

COUNTY OF ALBEMARLE
STAFF REPORT

Project Name: AFD202100002 Neff Moormans River Addition	Staff: Scott Clark, Senior Planner II
Agricultural and Forestal District Advisory Committee Meeting: June 23, 2021	
Planning Commission Public Hearing: August 3, 2021	Board of Supervisors Public Hearing: September 1, 2021

PROPOSAL

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

The district known as the "Moorman's River Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on December 17, 1986.

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

1. Tax map 27: parcels 32, 34, 34A, 40, 40A, 40A1, 42, 42A.
2. Tax map 28: parcels 2, 2A, 3, 4, 5, 6, 6A, 6B, 7A, 7A1, 7B, 8, 12, 12A, 12B, 13, 13A, 17A, 17C, 18, 25 (part), 30, 30A, 30A1, 30B 32B, 32D, 34B, 35, 35B, 37A, 37B, 37C, 38.
3. Tax map 29: parcels 2C, 4E, 8, 8B, 8E, 8E1, 8J, 9, 10, 15C, 40B, 40C, 40D, 45, 45H1, 45H2, 49C, 50, 54A, 61, 62, 63, 63A, 63D, 67C, 69F, 70A, 70B, 70C, 70F, 70H1, 70K, 70L, 70M, 71, 71A, 74A, 76, 78, 78A1, 79C, 79E, 79F, 84, 85.
4. Tax map 30: parcels 10, 10A, 10C, 12, 12C, 12C1, 12D, 23.
5. Tax map 41: parcels 8, 8B, 8C, 8D, 9E, 15, 15A, 17C, 18, 19, 41C, 41H, 44, 50, 50C, 65A1, 67B, 70, 72, 72B, 72C, 72D, 72E, 72F, 89.
6. Tax map 42: parcels 5, 6, 6B, 8, 8C, 10, 10A, 10D, 37F, 37J, 38, 40, 40C, 40D, 40D1, 40G, 40H2, 41, 41B, 42B, 42B1, 43, 43A, 44.
7. Tax map 43: parcels 1, 1F, 2A1, 2B, 3A, 4D, 5, 5A, 9, 10, 16B2, 16B3, 18E4, 18G, 18J, 19I, 19N, 19P, 20A, 20B, 20C, 21, 21A, 24A, 24B, 24C, 25A, 25B, 30, 30A, 30B, 30B1, 30B2, 30B3, 30B4, 30G, 30H, 30M, 30N, 32H, 33, 33E, 34D1, 41, 42, 43, 44, 45, 45C, 45D.
8. Tax map 44: parcels 1, 2, 24, 26, 26A, 26B, 26C, 27B, 27C, 28, 29, 29A, 29D, 30, 30A, 30B, 31, 31A, 31A1, 31D, 31F, 31G, 31H.
9. Tax map 57: parcel 69.
10. Tax map 58: parcels 65A4, 65E, 65I.
11. Tax map 59: parcels 32, 32A, 34, 35, 82A.
12. Tax map 60: parcels 2A1, 2A2.
13. Tax map 60E3: parcel 1.

C. Review. The district is reviewed once every ten years and will next be reviewed prior to November 12, 2024.

The District is located east of White Hall and south of Free Union. It now includes 229 parcels and 11,072 acres.

AFD202100002 Neff Moorman's River Addition - This proposal would add 3 parcels to the District (see attached map).

Requested Additions			
Parcel	Acres	Acres of Important Soils	Development Potential

28-31	30.21	111.22 acres	2 development rights
28-31A	26.09		3 development rights
28-33	62.98		5 development rights

The property includes open land, deciduous woods, and pine plantings, and has two dwellings.

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.

Please note that these criteria, which are from section 3-201, were originally written for the review of new districts. As section 3-203(B) says that the same criteria shall be used for additions to existing districts, staff’s review will apply the criteria to the proposed addition rather than to the district as a whole.

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 has 111.22 acres (93.2 percent of the property) in soils that are designated as Prime or Locally Important for agriculture, or that are suitable for orchards and vines.

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 proposed addition includes both pastureland and forest, in common with the nearby District parcels.

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

The proposed addition includes two dwellings.

Local development patterns and needs;

The area retains a pattern of moderate- and large-sized farm parcels, with some conversion to smaller residential parcels. The Comprehensive Plan policies 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 forest and productive farm land, which the Comprehensive Plan and Rural Areas Zoning Ordinances 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, and wildlife habitat.

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

Each of the three parcels in the proposed addition has multiple development rights, meaning that they meet the County policy for addition to the District.

Any other matter which may be relevant

Staff found no other relevant matters.

RECOMMENDATION

Staff recommends that the Committee recommend approval of the proposed addition.

