



COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD202400002 Hardware District Review	Staff: James Van Vranken, Planner
Agricultural and Forestal District Advisory Committee Meeting: November 4, 2024	
Planning Commission Public Hearing: December 17, 2024	Board of Supervisors Public Hearing: February 5, 2025
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When a district is reviewed, land within the district may be withdrawn at the owner's discretion by filing a written notice with the Board at any time before the Board acts to continue, modify, or terminate the district.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 updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

Also in November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning,

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.

Some districts are now reaching the end of their five-year review period. Staff will therefore make five-year or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD 202400002 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.*
- 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 southwest of Charlottesville, along Taylors Gap Road, Rt. 29 South, and Plank Road (see Attachment A), and includes 59 parcels and 3,225 acres. One withdrawal request has so far been received.

Agricultural and Forestal District Significance: Of the 3,225 acres in the Hardware District, 2,181 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 48 addressable structures. (The majority of these structures are dwellings, but any barns or other large structures with addresses may be included.)

Local Development Patterns: The District consists of a mix of open land and forest. There are 12 parcels in the District, totaling 1,353 acres, that are under conservation easements. A total of 1,711 acres in the District are in the County’s use-value taxation program, indicating that they are in agricultural, forestal, horticultural, 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 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 October 16, 2024.

We have so far received one withdrawal request:

Parcel	Owner	Acreage
088000000020C0	HARRIS, DARRICK	7.18

Development Potential: The District includes 23 parcels, totaling 433 acres, that have no remaining development potential and are recommended not to continue in the District.

Parcel	Owner	Acreage
072000000051C0	VLASIS, WILLIAM J OR MARIANNE C	21.00
073000000041B2	RAY, TOMMY B & BARBARA S, TRUSTEES; RAY LIVING TRUST	3.50
074000000006H0	FELDER, ROBIN A OR MARY H	23.83
074000000006N0	DUNCAN, JOHN PATTERSON IV & LAUREN HEBERT DUNCAN	21.00
086000000016A0	FOOKS, WILLIAM BAYLOR & HELEN WILLIAMS FOOKS	1.59
086000000016D0	ROSNEATH LAND TRUST;	5.40
086000000016F1	ROSNEATH LAND TRUST; ROSS T ELLIOTT TRUSTEE	46.15
086000000016H0	VINCENT, THOMAS F	21.13
087000000013A2	TYLER, BROOKE PAGE	2.99
087000000016A0	OREJUELA, HENRY A & SUZANNE M OREJUELA	21.03
088000000002A0	LAM, RICHARD E & JULIE F LAM, TTEES, OF THE RICHARD AND JULIE LAM FAMILY TRUST	21.00
088000000003M0	KEELING, RICHARD D OR JOHANNA M T	21.00
088000000003R0	KEELING, RICHARD D OR JOHANNA M T	21.83
088000000003T0	EUDY, JERRY D OR EILEEN F	21.00
088000000003U0	EUDY, JERRY D OR EILEEN F	21.00
088000000003V0	YEUNG, RICHARD & PAULA SPAROLINI, TRUSTEES OF THE YEUNG & SPAROLINI REV TRUST	25.12
088000000020A0	WOODS, THEODORE K JR TRS & JEAN E, TR	21.07
088000000020B0	FISH & GUESTS LLC	21.00
088000000020D0	MCLEOD, DOROTHY WOODS	21.74

08800000023F0	DMVR FAMILY LIMITED PARTNERSHIP	40.05
0880000002400	WOLFE, JOHN C OR MELISSA L	5.98
08800000024A0	VAN ROIJEN, DAVID BEREND & MELANIE TU VAN ROIJEN	23.01
09900000052B0	DOZIER, JOHN AND JANINE FAMILY TRUST	2.08

Two of the parcels (highlighted) are in Open Space taxation. The owner of 72-51C was notified of the policy on April 23, 2019, and is recommended not to continue in the District. The owner of 86-16F1 has not been notified, as the parcel was not in Open Space taxation during the last review. The review policy states that this parcel should continue in the District for five years before possible removal. The other listed parcels are recommended not to continue.

Staff Recommendation: Staff recommends that the Committee recommend renewal of the Hardware District, with the above-noted withdrawal and removals, for another 5-year period.

Attachments:

- A. Hardware AF District Map

