



# Albemarle County

## Legislation Text

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**File #:** 24-276, **Version:** 1

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**AGENDA DATE:** 6/5/2024

**TITLE:**

Resolution of Intent to Address Clean Earth Fill and Inert Waste Activities

**SUBJECT/PROPOSAL/REQUEST:** Consider a resolution of intent to amend the zoning ordinance provisions for Clean Earth Fill and Inert Waste (fill and waste) and establish an engagement plan for the process of developing ordinance language.

**ITEM TYPE:** Consent Action Item

**STAFF CONTACT(S):** Richardson, Wall, Rosenberg, Herrick, Filardo, Svoboda, Pohl, McCulley

**PRESENTER (S):** Amelia McCulley and Jodie Filardo

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** When the Board approved the current fill and waste regulations on September 16, 2020, it requested a review of the impact of those regulations once they were implemented. On November 15, 2023, staff provided a clean earth fill and inert waste program update to the Board (Attachment A). This update included information about applications and complaints received to date, as well as suggestions for ordinance amendments resulting from input received. Of the three options provided, the Board endorsed having staff engage with interested parties and generate recommendations for modifications to the regulations. The Board consensus included maintaining environmental, health, and other protections within the existing regulations, such as prevention of ponding for mosquito breeding, and control against contaminants.

**STRATEGIC PLAN:** Safety & Well-Being - Nurture a safe and healthy community.

**DISCUSSION:** Staff developed an engagement process (Attachment B), which identifies a broad list of external and internal customers, agencies, and jurisdictions, and proposes multiple opportunities for input at different times in the ordinance amendment process. Staff will return to the Board in a work session with the framework of revised regulations, prior to public hearings.

**BUDGET IMPACT:** Staff will assess budgetary impacts and bring them forward with any future zoning ordinance amendment(s).

**RECOMMENDATION:**

Staff recommends that the Board adopt the Resolution of Intent, provided as Attachment C.

**ATTACHMENTS:**

A - Program Update - November 2023

B - Fill and Waste Public Participation Plan

C - Resolution of Intent

