

COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD202100006 Glen Oaks District Review	Staff: Scott Clark, Senior Planner II
Agricultural and Forestal District Advisory Committee Meeting: September 22, 2021	
Planning Commission Public Hearing: November 9, 2021	Board of Supervisors Public Hearing: December 1, 2021
Proposal: Periodic review of the Glen Oaks AF District.	Comprehensive Plan Designation: Rural Areas

Periodic Review of Agricultural and Forestal Districts

As established in the Code of Virginia, a district may continue indefinitely, but it must be reviewed by the County not more than every 10 years to determine whether the district should be continued. Before being considered by the Board of Supervisors, a district is reviewed by the County’s Agricultural and Forestal District Advisory Committee and the Planning Commission. Both the Advisory Committee and the Planning Commission provide recommendations to the Board as to whether the district should be terminated, modified or continued.

Once it has received the recommendations of the Advisory Committee and the Planning Commission, the Board conducts a public hearing. After the public hearing, the Board may terminate, modify or continue the district. If the Board continues the district, it may impose conditions on the district different from those imposed on the district when it was created or last reviewed. Landowners within a district receive notice of this process, including notice of any proposed different conditions.

When a district is reviewed, land within the district may be withdrawn at the owner’s discretion by filing a written notice with the Board at any time before the Board acts to continue, modify, or terminate the district.

New Policy for District Reviews

In November, 2018, the Board directed staff to implement a plan to:

- Renew Districts for a five-year period, rather than for 10 years (one time).
- Notify landowners of parcels in reviewed districts that are enrolled in open-space use valuation but that have no development rights that:
 - Their parcels may be removed at the end of the five-year review period; and that
 - They have the option to withdraw from the open-space use valuation now to avoid roll-back taxation and fees when the parcels are removed.

Therefore, staff will recommend 5-year renewal periods for districts that include parcels that are enrolled in open-space use valuation and that have no development rights. For districts with no such parcels, staff will continue to recommend the standard 10-year review period for districts.

GLEN OAKS DISTRICT REVIEW

The Albemarle County Code currently contains this description of the Glen Oaks District:

Sec. 3-216 - Glen Oaks Agricultural and Forestal District.

The district known as the "Glen Oaks Agricultural and Forestal District" was created and continues as follows:

- A. Date created. The district was created on December 7, 2011
- B. Lands within the district. The district is composed of the following described lands, identified by parcel identification number:
 - 1. Tax map 93A5: parcels K2A11, K2A12, K2A13.
 - 2. Tax map 94: parcels 15A1, 15A2.
- C. Review. The district is reviewed once every ten years and will next be reviewed prior to December 7, 2021.

The District is located to the east of the Village of Rivanna development area, between US 250 to the north and the Rivanna River to the south (see attached map), and includes 353.8 acres.

Agricultural and Forestal District Significance: Of the 353.8 acres in the Glen Oaks District, 237.2 acres have soils listed as particularly important for agriculture in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the Glen Oaks District includes two dwellings.

Local Development Patterns: The District consists of a mix of open land and forest. There is one parcel in the District, totaling 115.90 acres, that is under a conservation easement. A total of 237.9 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, or open-space use.

Comprehensive Plan Designation and Zoning Districts: The District is entirely designated as Rural Areas in the Comprehensive Plan, and the parcels included in the District are zoned RA Rural Areas.

Environmental Benefits: Conservation of this area will help maintain the environmental integrity of the County and aids in the protection of ground and surface water, agricultural soils, floodplains, and wildlife habitat.

Withdrawal: Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on September 3, 2021.

No withdrawal requests have yet been received.

Appropriate Review Period: The District includes four parcels that are in the Open Space tax category:

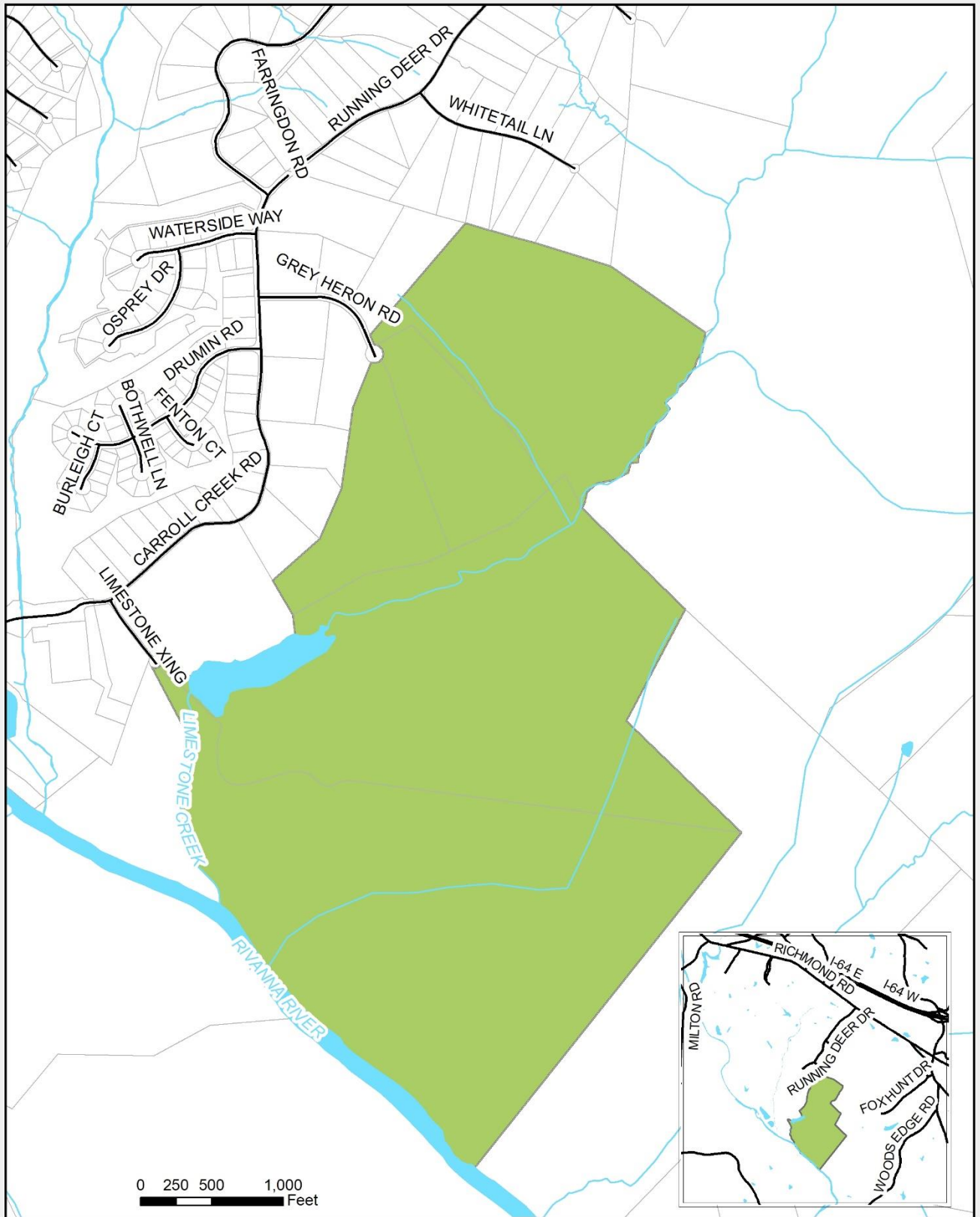
Parcel	Acres	Development Rights
093A5K20A01300	0	0
09400000015A2	0	0
093A5K20A01200	0	0
093A5K20A01100	0	0

None of these parcels have remaining small-lot development rights. Therefore the appropriate review period for this district is five years.

The one remaining parcel in the district (094000000015A1) is under a conservation easement and is taxed as easement land, rather than being in the Open Space tax category.

Given this District's lack of effectively-protected parcels, the Board of Supervisors could consider terminating it after the five-year renewal period. (The five-year renewal permits landowners to find other ways to qualify for use-value taxation, or to start paying the full tax rate, so that they do not become subject to immediate roll-back taxes without warning.)

Staff Recommendation: Staff recommends that the Committee recommend renewal of the Glen Oaks District for five years.



AFD202100006 Glen Oaks District Review

