

COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD2024-00001 Ivy Creek District Review	Staff: Scott Clark, Conservation Program Manager
Agricultural and Forestal District Advisory Committee Meeting: March 18, 2024	
Planning Commission Public Hearing: April 9, 2024	Board of Supervisors Public Hearing: May 15, 2024
Proposal: Periodic review of the Ivy Creek 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When a district is reviewed, land within the district may be withdrawn at the owner’s discretion by filing a written notice with the Board at any time before the Board acts to continue, modify, or terminate the district.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.

AFD2024-00001 IVY CREEK DISTRICT REVIEW

The Albemarle County Code currently contains this description of the Ivy Creek District:

Sec. 3-221 Ivy Creek Agricultural and Forestal District.

The district known as the “Ivy Creek Agricultural and Forestal District” was created and continues as follows:

A. Date created. The district was created on November 2, 1998.

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

1. Tax map 44: parcels 18, 19, 19A, 19B, 20, 20A, 20B, 20C, 20D, 20E, 20F, 20G, 21A1, 21A2, 21A3, 21C (part).

2. Tax map 45: parcels 5F, 5F4.

C. Review. The district is reviewed once every ten years and will next be reviewed prior to December 4, 2023.

The District is located to the west of the South Fork Rivanna Reservoir (see Attachment A) and includes 256 acres. No withdrawal requests have yet been received.

Agricultural and Forestal District Significance: Of the 256 acres in the Ivy Creek District, 232 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 Ivy Creek District includes approximately 15 dwellings. (This count includes all addressable structures in the District, and so may include any barns or other large structures with addresses.)

Local Development Patterns: The District consists of a mix of open land and forest. There are 7 parcels in the District, totaling 141 acres, that are under conservation easements. A total of 21 acres in the District are in the County’s use-value taxation program, indicating that they are in agricultural, forestal, or open-space use. The remainder of the parcels in the District are taxed as conservation-easement land, or are under regular full-rate taxation.

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 aid in the protection of ground and surface water, agricultural soils, mountain resources, critical slopes, and wildlife habitat. The District’s proximity to the South Fork Rivanna Reservoir gives it an important role in the protection of the public water supply.

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 February 21, 2024.

Appropriate Review Period: The District includes no parcels that are in the Open Space tax category, therefore the appropriate review period for this district is ten years.

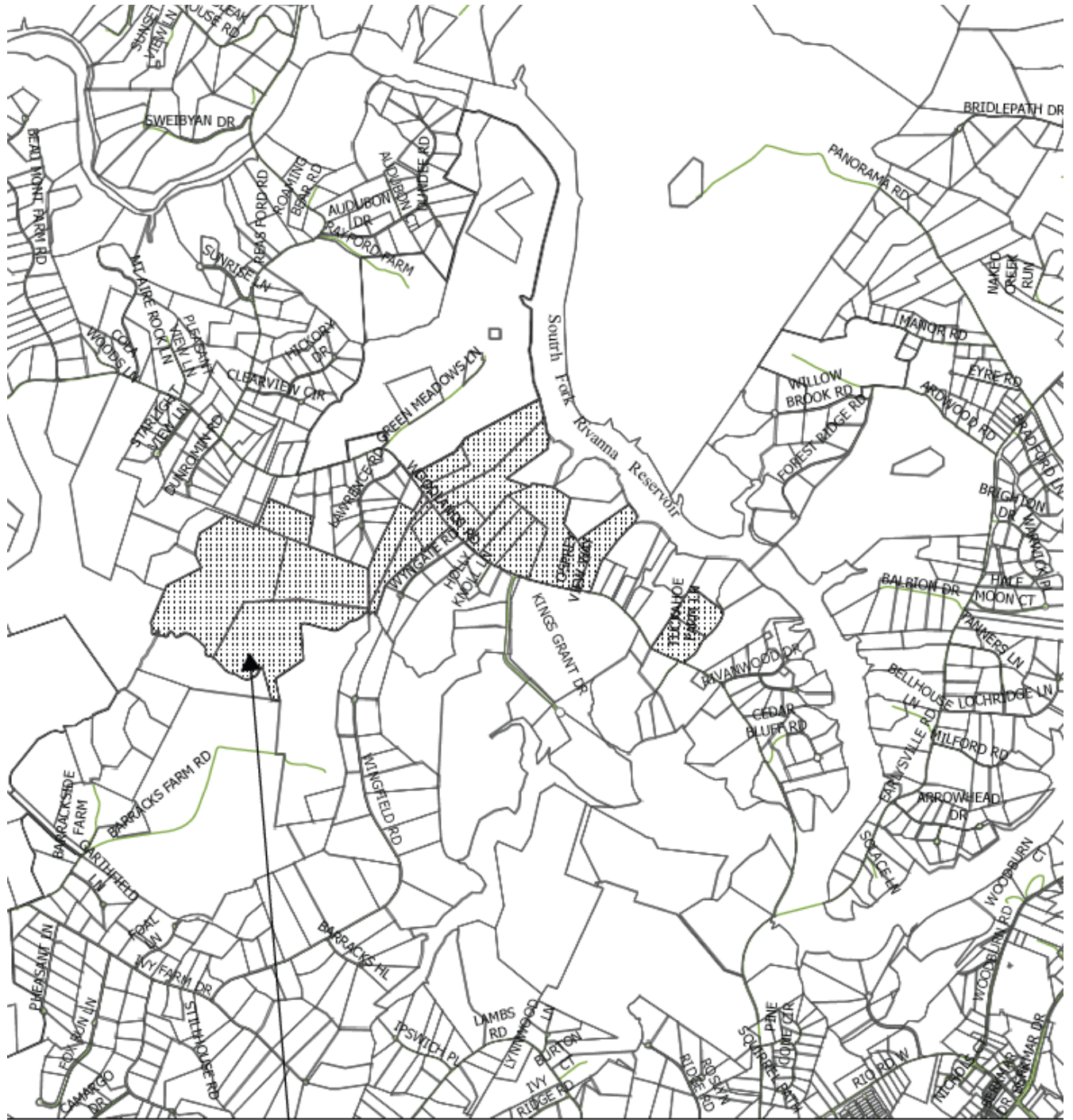
Staff Recommendation: Staff recommends that the Committee recommend renewal of the Ivy Creek

District for another 10-year period.

Attachments:

A – Ivy Creek District Map

A. Ivy Creek AF District Map



IVY CREEK AFD

0 100 200 300 400 500 Feet



AFD20240001
Ivy Creek AFD Review