



# Albemarle County

## Legislation Text

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**File #:** 19-597, **Version:** 1

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**AGENDA DATE:** 1/15/2020

**TITLE:**

ZTA 2019-007 Fill and Waste Areas

**SUBJECT/PROPOSAL/REQUEST:** Work session to discuss possible zoning ordinance amendments regulating fill and waste areas

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Walker, Kamptner, Herrick, Filardo, Svoboda, Pohl, Maliszewski, Fritz

**PRESENTER (S):** William Fritz

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** On September 18, 2019 the Board of Supervisors conducted a midyear review of the Community Development work program. The Board of directed staff to prioritize the review of fill and waste regulations. On November 6, 2019 the Board of Supervisors adopted a resolution of intent to consider amending the Zoning Ordinance regulations for fill and waste areas. The Board of Supervisors directed staff to begin work immediately and to hold a work session in January 2020.

**STRATEGIC PLAN:** Natural Resource Stewardship: Thoughtfully protect and manage Albemarle County's ecosystems and natural resources in both the rural and development areas to safeguard the quality of life of current and future generations.

**DISCUSSION:** The County Code allows fill and waste in all zoning districts. County Code § 18-5.1.28 includes regulations of the activity. However, these regulations do not address impacts such as truck traffic on rural roads, hours of operation, placement of fill on critical slopes or the loss of agricultural resources. Staff has reviewed the history of fill and waste regulations in Albemarle County, the State Code and the regulations of other high growth counties. Staff is proposing an approach that would establish regulations for the placement of fill covering a wide variety of issues such as slope, fill height, setbacks, lot size, activity area, hours, access standards and prohibiting placement on hydric soils. Staff is proposing to limit the type of fill material permitted by right in agricultural districts. Additionally, staff is proposing an amendment to facilitate the placement of fill in the development areas.

**BUDGET IMPACT:** A preliminary estimate of the resource impact was undertaken given the recommended approach listed below. Accordingly, staff estimates workload impacts to include a 0.05 FTE for a Civil Engineer II to perform plans review, a 0.05 FTE for a Senior Engineering Inspector, and a 0.10 FTE for a Zoning Compliance Officer for compliance/enforcement activity. This specific estimated workload impact may be absorbed by current staffing. Once an approach is approved, staff will analyze the resulting budgetary impacts of new regulations and propose alternatives to off-set those impacts to include the possibility of fee

increases.

**RECOMMENDATION:**

Staff recommends that the Board endorse the ordinance approach outlined in Attachment A or, otherwise, provide additional direction to staff regarding desired outcomes for further refinement.

**ATTACHMENTS:**

Attachment A - Outline of Proposal

Attachment B - Comparison of current and proposed regulations