

COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD2024-00002 Hardware District Review	Staff: Scott Clark
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 Hardware 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When a district is reviewed, land within the district may be withdrawn at the owner’s discretion by filing a written notice with the Board at any time before the Board acts to continue, modify, or terminate the district.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.

AFD2024-00002 HARDWARE DISTRICT REVIEW

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

Sec. 3-218 Hardware Agricultural and Forestal District.

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

A. Date created. The district was created on November 4, 1987.

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

1. Tax map 72: parcel 51C.
2. Tax map 73: parcels 38, 41A, 41B1, 41B2, 42, 42A, 43, 44.
3. Tax map 74: parcels 6H, 6N, 26, 28, 28B.
4. Tax map 75: parcels 4A,
5. Tax map 86: parcels 16, 16A, 16C, 16D, 16F, 16F1, 16F2, 16H, 27, 27A.
6. Tax map 87: parcels 10, 13A1, 13A2, 13E (part consisting of 89.186 acres), 16A.
7. Tax map 88: parcels 2A, 3M, 3R, 3T, 3U, 3V, 6A, 20A, 20B, 20C, 20D, 20F, 23, 23E, 23F, 24, 24A, 24B, 26B (part), 29, 40, 42.
8. Tax map 99: parcels 10 (part), 29, 52, 52B.

C. Review. The district is reviewed once every five years and will next be reviewed prior to March 20, 2024.

The District is located to either side of US 29 South, in the vicinity of Crossroads and Red Hill (see Attachment A), and includes 2,849 acres. No withdrawal requests have yet been received.

Agricultural and Forestal District Significance: Of the 2,849 acres in the Hardware District, 1,912 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 Hardware District includes approximately 41 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 10 parcels in the District, totaling 1,119 acres, that are under conservation easements. A total of 1,041 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, mountain resources, critical slopes, 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 February 21, 2024.

Appropriate Review Period: During the 2019 review, this District included 11 parcels that were in the

Open Space tax category but had no remaining development rights.

Currently, the District includes three parcels that are in the Open Space tax category, but that have no remaining development rights. These parcels should be removed from the District as part of this review.

Table 1			
Owners	Parcel	Acreage	DRs
Masis, William J Or Marianne C	072000000051C0	21	0
Keeling, Richard D Or Johanna MT	088000000003M0	21	0
Keeling, Richard D Or Johanna MT	088000000003R0	21.832	0

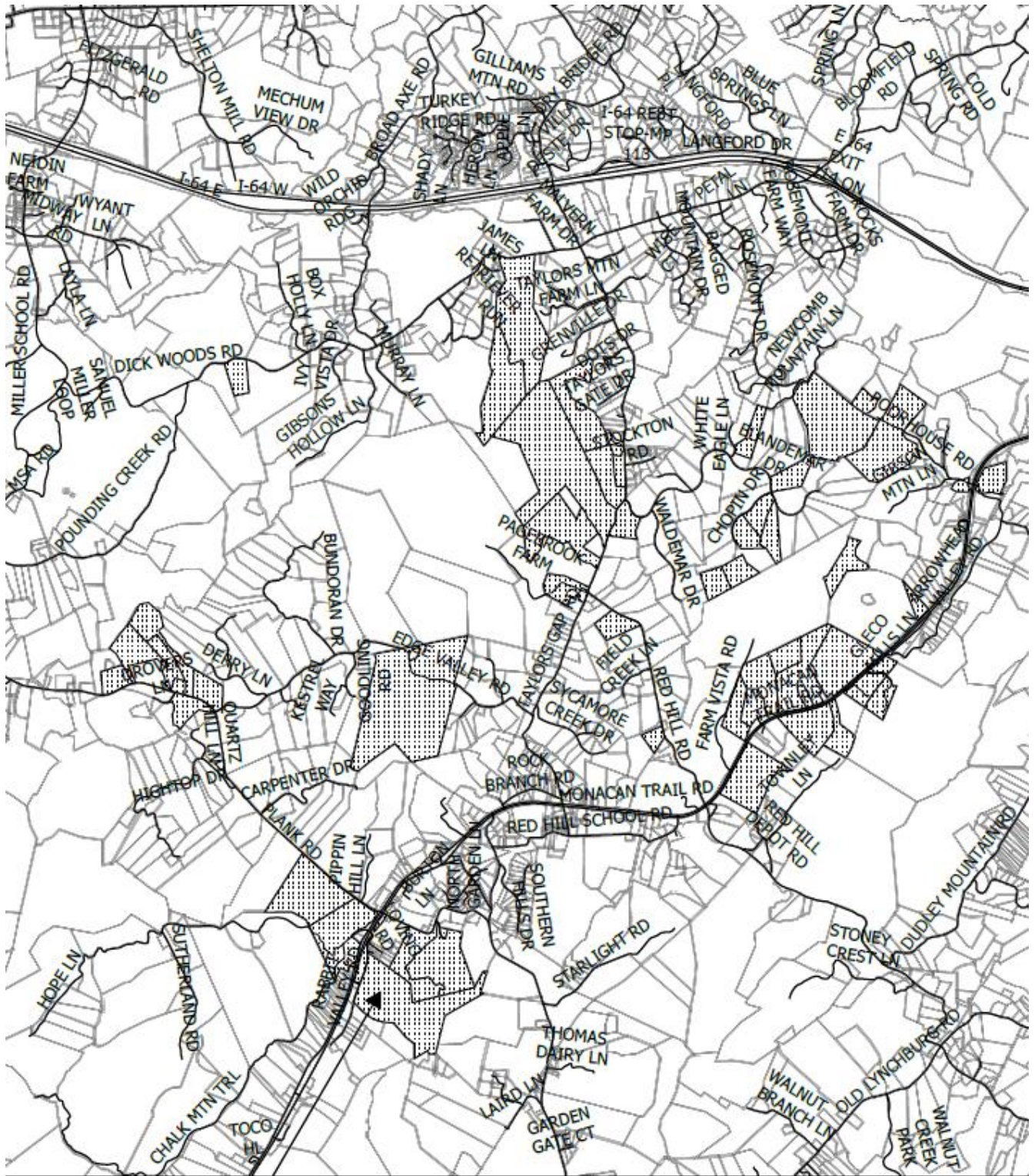
The District also includes a single property made up of five contiguous parcels, one of which is in the Open Space tax category and has no remaining development rights. As it is part of a single contiguous property, staff recommends that parcel 86-16F1 not be removed from the District.

Table 2				
Owners	Parcel	Acreage	DRs	Tax Category
Rosneath Land Trust	086000000016C0	23.628	2	Open Space
Rosneath Land Trust	086000000016D0	5.4	1	Regular Taxation
Rosneath Land Trust	086000000016F0	26.24	1	Open Space
Rosneath Land Trust	086000000016F1	46.15	0	Open Space
Rosneath Land Trust	086000000016F2	26.18	2	Regular Taxation

According to the Board’s policy directive described above, this District can be renewed for a 10-year period, provided that the parcel listed in Table 1 are removed from the District as part of the review.

Staff Recommendation: Staff recommends that the Committee recommend renewal of the Hardware District for a 10-year period, with the removal of parcels listed in Table 1.


Attachments: Hardware AF District Map



HARDWARE AFD



**AFD202400002
Hardware AFD Review**

 Hardware AFD Parcels