

An adjourned meeting of the Board of Supervisors of Albemarle County, Virginia, was held on September 9, 2014, at 5:00 p.m., Room 241, County Office Building, McIntire Road, Charlottesville, Virginia. The meeting was adjourned from September 3, 2014.

PRESENT: Mr. Kenneth C. Boyd, Ms. Jane D. Dittmar, Ms. Ann Mallek, Ms. Diantha H. McKeel, Ms. Liz A. Palmer and Mr. Brad L. Sheffield.

ABSENT: None.

OFFICERS PRESENT: County Executive, Thomas C. Foley, County Attorney, Larry W. Davis, Clerk, Ella W. Jordan, and Senior Deputy Clerk, Travis O. Morris.

Agenda Item No. 1. The meeting was called to order at 5:03 p.m., by Chair Jane Dittmar.

Agenda Item No. 2. **Work Session:** CPA-2013-01. Comprehensive Plan Update/Amendment, to begin with public comments and possible Board direction.

The executive summary forwarded to Board members states that the Planning Commission's recommended Comprehensive Plan is found in the draft dated January 23, 2014 and previously provided to the Board of Supervisors. The Comprehensive Plan can be found online here:

http://www.albemarle.org/upload/images/Forms_Center/Departments/Community_Development/Forms/Comp_Plan_2013/Comp_Plan_Round_3/Table_of_Contents_Final_1-23-14.pdf.

Recommendations regarding focused topics and information since the Commission's actions have also been identified for the Board's consideration. This work session is the eighth in the series of detailed Comprehensive Plan chapter reviews based on the Board's agreed upon review schedule which can be found here:

<http://www.albemarle.org/department.asp?department=cdd&relpage=17151>

The Board's direction to date has been recorded in Action Memos from Board meetings at which the topic was discussed.

For its September 9th work session, the Board of Supervisors has agreed to review recommendations for solid waste which are part of Chapter 12 Community Facilities (the rest of this chapter is scheduled to be reviewed later in the Fall). At least one Board member has expressed interest in this as an opportunity to provide guidance to the Solid Waste Solutions Advisory Committee that is working on a set of recommendations related to the Ivy Landfill/Convenience Center. Also at this meeting the Board will discuss Chapter 9 Housing. A link to staff reports and associated Planning Commission minutes for these topics can be found in Attachment A.

Solid Waste

Solid waste disposal is one of ten topics discussed in the Community Facilities chapter of the Comprehensive Plan Draft. Information on this topic can be found on pages 27 and 28 of Chapter 12 and is provided as Attachment B. Also provided in Attachment B is a comparison of the existing Comprehensive Plan solid waste recommendations to the proposed recommendations. It should be noted that the Commission had very minimal discussion specific to solid waste management.

Housing

A link to the recommended **Chapter 9 Housing**, can be found here:

http://www.albemarle.org/upload/images/Forms_Center/Departments/Community_Development/Forms/Comp_Plan_2013/Comp_Plan_Round_3/A.9_Chapter_Housing_1-23-14_final.pdf

And to the related Appendices:

- Affordable Housing Policy
- Cash Proffer Policy for Public Facilities

which can be found here:

http://www.albemarle.org/upload/images/Forms_Center/Departments/Community_Development/Forms/Comp_Plan_2013/Comp_Plan_Round_3/A.9_Appendix_Housing_Final_1-23-14.pdf

and here:

http://www.albemarle.org/upload/images/Forms_Center/Departments/Community_Development/Forms/Comp_Plan_2013/Comp_Plan_Round_3/A.3_Appendix_Growth_Management_Final_1-23-14.pdf

There are no reference documents.

Until now, housing policies have been addressed in two places in the Comprehensive Plan: the Neighborhood Model and the Affordable Housing Policy. This Comprehensive Plan amendment takes recommendations from both parts of the existing plan to create an independent chapter for Housing.

Objectives and strategies within the Housing Chapter address the need for:

- decent, safe, and sanitary housing in good repair for all residents (pages 9.5 -9.6)
- housing that is equally available to all persons (pages 9.6 and 9.7)
- sufficient land area exists for future housing needs (page 9.7)
- a variety of housing types for all income levels (pages 9.7 – 9.9)
- housing to meet the needs of various ages and levels of mobility (pages 9.9 – 9.10)
- affordable housing options for low-to-moderate income residents who work in the County and wish to live here (pages 9.10 – 9.13)
- mixing affordable units within neighborhoods (pages 9.13 – 9.14)
- working with the City of Charlottesville on housing issues (pages 9.14 – 9.15)

The Goals, Objectives, Strategies, Implementation Priorities, Measures of Success, and Appendices for Housing are listed in Attachment C. A table comparing the existing and recommended Comprehensive Plan recommendations for Housing is provided as Attachment D.

The focus of the September 9th work session on Housing will be on the following:

- **The Affordable Housing Policy** (pages 9.10 – 9.14 and A.9-1 – A.9.6)
The Affordable Housing Policy was an outgrowth of the Neighborhood Model adopted in 2001. The Neighborhood Model articulated the importance of having affordable housing available in the County, locating most of it in the Development Areas where services and infrastructure are available, and mixing affordable units with market-rate units. The Affordable Housing Policy, appended to the Comprehensive Plan in 2005, set expectations for developers to provide at least 15% affordable units in residential rezonings and with special use permits for residential uses.

Staff comment: The Planning Commission recommended two policy changes for provision of affordable housing. The first change would allow for a reduction in the number of expected affordable units if the units are targeted to households with less than 80% of median household income. At present, there are no credits for providing housing targeted to lower incomes. The Commission also recommended changes to allow for more flexibility in the way that affordable housing proffer expectations could be accomplished. Attachment E provides more detail on the proposed changes to the policy.

- **Clarification to the Cash Proffer Policy for Public Facilities re: Affordable Housing Credits** (page A.3.3)
The current Cash Proffer Policy for Public Facilities allows for the exclusion of dwelling units qualifying as affordable housing under the County's definition of affordable housing from the calculation of the number of dwelling units subject to a cash proffer. In practice, this exclusion has only applied to affordable units physically built and **not** when a unit is replaced by cash in lieu of the unit for affordable housing. For some projects, developers have requested that the exclusion also be applied to the number of affordable units not physically built, but for which the cash in lieu of unit is provided.

Staff comment: The Planning Commission did not recommend this exclusion. Attachment F provides the specific changes in language and more information on the Commission's recommendation.

Recommendations in the Comprehensive Plan Draft include recommendations for future capital improvements and operations.

The Board is asked to identify any substantive changes to the recommendations herein presented and concur on those changes, focusing on content rather than wordsmithing. Staff will then make any necessary changes and bring them back to the Board for its approval prior to its public hearing.

Albemarle County Senior Planner Elaine Echols addressed the Board, stating that the purpose of the work session was to review only the solid waste portion of Chapter 12 – Community Facilities - in the Comprehensive Plan, and to also talk about Chapter 9 – Housing. She said the Board has covered about seven chapters to date, having skipped the Development Areas chapter in order to review solid waste and housing and, next month, the Board would be able to get back to the Development Areas Chapter. Ms. Echols said the process for this work session is to take public comment; the Board would then have discussion on solid waste; have a break and then go back into the second half of the work session with public comment taken on the Housing chapter, including a discussion of cash proffers in relation to affordable housing.

Ms. Dittmar asked if the proffer discussion should be considered by the committee which was just charged. Ms. Echols said it is a piece of the cash proffer policy, but is essentially a clarification of how the cash proffer policy relates to affordable housing proffers. She stated that the Board may want to postpone a discussion of it, however, it is an important discussion for the Board to have because the Planning Commission spent some time on it.

Mr. Boyd asked if the normal format for the Tuesday meetings would be four hours.

Ms. Dittmar said that would depend on how long it took the Board to get through the information, because it has been taking almost two hours on each successive Wednesday before the regular Board meetings.

Mr. Boyd said, in the past, the Board has been cutting off debate after a certain time.

Ms. Mallek said she hoped, if there is agreement, that the Board would just end the meeting and not go onto a new chapter.

Ms. Dittmar explained that this is somewhat of a trial run as it is the Board's first meeting under the new format.

- Chapter 12: Community Facilities - Solid Waste

The Chair invited public comment.

Ms. Linda Goodling of the League of Women Voters and the League's Natural Resource Committee, addressed the Board and said that the Comprehensive Plan should establish what the community regards as acceptable handling of solid waste. She said the plan should be broad in scope and provide a pathway for wise management of solid waste. Without a good plan, she said decisions are made based on the current situation and mistakes can and do happen. Ms. Goodling said the Comprehensive Plan should provide the guidance for future smart decisions on what to do with trash, and she referenced a longer statement provided to the Board from the League. She stated that waste management is a government responsibility, and the Supreme Court has recognized this adding that public health is a government responsibility with potential health issues related to trash disposal. Ms. Goodling said potential sources of funding for solid waste management must be presented in the Comprehensive Plan, and it will probably take tax dollars to get it done right, for staffing and procedures, even when private haulers are doing the handling. She stated that the government is the only entity that has the power to provide oversight and accountability, which is key. Ms. Goodling said the ultimate goal of solid waste management should be to try to bury as little as possible and several communities in the U.S. and internationally are now creating "zero waste projects," which involve reducing the creation of waste and treating waste that is generated as a resource. She stated that the League of Women Voters suggests that Albemarle County regard solid waste disposal as an important government issue deserving of careful and creative planning, taxpayer support when necessary, and diligent local government oversight of all aspects; and that the Comprehensive Plan reflect the importance and potential of good solid waste management.

Mr. John Martin of Free Union addressed the Board, stating that he would read from the "purposes" paragraph from the Rivanna Solid Waste Authority (RSWA) articles of incorporation: "The purposes for which the Authority has been formed are to develop a regional refuse collection and disposal system, as such terms are defined in the Virginia Code section 15.2-5101 of the Virginia Water and Waste Authorities 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 Virginia Water and Waste Authorities Act." He said that paragraph is contained in the restated articles of incorporation which the Board of Supervisors approved in 2009 just five years ago, and that is how the Board said responsibility would be distributed for solid waste in the community. He added that three members of the RSWA Board of Directors were present at this meeting.

Mr. Neil Williamson addressed the Board on behalf of the Free Enterprise Forum (FEF), stating that the Housing Chapter of the Comprehensive Plan contains one of the most baffling policies of Albemarle County: the affordable housing proffer. Mr. Williamson said he had circulated to the Board a recent *Richmond Times-Dispatch* article questioning proffers in general and, under the affordable housing proffer for all rezonings, Albemarle requires 15% of all new units be affordable, which results in 85% of all units being less affordable. He explained that, by making the majority of new homes more expensive, the County has harmed housing affordability overall. In addition, he said those home buyers are effectively "lottery winners," as their neighbors have subsidized their purchase and, when they choose to sell, there is nothing that keeps that home affordable and the buyers gain the windfall. Mr. Williamson said page 9.13 of the Comprehensive Plan notes that, if Albemarle County is going to have affordable housing stock, it must find a way to make sure the affordable units stay affordable. He asked why does it fall on new buyers to solve the affordable housing inventory issue and, if this is a community issue, the community should be equally invested. Mr. Williamson said new housing stock is probably the worst place to create affordable housing, and the Free Enterprise Forum believes that adaptive reuse and refurbishment of existing housing stock could be a much more cost-effective method to increase affordable housing. He stated that further study should be done regarding financial vehicles to allow the property to remain at market value, and allow the loan to be modified. He stated that such work through financial operations might go a long way in keeping the market affordable, and the housing trust model is one such example. Mr. Williamson said this chapter of the plan does not adequately address the significant impact of rental units on affordable housing, and encouraged the Board to pursue code changes to allow more flexibility for accessory units in the development area, and to allow residential dependency in the rural area. He stated that the latter is a reality that eliminating the ability for a second home to be built on a property dramatically impacts the cost of that home. He stated that he applauds the attention paid to eliminating or reducing the minimum lot sizes in the development area, and encourages the continued review of setbacks to further maximize land use for development. Mr. Williamson said the FEF also raises an issue with Strategy 6D regarding increased staffing, as that should be an operational decision by the Board, not contemplated in the Comprehensive Plan.

There being no further comments, the Chair closed the public input portion of the work session.

Ms. Echols said she would talk with the Board about the progression of work on solid waste, beginning with existing Comprehensive Plan recommendations and Planning Commission recommendations. She stated that there are currently 17 recommendations in relation to solid waste such as the importance of reducing, reusing and recycling, and old recommendations such as studying where to locate a new landfill site, adhering to state regulations, and maintaining cost effectiveness. Ms. Echols said the plan also references the importance of interrelating to the Thomas Jefferson Planning District Commission's regional solid waste plan, which was updated in 2011, and supports educational efforts which highlight the importance of reducing the kind of solid waste that is produced, support for private haulers as well as realizing savings through regional cooperation to provide services that the private sector does not provide. Ms. Echols said there is also a desire for a comprehensive household hazardous waste program, cost-effective recycling, data collection which better informs planning, and consumer education.

Ms. Echols said solid waste was one of 10 topics in the Community Facilities chapter, and the Planning Commission basically did an update and a recap of the existing recommendations with things related to the landfill being removed and consolidation of the 17 recommendations down to six. She said the Planning Commission discussed solid waste three times, but never with much specificity, and basically accepted the initial recommendations of the plan and continued to recommend them with better wording and fewer strategies. Ms. Echols said the Planning Commission's objective was to provide solid waste management services in an efficient and cost-effective manner; to continue to abide by the regional solid waste plan; to continue to follow the County's environmental management policy, which relates to how the County deals with solid waste, energy, etc.; and to look at these things in conjunction with the health, safety and welfare of the citizens of the County. She stated that the Commission also said there still needs to be an increase in understanding of the importance of managing solid waste and reducing solid waste, and getting as many people as possible participating in that reduction. Ms. Echols said the Commission also supported continuation of private haulers in the collection and transfer system, and pursuing regional relationships for services which the private sector does not provide now. She stated that the Commission also endorsed continuation of a comprehensive hazardous waste management program, and continuation of support for source reduction and reuse and recycling, and resource recovery.

Ms. Echols stated that this really just follows what the status quo is, and the solid waste advisory committee has been meeting recently on some ideas related to the Comprehensive Plan but, since Supervisor Palmer had asked that this issue come before the Board in advance of the whole chapter, she would continue the conversation.

Ms. Palmer stated that this subject has a lot of detail surrounding it, and she and Ms. Echols had discussed in depth how to keep it out of the weeds. Ms. Palmer said the Board approved a Long Range Solid Waste Advisory Committee (LRSWAC) and its charge, and she met with them as liaison earlier that day. She reported that they discussed some draft changes that reflected the work of the committee, which she had circulated to the Board. She said one of the strategies they added was to acknowledge the Board's approval of a solid waste advisory committee and its charge, and that the committee would be looking over the next year at this comprehensive plan. Ms. Palmer said the problem with the current draft is inconsistency, because it basically says the County is going to have regional cooperation but also says that the status quo is acceptable. She said much of the public does not feel it is OK, and is not improving recycling numbers, so what she would like to discuss at this meeting is to see if the Board would approve a basic goal which aims to go beyond the status quo and encourages more comprehensive planning. Ms. Palmer said the Board would send the draft produced by the committee back to the Planning Commission for its review, then it would come back to the Board. She stated that the Board needs to give direction as to whether it wants a more comprehensive look or will accept the status quo.

Ms. Palmer cited an example from Strategy 7A of the current draft which says the Thomas Jefferson Planning District Commission (TJPDC) solid waste plan and the County's environmental management plan provide the framework for decision-making for the disposal of solid waste. She said one of the key aspects of the TJPDC's plan is that the County is going to work off of a hierarchy of: source reduction, reuse, recycle, incineration, and disposal into landfills. Ms. Palmer stated that, currently, there is no way to advance that in the County, and there is a very small amount going to the Ivy Materials Utilization Center (MUC), but the vast majority is getting picked up by private haulers. She said, while that is a good service, there is no place for those providers to take recyclables so, right now, it is all getting comingled and the County needs to give citizens more choices and more comprehensive ways to dispose of things. She emphasized that there is a changing waste stream with a lot more plastics, more electronics, and a changing regulatory environment. Ms. Palmer said the County needs to get behind this effort and fully use the committee, which has proven to be very professional, and the Board needs to reconsider the draft after it is vetted by the Planning Commission.

Mr. Boyd said he did not see anything in the Commission's proposed draft which restricts the work of the committee.

Ms. Palmer said the draft makes reference to things such as citizens finding comingled recycling to be convenient, and she believes it implies that it is acceptable and it also does not acknowledge that citizens would like to have more choices.

Mr. Boyd stated that he would like to see some of these items resolved, as the Board continues to study these things over and over but never comes to any conclusion.

Ms. Palmer said this issue has never been studied in the in-depth way in which this committee is evaluating it and, while the County has had plans with the RSWA, the plans have never been approved. She stated that the private sector has filled the void with the transfer station in Fluvanna, but it is not doing everything the County needs.

Mr. Boyd said Supervisor Palmer continues to imply that the majority of people are opposed to single-stream recycling, but there are a great number who are happy with that process. He stated that, just because a group of activists who do not believe that is an adequate approach to recycling, it does not mean there is a dilemma.

Ms. Palmer stated that there is a public engagement plan being developed by the committee, and there was also one done in 2007 which shows citizens would like more choices. She said the committee wants to make sure this stays in the forefront for the public, and that there are continued opportunities for input. Ms. Palmer said there were over 450 interviews done by the consultants in 2007 and, overwhelmingly, people said they wanted more services and, in addition, there is a changing stream along with regulatory changes, and the private sector is not able to provide all of the necessary options.

Mr. Boyd said he participated in that process but, at that point, the Van der Linde option was not even on the table. He said he was not opposed to citizen engagement nor the committee's work, but he did not want to hold up these two pages of the Comprehensive Plan.

Ms. Palmer said it is important for the public to look at the draft, and she did not know if it was appropriate for the Board to go word by word or adopt it today.

Ms. Dittmar said this chapter was scheduled for later in the year, however, it was moved up because the committee wanted to make sure it was following the Board's vision and also have the Board provide some clarity of those values. She stated that the Board needs to clarify the purpose of this chapter, and perhaps it should pull out from the draft anything the committee feels might restrict its work. Ms. Dittmar said the Board could adopt the chapter later, and it did not concern her to send it back to the Planning Commission because it would hold a public hearing, adding that the Commission already had a public hearing for each chapter.

Ms. Palmer said no one commented on this.

Ms. Dittmar said it went through the same process as the other chapters.

Ms. Mallek asked how in-depth the Commission was expected to get because, when the Board set up the committee, it was to look at things beyond the status quo. Ms. Echols said the Planning Commission would have to hold a public hearing on it, possibly in November, and the Board is due to look at the entire chapter in December.

Ms. McKeel asked if it was possible for the Commission to do that within its scope of work. Ms. Echols said it would depend on how much discussion it would want to have on the topic because, when the Board gives it back to the Commission, the Board is asking for Commission review.

Ms. Palmer said there is one Commissioner serving as a liaison on the committee and this was discussed. She said the Commissioner felt that was a good process to do in tandem, which might make it a lot easier when the Board looks at the rest of the facilities.

Ms. Mallek stated that she would like to hear how the Board feels about looking at other alternatives and if that is a goal of the Comprehensive Plan effort, because the committee has been trying to lay out a series of tasks to look at those things.

Ms. Palmer said the committee has spent a lot of time on the Comprehensive Plan and have picked out some of the inconsistencies there, so the Planning Commission would be a good place to vet those.

Ms. Dittmar said the Board would not be asking the Commission to come up with alternatives, as that is still the committee's task.

Ms. Mallek said the committee would be evaluating whether the framework is acceptable.

Ms. Palmer said the framework is very similar, but the committee has been focused on the inconsistencies of whether the status quo is acceptable, or whether people want more.

Mr. Boyd stated that his philosophy is that the Comprehensive Plan should provide very general guidelines as to what the County should do, and this is not some kind of bible which will regulate all future Boards.

Ms. Palmer asked what specifically Mr. Boyd would like to eliminate in the Comprehensive Plan.

Mr. Boyd said Strategy 7C in the Comprehensive Plan draft from the Planning Commission says that, "It is anticipated that the Ivy MUC facility will be replaced by convenience centers located to provide

better service for more residents.” He said the details should come from the committee, not the Comprehensive Plan.

Ms. Mallek said the committee’s draft does not have that level of detail in it yet, just a framework to be filled in with that kind of specificity.

Ms. Palmer said the committee just clarified some things but did not put a lot more specificity into the plan, and felt it should be sent to the Planning Commission.

Mr. Boyd stated that the Board tends to want to kick the can down the road and send it back to the Planning Commission, then back to the Board for further study.

Ms. Mallek said a simple review is not starting at the beginning, and is a step forward which either the Board or committee was going to do. She said the committee would simply need advice from the Planning Commission in order to approve it.

Ms. Dittmar said, as Ms. Echols has advised, if the Board makes too many changes to the chapters that have been sent by the Commission – which have gone through a public process – the Board will need to send those back to the Commission. She said, if it is a matter of word-smithing, Supervisors can meet with Elaine and, if it is a value, it can be worked out at the Board level.

Ms. Palmer said one of the big things that has changed since the Commission put its draft forward is the Board’s approval of the solid waste committee and its charge, so it is only appropriate that the Commission look at it again.

Ms. McKeel agreed, stating that she was pleased with some of the changes and felt the plan is in a different place than it was when it first went to the Commission.

Ms. Dittmar asked how the agenda for the Planning Commission was set up. Mr. Mark Graham, Director of Community Development, addressed the Board and said it involves looking at the applications that come before the Commission, as many of them have legal deadlines for consideration, and then staff tries to balance other things in. Mr. Graham said the Planning Commission has dates reserved for work sessions and could probably work this in, but a public hearing would probably have to be scheduled out a few months in advance.

Mr. Wayne Cilimberg, Director of Planning, stated that the Planning Commission has designated public hearing nights and those are scheduled for the next four months, along with one work session meeting per month. He suggested having a work session with the Commission first so it understands what is being proposed, then having a public hearing and that should be doable for November, as long as the Commission is able to handle what it is seeing efficiently. Mr. Cilimberg said the Board could direct the Commission to make a recommendation to the Board by its December work session meeting, which queues Commissioners to get it done.

Ms. Palmer said the Planning Commission liaison to the committee went through the entire process the previous year on the Comprehensive Plan rewrite. The Liaison strongly suggested that the Commission take a look at it, and felt it was a good idea to put it back through because there were a lot of citizens engaged at that time.

Ms. Dittmar asked for confirmation as to when the Board would normally consider the Facilities chapter of the Comprehensive Plan.

Ms. Echols said it was December.

Mr. Sheffield said it was OK with him, but he wanted to make sure the Board went over the values and aspects it was sending back to the Commission.

Ms. Echols said there is an objective of, “Providing waste management in an efficient and cost-effective manner,” and six strategies which may or may not be the values the Board is seeking.

Mr. Sheffield said he considers “values” to be the intent of the strategies, and what those are trying to accomplish, rather than each one specifically.

Ms. Mallek said Strategy 7A in the Comprehensive Plan talks about collection, and 7A in the committee draft talks about “reduce, reuse, recycle” to change how one looks at the whole picture.

Mr. Boyd asked if this was suggesting replacement of private haulers.

Ms. Mallek said private haulers are still included, and the committee’s version addresses collection, processing and disposal and the waste hierarchy that talks about how reducing use will mean there is less to throw away, which saves costs all around.

Mr. Boyd asked what government entity or program was going to make that happen.

Ms. Mallek said that is what the committee process would help determine.

Ms. Palmer stated that the committee hoped there would be a regional entity that would have education as an important programmatic element, and there are a number of nonprofits in the area that already work on source reduction. She said "reuse" is also educational, and there are existing programs at the University of Virginia and also RSWA for that, but those should be made more available to the community. Ms. Palmer stated that there is also recycling, which gets into the changing nature of trash and, in this community, it is difficult to dispose of many of the things citizens want to get rid of, i.e., e-waste, pharmaceuticals, etc. She said the last piece of the hierarchy is the landfill.

Ms. Dittmar suggested taking out the paragraph descriptions and sending the rest as value statements.

Ms. Palmer suggested using the committee's strategies and passing those along as values.

Ms. Dittmar said, if the Board sends this back to the Commission, it needs to be clear on what Supervisors are thinking so, if there are strategies missing in what is sent to the Board, those should be added as values or if there are strategies the Board does not like, those should be removed.

Ms. Palmer said that would include the waste hierarchy to guide policy, develop a public education program, develop beneficial local and regional partnerships for sustainable management, and materials management.

Ms. Dittmar stated that Strategy 7F is broad, speaking to "reduce, reuse, recycle," and the reference to private haulers should be removed because it is too specific.

Ms. Mallek said taking 7C away would throw the present structure into disarray.

Ms. Dittmar emphasized that the Board should figure out how it will accomplish these things after the conclusion of the committee.

Ms. Palmer said the actual document of 7C had been changed considerably by the committee, but the private haulers are still included and no one is talking about removing them.

Ms. Mallek suggested sending the Commission both copies.

Mr. Sheffield stated that he did not think the Board needs to compare it to what it currently has but, instead, find the intent so that, when the Commission is looking at this, it does not misconstrue certain words. He said the Board needs to convey the vision of where it wants to go with solid waste, such as shifting from disposal to reduce, reuse, recycle.

Ms. Palmer said the biggest change in the document is likely the concept of "sustainable materials management," which the committee has included per the Environmental Protection Agency's (EPA) definition. She stated that it is described as "an approach to serving human needs by using, reusing resources most productively and sustainably throughout their life cycle from the point of resource extraction through material disposal." She stated that the approach "seeks to minimize the amount of materials involved and all of the associated environmental impacts as well as account for economic efficiency and social considerations." She emphasized that this is a value statement which was taken directly from the EPA's website and does not go into specifics.

Mr. Boyd said that approach is not the right one to take, as it is focusing on word-smithing instead of concepts and ideas. He said the Board should be making a list of what should or should not be included. He stated that the Board does not need to convey to the Planning Commission that it did not like what Commissioners did the first time.

Ms. Mallek said that is not what Supervisors are saying; what it is saying is that there are some improvements which have been suggested by citizens, some at the committee level, some at the public hearings. She said, for years, one of her constituents has been talking about the need to consider trash an asset which can be used as a resource.

Mr. Boyd asked why the County is not doing that now.

Ms. Mallek said it is because the County is focused on the status quo of collection, processing and disposal, and has not directed representatives to do anything differently. She stated that the Commission should be able to see both drafts and come back to the Board with its thoughts.

Mr. Graham suggested the Board focus on the objectives rather than the strategies, because that is where the real change is and there are some additional values which have been added under that objective. He said if the Board is comfortable with those values and that objective, the Planning Commission can work through the rest of it with the strategies.

Mr. Boyd said he would rather send the Commission the definition rather than the redline version of the language.

Mr. Sheffield said he would like the Commission to use it as a springboard.

Ms. Palmer said she would like the Board to ask the Commission to take a look at it, adding that the Commission liaison participated in the sub-group that wrote this. She emphasized that this was going to save the Commission some time.

Mr. Foley said Mr. Graham's point was important in helping to guide this, and asked the Board if it wanted the Commission to use the Committee's work as part of its ultimate work to bring back.

Board members indicated its agreement.

Mr. Sheffield said about three-quarters of this was reflective of what is already in the document, but it sets the stage for a different direction for solid waste management and that is where the focus needs to be.

Mr. Foley clarified that the Board's preference is to have the Commission do its work on it even if it takes longer than December. He said it is important that this be clarified.

Ms. Palmer **moved** to direct 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. Ms. Mallek **seconded** the motion.

Roll was called, and the motion passed by the following recorded vote:

AYES: Ms. Mallek, Ms. McKeel, Ms. Palmer, Mr. Sheffield and Ms. Dittmar.

NAYS: Mr. Boyd.

NonAgenda. The Board recessed their meeting at 6:08 p.m., and reconvened at 6:25 p.m.

Continuation of Work Session.

- Chapter 9: Housing

Ms. Echols recognized Ron White, Chief of Housing, in the audience.

The Chair invited public comment.

Mr. Greg Smith, Scottsville District resident, addressed the Board and stated that he is Executive Director of the Virginia Center for Creative Arts (VCCA). Mr. Smith explained that the organization was established in Albemarle County in 1971 and, seven years later, moved to Amherst County, where they have been leasing acreage owned by Sweet Briar College. He stated that the function of the VCCA is an artists' residency program in a rural setting which provides writers, visual artists, composers of music and others with the remoteness and quiet to produce their best art. Mr. Smith said they serve 25 artists at a time, drawing a total of 400 artists per year from 40 states and 15 foreign countries, brought to Virginia for this experience. He stated that they also operate a much smaller facility in southwest France. Mr. Smith said, as the Board is discussing the Comp Plan for rural areas, the VCCA has submitted a zoning text amendment for an artists' community as an allowable property use in Albemarle because this particular function is currently not allowed. He stated that their function is compatible with land uses defined as farms, forests and other natural areas, as in the previous Comp Plan edit. He said, as their artists are inspired by the picturesque landscape of Central Virginia, they have been and would like to be again stewards of a large unfragmented parcel of land which would offer the surrounding quiet and remoteness necessary for these residencies. For the past 35 years, he said they have used a historic barn for the artists' studios, and the structure is the symbol for the VCCA as reflected in the many artworks the residents produce. Mr. Smith said the VCCA provides about six opportunities per year for cultural tourism and would like to participate in the Artisans Trail, as long as their involvement may be tempered by their need for quiet, productive creative time. He stated that he hoped the Board would view the VCCA's land use as compatible with the rural areas and allow them to pursue a rural location in Albemarle County in the future.

There being no further input from the public, the Chair closed the comment portion of the work session.

Ms. Echols stated that the Board would be discussing the Housing Chapter, which is a new chapter in the Comprehensive Plan that has taken many of the recommendations for housing from different parts of the plan and placed them in a single location. She said staff has mostly used the Neighborhood Model recommendations and also affordable housing policy to put together the goals and objectives for housing in Albemarle County. Ms. Echols said the goal does not start with Albemarle, but starts with something different, and staff would work on making it consistent with other goals. She stated that they are trying to locate new housing in the development areas as opposed to the rural areas, and the recommended housing goal from the Planning Commission is: housing will be safe, decent and sanitary, available to all incomes and age levels, and available equally to all current and future County residents, all of which is included in the current affordable housing policy. She said these goals are similar to the types of goals that would be elsewhere in the Comprehensive Plan with the exception of the Development Areas piece of it.

Mr. Sheffield stated that the only problem he has with this is that it is not primarily in the development area with a 50/50 trend at this point.

Ms. Echols clarified that this is a goal statement to reflect where the County wants housing to be located, and perhaps the Board does not want to have it as part of the goal. She pointed out that the pattern has been to bring down the number of single-family residential units being constructed annually in the rural area relative to the development area which is a reflection of many years of applied policy. Ms. Echols said there is more of that language in the Development Areas chapter than in the Housing chapter. She stated that the objective of having decent, safe and sanitary housing goes back to the 1970s and, while it seems intuitive, it is also something that is important to include in the strategic plan for making grant applications.

Ms. McKeel commented that the goal is pretty sterile, and suggested that the County would obviously want housing areas to be more than just sanitary.

Ms. Mallek noted that it is one of many goals.

Ms. Echols said "equal opportunity in housing" includes land area that is sufficient for all future housing needs and a variety of housing types for all income levels, and the Neighborhood Model contemplates the principle of movement within the same neighborhood. She stated that the statement regarding "various ages and levels of mobility" strives to better address senior housing and housing for people with disabilities; "affordable housing options for low to moderate-income residents," also coming out of the existing affordable housing policy. Ms. Echols said the language also addresses the importance of people who work here and want to live here as part of the jobs/housing balance equation. She stated that another part of the Neighborhood Model talks about mixing affordable units within neighborhoods and paying attention to the outward appearance of those units so that they blend in and do not look like cheaper units in a particular neighborhood. Ms. Echols said the last recommendation from the objectives was to recognize the importance of working with the City of Charlottesville on housing issues, which stemmed from the Livability Project and focused on the fact that people do not see the line between the City and County, those who often work in one but live in the other. She explained that, before the Neighborhood Model was put together, there were statements about the importance of affordable housing but there were not any direct actions the County was taking to try to increase the supply of affordable housing. She said, at the time, there was a recognition that the City worked with the very lowest-income residents, with the County providing up to 80% area median household income (AMI).

Ms. Echols stated that the existing affordable housing policy talks about the importance of the County supporting the provision of affordable housing and expanding the programs in existence at the time it was adopted, and the County's responsibility to provide guidance, resources and incentives for the production of affordable housing. She said the affordable housing proffer is what most people think of when they think of the affordable housing policy, and there is the expectation that rezonings or special use permits for residential units provide that a minimum of 15% of the new units will be affordable according to the definition of affordability. Ms. Echols said the affordable housing policy is broader than that and does promote the use of density bonuses, and a commitment for the County to work with developers in providing that housing, especially as it relates to proffered units in a rezoning. She said the existing policy also talks about making sure neighboring jurisdictions understand the regional nature of affordable housing, with the Planning Commission suggesting that the County work even closer with the City in the future.

Ms. Echols said most everything in the current plan is reflected in the Housing chapter, but there are several changes which the Planning Commission recommended. She said one of them was a change in the affordable housing policy as it relates to the cash proffer. She stated that the staff report references the number of units which need to be provided for a proffer, based on the income of the population to be served. She said, currently, the expectation is 15% of those units be affordable but, under the new recommendations, if lower income people were served, only 10% of units would need to be affordable. Ms. Echols said the Planning Commission attempted to provide flexibility by giving developers more credit.

Mr. Boyd asked how the 15% was working now, because a developer can offer cash in lieu of the affordable housing. Mr. Cilimberg said the standard proffer language has been an either/or at the discretion of the housing director, based on the needs that are in existence now, or at the time of the development of the housing, so there has been flexibility provided either for producing or cash in lieu.

Mr. Boyd stated that the developers who are building the affordable housing were having trouble finding people that could qualify for the loans because of credit ratings and other factors, and asked how successful those 15% units had been. He said, if it is not working, it is not something the County should continue to do.

Mr. Ron White addressed the Board and stated that the first nine affordable housing units, which were located at Avon Park, were all sold. He said, to date, approximately 175 proffered units have been built, with over 125 of those in rentals, but the majority of for-sale units have been sold to income-eligible persons. Mr. White explained that the proffered rental units were intended to serve low-income persons, with the majority being accessory housing or multi-family housing.

Mr. Davis pointed out that a lot of the proffered units have not been built yet.

Mr. Cilimberg said the County is in the process of making sure the units are being produced, or cash is being provided in lieu of units in sections as those are developed.

Mr. Boyd suggested that it might make more sense to focus on the types of affordable housing at Treedale and Belvedere, rather than trying to take an upscale neighborhood and make 15 smaller units.

Ms. Mallek said one of the benefits of the plan, as it is now, is that you get mixed sizes in a neighborhood, as is the case in Old Trail.

Mr. White stated that, over the last few years, they have had some units where they have not been able to find eligible residents for, but it was because of the way the proffer was written. He said most of the proffers are fairly tight in zoning, and the individual who monitors the overall proffer policy keeps a close eye on that. He said the County does not issue building permits if the builders have not met their affordable housing goals to that point. Mr. White said the one proffer that would be problematic from this point is Old Trail, which simply gave a 90-day notice period that the units were available, and they were not tied to when the units were built. He said, because builders tend to pre-sell units once they put them in MLS, their 90 days starts at that point, so there is a possibility that it would expire before ground is even broken for the units. Mr. White stated that there is a time limit with the newer proffered units, but the time limits are tied to the certificate of occupancy, so the units have to be built during a certain period of time. He said this piece was missing with Old Trail, which was one of the first proffer projects built, but they have gotten some affordable units there because some of the developers are trying to meet the intent of the proffers.

Mr. White said the County has ten years of experience under the proffer policy, however, three years in, the recession hit so they still have limited experience.

Ms. Mallek asked if there was anything in the suggested Comprehensive Plan changes which would require a longer term than just the first owner, for a property to stay in that 80% AMI range.

Mr. White said the County would address flexibility in relation to working with other programs such as the Housing Trust, adding that the financial market is not in a place right now where it would likely finance a house with deed restrictions. He said the only way to maintain that beyond the first sale is deed restrictions. He stated that, if the County can work with other programs such as the Housing Trust, that would be a way to accomplish the long-term affordability. Mr. White said discussions have occurred before about having the County do an ordinance and, in looking at the Fairfax ordinance in the context of implementing it locally, there would have been zero affordable units in Biscuit Run because it is based on what can be built versus what the rezoning would do. He stated that Fairfax builders are looking for increased density, whereas most of the rezoning in Albemarle is not increasing density tremendously and is geared more to rezoning the form.

Ms. Echols stated that the existing affordable housing policy, as well as this plan, has a recommendation to develop mechanisms for long-term affordability, and looks for ways to do that and is also in the proposed plan. She said the staff report also addresses flexibility for comparable contributions in lieu of units, and sometimes there are good reasons why units are not needed in terms of a proffer. Ms. Echols stated that one of the things that was discussed with Biscuit Run, Southwood Mobile Home Park and the redevelopment being done by Habitat for Humanity was to provide some credits because there would be a lot of affordable housing in the mobile home park redevelopment, but that is not currently in the mix. She said this particular flexibility is intended to prevent a cookie-cutter approach and to ensure the program is being maximized in terms of getting cash for units in the event it is a larger development.

Ms. Echols said, when someone is providing cash proffers in lieu of units, they also have to provide cash for all the units in addition to the cash for affordable housing. She stated that there were some questions earlier about this and the Planning Commission wanted to make it clear that, if a developer is providing all market-rate units, they should pay cash proffers on all those units.

Ms. Mallek explained, instead of putting in 15 affordable units out of 100, they would pay the \$16,000 per unit for the cash in lieu of, plus the proffer for the single-family house which is where the County has gotten tripped up in recent years.

Mr. Cilimberg said the Board has had developers ask for the same credit for the cash proffer for infrastructure when they provide cash for an affordable unit that they would have, otherwise, been exempt from had they built the affordable unit.

Ms. Mallek stated that there is no comparison between an \$180,000 house and \$16,000 cash in terms of providing a unit. She said, a year or so ago, there was not a lot of use for the down payment assistance plan, and asked if the cash in lieu was going there or redirected somewhere else.

Mr. White said there has not been much down payment assistance used over the past three years. He said, over the past year, the Piedmont Housing Alliance, which manages the County's down payment assistance program, has used virtually all it has left, and have indicated that is where a big need is currently. He stated that the County has collected about \$650,000 from proffers in cash, with \$300,000 from North Point designated for down payment assistance. Mr. White said the County used \$105,000 for renovations at Meadowlands in Crozet, and also provided some funds to Habitat to replace electrical connections in trailers at Southwood, leaving about \$250,000 of which there is no designated use right now. He stated that he had spoken with Mr. Davis and Mr. Walker about the large project planned for

Southwood and whether it makes sense to hold onto the cash in order to leverage some other resources for a development like that rather than using it for down payment assistance or housing repairs.

Mr. Cilimberg said the County's expectation for Southwood is that redevelopment would come through a zoning map amendment process, and it would more than meet the 15% so cash may become more valuable than getting people into that produced housing.

Mr. White mentioned that the County used \$30,000 to match a \$700,000 CDBG grant that is now doing renovations in Orchard Acres, which is 24 units; twelve of which were completed at the end of June. He said he would provide a formal written report of all the projects in the Board's materials at a future meeting.

Mr. Boyd said the Board may need to take a hard look at the affordable housing policy and look at the programs which are working, so the County can get the most bang for the buck.

Mr. White said the dollar amount now for cash proffers is 10% of the affordable sales price, which is currently \$21,125.

Mr. Cilimberg said, while the Planning Commission has discussed from time to time whether cash in lieu should continue to be accepted, the policy still allows for either production or cash and the only thing clarified in this version is how the cash proffer for infrastructure is provided in connection with affordable housing.

Mr. White stated that the discussion he had with Mr. Foley and Mr. Davis was how to use the small pot of money the County has, which cannot do a lot on its own, to leverage other funds. He said Treesdale was a \$12-13 million project, and the County put in a few hundred thousand dollars to help Albemarle Housing Improvement Program (AHIP) get its tax credits.

Mr. Cilimberg noted that Old Trail was an early approval which actually predated the affordable housing policy's adoption, and said the County structured the proffers to give the option for people to produce or provide cash in lieu of.

Mr. Davis said it is often the housing director who makes a determination at that point in time where they want to build the units, so they know whether or not they have people who are on a waiting list that can qualify. He stated that the Planning Commission's position has been to favor production so there was housing stock available, with mixed communities as the ultimate goal. He said the production proffer has been the mechanism by which to get cash; otherwise the cash proffer policy does not address the cash component for affordable housing because it is not an impact of development. Mr. Davis said it has largely been a successful program, and has generated a vast amount of resources for projects that the County may have not been able to afford to do otherwise.

Mr. Cilimberg said there are a few changes recommended by the Planning Commission, which were based on input from a committee that worked on the housing policy and both he and Mr. White worked with them. He emphasized that there are no significant changes in terms of how the County approaches affordable housing, or ensures the overall housing policy ties back to growth management goals which is why development area emphasis was so important in the objective and in some of the strategies.

Ms. Mallek said more moderate-income people need to be able to get to work on mass transit, which would stretch their income even further. She added that living closer to work is always an advantage.

Ms. Echols agreed, stating that the Planning Commission was very pleased with the Homebuyers Club, which helped people get prepared to go into those units, and the Commission was hopeful that could be enhanced. She said the Commission had not included a specific recommendation on staffing because it felt that was an operational matter, adding that the Board would be the body to address that.

Ms. Mallek said Mr. White had indicated that this was something his office would reactivate once there was a critical mass of people and units coming together.

Ms. Palmer asked staff to address the reference in the strategy regarding accessory housing. Ms. Echols explained that both the Neighborhood Model and the affordable housing policy talked about the need to make provision of accessory units easier because, right now, if someone wants to provide an accessory apartment in their single-family home, they must have a single-family home. She said there are some restrictions on that which keep it within the home, but do not provide an opportunity for things like garage apartments or carriage units. She noted that the carriage units at Belvedere had to be put into the code of development because the zoning ordinance would not allow those. Ms. Echols said the Neighborhood Model and the affordable housing policy both contemplate having better options available, because this could provide for additional unit area and bring down the cost of a new house by providing income from the accessory unit. She stated that accessory units are not a high priority on the list of zoning text amendments, but is something that has been discussed in terms of needing to be addressed so people can provide these units without restricting those to the inside of a house.

Mr. Cilimberg said it would be the equivalent of being able to do it inside a house, but instead doing it separately on a property such as above a garage.

Ms. Mallek recalled a situation several years ago where one unit above a garage turned into ten.

Ms. Echols said that was not the intention, and stated that the idea was to make more options available for the location but not have additional units conveyed, therefore, someone could not subdivide and have two units over a garage. She said the idea was to have someone living in the main house to keep an eye on the tenant.

Mr. Cilimberg said it would be similar to what the Board has seen in rezonings where there have been separate accessory units provided as part of a planned development. He said, since the allowance does not currently exist in the residential zoning district, this change would provide for that.

Ms. Dittmar asked if this would have helped the situation the Board was faced with where a family wanted to have their daughter live on their property. Mr. Cilimberg and Mr. Davis confirmed that that was in the rural area.

Ms. Echols said this change pertained to the development area, adding that the rural area is tricky because there could potentially be more units as the lots are larger.

Mr. Boyd said he thought this had been resolved in Belvedere with the allowance of accessory units as well as affordable housing units.

Ms. Echols said this would essentially codify that in the zoning ordinance, adding that Belvedere had to do it in the code of development.

Mr. Cilimberg mentioned that there is a situation in Old Trail where they did not provide for the possibility of accessory units in their development, so the code will need to be changed through a zoning map amendment.

Mr. Boyd said it is something he would like to see implemented, as it makes sense to have accessory units.

Ms. Mallek agreed, stating that the cottage on her property where her grandmother lived ended up being the home for the person who took care of her parents.

Mr. Boyd said he agreed with Mr. Williamson's comment about not using the Comprehensive Plan to make personnel decisions, which is referenced in Strategy 6D with a recommendation to consider adding staff for affordable housing.

Mr. Boyd also stated that he had a constituent meet with him recently about issues related to an aging population. He said the Jefferson Area Board for Aging's Chief Executive Officer, Marta Keane, has also indicated that 25% of the County's population would soon be in the "elderly" or "retired" category. He said there are concerns that there is no real housing available for elderly people who want a single-family unit and a small yard. Mr. Boyd said this constituent had handed him a drawing of the type of neighborhood that senior citizens want to live in, i.e., small, one-level houses and he was not sure if this is the type of thing the County could promote and/or encourage in development.

Ms. McKeel said those neighborhoods often have universal design.

Ms. Mallek said this is what has been incorporated into the small cottages at Old Trail, and those sold extremely well.

Ms. Echols noted that, in Objective 5, there is language about, "Support provision of housing which meets the needs of the area's age and levels of mobility," and Strategy 5A is, "Encourage developers to include housing for seniors and individuals with disabilities in new residential and mixed-use neighborhoods." She said universal design is a bit tricky because, while some communities promote universal design for all new development, it can sometimes impair the density if the County is trying to achieve vertical as opposed to horizontal development. Ms. Echols emphasized that the important piece of this is to provide variety, so there is not just one type of housing. She said the County encourages having very small lots with houses that are on one story as much as possible, but it is up to the developer as to how they do that. She said Strategy 6D was one the Planning Commission did not take out but the Board may want to remove it because it has already made the statement about addressing personnel in operations.

Mr. Boyd said he did not feel the statement about staffing should be in the Comprehensive Plan, and has brought this issue up before.

Ms. Mallek commented that she felt it was more of an aspirational goal, adding that there was a suggestion in early Comprehensive Plans to take this on as a governmental role and hire staff to be able to implement this, just as with housing, solid waste, etc.

Ms. Echols said, when the County's workforce was reduced, there were certain key positions eliminated, and perhaps the Homebuyers Club was an area needing assistance again. She said the Planning Commission had, at one time, five different areas for which it was recommending that positions be reinstated: historic preservation planner, transportation planner, housing assistant, environmental planner. She said the Planning Commission did not ask that housing personnel be taken out because it wanted to ensure the resources were there to do the programs as those were reinstated.

Mr. Sheffield stated that he agreed with Mr. Boyd about not including staffing recommendations here, but suggested taking inventory for this Board so it can consider it as a philosophy of the Comprehensive Plan, not just this particular section. He said the strategic plan is the more appropriate place to talk about staffing needs, and the question becomes whether the Comprehensive Plan drives the strategic plan or vice versa.

Ms. McKeel agreed.

Ms. Mallek said the Comprehensive Plan is where the basis is, then the Board prioritizes out of it into the strategic plan.

Mr. Sheffield suggested that the Board not make a decision about which way to go until it has an inventory of all the things related to staffing resources.

Ms. Echols said she would provide that when the Board discussed priorities at the end of this discussion, and after it has gone through all the chapters.

The Chair invited public comment.

Ms. Nancy Carpenter addressed the Board, stating that she is a resident of the Scottsville District. Ms. Carpenter said there would be a lot of older residents, and it was important for the Board to consider how to provide affordable, useful housing for them. She said she has been thinking about how the Tiny House movement might be incorporated in Albemarle County. Regarding the cash proffer policy, she said there are a lot of people who are doubled up in the County, i.e., families with and without children and individuals. Ms. Carpenter said the federal government has cut the housing choice voucher program, and there is no indication that those will come back again and, while the City has 500 vouchers, it only has funding for 300. She said, in addition to down payment assistance, the County needs to consider rental assistance as a diversion of the proffer money. Ms. Carpenter stated that there is also a need to address personal sustainability with living expenses, adding that millennials were looking for homes that are 1,000 square feet or less with efficiency of design that creates a space which has triple the use it used to have.

The Chair closed the public comment section.

Agenda Item No. 3. Continuation of Work Session to include public comments and possible Board direction.

Ms. Mallek asked where the discussion had been left about unique housing types in the rural areas, such as the creative arts center or a healing center. Ms. Echols said this type of use is a hybrid, and the County's zoning ordinance does not currently allow for it. She said it has characteristics of a number of different types of uses, such as a boarding camp, but camp definition talks about "outdoor recreational activities" so it does not qualify as that. Ms. Echols said it might have some characteristics of a private school, except there is no teaching that is happening. She stated that it has some characteristics of a retreat or a resort, but there is not a lot of in and out activity as people would have with lodging. Ms. Echols said, given the Board's concerns about new buildings in the rural area and the desire for reversibility, staff has some hesitation in saying this is a use supported by the Comprehensive Plan for the rural area.

Mr. Cilimberg stated that it is not supported under the current plan and would not be supported under what the Board has discussed to date with rural area uses, so what the Board is left with is consideration of a zoning text amendment which relies on policies from the Comprehensive Plan not being able to recommend the zoning text amendment. He said this would at least provide some guidance to staff from the Board and the Commission to consider whether a ZTA is appropriate.

Ms. Mallek asked if use of an older building on a large piece of property might be put in a different category rather than something that is built from scratch, because it would not be rented out just for the weekends.

Ms. Echols said it is possible if someone were renting rooms such as tourist lodging but it is not permissible to rent out entire houses unless the owner is home.

Ms. Palmer asked if there was an example of other groups similar to the artists' retreat that might come forward.

Ms. Echols said a weight loss camp or health retreat would be one example.

Mr. Cilimberg stated that the County had a proposal for that type of camp several years ago, and said there was no resort allowance in the rural area.

Mr. Boyd asked if there were rules related to migrant housing. Mr. Davis said there were.

Mr. Cilimberg said there was farm worker housing, but this was not considered under that definition, as that ordinance limits the number of farm workers. He also stated that the County had an inquiry from a religious organization that wanted to do environmental and health-related programs.

Ms. Mallek said those were in conjunction with the University, and asked if other Board members were interested in working on this type of use.

Mr. Cilimberg said staff would want to address this in the Board's discussions of the Rural Areas chapter of the Comprehensive Plan. He added that it would also help inform the Planning Commission in its considerations of a possible ZTA if the Board is holding open those possibilities in the Comp Plan.

Ms. Mallek said organizations such as The Miller School and Blue Ridge School have been there for many years, and there are never complaints about them. She said those neighbors actually embrace those uses because those schools provide opportunities for events and activities in the same way that artists might hold a poetry reading or some similar activity.

Ms. Palmer said Innisfree was a good example of that type of use, and it has been there for quite a while.

Ms. Mallek said there are about 100 people living at Innisfree.

Ms. Echols said some of the items that have been grandfathered would not be permitted under existing zoning, but it would be important for the Board to distinguish between this and something it has already said it does not want and clearly articulate the desired characteristics of this type of use.

Ms. Mallek said someone at a meeting had suggested to her that a good way to evaluate these would be to take the size of the parcel and the potential by-right development use, and compare the impact of the proposed idea to that of the by-right development.

Mr. Cilimberg said the County has had special use permits which allow for particular uses and, as part of the conditions, the applicants have agreed to remove their by-right uses for development of houses, as long as they are exercising the special use permit.

Mr. Boyd asked if the applicant had already filed a ZTA.

Ms. Echols confirmed that they had.

Mr. Boyd suggested that the applicant simply let the process work through.

Ms. Mallek said it cannot be granted until Supervisors ask the Planning Commission to reconsider what is in the Comprehensive Plan right now.

Mr. Boyd said the Board has gone against Planning Commission and staff recommendations before.

Ms. Mallek said it is pretty dicey to do so.

Mr. Cilimberg stated that staff must make a recommendation as to whether the Zoning Text Amendment should be processed through a resolution of intent. He said, without any kind of basis or expectation for the possibility, staff would have to recommend that there not be a resolution of intent. He said the Board could decide to pass one itself, but staff would feel more comfortable as to the Board's willingness to approve it so, when staff is advising the Commission and it is acting on a resolution, the County is not sending the applicant down a path without a positive outcome. Mr. Cilimberg said one of the things that would be helpful to understand is whether the Board felt that new construction would be acceptable or not, or at least constructing for reversibility.

Ms. Palmer said she was very concerned about setting precedent, and noted that the examples given have been far out and fairly isolated from neighbors.

Ms. Mallek said perhaps that criteria would need to be written in.

Ms. Dittmar said it seems as though the Board is considering something for the rural area that had not been considered yet by the Planning Commission.

Ms. Mallek said it needs to be a category.

Ms. Echols said the Planning Commission has the ZTA, and the staff report goes out the following day, because it is next week that the Commission needs to look at this. She stated that what she has heard from the Board is consideration of something that fulfills cultural goals, adding that this particular item would not have an economic development goal because it is a nonprofit.

Ms. Mallek asked if there was a phrase about "recreational opportunities" in the discussion of the Rural Areas chapter and, if not, there needs to be something which covers cultural, educational and/or medical type uses.

Mr. Boyd said it sounds as though this is something staff should develop and bring back to the Board.

Ms. Echols said staff would, and noted that the next Comprehensive Plan meeting was scheduled for October 7.

Ms. Dittmar asked if the Board would get to master plans at that time.

Ms. Echols said that was the goal and, in the Development Areas chapter discussion, staff would want to talk about the capacity analysis that the Planning Commission reviewed and its recommendations that there be no expansions, with the exception of the Whittington development, the development area master plans including a new one and minor changes to two others, and Neighborhood Model design guidance.

Agenda Item No. 4. From the Board: Matters Not Listed on the Agenda.

Mr. Boyd said he had distributed a report to the Board on the Piedmont Virginia Community College (PVCC) program, "Concierge Charlottesville," which would be extended beyond the hotel industry and tailored for individual industries. He stated that this is something staff should be informed about, and there is a minimal fee for attending.

Ms. Mallek asked if there was some process underway with the City to look at the City/County boundaries in an effort to address the small areas which are land locked. Mr. Foley said he was not aware of any specific initiative.

Ms. Palmer said she was hoping transportation representatives from the City and County were addressing it as an issue.

Mr. Sheffield stated that he did not think the Board would be addressing the "remnants" issue and he did not think there was anything set up to address it.

Mr. Cilimberg said the two Planning Commissions have identified boundary issues between the City and County as a priority initiative to undertake in the next several years, but it is not anything being addressed now. He said it would be part of a larger discussion on the Rivanna River corridor. He said both Commissions were also interested in looking at infrastructure and land use considerations, some of which were addressed through the Area B studies.

Ms. Echols noted that the two Commissions have considered a "one map" to look at land use where the boundaries adjoin, and there seems to be agreement for the most part but they wanted to spend additional time on the river corridor on Pantops near Darden Towe Park in order to find ways to make it more compatible.

Ms. Dittmar stated that most of the Board had attended the jobs report meeting with the Chamber of Commerce, and reported that she found the report to be very informative. She asked Board members if it wanted to discuss that at the end of the meeting the next day.

Agenda Item No. 5. From the County Executive: Report on Matters Not Listed on the Agenda.

There was no report.

Agenda Item No. 6. Adjourn to September 10, 2014, 5:00 p.m., Lane Auditorium.

Mr. Sheffield **moved** to adjourn the meeting to September 10, 2014, at 5:00 p.m., in Lane Auditorium, County Office Building. Ms. Mallek **seconded** the motion. Roll was called, and the motion passed by the following recorded vote:

AYES: Ms. Mallek, Ms. McKeel, Ms. Palmer, Mr. Sheffield, Mr. Boyd and Ms. Dittmar.

NAYS: None.

Chairman

Approved by Board
Date: 04/01/2015
Initials: EWJ