



COUNTY OF ALBEMARLE
Department of Community Development
401 McIntire Road, North Wing
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Agricultural-Forestal Districts Advisory Committee

September 23, 2020
5:30 p.m. – Held Online

Agenda

1. Call to Order (Secretary)
2. Online-meeting Preamble & Roll Call
3. Officer Election (Chair, Vice-chair, Secretary) (member roster below)
4. Approval of Minutes (7/8/19) (attached below)
5. AFD202000001 Batesville District Review (attached below)
6. AFD202000002 High Mowing District Review (attached below)
7. New Business
8. Old Business
9. Adjournment

**Agricultural and Forestal Districts Advisory Committee
July 8, 2019 Meeting**

The Agricultural and Forestal Districts Advisory Committee met on Monday, July 18, 2016, at 5:30 p.m., Conference Room 246, County Office Building, 401 McIntire Road, Charlottesville, VA.

Those members attending were:

Members	Present	Absent
Peter Easter	x	
Peter Hallock (Chair)		x
Tim Keller	x	
Frances Lee-Vandell	x	
Peter Lynch	x	
Angela Lynn		x
Ann Mallek	x	x
David Powell, Jr.	x	
Esther Volkan	x	

Staff present was Scott Clark, Senior Planner.

Agenda

1. Call to Order
2. Election of 2019 Officers (Chair, Vice-chair, Secretary)
3. AFD201800001 Carter’s Bridge District Review
4. AFD201800002 Lanark District Review
5. AFD201800003 Panorama District Review
6. AFD201900010 Free Union District Review
7. AFD201900001 Jacobs Run Addition – Dickerson
8. AFD201900002 Moorman’s River Addition – Davis
9. Old Business
10. New Business
11. Adjournment

1. Call to Order

In the absence of elected officers, Mr. Clark established a quorum and called the meeting to order at 5:30 p.m.

2. Election of Officers

Ms. Mallek moved and Mr. Lynch seconded to propose the following slate of committee officers for 2019:

Chair: David Powell, Jr.
Vice-chair: Bruce Vlk
Secretary: Scott Clark

The motion passed by a vote of 7:0.

3. AFD201800001 Carter's Bridge District Review

Mr. Clark provided a report on this district review and recommended approval for a 5-year period.

Mr. Lynch moved and Ms. Mallek seconded to recommend approval of the renewal for a 5-year period. The motion passed by a vote of 7:0.

4. AFD201800002 Lanark District Review

Mr. Clark provided a report on this district review and recommended approval for a 10-year period.

Mr. Vlk moved and Ms. Volkan seconded to recommend approval of the renewal for a 10-year period. The motion passed by a vote of 7:0.

5. AFD201800003 Panorama District Review

Mr. Clark provided a report on this district review and recommended approval for a 10-year period.

Ms. Lee-Vandell moved and Mr. Vlk seconded to recommend approval of the renewal for a 10-year period. The motion passed by a vote of 7:0.

6. AFD201900010 Free Union District Review

Mr. Clark provided a report on this district review and recommended approval for a 5-year period.

Mr. Lynch moved and Ms. Mallek seconded to recommend approval of the renewal for a 5-year period. The motion passed by a vote of 7:0.

7. AFD201900001 Jacobs Run Addition – Dickerson

Mr. Clark provided a report on this proposed addition and recommended approval.

Ms. Mallek moved and Mr. Vlk seconded to recommend approval this addition to the Jacobs Run district. The motion passed by a vote of 7:0.

8. AFD201900002 Moorman's River Addition – Davis

Mr. Clark provided a report on this proposed addition and recommended approval.

Mr. Lynch moved and Ms. Lee-Vandell seconded to recommend approval this addition to the Moorman's River district. The motion passed by a vote of 7:0.

9. Old Business

The Chair invited old business. There being none, the meeting moved on to the next item.

10. New Business

The Chair invited new business. The Committee held a general discussion, but took no actions.

11. Adjournment

With no further business, the meeting adjourned at 6:40 p.m.

COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD2020-00001 Batesville District Review	Staff: Scott Clark, Senior Planner
Agricultural and Forestal District Advisory Committee Meeting: September 23, 2020	
Planning Commission Public Hearing: November 10, 2020	Board of Supervisors Public Hearing: December 16, 2020
Proposal: Periodic review of the Batesville 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.

AFD 2020-00001 BATESVILLE DISTRICT REVIEW

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

Sec. 3-207 Batesville Agricultural and Forestal District.

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

- A. Date created. The district was created on May 2, 1990.
- B. Lands within the district. The district is composed of the following described lands, identified by parcel identification number:
 1. Tax map 70: parcels 40, 40A.
 2. Tax map 71: parcels 23A, 23C, 24B, 24C, 24C1, 26, 26A, 26B, 26B1, 26B2, 26C, 27A, 29C, 29D, 29E, 29G, 29H, 29I.
 3. Tax map 84: parcels 35A, 69.
 4. Tax map 85: parcels 3, 3A (part), 4J, 17, 17B, 21, 21D, 21D1, 22B, 22C, 30D, 31.
- C. Review. The district is reviewed once every ten years and will next be reviewed prior to April 14, 2020.

Note that this code description will need to be modified during this review to add Tax Map 85 Parcel 3A1 (24.06 acres), which was legally created by division of parcel 85-3A in 2015. Also, Tax Map 70 Parcel 40 will be removed from the code description. This parcel is no longer included in the district, as it was removed by the late owners’ heirs in 2016, as permitted in section 3-205(C).

The District is located north, west, and south of Batesville (see Attachment A), and includes 1,115 acres. No withdrawal requests have yet been received.

Agricultural and Forestal District Significance: Of the 1,115 acres in the Batesville District, 950 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 Batesville District includes approximately 24 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 five parcels in the District, totaling 161.9 acres, that are under conservation easements. A total of 953 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 September 11, 2020.

The Central Virginia Electric Cooperative, which owns parcel 08500-00-00-017B0 (136 acres), has requested to withdraw that parcel. Staff discussions with the owners indicate that they intend to apply for a special use permit for a utility-scale solar energy system on that parcel.

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

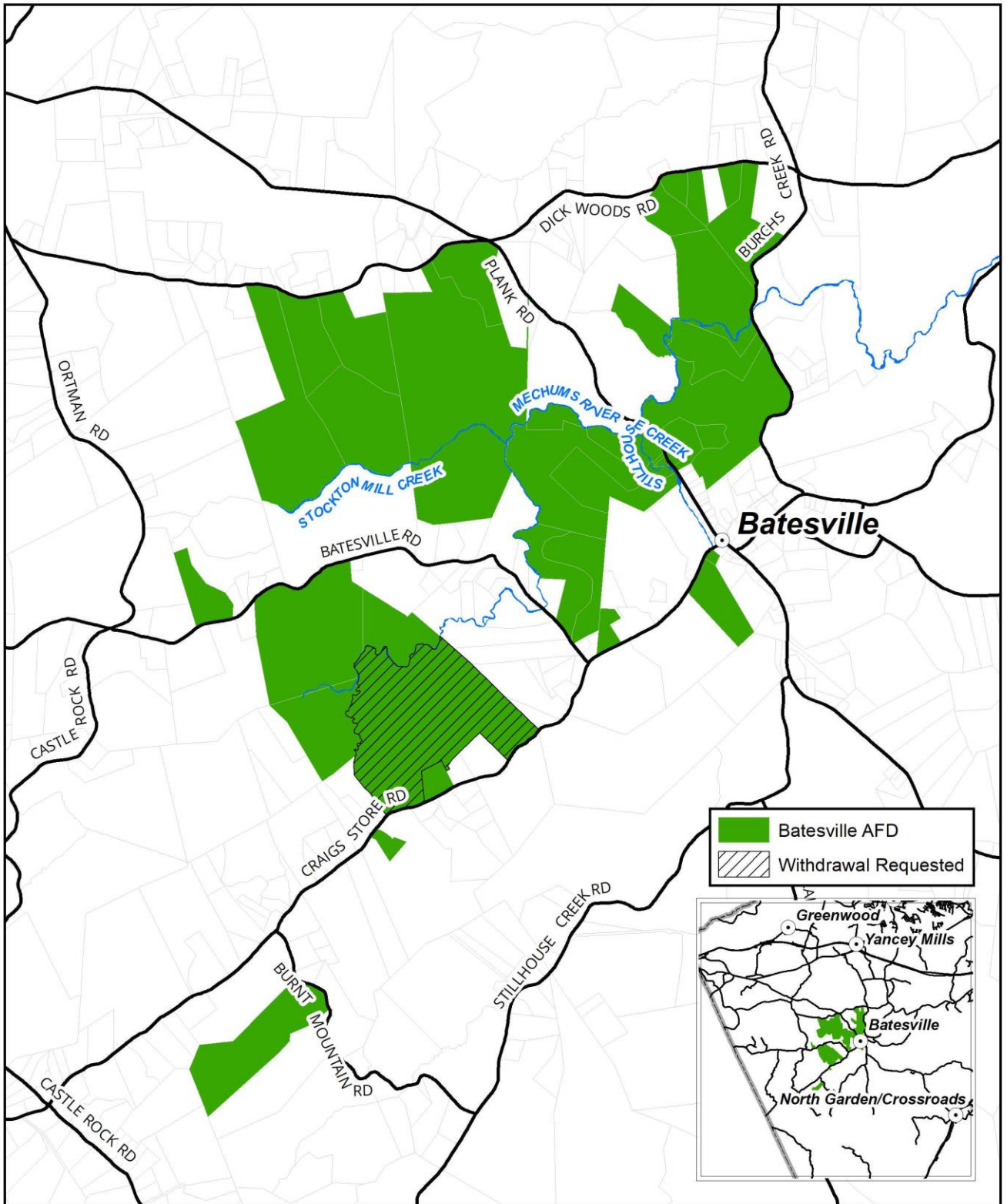
Parcel	Acres	Tax Category	Development Rights Remaining
07100000023C0	23	Open Space	1
07100000024B0	35	Open Space	0
07100000024C0	21	Open Space	0
07100000024C1	55	Open Space	1
07100000029H0	24.9	Open Space	0
07100000029I0	44.63	Open Space	0
0840000006900	44.95	Open Space	3
08500000017B0	136	Open Space	5
07000000040A0	79	Open Space and Forestry	3

Four of these parcels have no remaining small-lot development rights. Therefore the appropriate review period for this district is five years.

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

Attachments:

- A. Batesville AF District Map



AFD202000001 Batesville AFD Review   Miles

COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD2020-00002 High Mowing District Review	Staff: Scott Clark
Agricultural and Forestal District Advisory Committee Meeting: September 23, 2020	
Planning Commission Public Hearing: November 10, 2020	Board of Supervisors Public Hearing: December 16, 2020
Proposal: Periodic review of the High Mowing 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.

AFD 2019-00009 HIGH MOWING DISTRICT REVIEW

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

Sec. 3-220 - High Mowing Agricultural and Forestal District.

The district known as the "High Mowing Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on January 16, 1991.

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

- 1. Tax map 84: parcel 69A.
- 2. Tax map 85: parcels 39, 39H, 41A, 41A1.

C. Review. The district is reviewed once every ten years and will next be reviewed prior to December 1, 2020.

The District is located south of Batesville (see Attachment A), and includes 445.8 acres. No withdrawal requests have yet been received.

Agricultural and Forestal District Significance: Of the 445.8 acres in the High Mowing District, 403.9 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 High Mowing District includes approximately three 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 forest, orchard, and open land. There are two parcels in the District, totaling 236.6 acres, that are under conservation easements. The remaining 83 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 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 September 11, 2020.

Appropriate Review Period: The District includes one parcel that is in the Open Space tax category.

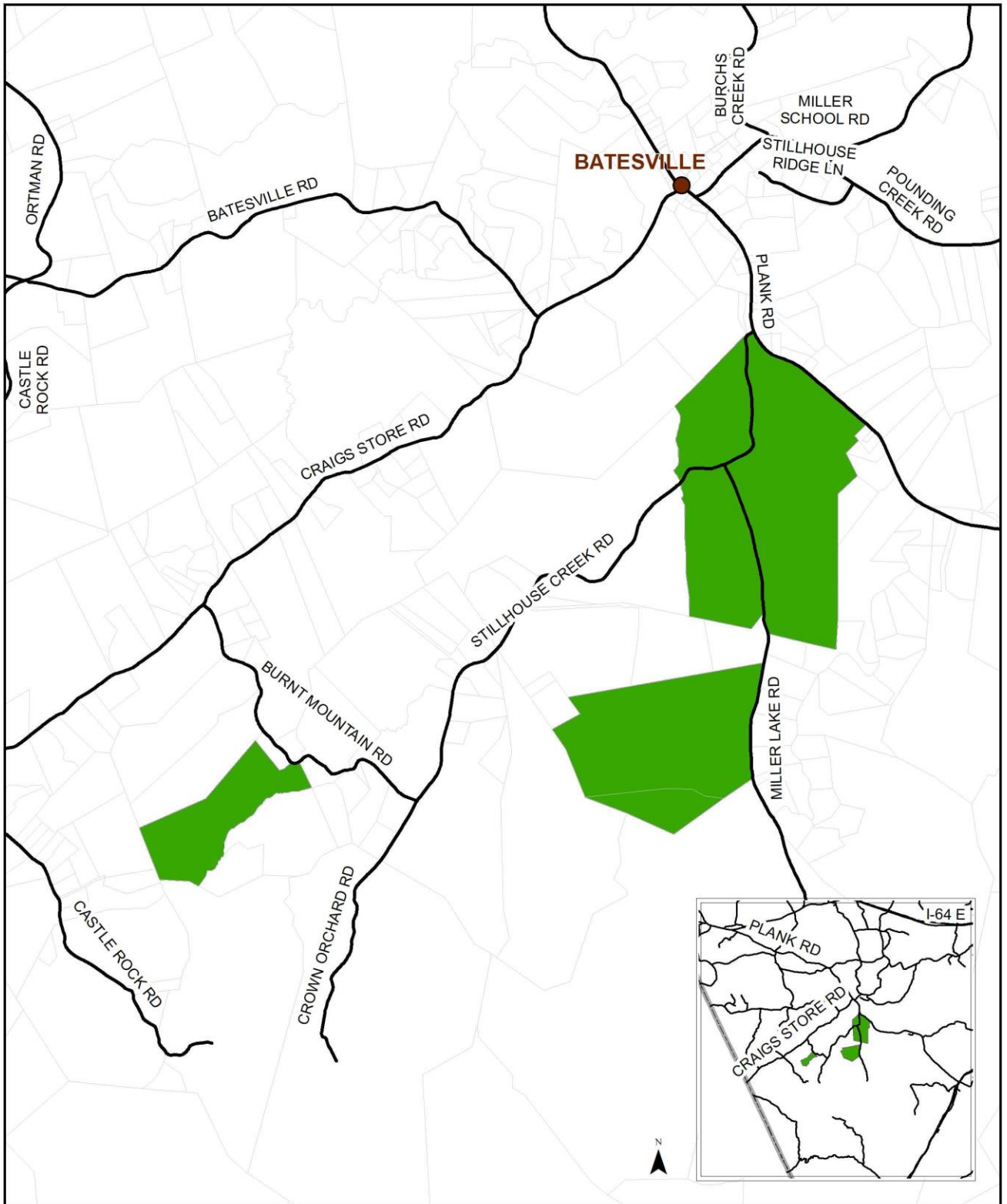
Parcel	Acreage	Tax Category	Development Rights
08400000069A0	63.195	Open Space	5

This parcel has five development rights. Therefore the appropriate review period for this district is ten years.

Staff Recommendation: Staff recommends that the Committee recommend renewal of the High Mowing District for another 10-year period.

Attachments:

- A. High Mowing AF District Map



AFD202000002 High Mowing AFD Review

