6530	SA2021052 Staff Development	\$100.00
2021052	4-3116-63116-463348-600100-6530	SA2021052 Office Supplies	\$100.00
2021052	4-3116-63116-463348-601300-6530	SA2021052 Ed & Rec Supplies	\$174.21
2021052	4-3116-63116-463348-601700-6530	SA2021052 Copy Expense	\$150.00
2021052	4-3142-63142-460410-112100-6530	SA2021052 Salaries-Teacher	\$612.61
2021052	4-3142-63142-460410-210000-6530	SA2021052 FICA	\$46.87
2021052	4-3145-63145-461101-540100-6599	SA2021052 Lease/Rent-Equipment	\$20,000.00
2021052	4-3145-63145-461101-601300-6599	SA2021052 Ed & Rec Supplies	\$20,000.00
2021052	4-3145-63145-461101-800100-6599	SA2021052 Machinery & Equipment	\$60,000.00
2021052	4-3152-63152-463333-132100-6530	SA2021052 PT/Wages-Teacher	\$40,306.41
2021052	4-3152-63152-463333-210000-6530	SA2021052 FICA	\$3,083.44
2021052	4-3159-63159-461102-800100-6599	SA2021052 Machinery & Equipment	\$613.33
2021052	4-3207-63207-461190-580500-6530	SA2021052 Staff Development	\$858.43
2021052	4-3207-63207-461190-601300-6530	SA2021052 Ed & Rec Supplies	\$1,000.00
2021052	4-3207-63207-461190-800100-6530	SA2021052 Machinery & Equipment	\$8,000.00
2021052	4-3212-63212-461102-601300-6530	SA2021052 Ed & Rec Supplies	\$5,082.64
2021052	4-3217-63217-461101-132100-6530	SA2021052 PT/Wages-Teacher	\$24,001.31
2021052	4-3217-63217-461101-210000-6530	SA2021052 FICA	\$1,836.10
2021052	4-3221-63221-461101-132100-6530	SA2021052 PT/Wages-Teacher	\$258.88
2021052	4-3221-63221-461101-210000-6530	SA2021052 FICA	\$19.80
2021052	4-3225-63225-461313-601300-6530	SA2021052 Ed & Rec Supplies	\$17,338.07
2021052	4-3225-63225-461313-800100-6530	SA2021052 Machinery & Equipment	\$18,000.00
2021052	4-3226-63226-461101-301210-6530	SA2021052 Contracted Services	\$64,000.00
2021052	4-3300-63300-465301-115000-6521	SA2021052 Salaries-Office Clerical	\$40,000.00

2021052	4-3300-63300-465301-119401-6521	SA2021052 Salaries-Teachers Aide	\$30,000.00
2021052	4-3300-63300-465301-119402-6521	SA2021052 Salaries-Supervisors	\$25,000.00
2021052	4-3300-63300-465301-159400-6521	SA2021052 Salaries-Sub Wages	\$30,000.00
2021052	4-3300-63300-465301-210000-6521	SA2021052 FICA	\$10,000.00
2021052	4-3300-63300-465301-221000-6521	SA2021052 VRS	\$10,000.00
2021052	4-3300-63300-465301-231000-6521	SA2021052 Health	\$15,000.00
2021052	4-3300-63300-465301-232000-6521	SA2021052 Dental	\$10,000.00
2021052	4-3300-63300-465301-241000-6521	SA2021052 VRS Group Life	\$15,000.00
2021052	4-3300-63300-465301-242000-6521	SA2021052 Group Life-PT	\$8,925.00
2021052	4-3300-63300-465301-601300-6521	SA2021052 Ed & Rec Supplies	\$15,000.78
2021052	4-3304-63304-461101-579001-6530	SA2021052 Housing Assit. Payments Homeless	\$36,201.00
2021052	4-3304-63304-461101-580004-6530	SA2021052 Misc Exp-Homeless	\$30,220.84
2021052	4-3305-63305-461144-132100-6301	SA2021052 Salaries-P/T Wages Teacher	\$10,000.00
2021052	4-3305-63305-461144-132100-6302	SA2021052 Salaries-P/T Wages Teacher	\$8,000.00
2021052	4-3305-63305-461144-132100-6304	SA2021052 Salaries-P/T Wages Teacher	\$8,000.00
2021052	4-3305-63305-461144-210000-6301	SA2021052 FICA	\$765.00
2021052	4-3305-63305-461144-210000-6302	SA2021052 FICA	\$612.00
2021052	4-3305-63305-461144-210000-6304	SA2021052 FICA	\$612.00
2021052	4-3305-63305-461144-601300-6301	SA2021052 Ed & Rec Supplies	\$2,047.10
2021052	4-3305-63305-461237-132100-6530	SA2021052 Salaries-P/T Wages Teacher	\$5,000.00
2021052	4-3305-63305-461237-210000-6530	SA2021052 FICA	\$382.50
2021052	4-3305-63305-461237-312700-6530	SA2021052 Professional Services Consultant	\$5,000.00
2021052	4-3305-63305-461237-601300-6530	SA2021052 Ed & Rec Supplies	\$2,047.10
2021052	4-3306-63306-460000-115000-6301	SA2021052 Salaries-Office Clerical	\$25,515.00
2021052	4-3306-63306-460000-135000-6301	SA2021052 Salaries-P/T Wages Office Clerical	\$15,000.00
2021052	4-3306-63306-460000-210000-6301	SA2021052 FICA	\$4,000.00
2021052	4-3306-63306-460000-221000-6301	SA2021052 VRS	\$5,000.00
2021052	4-3306-63306-460000-231000-6301	SA2021052 Health Insurance	\$5,000.00
2021052	4-3306-63306-460000-232000-6301	SA2021052 Dental Insurance	\$5,000.00
2021052	4-3306-63306-460000-241000-6301	SA2021052 VRS Group Life Insurance	\$5,000.00
2021052	4-3306-63306-460000-312700-6301	SA2021052 Professional Services Consultant	\$10,000.00
2021052	4-3306-63306-460000-601300-6301	SA2021052 Ed & Rec Supplies	\$23.40
2021052	4-3310-63310-461120-117200-6599	SA2021052 Salaries-Transit Aide	\$20,000.00
2021052	4-3310-63310-461120-132100-6599	SA2021052 P/T Wages Teacher	\$70,000.00
2021052	4-3310-63310-461120-137100-6599	SA2021052 P/T Wages Bus Drivers	\$30,000.00
2021052	4-3310-63310-461120-210000-6599	SA2021052 FICA	\$10,000.00
2021052	4-3310-63310-461120-420110-6599	SA2021052 School Transportation	\$20,000.00
2021052	4-3310-63310-461120-601300-6599	SA2021052 Ed & Rec Supplies	\$28,000.00
2021052	4-3310-63310-461124-117200-6599	SA2021052 Salaries-Transit Aide	\$9,000.00
2021052	4-3310-63310-461124-132100-6599	SA2021052 P/T Wages Teacher	\$60,000.00
2021052	4-3310-63310-461124-137100-6599	SA2021052 P/T Wages Bus Drivers	\$20,000.00
2021052	4-3310-63310-461124-210000-6599	SA2021052 FICA	\$7,000.00
2021052	4-3310-63310-461124-420110-6599	SA2021052 School Transportation	\$20,000.00
2021052	4-3310-63310-461124-601300-6599	SA2021052 Ed & Rec Supplies	\$18,062.86
2021052	4-3380-63380-461101-132100-6280	SA2021052 PT/Wages-Teacher	\$7,000.00
2021052	4-3380-63380-461101-210000-6280	SA2021052 FICA	\$535.50
2021052	4-3380-63380-461101-601300-6280	SA2021052 Ed & Rec Supplies	\$7,131.27
2021052	4-3501-63501-463080-580000-6599	SA2021052 Miscellaneous Expenses	\$12,000.00
2021052	4-3502-63502-460606-601300-6599	SA2021052 Ed & Rec Supplies	\$8,923.25
2021052	4-3905-63905-462320-800506-6599	SA2021052 School Bus Replacement	\$50,931.24
2021052	4-3907-63907-468200-800700-6599	SA2021052 Technology Equip-Computer	\$533,484.48
2021052	4-3909-63909-461101-601200-6599	SA2021052 Books & Subscriptions	\$813.21
2021052	4-3909-63909-461101-601300-6599	SA2021052 Ed & Rec Supplies	\$33,000.00
2021052	4-3909-63909-461101-602000-6599	SA2021052 Textbook Replacement	\$1,100,000.00
2021052	4-3910-63910-462341-600900-6599	SA2021052 Vehicle & Equip Repairs	\$30,998.56
2021052	3-3907-63907-318000-189900-6599	SA2021052 Miscellaneous Revenue	100,000.00

2021052	3-3907-63907-319000-190241-6599	SA2021052 Recovered Costs E-Rate	224,333.71
2021052	4-3907-63907-468200-800700-6599	SA2021052 Technology Equipment	324,333.71

Item No. 8.2. Revitalization Area Designation - Southwood Blocks 11 & 12.

The Executive Summary forwarded to the Board states that the Piedmont Housing Alliance (PHA) is pursuing Low Income Housing Tax Credit (LIHTC) financing for a 127-unit affordable rental housing project on Blocks 11 and 12 (TMP 09000-00-00-0001A) in Phase 1 of the Southwood Mobile Home Park redevelopment project. To support a successful LIHTC application for project financing, PHA is requesting the Albemarle County Board of Supervisors designate the project site as a revitalization area as defined by Virginia Code Section 36-55.30:2(A).

Piedmont Housing Alliance (PHA) is proposing to build 127 affordable rental units in Phase 1 of the Southwood redevelopment. The proposed project will be located on the portions of TMP 09000-00-00-0001A designated as Blocks 11 and 12. To help finance the project, PHA is applying for Low Income Housing Tax Credit (LIHTC) financing through Virginia Housing (formerly the Virginia Housing Development Authority). The project will contain a mixture of 1-, 2-, and 3-bedroom apartment units distributed throughout three buildings. All 127 units will be made available to households with incomes at or below 80% of the area median income (currently \$75,100 annually for a four-person household). A description of the proposed project is included as Attachment A.

Virginia Housing recommends that the local governing body adopt a resolution designating the development site as a Revitalization Area as defined under Virginia Code Section 36-55.30:2(A). The designation for the proposed project is based on the following conditions:

- (1) the project is located in an area that is blighted, deteriorated, or, if not rehabilitated, likely to deteriorate by reason that the buildings, improvements, or other facilities in such area are subject to one or more of the following conditions: dilapidation, obsolescence, overcrowding, inadequate ventilation, light, or sanitation, excessive land coverage, deleterious land use, or faulty or otherwise inadequate design, quality, or condition; and
- (2) private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe, and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.

The proposed project qualifies for Revitalization Area designation, as well as meeting critical affordable housing needs in Albemarle County. Additionally, the proposed project will satisfy the conditions outlined in Section 5(B) of the Southwood Performance Agreement to ‘Construct or Install at Least 80 LIHTC Affordable Dwelling Units’. A formal project description is provided in Attachment B and a letter of request submitted by the developer is provided in Attachment C.

There is no direct budgetary impact related to this action.

Staff recommends the Board adopt the attached resolution (Attachment A) making the determinations requested by Piedmont Housing Alliance for the proposed Southwood LIHTC project.

By the above-recorded vote, the Board adopted the attached resolution (Attachment A) making the determinations requested by Piedmont Housing Alliance for the proposed Southwood LIHTC project:

RESOLUTION

WHEREAS, the County of Albemarle is committed to ensuring that safe, decent, affordable, and accessible housing is available for all residents; and

WHEREAS, Albemarle County is committed to engaging actively in redevelopment and revitalization in the County’s Development Areas; and

WHEREAS, Albemarle County supports the redevelopment of the Southwood Mobile Home Park to mixed-income community; and

WHEREAS, the Piedmont Housing Alliance proposes to construct 127-units of affordable rental housing in Southwood Redevelopment Phase 1 on Blocks 11 and 12 (Tax Map Parcel 09000-00-00-0001A) east of Hickory Street and south of Old Lynchburg Road, utilizing Low Income Housing Tax Credit (LIHTC) financing; and

WHEREAS, pursuant to Virginia Code Section 36-55:30.2.A, Virginia Housing may provide LIHTC financing for projects enhancing economically mixed communities located within Revitalization Areas.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby certifies the above-referenced development is located in a Revitalization Area in the County of Albemarle,

Virginia, and that the revitalization area is blighted, deteriorated or, if not rehabilitated, likely to deteriorate by reason that the buildings, improvements or other facilities in such area are subject to one or more of the following conditions: dilapidation, obsolescence, overcrowding, inadequate ventilation, light or sanitation, excessive land coverage, deleterious land use, or faulty or otherwise inadequate design, quality or condition; and

BE IT FURTHER RESOLVED that the Board of Supervisors has determined that private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in such area and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.

Item No. 8.3. Resolution for Free State Road Abandonment (vacated portion only) from the State Secondary System for Maintenance.

By the above-recorded vote, the Board adopted --- :

RESOLUTION

WHEREAS, a portion of Route 651 has been realigned and a new segment constructed to standards equal to the Virginia Department of Transportation's Subdivision Street Requirements as a requisite for acceptance for maintenance as part of the Secondary System of State Highways; and

WHEREAS, the Virginia Department of Transportation has inspected this street and found it to be acceptable for maintenance.

NOW, THEREFORE, BE IT RESOLVED by the Albemarle County Board of Supervisors, this the 3rd day of February, 2021, that the old segment of Route 651, identified on the attached Form AM 4.3, is no longer needed as part of the Secondary System of State Highways, as the new road serves the same citizens as the old road, and is hereby requested to be abandoned by the Virginia Department of Transportation pursuant to §33.2-912, *Code of Virginia*, 1950 amended; and

BE IT FURTHER RESOLVED, a copy of this resolution be forwarded to the Virginia Department of Transportation.

* * * *

37141012

In Albemarle County

by Resolution of the governing body adopted February 03, 2021

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes to the secondary system of state highways.

Report of Changes in the Secondary System of State Highways

Project/Subdivision: Free State Road Abandonment

Abandonment - Project by VDOT §33.2-912

Rte Number	Street Name	From Termini	To Termini	Length	Number Of Lanes	Recordation Reference	Row Width
651	Free State Road	Rt 651, Free State Rd	Rt , Free State Rd	0.22			

Item No. 8.4. Board of Zoning Appeals (BZA) Annual Report for 2020, **was received for information.**

Item No. 8.5. Board to Board, January 2021, A monthly report from the Albemarle County School Board to the Albemarle County Board of Supervisors, **was received for information.**

Agenda Item No. 9. **Action Item:** Non-Arterial Entrance Corridors.

The Executive Summary forwarded to the Board states that Virginia Code § 15.2-2306 allows localities to establish Entrance Corridor Overlay Districts along streets or highways that are significant routes of tourist access and that are classified as arterial streets or highways by the Virginia Department of Transportation (VDOT). Albemarle County established an Entrance Corridor Overlay District in 1990. Some of the streets designated as Entrance Corridors at that time do not meet the arterial requirement (as shown in a map in Attachment A). This was brought to the Board of Supervisors at their February 7, 2018 meeting, at which time the Board directed staff to explore options for the roads and road segments that did not meet the arterial requirement.

Staff has evaluated various characteristics of the non-arterial Entrance Corridors, including traffic volumes, function of the roadway, scenic value, historic value, number of Architectural Review Board (ARB) applications reviewed, likelihood of additional ARB applications to be received, previous scenic highway designation, and Comprehensive Plan recommendations. The topic has been discussed preliminarily with VDOT and with the ARB and the 5th & Avon Community Advisory Committee, and a letter on the subject was received from the Mosby Mountain Community Association during early stages of this effort (available in Attachments B, C and D). The result of this work, outlined here and in Attachment E, is a three-tiered approach to protecting the character of these streets.

1. Because Avon St. Ext. (Rt. 742, full length), Barracks Rd. (Rt. 654, from the City limits to Georgetown Rd.), and Richmond Rd. (Rt. 250 East, from Rt. 22 to the County line) appear to meet the Federal Highway Administration's (FHWA) requirements for arterial classification, staff recommends that the County request arterial classification for these streets, which would allow for continued protection of these streets under the Entrance Corridor Design Guidelines.

2. Barracks Rd. (Rt. 654, northwest of Georgetown Rd.), Irish Rd. (Rt. 6, full length), Stony Point Rd. (Rt. 20, from Proffit Rd. north to the County line), and Old Lynchburg Rd. (Rt. 631, south of Sunset Ave. Ext.) see little commercial development but have significant scenic qualities. A County scenic highway designation would be more suited to these streets, with regulations focused on protecting the scenic quality of the corridors rather than on detailed review of development proposals. Note that Irish Rd. is one of the streets that previously had County Scenic Highway designation. That designation was eliminated when the Entrance Corridor Overlay was adopted.

3. Finally, because Thomas Jefferson Parkway (Rt. 53) provides access to and through a significantly historic part of the County, staff believes Entrance Corridor regulations are appropriate for this street, so arterial status should be requested. However, if Thomas Jefferson Parkway does not achieve arterial status, staff recommends that scenic highway and/or local historic district designation be considered for this corridor. Changing the functional classification of a street or highway is a multi-step process through VDOT and FHWA. VDOT's guide to functional classification is included as Attachment F. Characteristics of arterial streets are discussed on page 7 and the classification process is summarized on pages 14 and 15. Scenic highway and historic district designation require zoning text and zoning map amendments - work that would need to be added to, and prioritized in, the Community Development Work Program.

There is no budget impact associated with this step in the process, but staff resources will be needed to enact subsequent processes.

Recommendation:

1. Adopt the Resolution of Intent (Attachment G) requesting arterial status for:
 - Avon Street Extended (Rt. 742) - full length
 - Barracks Road (Rt. 654) - from the city limits to Georgetown Road
 - Thomas Jefferson Parkway (Rt. 53) - full length from Rt. 20 to the County line
 - Richmond Road (Rt. 250 East) - from Rt. 22 to the County line
2. Provide direction to staff regarding scenic highway and historic district designation of the various streets/segments as outlined in the Executive Summary.

Ms. Margaret Maliszewski, Planning Manager, said she spends time working with the Architectural Review Board (ARB), and so she would be speaking about an ARB entrance corridor issue.

Ms. Maliszewski said the Entrance Corridor Overlay District was established in Albemarle County in 1990 and at that time, the streets listed on the slide shown were designated as entrance corridors. She said the intent of this action was to implement Comprehensive Plan goals related to preserving scenic resources.

Ms. Maliszewski said the section of the Virginia State Code shown on the screen is what allows localities to establish entrance corridors. She said the code states that for a street to be an entrance corridor, it must be an arterial street or highway.

Ms. Maliszewski said some of the streets that were designated as entrance corridors in 1990 do not have the arterial designation that State Code requires. She said on the slide shown, the streets that were colored reds are the ones that are currently listed as entrance corridors in County Code, but do not have the required arterial status. She said the streets drawn in bold, black lines are the designated entrance corridors that do meet the requirements.

Ms. Maliszewski said staff has done some research and coordination, considered various factors,

and formulated some recommendations for addressing this non-arterial issue. She said first, staff recommends that the County pursue updating some of the streets to arterial status. She said these include Avon Street, a segment of Barracks Road from the City line to Georgetown Road, and Route 250 east of the Route 22 intersection. She said these are the streets that see significant development, that have traffic and street characteristics similar to other arterials and are likely to have VDOT/FHWA (Federal Highway Administration) support for the classification.

Ms. Maliszewski said secondly, staff is recommending that the County consider reestablishing a County Scenic Highway designation for Barracks Road west of Georgetown Road, Route 6 for its full length, Route 22 from the intersection with Route 231 east of the County line, Route 22 north of Proffit Road, and Route 631 south of Country Green Road. She said these streets are scenic but, overall, they do not see as much development as the arterials do, and they do not have the street characteristics of an arterial.

Ms. Maliszewski said this leaves them with Route 53/Thomas Jefferson Parkway. She said this road provides access to some of the County's most significant and historic resources. She said regulations available with the Entrance Corridor designation are appropriate on this corridor. She said staff recommends that arterial designation be requested.

Ms. Maliszewski said preliminary conversations with VDOT suggest that Route 53 probably will not qualify for arterial status. She said if this is the decision, staff recommends that the County consider an alternate designation to provide protections along this corridor. She said staff has looked at the County's Scenic Highway designation and Historic District designation as options.

Ms. Maliszewski said the arterial classification process is a six-step process. She said the County works through the MPO (Metropolitan Planning Organization) and with the VDOT District Planner. She said a reclassification requires MPO, VDOT, and FHWA approval.

Ms. Maliszewski said scenic and historic designations would require zoning text and zoning map amendments. She said this work is not currently a part of Community Development's work program and would need to be added, with prioritization established.

Ms. Maliszewski said there were some questions about the arterial status of Old Lynchburg Road. She said she put the graphic shown on the screen together, acknowledging that there was a lot of information on it. She said Route 631, which is what the state route for Old Lynchburg Road, is currently listed as an entrance corridor in County Code, but the arterial status currently extends just from the City to the intersection with Country Green Road. She said that beyond Country Green Road, Route 631 is a major collector, but not an arterial.

Ms. Maliszewski said on the slide, she highlighted the parcels where the ABC (Albemarle Business Campus) development is proposed and under review, as well as the parcels for the Southwood development. She indicated on the slide to the intersection of Route 631 and Country Green Road. She said the part of the section towards the City is the correct arterial designation, and below it is not arterial.

Ms. Maliszewski said this was the extent of her presentation and offered to answer any questions. She said Mr. Kevin McDermott and Mr. Charles Rapp were also present.

Ms. McKeel said that for the roads she was most familiar with in her district, she is very supportive of what staff recommends for those roads. She said she would like to hear from the other Supervisors about the roads in their districts.

Ms. Mallek asked if there is still text available in the archives for the previously operating County Scenic Roadway project that was disbanded when the EC (Entrance Corridor) was established. She said Route 20 from Monticello to Gettysburg is a Federal Scenic Highway, approved by Congress, that was part of the designation for the Journeys Through Hallowed Ground. She said she did not know if this would help at all with the process, but it seemed as if it would.

Ms. Maliszewski replied that in her research, she did find the text of the code that did have the Scenic Highway regulations in it, and it was concentrated primarily on increased setbacks for buildings and parking and increased sign regulations. She said she was not aware if the Journey Through Hallowed Ground designation would help with the County Scenic designation in any way, but staff has not begun research on this yet and could do that.

Ms. Price said she first wanted to comment that the benefit of the corporate knowledge of Ms. Mallek, with her years of experience, is very helpful when something like this comes up to know the history behind it. She asked Ms. Maliszewski if she could pull up the map and go back to the discussion regarding Avon Street and Avon Street Extended. She said she would anticipate that Ms. Palmer would also have questions in this area when her turns comes. She said they are both on the 5th and Avon CAC and have some very interested constituent concerns and questions with regard to what may be happening with Avon Street.

Ms. Price said their very active, very helpful CAC has sent the Supervisors some questions. She said she knows a corridor study is supposed to be taking place on Avon Street Extended, and they have some serious concerns as to the impact that obtaining arterial status may have, specifically with regard to things like speed limits. She said Mountain View Elementary School is there, and Biscuit Run Park at the end of Avon Street Extended, so speed limits are definitely a major area of concern, in particular as they

get from the 5th Street Station Parkway/I-64 area to the southern terminus of Avon Street Extended.

Ms. Price asked Ms. Maliszewski what the impact would be if arterial status was obtained on Avon Street Extended. She asked if it would be more advisable to wait and see what the corridor study provides before taking any action with regard to arterial status on Avon Street Extended.

Ms. Maliszewski asked Mr. McDermott if he could address those questions.

Mr. Kevin McDermott, Transportation Planner, clarified that the corridor study is actually complete. He said this was sent to the Board of Supervisors in 2020 for approval, and so this is already done and has made recommendations for some aesthetic improvements, improvements to bike/ped resources along the corridor, and some improvements at the intersection of Mill Creek and Avon. He said this is available on the County's website under the Transportation Planning webpage that he would be happy to direct people to.

Mr. McDermott noted that the arterial status would not contradict anything that is in the corridor study. He said being arterial, it is evaluated as a corridor that they would expect to carry more traffic. He said it is more looked at for volumes rather than speeds of that traffic, as well as what kinds of connections it is making internally and externally between communities.

Mr. McDermott said there is nothing that would change how they can evaluate the Avon corridor from that perspective if they were to change it to arterial. He said currently, it is a 45-mph speed limit. He said if they were to pursue something in the future to try to reduce this to 35 mph, for instance, this would still be within the range that one would expect to see on an arterial, and so he does not think anything like this would necessarily change.

Mr. McDermott said there is the possibility that when VDOT reviews requests such as this, they will consider the road's arterial status and its volume to make sure that it is not conflicting with that and it is still able to carry that volume of traffic that is expected from an arterial. He reiterated that there is nothing directly conflicting between those two things, and so it is a consideration, not a conflict.

Ms. Price thanked Mr. McDermott for reminding her that the study was finished. She said she knew there were still some projects in relation to that, such as a sidewalk project that is being rebid. She asked if obtaining arterial status on Avon Street Extended, in any way, adversely impact the outcome of some of the other projects, particularly with regard to safety. She said as mentioned, they have Mountain View Elementary School, Biscuit Run Park, a very heavy residential area, and more development going in on the east side of Avon Street Extended as well as the west side of Scottsville Road, where the triangle forms at the bottom. She said safety is definitely going to be a major issue for this area of the County.

Mr. McDermott replied that staff does not believe this would have any impact on that. He said in fact, the design for the crosswalk at Mountain View has already been approved by VDOT, and they do not expect any change to that. He said the pedestrian facilities adjacent to it would not change. He said VDOT will not have any issue with the County installing pedestrian facilities recommended in the corridor plan if it were an arterial. He said they will not make that distinction.

Ms. Price said her last question for either Mr. McDermott or Ms. Maliszewski was if there were any negatives that they could identify by obtaining arterial status on any of these roads, and Avon Street Extended in particular. She said this appears to be the one with the greatest development taking place in terms of roads mentioned in the Scottsville District.

Mr. McDermott replied that staff was unable to identify any specific negatives to that. He said VDOT will evaluate and consider this road as an arterial and expect it to carry volumes of traffic similar to what it does and expect it to likely increase, just as the County does in their master plan. He said the only negative would be if they wanted to completely change this road to something different, but at this point, the road is what it is, and he thinks it will continue developing as they see it now. He said he did not see any negatives.

Ms. Price asked Ms. Maliszewski if she had the same answer.

Ms. Maliszewski replied that she had nothing to add.

Ms. LaPisto-Kirtley said she knew staff told Ms. Price that there were no negative impacts in her area, but she was specifically looking at Routes 20, 22, and 231. She said she understands that half of Route 20 is an entrance corridor. She asked if this was correct.

Ms. Maliszewski replied that the southern portion of Route 20 North is an entrance corridor.

Ms. LaPisto-Kirtley asked what the part north of that, to the County line, is considered to be.

Ms. Maliszewski asked if she was talking about the functional classification.

Ms. LaPisto-Kirtley confirmed.

Ms. Maliszewski replied that it is a collector.

Ms. LaPisto-Kirtley asked if staff was looking to change it from a collector to an arterial, or an

entrance corridor.

Mr. McDermott said Ms. Maliszewski had another slide on this that better explained it. He said when taking a step back to consider, they are talking about entrance corridors as one factor, and the functional classifications as another. He said the southern portion of Route 20 is an arterial, making it still eligible to be considered an entrance corridor by State Code. He said the northern portion from Proffit Road is a collector by functional classification, making it not eligible.

Mr. McDermott said that as Ms. Maliszewski pointed out, staff's proposal is not to change the functional classification on this road at all, but instead request that they do the Historic Roadway classification for that northern portion, so it would remain a collector under that.

Ms. LaPisto-Kirtley said she knows this is also a part of the Journey Through Hallowed Ground National Scenic Highway designation. She said from what she was hearing was that this does not have anything to do with it. She asked if this was correct.

Mr. McDermott replied that this was correct, but his assumption was that this is something staff would consider as they are looking at it as a Scenic Highway designation.

Ms. LaPisto-Kirtley asked if it were possible to make this a Scenic Highway designation.

Ms. Maliszewski replied that this is staff's recommendation to consider that and look into making that happen.

Ms. LaPisto-Kirtley asked if this is considered a Scenic Highway designation (which she definitely thinks it is, as it is a beautiful road), what the benefit would be of doing that.

Ms. Maliszewski replied that presumably, there would be regulations associated with it that would be put in place to protect that scenic quality.

Ms. LaPisto-Kirtley asked about Routes 22 and 231. She said she knew staff was looking into doing the same thing for Route 22/Louisa Road, where it makes a right turn at the market there, and then at the County line. She asked staff if they are also looking into making this a Scenic Highway designation.

Ms. Maliszewski replied that this is staff's recommendation.

Ms. LaPisto-Kirtley asked if Route 22 from Shadwell all the way up to Gordonsville is an entrance corridor.

Ms. Maliszewski replied that Route 22 is one of the streets listed as an entrance corridor but does not have the arterial status.

Ms. LaPisto-Kirtley asked if they are not looking at it having to have the arterial status.

Ms. Maliszewski replied this was correct. She said staff does not believe this street has the characteristics that would allow it to qualify as an arterial, and so an alternative they are recommending is the County Scenic Highway designation.

Ms. LaPisto-Kirtley asked staff if they are considering Route 22 from Shadwell all the way up to Gordonsville as a County Scenic Highway designation, or only to Route 231.

Ms. Maliszewski indicated on a map to Route 22, clarifying that the stretch she was pointing to is designated as an entrance corridor. She said it turns off to the east and does not have the arterial status. She indicated to the portion under discussion, explaining that they were not recommending any change on the lower portion.

Ms. LaPisto-Kirtley asked why they would not ask for a County Scenic Highway designation for Route 22 from Shadwell all the way up to Gordonsville (which would encompass Route 231), knowing that the area is part of the National Scenic Byway and is all residential, beautiful farms, and wineries. She said she was having problems seeing this as an entrance corridor.

Ms. Maliszewski said she would clarify. She asked Ms. LaPisto-Kirtley if she was able to see her laser pointer.

Ms. LaPisto-Kirtley replied yes.

Ms. Maliszewski indicated on the map to the full length of Route 22 in the County. She indicated to the lower portion, shown in black, and explained that it does currently have arterial status and is designated as an entrance corridor. She indicated to the point where it turns off to the east, explaining that it does not have the arterial status, and so staff is recommending a County Scenic Highway designation for it.

Ms. LaPisto-Kirtley said she understood this, but she was talking about Route 22 along Route 231, up to Gordonsville.

Ms. Maliszewski said with Route 231, as shown on the map in the bold, black line, entrance corridor is arterial status, and so there is no need to make a recommendation there as there is no problem with the arterial status.

Ms. LaPisto-Kirtley said perhaps she was not understanding the terms. She asked why it would not be a County Scenic Highway designation.

Ms. Maliszewski said she now understood. She said it could be. She said it is possible that many of these corridors could qualify as entrance corridors as well as scenic highways and historic areas.

Ms. LaPisto-Kirtley said this was what she was looking for because if one sees that stretch of road there, there is no way they can compare it to Route 20 Extended, Route 29, or Route 250, for instance. She said they were talking apples and oranges because all of those are multi-lane roads, for the most part, whereas Route 231 is a narrow, two-lane road with deep ditches on each side.

Ms. Maliszewski said what she might suggest at this point is if the Board does want staff to consider these scenic and historic designations, perhaps they want to broaden the recommendation that they consider the scenic and historic designations for all of the corridors that are in question to see which ones would work best where, or what combination might work best where.

Ms. LaPisto-Kirtley asked if they were considered County Scenic Highway designation as opposed to entrance corridor, what kind of control or assistance the Board would or would not have from VDOT or the feds.

Ms. Maliszewski replied that she did not know that this had any impact at all.

Ms. LaPisto-Kirtley asked if the Board would have more control of the County roads with a different designation other than an entrance corridor.

Ms. Maliszewski replied that she did not believe so and asked Mr. McDermott if he wanted to comment.

Mr. McDermott said they discussed a similar case with Avon Street, where VDOT will obviously evaluate any future changes to the roadway as an arterial if they make a request to change any of these to arterials. He said as Ms. Maliszewski, however, this is not what they are requesting here. He said the roads in this northern area (Routes 20, 22, 231) that are arterials are recommending to stay as arterials. He said he did not think they would have any luck if they tried to downgrade those from arterial to collector. He said for the ones that are not arterials, they are recommending the County Scenic Highway designation on them.

Mr. McDermott said he did not think VDOT would get involved in the County Scenic Highway designation. He said this is something that would be enforced through the County Code and not VDOT, so they would not evaluate for that factor.

Ms. LaPisto-Kirtley said if staff could understand where she was going, she was having a hard time with understanding the Route 22/231 transition and long stretch of road there being designated in the same category (i.e., entrance corridor, arterial) along with some of the major routes that are all multi-lane. She said she was trying to understand how they ended up with that.

Mr. McDermott said if Ms. LaPisto-Kirtley was asking how this became an arterial, this is a designation that VDOT and FHWA made on Route 231 a very long time ago. He said they based this on things like the connections it was making from different communities beyond the internal Albemarle County area and the amount of traffic they amount to see on it. He said as far as he is aware, Route 231 has been an arterial for a very long time, just like most of the other roads identified as arterials. He said he was not sure exactly when that happened.

Ms. LaPisto-Kirtley said she knew that in the 1970s, Route 250 along Pantops was a two-lane road, then turned into a four-lane road. She said she did not see Route 22 to 231 ever going into a four-lane road.

Ms. Mallek agreed.

Ms. LaPisto-Kirtley asked if therefore has the wrong classification. She asked if it were to have a different classification, if the County would have more ability to enforce better control. She said for example, if one goes along Route 250 up to Louisa Road, it is 45 mph. She said if one goes from Route 22/Louisa Road up to Gordonsville, along Route 231, this is 50 mph. She said here, they have a straight shot, but midway, it goes from 45 to 50 mph.

Mr. McDermott said changes to the number of lanes or increases in the speed limit on any of these roads in Albemarle County will continue to be County decisions and not VDOT. He said VDOT will not move forward with four-laning Route 22 to 231 because it is an arterial if the County is not supportive of that. He said the same is true for speed limits. He said the County would oppose any increase in speed limits out there because of existing concerns as far into the future as he could imagine. He said he was not saying it would never change because perhaps at some point, Albemarle County would support something like that, but it would not change without their support. He said he thinks VDOT is more than willing to work with the County on those kinds of issues.

Ms. LaPisto-Kirtley asked if it is, then, within the County's power to reduce a speed limit.

Mr. McDermott replied that the County can request reductions in speed limits. He said he did not know if they could actually make that final decision, but they can try. He said he could say that VDOT would not increase the speed limit on them.

Ms. LaPisto-Kirtley said, in actuality, then, whether it is an entrance corridor, arterial status, or collector, all they are doing is updating their roads to meet state or federal requirements. She asked if this was correct.

Mr. McDermott replied that they are updating the federal classification of the roads so that they can enable the entrance corridor status on those roads.

Ms. LaPisto-Kirtley said it does not change anything the County can or cannot do or limits their ability to do some enforcement along there.

Mr. McDermott confirmed that the change would not have any effect on that.

Ms. LaPisto-Kirtley said it was basically a cosmetic change, then.

Mr. Kamptner said what the Board is considering here how the County might regulate these different corridors. He said if it is an arterial and remains in the Entrance Corridor Overlay District, then any new development is subject to architectural review and landscaping standards in order to obtain a certificate of appropriateness. He said as Ms. Maliszewski described, in the Scenic Overlay District (which would apply to the non-arterials), though it is very preliminary, the County would be looking at a layer of regulations. He said as Ms. Maliszewski mentioned, what staff has thought of so far are enhanced setbacks, away from the road, for the commercial development to minimize the visual impact on the collectors.

Ms. LaPisto-Kirtley said she understands having that kind of control with setbacks in an entrance corridor. She asked why they would have an entrance corridor in a strictly rural area.

Ms. Maliszewski said that in 1990, the Board at that time took every street that was designated as arterial, plus a few others, and designated them as entrance corridors.

Mr. Kamptner added that there are a surprising number of commercial activities that are actually allowed in the Rural Areas District, which might have their own new standalone structures. He said he has raised that same question in the past, but the reality is that there is a potential there for commercial structures in the RA such as veterinary offices.

Ms. Palmer said she had a couple of other questions for clarity on Avon Street with respect to the speed limit. She said she understood what staff said, but it does say there is a minimum speed limit requirement. She asked what this is for an arterial, or if it is different for different arterials.

Mr. McDermott asked Ms. Maliszewski if she had the slide that listed the factors for arterial.

Ms. Maliszewski said she did not think it listed anything about the speed limit.

Mr. McDermott said staff could check on that, but as he mentioned, if they did alter the road and do some additional traffic calming to reduce the speeds on Avon, such as putting a roundabout in at Mill Creek as indicated in the corridor study, along with all the other improvements like narrowed lanes and removing turn lanes, this would likely reduce the prevailing speeds on Avon. He said if they were to implement those things and the speed did decrease, they could go back to VDOT and ask them to conduct a speed study and evaluate it to see if they could lower the speed from the current 45 mph.

Mr. McDermott said if this was done, he would imagine they could get it lowered to 35 mph. He said he knows they can have arterials that are 35 mph, so it would be within the bounds of an arterial. He said if they asked for it to go down to 25 mph that he thinks is unlikely, whether it is an arterial or a collector, that they would have any success with this. He said VDOT may question this because it is an arterial and is intended to carry a significant amount of traffic. He said if they lowered it that far, they would have trouble meeting that, and it would be a consideration of VDOT if they were to move down to that level.

Ms. Palmer said the speed limit in the school zone is 25 mph. She asked if this would work for Mountain View.

Mr. McDermott said this is absolutely fine. He said there are lots of arterials with school zones and school speed limits of 25 mph that exist all throughout the County, and it is not a problem.

Ms. Palmer said that at the CAC meeting, there was a lively discussion about the problem with speeding on the roads. She said it is difficult to get people to actually drive the speed limit, and the CAC wanted a lot of the calming such as the roundabout, narrowing of lanes, and the like. She said they also wanted ARB oversight. She said the suggestion was to make it an arterial a little closer into town. She asked what would be the downside of doing that.

Mr. McDermott replied that the downside would be related to the review by the ARB and the County's ability to review any development that might change in that portion of the corridor that is not designated as an arterial.

Ms. Palmer asked if they were going to have a more difficult time narrowing lanes and putting in a roundabout in a collector versus an arterial.

Mr. McDermott replied that it will be part of the review process, but he does not believe it would stop the County from being able to do any of those improvements.

Ms. Palmer said she wanted to make absolutely sure they were covering the bases because the speed limit is a huge issue for the community, whether one is on the CAC or not. She said this is why the crosswalk is so important for everyone living there. She said if they were being clear that this arterial would not interfere with any of those projects in the future, then she would stop asking questions about it and move on to Old Lynchburg Road. She asked if there would be no real difference if they went with an arterial for all those improvements.

Mr. McDermott said this was correct. He said for context, Avon Street within the City is already designated as an arterial, so currently, that status changes at the City-County line. He said as one could imagine, the context of the road on Avon as one is driving into the City is very urban, with crosswalks and residences right up against it. He said to keep in mind that they could have that type of road and it can still be an arterial.

Ms. Palmer asked Ms. Maliszewski if she could put up the Old Lynchburg Road slide with details so she could ask some questions about it. She said she was somewhat confused about the map because Country Green Road was going right into Old Lynchburg Road, and her map calls this Sunset Avenue Extended.

Ms. Maliszewski agreed. She said on her earlier map, she had called it Sunset Avenue, but on VDOT's functional classification map, it is listed as Country Green, even though it makes a loop.

Ms. Palmer said she would have to reorient herself, then. She said one of the bigger concerns from the people living across the street from the Southwood development is about what kind of review they are going to have for the changes that will be taking place on that commercial development on Old Lynchburg Road. She said staff was telling the Board now that this is currently not an arterial road. She asked if they thought it was an arterial road before this all came to light, or if it was a matter of having it in an arterial overlay. She asked Ms. Maliszewski to explain about that history because she was not remembering it clearly.

Ms. Maliszewski asked Ms. Palmer if she was talking about when the entrance corridors were initially established.

Ms. Palmer replied no. She said she was talking about a couple of years ago, when they found a discrepancy between what they were thinking was arterial in the entrance corridors and finding out that they were not meeting the definition of "arterial."

Ms. Maliszewski said that when they were discussing it about two years ago, for which the present discussion was just a continuation of that, they discovered at that time that some of the streets that are listed as entrance corridors in County Code did not have the arterial designation, and this is just one of them.

Ms. Palmer said south of Country Green Road and Old Lynchburg Road never had the designation of arterial. She asked if this was correct.

Ms. Maliszewski confirmed it was.

Ms. Palmer said if this were made a scenic road, which would take a while, she would assume Southwood commercial development will happen before that. She asked for the benefit of the community in that area if Ms. Maliszewski could explain what the oversight is because some believed they would have ARB input but now, it is clear they will not.

Ms. Maliszewski replied that the development would be reviewed according to County Code for site plan requirements and building permit requirements, but there would be no architectural review.

Ms. Palmer asked if it were a scenic road before they started development, which she knew was not possible, if the setbacks would be the only thing affected.

Ms. Maliszewski replied that if that scenic designation was going to be the same as it was previously, this would be the case, but they do not know that. She said she could not say exactly what it might be, but she was just giving the example of what it was previously.

Ms. Palmer said she believed Ms. Maliszewski had told her that Old Lynchburg Road where it turns into 5th Street is an entrance corridor going forward and an arterial now, and so they are not looking at changing that.

Ms. Maliszewski said this was correct.

Ms. Palmer said they were then just talking about Country Green Road to Old Lynchburg Road, and they want to make this an arterial so that it has ARB oversight, and there is not really a choice to do anything different. She asked if this was correct. She said she was missing out on what the actual choices were on this one, small, short segment of road.

Ms. Maliszewski replied that currently, the entire length of Route 631 all the way out to its intersection with Route 708 is what has been called an entrance corridor, but everything below the intersection with Country Green does not have the arterial status. She said staff's recommendation for that portion of Route 631 is the County Scenic Highway designation, and this was not part of the group asking for arterial status.

Ms. Palmer asked why the County would not ask for arterial status to go down to include the Southwood area.

Ms. Maliszewski said this was discussed, and perhaps Mr. McDermott could explain it better. She said it did not look like it was going to have VDOT support. She said the arterial needs to stop in a particular place, at a particular type of intersection, and staff could not find an appropriate point to extend it to.

Mr. McDermott said this was generally correct. He said there are some specific categorizations for a road to be an arterial, and this segment south of here did not really meet those requirements based on staff's discussion with VDOT. He said VDOT did not seem to support the idea of changing it to an arterial. He said what Ms. Maliszewski was describing about the intersection where they typically change is that one would usually end an arterial at a spot where they see a significant change in the type of roadway. He said this is where two fairly major roadways would come together, which is the point where one would see it turn into an arterial. He said there was really nowhere south of Country Green or Sunset that staff could find that was suitable.

Recess. Mr. Gallaway recessed the Board meeting at 2:28 p.m. due to technical difficulties and reconvened at 2:36 p.m. after the technical difficulties had been resolved.

Ms. Palmer reiterated what she had said before the video was cut off, which was that Southwood is getting developed, and Hickory is going to be a larger road. She said she did not know what the timing was on that, nor did she know how long it takes to get this designated as arterial. She asked if it would be reasonable to considering asking VDOT to go down a little bit farther to take in that major development that is going in there.

Mr. McDermott replied that he believed staff could go back to VDOT and have that discussion. He said he could not remember how detailed they got into those proposals when they had previously talked with VDOT about it. He said they did have the difficulty in identifying a reasonable place where the end of the arterial would be, at the time. He said perhaps if they explore the change in development in Southwood, VDOT would be more willing to extend it to that next line. He said staff could follow up on that.

Ms. Palmer said this would be wonderful. She said she thinks the neighborhood would appreciate that additional ARB oversight if this could be managed. She said this answered her questions and that she was satisfied with the two roads she had been concerned about.

Mr. Gallaway asked Ms. Mallek if she had something to add to Ms. LaPisto-Kirtley's comments.

Ms. Mallek said she had written down a couple of things that she thought she would offer for people to think about. She said they were talking about speeds on Avon Street Extended and about how VDOT wants roads to have capacity, but what the County has learned over the years from many different highway planners is that the largest capacity of vehicles is if they are driving no more than 35 mph because there is not so much racing, starting, stopping, and crashing, and everyone is just going along. She said VDOT accepts this and so hopefully, it would be a valid argument.

Ms. Mallek said someone had asked why they have all these entrance corridor roads in rural areas. She said that at the time, there was a tremendous emphasis to recognize and try to help out with the scenic value in the historic areas, understanding the numbers of travelers who come over these roads to these destinations. She said this is something that she thinks is still completely valid.

Ms. Mallek said she would support what Ms. Palmer said about extending down Old Lynchburg Road because one is going along all the way to Mosby Mountain, and then the road disappears, with no shoulders and being narrower. She said this seems like a lovely place to make a change, and she hopes staff will have success in their second approach to VDOT on that.

Ms. LaPisto-Kirtley said she wanted to ask Mr. McDermott whether or not Routes 22 and 231 being an entrance corridor would have an effect on any traffic calming measures they may want to take along that road. She said she noticed that on the VDOT report, page 14, it says that functional class is one of the factors of eligibility for traffic calming measures. She said according to VDOT, only roads classified as collector roads and local roads are eligible for traffic calming measures. She asked if this (which was from a June 2014 report) was still effective.

Mr. McDermott replied that this is a factor if one wants to do a traffic calming plan on those roads, according to VDOT. He said it would not prevent the County from doing County-led efforts that might slow traffic. He said VDOT has specific requirements for whether or not they will perform a traffic calming plan, and it does have to be a collector or below. He said as part of that, they would not support things like speed bumps on arterials.

Mr. McDermott reminded that this has nothing to do with the entrance corridor classification, which is a completely different factor. He said on the roads Ms. LaPisto-Kirtley was referring to (Routes 22 and 231), staff is not recommending any changes in those functional classes, anyway. He said Route 231 and Route 231/22 south of the intersection are already arterial.

Ms. LaPisto-Kirtley said under traffic calming measures, she realizes they would not be speed bumps because that would be ridiculous along that road. She asked about roundabouts.

Mr. McDermott replied that roundabouts would not be a problem. He said an example is that it looks as though the County will receive funding for the roundabout at John Warner Parkway and Rio Road, under the new Smart Scale funding. He said this road is already considered an arterial. He said having roundabouts on arterials is not an issue.

Mr. Gallaway reminded the Board that this is an action item.

Ms. McKeel **moved** that the Board adopt the Resolution of Intent (Attachment G) requesting the arterial status for Avon Street Extended, Barracks Road, Thomas Jefferson Parkway, and Richmond Road as provided in the report. Ms. Mallek **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None

Mr. Gallaway said he saw that #2 was, "Providing direction regarding Scenic Highway and Historic District designation." He asked Ms. Maliszewski if she had what she needed or if she needed further clarification.

Ms. Maliszewski said it sounded like the Board did want staff to pursue the studying of the possibility of a County Scenic Highway and Historic designations for those other streets.

Mr. Gallaway said he did not hear any objection to that.

Ms. Palmer asked how they are going to handle the discussion with VDOT on extended Old Lynchburg Road possibly down to Hickory for the arterial. She asked if the Board needed to do anything about that.

Ms. Maliszewski said she believed staff would need to have a meeting with VDOT anyway to get the arterial designation process started, so they would get right on that.

Ms. Palmer asked if there was no change, then, to the motion that the Board just took. She said she could not ask fast enough. She said she wanted to make it clear.

Mr. McDermott replied that after they have the discussion with VDOT, this would be a separate motion. He said staff did not have any additional recommendation for the arterial on there at the time. He said they will have the discussion, and if there is something that comes up that is appropriate, they will have to come back to the Board with a new recommendation for that change.

Ms. Palmer asked when staff thinks that conversation might take place so that she could put it on her calendar to circle back.

Mr. McDermott replied that he was sure they could have that conversation within a month, in a matter of weeks.

RESOLUTION OF INTENT

WHEREAS, the Historic, Cultural, and Scenic Resources Chapter of the Albemarle County Comprehensive Plan states that one of the objectives of the County is to "Maintain the visual integrity of Albemarle's Entrance Corridors" and further states that entrance corridor regulations may only be applied to "arterial streets or highways found to be significant routes of tourist access"; and

WHEREAS, Virginia Code §15.2-2306 enables localities to establish entrance corridor districts encompassing parcels contiguous to arterial streets and highways found to be significant routes of tourist access to the county and to designated historic landmarks, structures, or districts within the county; and

WHEREAS, Albemarle County Code § 18-30.6.2 lists arterial streets and highways designated as Entrance Corridor streets; and

WHEREAS, staff has evaluated various characteristics of the non-arterial Entrance Corridors, and desires to take steps to protect the characteristics of several of the non-arterial streets by requesting arterial classification, scenic highway designation, and/or local historic district designation.

NOW, THEREFORE, BE IT RESOLVED THAT the Albemarle County Board of Supervisors hereby directs staff to request arterial status and consider scenic highway and historic district designation as recommended; and

BE IT FURTHER RESOLVED THAT for purposes of public necessity, convenience, general welfare, and good zoning and development practices, the Board hereby adopts a resolution of intent to consider amending Albemarle County Code §18-30.6.2, any other sections of the Zoning Ordinance, and the Zoning Map deemed to be appropriate to achieve the purposes described herein; and

BE IT FURTHER RESOLVED THAT the Planning Commission shall hold a public hearing on the zoning text amendment proposed by this resolution of intent, and make its recommendations to the Board of Supervisors, at the earliest possible date.

Agenda Item No. 10. **Work Session:** Comprehensive Plan Update - Draft Scope of Work.

The Executive Summary forwarded to the Board states that, at a March 4, 2020 Board of Supervisors work session, staff brought forward the 2020-2023 Community Development (CDD) Work Program, which proposed a Comprehensive Plan (Comp Plan) update and subsequent Zoning Ordinance update, with work beginning on the Comp Plan update in the fourth quarter of 2020. The Board shared their support for prioritizing the Comp Plan and Zoning Ordinance updates as part of the overall CDD work program.

As discussed during the March work session, the need for a Comp Plan update is prompted by the need to better align the Comp Plan with current County Values and Board Strategic Initiatives, including intentional incorporation of the topics of equity and inclusion, climate action planning, economic development, and infrastructure planning and investment. A desired outcome of the Comp Plan update is to produce a guiding document that provides a clearly articulated vision for Albemarle County, as well as a focused and prioritized approach towards realizing the vision. With significant community input, the Comp Plan update will identify the community's priorities for the upcoming Zoning Ordinance update, setting the stage for this important implementation project.

Staff is presenting a draft conceptual scope of work for the Comp Plan update that outlines a planning process from visioning to adoption that will allow for a complete review and update of the current Comp Plan (Attachment A). This process is intended to provide an opportunity for the community to review the Comp Plan's vision statement and goals and to identify if and how these should be updated. The scope estimates a three-year planning process broken into five phases of work. Each phase is intended to build upon the next phase with an increasing level of detail and specificity. The draft scope includes an estimated timeline and budget for each of the five phases.

The first two phases of the project, beginning in the first quarter of 2021 and continuing through the second quarter of 2022, are dedicated to the "Pre-Planning" and "Big Questions & Community Goals". Staff sees this time investment as critical work in ensuring that equity and inclusion are central to both the engagement process and the content of the identified community goals. Planning staff will work closely with staff from the Office of Equity and Inclusion (OEI) and Communications and Public Engagement (CAPE) to design an engagement process that seeks representation from a diverse group of stakeholders and community members. To this end, the team will work to set up a Project Advisory Group to guide the overall project, whose membership will be selected based on identified criteria and County-wide demographics.

Staffing for the Comp Plan update will rely heavily on current Neighborhood Planning staff with support from CDD leadership and leadership from across the organization. The draft scope identifies where external resources can be used to supplement staff's work, especially in areas where additional expertise or capacity are needed. Use of external resources can also allow County staff to continue providing services outside of the Board's work program throughout the duration of the project. The scope includes budget estimates associated with each of the identified external resources.

The draft scope also identifies resource needs to support a broader and more inclusive community engagement approach aligned with the County's new "Community" Core Value. These resource needs include stipends for Project Advisory Group members and collaborator/artist-led projects. Page 2 of Attachment A provides additional details about external resources and supplemental engagement funding.

The total estimated budget for the Comp Plan update project is \$470,550 and will be part of upcoming budget planning. A breakdown of budget estimate by phase is provided on page 1 of Attachment A.

Staff recommends the Board:

- Provide direction and feedback on the attached scope of work
 - Direct staff to proceed with work on Phase 1 "Pre-Planning" and preparing for Phase 2 "Big Questions and Community Goals"
-

Ms. Rachel Falkenstein, Planning Manager, said she was joined by Mr. Charles Rapp, Planning Director.

Mr. Rapp said he would start by providing some background for the project and then, Ms. Falkenstein would provide an overview of the scope and resources needed. He said they would be available for questions and discussion afterwards.

Mr. Rapp said they hoped to share a very high-level draft of scope of work with an estimated budget to complete the Comprehensive Plan update. He said they would be seeking direction and feedback from the Board regarding the proposed scope, recognizing that this may be a different approach to the strategic update that was discussed previously during last year's work program discussions. He said staff would then be asking for direction, if necessary and if the Board desires, to proceed with Phase 1 and Phase 2, which would be outlined in greater detail. He said those phases have been identified as starting in the first quarter of 2021 within the strategic work plan and the draft outline before the Board that afternoon.

Mr. Rapp said the slide on the screen showed a timeline of the history of the County's Comprehensive Plan efforts, going back to the original Growth Management Policy in 1971. He said at that time, the population of the County was just under 40,000 people. He said since then, as shown on the timeline, there were several significant updates to the Comprehensive Plan, with many of those focused on things such as the limits of the Development Areas, planning for the Rural Areas, incorporating the Neighborhood Model concepts, conservation programs, and other planning initiatives and policies.

Mr. Rapp said the question was, "Why now?" He said the existing Comprehensive Plan has reached the state-mandated time for review, having last been updated in 2015. He said he would acknowledge that the 2015 update was a very lengthy process. He said that update, along with the numerous updates over the past 50 years, have added a wealth of information throughout the Comprehensive Plan, which has resulted in a document that is currently over 400 pages long.

Mr. Rapp said the County continues to experience high growth, and that trend has even continued throughout the pandemic, with high numbers of development applications, rezonings, and building activity that continues today. He said the current population is estimated just below 110,000 in Albemarle County, which is bringing new challenges. He said topics of discussion for the Board, community groups, and other boards and commissions are focused on transportation infrastructure, affordable housing, development density and form as the Development Area has taken on a more urban character, protection of natural resources, scenic viewsheds, and the Rural Areas.

Mr. Rapp said this update provides an opportunity to reevaluate the Comprehensive Plan to ensure it incorporates current County values and addresses the Board's adopted strategic initiatives, as well as the organizational core value of equity, inclusion, and diversity, which should be folded into all aspects of the Comprehensive Plan.

Mr. Rapp said another item staff would love to see is a strengthened synergy between the Comprehensive Plan's policies and the goals of the Climate Action Plan so that they align together, reduce duplicity, and strive for the same common goals throughout.

Mr. Rapp said the approach being presented would involve deconstructing the existing plan and keeping those key elements that have helped to guide growth while addressing the inconsistencies seen between the Comprehensive Plan, master plans, and the County Zoning Ordinance. He said the Comprehensive Plan should be a high-level document that sets the foundation and guides more detailed master plans and zoning ordinances.

Mr. Rapp said lastly, what staff wants to establish within the Comprehensive Plan are measurable goals and objectives within each chapter in order to provide a way to gauge the plan's effectiveness and ensure it is accomplishing what was intended. He said those measurable goals and objectives will also provide a framework for future updates as they go into these cycles in future five-year periods.

Mr. Rapp said Ms. Falkenstein would go into the details of the proposed scope and other elements of the draft before the Board.

Ms. Falkenstein said she would share the scope of work for the Board's feedback and questions, as well as some resource needs that have been scoped for the project.

Ms. Falkenstein said the scope graphic shown on the screen is provided in Attachment A of the executive summary that was provided to the Board, and it outlines a process from visioning to adoption that will allow for a complete review and update of the current Comprehensive Plan. She said they developed the scope based on research and reviewed some precedents of other localities and award-winning plans and processes, especially those that are focused on the topics of equity and inclusion throughout the planning process.

Ms. Falkenstein said the scope estimates a three-year planning process that is broken into five phases of work. She pointed out that what was shown was a calendar year, and staff is already in the pre-planning phase, as shown on the graphic. She said each phase is intended to build upon the next phase at an increasing level of detail and specificity over time.

Ms. Falkenstein said she would go into each phase of work and describe it in more detail, and the Board could follow along in their attachment.

Ms. Falkenstein said the first phase is pre-planning, which is the current phase. She said this is the early work that prepares staff to do the Comprehensive Plan update and has them go out and engage the community on this process. She said this is estimated to take about three quarters, from the first quarter to the third quarter of 2021. She said its work includes planning, compiling information, and looking at existing plans, as well as some budgeting work that will need to be done if they use outside resources for the project. She said this would include requests for proposals or quotations would need to be done to prepare for the next phase of work, and most of the first phase of work is focused internally.

Ms. Falkenstein said staff is calling the second phase, "Big Questions & Community Goals." She said this is where they would begin the broad engagement process on developing a community vision. She said they anticipate a lot of community engagement, storytelling, information sharing about the history of planning in Albemarle County, and to hear from community members about what their vision is for the community. She said they would start with the vision they have now in the Comprehensive Plan and check on that to see what needs to be updated or changed about that vision. She said they will set some clear goals and priorities for the work of future phase.

Ms. Falkenstein said staff is calling the next phase, "Policy & Land Use Framework." She said this is where they would take their goals that they identify in Phase 2 and develop a land use framework that they can use to make development recommendations throughout the County in both the Rural and Development Areas and set up the expectations for development in those areas. She said it would involve prioritization and policy work as well, and staff anticipates that in this phase of work, they would also engage with a professional planning or design firm to help with some of this work to pull those goals into more specific planning and design recommendations.

Ms. Falkenstein said the next phase, Phase 4, continues to build on that work and gets down into the specific recommendations, prioritization of those recommendations, and implementing the goals that were identified in Phase 2. She said this involves pulling everything together into a cohesive document for the community to review and provide feedback. She said this would take them into the last phase of work, which is Phase 5, or final document review where the Comprehensive Plan document is out in the community for final revisions, public hearings, and adoption by the Planning Commission and Board of Supervisors.

Ms. Falkenstein said she also wanted to touch on staff's engagement process for this. She said they have not gotten down into the details of exactly how engagement will work, but they have identified a high-level approach for engagement that incorporates their new organizational core value of community, expecting diversity, equity, and inclusion to be integrated into the way they live their mission. She said staff has been working with other departments within the organization. She said the Office of Equity and Inclusion (OEI) and Communications and Public Engagement (CAPE) are key in helping with this work.

Ms. Falkenstein said staff has identified a couple of key components that will be helpful in incorporating the new community core value into the work of the Comprehensive Plan update. She said she would highlight a couple of those and share how this will work with the draft scope.

Ms. Falkenstein said the first is the Project Advisory Group. She said the purpose of this group is to advise on all aspects of the Comprehensive Plan update. She said this would include draft content as it is developed as well as the scoping and engagement work staff is doing. She said they anticipate they would convene a group of community members to help with the work of the plan throughout the three-year process. She said the goal is to strive to have a representative group that represents the demographics of the community, to have a diversity of voices representing criteria of race, place, age, gender, and income so that staff hears from all types of people as they go through this process.

Ms. Falkenstein said staff anticipates they would have a monthly meeting with the Advisory Group for them to provide their feedback on the process as it moves along. She said they would also expect they may have some new voices that have not engaged in planning processes in the past, and so they would anticipate they could provide some training about development processes in the County and planning processes, generally, so that people have the capacity to engage in this work.

Ms. Falkenstein said the next component she would highlight is what staff calls collaborator or artist-led projects. She said this is something new that they have not tried before, but they think it can be a great way to bring new voices and creativity to the process. She said as scoped, the County would put out a call for local organizations or individuals to lead small sub-projects to support the overall Comprehensive Plan effort. She said the purpose of the projects would be to support engagement or content development aspects of the plan, with the hope of bringing new ideas or new people into the planning process.

Ms. Falkenstein said staff would ask collaborators to bring new ideas and, if selected, they would manage a project with a wide variety of options. She said it could be a research project that might bring to light some untold histories of the County, a demonstration or pilot project that tries out a new project or policy, a placemaking project, or artwork by creating a digital or physical work of art that could be brought into the process, or even into the adopted plan document.

Ms. Falkenstein said since this is a new concept for the County, she thought she would highlight

a couple of examples from other communities of ways that communities have used art or local collaborations in their planning processes.

Ms. Falkenstein said the first example was from Ivy City, which is a neighborhood in Washington, D.C. She said the Office of D.C. Planning commissioned local artist groups to work with this neighborhood, especially focused on youth, to do some workshops and screen printing to do a visioning exercise in this neighborhood that was experiencing a lot of change and growth. She said they wanted to engage some of the existing residents to set a vision for the community as it grew. She said some ideas came out around recreation and community identity from this process that were adopted into some policy documents.

Ms. Falkenstein said the next example was from the Bay Area of San Francisco, which was a pop-up village created in an area that the community identified as lacking some services important to neighbors of the area and as having some public safety concerns. She said there were temporary structures set up to make a pop-up village. She presented a picture of a mobile classroom unit that was set up there where students could come in and access resources to do schoolwork and tutoring.

Ms. Falkenstein said the third project she would highlight was in the El Sonido del Agua area of Brownsville, Texas, which is in the Rio Grande Valley. She said this is a community that was experiencing quite a bit of flood-related damage to their community. She said they wanted to engage local residents on how they could tackle some of these flood issues in their community. She said a local design group hired some musicians to come out, work with community members, engage with them, and get their thoughts and ideas on how they can tackle these flood issues. She said they wrote some songs that they presented to the policymakers with their ideas.

Ms. Falkenstein said this was not to say that this is exactly how this would play out in Albemarle County, but she wanted to provide some examples of different options that could be incorporated and different mediums of collaboration with this artist and collaborator-led project.

Ms. Falkenstein said the last component of staff's engagement approach she would highlight was the facilitation and engagement local partner. She said the County would solicit assistance from a local organization to assist with the second phase of work, "Big Questions and Community Goals," to help facilitate an engagement process. She said they would look to this local partner to help with outreach and especially the engagement of underrepresented groups, but of all community members who wish to participate, and to help facilitate some dialogue and engagement around big questions and vision in Phase 2. She said staff would ask them to also summarize their work and provide some recommendations as to how they can incorporate reengagement into the next phase.

Ms. Falkenstein said lastly, she would talk about some resource needs that will be needed to support this project, as scoped. She said the timeline and a brief summary on the first phase were shown on the slide and also included in Attachment A. She said the second phase goes into more detail about each of the resources that were scoped for the project.

Ms. Falkenstein said there are five resources that are identified to support this work. She said the first is a Project Coordinator position. She said this would be a temporary staff position that would exist throughout the duration of the project and would just last through the Comprehensive Plan update to support all aspects of the work. She said they are calling it "Project Coordinator" because they anticipate that this person would help with general coordination and logistics of a project of this size but could also work with some planning work (if they have a planning background) and do some communication and engagement work.

Ms. Falkenstein said the second resource that was scoped was a stipend for the Project Advisory Group. She said as mentioned, staff is looking for a diversity of voices, and this would include people from all income levels. She said they want to make sure that people especially from the lower income levels feel able to participate, and it is a big ask with a three-year project to ask people to engage throughout the entire length. She said staff has scoped stipends for individuals on that group to be able to participate.

Ms. Falkenstein said the third resource is the Facilitation and Engagement Local Partner, which she spoke about previously, to help with the Phase 2 work.

Ms. Falkenstein said the fourth resource is the Collaborator and Artist-Led Projects, and these were scoped to be up to five projects and up to \$10,000 for each project.

Ms. Falkenstein said lastly was a Planning and Policy Consultant. She said staff scoped this work to be in Phases 3 and 4 to help support some of the design and technical work that they would need additional capacity and expertise to help staff on.

Ms. Falkenstein said in Attachment A, she also included some budget estimates for each of the phases of the project. She said the resource needs are staggered throughout the entire course of the project as the needs vary through the course of the work. She stressed that these were estimates, at this point. She said staff wanted to check in with the Board to make sure they were headed on the right track before they do any further detailed and budgeting work. She said they believe this is a strong estimate of what they would need to do the work, as scoped.

Ms. Falkenstein said her formal presentation was complete and paused to take questions and

feedback about the scope. She said staff was looking for the Board's feedback on the scope and if they have the Board's support to proceed with the work, especially Phases 1 and 2 as they are getting into the timeline.

Ms. McKeel thanked Ms. Falkenstein and Mr. Rapp. She said this was very good, and she appreciated the work getting them to this point. She said she was thrilled to hear about the addition of equity and diversity discussions, as she thinks they are impactful in several ways. She said impact assessments and adding this to their work is very important.

Ms. McKeel said she is also excited about the idea of perhaps looking at something with the arts. She said she has been trying to include arts in the Urban Ring area, and she would love to have an arts district designation of some sort.

Ms. McKeel said she had some questions and concerns. She said three years was taking her back, somewhat. She said while she understands there is a lot of work and they do not want to rush it; three years seems to her like a long time to get this update complete. She said she is fully appreciative of capacity and staff time, so she is supportive of staff getting some help with that.

Ms. McKeel said the document is 400 pages. She asked if this is best practice for a Comprehensive Plan. She asked if they were to compare themselves to other high-performing communities that they like to compare themselves to, if those communities also have 400-page comprehensive plans.

Ms. Falkenstein replied that Mr. Rapp did, in fact, look into that.

Mr. Rapp said he believes it is a little large. He said as he pointed out on the timeline, there has been a cumulative effect. He said a lot of great stuff has been added over the years, but it eventually just keeps growing. He said he thinks their goal would be to try to streamline the Comprehensive Plan and determine if there are ways to reduce while still getting the same message across and same impact with less information. He said when combining such a large Comprehensive Plan with all the master planning documents and corridor studies, they have a lot of reference material, and it can be somewhat daunting to go through, reference, and create a unique vision for the community.

Mr. Rapp said staff has not done a thorough benchmark of exactly the length of other communities' plans, but he did look at the City of Richmond, and theirs is about 260 pages. He said this is the capitol of the Commonwealth and a big region, so there are certainly some opportunities to figure out how Albemarle can keep the things they want and remove some things or consolidate it down to some policy statements or more brief items that can be addressed in more detail in the master plans and zoning ordinances, where that detail is really desired, and keep the Comprehensive Plan as the larger, guiding document.

Ms. McKeel said she liked hearing that. She said it is not as if she thinks there is something magic about a certain number of pages (like 200, 250, or 300), but it does seem that at some point, the document gets so bulky, weighty, and unusable. She said they need a document that is user-friendly, in her opinion.

Ms. McKeel commented that when she was still working and doing a lot of writing and editing, she sometimes found that it took much more time to go through and edit her existing documents rather than trying to look at it from a different perspective and starting over again. She said she knows that talking about starting all over again with the Comprehensive Plan could scare people, but at the end of the day, she is just thinking about what processes staff thinks they can incorporate, combine, and realign that might reduce that timeline and allow them to move through this. She said she would like staff to think about this, going forward.

Mr. Rapp said it is certainly something staff will want to put more attention to. He said they first wanted to gauge the Board's reaction to this approach first, and so it is something they would need to vet more. He said one thing that would help is the idea of creating the Advisory Group, which can serve as a sounding board as they go through the process.

Mr. Rapp said it would help with some of the technical and detailed work staff may need to do (e.g., maps, graphic) to have a consultant onboard. He said they want to keep the initial big questions local so that it really represents Albemarle, but some of the actual production work could use some additional support.

Ms. McKeel said for lack of a better word, they did not want to farm this out to other people. She said they need to keep control of their own, but having said that, she would hope there is a way they can look at capacity and still end up with a good process and product. She said three years seems like a long time to be working at this.

Ms. McKeel said there are disconnects they talk about all the time between the Comprehensive Plan and master plans. She said some of these are causing a lot of issues at present. She asked if there is a way they can single out or establish certain disconnects discussed that they think they can tackle without waiting three years. She asked if there is a way to make some of the changes that some of the Supervisors have expressed concerns about, even recently.

Mr. Rapp replied that the components of the master plans and Comprehensive Plan are the

Board's discretion in terms of how they want to look at and update those. He said they will certainly want to work with the County Attorney's Office to make sure they follow process on how they do those things.

Ms. McKeel said there are some things that the Board of Supervisors could do and changes they could make (working with the County Attorney's Office) without having to wait three years.

Mr. Rapp agreed.

Ms. Mallek said she had many disorganized questions as she made notes, and so she did not know if it was useful for staff to answer them as they go, or if she should ask them all at once.

Ms. Mallek said as someone who has participated in these renewals since 1985, she is working very hard to wrap her brain around this completely new process. She said she thinks there are huge benefits to what staff proposed, and she is quite sure they will be able to figure out a way to hang onto the things that are most important, as it cannot be everything.

Ms. Mallek said when Mr. Rapp said, "address the inconsistencies of the Comprehensive Plan, master plans, and Zoning Ordinance," her question was who will do that. She asked if this is an interior current staff question.

Mr. Rapp replied that he believed so. He said working with the Project Coordinator would be an internal staff person to analyze existing plans and documents and identify specific items.

Ms. Mallek said this was reassuring and answered her other question. She said the current plan is their base, and even though they are not going to try to edit it, they do want to remember that it used to be 15 volumes of notebooks with different chapters adopted in different years. She said the last time, it took them five years because they put all those things together, but she was sure there were still some places where there are contradictions from one chapter to another that the County will live with (because that is the way life is) but that they have to look at.

Ms. Mallek said there has certainly been a lot of evolution of the various neighborhoods, crossroads, villages, etc., and she would remind people that back in the 1980s, Earlysville Crossroads was a village. She said thankfully, during the early 1990s, the leaders of the organization, at the urging of the residents, said to go down to the Board of Supervisors and ask them when they were going to get the sewers and sidewalks to go into all the townhouses that they were supposed to have in the middle of Earlysville. She said the Board at the time told them they were not getting any, and so the response was to ask to take away their village, which they did.

Ms. Mallek said she is sure this was not going to happen now, as all of the services have expanded out much farther than they used to be.

Ms. Mallek asked if in the Advisory Panel, each person would also reach out to their communities and try to gather more information besides their own for the group of 20, or however many staff is planning to have. She said when she was on what is currently called CTEC, they were all responsible for asking questions of all their constituencies they represented around the table. She said she hopes this will be the case in this situation.

Ms. Mallek said the artists idea is wonderful, and she would call people's attention to the mural on the side of the Parkway Pharmacy in Crozet that the fourth-grade kids did. She said the people who came to see the mural on its opening day, and ever since, have been a wide cross-section of all the long-time residents from all the mountain hollows and everywhere there because they are all represented in the mural, which is spectacular. She said she looks forward to the artists idea as well.

Ms. Mallek said for the engagement, going where the people are is an important thing, and she hopes that someone will write this down as a policy. She said on the radio that day, they were talking about how they cannot keep getting people to sign up for COVID vaccines online because so many people have no email or internet. She said they have to make sure they are not limiting themselves to a survey on a website to gather information.

Ms. Mallek said in the old days, when there seemed to be more time to do a lot of things, for the Rural Area chapter of the Comprehensive Plan redo (which was probably around 1990), staff went to schools all over the district and did the roadshow. She said the one at Broadus Wood had about 100 people that showed up. She said going where people are will be very important, and hopefully by next year, they will be able to see each other face to face.

Ms. Price said as her first point, in 1970, the City of Charlottesville's population was 39,000. She said in 2020, it was about 45,000, which was a 15% increase in 50 years. She said by comparison, Albemarle County's population in 1971 was 40,000, and their population today is approximately 110,00, which was a 175% increase in the population. She said this simply exemplifies the complexities of what they are dealing with as an urbanized county that many other nearby communities do not face, and it demonstrates the necessity for a review of the Comprehensive Plan.

Ms. Price said she fully supports the review. She said she also believes it is helpful to not only have the community engagement that was brought up (which they have seen the benefits with from their Court Square properties, as well as other issues), but to expand the input that they get, which will help them provide a better end product.

Ms. Price said she also believes that using external resources will actually be very helpful because if they have the same people doing the same process year after year, they do not necessarily get the benefit of new views and insights and people who may have experience from other places. She said she thinks the combination of the expertise their exceptional County staff brings, that the community involvement will provide, and the external resources is likely to give them the best possible product.

Ms. Price said one thing she thinks is extremely important is when they identify language in a master plan or Comprehensive Plan that is not legally sustainable, this is the opportunity to remove that language and do the right thing now to avoid further legal complications down the road. She said they have seen some of those, and County staff is aware of it.

Ms. Price said she fully supports this and thanked staff for their presentation. She said she does recognize that it will be a time-consuming process, but given what they are dealing with, she feels it is a necessity.

Ms. LaPisto-Kirtley said redoing the Comprehensive Plan is fantastic. She said she agrees with Ms. McKeel in that she was having problems with the three-year timeline, as well as with having a 400-page-plus Comprehensive Plan. She said she wondered if it would be better to start from scratch and pick a Comprehensive Plan from another location that they respect and admire and think that they have done a good job. She said they could plug in what Albemarle's priorities are so that, in other words, they are not scrapping theirs altogether, but they are plugging in what is important to them.

Ms. LaPisto-Kirtley said she also agrees that things that are in conflict that they find now should be eliminated, as Ms. Price said, sooner than later and not waiting until the Comprehensive Plan gets out in two or three years.

Ms. LaPisto-Kirtley said they are getting a lot of community involvement, which she likes, but she wonders whether or not they should not go through the CACs that are already existence. She said they are talking about forming another group for up to three years, and she wonders if they will all stay and be committed.

Ms. LaPisto-Kirtley said that she had a problem with offering stipends to people. She said she did not see how much it would be per person, as that amount was not given. She said she thinks people would want to do this and have influence.

Ms. LaPisto-Kirtley said she knew they were talking about outside people, and for some things, she did not have a problem with that. She reminded staff that the people who live and work in the County understand Albemarle, and some outside consultants may not understand and may give them what they normally give out. She said she does not like this, and she thinks Albemarle's should be unique to them, in some respects.

Ms. LaPisto-Kirtley said she had some real reservations, and the big ones were about involving so many people. She said it will get watered down and be very time consuming. She said she is about getting to the point about what is important. She encouraged minimizing the plan, as 400 pages plus is far too much and should at least be halved.

Ms. LaPisto-Kirtley said she thinks it is good to come up with a preliminary plan and then from there, ask a divergent group of people about it and get input. She said she is also afraid that they may be getting people interested with a certain agenda, getting into the Advisory Group. She said they are not hearing from a wide range of people and professionals to make sure that this satisfies everyone in the community.

Ms. LaPisto-Kirtley said she likes the idea of using more in-house resources and perhaps hiring some temporary people to take the place of what the in-house people are doing (such as day-to-day tasks). She said she wants to use people who have an understanding of the Comprehensive Plan and the County. She said it seems like an awful lot of work and that frankly, they need to get it done. She said she does not like a long, drawn-out process as she does not think it is healthy. She asked what is wrong with sectioning it off into chapters, doing one at a time, then looking at it as they go along to make sure that they keep what is good and get rid of what is not.

Ms. Palmer said she was agreeing with some things and disagreeing with others. She said first of all, it is her understanding that the County is required by law to do this every five years, and it sometimes takes a long time. She said the last one took a long time because they were consolidating a tremendous amount of material, as Ms. Mallek mentioned earlier, and it was a monumental task. She said she is sure there are other things they can cut back.

Ms. Palmer said that as for the actual length of the Comprehensive Plan, she would urge people who have not read it to go ahead and read it. She said she thinks Albemarle is unique in that there are not too many other communities in the Commonwealth that have 5% as a Development Area and 95% as a Rural Area. She said this, in itself, has extended and enlarged the Comprehensive Plan, and she would hate to lose all the good work that many staff and Supervisors have done in the past.

Ms. Palmer said she would share a quick story. She said she was listening to a lecture by a National Geographic photographer several years ago, which was about why there are so many National Geographic photographers living in Albemarle County. She said he said the reason is zoning and the

Comprehensive Plan, and that they stand on the shoulders of all the good planners, staff, and elected officials who have gotten them to the place they are now. She said she thinks it is important not to forget all of the good information and work that has been done on the Comprehensive Plan.

Ms. Palmer said they know there are inconsistencies to identify, which was great. She said as far as hiring someone to do the technical work, she did not have a problem with that. She said she definitely wants to keep the specifics in-house.

Ms. Palmer said she did have questions about what the Board's role is. She said when the update was done the last time, there was a meeting with the Board each month for about six months, and they did it chapter by chapter. She said much of the community may not have time to participate in this.

Ms. Palmer said she was sure staff would get a lot more people than they have ever gotten before because staff is doing such a better job at outreach, but a lot of people communicate through the Board. She said they elect the Supervisors and listen to them, and development and land use planning is what they are asking them about half the time. She said she would want to make sure that the Board is quite involved in this and does not come in at the end, when the document has been put together and dumped on their laps.

Ms. Palmer said she would agree with Ms. LaPisto-Kirtley that doing it chapter by chapter (with some Board involvement) would make her feel more comfortable in being able to reach out to her constituents who may not have the time to participate in this wonderful outreach program. She said perhaps staff has already thought about that, and so she would put that on the table and get some response back before elaborating on it further.

Mr. Rapp said keeping the Board involved in the process is an approach staff would want to take. He said what they did not want to do is wait until the end of a three-year period and put a several-hundred-page document on the Board. He said they will want to be checking in to make sure there is a consensus as they move forward and share with the community and the Board so that everyone knows the direction they are going and is in agreement, as one chapter feeds into the next. He said this will eventually guide the implementation towards the end. He said Ms. Palmer's points were all good.

Ms. Palmer said she was interested in finding out, at some point, what staff's suggestion is on that. She said another thing she was a little concerned about is seeing the examples of community outreach and wondering how they are going to get farm and rural landowners involved in this. She said it is much easier to go to a park in the urban area and get lots of input from urban community members.

Ms. Emily Kilroy said staff has had a lot of success in recent years in working through some of the community organizations that are active out in the Rural Areas, including the Ruritans, and Lions Club. She said Mr. Brooks with the Yancey School Community Center has established a strong network in the southern part of the County. She said staff would look to work through those channels to determine what would be a good approach to get people interested and the kind of event people would want to come to, then have those conversations that way.

Ms. Kilroy added that in terms of the Advisory Group, as staff looks at creating a group that represents a diverse cross-section of the County, it includes race, gender, and place, and this group would help them reach some of the areas of the County that staff does not hear from quite as often.

Ms. Kilroy said this dovetailed with the question that was raised by a couple of Supervisors about the Community Advisory Committees. She said those groups are really focused on the Development Areas of the County, which represent just 5%. She said while the CACs are important stakeholders in the community process, the thought around the Advisory Group was to ensure they are hearing from the fullness of Albemarle County.

(Mr. Gallaway left the meeting at 3:30 p.m. and Ms. Price took over as Chair.)

Ms. Palmer said she was glad to hear that Ms. Kilroy is talking about the Ruritans. She said regular Ruritans meetings are very helpful to get a lot of participation that way.

Ms. Kilroy pointed out their suppers as well.

Ms. Palmer agreed. She said she understands it will take a long time, and staff can evaluate that. She asked staff what they were talking about with respect to stipends. She said she was curious about an amount, and since there is an estimate of how much this will cost, they must have come up with an estimate of what kind of stipend they will give to people to participate in this over this period of time.

Ms. Falkenstein stressed that this was an estimate. She said staff looked at an hourly rate of about \$15 per hour, estimated the number of meetings and how long the meetings would take over the course of the project, and came up with that number. She said if there is support for this concept, she thinks they would want to look at exactly what that stipend should be in more detail, but this was how staff came up with the estimate.

Ms. Palmer said they might be opening themselves up to a difficult situation. She said she did not know if CACs would start asking why they are not getting \$15 per hour, or other committees the County asks people to participate in. She said she does not know how many hours are involved in this, and she understands why staff is going the direction they are, but she would like to know more about how

this would actually work. She said perhaps there is just a lot more involvement in that.

Ms. Palmer said these were her comments, and she would like to hear more about how the Board will be involved.

Ms. Price noted that Mr. Gallaway had to step away for a few minutes, and so she would facilitate finishing up this section. She said there were two basic questions at the end that the Board was asked to answer. She said one was to provide direction and feedback on the scope of work.

Ms. LaPisto-Kirtley said she had a comment because she knows the League of Women Voters are actually looking at the Comprehensive Plan (on their own, free of charge) chapter by chapter. She said she agrees with Ms. Palmer that the people who are interested in doing the Comprehensive Plan would be doing it because they want to. She said she is against paying a stipend because she thinks this gets into other CACs and basically favoring one group over another. She said they will be getting input from the CACs along with this Advisory Group. She said the League of Women Voters is already reviewing the plan right now just so they can understand.

Ms. LaPisto-Kirtley said she is definitely in favor of keeping the Supervisors apprised as they go along, even if it means going chapter by chapter.

Ms. Mallek said one thing to add for consideration is that when the Downtown Crozet group was formed several years ago, they wanted to have lots of people come to evaluate the first, second, and third rounds of plans and ideas for the J.B. Barnes redevelopment. She said pizza and childcare were provided, and there was a huge turnout of people. She said they held the meeting at dinnertime so that people could come with their kids. She said it was held at the Field School, so they had different classrooms for different age groups of childcare.

Ms. Mallek said this is just one alternative as far as a way they might help people participate who could not otherwise come, and there were well over 100 people that came each time that were from all over (from Batesville, Afton, and all the way into town). She said they were all coming because they wanted to see what was going on.

Ms. Price commented that there is a big difference between community participation and engagement and then the actual compiling, composing, and drafting of the plan. She said perhaps it was a statement more than a question, but she would understand that the stipends would be more for the administrative, bureaucratic aspect of actually putting into paper and coming up with a finished product more so than providing the input, where she did not believe a stipend would be necessarily provided. She said she believed these were all good comments.

Ms. Price said the Board was asked to provide direction and feedback on the attached scope of work. She asked Mr. Rapp, Ms. Falkenstein, and others from the County Executive leadership team believed that they had been able to get the feedback and if they wanted to summarize that. She asked where they should go on that particular question.

Ms. Falkenstein replied that she would summarize a couple of things she felt the Board wanted more information on. She said as far as the stipends and how the Advisory Group would work, staff could detail this out, as well as the Board's involvement. She said they could flesh out the scope further, share how they think the Board can be involved, and bring it back for the Board's feedback. She said these were the big things that she wrote down and asked Mr. Rapp if he had anything to add.

Mr. Rapp said this was what he had heard as well in terms of the Board's involvement and the advisory group, CACs, and engagement with the community. He added that another point was finding ways they could possibly speed up the timeline.

Ms. Mallek said she may have misunderstood completely. She asked if she heard correctly that some people understand that the Advisory Committee is going to be writing this plan. She said this will be a real challenge and how this came to be, with lots of people on a committee designing something. She said she hopes they will be there to respond to what the professionals are writing, not writing this themselves.

Ms. Price said she thinks this is what she was trying to articulate the difference between the community input, which would come from residents as well as CAC members, versus the people who would actually be taking that input and then compiling and composing what the report would be. She said she perceived that the stipends would be for the latter, not for the former, but she would leave it to Mr. Richardson or County staff to clarify if she was mistaken in her impression on that.

Mr. Doug Walker, Deputy County Executive, said there may be an opportunity to clarify in more detail the role of the Advisory Group as it relates to being a sounding board for the staff and technical expertise throughout the three-year timeframe and process, rather than any expectation that they would be authors of the document. He asked if either Mr. Rapp or Ms. Falkenstein could speak to that.

Ms. Falkenstein said this was correct. She said the intent is that they advise on the project. She said as Ms. Price pointed out, they would be hearing from their neighbors and network and the input that staff brings to them that they have heard in the engagement process, then advising on next steps and how to bring that into the plan. She said the actual writing of the plan would be staff's role.

Ms. Palmer said she had one comment that was somewhat of a non sequitur. She said they were talking about the inclusion of lots of different people in this, which she thinks is wonderful, as they all do. She said the other thing she hopes they will make sure they weave into this program with the same ferocity and integrity is climate change. She said she hopes they can weave this well into the whole process and make sure that when they are doing outreach, people know that this is a strategic priority for the Board.

Ms. LaPisto-Kirtley said she wanted to ask Ms. Falkenstein whether or not they could get the PowerPoint they had shared sent to the Board.

Ms. Falkenstein replied yes.

Ms. Price asked Mr. Richardson if there was anything else with regard to the first question, which was the direction or feedback, or if he believed County staff was satisfied with the understandings and explanations at that point.

Mr. Richardson replied that he believed staff listened intently to all of the Board members and the variety of feedback that was given. He said he had a brief conversation with Mr. Walker, and their intention will be to come back, once staff pulls all the information together, to make sure that they have met the mark for the entire Board. He said there were times when they would hear one thing from one Board member, and another thing from another Board member. He said in pulling it all together and coming back to the Board, they will have an opportunity to cover this again in a second trip back. He said the answer was yes, that they had the feedback they needed, but they would like to come back and nail in the expectations right out of the gate.

(Mr. Gallaway rejoined the meeting at 3:41 pm.)

Ms. Price said this sounded like the perfect way to do it. She said Mr. Gallaway had come back to the meeting, but she would finish up this discussion. She said the second question was to direct staff to proceed with work on Phase 1, preplanning and preparing Phase 2, "Big Questions & Community Goals." She asked Mr. Kamptner if this was something the Board should take a vote on.

Mr. Kamptner replied that if there was clear consensus, this was fine, but otherwise, a vote would be helpful.

Ms. Mallek asked regarding what Mr. Richardson just said if this should happen when the next round comes back and everything is cleared up, rather than doing it now.

Ms. Price said she could see three Supervisors nodding their heads in agreement on that. She asked Mr. Kamptner and Mr. Richardson if this would be the advisable course.

Mr. Walker replied yes. He said the preplanning work had obviously already started and engaging with the Board was part of it. He said this would continue, even as staff works to come back to the Board as soon as they can to pull together what they heard that day to make sure there is clarity and consensus on the part of the Board before moving forward. He said he did believe they could continue with their preplanning work and come back to the Board to get clarity in a relatively short period of time.

Ms. Price thanked Mr. Walker and said she did not mean to ignore his contribution to the discussion. She said it appeared they had concluded this part of the meeting and turned the meeting back to Mr. Gallaway.

Mr. Gallaway resumed his role as Chair of the meeting at 3:49 p.m.

Recess. Mr. Gallaway recessed the Board meeting at 3:44 p.m. and reconvened at 4:01 p.m.

Agenda Item No. 11. **Discussion Item:** Rio Road Corridor Plan - Overview.

The Executive Summary forwarded to the Board states that, the Board of Supervisors directed staff to undertake a corridor study of the Rio Road Corridor. A consultant, Line+Grade Civil Engineering, has been hired to develop this plan in conjunction with Community Development Department staff. Line+Grade has previously assisted the County in the development of the recent Avon Street Corridor Study, as well as other planning and development projects within the County. The scope of the corridor study is from the Rio/29 Small Area Plan Area boundary to the intersection of the John Warner Parkway.

As identified in the project scope, the purpose of the corridor plan is to conduct an evaluation of the corridor, and to develop comprehensive design alternatives to serve as a guide for future development and infrastructure rehabilitation projects. The corridor plan will provide solutions which will enhance the mobility and access for all users-developing traffic safety and operations improvements which will best serve the future needs of the corridor.

The corridor plan and recommendations are expected to be adopted into the Comprehensive Plan and Places29 Master Plan. Other amendments/update to the current Master Plan document will likely be needed to make the master plan consistent with the recommendations of the corridor study. The extent of those changes will not be known until the completion of the corridor study.

The following overview of the project is provided:

Timeline: Staff and consultant work are underway now. The scope of services assumes a project schedule of approximately 12 months, and work began in earnest on the project in November 2020. Once completed, the corridor plan, either in full or components/recommendations, would be adopted as an amendment to the Comprehensive Plan/Places29 Master Plan. That process will take place once the corridor plan is completed, reviewed and accepted by the Planning Commission and Board of Supervisors.

Components of work: There are generally four stages of the consultant's work: background and document review (underway); assessment of existing conditions (also underway); vision phase-development of conceptual design alternatives; and development of a unified corridor plan with recommendations for improvements. Information developed during these stages will be made available on the project website for review and comment, and meetings will be scheduled to also present and discuss this information with the public.

In developing the plan, the consultant will assess the Comprehensive Plan and Places29 Master Plan recommendations, existing zoning characteristics, existing traffic studies, and other existing current and projected traffic data. The consultant will evaluate the corridor against VDOT access management criteria (intersections and entrances) and relevant safety criteria (including crash data), and will assess the multi-modal characteristics of the corridor.

Public engagement: The Communications and Public Engagement office and the Office of Equity are part of the project team and are working with CDD staff in developing and implementing the public engagement process. Efforts will be made to ensure all users of the road and residents along the corridor are aware of the project and have the opportunity to view information and provide input along the way, and that the County's expectation for equity and inclusion are addressed. Our Public Engagement Goals are to:

- Inform participants about the project, the process, and provide background information to prepare everyone to participate fully.
- Create space to share and understand different perspectives, knowledge, and experiences.
- Reduce barriers to participation.
- Learn who we are, and who we are not, reaching and adjust the approach to respond accordingly.
- Create an inviting, enjoyable experience with a high number of participants throughout the process.

To these ends, the following is general overview of the public engagement processes to be used:

- A project website is being developed to provide background information about the project, the corridor and transportation planning; status of the work; schedule for meetings and other input opportunities; and a location to review and provide comment on draft materials/draft plan. This site will be up and running by the time this report is distributed.
- On-site and in-the-field communications techniques will also be used, including "pop-up van" stops and signs along sidewalks informing the public of the project and input opportunities. Mailers and/or hand distributed flyers and notices to key stakeholders groups and neighborhood groups will also be used to inform the public of the project.
- Strategic virtual meetings will be conducted to review components of the consultant's work, focused on the existing conditions, vision-conceptual design alternatives, and the unified plan with recommendations. The website will be used for disseminating information and draft components of the plan for review. Input/feedback will be used on an ongoing basis to complement virtual meeting processes.

Virtual meetings will be scheduled in early February to provide a basic overview of the project for the public.

- The corridor plan will ultimately be subject to input from the relevant Community Advisory Committees (CACs), Planning Commission, and the Board of Supervisors. Public hearings will be required for the Planning Commission and Board of Supervisors for the Comprehensive Plan Amendment.

This report and presentation is intended to provide a basic overview of the project. Staff will be providing the Board periodic updates of the project either as a future agenda item or as part of the Transportation Quarterly Reports.

Funding for the project was previously allocated in Summer 2020. The Plan will provide recommended improvements that will necessitate funding for implementation/development.

Staff recommends the Board receive the report and presentation and provide feedback.

Mr. David Benish, Development Process Manager with Community Development, said he was joined by Ms. Serena Gruia from CAPE, who would be presenting the community engagement and communications component of the project.

Mr. Benish said the purpose of the presentation was to provide the Board with a basic overview of the Rio Road Corridor project that is in its early stages of development.

Mr. Benish said the Board of Supervisors directed staff to undertake a study of the Rio Road Corridor. He said the consultant, Line + Grade Civil Engineering, has been hired to develop this plan in conjunction with Community Development Department staff. He said Line + Grade has previously assisted the County in the development of the recent Avon Street Corridor study and plan and has also assisted in other planning and development projects within the County.

Mr. Benish said the scope of the corridor study is from the Rio29 Small Area Plan boundary to the intersection of the John Warner Parkway. He said the project scope, as outlined in the consultant's contract, is to conduct an evaluation of the corridor; develop comprehensive design alternatives to serve as a guide for future development, infrastructure, and rehabilitation projects; and to provide solutions to enhance the mobility and access for all users and all common travel methods as well as for traffic safety and operation improvements, which best serve the future needs of the corridor.

Mr. Benish said this project is unique in that it marks the first time that staff has partnered with the County's Office of Equity and Inclusion (OEI) to utilize the new Equity Impact Assessment process. He said OEI's initial demographic analysis of this area reveals a corridor with a very diverse population regarding race, age, income, ownership status, and transportation service needs. He said they want to ensure, to the greatest extent possible, that this plan considers the perspective and well-being of all residents and user groups, and that this will be reflected in the recommendations of the plan. He said that while they have started with this engagement process, the Board can expect to see staff applying the Equity Impact Assessment at every stage of the process.

Mr. Benish said that regarding the timeline for the project, staff and consultant work is currently underway. He said the scope of services assume the project schedule of about 12 months, and the work began in earnest in the November-December 2020 timeframe.

Mr. Benish said that once completed, the corridor plan (either in full, or certain components and recommendations of the plan) would be adopted as an amendment into the Comprehensive Plan and the Places29 Master Plan. He said that process will take place once the corridor plan is completed, reviewed, and accepted by the Commission and the Board of Supervisors.

Mr. Benish said staff looks at the components of that work in four stages, with the first stage, "Discover," being the corridor background, document review, and assessment of existing conditions. He said this stage is underway and is actually nearing completion by the consultant.

Mr. Benish said the next stage is "Define," which is the vision phase where the conceptual design alternatives and concepts will be developed and considered. He said that once the concepts and alternatives have been vetted, the third stage ("Develop") is to develop the actual plan document with recommendations for improvements. He said the final period is "Decide," which is the actual review of that drafted plan by the Planning Commission and Board of Supervisors.

Mr. Benish said information during all these stages will be made available on the project hub site, and Ms. Gruia will be speaking to that shortly. He said it will be provided for review and comment, and meetings will be scheduled at strategic times to also present and discuss this information with the public.

Mr. Benish said in developing the plan, the consultant will assess the Comprehensive Plan, Places29 Master Plan, Rio29 Small Area Plan, existing zoning characteristics, existing traffic studies, and other existing and projected traffic data. He said the consultant will evaluate the corridor against VDOT access management criteria for intersections and entrances, and relevant safety criteria (including crash data).

Mr. Benish said the multimodal characteristics of the corridor for pedestrian, bike, and transit use and other special needs will be assessed against similar relevant standards and criteria. He said the consultant will also assess and make recommendations on the urban design context and character of the immediate road corridor.

Mr. Benish said the effort of this work needs to recognize the multiple functions of the road that this corridor serves, which are the through traffic function of it as an arterial road; the collector road function of providing access to neighborhoods, businesses, and individual properties; and the neighborhood and public space function that a public road and right-of-way can provide to a community.

Mr. Benish said he would pass the presentation on to Ms. Gruia to discuss the public engagement component.

Ms. Serena Gruia, Public Engagement Specialist, said she wanted to first say that much of the public engagement effort will center around understanding the experience of people who live, work, and drive or bike around the corridor. She said this is at the heart of much of the engagement and participation opportunities that will be created.

Ms. Gruia said the plan represents a collaborative effort between the Offices of Equity and Inclusion, Communications and Public Engagement, and CDD. She said the public engagement goals are centered on their mission and community value. She said the goals are to inform participants about the project and process and provide background information so that everyone is prepared to participate fully; create space to share and understand different perspectives, knowledge, and experiences; reduce barriers to participation; learn who they are and are not reaching and adjust their approach to respond accordingly; and create an inviting and enjoyable experience to get lots of people to participate in the process.

Ms. Gruia presented a slide showing the outreach methods they will use to raise awareness about the project and encourage participation. She said they will use the email newsletter (also known as Albemarle County News, or ACN) and highlight project news on the County website. She said they will have five flyer kiosks, which are the weather-proof boxes with stands that can be seen in yards of houses for sale. She said those kiosks will be placed in strategic locations around the corridor.

Ms. Gruia said staff will also visit businesses along the corridor to request that flyers be posted inside the windows. She said they will directly contact churches, property managers, and others directly on the corridor who may be able to share information with larger groups of people. She said they will create door hangtags and distribute those in person.

Ms. Gruia said that as far as project communication, they understand that clarity and consistency are very important. She said they developed an online project hub, with the address www.publicinput.com/riocorridor, which will house information and the online participation opportunities for the project. She said additionally, the County website now includes a page about the project with a link to the project hub, which is also the top result if one types "Rio Corridor" into the search box on the site.

Ms. Gruia said she is also excited that this project will be the debut of the new Community Engagement field office. She said they will soon have a van that has been outfitted to go out on location, so they will have pop-up locations along the corridor. She said to borrow a phrase that was used earlier, they will "go where the people are." She said they will hold public virtual meetings, workshops, and events to review components of the consultant's work and developed shared understanding and solutions with the community.

Ms. Gruia said she would highlight the participation support. She said the Office of Equity and Inclusion to provide resources to those who need support to participate (such as translation or printed materials).

Ms. Gruia said this covered public engagement and that she was available to answer questions.

Mr. Benish said that as far as next steps, they will begin to launch the notification process for the community through the previously noted methods. He said they will provide a general presentation of this project to the Planning Commission, similar to what the Board was receiving that day, on February 16 to get them up to speed.

Mr. Benish said staff is scheduled to hold a virtual kickoff meeting for the public in March. He apologized for noting in the executive summary that it said the end of February or beginning of March, as they are now targeting early March for that meeting. He said the meeting will also provide the same general overview information and background of the project including the scope, timeframe, review process (means to follow the project schedule, status, and how to review, comment, and participate with the project). He said some technical information about the background conditions will be presented by the consultant, once it is complete and ready to go.

Mr. Benish said this concluded the next immediate steps. He said he did want to mention, related to this issue, that the state and VDOT recently provided their recommendations for funding for the Smart Scale projects, and the roundabout project at the John Warner Parkway and Rio Road intersection was recommended for funding.

Mr. Benish said as it relates to the project and project work to date, since the initial scoping of the Rio Road Corridor project, the consultant has been aware of the Smart Scale project application, and they have been working under the assumption that it would be funded and that the corridor study recommendations would be designed around this roundabout.

Mr. Benish said they are not asking the consultant to spend too much time reevaluating this alternative, but if major issues for the roundabout were to become apparent in their evaluation of this and a better alternative was identified that appears to have broad support, has similar operational and safety benefits, and is essentially of a similar cost, they could consider deviating from that recommendation. He said if this were the case, staff would work with VDOT to try to get that change approved without losing timing or funding.

Mr. Benish said to be clear, staff has gone into this process assuming the project is funded and that the work will be based on the corridor recommendation and designed around the potential roundabout. He said the Board may have further questions on that, but he thought he would give them this information in advance.

Mr. Benish said this wrapped up his overview of the project. He said he, Ms. Gruia, and Mr. Rapp

were present to answer questions and receive the Board's comments on the project.

Ms. McKeel asked for the timeline on the roundabout, and if it is to be completed in 2024 or 2025.

Mr. Benish said Mr. Rapp has been working more closely with Mr. Kevin McDermott on this. He said he did not know if they have final information on what that timeline would be, but typically, Smart Scale projects will take at least 3-5 years to develop, depending on how they allocate the funding. He said he is not sure if this has been determined as of yet. He said it is not as quick of a turnaround in Smart Scale, so it would probably take several years.

Ms. McKeel said it is a quick timeline when comparing to some other projects.

Mr. Benish said Revenue Sharing tends to be quicker, and Smart Scale can take longer.

Mr. Rapp said typically, Smart Scale applications in this round would not be funded for another four years, if awarded. He said they were looking at four years before really getting into the project. He said it is a ways out.

Ms. McKeel said she misinterpreted some of the dates in a document she received and had thought it was a good turnaround. She said this was not a completion date, however.

Mr. Rapp said as Mr. Benish pointed out, it is something they have been looking at, and they want to make sure it works with the R-cut or whatever the solution might be at Belvedere.

Ms. Mallek thanked staff for the update. She said she was eagerly awaiting more details and would ask someone to write on their list to dig around for the plans for the old bean-shaped roundabout that was in use there ten years ago, when various projects were underway. She said she raised this at the MPO multiple times, and they cannot seem to find the plans. She said Mr. Gallaway's two-time predecessor wiped it out, even though it had been on the long-range plan for ten years. She said it incorporates Dunlora and everyone in a bigger loop of slow speed that might solve a lot of problems.

Ms. Price thanked Mr. Benish for his presentation. She said 7-9 months ago, there were two development proposals that came up on the Rio Corridor. She said one was approved and one was deferred. She said at that time, she expressed her serious concerns about traffic infrastructure, safety, and transportation in the area, and the County has very quickly approved the funding for this corridor study that is well underway. She said she wanted to express her appreciation for the promptness of the County in taking this on. She said this is clearly a good example of tax dollars at work.

Ms. LaPisto-Kirtley thanked staff for the report. She said she is looking forward to seeing the roundabout (or bean-about).

Mr. Gallaway said he went back and looked at the consultant's scope of the work, something did not jump out at him until he saw the presentation that day. He asked how he has missed the detail about this going from the small area plan just to the John Warner Parkway intersection and not including any of East Rio Road.

Mr. Benish said he would defer to Mr. Rapp to answer on how it was decided as far as the scope of that. He said related to that, but not exactly to answering the question, he wanted to point out that the corridor the consultant will look at and the information they look at actually extends beyond the boundary. He said this is just the area that they do not have as much planning for. He said that from the small area plan area to John Warner Parkway, they will be looking at the small area plan recommendations and the information in that area.

Mr. Gallaway said he understood. He said the whole corridor, from the small area plan down to that intersection, needs to be looked at. He said this is where the major traffic patterns are. He said there is still a significant amount of car traffic, however, going on East Rio Road.

Mr. Gallaway said the East Rio Road piece, as they learned watching the Parkway Place application and with the development that has popped up all the way down to the lofts is where some of the significant lack of infrastructure is, especially sidewalks, bikes, and pedestrian. He said much of that infrastructure is actually in place between John Warner and Rio/29. He said there are sidewalks and a new crosswalk area that has been put in place there, and so he did not know if there was any way to get creative in trying to include this section.

Mr. Gallaway said it was not long ago that there was a roundabout project in for Smart Scale at Pen Park Road.

Mr. Benish said he thinks the concepts for roundabouts at Pen Park Lane and Road and the intersection improvements there are still projects that staff has listed for trying to achieve. He said they also have a capital project that is almost ready to go to bid that will bring sidewalks from Stonehenge to the Dunlora entrance. He said this is a project that has been caught up in funding, right-of-way issues, and utility issues for a while, but they are close to putting this put in.

Mr. Benish said there are sidewalks improvements and concepts for intersection improvements in that area. He said funding ability had some play into how far they could do within the funds available in this corridor, but at that point, perhaps it was best to have Mr. Rapp chime in.

Mr. Gallaway said what he would recommend, based on the timeline, is that since there are a lot of people who live along East Rio Road, the John Warner roundabout will be what incorporates that corner of undeveloped property at the Dunlora entrance, etc., and will start to impact even going down farther. He said they will get feedback, as they know it is an active community, about some of those infrastructure concerns along East Rio Road, and they have to be prepared for that walking into it.

Mr. Benish said he thinks they can be prepared to identify and present to the community there what is in the priority list and identified in the plan for those improvements so that they are aware of those. He said this can be put into context with the work they are doing on the main part of this corridor study. He said they can always check with the consultant to see if there are any other possibilities for them to provide a look in those areas, but the project as it is negotiated has them focused on the corridor from the John Warner Parkway north and west.

Mr. Gallaway said he understood and, as Mr. Benish mentioned, there are other components such as the sidewalks that are in motion. He said they need to make sure that this is communicated as part of this because all of these pieces will ultimately be put together.

Mr. Benish said staff will certainly do this.

Mr. Gallaway said the timeline sounded good and that people were ready to start interacting.

Mr. Benish said he was already getting calls.

Mr. Gallaway said when talking about community outreach during the Comprehensive Plan, he also suspected that this will be a project that people will pay attention to and participate in.

Agenda Item No. 12. **Presentation:** Albemarle County Department of Social Services (ACDSS) FY20 Annual Report.

The Executive Summary forwarded to the Board states that, pursuant to Virginia Code § 63.2-300, all counties in Virginia are required to establish a local board to oversee the provision of social services to its residents. The Board of Supervisors established the Albemarle County Department of Social Services Advisory Board in 1997. Pursuant to Virginia Code § 63.2-305, the Advisory Board is required to make an annual report to the Board of Supervisors, concurrent with the Department's budget presentation, concerning the administration of the public welfare program.

The FY20 Annual Report (Attachment A) provides a summary of the Department's programs and services, including the number of cases in each program area for the year, coupled with stories of some of those served. Also included are the Department's Key Performance Indicators and unaudited statements of financial resources.

Of note in this report is the significant increase in SNAP applications as a result of the effect of the pandemic on employment. Additionally, the increase in Family Support cases is largely due to the increased needs of families in a virtual learning environment. Staff has seen an increase in the number of children entering foster care, primarily due to the lack of extended family and/or support system that could provide alternative placement. The numbers of finalized adoptions continue to increase, which reflects our commitment to achieving permanency for children. Finally, the workload measures data show that, in many of our programs, the department continues to operate with less than the required number of staff as determined by the 2008 VDSS Workload Measures study.

Funding for the Department of Social Services is included in the County's annual operating budget.

Staff recommends that the Board receive the Department of Social Services Advisory Board's FY20 Annual Report as presented.

Ms. Phyllis Savides, Director of Social Services, said that as has been done in the past, one of her advisory board members will be presenting this report. She said usually, it is the chair, but Ms. Jennie More graciously offered the opportunity to someone else that year. She said she would like to introduce Ms. Amy Laufer, who is one of the board members. She said Ms. Laufer is from the Rivanna District.

Ms. Laufer said this was a document at about 20 pages or so, and she would highlight one or two things on each of the pages. She said this year's theme has been "Service, No Matter What," and the tagline continues to be, "Listening to the need and working together for solutions." She presented a picture of all the board members. She said they are thankful for the County's work in enabling most of their workforce to telework, which has been key to service delivery. She said they wanted to highlight their commitment to improving the lives of community members, despite the challenges of service delivery amid the pandemic. She said the report will highlight some of the impacts the pandemic has had on their programs.

Ms. Laufer said the Office of Program Accountability monitors and evaluates key performance indicators. She said many programs have met the performance indicators set for the year, even with the pandemic. She said she would also highlight the tremendous work staff has done in processing SNAP

applications on a timely basis, even with a significant increase in numbers of applications.

Ms. Laufer said one area that continues to be a challenge is Medicaid applications. She said they are still receiving applications from the processing center at the Department of Medical Assistance that are already overdue due to the pandemic, and other applications can also be delayed as they await disability determination. She said the state has allowed for prolonged renewal and determination time periods, and so this indicator is just an internal review.

Ms. Laufer presented the monthly workload measure graph. She said they have determined that roughly 108.5 hours should be used per case worker. She said this was created back in 2000, so it is somewhat antiquated, but it was also updated in 2008. She said they are spending much more time than 108.5 hours, and the most critical need is in programs of self-sufficiency teams.

Ms. Laufer said the rest of the report would go into detail for each of the programs. She said the next section highlights the school-based prevention programs. She said the pandemic has obviously had an impact on this, especially with the Bright Stars students, as some parents do not feel comfortable enrolling their child in virtual learning.

Ms. Laufer said as indicated in the table, the numbers of Child Protective Service referrals were impacted by the school's closure. She said they have had less referrals and validations. She let the Board know they could interrupt with their questions.

Ms. Laufer said the next page was about family partnership meetings, bringing together all those involved with the child. She said with these meetings, as indicated by the imminent risk of placement, most of the children are diverted from out-of-home placement. She said while the family partnership meeting process can be labor-intensive, it is a way for everyone to come to the table and have a role in the decision-making process, and it may prevent out-of-home placements.

Ms. Laufer said the Albemarle County Department of Social Services developed the Fatherhood Support Group, which brings together fathers and adult male figures in the community to discuss family violence, domestic violence, mental health issues, substance abuse, and identifying resources in the community for support.

Ms. Laufer said their Child Welfare Team continues to work hard to find alternatives to foster care. She said when children do enter care, they strive to find permanency, as evidenced by the number of finalized adoptions. She said while not highlighted in the report, she wanted to mention that the locality has one of the highest percentages of children in foster care who are placed within kinship families. She said they do support families with adopted children with subsidies.

Ms. Laufer said the next page was about SNAP. She said the graph on the screen clearly demonstrated the significant increase in applications after the pandemic hit. She said there were more applications because unemployment increased due to the pandemic.

Ms. Laufer said energy assistance is largely affected by how cold their winter is and by how hot summer is. She said with the auxiliary grant, they continue to struggle with finding facilities that will accept the funding. She said there is a bill in the current General Assembly, however, which will raise the monthly benefit, and they believe people might be able to use it better that way.

Ms. Laufer said the next page was about View and the Career Center. She said their strategic plan has a goal which states, "Increase the number of DSS customers who obtain employment in high-demand, high-growth, high-wage industries targeted by the County." She said these two programs have a role in helping them achieve their targets in this area, as they are the workforce services experts in DSS. She said this year, given the fact that the Career Center was closed to the public, they are highlighting the work that the Program Coordinator was able to conduct virtually. She said they have had an increase in the number of View participants this year.

Ms. Laufer said the next program is the childcare subsidy. She said they are proud of staff's effort to work with clients to find providers who can and will accept the childcare subsidy funding. She said it is a critical component to the success of their families.

Ms. Laufer said Medicaid has been an area of significant growth due to Medicaid expansion, and this year, they want to highlight the significant increase in long-term care Medicaid applications. She said they surmise that this is due to the aging population and the desire to age in place. She said they are proud of staff for meeting the new growth and helping customers access this critical program. She said the report also showcases the number of uninsured patients at UVA Hospital who were referred because of Medicaid expansion.

Ms. Laufer she said with adult services, like Child Protective Services, they decided to demonstrate the numbers of referrals versus numbers of validated referrals due to the fact that staff were not able to enter the assisted living facilities and nursing homes. She said the numbers overall increased since FY 19, which is another indication of the tenacity of the staff.

Ms. Laufer said the voucher program for housing shows where the vouchers are being used in specific locations around the County, as well as general mainstream vouchers, with a total of 417 families receiving this benefit. She said they issued approximately 51 new vouchers in FY 19.

Ms. Laufer said they wanted to showcase the increasing numbers of customers whom English is not their primary language.

Ms. Laufer said the slide showed the funding streams that are received through the federal and state governments. She said the column on the left was the total amount of revenue that is brought into the community through their programs, which is over \$144 million. She said on the right was the Albemarle County match, which is roughly \$9.3 million, or 6%.

Ms. Laufer thanked the Board for allowing the opportunity to speak to them and to also learn about everything that is going on in the County. She said it is an amazing endeavor by all of the staff to implement these programs with fidelity.

Ms. Laufer said the last two pages of the report were quotes from people who are benefiting from the programs. She said she wanted to highlight the Fatherhood Group, as this is something that is unique to their location. She quoted, "The Fatherhood Group is giving men a chance to understand who we are in our homes, communities, and within society. The group is allowing men to have a place where they can come and take off the Superman cape, not feel ashamed or unworthy, while understanding how to be an asset and not a liability. Simply put, the group renews life for men. I am proud to be a part of this group, what it stands for, and what it is doing for us as men."

Ms. McKeel said she appreciated the report. She said it is always amazing how hard DSS employees work and how much they get done. She said it is just incredible. She said DSS is the one department, perhaps in addition to Police and Fire Rescue, where when things get tough and tight, they often see an increase in their work. She said the Board has to recognize that. She said she knows they are having to do more with less right now, just based on the pandemic and what is happening in the community. She said she appreciates all the hard work.

Ms. McKeel asked Ms. Savides or Ms. Laufer if they could address working from home and how this is playing out in DSS. She said what they are hearing in some areas is that this is a good thing, and she wanted to hear about DSS.

Ms. Savides said she cannot make any comments without expressing her appreciation to the County and the IT Department in enabling DSS to have about 140 of their 150 staff to work from home. She said they could not have done it without them. She said the experience is different, depending on the program. She said for eligibility staff, for the most part, it has been a very positive experience. She said in the beginning, they were just glad to be in the safety of their own home, but many have reported that they are more efficient and get more done.

Ms. Savides said this was not to say that there are not technology challenges, but this is not County-related, but is state-related. She said if state systems go down, workers are stuck. She said for the most part, in that division, it has been a very positive experience.

Ms. Savides suggested that they can have a significant impact on their retention rate by allowing for more teleworking.

Ms. Savides said on the services side, it has been more of a hybrid because they are still going out into the field. She said it has been a very anxiety-inducing time. She said the County has been supportive in getting proper PPE and now, getting employees vaccinated. She said it has been a stressful time period, but this was not really about teleworking. She said it is really about working in the pandemic. She said what helps is that they have the flexibility to sometimes work from home and sometimes conduct their client work in a virtual manner, as well as going out in the field.

Ms. Savides said that for DSS, overall, telework has been a very positive experience. She said she knows that working parents will be very happy when their kids can go back to school, though, as this has been a challenge. She asked Ms. McKeel if this answered her question.

Ms. McKeel said it did, and she was glad to hear mentioned that the employees that have to go out in the field have been prioritized for vaccinations.

Ms. Savides said they have gotten tremendous support from the County along those lines, for which she is grateful.

Ms. Mallek said some of her questions may need to be answered later. She said she is always worried about caseloads building up for staff, and she is sure that with the numbers that year, it was horrible just as it was in the recession in 2009, when everyone's employment was in crisis. She asked if they have heard anything about relocation of any Bright Stars classrooms when the school department goes back to in-person. She said a couple of teachers contacted her with concerns because they had heard they were going to be losing their spaces. She said she did not have any other details than that, but she thought she would leave it for staff to think about.

Ms. Mallek said she appreciates all the work the career employees have been doing for the last many years, linking people who need training with the career people at one stop and facilitating those application processes so that people do not have to go to multiple places and drag themselves all over town to get that work done. She said this has been helpful.

Ms. Mallek said she would forward to staff, in case it is useful, a contact she just received that

day from her physical therapist because she saw one of her colleagues using an iPad that had an instant translation software on it where she spoke to the iPad, and the iPad spoke to the client in the chosen language instantly. She said this was spectacular, and she realized that the staff report mentioned translation services, so she will share this with them and they can determine if it is useful.

Ms. Savides asked Ms. Mallek if she wanted her to answer her question about Bright Stars.

Ms. Mallek said this would be great if Ms. Savides had any information to share.

Ms. Savides said that prior to the pandemic, there was some discussion at the school level about consolidating some of the classrooms, but when the pandemic hit, this did not happen. She said at this point, she has not heard anything about relocating classrooms, but she could follow up to see if there have been any discussions about that going on.

Ms. Price thanked staff for the report, noting that the title of the report ("Service, No Matter What") could not be more accurate. She said this is a theme of 2020, and the work that they have all done is absolutely incredible. She thanked DSS, their board, and all of County staff for their commitment and dedicated service.

Ms. Price said years ago, Secretary of Defense Rumsfeld was criticized when he said there are knowns, unknowns, and unknown unknowns, but if one thinks about it, there is some sense to it. She said she had a question that was akin to asking a group of people not there to please raise their hands because it is asking about information that they do not really know the answer to.

Ms. Price said when they look at Child Protective Services and Adult Protective Services cases, what she has read nationally is that there is great concern about a substantial underreporting of those sorts of cases because of people being isolated in their homes and the stress is building up. She asked how the County is addressing or approaching the potential of these unknown, unreported cases in light of the circumstances of the pandemic.

Ms. Savides said this was a great point and question. She said it is absolutely a huge concern of DSS. She said while the numbers went down when the schools shut down, this did not alleviate their concern that there were kids at risk. She said one thing they tried to do is use social media to give positive messages such as if one sees something in their neighborhood they are worried about, to give DSS a call and talk to them about it.

Ms. Savides said they are basically attempting to get the word out that DSS is there and if someone has a concern, to please call. She said there is not much more that they could do because their primary referral sources are not seeing the kids. She said DSS is still getting referrals from school staff because during virtual learning, there is some observation.

Ms. Savides said even though the actual numbers went down at first, the severity of the calls they did get increased. She said the numbers starting in Fall 2020 started to go up again and reminded the Board that this report is for FY 20. She said if she was going to give information for the start of FY 21, they would see an increase in calls.

Ms. Price said she believed Ms. Savides had just addressed one of the major concerns, which is that while the numbers themselves may have gone down, the severity has actually gone up. She said she recognized she was asking a question for which there is no ready answer, but it clearly remains a concern. She said it appeared that Mr. Walker had an answer.

Mr. Doug Walker, Deputy County Executive, said the Board is aware of the efforts that were made throughout the course of the fiscal year and through the pandemic to address staffing vacancies and saving money. He said they did not freeze any positions in the welfare program on the services side, which includes Child Protective Services, Adult Protective Services, foster care, and foster care prevention. He said to the extent that there were some vacancies in those position over the course of the fiscal year, they all were authorized for being replaced.

Mr. Walker said this is an acknowledgment of that vulnerability and their need, like with Public Safety (Police and Fire Rescue), is to make sure they are keeping as fully staffed as they can be throughout the course of the pandemic. He said other choices were made in other areas, but he thought the Board would benefit from having that additional information.

Ms. Price said she appreciated this, and she hoped that no one would interpret her question as in any way challenging or being uncertain of the actions, efforts, and attempts that DSS has made to take care of their most vulnerable. She said she thinks they are doing a tremendous job under very challenging circumstances.

Ms. LaPisto-Kirtley thanked Ms. Savides and Ms. Laufer for the presentation. She said having been a CASA volunteer for five years, she truly appreciates all the work DSS does and all the help they give others. She said she likes the fact that the County has not frozen any DSS positions and are fully speed ahead helping vulnerable adults and children. She said she realizes that unfortunately, all over the nation, cases are going underreported. She said the severity of the ones they do receive has gone up, and while the reporting has gone down, she is sure that if the reporting was at its normal level, she thinks it is very underreported. She said she did not know how to get at that, but it worries her very much.

Ms. LaPisto-Kirtley said she is happy for anything DSS can do in terms of outreach. She said she is happy with what the County is doing and offered to do anything they could to support DSS. She said one of the main issues is probably with working with the schools and whatever they can do. She thanked DSS for what they do.

Ms. Savides reiterated that once school was back in session, despite being virtual, the referrals did go up, and so more is being reported. She said it was really when things were on lockdown that they saw that decline.

Ms. LaPisto-Kirtley said that as a former teacher and school principal, she knows there are a lot of referrals from the schools.

Ms. Palmer said she had one question. She said Ms. Savides was talking about the retention rate and how she thinks if they were to have people continuing to work from home, it might help. She asked what the reasons were for this, and if it was mostly about employees with children or if it was more comfortable working from home, with more flexibility.

Ms. Savides replied that it is a combination of factors, but it is largely about how any increase in flexibility creates higher morale. She said many staff do not live in Albemarle County, and so working from home cuts out their commute, which she has heard a lot of staff say that they love having extra time in the morning.

Ms. Savides said the other thing is that staff can be more flexible with their schedule. She said they do not have to keep things to 8-5. She said they can take a break in the mid-afternoon and do some work in the evening. She said it allows for more of a work/home life balance. She said also, many people like being in their own home where they can focus and not be distracted by everything happening in the building and halls. She said it is a combination of factors.

Ms. Savides noted that this was not to say everyone likes working from home, but the response was overwhelmingly positive, and for a variety of reasons.

Ms. Palmer said she suspects that people do not like the isolation, but this is to be worked out. She said she recognizes that they have not gotten down to where they should be on the hours that employees are spending taking care of cases. She said she was not quite sure what to do about that, and they would see what is suggested in the budget. She said she knows it is very much appreciated by everyone.

Mr. Gallaway commented that he keeps having to remind himself when he looks at the report that it is a fiscal year report. He said some of the data does not even get at the COVID matters yet. He said for example, page 11 for the housing options is for Calendar Year 19, which is not really even there yet. He said the next report will really be the one that captures what they have been dealing with. He said some of this, if it is truly fiscal year through June, may have gotten those first three months of the pandemic. He said this is important for people to recognize as they look through this information. He said they would not want to look at this and say this is the current report, since they are hearing it in February 2021 and that it includes last year. He said it does not, and it is a different timeframe than what is being presented here.

Mr. Gallaway said although he didn't need the information immediately, if there was any way to give him the details that built the Calendar Year 19 housing chart. He said this could be follow-up information that comes out at some point. He said it was just out of interest, with no real question there from him. He said he was trying to break out in his mind what went where and understand it better.

Ms. Savides asked if instead of percentages, for example, Mr. Gallaway may want the number of vouchers.

Mr. Gallaway replied no. He said he did not think Ms. Savides needed to change anything in her report, moving forward. He said it was literally just an information piece where he is looking at this and asking, for instance, if most of where it went to (which was in green and was tenant-based) was in the form of rental assistance or payments. He asked what compromised the money and if they were all straight vouchers.

Ms. Savides replied that they were all straight vouchers.

Mr. Gallaway said they could be used for a variety of things. He asked if he could literally take the 417 and divide it into the 3.2. He asked if everyone in terms of participating families got the same amount.

Ms. Savides replied no. She said the amount one is eligible for is all based on income because the voucher does not pay the whole rent. She said they only get a percentage of the rent, so depending on what the rent is and what they are eligible for respect to their income, the amount of the voucher changes. She said additionally, it can change from month to month. She said for example, if a person is making x amount of money in January and was eligible for a certain voucher, and then their hours got cut in February and they earned less, they might get a higher amount in their voucher. She said it is a moving target, in many ways.

Ms. Savides said some of the funding is also used to pay utilities. She said she could confirm

this, but to her, this chart was just the rental subsidies.

Mr. Gallaway said he was not raising questions but wanted to understand it a little more. He said if there was any other information that could be sent along, this would be great.

Ms. Mallek asked if the auxiliary grants (AGs) are still a meaningful assistance. She said back in 2010 or 2011, the Board majority decided not to provide the \$40,000 per year that they were providing as AGs to the residents at Mountainside. She said that impact has probably trickled out through other places in the County. She asked if the AG grants are scattered or if they are mostly at a particular location.

Ms. Savides replied that when Mountainside was still owned by JABA, this facility was the primary one for AG customers. She said they lost a significant resource when that property sold. She said the issue with AGs is because the amount is not that much, facilities are not willing to take clients that come with that funding. She said the challenge is trying to find beds. She said a person may be eligible for the grant, but they may not be able to find a bed in an assisted living facility. She said they are not all in the County, and they can be outside of the County as well.

Ms. Savides said she could get information about what facilities some of the customers are residing in that are supported by AGs.

Ms. Mallek said she did not need that so much. She said she wondered if there was work the Board should be doing, and perhaps it was already too late for that year, but that they could do next year. She said perhaps there are already bills in the legislature that address this that the Board should be supporting. She asked if Ms. Savides learns about this, to let the Board know so that they can jump on it.

Ms. Savides said she believed it was either a bill or budget amendment, and she could get this information to the Board.

Mr. Gallaway said this has been a tough year, and Ms. Savides' department is helping people and supporting them year in and year out, which has just been multiplied by some factor this past year. He asked how the morale is in the department.

Ms. Savides replied that DSS staff, as a whole, are amazing. She said the stress that they have experience this last year is indescribable and yet, there is such a level of commitment and calling to the mission that keeps them going. She said they heard recently from one of the supervisors that workers volunteered to take on extra SNAP intakes when they got an avalanche of new intakes. She said they are tired and overworked, but they are so committed to it that they keep on turning out the work.

Ms. Savides said she mentioned earlier that the services staff have had a difficult year because of the risk that they were under. She said there were multiple exposures and lots of anxiety, so DSS has tried to do their best to provide recognition and support for the staff. She said they deliberately chose not to identify them as first responders when this hit so that they would be eligible to the COVID leave due to childcare. She said they tried to provide a lot of support and flexibility in terms of managing time.

Ms. Savides said they have an all-staff meeting once a month on Zoom, and her team that plans that always tries to do something fun and engaging. She said the units are meeting together via Zoom. She said when the weather was warm, they were getting together for outside lunches to try to support each other.

Ms. Savides said she would not minimize the challenge, but it is an amazing group of people, and their dedication is both humbling and inspiring.

Mr. Gallaway thanked Ms. Savides for sharing this. He said he believed he could speak for the whole Board when he says they certainly value and appreciate her leadership, as well as all of the work her team does.

Agenda Item No. 13. Closed Meeting.

At 5:00 p.m., Ms. LaPisto-Kirtley **moved** that the Board go into a Closed Meeting pursuant to Section 2.2-3711(A) of the Code of Virginia:

- Under Subsection (1), to discuss and consider appointments to four community advisory committees.

Ms. Palmer **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None

Agenda Item No. 14. Certify Closed Meeting.

At 6:00 p.m., Ms. LaPisto-Kirtley **moved** that the Board certify by a recorded vote that, to the best

of each supervisor's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting were heard, discussed, or considered in the closed meeting. The motion was **seconded** by Ms. Mallek.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None

Agenda Item No. 15. Boards and Commissions.

Item No. 15. a. Vacancies and Appointments.

Ms. Price **moved** that the Board make the following appointments to County Boards and Commissions:

- **Appoint**, Mr. Anthony Arsali to the Pantops Community Advisory Committee to fill an unexpired term ending June 30, 2021.
- **Appoint**, Ms. Samantha Strong to the Places 29 (Hydraulic) Community Advisory Committee to fill an unexpired term ending August 5, 2022.
- **Appoint**, Ms. Susan Friedman to the Places 29 (North) Community Advisory Committee with said term to expire March 31, 2022.
- **Appoint**, Ms. Paula Pagonakis to the Village of Rivanna Community Advisory Committee with said term to expire March 31, 2023.

Ms. Mallek **seconded** the motion. Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None

Agenda Item No. 16. 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.

Ms. Judy Schlusel was signed up to speak, but there were technical difficulties with the audio.

Mr. Justin Miller said he is with an organization that prefers to remain hidden and that is paid to investigate members of the government. He said he has an interesting thing to bring to the table to the Board to say that with regard to Ms. Donna Price, they found a laptop with terabytes and gigabytes of child pornography. He said he wants to know why this is.

Mr. Gallaway responded that this did not seem pertinent to Board agenda business, and they would move to the next speaker.

Ms. Borgersen said they appeared to have lost Kent and Judy Schlusel from the meeting.

Mr. Gallaway said he recalled Ms. Schlusel sending an email in case there was technical trouble, and so there is a written statement from her that could be included in the minutes.

Ms. Borgersen said it appeared the Schlusels were trying to speak, but the audio was not coming through clearly. She said it did not appear that the issue could be resolved.

Mr. Gallaway asked Ms. Borgersen to let Ms. Schlusel know that the Board did receive her statement ahead of time and would include it in the minutes. He apologized for the technical issue.

Mr. Gallaway said they could move on to the public hearing and if Ms. Schlusel is available later, perhaps they could attempt to take her comments afterwards.

Agenda Item No. 17. **Public Hearing: SP202000015 Animal Wellness Center.** PROJECT: SP202000015 Animal Wellness Center MAGISTERIAL DISTRICT: White Hall TAX MAP/PARCEL: 056A2010000700 LOCATION: 1100 Crozet Avenue, Crozet, VA 22932 PROPOSAL: Request to amend existing special use permit SP200800009 to permit an expansion of an existing veterinary clinic to allow for additional parking, for expansion of the existing building, for the construction of an additional building, and for the option to provide overnight animal boarding services. PETITION: Special Use Permit request for a veterinary office and animal hospital in accordance with Section 20B.2.E.17 of the Zoning Ordinance on a 3.4-acre parcel. No dwelling units proposed. Associated request for a special exception to 5.1.11(b) of the Zoning Ordinance for the setback of structures to be closer than 200 feet to a residential lot line. ZONING: DCD Downtown Crozet District – commercial, office, service, mixed with residential (up to 36 units/acre); light industrial uses and single-family detached dwellings by special use permit. OVERLAY DISTRICT(S): EC – Entrance Corridor; FH – Flood Hazard Overlay District. COMPREHENSIVE PLAN: Downtown – mixed commercial, employment, office uses, residential (36 units per acre maximum); and

Greenspace – public parks, open space, environmental features; in the Community of Crozet Master Plan area. (*Advertised in the Daily Progress on January 18 and January 25, 2021*)

The Executive Summary forwarded to the Board states that, at its meeting on December 15, 2020, the Planning Commission (PC) conducted a public hearing and voted 7:0 to recommend approval of SP2020-00015, with the conditions outlined in the staff report and with the revisions as recommended by staff in the staff report. The Commission also voted 7:0 to recommend approval of SE2020-00022, the special exception request, with the conditions as stated in the staff report. Attachments A, B, and C are the Planning Commission staff report, the Planning Commission action letter, and the draft minutes from the meeting.

The Planning Commission raised no objections to this request by the Animal Wellness Center to amend its originally approved special use permit, SP2008-00009, which was approved by the Board of Supervisors in 2009. The Commission also raised no objections to the request by the applicant for a special exception to waive the requirement that structures for a veterinary clinic or animal hospital be set back at least 200 feet from a residential lot line. Two members of the public spoke at the public hearing of the Commission.

After the PC public hearing, further discussions took place between the applicant and County staff, from both the Community Development Department (CDD) and the Facilities and Environmental Services Department (FES), regarding the parking area that is proposed within the County drainage easement along the drainage channel to the west of the existing building. Staff from FES indicated that they would permit a parking area to be constructed within the area of the existing County easement only if the developer relocated and reconstructed the drainage channel to a condition that is consistent with the design of the existing channel and modified the drainage easement to reflect the new location. FES staff also indicated that piping of either the existing drainage channel or the proposed replacement drainage channel is not and would not be permitted. The revised concept plan (Attachment E) continues to depict a potential parking area in this location west of the existing building; however, a new proposed condition (condition #4) has been added to the special use permit since the PC public hearing occurred in order to address these discussions between the applicant and staff identifying what FES would permit.

In addition, proposed condition #2 has been revised since the PC public hearing to clarify the condition and to address the applicant's concerns about the original wording of the condition. The revised language for all conditions can be found in Attachment D.

Staff recommends that the Board adopt the attached Resolution (Attachment F) to approve SP202000015 with the revised conditions, including the revised concept plan. Staff also recommends that the Board adopt the attached Resolution (Attachment G) to approve SE202000022, the special exception request, with the revised conditions and concept plan.

Mr. Andy Reitelbach, Senior Planner with the Albemarle County Planning Division, said he would be presenting an application for a special use permit and an associated special exception for the Animal Wellness Center, which is located in Crozet.

Mr. Reitelbach the Animal Wellness Center is a veterinary clinic that currently exists at 1100 Crozet Avenue. He said the property was highlighted on the aerial map shown on the screen and is just south of the intersection of Jarmans Gap Road and Crozet Avenue. He said Crozet Methodist and Crozet Library were shown at the top right of the map, and directly to the south of the subject property is a County-owned stormwater management property.

Mr. Reitelbach said the property is zoned DCD (Downtown Crozet District). He said it is the last DCD-zoned property going south on Crozet Avenue, and there are then several R2-zoned properties located around it.

Mr. Reitelbach said in the Comprehensive Plan designation and the Crozet Master Plan, this property has two land use designations. He said the majority of the property (about three quarters or so) is designated as the Downtown Crozet land use designation, which was shown in red on the map. He said the green area is designated as greenspace, which is located within the stream buffer and floodplain of Powells Creek, which is located at the very rear of the property.

Mr. Reitelbach said the property is about 3.4 acres and as he mentioned, there is an existing vet clinic located in an existing building on this property. He said the overlay districts include the Entrance Corridor and Flood Hazard Overlay, which the Flood Hazard Overlay is only located in the rear of the portion of the area that is designated as greenspace in the master plan. He said the master plan designates this as Downtown and greenspace.

Mr. Reitelbach said the reason for the public hearing is that the applicant, Dr. Hillary Cooke, has requested to amend her existing special use permit (SP2008-9), which was originally approved in October of 2009. He said the request to expand the clinic incorporates several different parts. He said one is to expand the existing one-story building with an increase in the footprint of about 3,600 square feet. He said she is requesting the expansion so that it could be one story or potentially two stories. He said she is requesting to be allowed to construct additional parking on the property, and to be allowed to construct an additional building. He said as there were questions about this, he would go further into that.

Mr. Reitelbach said there is a proposed new building on this property that is shown on the

concept plan as being up along the Crozet Avenue frontage of the property. He said the reason for this is that in the Downtown Crozet District, there is a required maximum front setback of 10 feet. He said this is a part of the Zoning Ordinance that was intended to create a more urban feel and streetscape in the Downtown Crozet area. He said even though this property and several properties to the north do not currently have buildings that meet that setback, it was intended that as redevelopment happens within the Downtown Crozet District, those newer buildings would be situated much closer to the Crozet Avenue street frontage.

Mr. Reitelbach said he mentioned in his staff report a 20-foot maximum setback, and this is because the Zoning Ordinance does allow an administrative waiver to permit an increase in the maximum setback of up to 20 feet in extenuating circumstances. He said in this case, with this application, there is actually a County drainage easement that runs along the front of the subject property, right behind the sidewalk.

Mr. Reitelbach said in the review of this application, it was determined that the applicant would not be able to meet the 10-foot maximum setback with a new building because of the County-owned drainage easement, and so staff indicated that they would be willing, at the site plan stage (if the special use permit is approved), to grant the administrative waiver to allow a 20-foot maximum front setback, recognizing that there is the County drainage easement preventing the 10-foot setback from being able to be met.

Mr. Reitelbach said the final part of the special use permit application is the option to provide overnight animal boarding services. He said as mentioned, there is also an associated special exception request, which he would talk about on a later slide.

Mr. Reitelbach said he mentioned in a previous slide that the applicant is looking at an expansion of the existing building. He said the concept plan currently identifies the proposed expansion of the existing building as only one story. He said there are a couple of notes throughout the concept plan identifying that. He said the applicant, however, has also considered doing a two-story expansion instead.

Mr. Reitelbach said he spoke with the Zoning Division, and they have indicated that a two-story expansion would still be permitted with the concept plan as it is, as long as the expansion is located within the general area of the building expansion as depicted on the concept plan because height is not identified in Condition #1 as a major element, whereas location is. He said the other reason is that two stories is actually the required by-right height for new buildings in the DCD Zoning District. He said one-story buildings are only permitted in the DCD with a special use permit or if an existing one-story building is being expanded. He said the ordinance requirements would already permit a two-story expansion if the applicant chose to go that route, which is in line with what the Zoning Ordinance already permits in the DCD.

Mr. Reitelbach said there is also a special exception request associated with this special use permit application, which is a request to waive the requirements of Section 18-5.1.11B. He said this requires soundproofed structures for a veterinary and animal clinic use to be located at least 200 feet from an agricultural or residential property line in order to protect the surrounding properties from noise that may be generated from special use.

Mr. Reitelbach said that in this case, the location of the proposed veterinary use is less than 200 feet from what the zoning map designates as residential property lines. He said the nearest residential structures in a residential district, however, lie more than 200 feet from the intended veterinary clinic buildings. He said the applicant has proposed that sound attenuation strategies would occur in the construction of the expansion of the vet clinic building (in terms of both the expansion of the existing building and the proposed new building) to ensure that the noise limit would comply with the 55-decibel requirement that is required by the ordinance.

Mr. Reitelbach presented a map of the concept plan. He said the applicant has indicated that she would like to develop the expansion of her animal clinic in two phases. He said both phases are already shown so that she would not have to come back for another amendment to the special use permit if this special use permit is approved that evening. He said the page shown on the screen, Sheet 7, shows what the first phase would be, mainly adding additional parking to the lot as well as expanding the existing veterinary clinic, which was the building shown in the dark orange, and the expansion being in the light orange.

Mr. Reitelbach said going back to his previous slide, the applicant is looking at having the light orange area on the east side potentially be a two-story expansion to the existing one-story building. He said at final buildout of the property, along with the increase in parking, the applicant is also looking at adding another building at the front of the property, along the frontage of Crozet Avenue. He said this property was shown with the 20-foot maximum setback he mentioned previously.

Mr. Reitelbach said there are several factors favorable that staff identified. He said the proposed use is consistent with the Crozet Master Plan. He said it is located within the Development Areas and is consistent with the uses identified for areas designated as Downtown Crozet. He said there are no adverse impacts expected to nearby or adjacent properties.

Mr. Reitelbach said no unfavorable factors were identified in this application.

Mr. Reitelbach said a public hearing was held with the Planning Commission on December 15, 2020. He said the Commission voted 7-0 to recommend approval of the special use permit with the conditions and revisions as recommended by staff. He said they also voted 7-0 to recommend approval of the special exception request with the conditions as recommended by staff.

Mr. Reitelbach said there were several revisions recommended by staff, and in discussions with County staff, the applicant made those revisions. He said the notes recommended by staff were added to the concept plan. He said the language in Condition #2 was revised to provide greater clarity, as it was brought up at the Planning Commission that the applicant was concerned about how the language of that was originally worded.

Mr. Reitelbach said the main issue relates to the parking lot behind the existing building and the location of the County drainage easements. He said he would go back a couple of slides to show where that is. He presented a map, indicating to the parking area that is in the middle of the property, to the west of the existing building and proposed expansion. He said there is a pinkish salmon-colored area on the map that goes through the middle of that, which is an existing County drainage easement that helps to convey stormwater from the Downtown Crozet area to that County-owned stormwater management property to the south.

Mr. Reitelbach said the applicant has expressed interest in putting a parking lot behind the existing building, on top of that County drainage easement.

Mr. Reitelbach said that after the Planning Commission meeting took place, County staff – including staff from both Community Development and Facilities and Environmental Services (FES) – did meet with the applicant to discuss this issue. He said an additional condition was added to this special use permit identifying requirements that the applicant would need to meet in order to allow parking in the area shown. He said this is Condition #4.

Mr. Reitelbach said FES did indicate that they might be willing to allow parking in this area if the following conditions were met, and this would include that the developer must relocate and reconstruct the drainage channel to the west to a condition that is consistent with the design of the existing channel. He said it is currently an open channel with a natural feel to it. He said there is no piping, so it would need to be reconstructed in that matter. He said this would also include modifying the drainage easement that is currently in place to reflect the new location of the drainage channel.

Mr. Reitelbach noted that piping of the existing drainage channel, or the new proposed drainage channel, would not be permitted. He said this is not something that FES would permit.

Mr. Reitelbach said if the applicant did go this route, it would be subject to FES approval as well as any other requirements of State and County Codes to move that drainage channel and the easement as well.

Mr. Reitelbach presented the recommended conditions. He said the first condition was only modified to reference the most recent version of the concept plan. He said the language in Condition #2 was simplified and clarified to make it more clear what staff was conditioning. He said Condition #3 did not change from the Planning Commission. He said Condition #4 has been added since the Planning Commission with regard to the drainage channel issue he just discussed.

Mr. Reitelbach said the special exception SE2020-00022 also has two recommended conditions with it. He said the first condition only changed the date to reference the correct concept plan, which is the most recent version from January 15, 2021. He said Condition #2 did not change at all since the Planning Commission.

Mr. Reitelbach concluded his presentation, noting that the motions were available. He offered to answer any questions.

Ms. McKeel asked Mr. Reitelbach if he could pull up the map he had showed. She asked him to help her understand the sound abatement, adding that she may have a follow-up question after that.

Mr. Reitelbach said the Zoning Ordinance, in Section 18-5, does have additional requirements that veterinary clinics or animal hospitals are required to meet, which would be any sort of sound abatement strategies in the construction of the building to ensure that noises from the animals, such as barking dogs, would not be heard outside of the building. He said this is something that at the building permit stage, the applicant would need to show to the County Engineer and the Building Official that the construction materials they are using to construct the building would not go over that required 55-db level.

Ms. McKeel said this sounded fine. She said on the map, she noticed that it says, "Screening fence to be provided if required." She asked what the "if required" means.

Mr. Reitelbach replied this is something that would ultimately be determined at the site plan stage, but because this is a Downtown Crozet District property, there is some screening, whether that is an opaque fence or vegetation, that would be required to screen the adjacent residentially zoned property.

Mr. Reitelbach said it is an interesting situation because even though the property to the south is zoned Residential, it is unlikely to ever be developed because this is the County stormwater management

property. He said this is something that was determined would ultimately be better to be left up to site plan once the Architectural Review Board has looked at the overall proposal and the exact dimensions of the parking lot and driveway to determine whether fencing or landscaping would be a more appropriate screening use.

Ms. McKeel said this was helpful.

Ms. Mallek asked if there are special connections required for stormwater from this property and the way it is going to be allowed to enter into the constructed wetland. She said this is a rather high-velocity water flow there in storm time. She said someone with Engineering would be able to look at that but that she wanted to raise the issue to make sure someone was looking at this.

Ms. Mallek said regarding fencing, her concern in her notes is that when there is a high-water possibility, a fence is not an asset. She said she hopes this will be taken into consideration because when fences get washed over with floods, it is a big mess.

Ms. Price said Mr. Reitelbach answered the question she had submitted to County staff earlier, which she appreciated.

Ms. LaPisto-Kirtley said she knew they were planning for an enlargement of the actual building. She asked if there was any kind of enlargement of the exercise area. She said from what she understands, half of the exercise area was shown in blue, and the other half was shown in cream. She asked if everything shown in dots was an exercise area.

Mr. Reitelbach replied that the animal exercise area is the area that has the dots on the map. He said this is mainly in the location behind the existing drainage channel and easement. He said if a parking lot were to be put there, it would probably be reduced in size a little, but not a lot. He said a lot of the existing animal exercise area, as well as what is proposed with this application, is largely located within the stream buffer and floodplain areas where it is currently just grass and is not an area that construction can occur on in the future, anyway.

Ms. LaPisto-Kirtley said this answered her question.

Ms. Palmer said she had a comment that was along the same lines of Ms. Mallek's question. She said this is a high-velocity area where the water comes down in a storm, and she assumes that the parking lot in the back of the building is the first phase. She asked if this was correct.

Mr. Reitelbach replied that it is shown on the plan as being a part of the first phase. He said the applicant may be able to speak more on that, however. He said his understanding is that because the drainage channel location would have to be relocated if the parking lot were to be put there, because of the expense of doing that, it may not be done until a later date, after perhaps some of the additional parking to the side or in front of the building is constructed first. He said he would defer to the applicant to explain her idea on the phasing of construction.

Ms. Palmer said her question was something she should probably be asking staff online, but it pertains to how staff tracks get as it gets built to make sure there are inspections and that FES or the County Inspectors are looking over this carefully. She said she knows that with all the good intention in the world, when the bulldozer gets out there, things do not always happen the way they want them to. She said this was really a question of process for how the inspections are done, and so she could skip that.

Ms. Palmer said she does think it is wonderful that this business is expanding and is doing so well that it needs to be expanded. She said her biggest issue, however, is with the parking lot and easement.

Ms. Mallek said one question to add to the list that perhaps the applicant would want to address is for the new two-story building that is proposed near the street, if the two stories happen at the elevation of the street, or if it happens at the start of the bottom of that very steep, quick slope that one uses to enter the property.

Mr. Gallaway opened the public hearing and invited the applicant to speak.

Ms. Valerie Long with the law firm of Williams Mullen said she was representing the applicant, Animal Wellness Center. She said she was joined by Dr. Hillary Cooke, and they were actually at the property at that time, in the animal surgical room. She said she could attest that despite the small size, Dr. Cooke and her team are very efficient in their use of the space, but they are definitely in need of some more elbow room to accommodate the busy practice. She said she and Dr. Cooke were in the same room, so the Board may see them putting on masks back and forth, but she wanted to make sure they could hear her well.

Ms. Long said also joining them on the call that evening was Mr. Justin Shimp with Shimp Engineering, who is the project engineer and can most certainly help address some of the questions regarding stormwater management that have been raised. She said she would share some slides and explain some of the issues, as well as answer some of the questions raised by the Board.

Ms. Long said it sounded as if everyone knew the general location of the property based on Mr. Reitelbach's presentation. She said for context, again, it is just south of Downtown Crozet, fronting on

Crozet Avenue right on the edge of the Downtown Crozet District.

Ms. Long presented a close-up from the County GIS mapping program showing the relative location of the existing building and parking lot in relation to the rest of the property. She indicated to the driveway location. She said she would talk much more about the drainage easement, but for reference, it was an open channel shown on the aerial view. She said she had a few other slides showing the relationship of the floodplain boundaries to that. She said the property to the south is owned by the County, which is the stormwater management facility.

Ms. Long said Dr. Cooke and her team are growing quickly and have a large number of employees. She said she imagined many of the Supervisors have pets and work with local vets. She said it is much like a medical practice or dentist where in order for efficiencies, one must have the patients set up in the exam rooms ready to go with their pets so that Dr. Cooke and her colleagues can quickly go from room to room, which of course generates the need for more exam rooms than she would otherwise have, more parking, and the efficiencies of a busy, growing practice. She said there are four doctors on the team now but is excited to add a fifth one soon.

Ms. Long presented a picture of the existing building and parking lot. She said currently, the biggest challenge is accommodating parking for both employees and clients.

Ms. Long presented a view of the property from Crozet Avenue. She said one could see the existing sidewalk that was put in place, and a look down the driveway, along with a bit of the corner of the building in the distance.

Ms. Long presented a view from another angle which showed the building on the left side, at the bottom of the hill.

Ms. Long presented a version of the map that Mr. Reitelbach presented, showing how the property is on the edge of the Downtown Crozet District, with R2 zoning on the other sides. She said this makes for a nice transitional use between the urban development that is desired by the Downtown Crozet District and the existing R2 zoning.

Ms. Long said also discussed already was the Comprehensive Plan designation. She said the Crozet Master Plan designates most of the property for downtown, with the remaining in the floodplain being designated as greenspace. She said the floodplain does cover a fairly significant portion of the property, so that area will be left in its existing natural state, but she thought it would be helpful for the Board to see that existing context on the map.

Ms. Long presented a closer version of the view so that the Board could see the edge of the floodplain and the location of the drainage channel, as indicated by her cursor. She said she would use this exhibit to explain more about the proposed expansion.

Ms. Long indicated to the existing building on the view and said that the plan is to expand the existing building out towards the street. She said the existing parking lot would be shifted towards the street, then enlarged. She said there is a desire to have parking in the back. She said they investigated the terms of the existing drainage easement that was put in place back in 2012, and it does require that it stay open. She said she had another slide about this for later.

Ms. Long said they would only use this area for parking if permitted by FES staff, but it would require this drainage easement to essentially be relocated out of the way so that the parking can be put in place without impacting the natural drainage channel in any way. She said this would all be left up to the engineers and subject to staff's discretion.

Ms. Long presented an exhibit that was to better explain the location of the drainage easement relative to the floodplain and to the buildable area of the parcel. She said although it is a fairly large parcel, only about half of it is actually developable because the drainage easement does prohibit buildings or other improvements to be located within the easement (and obviously, the floodplain does as well).

Ms. Long presented another view to show the relationship of everything together. She presented the full buildout plan, noting that to provide greater clarity, her cursor was pointing to the existing building, and the plan would be to fill the area in in the back while also expanding the building out. She said this may be one story or two stories. She said Dr. Cooke is still consulting with architects, lenders, and various contractors to figure out the best approach, both in the short-term and the long-term, to efficiently use the space. She said it needs to be affordable and supported by her business plan, so there is lots more work to be done on that.

Ms. Long said they want to make sure that if the plan is approved, the approvals are flexible enough to allow either one or two stories. She said Mr. Reitelbach has assured her that based on Zoning's interpretation, this is all fine.

Ms. Long indicated on the map to the location of the expanded parking lot. She said the future building would be located up against Route 250. She said the parking lot would serve both uses. She said this building is required to be a minimum of two stories under the Downton Crozet District regulations. She said they wanted to be sure that if Dr. Cooke's practice continues to grow, she has the ability to have her business in that practice as well. She said it may end up that the vet ends up being in

that building, and the boarding is in the back, or vice-versa, long-term.

Ms. Long said there had been questions about the building setback, and as Mr. Reitelbach explained, the Downtown Crozet regulations require the building to be very close to Crozet Avenue. She said although it was hard to see on the map, the drainage easement actually runs along the frontage of the property, so it would not be possible for the building to meet the 10-foot setback requirement because the drainage easement takes up almost the entire 10 feet. She said this is the reason for the request for the flexibility to have it be at the 20-foot distance is so important, as it allows not only for the building to comply with that regulation, but also some room for some plantings in between, which they know will be important to the ARB.

Ms. Long indicated on the map to the path along with the easement drains and where water drains into the County's facility. She said this parking lot would only be built if County staff approves it in that location which would, among other things, require that the easement be rerouted and left in a natural open state. She said it would not be able to be piped and put underground. She said Dr. Cooke does not have a desire to do that, anyway, and wants to leave things as natural as possible. She said that among other benefits of the property, Dr. Cooke loves how the area behind the building is more natural. She said it is calming, pleasant, and nice for her employees.

Ms. Long said it would be helpful, though, to have some employee parking in the back to free up the space for customers, and it does help relegate some of that parking more behind the building. She said she was happy to talk more about that if there were questions.

Ms. Long said Ms. LaPisto-Kirtley had asked about the animal exercise area. She said the applicant is realizing that was perhaps not the best phrase to have used. She said it was not so much of an exercise area, but an area for them to walk dogs that might be staying at the property for the day, whether they have having procedures done or are sick and need to be let outside.

Ms. Long apologized for the graphic on the slide, noting that this was something she had put together to try to make it clear that this was essentially the area of the potential future parking lot for employees, if approved, and a very rough demonstration of a potential route of the relocated drainage easement, since there is area in the back that is open and not developable. She said it needs to be routed around so that the area is free for parking. She said it would need to not go back too far because there are utility easements there they have to avoid, but this could be left in a natural state.

Ms. Long said Mr. Shimp has advised that because it would be slightly longer in that regard, it could actually provide a little extra benefit in terms of water quality by having the water travel slightly through the channel before it is discharged into the County's facility.

Mr. Gallaway informed Ms. Long that her 10 minutes of speaking time had expired.

Ms. Long offered to answer any questions after the public hearing.

Mr. Gallaway asked if anyone from the public was signed up to speak.

Mr. Morris replied that there was not.

Ms. Mallek asked if Mr. Shimp wanted to say a few words about how they manage the velocity of the stormwater.

Mr. Shimp said one of the particular benefits of this development where they pipe the stormwater out is that they can dictate the slope of that channel. He said the strategy in these situations where the water is discharged into a creek, they run the slope of the pipe that goes into it as shallow of a slope as possible. He said essentially, they can force the water in the pipe to slow down that way.

Mr. Shimp said Ms. Mallek's comment was correct because in Crozet, everything is hilly, and so water flowing in the channel moves downhill quickly. He said by setting their own grades, they can dictate a flat slope and, therefore, a low exit velocity in the channel.

Ms. LaPisto-Kirtley said the reason she asked her question regarding the area to play in is that she thought they were expanding more into a boarding facility. She said it sounded like they were expanding their actual business, but not going into a boarding facility.

Ms. Long asked if she could clarify that issue. She said part of the application request was for the ability to have animal boarding services onsite. She said this is not automatic, and even with a special use permit for a veterinary or animal hospital, it does not mean you can board, as a specific approval is needed for that. She said Dr. Cooke does not have that ability now but has recognized that there is quite a market or a need in the community for that, and so she would like to add that to her business. She said it would be within the expanded building or the new building.

Ms. LaPisto-Kirtley said there is definitely a need for high-quality boarding facilities for animals, and especially for dogs.

Ms. Long agreed.

Ms. LaPisto-Kirtley said an emphasis on high quality and even on luxury would be nice.

Ms. Palmer said she had a question for Mr. Reitelbach and staff. She said Ms. Long showed her admittedly crude diagram of where the parking lot would be and where the possible new drainage canal could be. She asked if the County would allow a drainage area like that to be placed in the floodplain, as she had noticed this was her admittedly crude attempt at showing it.

Mr. Reitelbach replied that he was not sure about that. He said he knew that Mr. Bart Svoboda from Zoning was on the line and may know. He said he was not clear on it and could look into it and get back with Ms. Palmer.

Mr. Svoboda said there are some stormwater features that are allowed within the floodplain. He said they would have to verify with Mr. Frank Pohl, County Engineer, to be sure which ones they are and that the design is compatible. He said there are some that are permitted, but it would just depend.

Ms. Palmer said she could imagine that as much water as that property gets, if the backside is flooding at the same time that the water is coming down, it might be problematic. She said she did not need this answered at that time, however.

Ms. Mallek **moved** that the Board adopt the resolution (Attachment F) to approve SP202000015, subject to the conditions attached; and the resolution (Attachment G) to approve SE202000022 Animal Wellness Center, with conditions. Ms. Price **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None

Ms. Long thanked the Board for their support, questions, and feedback.

**RESOLUTION TO APPROVE
SP 202000015 ANIMAL WELLNESS CENTER**

BE IT RESOLVED that, upon consideration of the staff reports prepared for SP 202000015 and all of their attachments, the information presented at the public hearings, any comments received, and the factors relevant to special use permits in Albemarle County Code §§ 18-20B.2(E)(17) and 18-33.40, the Albemarle County Board of Supervisors hereby approves SP 202000015, subject to the conditions attached hereto.

* * * * *

SP2020-15 Animal Wellness Center Special Use Permit Conditions

1. Development of the use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the concept plan entitled, "Special Use Permit SP2020-00015, An Amendment to SP2008-009, Concept Plan, Animal Wellness Center, 56A2-01-00-7," prepared by Shimp Engineering, P.C., dated July 20, 2020, last revised January 15, 2021. To be in general accord with the exhibit, development must reflect the following essential major elements:
 - Location of the existing building and its proposed additions
 - Location of the proposed new building in the "future phase/development"
 - Location of the parking areas
 - Location of the outdoor animal exercise areaMinor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.
2. The outdoor animal exercise area must be separated from access by the public and limited to the area behind the building.
3. Final site plan approval is subject to approval of the landscape plan (submitted with the site plan) by the Architectural Review Board (ARB). Landscaping shown on the plan may be required to be in excess of the minimum requirements of the ARB guidelines and/or the Zoning Ordinance to mitigate visual impacts of the proposed use.
4. Subject to the approval of the Albemarle County Facilities and Environmental Services department, a parking lot may be permitted in the location of the existing drainage channel located within the Albemarle County drainage easement (deed book 3982, page 599), as shown to the west of the existing building depicted on sheets 6 and 7 of the concept plan. For a parking lot to be permitted in this area, at a minimum, the developer must relocate and reconstruct the drainage channel to a condition that is consistent with the design of the existing channel and modify the drainage easement to reflect the new location. Piping of the existing or new drainage channel is not permitted. Any disposal of the County's existing drainage easement is further subject to the requirements of *Virginia Code* § 15.2-1800(B).

**RESOLUTION TO APPROVE
SE202000022 ANIMAL WELLNESS CENTER**

NOW BE IT RESOLVED that, upon consideration of the staff reports prepared in conjunction with the special exception request and the attachments thereto, including staff's supporting analysis, all of the comments received, and all of the factors relevant to the special exception in Albemarle County Code §§ 18-5.1.11 and 18-33.49, the Albemarle County Board of Supervisors hereby approves SE202000020 Animal Wellness Center to allow the veterinary clinic and associated uses to be located less than 200 feet from a residential property line, subject to the conditions attached hereto.

* * * * *

SE202000022 Animal Wellness Center Conditions

1. Development of the use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the concept plan entitled, "Special Use Permit SP2020-00015, An Amendment to SP2008-009, Concept Plan, Animal Wellness Center, 56A2-01-00-7," prepared by Shimp Engineering, P.C., dated July 20, 2020, last revised January 15, 2021. To be in general accord with the exhibit, development must reflect the following essential major elements:
 - Location of the existing building and its proposed additions
 - Location of the proposed new building in the "future phase/development"
 - Location of the parking areas
 - Location of the outdoor animal exercise areaMinor modifications to the plan which do not conflict with the elements above may be made to ensure compliance with the Zoning Ordinance.
2. The buildings used for the veterinary clinic and overnight animal boarding uses must be air-conditioned and must be sound-proofed so that sound measured at the nearest agricultural or residential property line shall not exceed 55 decibels. Prior to the issuance of a building permit, the applicant must submit information to the satisfaction of the County Engineer and the Zoning Administrator (or their designees) that demonstrate that the sound attenuation qualities of the construction materials used in the renovation, expansion, and/or construction of the veterinary clinic and overnight animal boarding service buildings can reasonably meet the fifty-five (55) decibel sound limit in County Code §18-5.1.11(b).

Agenda Item No. 16. 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.

Mr. Gallaway said they would attempt to allow the public speakers who had previously had technical difficulties during Matters from the Public.

Ms. Judy Schlussel (Rio District) said she is a member of the Rio29 CAC. She recited a poem she wrote in a style similar to that of Dr. Seuss about trees being clear-cut to build. She said when she was teaching school, one of her favorite books was "A Tree is Nice" by Janice May Udry. She said regardless if one is a preschooler or adult, this book has a very good message about the benefits of trees.

Ms. Schlussel said she was bringing this up because of the proposed by-right building that will take place on Dunlora Farm, that along Berkmar Extension, and buildings that continue in Belvedere, Brook Mill, North Pointe, and RST Residence, to name a few. She said these all have one item in common: they have clear-cut acre upon acre of land to build residences, put down concrete for parking, and then plant a few baby trees that are identified as landscaping that will take many years before they give any environmental benefit.

Ms. Schlussel said clear-cutting can destroy an area's ecological integrity. She said this may lead to erosion of sediment at creeks and rivers, clouding waters and reducing water quality for fish and human consumption.

Ms. Schlussel said that on January 21 and 22, there were two Zoom meetings for the community kickoff regarding stream health initiatives in Albemarle County. She said the question was asked, "Why focus on stream health?" She said water monitoring by the DEQ tells them that 56% of the miles of river and stream that the agency has tested in Albemarle County are currently impaired. She asked if there is a possible if the approved zoning requests for proposals that come before the Board of Supervisors could be a contributing factor, as developers clear-cut the land to create their developments.

Ms. Schlussel said the benefits of trees include giving off oxygen that people need to breathe, habitats for a variety of wildlife species., and food and protection for birds and animals. She said trees have environmental benefits. She said a tree is a natural air conditioner, and the evaporation from a single tree can produce the cooling effect of residential air conditioners operating 20 hours a day. She said areas with trees that have lush canopy have lower temperatures than comparable neighborhoods without trees. She said trees also provide benefits that cannot be seen such as absorbing greenhouse gases, replenishing groundwater, and filtering the air from harmful pollutants and odors.

Ms. Schlussel asked the Board that as zoning requests come to them for approval, they should evaluate whether or not the land will be clear-cut, thinking about all the benefits trees offer not only today, but for future generations living in Albemarle County.

Mr. Kent Schlusell (Rio District) said he has spoken to the Board several times about various issues with the County's Comprehensive Plan and how it is outdated for the Rio District. He said he knows this plan is not law but is guidance. He said many of the Supervisors, when they see a development come in, cite the Comprehensive Plan, which includes affordable housing. He said although affordable housing is important, many of the Supervisors want to approve a plan despite the wishes of the community. He said that in some cases, it seems like they are blaming the citizens for opposition to some developments.

Mr. Schlusell said more and more County citizens have become concerned about how they are starting to become another Northern Virginia, with developments on every available piece of land. He said there are citizens who stated their opposition to Breezy Hill and now, citizens in the CAC in Crozet opposing what is in the Comprehensive Plan.

Mr. Schlusell said he has heard several Supervisors state that they want to maintain the beauty of the County. He asked if it is fair, however, for certain communities that were established long before the Comprehensive Plan to accept more buildings, apartments, cement, and the destruction of forest to maintain the landscape someplace else in the County.

Mr. Schlusell said he lives in Dunlora and is the chairperson of the Trails Committee. He said they maintain a system of trails through the neighborhood for people to enjoy, including the RTF (Rivanna Trail Foundation) trail that comes from Pen Park to Belvedere. He said this trail system is one of the best amenities for people who live in the area. He said part of this trail was destroyed by clear-cutting several acres in Belvedere to make room for more houses. He said thus, people can no longer enjoy a large portion of this trail. He said people have been asking him the reason for the clear-cutting, and he was at a loss for words for anyone who destroys decades-old trees for the sake of profit while the rest of them are concerned about the environment.

Mr. Schlusell said the Board has stated how much they are concerned about the environment and yet, the County approved new developments that have destroyed the few amenities they have in the urban areas. He said maybe the Comprehensive Plan needs to be completely redone so that citizens can enjoy where they live now. He said the Comprehensive Plan has outlived its usefulness.

Mr. Schlusell said in his opinion, the plan needs to be completely rewritten and take into consideration the current and future infrastructure for current neighborhoods where the jobs are located and not just Downtown and 29 North. He said the existing woodlands, forests, and streams and how the land can be environmentally developed should be considered.

Mr. Schlusell asked the Board to walk the land rather than just seeing it from their cars to see what is being lost in the County as they continually approve development after development based on the outdated Comprehensive Plan. He said he would be happy to act as their tour guide, and in fact, he would challenge them to walk the land with him in his neighborhood so he can show them what he means. He urged the Board to update or, better yet, rewrite the Comprehensive Plan completely.

Mr. Gallaway closed public comment.

Agenda Item No. 18. **Public Hearing: Ordinance to Amend County Code Chapter 7, Health and Safety, Article 3, Smoking.** To receive public comment on its intent to adopt an ordinance to amend Article 3, Smoking, of Chapter 7, Health and Safety, of the Albemarle County Code by amending sections 7-300 through 7-309 and repealing section 7-304, Designated no-smoking areas in restaurants. The ordinance would remove the regulation of smoking in restaurants from Article 3, which would hereafter be regulated by State law as provided in the Virginia Indoor Clean Air Act (Virginia Code § 15.2-2820 et seq. and, in particular, Virginia Code § 15.2-2825). The ordinance would also establish that a violation of Article 3 is punishable by a fine of up to \$100 and make minor non-substantive amendments. *(Advertised in the Daily Progress on January 18 and January 25, 2021)*

The Executive Summary forwarded to the Board states that The General Assembly considered a number of bills in the 1980s regarding smoking. By 1989, no statewide legislation on the topic had succeeded with one limited exception. At the time, smoking could be regulated by localities. Realizing that further statewide bills would be forthcoming, in 1989 the General Assembly adopted HB 601 (Goode), which imposed a statewide moratorium on local regulation of smoking that became effective on July 1, 1989. On June 7, 1989, the Board of Supervisors adopted the smoking regulations that currently compose Article 3 of Chapter 7 of the County Code. The County was among 16 Virginia localities regulating smoking when the statewide moratorium on local regulation took effect.

The 1990 Virginia Indoor Clean Air Act, HB 1055 (Cranwell) required that government-owned buildings provide reasonable no-smoking areas, established mandatory provisions for any local ordinances, but otherwise preempted local ordinances not adopted before the statewide moratorium was imposed. The Act required that any restaurant with more than 50 seats to designate a no-smoking area sufficient for customer demand as determined by management.

In 2009, the 1990 Virginia Indoor Clean Air Act was repealed and was replaced by a new Virginia Indoor Clean Air Act. The 2009 Act continued to allow local ordinances such as Albemarle County's that were adopted prior to January 1, 1990, to continue in effect, even if they were inconsistent with the 2009

Act. The primary purpose of the 2009 Act was to improve the regulations pertaining to smoking in restaurants. The 2009 Act generally prohibits smoking in restaurants, with some exceptions: (1) if a restaurant constructed a smoking room that was structurally separated and contained a separate smoking area, that portion of the restaurant did not have to be smoke-free; (2) outdoor areas not enclosed by walls, windows, or temporary enclosures. The 2009 Act also partially restricted smoking in a number of places used by the general public, such as elevators, the common areas of public schools, and hospital emergency rooms. Local preemption was maintained.

Comparing the 2009 Virginia Indoor Clean Air Act and the County's smoking regulations in Article 3 of Chapter 7 of the County Code, it appears that, on balance, the County's smoking regulations remain more restrictive than the regulations in the 2009 Act, with the exception of those pertaining to restaurants. The County's restaurant regulations do not apply to restaurants with fewer than 75 seats, require only a minimum of 20 percent of the seats to be in the non-smoking area, and do not require a structurally separated smoking area.

The sections of the County's smoking regulations have always been severable from one another. The proposed ordinance would delete the regulations pertaining to smoking in restaurants. (County Code §§ 7-301, 7-302, 7-304 (repealed), and 7-306 (renumbered)). This change would allow the more restrictive requirements of the Virginia Indoor Clean Air Act to apply. The proposed ordinance would also update the name of the local health district to the Blue Ridge Health District (County Code § 7-307 (renumbered)). Lastly, the penalty for violating the County's smoking regulations was originally classified as a class 4 misdemeanor, which resulted at the time in a fine of up to \$100. Since, then, changes in State law have increased the fine for class 4 misdemeanor to up to \$250. The proposed ordinance would delete the reference to a "class 4 misdemeanor" but retain the fine of up to \$100 for violating the County's smoking regulations (County Code § 7-308 (renumbered)). This fine still greatly exceeds the \$25 maximum fine for violating any local smoking regulations adopted after January 1, 1990.

Staff recommends that the Board adopt the attached proposed ordinance (Attachment A).

Mr. Greg Kamptner, County Attorney, said this was one part of Chapter 7 of the County Code. He said the Board saw and adopted the other six articles of Chapter 7 back in March, with the ordinance that became effective on May 1.

Mr. Kamptner said they were now looking at Article 3, which deals with indoor smoking. He said the current regulations that are in Article 3 were adopted by the Board back in June of 1989, in advance of a moratorium that the General Assembly was about to put into place that became effective July 1. He said the purpose of that Board action then was that the 1990 Indoor Clean Air Act, then the new Indoor Clean Air Act of 2009, allowed local ordinances that had been adopted prior to the moratorium going into effect to continue in effect.

Mr. Kamptner said to a certain extent, that was a very wise step by the Board of Supervisors as far as controlling indoor smoking because the County's regulations, even looking at them 32 years later, are more restrictive and broader in scope than the 2009 act, with the exception of restaurants.

Mr. Kamptner said the proposed ordinance that evening was to remove local regulation of restaurants. He said the state rules that pertain to restaurants would become effective in Albemarle County.

Mr. Kamptner said one other substantive change would be to clarify the penalty for violating the County's indoor rules. He said that when the ordinance was adopted in 1989, it only referred to the maximum penalty not being that which was identified as a Class IV misdemeanor which, at the time, was a \$100 fine. He said since then, the maximum penalty for a Class IV misdemeanor has significantly increased, but to maintain the \$100 maximum fine, staff would recommend the ordinance be amended to refer to the \$100 amount. He said by comparison, under the current state law, the state penalty is \$25 for a violation by an individual.

Mr. Kamptner said the slide on the screen showed a side-by-side comparison of the current County Code as it applies to restaurants versus the state law. He said to summarize the County Code, it allows smoking, but it does require a minimum of 20% of the seats as a no-smoking area. He said by comparison, the state law prohibits smoking, with some exceptions that are carved out. He said the four primary exceptions are the restaurant kitchen, space for private functions, private clubs, and casinos.

Mr. Kamptner said the other key difference between the state law and the County Code is that for those who remember the early days of no-smoking areas, it was just some area of the restaurant, and quite often because the restaurants were not structurally designed to separate smokers and non-smokers, if one was in the no-smoking section, their booth or table might be backed up to an adjoining booth that was in the smoking area.

Mr. Kamptner said now, under state law and the 2009 act, smoking is permitted, but the areas where smoking is allowed have to be both structurally separated and also separately vented. He said there are standards in the building code that help identify what that fully means. He said the Virginia Indoor Clean Air Act describes it, but the building code goes into even more detail.

Mr. Kamptner said when staff was looking at doing these amendments, part of the task was to look at the new law and the County Code. He said on balance, other than restaurants, the County Code

remains more restrictive. He said they have a number of activities that are entirely areas where smoking is completely prohibited. He said state law is a little more nuanced, and so staff's recommendation is to retain the County Code provisions that deal with these other activities.

Mr. Kamptner said probably the closest call is the area of private places of employment where there are shared workspaces. He said he would recommend that the County provisions remain in effect, and they would look at this again when this ordinance comes back as part of the recodification process because part of it is just the language. He said County Code was written in the negative, whereas state law is written in the positive, or vice-versa, and it sometimes becomes difficult to weigh the two.

Mr. Kamptner said staff is recommending that the Board adopt the proposed ordinance (Attachment A). He offered to answer any questions.

Ms. McKeel said she did not have a problem with this at all, but she wondered why they were doing this now if they were going to have to come back and do it again in the near future.

Mr. Kamptner replied that knowing how long it has taken them to get through chapters, they are still at least two, three, or four years away.

Ms. Mallek said she was completely in support of what was being proposed, with one concern. She said knowing that the General Assembly could easily change their mind and decide that there are no prohibitions anywhere, she wondered if the County would be smart to keep their ordinance and change the place for restaurants that needs to be strengthened to agree with the state prohibition and leave it alone otherwise. She said then, they will have something strong in place. She said she was afraid that if they erase their section, they will suddenly not be able to get it back.

Mr. Kamptner explained that the only section that was completely deleted was the one that deals with signage in restaurants. He said the restaurant regulations that are in place right now under state law have their own sign regulations. He said in Section 7-302, they have retained restaurants, but they are referring over to the State Code section. He said it is interesting working on this because when looking at both the County's ordinance and the Virginia Indoor Clean Air Act, he thinks that overall, as a society, even though there is still a significant portion of the population that smokes, as far as regulating indoor smoking, the behavior has moved way beyond either the state law or the County ordinance.

Mr. Kamptner said he would leave this to the Board. He said the state law currently provides better protection for the health of the community than does the County ordinance with respect to restaurants.

Ms. Mallek said she would definitely want to use the state language, but as long as Mr. Kamptner was saying they were not deleting their ability to have that strong language in restaurants, she would stop talking.

Mr. Kamptner said there could be a fight down the road, but today under current law, what the state law provides within restaurants is better than what the County has. He said this was the best he could answer it.

Ms. LaPisto-Kirtley said she supports this, especially in the restaurants. She said her understanding is that this would go with the state law, which says there must be two separate entities with their own ventilation and completely separated from each other.

Mr. Kamptner confirmed this was correct.

Ms. LaPisto-Kirtley asked if this addresses smoking outside in the patio areas.

Mr. Kamptner replied no. He said it only deals with indoor smoking. He said both the state law and the 1989 ordinance both accepted smoking in outdoor seating at restaurants.

Ms. LaPisto-Kirtley said it would then be the individual restaurant that says "no smoking" outside on the patio.

Mr. Kamptner said yes.

Ms. LaPisto-Kirtley said she supports anything that will help citizens and children be healthier.

Ms. Palmer said she was fine with this housekeeping issue but did have a curiosity question. She said the slide said a couple of times that the County Office Building must supply an adequate place to smoke.

Mr. Kamptner said that under current state law, public buildings are supposed to provide no-smoking areas. He said one thing that answers that question and might make Ms. Palmer feel a little more comfortable is that when he was doing this work, he found a report that was close to 200 pages long by three people who came out of UC San Francisco, which gave an exhaustive study of the regulation of smoking in Virginia, going back to probably the 1970s. He said he had picked it up in the 1980s because this is when it started to become significant, as there was the 1989 ordinance. He said what they saw back then, which does not exist now, was the tremendous power of the tobacco lobby and growers. He said they are in a different place now.

Ms. Palmer asked if the County Office Building has a place for people to smoke, since state law requires it.

Mr. Kamptner replied no. He said using COB 5th as an example, the County ordinance prohibits smoking in the County Office Building, and so they smoked outside.

Ms. Palmer said they did not need to get into it, but she had always thought that state law trumped the County's, which was why she was asking.

Mr. Gallaway asked if there was anyone signed up to speak for this public hearing.

Ms. Borgersen replied there was not.

Mr. Gallaway closed the public hearing and brought the matter back to the Board.

Ms. LaPisto-Kirtley **moved** that the Board approve Attachment A, as proposed. Ms. McKeel **seconded** the motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None

ORDINANCE NO. 21-7(1)

AN ORDINANCE TO AMEND ARTICLE 3, SMOKING, OF CHAPTER 7, HEALTH AND SAFETY, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA

BE IT ORDAINED By the Board of Supervisors of the County of Albemarle, Virginia, that Article 3, Smoking, of Chapter 7, Health and Safety, is hereby reordained and amended as follows:

By Amending:

Sec. 7-300	Purpose
Sec. 7-301	Definitions
Sec. 7-302	Smoking prohibited in certain public places
Sec. 7-303	Smoking in certain private places of employment
Sec. 7-304	Exemptions
Sec. 7-305	Designated smoking areas
Sec. 7-306	Posting signs
Sec. 7-307	Enforcement
Sec. 7-308	Violations

By Repealing:

Sec. 7-304	Designated no-smoking areas in restaurants
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CHAPTER 7

HEALTH AND SAFETY

ARTICLE 3. SMOKING

Sec. 7-300 Purpose.

The Board of Supervisors finds and declares that exposure to environmental tobacco smoke is a serious hazard to the public health, welfare, peace, and safety and the quality of life; that a substantial body of scientific and medical evidence exists which documents this hazard including, but not limited to, the 1986 Report of the Surgeon General entitled "The Health Consequences of Involuntary Smoking"; that both smokers and non-smokers have individual rights which are important to preserve; and that it is the object of this article to help minimize the health hazards of smoking, particularly as they exist in certain public places and places of employment, while simultaneously recognizing the sometimes competing interests of smokers and non-smokers as well as the burdens hereby imposed on persons in management and control of the places regulated.

(6-7-89; Code 1988, § 16.1-2; Ord. 98-A(1), 8-5-98; Ord. [20-7\(1\)](#), 3-18-20, effective 5-1-20; Ord. 21-7(1), 2-3-21)

State Law reference – Va. Code § [15.2-2828](#).

Sec. 7-301 Definitions.

The following definitions apply to this article unless the context requires a different meaning:

"Child care facility" means any facility which is a "child day center" or a "family day home" as defined by Virginia Code § [63.2-100](#).

"Food store" means any supermarket or grocery store which is designed and arranged to display food products and which has as its primary business purpose the sale of food products to consumers for consumption off the premises, and not for resale.

"Health care facility" means any office or institution providing individual care or treatment of diseases, whether physical, mental, or emotional, or other medical, physiological, or psychological conditions, including, but not limited to, hospitals, clinics, nursing homes, homes for the aging or chronically ill, laboratories, and offices of any physician, dentist, chiropractor, psychologist, psychiatrist, physiologist, podiatrist, optometrist, or optician.

"Public meeting" means any meeting or assembly held by a County public body, or any County committee, department, or office in a building that is open to the public.

"Public place" means an enclosed area available for use by or accessible to the general public during the normal course of business conducted by either private or public entities.

"Shared work area" means any enclosed area on the premises of a place of employment: (i) that is a private work area in which two or more employees are assigned to work for most of their work day; (ii) where those employees must share common work spaces, equipment or facilities; and (iii) where each of those employees is aware of or readily available to observe the activities of others taking place in the employee's work area.

"Smoking or to smoke" means the act of smoking or carrying a lighted or smoldering cigar, cigarette, or pipe of any kind, or lighting a cigar, cigarette, or pipe of any kind.

"Theater" means any indoor facility or auditorium, open to the public, which is primarily used for or designed for the purpose of exhibiting any motion picture, stage drama, musical recital, dance, lecture, or other similar performance.

(6-7-89; Code 1988, § 16.1-3; Ord. 98-A(1), 8-5-98; Ord. [20-7\(1\)](#), 3-18-20, effective 5-1-20; Ord. 21-7(1), 2-3-21)

State Law reference – Va. Code § [15.2-2828](#)

Sec. 7-302 Smoking prohibited in certain public places.

Except as otherwise provided in this article, it is unlawful for any person to smoke in any of the following public places:

- A. *Elevators*. In an elevator, regardless of capacity, except in those elevators in single-family dwellings.
- B. *Health care facilities*. In any health care facility, regardless of capacity, but with the exception of private patient rooms designed for only one patient.
- C. *Public meetings*. In any public meeting attended by more than two persons.
- D. *Theaters*. In any theater, except smoking by performers as part of the production.
- E. *Cultural facilities*. In any art gallery, library, museum, or similar cultural facility, supported in whole or in part with public funds.
- F. *County buildings*. In the County office buildings and any other public building that is wholly or partially owned or leased by the County, is located within and is a part of the corporate limits of the County and is under the direct and exclusive management of the County Executive's Office.
- G. *Restaurants*. In any restaurant, as provided by Virginia Code § 15.2-2825.
- H. *Schools and child care facilities*. In any elementary or secondary school, or child care facility, whether public or private.
- I. *County owned or leased vehicles for public transportation*. In any vehicles owned or leased by the County and used regularly for public transportation, including, but not limited to, transit buses and school buses.
- J. *Food stores*. In any food store.
- K. *Retail stores*. In any retail store.
- L. *Financial institutions*. In any bank or savings and loan.
- M. *Shopping malls*. In any enclosed shopping mall.

(6-7-89; Code 1988, § 16.1-4; Ord. 98-A(1), 8-5-98; Ord. [20-7\(1\)](#), 3-18-20, effective 5-1-20; Ord. 21-7(1), 2-3-21)

State Law reference – Va. Code § [15.2-2828](#).

Sec. 7-303 Smoking in certain private places of employment.

- A. *Smoke-free work areas in shared work areas.* Any employer who owns and operates a business within the County and who employs five or more employees must provide, to the extent reasonably practicable, smoke-free work areas for non-smoking employees who work in a shared work area or space that are entered by the general public in the normal course of business or use of the premises.
- B. *Smoking prohibited in shared work areas; exception.* Unless each and every employee in a particular shared work area consents in writing, smoking is prohibited in the shared work areas of an employer subject to this section.
- C. *Designated smoking areas.* Nothing herein prevents an employer subject to this section from establishing lawfully designated smoking areas outside of shared work areas and in accord with County Code § 7-306; provided, that employers may not designate restrooms and lunchrooms in buildings they own or manage as smoking areas, unless separate restrooms and lunchrooms are furnished for smokers and non-smokers.

(6-7-89; Code 1988, § 16.1-4; Ord. 98-A(1), 8-5-98; Ord. [20-7\(1\)](#), 3-18-20, effective 5-1-20; Ord. 21-7(1), 2-3-21)

State Law reference – Va. Code § [15.2-2828](#)

Sec. 7-304 Exemptions.

The prohibitions of this article do not apply to the following areas:

- A. *Designated smoking areas.* Lawfully designated smoking areas which comply with County Code § 7-305.
- B. *Theater lobbies.* Theater lobbies, provided that the lobby is physically separated from the spectator area and a separate lobby is provided for smokers and non-smokers.
- C. *Non-shared work areas.* Office or work areas which are not shared work areas and which are not entered by the public in the normal course of business or use of the premises.
- D. *Tobacco stores.* Tobacco stores that sell tobacco and smoking implements.
- E. *Enclosed public buildings.* Areas within enclosed public buildings which are being used as private dwelling units or are occupied by tenants who are leasing space from the County not subject to any express prohibitions in this article.
- F. *Courthouses.* Courthouses owned or leased by the County.
- G. *Health care facilities treating addictions or psychiatric disorders or illnesses.* Health care facilities or portions thereof which engage primarily in the treatment of patients suffering from alcohol and other chemical dependency or abuse, or psychiatric disorders or illnesses when implementation of the smoking prohibitions contained in this article would, in the written opinion of attending physicians, produce a significant risk of worsening a patient's mental health.
- H. *Public buildings of other public entities.* Buildings owned or leased by the City of Charlottesville, the Commonwealth of Virginia (including the University of Virginia), and the federal government and its agencies.

(6-7-89; Code 1988, § 16.1-6; § 7-305, Ord. 98-A(1), 8-5-98; Ord. [20-7\(1\)](#), 3-18-20, effective 5-1-20; § 7-304, Ord. 21-7(1), 2-3-21)

State Law reference – Va. Code § [15.2-2828](#).

Sec. 7-305 Designated smoking areas.

The owner or person in charge of any building, structure, space, place, or area in which smoking is prohibited may designate separate rooms or areas in which smoking is permitted; provided that:

- A. *Smoking rooms or areas must be separate.* Rooms or areas in which smoking is permitted and which are so designated must be separate, to the extent reasonably practicable, from those rooms or areas entered by the public in the normal course of use of the particular business or institution.
- B. *Ventilation and barriers.* In designated smoking areas, ventilation systems and existing physical barriers shall be used, when reasonably practicable, to minimize the toxic effect of smoke in adjacent non-smoking areas.

- C. *Size of designated smoking area may not defeat purpose of article.* Designated smoking areas must not be so large in number or area in any one building that the fundamental purposes of this article are defeated.

(6-7-89; Code 1988, § 16.1-8; § 7-306, Ord. 98-A(1), 8-5-98; Ord. [20-7\(1\)](#), 3-18-20, effective 5-1-20; § 7-305, Ord. 21-7(1), 2-3-21)

State Law reference – Va. Code § [15.2-2828](#).

Sec. 7-306 Posting signs.

- A. *Posting signs in buildings; content.* Any person who owns, manages, or otherwise controls any building or area in which smoking is regulated by this article must post in an appropriate place in a clear, conspicuous, and sufficient manner "Smoking Permitted" signs or "No Smoking" signs (or the international "No Smoking" symbol, consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it). The text on these signs must be at least one inch in height, and the international symbol must have a circle of at least four inches in diameter.
- B. *Optional content.* "No Smoking" signs may, but are not required to, contain language that violation of the no smoking prohibition is punishable by a fine of up to \$100.00.

(6-7-89; Code 1988, § 16.1-9; § 7-307, Ord. 98-A(1), 8-5-98; Ord. [20-7\(1\)](#), 3-18-20, effective 5-1-20; § 7-306, Ord. 21-7(1), 2-3-21)

State Law reference – Va. Code § [15.2-2828](#).

Sec. 7-307 Enforcement.

- A. *Duty to enforce.* This article is enforced by the Blue Ridge Health District or any other department or person designated by the County Executive.
- B. *Citizen complaint may initiate enforcement.* Any citizen who desires to register a complaint under this article may initiate enforcement with the Blue Ridge Health District.

(6-7-89; Code 1988, § 16.1-10; § 7-308, Ord. 98-A(1), 8-5-98; Ord. [20-7\(1\)](#), 3-18-20, effective 5-1-20; § 7-307, Ord. 21-7(1), 2-3-21)

State Law reference – Va. Code § [15.2-2828](#).

Sec. 7-308 Violations.

A violation of this article by any person is punishable as a class 4 misdemeanor by a fine of up to \$100.00, except for a violation of section 7-302(G), which is subject to enforcement and a fine as provided in Virginia Code § 15.2-2825. Each day that this article is violated is a separate offense.

(6-7-89; Code 1988, § 16.1-11; § 7-309, Ord. 98-A(1), 8-5-98; Ord. [20-7\(1\)](#), 3-18-20, effective 5-1-20; § 7-308, Ord. 21-7(1), 2-3-21)

State Law reference – Va. Code § [15.2-2828](#).

Agenda Item No. 19. From the Board: Committee Reports and Matters Not Listed on the Agenda.

Item No. 19. a. Letter of Support for Amendment to State Budget Item 382 #1s, Department of Wildlife Resources Boat Ramp Access Fees

Mr. Gallaway reminded the Board that they had parked one specific item here, which was a letter of support for an amendment to State Budget Item 382 #1 – Department of Wildlife Resources Boat Ramp Access Fees. He asked Ms. Mallek if she has requested this item.

Ms. Mallek said she did pass it on when she received it, but Ms. Palmer and Ms. Price both have the official DWR ramps in their districts, and Ms. Palmer had recently provided the better language. She said the letter was basically about not having this bill that DWR does not even want, which will put a terrible strain on everyone. She said Ms. Palmer could provide better information.

Ms. Palmer read the letter aloud, which said: "Notwithstanding, 29.1-113 Code of Virginia, access fees at boat ramps owned or managed by the Department of Wildlife Resources (DWR) shall not be assessed prior to July 1, 2022." She said it is just a request to support another bill that is going through that says not to assess fees until the process is better defined and thoroughly investigated. She said the DWR did not ask for this fee, and it was apparently brought up by a senator who had some parking problems in their area and wanted to reduce the parking by assessing a fee.

Mr. Kamptner said this was just classic Dillon Rule effect.

Ms. McKeel said there is always a story behind some of these.

Ms. Palmer said this was just a letter of support for a bill that will postpone assessing the fees until the rule can be more thoroughly investigated. She said this is a request for the Board to support this. She said she found one typo in the letter. She said Ms. Borgersen had the letter and if it was okay, they could have the chair sign it and send it off.

Ms. Palmer said since the Planning Commissioner Karen Firehock asked the Board to do this, she asked if she could draft the Board a simple letter of support, which she did. She said Ms. Firehock sent it to the whole Board. She said she has read it and only found one typo. She said she did not know if she needed to say anything more, but if it was okay, they could send in a letter of support for this bill.

Mr. Gallaway asked if there were any objections to sending the letter.

Ms. McKeel said the only thing she would ask is that once it is signed, she would like a copy, as she did not see a copy of the letter.

Ms. Palmer replied yes.

Mr. Kamptner asked if this was being sent by individual Supervisors, or by Mr. Gallaway. He asked if they could have a motion to authorize the chair to sign the letter.

Ms. Palmer **moved** that the Board of Supervisors approve a letter to Creigh Deeds and members of the Virginia Senate Finance Committee supporting putting off assessing the access fees for boat ramps owned or managed by the Department of Wildlife Resources until July 1, 2022. Ms. Mallek **seconded** the motion.

Ms. Palmer added to her motion. She said there is also a letter going to the House Appropriations Committee, asking them to also support this senate bill. Ms. Mallek **seconded** the amended motion.

Roll was called and the motion carried by the following recorded vote:

AYES: Mr. Gallaway, Ms. LaPisto-Kirtley, Ms. Mallek, Ms. McKeel, Ms. Palmer, and Ms. Price
NAYS: None

Ms. Palmer asked if she could make a correction and apologized. She said the letter going to the House Appropriations Committee states, "The Albemarle County Board of Supervisors respectfully requests that you delay implementation of the recently passed law HB-1604, enacted in 2020 by the General Assembly, which imposes a new fee on Virginia boaters, that went into effect on July 1, 2021. We request that you write a support on the amendment to the current budget introduced by Senator Edwards to amend Item 382, as follows." She said this was the delay of the access fees.

Ms. Palmer asked Mr. Kamptner if he could help her to be exact, as one was a house bill and one was a senate bill. She asked how she could do this so that it was appropriate and not so confusing.

Mr. Gallaway asked if these letters were provided ahead of time.

Ms. Palmer said they were provided to the Board ahead of time.

Mr. Gallaway said he believed the Board members all read them and that Ms. Palmer's motion covers sending them out.

Mr. Kamptner confirmed this.

Ms. Palmer expressed that she had not been prepared to make the motion and wanted to make sure she did so correctly.

Mr. Gallaway asked that the Clerk proof the letter before it was finalized, as a typo was mentioned.

Ms. Palmer said she would take care of this.

Mr. Gallaway said they would go through the speaking order for other Board matters.

Ms. Mallek said she had an update. She said relative to the Schlusser's concerns about trees, the Board may remember that last year, in session, there was a bill put forth by Patrick Hope from Arlington to allow localities to require more tree retention and projects. She said of course, instead of voting on it, the legislature punted it, and it has now become a study, which will be led by DOF (Department of Forestry), who is in charge of exploitation of natural resources, which is their calling. She said that will happen in the summer.

Ms. Mallek said with regard to that, she did ask Mr. Kamptner if he had anything he could share with the Board about what they actually have authority to do right now because it may be another ten years because they get any more authority from the legislature on this. She said there are many different neighborhoods in all the magisterial districts who are up in arms about these "oopses" that happen. She

said in Crozet, the people are mad because a developer decided to mow down hundreds of great, big trees in the stream buffer, and he has now paid some pitiful fine, which is all the County is allowed to charge by the state and put up 150 little trees the size of her wrist. She said she hoped that Mr. Kamptner would have some other good news.

Mr. Kamptner said there is a bill that appears to be similar to the one that the County was supporting in 2020 that would enhance the enabling authority to increase the percentage of tree canopy based on zoning density. He said it has already made it out of the senate, and it affects both the non-Northern Virginian localities that had some additional requirements, and then the other localities in Virginia. He said this is moving through.

Mr. Kamptner said the Board also has authority under its zoning power, which is somewhat buried in an inappropriate section, that gives the Board to include in its zoning ordinance reasonable provisions not inconsistent with the applicable state water quality standards to protect surface and groundwater. He said this is the section the Board would rely on if they were to move their stream buffer type provisions into the Zoning Ordinance. He said currently, they are located in the Water Protection Ordinance.

Mr. Kamptner said in the 2020 General Assembly, under the Chesapeake Bay Preservation Act, one of the criteria for determining the extent of preservation areas (which can include resource protection areas or resource management areas, which although the act focuses on Tidewater, Virginia, any locality in Virginia is authorized to adopt provisions that would do that) is the preservation of mature trees and the replacement of trees as a water quality protection tool. He said if they were to implement that, it could not only be used to define the limits of a preservation area, but it can also be used to guide rezoning decisions and also apply to subdivision plats and site plans, which is a powerful tool, if the Board takes it.

Mr. Kamptner said the one difference between what he just told the Board under the reasonable provisions to protect water quality and under the Chesapeake Bay Act is that those types of regulations are based on science, or the facts that identify what needs to be preserved to protect water quality. He said the first section (the one that they were looking at before and that last year, was moved into a Department of Forestry study) is more cut-and-dry where if there is x type of zoning, one must preserve 15% of the trees, so it is a different type of standard.

Mr. Kamptner said the enabling authority is out there. He said it would be a lot of work to fully implement it. He added that he does not know where the Department of Forestry will end up. He said there are tools.

Ms. Mallek said hopefully by the end of summer, they will know the answer to that question.

Ms. Price said when she was in school, one of the favorite things they had was Show and Tell. She held her personal laptop up to the camera, stating that she did not know about the caller that called in earlier, but she did find a website called the Department of Justice, which has instructions on how to report hate crimes. She said she has already filed a report with the FBI and their local law enforcement.

Ms. Price said whatever authority Mr. Kamptner or Mr. Richardson may need from her to cooperate with law enforcement fully and provide whatever information they have on the IP address on the person who called in earlier that day, she would fully support it, and she will seek full prosecution. She said a person can call her names, but they should never accuse her of a crime.

Ms. LaPisto-Kirtley said she supported Ms. Price.

Ms. Palmer said she was very happy that Ms. Price jumped on this with the ferocity that she has.

Agenda Item No. 20. From the County Executive: Report on Matters Not Listed on the Agenda.

Mr. Jeff Richardson, County Executive, said there was a mix of information in the report that he would share. He said the slide shown on the screen was the Albemarle County COVID-19 Dashboard Report. He indicated to the web address, explaining that this was a combination of case activity from COVID-19 as well as vaccine data. He said he was very pleased that staff was able to put this together with the cooperation and support of the Health District as well as with the Incident Management Team and the work that Ms. Kilroy and others in the organization have done. He said he hoped citizens would take a look at this to get up-to-date information on the efforts that are going on in Albemarle County.

Mr. Richardson said this was an update on local government operations. He said the Incident Management Team has recommended and he supports that they continue their current building posture through at least March 15. He said they had previously looked at making a change in January, as the Board was aware, but in consultation with the Blue Ridge Health District and after reviewing customer service feedback throughout the holidays, and in light of the current projected health metrics, they believe that they continue to be prudent to remain with the majority of their staff teleworking and supporting customers primarily by phone, email, and online through March 15.

Mr. Richardson said they will continue to monitor the situation and will revisit this date later in February.

Mr. Richardson said he is also pleased with and appreciates the Board's interest and questions earlier that day with Ms. Phyllis Savides with the Department of Social Services annual report. He said the Board heard from the DSS Director that day the efforts and work for that department to basically reformulate many of the government services that are provided as Social Services. He said Ms. Savides reported that all but about ten employees are teleworking from home. He said there is a core staff of ten at DSS that do come to the building every day.

Mr. Richardson said DSS has done an amazing job, and their performance metrics show this. He said they are a good example of the effort that has occurred over the past year for this organization to transform as the conditions around them transform.

Mr. Richardson said in November 2020, the County launched a Buy Local campaign to help support their local retailers, restaurants, agribusinesses, and other important members of the small business community, encouraging residents to shop local that holiday season. He said the campaign has been successful and continues throughout the winter as they help to share the word on how local businesses are adapting to serve the community safely. He said this project is in partnership with the Chamber of Commerce as well as with the City of Charlottesville.

Mr. Richardson said regarding the Yancey Community Center, there has certainly been a flurry of activity there. He said PVCC (Piedmont Virginia Community College) began GED and ESOL programming out of Yancey, just before the pandemic and is now shifting towards a virtual model to bring these programs to the community. He said they are able to provide loaner laptops to assist students in getting equipped for virtual learning. He said the Blue Ridge Health District provided a free Test & Go STI Clinic using the clinical space. He presented a picture of volunteer Brian Morris loading holiday hams and other meal items into cars for a drive-thru food pantry that occurred over the holidays. He said they continue to bring the community center online and provide services to the community, for which the County is excited for.

Mr. Richardson said the stream health project is moving forward, with a focus on addressing rural stream health. He said the first event was held in mid-January, and there are plenty of opportunities to learn more and weigh in on this project.

Mr. Richardson said the time capsule was removed from the base of the "At Ready" statue at Court Square and has been under examination and preservation at UVA Special Collections since September 12. He said last week, the County was pleased to host the project team there, and Ms. Caroline Janney from the Now Civil War Center was there to talk about the time capsule contents, preservation process, and how to contextualize the items. He said the event can be viewed on the County YouTube channel.

Mr. Richardson said earlier that week, there was a feedback opportunity on the draft housing policy. He said this important policy update is expected to provide a much more in-depth housing policy that is data-driven, community-informed, and multifaceted to address the affordable housing challenges in the County. He said if anyone listening had not taken a look at this work yet, this review was a great time to dive in.

Mr. Richardson said he would switch to giving some of the numbers from 2020 to the Board, adding that there was a link with a video out that talked about the numbers with the community. He said over 2020, their IT and HR Departments have worked tirelessly to transition the workforce to working primarily from home while continuing to support IT needs and to assist the contact-tracing work for any employees who have had an exposure to COVID and/or have a confirmed case.

Mr. Richardson said there were 7,000 IT help desk tickets that have been closed out, 300 laptops that were deployed for telework, and 731 COVID-related infection control calls that have been worked through the departments and followed up on to try to keep the workforce healthy, and work, and providing necessary services to citizens.

Mr. Richardson said the next slide was an external lens looking into the community. He said they had just shy of 2 million visitors visit the County's parks in 2020, which was an amazing number. He said they have almost 13,000 followers on social media, and almost half a million visitors who have been to Albemarle.org. He said in 2020, they prepared 423 newsletters and press releases and supported 255 virtual meetings. He said what is amazing is that in 2019, they provided support to zero virtual meetings, which was an example of transforming for the community and the transforming needs around them.

Mr. Richardson said he would pause on the slide and have Ms. Emily Kilroy, Director of CAPE (Communications and Public Engagement), talk more about the 255 virtual meetings and what they are currently doing with the work.

Ms. Kilroy said there has been discussion over the past week or so about setting up for virtual meetings, and she wanted to share more about that. She said it is important to bear in mind that staff's goal for all public meetings, for many years, has been to balance their obligations under FOIA, to create a safe and welcoming environment that everyone can participate in, and to design an effective meeting that allows public bodies and project teams to conduct public business.

Ms. Kilroy said they have been running virtual meetings for the Board since April and for other bodies since the beginning of the summer. She said when the pandemic hit, they evaluated several virtual meeting platforms, and the one they selected was Zoom. She said one of the things they like

about Zoom is that it allowed them to offer a toll-free telephone option for people who can listen live and speak in meetings live without having to have internet access. She said they felt this was a good balance, knowing the broadband connectivity issues that exist in Albemarle.

Ms. Kilroy said they wrote into their meeting procedures for operating virtual meetings that they would not use the text chat to be broadcast out as an open communication, for several reasons. She said one is that they have people participating by phone and on the computer, and they want everyone to be able to have access to the same information and content at the same time so that everyone is a part of the same conversation. She said if one is participating by phone and there is a lot of content happening in the chat, they will not have the benefit of any of that.

Ms. Kilroy said they also wanted to make sure that they are meeting their open meeting laws. She said if public business is transacted in the text-based chat and everyone cannot see that, it can create a bit of an issue.

Ms. Kilroy said staff also worked hard to think of how they can keep the same rules of procedures, rules of order, and meeting norms in place. She said when thinking about a traditional meeting, if the business of the body is happening in front of the room, and people in the back of the room start having a side conversation or saying their thoughts out loud in the middle of business, they would consider this a disruption of the meeting and ask someone to be quiet or consider leaving. She said they feel that the open chat is akin to this and will create a lot of distractions and sidebars that can interfere with the business of the meeting.

Ms. Kilroy said another thing for which there have been several examples over the last couple of days is that they cannot remove someone from a meeting just because of the content of their speech. She said by providing an open chat, they are allowing any content that goes into that open chat to be broadcast out, and anyone that is watching the meeting bears witness to that. She said the chat also becomes part of the permanent record of the meeting.

Ms. Kilroy said staff felt that it would not be responsible for them to create a place for people to put what can be damaging content while the County is trying to create a welcoming and inclusive meeting environment. She said they did not want to put people in a position where they had to choose whether they wanted to expose themselves to that kind of rhetoric while also participating in a public meeting.

Ms. Kilroy said when it came to staff's attention that this was not being applied consistently across all the public meetings, they took some actions to address it. She said they have learned a lot about virtual meetings in the months that they have been operating them. She said when they initially started doing virtual meetings, they thought it was a stop-gap measure for a short-term restriction because of the pandemic. She said over the past couple of months, they have really started to think about how they can program their approach to virtual meetings.

Ms. Kilroy said staff is formalizing the virtual meeting program now and are working on resourcing this appropriately to ensure that everything is set up and operating consistently across the Board.

Ms. Kilroy said the County welcomes public participation, and they have so many tools they attach to projects and public bodies. She said they hope to continue to be successful as they move forward, as they learn their way what it looks like to have a more permanent virtual meeting setup.

Mr. Richardson said the next slide talked about the continued efforts to move the community forward. He said one of the slogans his office has adopted is, "Our emergency is a part of our new reality." He said as they close in on 12 months in the pandemic, they realized some time ago in 2020 that they would have to continue moving things forward, perhaps not with the pace they had prior to the pandemic for many reasons. He said they have kept projects and local businesses going by continuing to build capital projects, support residential and commercial building activity, and pivot their Economic Development Program scope of work to directly support local businesses during a very challenging economic time.

Mr. Richardson mentioned that he and Ms. Kilroy were invited guests the day before to the Chamber of Commerce, and they spoke on the current work of County Government with Albemarle County and the scope of work over the past year. He said they spoke to the Public Policy Committee, and it was a very enjoyable hour-long discussion with some key leaders in the community.

Mr. Richardson said he also wanted to mention many of the people who are on the frontline in Public Safety and related positions. He said DSS, Police, and Fire Rescue staff have been relentless in their direct service, continuing to be on the frontlines of the community, supporting people during the most difficult times. He said the slide continued data that suggested the number of Adult and Child Protective Services calls, police calls for service, and fire calls for service over 2020. He said there were many direct services to the citizens of the County during their time of need.

Mr. Richardson said his final wrap-up slide was about celebrating the holidays. He said County departments did their best to reach to the community and do what they could to positively affect people's lives during the holiday season.

Mr. Richardson said 2020 has been an unprecedented year. He said he wanted to sincerely thank the staff who exhibited flexibility, resiliency, and patience. He said they have given and sacrificed in their jobs many times while also juggling tremendous family demands at home. He said it is a big

commitment the organization has to the community, and it is true pleasure to work with the community they serve.

Mr. Richardson said this was a wrap-up of the year's work, and he and Ms. Kilroy could answer any questions, as well as Mr. Trevor Henry and Mr. Doug Walker.

Ms. McKeel said this was very informative. She thanked Ms. Kilroy for the process explanation, which is very important. She said it is helpful if everyone does the same thing so they know what to expect. She asked Mr. Richardson if he could send her the presentation, as she could use some of that information in a neighborhood newsletter.

Mr. Richardson replied yes and asked Ms. Kilroy to push the presentation out to all the Board members, as he knows they all have connections to constituents in various ways. He said if this was helpful, this was very pleasing and they would love to share it.

Ms. Mallek said regarding Ms. Kilroy's presentation about the chat, she is on three different federal and study committees, and they are always putting things in the chat. She said if she is on her phone because she cannot get her computer to work, she has to then wait for the minutes to come, which is a couple of days later. She said she does understand completely and having tried at the beginning when they did not realize they were not supposed to do it, having to keep track at the same time they are trying to keep track of the meeting and get questions out of there has been incredibly challenging. She said they will get used to this, and it will be alright. She said having the phone people at a disadvantage when some people have computer access is unfair.

Ms. Mallek said she did not know if staff was responsible for getting the information out into the wonderful salute section in the newspaper, but all the articles about County staff in there were heartwarming, and she was so grateful. She said she was totally shocked to see that the calls for Western Albemarle Rescue Squad have gone up 50% in ten years.

Ms. Price thanked Mr. Richardson, Mr. Kamptner, their staff, and all of the other departments. She said 2020 was a year unlike any other, and to have their employees have no pay raise and billets left unfilled throughout the yet in order to watch expenditures, and to see such an increase in the number of services provided by these dedicated professionals, they truly deserve to be rewarded and recognized. She said the report helped to articulate how much they did under an incredible year of stress. She said she is deeply in awe of everything they have done, and she hoped her comments were clear to cover everyone in the County. She said she would direct them to Mr. Kamptner and Mr. Richardson as the heads of their organizations.

Ms. LaPisto-Kirtley said she would also like to receive the numbers of increases in services that Ms. Mallek had referenced, for historical reference. She said she also wanted to thank the entire Albemarle County staff and everyone who worked so hard in the past year under the most difficult situation. She said they all came through for Albemarle and the community, and she commended and thanked each and every one of them.

Ms. Palmer thanked staff for all the work and echoed her fellow Supervisors' comments.

Mr. Gallaway concurred and echoed what was said.

Agenda Item No. 21. Adjourn.

At 7:52 P.M., Mr. Gallaway adjourn the meeting to February 17, 2021, 1:00 p.m., electronic meeting pursuant to Ordinance No. 20-A(16).

Chair

Approved by Board
Date 03/01/2023
Initials CKB