

**COUNTY OF ALBEMARLE
STAFF REPORT**

Project Name: AFD202100007 Conner Free Union Addition	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

The Albemarle County Code currently contains this description of the Free Union District:

Sec. 3-215 - Free Union Agricultural and Forestal District.

The district known as the "Free Union Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on September 21, 1988.

B. Lands within the district. The district is composed of the following described lands, identified by parcel identification number:

1. Tax map 7: parcels 6, 7, 8A, 9, 9A, 9B, 9B1, 9C, 33.
2. Tax map 16: parcels 4B, 4C, 13A, 13D, 15A, 15A3, 15C, 15E, 15G, 16B, 17, 26, 30B, 36, 37, 52B1, 52B2, 54.
3. Tax map 17: parcels 8C, 17C, 18H, 20A2, 22.
4. Tax map 29: parcels 1D, 1H (part), 31A.

C. Review. The district is reviewed once every five years and will next be reviewed prior to September 18, 2024.

The District is located north and west of Free Union. It includes 35 parcels and 1,484 acres.

This proposal would add one parcel to the District (see Attachment A).

Requested Addition			
Parcel	Acres	Acres of Important Soils	Development Potential
7-26B	51.98	33.9	2 development rights

Parcel 7-26B is largely open, with some forest cover. It currently does not have a dwelling.

ANALYSIS OF THE ADDITION REQUEST

Section 3-201(F) of the County Code states that the Agricultural-Forestal Districts Committee and the Planning Commission shall apply the following criteria in their respective reviews of each application:

The agricultural and forestal significance of land within the district or addition and in areas adjacent thereto; in judging the agricultural and forestal significance of land, any relevant agricultural or forestal maps may be considered, as well as soil, climate, topography, other natural factors, markets for agricultural and forestal products, the extent and nature of farm structures, the present status of agriculture and forestry, anticipated trends in agricultural economic conditions and such other factors as may be relevant.

The proposed addition contains 33.9 acres of soils rated as Prime, Locally Important, or Unique in the Comprehensive Plan. Section 3-200 of the County Code permits parcels (such as this one) that are more than one

mile to from the original core of a District to be added “if the Board of Supervisors finds, in consultation with the Advisory Committee and the Planning Commission, that the parcel, ... contains agriculturally and forestally significant land.” Staff believes that the presence of a significant area of high-quality agricultural soils on this property justifies that finding.

The presence of any significant agricultural lands or significant forestal lands within the district and in areas adjacent thereto that are not now in active agricultural or forestal production, considering the maps, factors, markets, and other information described in subsection (F)(1);

The District and the surrounding land are mostly in open or wooded land, but there are scattered residential lots in the area.

The nature and extent of land uses other than active farming or forestry within the district and in areas adjacent thereto;

The area surrounding the District has seen some conversion of rural land to residential uses, but is still largely rural. The Free Union district helps to protect rural land-use patterns.

Local development patterns and needs;

The area is a rural area with extensive area of forests and pastures. The Comprehensive Plan calls for protection of rural land uses and natural resources.

The comprehensive plan and the applicable zoning regulations;

The District is entirely designated as Rural Areas in the Comprehensive Plan, and the parcels included in the District are zoned RA Rural Areas. As the property proposed for addition shares the same designations, its inclusion in a conservation program is appropriate under the Comprehensive Plan.

The environmental benefits of retaining the lands in the district for agricultural and forestal uses;

Protecting and preserving this land in an Agricultural and Forestal District will help protect productive farm land, which the Comprehensive Plan and the Rural Areas section of the Zoning Ordinance seek to preserve. Conservation of this area will help maintain the environmental integrity of the County and aid in the protection of ground and surface water and agricultural soils.

Whether any parcel has one or more development rights that would allow the creation of one or more parcels less than twenty-one (21) acres in size; in considering whether to include any parcel in a district, the policy of the county is to not include any parcel determined to have no development rights and cannot be further divided to create one or more parcels less than twenty-one (21) acres in size; and

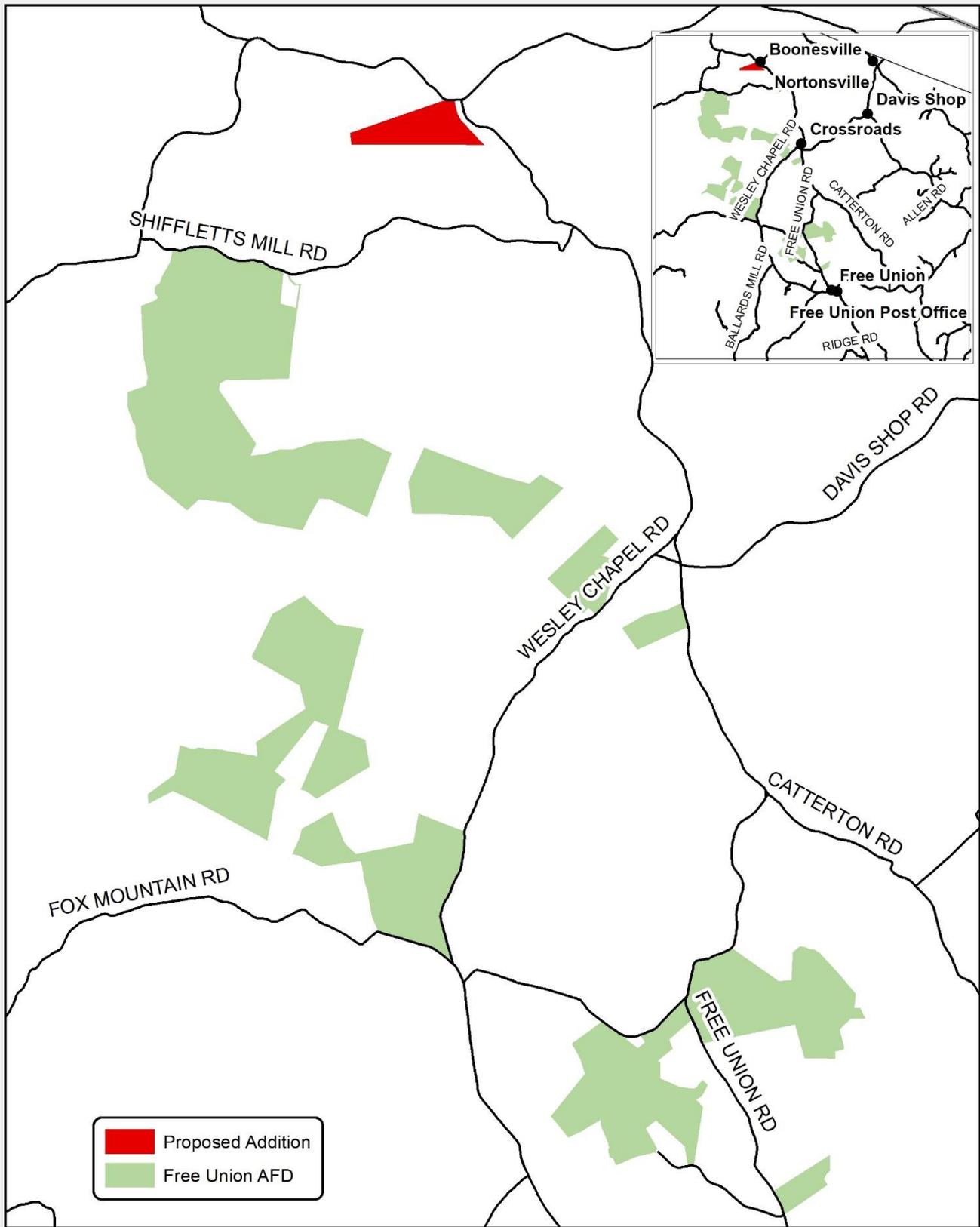
The property has two development rights for creation of parcels less than 21 acres.

Any other matter which may be relevant

Staff found no other relevant matters.

RECOMMENDATION

Staff recommends that the Committee make the finding that the proposed addition “contains agriculturally and forestally significant land,” and recommend approval of the proposed addition.



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