

<b>ACTIONS</b>		
<b>Board of Supervisors Meeting of September 9, 2014</b>		
		September 10, 2014
<u><b>AGENDA ITEM/ACTION</b></u>	<u><b>ASSIGNMENT</b></u>	<u><b>PODCAST</b></u>
1. Call to Order. <ul style="list-style-type: none"> <li>Meeting was called to order at 5:03 p.m., by the Chair, Ms. Dittmar. All BOS members were present. Also present were Tom Foley, Larry Davis and Travis Morris.</li> </ul>		
2. <b>Work Session:</b> CPA-2013-01. Comprehensive Plan Update/Amendment, to begin with public comments and possible Board direction. <ul style="list-style-type: none"> <li>Chapter 12: Community Facilities – Solid Waste.</li> <li><b>HELD.</b></li> <li>By a vote of 5:1 (Boyd), <b>DIRECTED</b> the Planning Commission to review the draft from the Long Range Solid Waste Solutions Advisory Committee by December 9, 2014 given that the Board generally approves the rephrased objective.</li> </ul>	<u>Wayne Cilimberg</u> : Proceed with Commission as directed. (Attachment 1)	<a href="#">Listen</a>
<b>Recess.</b> The Board recessed at 6:08 p.m., and reconvened at 6:26 p.m.		
3. Continuation of Work Session to include public comments and possible Board direction. <ul style="list-style-type: none"> <li>Chapter 9: Housing.</li> <li><b>HELD.</b></li> </ul>	(Attachment 1)	<a href="#">Listen</a>
4. From the Board: Matters Not Listed on the Agenda. <u>Ken Boyd:</u> <ul style="list-style-type: none"> <li>Handed out a brochure about a PVCC class called “Concierge Charlottesville” and encouraged County staff to look at it.</li> </ul> <u>Ann Mallek:</u> <ul style="list-style-type: none"> <li>Asked if there is a process underway with the City to look at City/County boundaries to address the small areas that are land locked.</li> </ul> <u>Jane Dittmar:</u> <ul style="list-style-type: none"> <li>Asked to discuss the Chamber Jobs Summit on September 10, if time permits.</li> </ul>		<a href="#">Listen</a>
5. From the County Executive: Report on Matters Not Listed on the Agenda. <ul style="list-style-type: none"> <li>There were none.</li> </ul>		
6. Adjourn to September 10, 5:00 p.m., Lane Auditorium. <ul style="list-style-type: none"> <li>The meeting was adjourned at 7:47 p.m.</li> </ul>		

ewj/tom

Attachment 1 – Comprehensive Plan Update Discussion

**ALBEMARLE COUNTY COMPREHENSIVE PLAN  
DIRECTION AND COMMENTS ON SOLID WASTE AND HOUSING**

September 9, 2014

**Direction from the Board – Solid Waste**

- Accept Objective 7 , provided by of the Community Facilities Chapter regarding solid waste to reflect the objective written by the Long Range Solid Waste Solutions Advisory Committee: **Objective 7: Establish policies for efficient and cost-effective solid waste disposal and sustainable materials management to reduce waste, conserve resources, protect human and environmental health and decrease greenhouse gas emissions.**

Objectives should reflect using the waste hierarchy to guide policy; education and outreach; developing local and/or regional partnerships for sustainable materials management; continuation and consideration of expansion of hazardous waste service; and setting measurable objectives.

- The Planning Commission is directed to review the rephrased Objective 7 and provide comment to the Board. They are also asked to review and make recommendations on the Long Range Solid Waste Solutions Advisory Committee request for amended Comprehensive Plan strategies and text for Solid Waste, which was presented at the Board's meeting and is included with this Action Memo.
- The Commission is directed to provide a recommendation prior to the Board's December 8, 2014 meeting.

**Board Comments – Solid Waste**

- The problem with the current draft is the inconsistencies. It says we are going to do all these new things regarding solid waste, yet also says that the status quo is fine. The status quo is not acceptable; we should strive for more in the Comp Plan.
- One inconsistency is that Strategy 7a says that the TJPDC Solid Waste Plan should provide a framework for decision making of the disposal of solid waste. Yet it also says the County's current actions are adequate and should be continued. A key aspect of the TJDPC Plan is the hierarchy of source reduction, recycle, incineration and lastly, disposal. We currently have no way to advance these actions in the County.
- The vast majority of our waste gets picked up by private haulers and sent to the facility in Fluvanna County. We have no place to bring recyclables in the County. We also have a changing waste stream with more electronics and plastics and no good way of handling these types of waste.
- We should use the Advisory Committee's recommendations and send their draft back to the Planning Commission for review. The Board can review it after it is vetted by the Commission and the public.
- How does the draft plan restrict the work of the Advisory Committee? There is nothing in the document that would appear to inhibit their work. I am not opposed to the work of the Advisory Committee or the public engagement. I am opposed to holding up the Comp Plan for this when the plan does not restrict the Committee from doing their work.
- Continuing to send this back to the Planning Commission and studying it over and over again is dragging it out too much. We need to get some conclusion on the Comp Plan. This Board always wants to kick the can down the road and study things more.
- The draft Comp Plan hobbles the Advisory Committee because it makes reference to the fact that citizens find comingling of recycling and trash to be convenient and that this is acceptable. This does not acknowledge that citizens would like to have more choices.
- According to staff, major value changes to the draft Comp Plan should go back to the Planning Commission to reopen the public process. (*Staff noted that a Planning Commission public hearing would also be needed in this instance*).
- One of the big changes since the draft plan was written is that the Long Range Solid Waste Solutions Advisory Committee has been formed. Solid waste has not been studied like this before. It is appropriate to have the Planning Commission take a look at their work since we are in a different place now than we were before.
- Public engagement has shown that citizens overwhelmingly would like more choices for recycling. We should continue to engage citizens on this. There are gaps in the solid waste handling that the private sector is not able to handle right now.

- Many citizens are happy with the Van der Linde recycling option. The previous citizen surveying took place in 2007 when the Van der Linde option was not available.
- The Comp Plan should be general and should not go into the weeds. This is one Board reviewing things that were done by the previous Board and this cycle could go on forever.
- The following two changes should be made to the draft plan and the rest of the details should be worked out by the Advisory Committee:
  - The last line in the third paragraph on page 12.27 which states, "It is anticipated the IVY MUC facility will be replaced by convenience centers located to provide better service for more residents," should be removed.
  - Strategy 7c which states, "Continue to support the use of private haulers in the collection and transfer of solid waste material in the County," should be removed. This strategy is too specific. Removing 7c gives us a general outline that says we believe in recycling and allows the Advisory Committee figure out how we go forward.
- Private haulers are all we have right now. We should not delete Strategy 7c.
- The purpose of reviewing the chapter tonight is to give the Committee direction. We should remove anything in the chapter that would restrict the Committee's work.
- We should make a bullet list of values that Board supports. Staff is looking for conceptual changes, not wording changes. We need to tell the Planning Commission specifically what we do not like about their draft as a list of values. We should tell them where the plan is lacking and that we would like to see it modified and let staff deal with the wording.
- The draft Comp Plan strategies seem to mostly contain the same values as listed by the Advisory Committee. Take out Strategy 7c and put in something about the waste hierarchy here. We should also remove the paragraphs under the strategies and send to the Planning Commission for review.
- The other missing pieces in the Comp Plan are the waste hierarchy, education and materials management. The concept of sustainable materials management is the biggest change that the Committee is suggesting. The value statement they used is from the EPA website and they are suggesting that the status quo is not enough.
- The Planning Commission liaison also suggested that the Planning Commission review the Advisory Committee's draft.

#### **Direction from the Board – Housing**

- Staff should provide a list of all staffing positions listed throughout the Comp Plan so the Board can consider if any staffing strategies should be removed or rewritten. Staff will bring this before the Board during the discussion of priorities.
- The Board affirmed the Goal, Objectives and Strategies of the housing chapter with the exception of Strategy 6d regarding staffing, which will be reevaluated with the other staffing strategies.

#### **Board Comments – Housing**

- The current housing development trend seems to be a 50-50 split between the Rural Area and the Development Areas. We should consider changing the Housing Goal to state that we want to strive for the majority of housing development to occur in the Development Areas.
- Board members had questions for Ron White, Chief of Housing, regarding the successes and failures of the current affordable housing policy. Mr. White provided the following guidance:
  - *About 175 proffered units have been built and about 125 of these are rentals.*
  - *The majority of for sale units in the past were sold to income eligible residents. Recently there have been issues with finding income eligible buyers who are able to qualify for a home loan.*
  - *Down payment assistance money has virtually run out. Affordable housing proffers in the future could go towards down payment assistance but it is also likely that future proffers will be used to help fund the Southwood Mobile Home Park redevelopment.*
  - *We are learning as we go with affordable housing proffers. Past proffers have had some issues, such as in Old Trail where the proffers were not specific enough on when the 90 day notice should occur.*
- Treesdale seems to be an effective model for affordable housing development versus requiring affordable units in single family developments. We should consider amending the housing policy to encourage affordable housing developments similar to Treesdale.

- We should be careful not to go too far with the accessory housing recommendation or to allow multiple accessory units. A previous discussion on lodging in the Rural Area went too far to the point that we currently allow up to 10 guest rooms.
- The Comp Plan is not the place to make personnel decisions such as in Strategy 6d which states “Provide additional staff resources to better implement affordable housing policies and assist low-to-moderate income individuals in obtaining affordable housing.”
- We cannot expect current staff to take on so many new tasks. New staffing needs should be included in the Comp Plan to show how the strategies listed will be accomplished.
- Staffing needs are also mentioned in the Strategic plan. Which plan drives which? We should take inventory of all the staffing needs recommended and make sure we are appropriately prioritizing staffing needs.
- In discussions with JABA it seems the Comp Plan could do more to accommodate the need for housing for the elderly. Twenty-five percent of the population will soon be elderly and there are not many housing options available to suit their needs. Many retirees want small single family units that are one level with small yards. This is something we should promote in the Comp Plan.
- Universal design is also something that should be encouraged in the Comp Plan.

#### **Direction from Board – Potential ZTA for Artist Community in the Rural Area**

- Because this use has unique characteristics that serve a public purpose and those characteristics are not shared by lodging, motel/hotels, and resorts, the Planning Commission should consider it as a possible use in the RA. The Commission is asked to provide input to the Board which it may use in the final draft of the Rural Area Chapter of the Comprehensive Plan.

#### **Board Comments – Potential ZTA for Artist Community in the Rural Area**

- The VCCA is asking for permission to use a property in the Rural Area for a creative arts community. Is there a different niche for something such as a creative arts or healing center that needs a quieter rural setting? Does the fact that it provides congregate housing help our Rural Areas? Are there features that are different than lodging? Maybe the PC can advise us on this and they can provide answers.
- Would use of an older large property put this use in a different category? Do we have any allowance for things that provide a cultural benefit?
- Are there similar examples? *(Staff responded that a health spa might be similar)*
- Is farmworker housing similar? *(Staff noted that farm worker housing is limited to those living and working on a farm and has a limit of up to 10 persons)*
- We’d like to hold open the possibilities for this type of use and address it when staff brings back the RA chapter. *(Staff noted the need for the Board to articulate the characteristics of this use that make it potentially appropriate in the RA)*
- This use seems similar, yet even less impactful than current uses such as the Miller School. Such facilities can be good neighbors in the Rural Area and also provide occasional cultural opportunities for neighbors.
- Perhaps we could consider a rubric of what would be allowed on the property by-right and if the proposed use is less impactful than the permitted by-right uses then it should be permitted. When such uses are permitted the property owner would give up any other by-right development that could occur on the property as a sort of an impact swap.
- We are willing to consider this use and believe the Commission should provide feedback and input. They will need to consider the aspects of reversibility.
- I have a concern about setting a precedent. Many of the examples of similar uses are on large, isolated properties. But what would the impacts look like if this use were to locate on a small Rural Area parcel?
- It seems like we have a new category brewing here, but, it is hard to say what makes this use more special.
- We are looking at something in the RA that didn’t come up when the PC discussed it. The Commission will need to look at this use. To narrowly define something around a specific use would not be a good idea. But maybe coming up with a use category would be more appropriate and the Planning Commission should start with this

**ALBEMARLE COUNTY COMPREHENSIVE PLAN**  
**PUBLIC COMMENTS ON SOLID WASTE AND HOUSING**  
**September 9, 2014**

Linda Goodling, League of Women Voters – Said the Comp Plan should establish what a community thinks is acceptable for solid waste, should be broad in scope and should provide guidance for smart decisions on what to do with trash. She said she already sent a longer statement to Board members via email. She said waste management is a governmental responsibility recognized by the Supreme Court to protect the public health. She said potential funding sources for solid waste management should be outlined in the Plan. She said it will take tax dollars for staffing and that the government should develop procedures for handling solid waste even if it is handled by private haulers and that the government has the responsibility of oversight to hold private haulers accountable. She said the ultimate goal of the plan should be to bury as little trash as possible. She said several communities have goals of zero waste that plan to reach the goal by reducing and recycling. She called for diligent government oversight and said the Comp Plan should represent the importance of good waste management practices.

John Martin, Free Union - Read the paragraph from the Rivanna Solid Waste Authority articles of incorporation, paragraph four: "The purposes for which the Authority is formed are to develop regional garbage and refuse disposal, as such terms are defined in Section 15.1-1240(r) of the Act, including development of systems and facilities for recycling, waste reduction and disposal alternatives with the ultimate goal of acquiring, financing, constructing, and/or operating and maintaining regional solid waste disposal areas, systems and facilities, all pursuant to the provisions of the Act." He said the restated articles of incorporation were approved by the Board in 2009. He said that is how the Board said responsibility was going to be distributed in this community for solid waste. He noted that three members of Rivanna Solid Waste Authority Board of Directors were present at the meeting.

Neil Williamson, Free Enterprise Forum – Said the Housing Chapter is one of the most baffling policies of the County. He said requiring 15% of all new units be affordable ultimately results in 85% of units becoming non-affordable. He said that purchasers of the affordable units win the lottery while neighbors subsidize their purchase. He said when the owners of the affordable units choose to sell there is nothing to keep these units affordable. He asked the Board why it should fall on new buyers to solve the community's affordable housing issues. He said that due to regulations on new housing stock such requirements for street trees and sidewalks that these new units are probably the worst place to establish affordable housing. He suggested using existing housing stock and adaptive reuse instead. He suggested using financial tools such as the housing trust model. He said the chapter also does not address rental units as affordable housing. He said the chapter should encourage housing options in the Rural Area and that the current policies keep rural land values high. He said he applauds allowing smaller lots in development areas and limiting setbacks to allow for additional options for affordable housing. He said that additional staffing needs should not be addressed in the Comp Plan.

Greg Smith, Scottsville, Director of Virginia Center of the Creative Arts (VCCA) – Said VCCA was established here 1971 and later moved to Amherst county for 35 years. He said they function is an artists' retreat program. He said their facilities provide remoteness and quietness to allow artists to produce their best art. He said they bring in about 400 artists a year to their Virginia facility. He said VCCA has submitted a ZTA to allow the artists' community to relocate to the Rural Area of Albemarle County. He said their function is to allow artists to be inspired by picturesque landscape of Virginia. He said they have historically been good stewards of the land and would like to continue to be good stewards of a large parcel of land in Albemarle. He said their previous facilities have used a large historic barn for housing. He said their facilities provide occasional opportunities for tourism and would participate in the artisan trail. He said he hopes the Board finds this use compatible with Rural Area and allows this use in the county.

Nancy Carpenter, Scottsville – Said she heard good ideas from staff about housing policy. She said she agreed with Mr. Boyd about the need to provide housing that is affordable and useful for the elderly population. She encouraged the Board to consider the tiny house movement and how this can be incorporated into the county policy. She said she has talked to many families who are doubled up in houses in the county. She said Washington D.C. has cut the housing choice voucher program. She encouraged the Board to consider how the County can look at providing mortgage assistance and rental assistance programs for County residents who are looking for a "hand up" rather than a "hand out" to get through difficult times. She said that Millennials are also looking for houses that are smaller than 1000 square feet with efficiency of design. She thanked the Board for their time.