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Albemarle County Board of Supervisors Regular Second Meeting, Wednesday, March 20, 2024

Date Wednesday, March 20, 2024
Place Albemarle County Board of Supervisors, Virginia
Length 6h 26m (video)

- Official meeting video (Granicus): https://albemarle.granicus.com/MediaPlayer.php?view_id=1&clip_id=946
- Official agenda: https://albemarle.granicus.com/AgendaViewer.php?view_id=1&clip_id=946

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Speech-to-text: whisper.cpp, model large-v3-turbo. Produced 2026-10-16. Each paragraph starts with its time [HH:MM:SS] in the meeting video.

[00:00:01] Good afternoon. I'm pleased to call to order this regular meeting of the Albemarle County Board of Supervisors on the 20th of March, 1 p.m. in Lane Auditorium. I'd like to note that at the dais we have Supervisor Ann Malick of the Whitehall District, Supervisor Ned Galloway of the Rio District, Supervisor Diantha McKeel of the Jack Jewett District, Supervisor Mike Pruitt of the Scottsville District, myself, Jim Andrews, representing the Samuel Miller District. The quorum is present. We got the absence of Supervisor Lapisto-Kirtley who cannot be here today.

[00:00:31] Also, we are joined today by our County Executive, Mr. Jeff Richardson, our County Attorney, Mr. Steve Rosenberg, our Clerk, Claudette Borgerson, and our Senior Deputy Clerk, Mr. Travis Morris. Also, please let me welcome Albemarle County Police Officers Assisting today, Lieutenant Angela Jamerson and Master Police Officer Paul Cullen.

[00:00:50] We thank you for your service today and every day and the work you do to keep us and our community safe. If all present could now stand as you were able to join us in the Pledge of Allegiance. Thank you, and if you would now join us in a moment of silence.

[00:01:51] Well, board, I believe now we are at the point where we are going to adopt the final agenda, and I have not heard of any suggested amendments, changes to that agenda, so I'm looking for a motion to

adopt the final agenda. So moved. Second. We have a motion from Supervisor McKeel, second from Supervisor Malek.

[00:02:09] Without objection, if the clerk will call the roll. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Thank you. Board, we'll now move to brief announcements by board members. Our first is Supervisor McKeel.

[00:02:26] Thank you. I have several. Sadly, I want to recognize the passing of Lorraine Williams, who was certainly a leader and a dedicated community member in our community.

[00:02:43] She was a retired Charlottesville teacher and a civil rights pioneer. She and her husband, Eugene, helped desegregate the city schools during the period of time that's referred to as massive resistance. Certainly, she will be missed, and she is dearly beloved by many members of our community.

[00:03:06] And I just wanted to recognize her passing and say that she was a rock star, and she'll be missed. Thank you. And moving on to a few items that are on a happier note, I'm really pleased to announce that Fran Clark, who is a teacher over at Greer Elementary School, received the Virginia Department of Education's Ambassador of Kindness Award.

[00:03:31] It was pretty cool. And the folks at Greer were just really thrilled that she received that award, and so congratulations to Fran. And the only other item that I want to mention is that Ann and I last night attended a wonderful dinner. Antoine Brinson is the culinary training instructor for Go Cook, which is a Charlottesville

[00:04:04] an Albemarle organization that teaches people in our community to be cooks in restaurants. They have 150, he has 150 restaurants he works with and supplies cooks and chefs to those restaurants in this community.

[00:04:25] And last night he had a graduation and Ann and I went and we had a lovely dinner served to us. And I really want to just point out that Antoine with his program is helping many, a variety of people in the community learn a skill and a trade. Some of them are changing careers. There was a nurse last night who has taken a brief leave of absence from his nursing job and is training to be a culinary chef and there were two uh gentlemen from um the almore charlesville

[00:05:05] regional jail that are currently out on home incarceration and they are going through the program to learn how to be to work in restaurants which is really great um so it was a wonderful evening and we were able to celebrate with the the graduates and have a lovely dinner and And if you're ever interested, just look up Go Cook, which is a growth opportunity for cook program, and they are headquarters quartered over sort of in one of the little shopping malls over by Barracks Road Shopping Center.

[00:05:37] What I think of is the Metacreek Pharmacy Shopping Center, though Metacreek is not there any longer, but they're in that little strip mall that's over there. But it's a great program that's doing lots of good things in this community. And with that, I'm through. Okay, thank you.

[00:05:52] Supervisor Calloway. Thank you. I want to thank all the citizens who came out last night to my budget town hall meeting at about 20, 21 folks. I'm also appreciative of all the staff who were there, who both gave presentations, supported the evening, answered questions, et cetera.

[00:06:09] So it was from 6 to 8 o'clock, but we've got good questions. I hope that citizens will continue to email or come to public hearings and ask additional questions about the budget. But it was nice to have a good turnout last night evening for that.

[00:06:25] The other is more just a FYI, point me in the right direction type of request. I noticed, I was grateful to see coming down the parkway today, the big signs talking about the kudzu removal program going on on the parkway. The parkway has certainly been an example of how that weed has earned its moniker.

[00:06:46] But if there, is that, I'm presuming that's a VDOT program. I would just be curious to know if that is in fact VDOT and like how they do this. So if there's anybody that knows anything like that, fine. Are there goats involved? I didn't see any goats, but they've clearly done something because it looks like it's all, like, what's the word I'm looking for?

[00:07:07] Like it's been sprayed and they're going to remove it. I'm just curious, like, what this entails and if anybody knows where to point me on that. Because I don't, obviously, I don't think this is a county thing. It's just, I would presume this is VDOT. Staff will take that as a follow-up and we'll go ahead and share that out to the entire board for general awareness whenever we are able to run that down thank you and it's just for folks they do have the big signs they've had caution invasive plant signs up but just be careful if you're driving on the parkway while they're doing that activity thank you supervisor malik oh goody thank you um i'm going to take a lot of time sorry in advance uh first of all following up on town halls the brownsville

[00:07:46] town hall will be on no sorry and yes brownsville elementary for the transportation town hall and and Budget Town Hall for the Crozet Growth Area will be the 10th of April at 7, and then at Whitehall Community Building on the 13th.

[00:08:03] And the earliest one is to be scheduled, so keep your eyes peeled for that third one. Regarding Antoine Brinson, he began as a graduate of the CIC Small Business Program, and the fact that he's already placed 150 workers in jobs is a tremendous effort and a real help for those particular individuals as well as our economic development in general.

[00:08:27] This is a red flag day. Power is already out in many parts of the county due to high winds. So I hope that people are actually following the law and not trying to burn anything right now because it is incredibly dangerous. Regarding the invasive species control, Bradford pears are also blooming right now, and this is a really good time to mark them for dealing with them later because they have to be harvested, whatever, in a very certain way in order to not make them spread more.

[00:08:57] But that's often hard to do when the leaves and flowers are not there. So marking them now, there was a constant row of them all along the Meadow Creek Parkway as I drove down here this afternoon. So in addition to making huge allergy issues for many, many people, they are very invasive and just taking over everywhere.

[00:09:15] When I was locally dropping off my tax materials, there was a series of brochures for the Tom Deverson Snow and the Water District. And there are about a dozen different programs for livestock and grazing systems, cropland, tree planting programs, stormwater programs, all sorts of things for urban neighborhoods as well as rural and agriculture.

[00:09:41] And they have funding available for all sorts of different things. So please take this time to plan ahead for an improvement that you would like to do even next year, because it takes six months to get all this processing generally done. And you can't just walk in on the 1st of April and say, here's what I want to do, and expect that they'll have a check ready for you to offset your spring planting.

[00:10:04] But very beneficial programs for all residents. April 1st is the deadline to renew your tax, real estate tax relief program, If you were received tax relief last year, you must file your application or certification renewal by Monday, April 1st, which is coming up quickly.

[00:10:23] And the folks in Jennifer Matheny and her staff in the finance office will help you if necessary to do all that. Now is the time to register with the Virginia Cooperative Extension for the annual spring well testing. This is also for rural area folks.

[00:10:38] The tests, if you did them individually, would cost more than \$250, but for \$70, you get a wide array of different programs, a whole lot of iron, manganese, sulfate, hardness, coliform bacteria, sodium, copper, nitrate, arsenic, E. coli, fluoride, pH, total dissolved solids, and lead.

[00:10:57] So you get your money's worth and a lot of comfort if you get really good results from this test. If you discover things that need to be fixed, it's really good to know about it ahead of time and figure out things that can be done to either shock your well or other to deal with whatever contamination might be happening.

[00:11:16] Let me go down the list here. I'm trying to go in chronological order. Last Saturday, the Cooper and Wheeler family celebrated the completion of their habitat ownership program journey and receiving the keys to their homes in Old Trail. They'll move into two end unit townhouses in the Bishopgate neighborhood, which is basically right across from Henley School.

[00:11:39] Neighbors came out to the celebration to welcome them and these homes were supported in a partnership with Craig Builders, many local businesses and volunteer builders, along with hundreds of hours of sweat equity from each of these families to achieve their home ownership. Let's see, April 19th, Working down the calendar is the 58th rededication of the Dogwood Vietnam Memorial.

[00:12:01] It is the oldest in the United States. Special parking in the field will be accessed next to the skate park for that day, and handicapped transport is available from the field to the memorial, and it's sponsored by the Vietnam Memorial Foundation locally. And the last one is that April 27th is Saturday, one day only, for the Whitehall-Rurriton annual plant sale.

[00:12:25] This is the 14th year that they have done this to raise money for upgrades to the historic building 821 Rain or Shine at 2904 Browns Gap Turnpike. And we look forward to seeing everybody there to stock up on native plants that will definitely succeed when you take them home to your garden.

[00:12:43] Thank you very much. Thank you. Supervisor Pruitt. Thank you. So first, two things about books. Right now and ongoing throughout the weekend is the Virginia Festival of the Book that takes place throughout both the city and the county with various book talks that I would encourage folks to look into because there's a lot of diverse different things.

[00:13:03] No matter what your interest is, you'll probably find a book talk dedicated to it over the next few days. I would also like to recognize the incredible work of the Scottsville branch of the Dolly Parton

Imagination Library that has been brought to us through collaboration with the Charlottesville Rotary Club and also JMRL.

[00:13:22] They had an open house this Saturday to help sign up more children to participate in the Parton Imagination Library program, which gives them free books over the course of their childhood. In addition to getting more folks signed up for this, they also successfully had a fundraising drive that is going to help fund 150 additional children to receive books in the south side of Albemarle.

[00:13:49] Donations included those from James River Good Works, Quick Start Tennis of Central Charlottesville, Scottsville Chamber of Commerce, Scottsville Lions, Skipper Seniors Club, and the SUMC Methodist Men. So I would thank them all for their contribution to the kids down in the South Side.

[00:14:04] I would also like to point out, you know, the Scottsville Museum closes every year for winter. It is about to reopen. On the 7th of April is going to be their first day of the season, and they are going to be celebrating that with a book or a talk that is going to be at the museum at 3 that day that is going to focus on the history of preserving historically black schools in the region.

[00:14:31] Additionally, I would like to recognize and thank the organizers of Impact Seville. They recently held their Nehemiah Impact event, which was focused on this year housing equity in Albemarle County and transit equity in the city.

[00:14:47] It was a really impressive event, Impact Seville, for those of you who aren't familiar, is over 26 different interfaith congregations and thousands of different parishioners who all come together to rally around important elements of social change that represent through lines throughout their faith beliefs.

[00:15:05] And I was really excited to be able to join them. And also, like everyone else, I would like to just flag upcoming town halls. I'm going to be doing several collaboratively with other supervisors because I have so many places that people live that are right on the border. So myself and Supervisor Andrews are going to be at the Fifth Street offices at 7 on, I forgot to write the date, this Thursday, tomorrow.

[00:15:30] We are going to also, I'm going to be joined by Supervisor Lupisto Kirtley in Pantops at the Martha Jefferson Outpatient Center. That's 595 Martha Jefferson Drive at 645 next Monday, the 25th. And lastly, there's going to be a town hall at Yancey that I will be joining Supervisor Andrews with at 6 on the 28th, next Friday.

[00:15:55] Not this Friday, but next Friday. And that's all I have. Thank you. Thank you. Yeah, many of the things I might have announced have been announced. That's great. Thank you, Supervisor McKeel, in particular, for the remembrance of Lorraine Williams, the leader in our community, and certainly missed.

[00:16:14] Just to add a couple quick ones, registration for e-waste vouchers for the Saturday, April 20th, e-waste drop-off at IBM UC opened online this morning, and they fill up fairly quickly, so if you're interested in dropping off e-waste, get online and sign up.

[00:16:33] Also, I want to just remind people that there is now free mulch available at the Ivy MUC. That's it. I signed up for our well test this morning, so I appreciate that announcement. Does anyone have anything else to add? Okay. Thank you, board.

[00:16:49] Our next item is number six, proclamations and recognitions. I don't believe we have any today. So that will take us on to item seven from the public, matters on the agenda but not listed for public hearing or matters previously considered by the board or matters that are pending before the board board

i just want to point out that our rules indicate that we will have up to 10 speakers we have 11 signed up if there is no objection we'll just go through this with 11 but recognizing that is a deviation from our rules to add the additional speaker so thank

[00:17:29] i see nodding of heads yeah we shorten it and we have more you know that's always been an option as well to have two right we could have a question whether we need a motion and second to move to 11 is it okay consensus thank you we're good there's no one online so everybody's in person so um

[00:17:56] let me read the directions here and then i was confused with what ann said it confused me i'm Sorry. All right. During the time set aside for matters on the agenda but not listed for public hearing, individuals may address the Board of Supervisors concerning matters previously considered by the Board or matters that are pending before the Board other than items listed on the agenda for public hearing. Individuals are allowed one opportunity of up to three minutes to speak at each Board meeting during matters from the public, and a sign-up sheet is managed by the clerk's

[00:18:35] office. Timekeeping is conducted through a timer and a light system at the podium. The green light will go on when you begin speaking, which begins your allotted time. The yellow light indicates you have one minute to finish speaking, and the red light indicates your time has expired, and you will be asked to end your comments. Give all speakers equal treatment and courtesy. The board requests that speakers adhere to the following guidelines. When addressing the board, state your name, and if you live in Elmar County, your magisterial district. Address comments directly to the board as a whole. Any written statements or other supporting materials may be given to the

[00:19:11] clerk. If representing a group or organization, you may ask others present to raise their hands in recognition. Speakers may not share any unused time with other speakers. Back and forth debate is not permitted, and do not speak out of turn or from your seat. All comments are live streamed, recorded, and published on the Almar County website. And the first speaker today is Paul Haney. Oh, it's typed in. Paul, will you excuse me? I missed Faith Schweikert. Is that correct?

[00:19:48] You'll have to correct my pronunciation. Welcome. Schweikert. Please adjust the microphone. I missed your name. I'm sorry because it was typed in. That's all right. It's Faith Schweikert. I'm representing the Piedmont Environmental Council. I'd like to thank you all for the board for taking the time to consider the planning of the rural area of Marmol County with recognition that one cannot protect the rural area without also making the best use of the development areas through an effective and robust growth management strategy that has been prominent in past comprehensive planning. PEC's analysis of community surveys in Albemarle County from 1994 to 2023

[00:20:28] underscored the priority Albemarle County residents have overwhelmingly given to policies tied to the environment, preservation, and smart growth for nearly 30 years. As the update process continues, PEC created an interactive map that I've sent over to you all earlier this week that visualizes the sensitive and significant characteristics within the rural area. In it, you can toggle between various water resources, forest blocks, parks, conservation easements, scenic viewsheds, areas rich in agricultural soil, and historic districts and sites.

[00:21:05] You can view that at pecfau.org slash Albemarle Rural Area as well. We created the map to educate during AC44 planning and beyond, and we hope it will help to address many of the questions about the perceived lack of agriculture in the county, what defines a scenic view, and what its importance is, and also to provide contrast to the perception that 95 percent of the county that represents the rural

area is empty space. Elmore's rural area focuses that focuses on agricultural working agriculture working forests and ecosystem services

[00:21:42] provides a host of economic health recreational and environmental services. For example we are the second highest producing county in Virginia in the fruits tree nuts berry and berries category According to the 2017 USDA census data, we lead Central Virginia counties in the number of people employed in agriculture, forestry, fishing, and hunting, and our current tree canopy alone provides \$76.3 million of annual benefits from the reduction in air pollution, stormwater management, and sequestered carbon dioxide.

[00:22:22] That's just listing a few of the benefits that we get from the rural area. We hope you consider the factors in our mapping and analysis that's been sent to you earlier this week in your decision-making with the understanding that the loss or diminishing of these resources would be difficult or impossible to repair.

[00:22:39] Thank you for your consideration. Thank you. Paul Haney, it is your turn now. That was quite the segue for me. But before I get to that, in December, Paul Haney, Albemarle County Farm Bureau, I live in the Ravanna District.

[00:23:01] In December of last year, we held a chainsaw safety class. It went out, went very well. We had great attendance. We're going to expand that. We're going to try to do it annually. We're going to add the safety feature to it.

[00:23:20] So that went really well. Albemarle County Farm Bureau purchased a saw. We donated that after the safety course to Stony Point Volunteer Fire Department. Our intention is to make that an annual event, and we'll figure out where the saws are going to go each time.

[00:23:38] Excitingly, Mr. Kendrick and I met with Amelia, Jody, and Bart a couple weeks back to start the progress on reevaluating and redesigning the clean fill ordinance. We came out of there thrilled. It went really well. I think we're all on the same page.

[00:23:55] It's just getting all that language that keeps the board happy and that we've got to trudge through. Concerning for us is recently the planning commission. We've had a lot of rhetoric coming out of there that is very concerning to the forestry and agricultural community.

[00:24:14] One thing that we've heard before is that hay is not farming. That's like saying you don't have to have a basketball to play a basketball game. Hay is the backbone of livestock. If we don't have hay, we can't carry animals forward. They reference bush hogging.

[00:24:30] Well, yeah, that's kind of important. That's the way we do weed control, and that also helps in keeping Albemarle beautiful that everybody likes to see. But it is an integral part of agriculture in this county. The one that really hurt, though, is that there's nothing but boutique farming in Albemarle County.

[00:24:51] That's a hard dose. Considering with the, I guess the latest, Weldon Cooper says that that boutique farming is generating \$713 million annually in this county. That's quite the boutique.

[00:25:08] It's 4,236 jobs. That's pretty important. We got 866 farms farming 180, 170,000 acres in this county. That's more than just a boutique where I come from.

[00:25:26] And with all that said, I recently sent you all information that the average farm is losing \$16,000 a year. So we're supporting our farming by having wives or spouses that are out earning the money

to keep us doing this. So that's getting pretty quick to what I am concerned about.

[00:25:43] We stand, and we had spoken with Chair Andrews, that we're willing to meet with the Planning Commission so they can understand what forestry and agriculture is whenever it's appropriate. Bradford Pears. Thank you.

[00:25:58] Have been outlawed in South Carolina. Tom Olivier. Good afternoon. I'm Tom Olivier from the Samuel Miller District with comments on the comprehensive plan.

[00:26:18] First, the new comprehensive plan fails to acknowledge the severity of ecological disruptions that lie ahead. Can't we fix that? Second, county rural areas are essential contributors to our high quality of life, And they are home to farms and forests and ecosystems that provide materials and services vital to our existence.

[00:26:39] Food, timber, clean air, clean water, carbon sequestration. But rural areas and their ecosystems are under threat for many sources, invasive species, climate change, and development proposals. In this time of ecological crises and endless calls for additional developed uses in our rural areas, We need a planning framework that integrates thinking about the different rural areas' uses and their interactions.

[00:27:07] For this reason, I support a rural areas chapter in the new plan, and I believe a stand-alone rural areas plan, as proposed, would meet our planning needs even better. Finally, county residents have long contributed both new ideas and constructive criticisms to comprehensive plan deliberations.

[00:27:27] For example, the county's biodiversity protection commitments arose from a 1997 proposal from Citizens for Albemarle, a grassroots organization, to the Planning Commission. In the current update, the AC44 team proposed a new plan, unfathomably, without a rural areas chapter.

[00:27:48] A rural areas chapter was added to the new plan only after sustained criticism from the public. At the Planning Commission last week, an advertised public comment period before the rural area's work session was canceled. At the last minute, would-be speakers were told that at the previous work session, public comments had taken up too much time.

[00:28:14] This cancellation shows a lack of respect for the time of members of the public who prepared and came to speak. The cancellation also revealed a lack of regard for the role of knowledgeable members of the public in critiquing policy proposals.

[00:28:30] I urge that you press the Planning Commission to hold public comment periods before future comprehensive plan work sessions. Thank you. Thank you. I do want to remind speakers that if you're unable to finish, you can turn in your comments to the clerk for us.

[00:28:48] Thank you. Neil Williamson. Good afternoon. Neil Williamson with the Free Enterprise Forum, before I get into the comments I have, I want to make certain that we take a look at that PEC map, which is great, and the vast majority of it is privately held land.

[00:29:11] And that is really important to recognize. The reason it's great is because of the stewardship of generations of owners. That being said, I've been thinking a lot about the year 1979. Disco was king. You remember that. The Bee Gees and Donna Summer had a number of number one hits.

[00:29:29] That's the same year that Albemarle set up their development, well then they called them growth areas, of greater than 5% of the land mass. And since that enactment and that race to the courthouse for the rural down zoning, it's been shrinking ever since.

[00:29:45] From riparian buffers, which are great, but it shrinks the development area, the expanding streetscapes, to biscuit run park, to steep slopes regulations, all of this makes less and less land available. week, I wrote about the NAR resource that indicated that the Charlottesville MSA is the only MSA in the entire Commonwealth of Virginia that it deemed under-permitted. That means we're not building enough houses, and that's for the whole MSA. When you look at the Carr fourth quarter reports, you can see increasing pricing and decreasing number of listings. That really

[00:30:20] indicates a tightening market. The housing crisis is now. You have a lot of really exciting things coming down the pike that will include new residents. Where are they going to live? As you consider your draconian growth control limits, I ask you to consider them with the lenses that you guys set up for the comp plan. Equity and climate change. For if you can't live in Albemarle County and the jobs in Albemarle County, how do you live? Well, you live somewhere else and you have an impact on the environment getting to and from work. You also lose all the sales tax revenue.

[00:30:56] Thank you for the opportunity to speak. Thank you. The next person is Nora, and I think this is Solheimer. Solheimer. Yes. Just trying to make sure I was catching it correctly. Thank you. Sure. Make sure you speak into it.

[00:31:12] Thank you. Hello, my name is Nora Solheimer, and I'm a resident of Albemarle County, the Samuel Miller District. Thank you for all the hard work that has gone into updating the county's comprehensive plan. As you consider the goals and objectives that will be reviewed in today's meeting, I ask that you do all in your power to protect the vibrant rural areas that define our Albemarle County.

[00:31:36] As PEC has laid out in their summary of community surveys in Albemarle County from 1994 to 2023, nearly 30 years, County residents have steadily prioritized policies tied to environment, preservation, and smart growth in our county.

[00:31:58] 2024 is no different. I ask that you advance an effective and robust growth management strategy that protects the rural areas and makes the best possible use of the development areas. This balance has been prominent in past comprehensive planning processes and has resulted in the world-class county we live in today.

[00:32:18] Please ensure that our county is protected and continues to be protected for future generations. Thank you. Thank you. Tom Loach. Good afternoon.

[00:32:39] My name is Tom Loach. I'm resident of Crozet. In 1991, County Executive Rob Tucker published a definitive paper on the subject of land use taxation program in Albemarle County. In his paper, Mr. Tucker communicated two important points. One, the reason for the implementation of the land use taxation program, and two, who pays for the program.

[00:33:01] Regarding the reason for the Albemarle County joining the state land use program, Mr. Tucker stated the following. The current land use program for preserving rural land has been an objective for the county for almost two decades, and the benefits derived from this program are significant for the community at large. Nowhere in Mr. Tucker's publication does he express any additional reasons for the implementation of land use taxation program other than rural preservation.

[00:33:23] As for who pays for the land use taxation program, Mr. Tucker wrote the following. The cost of land use is not a hidden fact, since it is implicit in the concept of land use that the tax burden is shifted to

other taxpayers. The cost for maintaining the land use program has been very expensive for those who are required to pay for it.

[00:33:42] In Mr. Tucker's published paper in 1991, the yearly cost for land use was \$4.2 million. By 2005, it had risen to \$13 million, and by 2023, \$14 million. Using these amounts and dates, it can extrapolate to show that the investment of the county residents in rural protection since 1975 has been over a quarter of a billion dollars.

[00:34:02] All that said, and despite the cost of land use and the fact that it does not fully stop rural development, I fully support the status quo when it comes to the present land use taxation program. Unfortunately, AC44 makes it clear that the future of rural preservation, Albemarle County is now about to become obsolete.

[00:34:20] AC44 states that within a new comprehensive plan, there will be language outlining the criteria for the expansion of growth areas. Should the board agree with the stated position of AC44 to expand the growth areas, I'm sure that besides myself, there will be thousands of other growth area homeowners who will demand that land use program be phased out it no longer carries its primary purpose of rural protection and certainly not at the cost of tens of millions of dollars per year. Additionally, it matters little if the growth area expansion is this year, next year, or 10 years, nor does it matter how little or how much currently preserved land is converted for development. Developing taxpayer-preserved land is an oxymoron. If the

[00:34:58] board wants to move towards a comprehensive plan that drives Albemarle County to becoming a northern Virginia, that's your decision. But one I doubt will have much support from either rural or growth area residents. Thank you. Thank you. Maria Duster. Welcome. Thank you. Good afternoon, supervisors. Thank you for the opportunity to speak. My name is Maria Duster, and I work for the Community Climate Collaborative based in Charlottesville, also called C3. I'm here to

[00:35:33] speak on the topics of housing and transportation and the development in rural areas chapters of AC44. My colleague, Caetano de Campos-Lopez, will later speak on land use and solar development. A municipality's zoning code and comprehensive plan have a direct impact on the amount of air and climate pollution produced by the entire community, as well as who in the community bears the burden of addressing climate change and its impacts.

[00:36:00] C3 supports an increase in multifamily, multiplex, and missing middle housing in designated growth areas. Dense housing limits encroachment on green spaces and natural resources. It is more energy efficient and offers more affordable options for low- to middle-income residents.

[00:36:17] It also more easily allows for equitable, sustainable, and affordable transit-oriented development, in which mixed-use pedestrian-oriented neighborhoods are built in tandem with new or existing public transit. density allows for more efficient transit systems reducing commute times and transportation costs as you can see housing energy and transportation affordability and sustainability are intimately linked our solutions must reflect this rural communities should not be left behind either crossroads communities offer an avenue for support and care and non-development areas taking

[00:36:54] advantage of already established points of gathering and community building increased density, or development is not necessarily the goal or expectation here. Providing essential services, especially for the most vulnerable in our communities, is. The 2022 map to health report for Albemarle

County and surrounding areas found that access to health care, transportation, and human connection and socializing were key determinants for healthy communities.

[00:37:21] Moreover, in the context of climate change and emergency preparedness, resilience hubs can act as a key way to assemble and disseminate information, access resources, and coordinate response. In our engagement with local experts and organizers, C3 found that many unhoused people in the city of Charlottesville are from rural areas, underscoring that issues of housing and energy affordability are not specific to city residents alone. Positive individual and community health outcomes are determined by a multitude of factors, the majority of which the county can work to improve through the AC44 process. Thank you for your time and consideration. Thank you.

[00:38:00] Zitano DeCampos-Lopez. Good afternoon, supervisors. My name is Caetano DeCampos-Lopez. I'm with, I'm the Director of Climate Policy of the Community Climate Collaborative, C3. I'm also a resident of the Rio District. I'm here to speak on solar development and land use in the development and rural areas.

[00:38:31] I would like to start by addressing objective 1.5 in the rural areas land use section, the only one that talks about solar, which calls for a location siting policy for utility-scale solar energy systems in the rural area. While we do agree that the county should invest time and resources in developing a robust solar policy that addresses large-scale projects, we want to note that this perspective is somewhat limited.

[00:38:59] Utility scale is not the only type of solar development that can or should occur in rural areas. We recommend that the county expand its focus right now, focus only on utility scale, to include smaller scale and distributed solar projects up to 5 megawatts.

[00:39:18] These smaller projects are more flexible and feasible in terms of siting, have less impact on the county's natural and cultural resources, and may have quicker approval processes. At the same time, we believe that it's very important that the county actively supports on-site rooftop and parking lot solar in entrance corridors, including those in rural areas, by streamlining the permitting processes and allowing them by right.

[00:39:44] Finally, while SIF3 values the stewardship of the natural environment in our county's rural areas, we also believe that it's important to compare things in a fair way. For example, not all farming uses are beneficial for the environment, and some practices can actually even be detrimental to it.

[00:40:01] Industrial farming can cause runoff that contaminates groundwater and drinking water, produce air pollutants, and release significant amounts of carbon dioxide into the atmosphere. Monocultures can result in excessive fertilizer use, habitat destruction, ecological degradation, and soil fertility loss.

[00:40:17] What we are aiming to suggest is that when the county is weighing land use decisions and priorities, they should also engage holistically with the impacts of current practices. It's a flawed logic to reject solar projects on the grounds that it might negatively impact soil health while unconditionally endorsing monoculture pine plantations, for example.

[00:40:40] C3 believes in solutions that adequately address the ongoing climate crisis while maintaining a thriving community. Thank you for your consideration. Thank you. Kim Bacioli. Good afternoon. Kim Bacioli with the Piedmont Environmental Council.

[00:41:04] My comments are about the AC44 Rural Area Chapter. We hope that the impacts of Land Use Goal 4 and Objective 4.2 related to legacy zoning and rural area interchanges will be carefully considered. These proposals perpetuate and expand land use patterns that are inconsistent with the county's growth management policy and its long-standing goals for the rural area. Last week at the Planning Commission work session, the undeveloped areas at Shadwell along 250 East were referred to as empty space that should be filled in. When I look at the aerial photograph, what I

[00:41:40] see there is forest, and that forest is just north of the Rivanna River. This proposed development will not only create sprawl, but also chip away at our forest cover and the benefits it provides, like watershed protection and climate resiliency. This conflicts with the county's own goals for Climate Action, which aim to not only maintain but increase forest cover. PEC fully supports Land Use Goals 1 and 2, which speak to protection of the natural and cultural elements of the rural area. And Objectives 1.1 and 1.2 on the importance of reducing land conversion and improving the

[00:42:16] county's land conservation programs are particularly important. Land conversion in the rural area creates costs, both for government and residents, things like providing services to outlying areas and mitigating the impacts of climate change. The conservation programs help the county avoid these costs by keeping rural land intact.

[00:42:37] They support working farms and forests and also deliver tremendous public benefit to our entire community by protecting public health, water quality, natural habitat, and the scenic and historic resources that are the foundation of our local tourism economy.

[00:42:53] Keeping rural land intact is also, in and of itself, a nature-based solution to climate change, providing benefits like carbon sequestration and flood resiliency. We are undervaluing these benefits. Economic analyses consistently show a return on investment in land conservation in the form of natural goods and services and by reducing the cost of providing services to rural area residents. We thank you for including these goals and hope to see specific action steps in support of the conservation programs, which are a critical investment in our community. Thank you.

[00:43:28] thank you i believe it's holmes brown just wanted to make sure that was i was holmes okay welcome yeah i'm holmes brown i'm a resident of batesville i packed peaches in crown orchard from 19 the summers of 57 through 59 i've been a property holder and taxpayer in this county

[00:44:05] since 1979. I want to start by complimenting the community development staff for coming to a community meeting in Batesville on February 24th. A large number of staff came. We had a big turnout, and it was really an ideal way to really sound out the community. We were kind of a pilot program. And they went on to Yancey Mill later. And I think the community and the staff felt those

[00:44:41] were very valuable. I want to address the issue of crossroads communities in AC44. At a recent planning commission meeting, the issue of what constituted a crossroads community came up.

[00:44:59] Discussion centered on crossroads communities and resilience centers and what resilience features a crossroads community should have. Batesville was one of the seven locations originally designated as a crossroads community.

[00:45:17] At the mention of Batesville, one commissioner commented, "It's no more than a store." Some of us in the audience took umbrage at that. The comment implied that past definitions of crossroads

communities were too narrow, And that in the future to qualify under this rubric, other elements of resilience as defined in AC44 would have to be added.

[00:45:45] I would like to suggest that Batesville has many aspects of community that should be explicitly recognized in county documents. I'll briefly summarize them. The Batesville indeed has a mark of the center of the town's social, commercial, and musical activities over 100 years.

[00:46:08] Crown Orchard, founded by the Child's Family in 1908, is a nationally famous owner and leaser of thousands of nearby acres and owner of five local orchards. Miller School, established in 1878, has international and local students and an internationally famous bicycle team.

[00:46:30] There are three churches, the Methodist and Baptist Church, and Middleview Baptist Church. There's a walking trail, a post office, and two vital community clubs, the Baratan and the Historic Society.

[00:46:46] So I'm suggesting that communities should be analyzed for their activities and not adding things to it. Thanks. If you didn't have a chance to complete your comments, please provide them. Okay, thanks. Thank you. Paula Bagley.

[00:47:01] My name is Paula Beasley. I'm in the Samuel Miller District. I apologize for taking your time as you have much work to do on the rural area section of the comp plan. The objective is to plan for the rural areas, but more than half of the goals are obscured language that seems to validate commercial, industrial, or amenities development in the rural areas.

[00:47:36] For the more than 30 years I have lived here, the ag forestal economy has been the economic driver of this county's economy, funding the programs and services provided, especially in the development areas. While tourism has also provided funding, there can be a tension between the two, as in the case of vineyards, saddies, et cetera, on rural roads.

[00:48:00] Mainstream agricultural, forestal, crop, and equine activities support other county preservation goals. Scenic resources, scenic byways, rural character, entrance corridors, natural resources, mountaintops, forests, all of which cleanse the air and water to the benefit of the development areas.

[00:48:21] Rural activities are not significant contributors of CO2 release, contributing less than 5%, but rather sequester carbon at a rapid rate. Goals one and two, the only goals that might protect and promote the rural areas, are written in a static voice.

[00:48:39] No requirement or intention to really preserve, protect, and promote the rural areas, which do provide these scenic resources, contiguous landscapes, the viewsheds that tourists come to see, in addition to our historic resources. Where is the active language protecting these resources?

[00:48:58] Our mountaintops, scenic resources, scenic byways, viewsheds, conserved lands, unbroken landscapes, natural and historic resources, biodiversities. None of that language is there. No language supporting the Mothwald ACE program and land use to support ag and forestal that provide local food and timber.

[00:49:21] The only other two goals appear to enable developing, suburbanizing, commercializing, and industrializing our rural areas. We do not need development area amenities in the rural areas. Those involved in ag, forest, or equine activities have little time for that.

[00:49:40] We have more than plenty of vineyards and cideries for that. We do need broadband. 20% don't have it, and it provides an essential link for work and connection. Thank you for your attention and consideration.

[00:49:57] Thank you. That's it. Thank you. Okay. With that board, I believe we're on to the consent agenda.

[00:50:18] Just before we jump to that, I'll just make a quick correction. I believe there was an announcement about the Yancey. yes so i i misspoke i said that was going to be next friday it is in fact going to be next thursday as in one week from tomorrow thank you uh so board uh is there anything anyone wants to pull from the consent agenda if not do we have a motion to approve the consent agenda so moved second we have a motion from supervisor mckeel a second from supervisor malik without objection if the clerk will call the roll ms malik yes ms mckeel yes mr pruit i mr andrews yes mr

[00:50:55] galloway yes thank you board our next item first action item number nine the public private transportation act guidelines and this will be led by mr lance stuart director of facilities and environmental services welcome thank you chair andrews members of the board lance stuart animal county director of facilities environmental services i'm happy to be here steve one second

[00:51:25] Thank you, technology. So I'm here today to present an option to the Board of Supervisors for your consideration related to our transportation projects.

[00:51:43] Thank you, Supervisor Mal. So I'll start with a little bit of background on why this is something that we're recommending. Go into some detail about what it is and what it could potentially do for our community. Talk about the recommended guidelines, and I'll explain to you why they're in place and why we're asking you to consider adopting them. And then finally walk through some resolution language in case you do want to make a motion to adopt the guidelines and briefly discuss what our next steps might be after

[00:52:21] that. So you are, of course, all keenly aware of the nature of our transportation projects and infrastructure projects in general, they can be slow to develop, they can be very costly, they can rise in cost over time, the longer time takes, and we've experienced some pretty sharp increases in the last four years on construction costs generally. So, you know, our local government and many other local governments across the country are forced to make increasingly difficult

[00:52:59] decisions about where to put their investments and to try to do so as efficiently as possible and the methods we've used historically for transportation projects in particular typically involve partnerships with the state through vdot funds that can be a slow process a competitive process funding may be available only in out years and that out years although we do get the benefit of those funds it makes delivery of projects slower and slower projects are more expensive projects. So staff have been looking into some options for us to consider

[00:53:38] just generally in how we operate the way we've been operating to be more efficient in that, but also to look at other alternative means of project delivery. And the Public-Private Transportation Act is one such alternative strategy to project delivery. So I'll walk through that. Generally it's a part of the Code of Virginia. It's been in place since 1995 and it allows for partnerships between the private sector and the public sector, hence the name Public Private Transportation Act. And typically it's been used in the past for very large projects

[00:54:15] either through the Department of Transportation or through large larger cities in northern Virginia or on the coast or multiple cities that are adjacent to each other for roadway improvements, tunnels, bridges, often toll roads, park and ride facilities, even sidewalks and shared use paths. There was a multi-million dollar effort on Interstate 66 in Northern of Virginia that was a big slate of roadway improvement projects, shared use paths, sidewalks,

[00:54:53] park and ride facilities, really are a remarkable project, much larger than anything we would contemplate given our limited development areas. So this is similar to like P3s that you're more familiar with that are economic development based. This just allows either localities to seek partners or potential partners to approach localities to basically partner for investments that are in the best interest of the community and of the private sector.

[00:55:29] So deal structures can be very different than what we normally do. So our typical process is that we get funding, we engage an engineer, we design a project, we bid it out. If enough funds are available, we construct the project.

[00:55:46] This allows for some very unique opportunities. So if we were seeking to build a toll road, for instance, to get more capacity 29 north, then someone might agree to cover all costs to construct that but collect tolls for the next 30 years as one business model that has been used elsewhere in the state.

[00:56:12] So, you know, there are some key elements to what seems to be the elements of success for this kind of partnership for localities or for state agencies like VDOT. Sometimes it enables projects that just couldn't happen without support and participation from the private sector.

[00:56:35] In order for that to happen, you know, it must be, according to the Public Private Transportation Act, must be in the best interest of the local public good. And elected officials, in the case of communities, have to make a determination that that's the case, that a specific project that we may seek to accomplish with this method or the private sector may approach us with has to be an advantageous public good, but it also has to make sense for the private sector.

[00:57:05] And in some cases, it can speed the development of projects and execution of projects. So a project that might take four or five years to be funded by VDOT, you know, and then the design process starts in the land acquisition and the bidding.

[00:57:23] The procurement could be eight to ten years out, and this model could cut that time significantly. So there, I briefly mentioned that communities or the Department of Transportation can solicit proposals.

[00:57:40] We can have a project that we think may be attractive to others, and we could put out a request for proposals or just a request for information, which is slightly different. It basically asks the private sector to respond to say, is this something that makes sense to you before we go to the greater deal of trouble to craft a full statement of the kind of project we would like to see and the deal structures that would be acceptable to us.

[00:58:10] So typically, in order to do that, before we issue a solicited proposals, we would come to the Board of Supervisors and explain that we have a project, a specific one that we think may have, that may be benefited by exploring this option. And assuming we get responses to that, there's a team of folks on staff, and I'll walk through those in a little bit more detail later, that would review those proposals, make a recommendation to the county

[00:58:45] executive ultimately recommend make a recommendation to the board of supervisors who might then agree to execute an agreement for a project and there is a questions slide coming up in a few slides so if i'm moving kind of fast hopefully we'll be able to catch catch back up then and i did also mention that we can accept unsolicited proposals so we as a community may be sort of fixed in our mindset about how we want to execute and or fund a project. And the private sector may

[00:59:19] say, may think, well, gosh, I could do that less expensively and quicker and get something that I need out of the arrangement as well. And so they can, without the county initiating, taking any action, submit a proposal. And that would have to include enough information for the county staff to be able to weigh that effectively. But if it does seem like something that we should entertain, then our next step at staff would be likely to issue a request for proposals based on the

[00:59:55] information that we got from that unsolicited proposal, just so that we're not solely benefiting the first folks that come along, and also to help ensure that we negotiate a deal that's most attractive and competition is always helpful there so in order to utilize this existing state ordinance we're required by that ordinance to establish a set of guidelines we did research on communities around the state who have these they're they're pretty you know very similar to

[01:00:34] each other they tend to at their essence restate their requirements of the state code but they also look at you know and address the fact that forms of governments change so it could be as simple as that we as a county executive form of government then it's the county executive who gets to determine who's on the review team and the title of the chief financial officer may vary from organization to organization so the guidelines that we've drafted do accomplish that they also

[01:01:09] name specific members of the selection committees and this is based on how generally how other communities have done it the county executive or his designee the chief financial officer obviously this is very important financial decisions being made the planning director whose fingers on the pulse of of these transportation projects and the community's needs and in our case the facilities environmental services director who often executes projects or at least weighs in on

[01:01:44] the practicality and practicability of the projects that others may build on our behalf. And the county executive in these guidelines has the ability to name other people, has the ability to invite VDOT participation if that's deemed helpful.

[01:02:01] And we think that this is, overall, the guidelines are very consistent with the state code. So, you know, we do have a few projects, types of projects that we think might work well or we probably wouldn't be in front of you today.

[01:02:19] Of course, adopting the guidelines enables us to move that forward. But we do need to understand what a good project looks like. i've already talked about that they need to be beneficial to our community and to the private sector in order to be accomplished but also say i think that for our sake for the most part and i could be very wrong about this i think the potential is most likely in the development areas i could see for instance a park and ride might make sense most sense in a community like the one

[01:02:55] one that's planned just outside Crozet at the 250-64 intersection that that could be an opportunity that's obviously the type of facility where people might pay to park and so you know someone might come forward to work with us on in a scenario like that but I'll be a little bit more specific just on some some projects that at a glance could potentially benefit from public private partnerships you're all

aware of the planned future development of the Rivanna futures project that involves the construction of an extension of a

[01:03:33] road connection to 29 north extension of utilities throughout there that and so that's a you know a development exercise not involving the development community at this point but could potentially benefit from a partnership with the private sector and developers, particularly Eastern Avenue has been a project that we have struggled to fully fund because of rising costs.

[01:04:04] And at this point, we think that this may also be a viable opportunity for the final extension of the road, bridge over Licking Hole Creek and sidewalks to complete our pedestrian connectivity. And then Birkmar, the extension of Birkmar Drive all the way to Airport Road, that's been in the planning stages is a must-do for some time.

[01:04:31] I understand that there are developers that are interested in helping support the cost of that extension, so it would seem like another potential opportunity for a public-private partnership. And my next slide is the questions slide.

[01:04:47] And so if there's anything I didn't clearly articulate or I skipped, please ask me to clarify. We'll go through our order, but before doing so, I just want to call your attention to the fact that there is a blue sheet at your places that shows a four-word omission in the draft that was posted online at page 12, part 4, C, number 8, which should read, Proposed contingency plans for addressing public needs if the project is not completed on schedule and how the risk and liability for delays, add to words, is to be apportioned.

[01:05:20] Thank you for Supervisor Galloway for pointing this out. We will go through our order for questions. Supervisor McKeel? Yes, thank you for this. I appreciate it. Just a couple of clarifying questions, I guess.

[01:05:37] What would be the role of the EDA, Economic Development Authority, with this? This is similar to, but not the same as the enabling state code regarding the Economic Development Authority.

[01:05:52] The Economic Development Authority's powers that sort of go beyond this and can involve road projects, but generally it also, the investment has to advance an economic development initiative. So an example, Hillsdale Drive, a portion of that next to Kmart was built via a public-private partnership.

[01:06:15] That was an economic development partnership, and the costs of that were borne by, partially by, the developer of the Whole Foods property. So that was an economic development authority, Charlottesville Economic Development Authority project and participation, but that also had a clear economic development benefit.

[01:06:37] And so in the case where there is no clear economic development benefit for transportation projects, this is the state's answer to that. Yeah, thank you. That's very helpful. Will you go back to slide eight?

[01:06:52] I just noticed, and I guess one of my questions would be to, obviously, this process would be transparent to the community, because we're doing, I mean, I know in RFP, there are restrictions around RFPs, I understand that, but at some point, the community would be aware of this, just kind of help me with that, Lance, a little bit.

[01:07:22] Sure. We would, by state code, staff would, as a first step, would come to the Board of Supervisors and present to you basically a determination, recommendation from the county executive that

pursuing this would be in the public's best interest. So there would be a public discussion and a publicly made decision by the board to issue a solicitation. And then there would be steps along the way assuming that proposals were received that were attractive where we would come

[01:07:55] back to you present what the deal proposed deal best deal may look like get some direction come back negotiate a final agreement come again most likely so there would be it would be a visible process and certainly the posting of the proposal itself would likely not be on our procurement page because this is outside of the Virginia Public Procurement Act, but it would, so we'll need to, we would need to prominently advertise that elsewhere on our website. Okay. And I just, one bullet too on this page caught my attention. I was just curious. The county must publish notice

[01:08:33] that the proposal is being considered and may issue a notice inviting others, but we would not have to. That May said we wouldn't. That's correct. That, and I may have misstated, I may have misstated when I said that earlier, that we're not required in that condition to issue a request for proposals, but it is our option.

[01:08:55] Yeah. I was just curious. I think that's all I had right now. Thank you. Thank you. Supervisor Gallagher. Thank you, Lance. I think you cleared this up because it was a question I had after reading it. So both the department heads and the county executive can name a designee.

[01:09:12] I'm just assuming that the county executive and maybe Mr. Richardson can respond, but I'm assuming that the county executive or his designee from the county executive's office is going to be always included in the process as part of the committee or is the intent to, I mean, this is going to sound flip, but I mean, staff this out and then come back for the final approval kind of like at the board level?

[01:09:40] or is it the intent that the county executive's office is going to be pretty well engaged with this with the department heads and or vdot if they're invited throughout the whole process i'm not sure i have an answer to that that um would be the same answer as mr richardson would give you so if jeff if you have anything you'd like to add to that i'll defer to you sir it's a good question and i what i would say uh supervisor galloway is that i think this would receive a higher level of scrutiny and involvement from the county executive's office simply because

[01:10:17] it's not that common that something like this would happen and it would probably be a higher profile type of project. And so I think it would be normal for someone like either Ms. Wall or Mr. Henry and or myself to participate at a more routine level if you will thank you um on page a to discuss timelines i think there was a table if i'm remembering right one to five months one

[01:10:52] to two i mean there's a slew of time frames there it's i'm just curious did we come up with those timelines is this the best practices based on other ppts that are out there what drove these timelines? I think that's an estimate from other guidelines that we found that outlined processes that were similar. Sort of took what was in other examples and applied those to our own limited experience in this kind of deal, but certainly our experience with other procurements and negotiations. I mean overall getting transportation projects done, this is a shortening even what's

[01:11:32] there on those tables but it seems like one of the benefits of pursuing this as an option is the reduced amount of time it takes to get the project up running and completed but those are pretty vast time frames in some of those areas so i guess i would uh i'm not suggesting we change any of it but i'm just glad that the mid the one and the twos are better than the 12 months and the 14 months in some of those

sections my guess would be this is where i would have supervisor memory of oh this PPTA like thinking ahead that we approve one why is it taking so damn long

[01:12:11] when it falls within sign these tables and it's like oh 12 months later it's not where are we at so you may have to remind us of this table I suppose down the road but to me this is one where you get it up you get it going let's get it done and moving so I hope that's staff's idea and intent too and this is just buying you the leeway with all the other things that are going on in the county when one of these presents itself. Page 12, that was addressed on the new sheet. Page 12, number one, sorry. I wrote good on page 12, number one. I can't remember what page

[01:12:51] 12, number one is. There's only one number one. Oh, so yeah, this is a bigger comment. I'll jump to that. So page 12, the project benefit and compatibility. I mean, basically this is asking the applicant to do a fiscal impact analysis, but then also the transportation needs analysis of that.

[01:13:12] Is that, am I understanding that right? You know, that's a good question. Some of this is a little bit opaque to us at this point. You know, it was difficult to find comparable projects to the scale that we might do locally. So Eastern Avenue to us is a very important project.

[01:13:31] This community has wanted it for a long time. So as an example, I'd say, you know, the design and outcome and what you want to work for an Eastern Avenue project is relatively straightforward. If the comparables we have to compare ourselves to is a 20-mile long enhancement of Interstate 66 with parking garages and, you know, people who may own and operate toll lanes and park and ride facilities, that's pretty sophisticated.

[01:14:03] And so we have not yet found like a completed deal that for a community our size for the type of project that we think could work in this community. So don't have all the answers yet.

[01:14:19] And certainly we're intending to, as a next step, reach out to peer agencies and peer localities, assuming that you approve the guidelines today, to start getting into that level of detail. Understood. there's a on page 20 there's a notation that it has to be certified or a certification is sent to the governor and or the general assembly can they muck it up if we send something up uh you know i don't recall offhand um and i don't have it in front of me i'm sorry um i should probably just get back to you with an answer to that question i mean this is one where if we go through the

[01:14:59] whole process the board and you know endorses it and then you can send it up the food chain and oh they don't like it and then all that's for not so i'm just curious if this is like us what exactly that is is it a sign off is it more just procedural and they sense it's a state code driven thing that they want to sign off i think i mean i can't imagine the level of projects here would drive uh you know get up the ire of the ga or the gov but wow did i just say that out loud but i mean I could see how there's bigger projects in the state that could be more politicized where this

[01:15:37] could be interesting. But I mean, that's a concern. I don't want, this is an Albemarle, a county project. It's something that we're allowed to do. So I want to make sure we all fully understand what that certification means at the state level. Great question. Thank you. And then page 21. And this, I read through, you know, I saw the days and you have to publicly post a notice and the things that are there rightfully for public transportation or public notification.

[01:16:10] But on page 21, H number two, it says may set a public hearing. Are we required to hold a public hearing on these or not, I guess is the question. I don't believe that we are required.

[01:16:25] So it's just the notice being made in a public fashion in similar ways that we hold notice when we'll hold public hearings, but we don't necessarily have to hold the public hearing. I believe that's correct. Well, thank you. Those are all the questions for this.

[01:16:41] I think this is great, good tool. I think this could be very helpful to get some things done in the county. So I'm hoping that whether they're solicited or unsolicited, that we can maybe see something over the next 12 months that get one rolling so we can get expert at this because I think this is a good way to get at some projects.

[01:16:58] Thank you, Lance. Thank you. Supervisor Malek. Thank you, and thank you for the thorough homework and presentation. I'm reassured thinking that the legal eagles have taken all the wording because I found the wording to be pretty over the top as far as my comprehension of it.

[01:17:17] So if it's state code and the lawyers have written it, then I'm ready to go on that. And I think I understand that not all the details are written yet and probably wouldn't be until as the first project comes along, then we will learn things that then have to be made easier for the second.

[01:17:38] You know, the guinea pig is going to be a big learning process for everybody. But I'm also very hopeful that something like this might enable structured parking, which is going to be needed really quickly around many areas in our growth area, would be something that could be advantaged by this process.

[01:17:57] So I look forward to it moving forward. Thank you. Thank you. Supervisor Pruitt. I don't have any questions. Thank you. Thank you. We have slide eight up, and I just want to clarify something. The question was asked about after staff evaluation, the county must publish notice of proposals being considered and may issue a notice inviting others to submit a proposal.

[01:18:16] If I look at this, I believe it says that if we are accepting or wanting to go forward with the proposal, then we, in fact, the language I believe is looking at here on page five, it says the county will publish a notice inviting others to submit competing proposals.

[01:18:35] so i was a little bit confused as to what may and will there there's a competing may and a must in the guidelines um i will um need to defer to our attorney mr rosenberg is anthony beset in the audience today i will say the language in the in the guidelines that says after accepting an unsolicited proposal the county will publish a notice i see that's why i'm saying i don't think It's inconsistent with this.

[01:19:07] It just is a difference between one that's being considered and one that's to be accepted. If it's to be accepted, then there has to be, as I read this, I just want to make sure I clarify this. Thank you. Any comment? Okay.

[01:19:24] We'll look into that. So, and other questions that I had, I believe, have been answered. I had interpreted the public comment, setting a public hearing, as being that 430 days before entering it, that the public hearing could be held during that time.

[01:19:48] I didn't know whether that meant we had to or not, so I would like some follow-up on that, because I thought it had to do with time as opposed to the requirement. Does that make sense? Thank you. Certainly will follow up. Okay. But otherwise, I think this is great.

[01:20:03] obviously we'll be able to revise the guidelines if it turns out that there's something that needs to be revised but uh at this point when getting it started and i really appreciate this do we have any

additional comments uh chair andrews i just want to make sure i understand um the issue that you may have identified um before you spoke about the public hearing with the with the may versus

[01:20:31] the must. Okay. I'm looking at page 5 under 5A1, unsolicited proposals permitted. The last sentence in the first paragraph says, after accepting an unsolicited proposal, the county will publish a notice inviting others to submit competing proposals. Am I missing something?

[01:20:58] and that um and the language um indicating permissiveness may was on the slide was on the slide but in the context of considering the proposals in other words if a proposal is being considered they may solicit other proposals whereas in this it says if a proposal is being accepted they will publish a notice so that's where i'm just a little clarification would help

[01:21:28] Yeah, so I think, you know, to the extent there is a conflict or a difference in what is presented in the slide and what's actually in the guidelines, you know, certainly what's in the guidelines that are adopted by the board would be controlling.

[01:21:57] So as drafted, it provides that after accepting an unsolicited proposal, the county will publish a notice inviting others to submit competing proposals.

[01:22:14] So that would be the procedure that would have to be followed. And I believe that's also consistent with unsolicited proposal fees on page six, where it says that there's a \$5,000 fee for processing, review, and evaluation of unsolicited proposals. And if an unsolicited proposal is accepted for publication, the fee will be refunded.

[01:22:34] So at that point, presumably you're going forward to allow other competing proposals and the \$5,000 is returned. So we're not keeping it if we accept somebody else's proposal. We start to look at other options.

[01:22:51] That's only for when no one else is interested. And we don't know whether it's worth reviewing. I'm happy with the way this is worded.

[01:23:06] Yes. So I think that the fee is refunded. So there's sort of a, as I understand it, there is a decision made upon receipt of an unsolicited proposal whether to further consider it or not.

[01:23:30] And if the decision is made to further consider it, then the publication is made and the fee is refunded. That's my understanding. Do we have any other questions or comments? If not, we'll make the motion, but I want to ask Steve a quick question.

[01:23:48] Because in my world, I think the motion is to adopt attachment B, which is the resolution, but the guidelines attachment A as amended because we did make a change to with this blue sheet. We made a slight adjustment.

[01:24:07] Yeah, we added the four words, to be apportioned, is to be apportioned. So the motion would be, what I was going to say was, adopt resolution attachment B to approve the Public Private Transportation Act guidelines and attachment A as amended. I think that you can make a motion, Vice Chair McKeel, that simply adopts the proposed resolution approving the guidelines as amended.

[01:24:38] So moved. Second. We have a motion from Supervisor McKeel and a second from Supervisor Malik. Without objection, the clerk will call the roll. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Thank you. Thank you, Mr. Stewart. Thank you. Board will now move to item 10, Brookhill License Agreements for Improvements on County Property. And I believe this is being

presented by Mr. Frank Pohl, our county engineer. Welcome, Mr. Pohl. Thank you, Chair Andrews. Excuse me.

[01:25:09] Chair Andrews and the members of the board, my name is Frank Pohl, the county engineer in community development. I'll bring this up. So this proposal is for the board to authorize the county executive to sign license agreements for improvements on county property. This county

[01:25:44] parcel is located, or is shown on the right-hand side in the photo there. It's at the corner of Ashwood Boulevard and U.S. 29. Parcel ID is 46B51C. The project is part of the Brook, this road is part of the Brook Hill project, which is down on the right-hand corner of this photo. Archer Avenue, which is also known as the Ashwood Connector, runs from Hologrounds Road up to Ashwood Boulevard. The other approvals that have occurred with this project include ZMA

[01:26:22] 2015-7, 2018-11, with proffers, special use permit, various site plans, road plans, subdivision plats, WPO applications, and quite a few building permits already. The proffer itself is written here. It's dependent or conditioned upon, excuse me, the completion of this connection is conditioned upon two different thresholds for building permits. One is 500 single-family

[01:26:52] The permits, dwellings, we call them right here, is multifamily, including other than, excuse me, other than multifamily assisted living, rest home or convalescent facilities. So basically single family detached homes or 800 permits, the 800th permit for any dwelling type, whichever comes first.

[01:27:16] We're at approximately 630 total and 230 single-family detached, so the builder or developer is trying to get ahead of, stay ahead of their production of units and start the construction of this connector road.

[01:27:34] Some of Archer Avenue down here has already been accepted into the secondary system of state highways, so this is, again, just continuing that up to Ashwood Boulevard. This is an exhibit to provide a little bit more detail of what the licenses are to address.

[01:27:58] The county parcel is highlighted in red. Let me turn on my laser pointer. So this is the parcel. There is a VDOT stormwater management facility that was constructed as part of the widening of 29.

[01:28:15] To the left over here, things are turning a little bit sideways here, so north is to your right. The Brookhill development is on the left. Archer Avenue, which is the connector road, is right here. There are some stormwater management facilities proposed with this project to provide on-site treatment on each side of the road.

[01:28:37] Both of those would be on county property. There is a landscape buffer here between the Forest Lake subdivision and the roadway. The roadway will be a two-lane road that includes a median, bike lanes, street trees, five-foot pedestrian sidewalks on each side of the roadway, stormwater management.

[01:29:06] The project includes a stream crossing right here, and I already mentioned the landscaping buffer between Forest Lakes and the roadway. One other thing I wanted to point out here, the license areas.

[01:29:25] this line right here I've included in a packet a better kind of a another view of that as a in the plat there's a plat in the packet but essentially it's this line right here in this area to the north on the page

here and to the south for grading landscaping and more more permanent type license agreement this center section everything within the right-of-way will be quote temporary

[01:29:58] until the road is accepted by VDOT, which brings me to a better description of all the licenses. There are three, and we had three because of the different timeframes for each license and bonding requirements for each. The first two require bonds. The third one does not. I'll just go quickly through them. The first one is grading and road construction, so that includes everything within the right-of-way, establishing, maintaining, repairing the roadway until the improvements are

[01:30:30] accepted by VDOT, and all of the things included are listed there. The second license is for the stormwater management facilities. These facilities will be permanent, so instead of performing or entering into a typical stormwater management agreement with the developer, we've developed this license to kind of take that place. So there will be ongoing maintenance, but that's being passed on to the developer, who then will pass it on to the HOA. And then lastly, the landscape

[01:31:05] landscaping license, which is that buffered area. And that will also include rather long-term maintenance. So with that, I will open it up for questions. Thank you. Board will go through our order. Supervisor McHill. In general, thank you for the presentation. And I'm supportive. In general, I'm very supportive of connectivity. That's what we have said we want to do in this county is to

[01:31:39] move people around different ways. Help me understand a little bit better. My red flag always goes up when we talk about turning something over to an HOA, just because I've had real issues in my district about HOAs letting things fall between the cracks over the years, just being really honest about it, and then coming back to the county and saying, you have to help us, right? And then communities being an uproarist. So, Frank, so people in the HOA will know about this. I mean, it's obvious, I guess, there'll be paperwork, but just help me

[01:32:18] understand a little bit how that process works so that everybody knows and everybody will be required to. Sure. So the license agreements will be signed by the developer. And as part of the turnover process from the developer to the HOA for stormwater management facilities, we meet with the future HOA board or their representative to explain the responsibilities for maintenance moving forward. That occurs on every project that's built by developers because the county

[01:32:54] does not maintain private facilities. This could be deemed as being a public facility because it's serving a public roadway. The board could change their mind later on because these are revocable licenses to take over maintenance in the future. I don't know if that puts the board in an awkward position or not, but that was decided that instead of proposing easements on county property to do the licenses that requires the maintenance moving forward, but allows some flexibility on the county

[01:33:28] side. And what I was specifically referencing were not stormwater issues, but more other types of issues like maintaining roads and situations like that, infrastructure. Yeah, there have been questions about this one for that particular purpose early on about maintenance of stormwater facilities. But this is where we landed. The buffer is proffered also. So these are proffers that were volunteered to by the developer. Yeah. All right. Thank you. That's the only question

[01:34:08] I have for right now. Supervisor Galloway. Yeah, I don't. Thank you, Frank. This isn't relative to this item today, but it had recently come up that it mentions it in the executive summary, the connection of Ashwood eventually to Burkmaar.

[01:34:25] I don't think there's any movement on that that requires the development across the road, but I'm just reminded of that because of a constituent question, but that's something I don't even need a response now to. It's just if there's any, I don't think there's any plans in the work, but it says our comp plan calls for that connection.

[01:34:46] So I'm just curious what that means. And then just to clarify, I did say signalized. You were talking that Ashwood and Polo Grounds are signalized at 29, right? Just the way that it worded there.

[01:35:02] All right. Thank you. Thank you. Supervisor Malek. Yes. Thank you. The question I have, all the others have been answered, but for the maintenance of the stormwater feature, will there be written timetables for what needs to be done on a regular basis?

[01:35:19] So that'll be part of the conversation you have with the HOA people eventually. So it's not just someday, but every three years you have to do XYZ or something to keep it going. There are guidelines and the regulations for that, and it's on the plans that get approved.

[01:35:36] Okay. And we follow state guidelines for the maintenance. Okay. But civilians probably won't get that off the plan, so perhaps you can give them a list. It will be on the plans. We require those maintenance schedules to be on the plans that they get. All right. All right. Thank you. Thank you.

[01:35:53] Supervisor Pruitt. Thank you for the presentation. I have no questions. Thank you. Thank you. Also, I have no additional questions. Board, I believe there is resolution motions here to be considered.

[01:36:08] This is actually, I believe, in the Ravana district. Yeah, if the supervisor would like to make a motion. I move to adopt the resolution attached to the staff report as attachment G. Second. We have a motion from Supervisor Galloway, a second from Supervisor McKeel.

[01:36:27] Without objection, if the clerk will call the roll. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Thank you. Thank you, Ms. Fulton. Thank you. Board, this brings us to recess for 15 minutes.

[01:36:43] We're a little bit behind, but we'll take the full 15 minutes, but come back promptly and start into our work session on AC44.

[01:42:34] All right.

[01:51:09] Welcome back, everyone. We are now moving on to our work session, AC44 work session, draft goals and objectives for the Rural Area Land Use and Transportation and Development Areas Land Use and Transportation. And we are led by Victoria Canelopoulos, Principal Planner. Welcome, Ms. Canelopoulos.

[01:51:28] Thank you. Good afternoon, members of the board. My name is Tori Canelopoulos, Principal Planner in the Community Development Department, also joined by a number of my colleagues this afternoon to help answer questions as needed. And today we have a work session on two of the Comprehensive Plan chapters for goals and objectives for the rural area and the development areas.

[01:51:48] So we will start with a brief overview of where we are in the AC44 process, how we drafted goals and objectives, and the purpose of today's work session. Then we will move to board discussion for each chapter, and I will share a quick overview of each chapter and a summary of the Planning Commission's feedback, and then pause for board discussion and questions for each topic.

[01:52:09] We should have about 50 minutes for discussion for each, and then wrap up with next steps. There are eight plan chapters, each of which have goals, objectives, and actions. Goals are where we want to go. Objectives are outcomes or targets to help us get there.

[01:52:25] And the actions are the steps to make the plan happen. We are wrapping up goals and objectives with phase two, and then we'll kick off phase three later next month, which will start with sharing draft action steps and then move into big moves, which are plan priorities, and that will also include sharing metrics to measure success.

[01:52:43] So there are three steps during phase two. In the first step, we heard community priorities by plan chapter, and that provided a really strong base for drafting plan recommendations. And then in the second step, we heard input on planning toolkits for coordinated land use and transportation.

[01:53:00] So that included activity centers, developing a process for potential future development areas expansion, rural crossroads communities, and rural interstate interchanges. And I'll talk a little bit more about the direction that we heard from the commission and board on those topics. And then in the third step, we have been sharing draft goals and objectives by each plan chapter.

[01:53:21] So during phase two, we've had a variety of opportunities for community input, including online questionnaires, pop-ups, open houses, rural area meetings, community advisory committee meetings, and then meetings with our other county committees, including the Economic Development Authority, Natural Heritage Committee, Architectural Review Board, Historic Preservation Committee, and the Solid Waste Alternatives Advisory Committee. Goals and objectives are drafted through an iterative and collaborative process by an interdisciplinary team of county staff in coordination with partner agencies and departments. This includes reviewing the

[01:53:56] current comp plan, incorporating best practices, and using the AC44 framework. Refinements and updates are made based on community, county committee, planning commission, and board input. And as mentioned, the draft goals and objectives build on the community input we've heard throughout phase two, including on challenges, opportunities, priorities, and the planning toolkits.

[01:54:17] The next two slides summarize the direction that we heard previously from the Commission and Board on the four planning toolkit topics. So we heard that we should update activity center locations and place types throughout the development areas to encourage walkable and mixed-use development and support the growth management policy, and also that we should prioritize efficient use of development areas land over potential expansion, including through redevelopment and encouraging mixed-use centers, and also to draft a process for how to evaluate and consider potential future development areas expansion if an expansion is found to be needed in the future. Efficient use of development

[01:54:54] areas land is a topic we'll be asking for the board's direction on today. We also heard that for the rural area, we should explore opportunities for small-scale and community-serving uses and services, and opportunities for community resilience hubs. And this is a topic that we will also be asking for the board's input on today. We also heard to identify recommended land uses for Shadwell and Yancey Mills rural interstate interchanges in the future through a future small area plan process, prioritizing a plan for the Shadwell interchange. And the draft objective 4.2 notes that that includes exploring land uses that could support agriculture and

[01:55:32] silviculture industries. So the purpose of the work session is based on the community input heard to date and the planning commission's feedback on these topics. The purpose is for the board to give direction to staff on any changes or additions to the draft plan recommendations so that staff can proceed with drafting action steps. The draft goals and objectives before the board today are the same draft recommendations that were shared through online questionnaires and with the planning commission. Revisions will be made after today's meeting to incorporate feedback from the community, county committees, the planning commission, and the board. So we'll

[01:56:07] start with our first chapter which is rural area land use and transportation. We wanted to highlight the rural area priorities that the team has heard throughout the comp plan update process and that we are incorporating into the rural area chapter. Many of these priorities are consistent with the current comprehensive plan with an overall emphasis on protecting the natural environment and having usable land for agriculture and forestry in the rural area.

[01:56:33] We have also been hearing a need to consider appropriate and feasible small-scale land uses in some areas and multimodal transportation for rural area community members as approximately 45% of the county's population lives in the rural area. So we need the board's feedback on the land use and transportation topics where there is less consensus before moving into action steps.

[01:56:54] And the rural area chapter is organized into the following land use and transportation goals. And I would like to clarify a few of the land use goals to be more clear about how they would be implemented. The third goal is focused on increasing community resilience and equitable access to services and resources in the rural area. So this includes the concept of resilience hubs, which can be publicly owned facilities or businesses or community organizations.

[01:57:20] An example would be Yancey Community Center, which has community programs and resources and could serve as an emergency shelter. Resilience hubs in the rural area would primarily use existing buildings. And the goal also includes the concept of crossroads communities, which I will cover in more detail on the following slides. Primary purpose of goal four is to use proactive planning for areas where there is already by right non-rural area development potential or existing development based on existing zoning, such as properties that are zoned, light industrial, or highway commercial. And implementation would primarily be done through future small area

[01:57:54] planning efforts for those areas, and it could be that no changes are recommended. I also wanted to specifically mention Objective 1.3, which is to develop and adopt a rural area land use plan that focuses on protecting and supporting working farms and forests, the natural environment, important areas identified in the Biodiversity Action Plan, and rural landscape context for historic resources.

[01:58:17] So I'm going to skip through the draft goals and objectives language since you all received those in your packets, but I'm happy to return to any of these if it's helpful to have the language on the screen. The concept of crossroads communities is included in the 2015 comprehensive plan, but does not have significant guidance. With AC44, the draft definition of crossroads communities is that they provide access to essential public services and basic service needs to rural populations that are more distant to designated development areas, and that they can also serve as community resilience hub locations. So the draft definition notes that the purpose of the

[01:58:55] designation is to determine essential services and needs for rural populations. We've heard significant community input on the need for health care, spaces for community gathering, and programs

such as job training in the rural area. We've also heard some interest in certain small-scale uses in rural communities, such as small medical offices. These communities are not development areas designated for economic development. The purpose of identifying crossroads communities is to identify places with active businesses, services, and community spaces that provide good services and places to gather for surrounding community members to then set up a

[01:59:32] process for future engagement and planning for these communities. No land use changes or by right zoning changes would be recommended during AC44, and it's also possible that no land use changes would be desired through future engagement. So this is an area that we are asking for the board's direction on, which is how to proceed with providing more equitable service in the rural area while being consistent with the growth management policy and rural site constraints.

[01:59:56] This summary of feedback from the Planning Commission and the specific questions for the board are intended to highlight areas where we've heard less consensus and where we need specific direction from the board before we move into phase three. So we would appreciate the board's feedback on any of the draft goals and objectives for this chapter and especially want to address the following questions. At their most recent work session, the Planning Commission supported allowing additional small-scale and community-serving uses, such as doctors or dentist's office and professional offices, buy a special use permit in the rural area, specifically in locations with existing businesses and services, and prioritizing adaptive reuse of existing buildings. And we would

[02:00:35] like the board's direction on this recommendation. And also, should we continue with the crossroads community concept and identify specific communities with the comp plan update to set up a process for future engagement. So with that, I'll turn it over to the board for discussion and questions and happy to return to any previous slides. Thank you. Thank you. A lot there. So we'll go through our order. Supervisor McHugh. Sure. A lot to talk about with this and I really appreciate all your all's hard work up until now with the planning commission and staff. So looking at this, this is

[02:01:10] what you really want us to hone in on right now. I am supportive of small-scale and community serving uses. What you have on the, I am very supportive of that. I think that that could be very beneficial for the folks that live in, certainly in the rural area. The crossroads communities concept, there's been talk about a small area plan, and I'm assuming when you talk about further discussion or further involvement that is what you're referencing as a small area

[02:01:50] plan um and i think that's a great idea for um the going forward with the crossroads community concept i am in favor of them in theory but the devil's always in the details right um and you you want some let's see transportation you want those two the all four bullets right what you're looking at? Yeah, especially direction on the first two, but also we're happy to take board feedback on the other two bullets if you all have comments. So let's talk about

[02:02:27] transportation in the rural area. And I heard something about bicycle and pedestrian transit, or I saw. I'm just not sure exactly how that would play out realistically with our limited financial resources and i'm not saying that there aren't some transportation priorities that we couldn't look at in ways but realistically we're struggling in the development area for

[02:03:05] transportation alternatives and walking biking i certainly understand the walking and the biking i'm less i'm not real sure how is that recreational biking so it it could be it could um you know

include recreational biking or um you know walking either on rural roads or on trails that are you know built in the rural area which can be private or public some of them are more community built

[02:03:41] and i think some of the improvements could include you know looking at wider shoulders where feasible or if there's a project going on so it doesn't have to be um large-scale improvements necessarily. Because we have limited resources. I mean, there's no doubt about that. I will say when it comes to walking and biking, I'm interested in people being able to get safely to places that they need to go, like a grocery store or a doctor's office. That's where my focus

[02:04:15] is right now because of our limited resources. I like the idea of trails, getting to that with public-private partnerships or private land and however we can make that work.

[02:04:32] I thought VDOT had already agreed that as they were paving, certainly on Garth Road, as they've been paving those areas, they had agreed to extend the pavement and make the road as wide as possible within reason. I thought that was already happening. Kevin, maybe?

[02:04:54] Since 2002, it's been in the plan. Exactly. So, I guess, let's talk about, I thought that was happening, because Garth Road is a great example. You have a little shoulder on both sides, and then it just goes like this, right? And I've noticed, as VDOT's paid, they have extended that shoulder as far as they can, which is a great idea, but if they start trying to get into those ditches, boy, you're talking cha-ching, cha-ching, chain. Yes. Thank you for the question, Supervisor McKeel. I don't have great info for you on Garth

[02:05:29] Road specifically. Within the parameters of the funding program that VDOT uses to do the paving, they might make the roadway as wide, the shoulder as wide as possible. Let me get back to you and follow up with the board after the fact to try to get you more information on that road in particular. Yeah, because I thought that, and Garth Road was just an example, but I thought that we already had that agreement and i'd like confirmation of that because in a way it makes sense that is an alternative way to get some extra width without having to go in and actually create another road

[02:06:04] on each side so thank you very much let me remind everybody when they because of the transcript introduce yourself when you come up jessica hirsch-baller a principal planner with community development thank you thank you and i missed that jim thank you we just thought everybody knew you jessica no we didn't um the transit is a little bit harder um i mean there is no way that we can afford to put a robust transit system in 726 square miles right we're working on transit right

[02:06:39] now and i would suggest that something like a transit in the rural area eventually might be something that the transit authority might be able to look at and to figure out where are our priorities, but the issue is how are we going to pay for it, right? But I think certainly we do have some transit. John is running some transit into the rural area now, and I think it's important if we can do it, but I'm cautious about giving people the expectation that there could be the

[02:07:17] same robust transit system in the rural area that there is in the development area. I probably have more to say on that, but I'll stop. I really like the idea of resilience hubs. And to me, the utilities, wildfire risk, that goes with our concern around climate change. There's no doubt about that. And so certainly, I would be very much in favor of working through those issues.

[02:07:55] Addressing failing septic systems is really near and dear to my heart. We have in the rural area, right on the edge of the development area, failing septic systems that are polluting our groundwater.

[02:08:12] And folks cannot afford to do it. We've got to get to this. If you want to clean up your waterways, one of the best ways we know of now is to make sure that you don't have failing septic systems. So I'll just let that go for now and let other people have a chance.

[02:08:32] Thank you. Thank you. Supervisor Galloway. Thank you. I guess I'll go through how to attack this.

[02:08:51] I'll just do the panel first that you have there so I make sure I address it. I'm fine with allowing, number one, by special use permit. I think this is a way where the special use permit is actually a good process. Because then we can take the site, the specific nature, the specific impacts, and the specific community input on it and make a decision based on that.

[02:09:15] And it then also requires an applicant of some sort bringing it forward. And if an applicant's bringing it forward, then there's probably some sense of a demand or a need for it in that area.

[02:09:31] Otherwise, they would not be proposing it for that area. So I think this is actually a good process for this type of consideration. The Crossroads Communities item, I mean, I have some thoughts on this, which really basically, to sum it up, leaves it in the hands of the people that live in those areas.

[02:09:53] Crossroads Communities came to be because of who lives there. What was put there, what was needed, how it was built, how it was used, was all developed through that. I don't know that I'm ready to say that I'm wanting to go build community centers.

[02:10:10] It doesn't seem like that was in here, but that's one option. Like, does the county take on building a community center in a crossroad community versus partnering somewhere where it needs to be? I see bullet one is how you get the things into the crossroad communities that are needed.

[02:10:29] You know, Yancey, what's going on at Yancey would not be happening if not for the school division's decision to shut down that school. So we wouldn't be going out there and putting all the things out there if that school, if the school was still open, there may be some of the services there.

[02:10:49] But if that school didn't exist, period, we wouldn't be doing any of that out there, but for the space and the building being there. So that, to me, shows like, well, since there is an idea in these other crossroad communities, there could be buildings or something that somebody owns that they want to reach out and partner with us on to provide some public services, but then it could stimulate it again just like number one or bullet one from the community, from maybe what the local demand is.

[02:11:20] I feel like we should somehow provide places for folks to go when power's out, especially during either extreme heat or extreme cold times. Whether or not those have to be in the crossroad communities, I don't know, but they're definitely, this county has a responsibility to provide that.

[02:11:44] We, you know, if we open up our schools, the schools seem to be a way to do that. Any fire stations, if they have capacity. So relative to the concept and identify specific communities, I hate to say it, But I'm kind of on the fence here because I don't want to relinquish the control and the nature of what created the crossroad community to begin with, which is the local community deciding what to put in that community and the private market determining what goes there, if that makes sense.

[02:12:20] Sometimes I almost feel like us trying to do something with the concept and identify specific communities is government trying to put a stamp and a definition and get in the way a little bit than what could just be naturally occurring.

[02:12:40] So that's my feedback on that. I don't know if that was so much direction as commentary. Transportation funding prioritization consistent with growth management policy while also exploring ways to make walking, biking, and transit safer, more equitable in the rural area. More equitable in the rural area compared to what?

[02:13:01] I guess to the current state of today. I guess, compared to, you know, the opportunities that are available today. So making, you know, sure there's more access, but recognizing the difference between the development areas and the rural area.

[02:13:17] So more opportunities for walking, biking, and transit as feasible within the constraints of not being designated as development areas, not expecting the same level of service. well then consistent with well we're not putting walking biking and transit infrastructure out in the rural area there's no way there's no way so i'm not going to be supportive of doing that erase that there are folks at one point at a town hall meeting i remember maybe year one and had me join her in an earliesville meeting and somebody wanted us to put bike lanes along

[02:13:54] earliesville road and i said no the the cost to put bike lanes out earliesville road compared to all the other transportation projects we have to do, would have been crazy. Now, I appreciate that bikers want to use Earliesville Road, and I'm not against bikers using Earliesville Road.

[02:14:12] But there's a lot of other things on our 100-plus transportation priorities list that are going to be before a project of that magnitude and cost, not to mention just getting the private people's access from Domain. So if this is more about providing places for them to go to bike and walk or what the public tells us they're already using, meaning keeping gravel roads gravel and not turning them into paves because it keeps them safe for walking and some biking.

[02:14:43] I'm okay with that as an approach. But transportation funding prioritization, I think, needs to be determined. And I feel like you've got it laid out in there, how we go about determining where the projects go. But I don't think the rationale is necessarily different for the development area or the rural area.

[02:15:03] If we have a need and we have safety issues and we have congestion issues and it's defined, then it's probably on our transportation priorities list for funding. And then we just have to determine where it ranks relative to everything else. So I don't know that there needs to be anything more than what you've maybe already got laid out in the comp plan for that.

[02:15:29] Now, transit safer, you know, transit, it seems like part of what is considered for transit in the rural area, rightfully and justifiably so, are for the folks that live in the rural area. You know, and we think of, well, if I live in the rural area and I have to transit into the development area, then how is that possible?

[02:15:53] But we often don't talk about the reverse. So for people that live in the development area that do not have any parks in the development area that want to go out and enjoy the rural area, the only real way for them to do that is by car, which then creates the impacts the folks that live in the rural area don't want.

[02:16:13] But if we're going to put everybody living in the development area and keep most of the predominance of our county in rural area for good reason, then we also have to think about how do we allow people that don't live in the rural area the opportunity to enjoy the rural area without it just being a drive-by.

[02:16:35] And I don't know how to get at that. Microcat, maybe. And the authority might be able to work. The authority may be able to work on that. I know rural transit, and if we can get going on, the authority is going to do a rural transit needs analysis. But I don't see transit in the rural area as just moving the folks around in the rural area, just like I don't think of the development area in transit as just moving development area folks around the development area.

[02:17:01] So there's some crossover here. If we're going to put the onus of density and the issues that come with great density in the development area, You know, I've heard in comments and in emails that we receive that we've got to be as efficient as possible with the development area. Well, there's people living there, and there's a quality of life that competes against efficiency, and that's something that we have to take into account.

[02:17:23] And this has nothing to do with expanding the development area or growth area or expanding that. This is just simply we all are residents of the county. Some people choose to live in the development area. Some choose to live out in the rural area. but the county is there the public benefits of the whole county need to be accessible by everybody and then we have to think about how to do that if transit we could figure out how to get the density i mean i went to where uh one of the breweries in nelson county or distilleries in nelson county and saw the traffic going out there on a saturday and i mean good grief no wonder

[02:18:00] there's a roundabout out there and they're big projects but if there was an alternative way for folks to go out there especially since it's a distillery or a brewery and they don't have to drive their butt back then that would probably be beneficial in a lot of ways including the impact so that's a lot of commentary um i just i don't know the solution to that but that's one that if we're thinking of transit in that way then we're good to go because otherwise transit i think we're getting it starting to get after some stuff even though people question like park and rides and things like that those are ways for people to get to the main corridors and then move without

[02:18:40] necessarily having to drive the whole way. I think I've already talked on the resilience hubs. You know, when I think of the folks in Rio District out in Earliestville, when things go, you know, there is a different expectation level, especially for people that have lived here a long time for what services are available to them. So I think a lot about them when we're having this conversation and having a place to go when heats out and or waters down or powers out is an important piece and restoration of those items where it's it's most difficult in the rural area so when power lines go down getting them back online faster those are the things that tend to

[02:19:17] come to the surface i'm sure ann will speak more more to it um so i think i've addressed those panels my other questions i think full on and and i've i've already talked to a few people i think myself included and i appreciate that the pec and others have sent us information on this But at the end of the day, just what the authoritative or the final report is of our agricultural activity, how it breaks out and what it is and what it means is something that I don't know who the expert is.

[02:19:50] So if there's an expert out there, then if it's the PEC, then they can say we're the expert on this. But looking at the census data and trying to decipher that, understanding like the comments today about the importance of hay versus if it's a different type of agricultural production.

[02:20:07] We have things stated in our goal, like 2.1 is, am I on the right, that's transportation. 2.1 under rural land use, or goal two, is we'll have a strong agricultural and silviculture economy in the rural area.

[02:20:26] And then 2.1 is focus the county's economic development efforts on supporting local production and value-added processing of agricultural, silvicultural products, and on small-scale outdoor recreation uses and provide access to nature. As soon as I read that, I said, how are we doing? What's the program evaluation of that?

[02:20:43] And I don't know the answer to that. So in the past session, when we went through AC44 stuff, you were asking for, are these the right goals? Are these the right objectives? I don't know if this is the right objective because I don't know how we're doing. And economic development in this county is so young.

[02:21:05] You know, I know what projects we've worked on that would be in the rural area versus development area. But I need a baseline, like a sense of where we're at. So I have reached out to folks to say, okay, but we have a reputation in this county for it being that land and land use isn't really farming and it's the cutting of the hay comment that was made earlier.

[02:21:28] I mean, that's a reputation. And if that's the case and it's not accurate, what's that? Whose reputation? People say that all the time. We're just giving away tax credits to landowners and there's not really farming there and it's not really agricultural. I'm not agreeing with it. I'm just telling you what the perception is. I hear it all the time, especially from residents that have moved here in the last 10 years, which that in and of itself is probably programmatic.

[02:21:52] So if it's not accurate, then it's probably contingent on us to figure it out, what the facts are, and do a better job of educating the public on it, of how it supports what we're trying to say. And, you know, I'm realizing in my prep for today that I need to do a better job getting educated on it myself so that I can dispel when folks are making you know we make comments about well at the planning commission a commissioner well I mean come on I know who it is and what's going on and what was said so if if we all need to learn a little bit more than we need to then that's okay we just contingent on us to go do it and not just live like in platitudes or

[02:22:30] false statements so the nature of us being working farms what we're producing where it's being produced, what the output is, is it being realized locally, or are the outputs going somewhere else, just like we evaluate every other economic development activity in the county, is something that I think we just need to have a better grasp on. And I'll leave it at, I'll leave that. And just to very briefly address that, since we heard that from the Planning Commission as well, I believe we are working, you know, with staff internally, and then with some partner experts as well, to pull together some of that information, so we can definitely share that in the future as well.

[02:23:09] And we'll use that to help inform drafting the action steps. Under transportation, rural area transportation, 2.4 and 1.4 seem to have some inherent conflict to it. In one goal or objective, we're talking about the movement of goods.

[02:23:28] In another, we're talking about putting through truck restrictions in because communities don't want the truck traffic. Well, the movement of goods is happening on the truck traffic. I'm calling this out, not saying I'm in favor of one or the other. I voted for the through truck restrictions. But if it's the comp plan and it's rising to that level, objectives, if there is inherent conflict within them, maybe we should address that before we set them up to be some failure.

[02:23:54] Is the movement of goods more important or is the through truck restriction more important? That's not a fair comparison because the movement of the trucks in alternative routes than what they're

necessarily taking doesn't necessarily mean that's bad.

[02:24:10] Just like when we put it through Batesville, the trucks have a more reasonable way to route around that's not really disrupted. And, well, that was my opinion. So the movement of goods was not disrupted. But I don't, anytime I see one objective or goal that's kind of set up in competition against another one, I think that's worthy of some further looking at and going, well, wait a minute.

[02:24:33] Let's not set ourselves up for now we're dealing with the movement, we're devaluing one over the other in given situations because then both can claim the comp plan as evidence as to why we should be on their side. And that, you know, when we have land use applications that come before us and the applicants are claiming the comp plan for why we should vote for it and the residents are claiming the comp plan for why we should vote against it.

[02:25:00] well what so that that's the that's where in the bigger picture i'd like a lot of that stuff you know hopefully we'll get cleaned up but that's just an instance of it i think i've made the other comments that i'm going to make but overall following the lead of the last time when i when i go through your chapter here for land use and then rural area transportation relatively speaking i did not feel like that there were any goals here that i was dissatisfied

[02:25:36] with the statement of the goal nor did i feel like that there were any objectives missing i'm going to give the overarching caveat that i did the last time the devil's in the details and the action steps so anything in here that and there's a lot of them i wasn't going to go through them again like i did last time but there are still places where it's like well it depends on what we're saying how are we going to achieve that or what we're going to do versus just being a wish for or hope for. Thank you. Thank you. Supervisor Menelik. Okay. Well, I apologize in advance because I've spent way too many hours making lists and now I'm totally confused all over again

[02:26:15] because of the speed with which we started. So I will go back through your presentation and start there just to address the things that you brought up the most. But, oh, here we go. Okay. So do you want, you zoomed through the growth management policy. Do you want comments about that now or is that's something for another day? We're happy to take comments on that now or at the next work

[02:26:52] session on April 3rd. Okay, so it's coming up again later when maybe I'll be better organized. Okay, then I'll leave that page for now. The land use issues, as has already been said, it depends because a large fuel station and convenience center is different than an artist and furniture maker as far as its impact, its ability. So I will, somewhere down here, I will use

[02:27:31] Earliestville as an example, which we all thought was a crossroads community for 20 years, but it seems to be not on the list anymore, but I don't, that's okay. I don't care. Five churches, post office, doctor's office, which went out of business due to lack of interest, two auto repair shops, a thrift store. Its grocery store went out of business when the bridge in Advance Mills was closed and all the Greene County people had to find another way. And then Harris Teeter opened at Hollymead and that was the end of the grocery store. The reason I give that example is because

[02:28:09] I'm very concerned when I see long lists of wishes and wants that seem to indicate that people really don't have any idea about what life is like in the country and how people who live in the country do not expect to have everything on their doorstep. So I think, I would hope that our comprehensive plan would not be making promises about all sorts of different things that are very

[02:28:40] little chance of ever coming true. And jumping ahead to the transit idea, bike transit and pedestrian, protecting the gravel roads is the way we solve those issues. And we can't even provide transit for the growth area so there's absolutely no way I'm going to support doing anything organized out in the rural area we have had jaunt bringing picking up people who cannot drive for any number of reasons to take them to work and stopping at chestnut grove for the park and ride

[02:29:18] there for 25 years that kind of thing exists and we should not make it stop but beyond that kind of fee for service call for service private intervention if there's a subsidy or something that's different. There's huge criticism when people see a bus of any sort going by with only two or three people on it, and the schools are always getting yelled at for that, and I'm always explaining. The bus starts in Bacon Hollow and comes all the way to school, and by the time it gets to school, it's full of people, but you can't start in the country and have it full right away.

[02:29:55] So anyway, these are the kinds of things that set people off. I don't foresee us building trails along any of the roadways in the Whitehall District, except for the separated, the three-notch has a possibility because it will not be on the roadway. But I don't see, for safety, it's not safe for people to be riding, even in a bicycle lane on 250 when people are going 55 miles an hour.

[02:30:27] So that's something, I'm totally disorganized here. From 2002 on, there has been a plan from the chart plan and the long-range transportation plan about working on shoulders everywhere they can. So that's nothing new there. We don't need to start reinvent that wheel. Grants to repair septic tanks are available all the time through Virginia Department of Health. They are always trying to get people in to reach out to them to get cost shares, total cost recovery for people of limited means to get these things done. We can certainly use our county effort to help people

[02:31:04] become informed of that. Okay, let's see. Small scale. There's no sewer and water. That needs to be the number one thing governing anything that is considered in the rural area. For resilience hubs, I love the idea. And certainly when the derecho happened, there were many, most of the seniors, particularly the highly vulnerable seniors, would not go to Admiral High School, 25 miles away from their house where their animals were for seven days, even though it was

[02:31:40] 99 degrees for seven days straight and there was no power so anything we can do and we talked at the after action report from the derecho about in limited ways improving some of the facilities at some of our existing structures such as firehouses where there could have places for people to come and get a shower that does not interfere with the operation of the firehouse the firehouses did a great job of having their dump tanks out there so people could get water for their animals take them home, water them that way for people who had already fenced out their streams or never had

[02:32:17] streams and relied on well water for their livestock, which many, many do. So working with our existing churches, working with our existing school buildings and firehouses, I would hope that our language in the comp plan would focus on those existing uses and less inviting new stuff, Because you may have heard, maybe not.

[02:32:42] I hear nothing but, so far, leave us alone. Get the speeders to slow down and leave us alone. In 2015, when Elaine Eccles was working on the last revision, we had a big meeting in the Whitehall Village and tried to collect ideas from people about things that, that was sort of the first adventure on the, looking at crossroads communities back then.

[02:33:05] And people came to the meeting and said, no, you know, we don't want any of this stuff. just we don't want it leave us alone so i nothing has changed that i have heard i've heard general misery from a from many of the little villages in the whitehall district about they're very very concerned about what is going to be dropped on them from above and so i'm reluctant to to i want to try to calm those things 2.1 someone mentioned that the support for the ag and forestal things

[02:33:44] Those are meat processing plants, lumber yards, those kinds of things. We certainly, there is now one at Teledyne right next to the airport. It was a highly technical manufacturing contractor for Northrop Grumman and the Navy.

[02:34:04] And now it has big piles of lumber out there and a sawmill and that kind of thing. But I don't know what the county is doing or should do to do that unless it's some kind of grant support or whatever.

[02:34:19] for state grants that might come down. I don't see any other agricultural economic development as being an option. It's the thing of reducing restrictions, perhaps, is fewer process points, if there are any, might be helpful.

[02:34:39] The real area transit, yes, the total conflict of the movement of goods versus protection of the safety of rural residents. I have issues for the safety of rural residents for wineries and breweries already because the roads are 12 feet wide and there are trees right at the edge.

[02:34:59] And even for people who drive them all the time, they're considered very, very dangerous. And for visitors coming, it is always a risk. In the old days, it was milk trucks and wide tractors and a timber trailer with big logs on it. And now we are seeing, unfortunately, 18-wheelers without estate drivers bringing something from the Walmart distribution center over in the valley to somewhere in Maryland.

[02:35:23] And somehow they end up on 810 or on Free Union Road, and they don't know how they got there, and they don't know how to get out. And it creates a lot of problems for emergency services as well when these people get stuck on the corner. So that's a little bit outside of your, but I guess taking these illusions of transportation things that we can't possibly achieve out of the comp plan would be my preference.

[02:35:52] And now I'm going to go back up my list because I know there are a lot of things I've forgotten. And I could do better if I can get this presentation and then go home and annotate it and send stuff back. I'm having a hard time keeping up with the questions here.

[02:36:09] talked about that okay talked about that talked about that equitable are we talking about vulnerable people or are we talking about growth area versus rural area because i do not think there is a need for equitability between the growth area and the rural area we've established that this is services so if there are if there are programs which need to help vulnerable people get to services that to me is different than the other category and i don't know what the answer is on that but you can

[02:36:44] help us understand that at some time in the future. The legacy somewhere in here, and I don't know if you've gotten to it or not, there was a referral to increasing sewer and water in places where there was legacy commercial or something, and I'm going, oh no, I'm not in favor of that. We have ways to deal with that, and with the managing our water, public water is incredibly important, and we have to just not keep having this bleeding out of demand.

[02:37:25] 1.3, rural use, land use. Did this mean mapping of, okay, so this is, all right, so segregating out the different uses.

[02:37:45] And just to put on your list, many people over the years have bemoaned the fact that Albemarle no longer has agricultural zoning, which it did up until the 80s, and then it was all put into RA. And what that meant was that then it became a residential almost de facto, despite tremendous protests from people in the rural area that said the first use, the primary use should be agriculture and forestry, not ag and forestry and residential and little commercial uses or whatever. And this, a more subscribed description, avoids a lot of

[02:38:24] conflict and a lot of demand for extra expense that we cannot supply. In the area of the future small area plan for Yancey Mills, in 2015, there is a big paragraph about agricultural support uses that's already been written, and so I don't think we need to redo that either. So I just try, I guess the question I asked many months ago is what has been removed?

[02:39:03] And that's because I hope, I know that it's probably not feasible to have a redline version, but that's really what I'm looking for is where, what in the old, the current comp plan are we just dropping altogether? What has been decided before it gets to us about what's not going to be offered. So that's a challenge I will leave with you for another day. Okay. I think I've run out

[02:39:33] of gas, but I know that they're, let me just make sure about this. The permit, updating permitted use categories in the rural area zoning district. And it says to better reflect the goals of the chapter. Can you help me understand what that means? Because I don't understand at all what it means. Sure. And I can ask Scott maybe to come up and help clarify as well. But I think the The intent is to support the overarching priorities and goals for the rural area,

[02:40:09] you know, primarily focused on agriculture and forestry land uses. Good afternoon.

[02:40:26] Hi, Scott. I'm Scott Clark. I'm the Conservation Program Manager in Community Development. The intention of that objective was to have us do a bit of a cleanup of the lists of uses that are permitted either by right or by special use permit in the rural area's zoning district.

[02:40:45] So, for example, if you want to support local sales and processing of agricultural goods and some of those uses are allowed by special use permit, you might want to make them by right. We did something similar several years ago, if I remember correctly, with farm stands.

[02:41:07] But they were by special use permit and we made those by right. That was that same intention was to clean that up. Also, there's been a lot of change in the area of event uses over the years.

[02:41:24] We originally added the special events category, which is a very general category for events in the rural area. Since then, we've added a lot of specific uses for agricultural operations and their events, wineries, breweries, and distilleries and their events.

[02:41:42] So those are all directly supporting ag industries that we want to support. whereas that general category of special events maybe doesn't and we might consider focusing that more on what I think was the original intent back in the early 2000s which was to have special events be about supporting historic sites, listed historic structures. That's just an example of things that might be considered under that objective. Okay yeah I think that okay I would

[02:42:20] look forward to seeing more, and I don't know if it's possible, but I would really appreciate and benefit from seeing the materials as they evolve, because that helps me understand I'm not good at looking at something in three seconds and then being able to respond very well. So I would love to have it be able to be dribbled out so that we can at least read stuff, knowing that it's all in flux and knowing it's going to change. That would be helpful. On page 25, it says, county's legacy of valuing its natural historic and cultural resources should support a thriving rural economy. That, to me, is a huge problem. It means that none of those things are any good

[02:42:59] unless it makes money. And I disagree 1,000% with that. So I just wanted to point that out, that these are things that have value on their own and should not be subserved, I mean, for other values in addition, but also should not be subserved to just an economic development issue.

[02:43:21] and did that, did that. Recap of engagement, okay, page. So 24, the things I had exits by, more services in the rural area, explore land uses that meet our climate action goals, such as regenerative agriculture and solar.

[02:43:44] What about separating out, having some elements more important than others is a problem because it all has to work together in order for the rural area to function at all. And so as uses fit in with, I just don't know quite how the climate action one is overriding the other elements.

[02:44:09] So that's something else I hope someone can explain in the future. There's also a thing here about access to recreation in the rural area, parks, walking, and biking. And we talked a little bit about gravel roads. And I do have some information to share with you about protecting the natural exercise loops that exist now.

[02:44:32] And perhaps enhancing, you know, small places to park along the way, which most private landowners have taken care of, smoothing a little place for people to park in order to be able to walk or run on Ridge Road, for example. We have huge problems with people just parking right in the road.

[02:44:48] And then people with a trailer full of livestock to go to market can't get out of their own street because of the cars parked on both sides. So that's something that we need to think about when we have the opportunity to do that. on page 22 it says some rural roads may qualify for traffic calming programs and this is supposed to residents should do all these things um we have a terrible time accomplishing those things so that's another situation where i'm not sure that's wise to put in the comp plan because it raises people's expectations when i haven't been able to achieve traffic calming on park

[02:45:27] ridge where people are running over cats and and you know having real real safety problems as it is. So that was just something else I marked there. This is, I guess I will stop and do a better job later. Thank you. Thank you. Supervisor Pruitt. Thank you. Could we, you know, the slide I wanted to be back on. Thank you. I want to just start by saying I appreciate the presentation and also I generally like the direction that the rural area chapter is going, right? It's one that kind of the thing I keep bringing up is I think it's important that we

[02:46:07] think of the rural area as a place with real texture, right, is a place with a diversity of actual uses, a diversity of ways of living, and actual diverse economic activity that goes on there. Not just, you know, the blank alternate that I think we sometimes think of it as by default.

[02:46:27] And I think this plan really leans into that. I also want to begin just my comments with like a brief framing thought we we bandy about the phrase equity a lot both within this document and i would

say generally within comprehensive planning without what feels like a very clear understanding of what that framework looks like and how we analyze individual objectives and activities and to me like the basics of an equity framework is you think about who is benefiting from a decision who is uh being disadvantaged by a decision and also who is being not included in a

[02:47:02] decision or an action. That is like the first set of questions you have to ask yourself. And a thing that sometimes frustrates me when we talk about the rural area, and we specifically talk about preserving cultural and heritage components of the rural area, preserving views, preserving landscapes, is I think it's important to remember that most of those are not truly public. And that's something that I think we need to think about, right? If I live in my, and that's even true to people in the rural area. If I live off 20 on my two-acre parcel with my home that is directly

[02:47:38] off the road, I cannot witness grand views. I cannot explore the rustic rural community because I have a fast-moving and dangerous road that is the only way I can get out of my own home, and it does not connect to anything. There are not methods of enjoyment. So I want to begin by just saying I think it's important that we highlight and uplift elements of the draft that focus on placemaking and with that I want to go into kind of what you're talking about here I am broadly in favor of the addition of very small

[02:48:16] scale and need driven special uses I think I might be in some agreement with some of my peers in that this seems to be fusing a lot of what we're thinking about um the possible direction that crossroad communities can be going things that are also going to be need driven and community driven um and i do have i think concerns that i imagine are shared about the way that utility service is going to work with this right these are potentially utility intensive uses it is going to be advantageous for a lot of different reasons both for the public but also for us funding possible uh services that might be needed there

[02:48:56] if they are clustered. So I am wondering if we do want to constrain option one to a geographic footprint. I'm not saying we should but I'm wondering if that is maybe something that would be prudent. I'm leaving that as an open-ended question because I recognize that we also don't want to be over prescriptive as supervisor Malik was mentioning when we become over prescriptive about necessary uses in a area that does not always have the population to support a lot of uses we can end up really biting our own hind so that addresses those first two um i would agree right

[02:49:32] like generally speaking there are trans we do not have enough transit in the areas where we have abundant and dense population i live off of fifth and avon that is a incredibly dense community that does not have a reliable bus service i get my car repaired two miles away from where i live and i can't get home without calling an uber which is insane um so i do think it's important that we think about how that kind of balancing works. That being said, if we take out the phrase transportation funding, I think there's also a lot that people have said that they do agree on.

[02:50:07] So I recognize that every supervisor has said that we generally don't agree with this and then has listed a variety of different ways that we do want to support walking, biking, and transit. Something that comes to mind, right? Talking about placemaking. A place in the rural area, as someone who does not currently live in the rural area, that I frequently visit and enjoy is the Dickwoods Road Miller School parking lot area is a very popular cross-country track that is placemaking using a rural rustic and a

specific parking lot designation that is enjoyed by a tremendously large amount of our community. Something that also leaps out to me with this very

[02:50:43] specific example is that at one point you have to go about a mile up Ortman Road which is very fast has no curb or shoulder and exposes you as you go over hills with blind spots I think there are probably strategies and cost-efficient strategies when we think about how we're deploying placemaking how we're making rural areas accessible to the public and part of you know the public heritage through again a public amenity right a rural rustic that people are running on how we can also employ walking and biking strategies to make things that aren't rural rustics maybe more

[02:51:21] accessible. I'm not saying that that means we need a crosswalk down Ortman. I recognize that's extraordinarily expensive, but I do wonder if just as we work with VDOT to do road repairs, if there are strategies we could do, like you mentioned, for margin widening, maybe just for shifting that line over a little bit. That would give me so much safety as I'm running up and down Hortman Road to feel like I'm not being threatened and of course I think it's probably not a shock that I support the idea of community resilience hubs and again just drawing point one two and four together and again this through line

[02:51:59] of place making I think it's important to think about how we're actually expecting people to live in the rural area if my partner and I are getting married soon and we are looking at possibly moving in the near future we have talked about living in Keene, because that stays in my district, parts of it, and would be a place where we could have a lot more space. I'm someone who works from home, will work from home, and we are a young family. And I wonder, oh, as a person working from home, where is my third place

[02:52:34] in Keene? And boy, howdy, if that is not the biggest negative in my decision about where I might want to live. I think it is important that we think about this in that context. Do we want to make places that young families feel like they can live? Do we have places where people can take their young kids on a Saturday afternoon or at lunch? I don't know that we always have that in all parts of the rural community, and I don't think it is unreasonable to ask that, which is why I do like that when you list in the crossroad community concept, you do emphasize things I think are

[02:53:10] sometimes seen as hostile, and that is restaurants and other types of uses. I think there are very small footprint restaurants like the example I always give an ice cream shop that is somewhere that can function as a third place that can function as a natural community hub and that can expand the way that people can enjoy the rural area again I think this has to be of course community driven I believe that small area plans and community feedback are going to be incredibly important on this and I don't want to be imposing that you know scoops open up in downtown at the intersection of keene right that is not what i'm saying um but i do think

[02:53:50] it's important that we recognize the value of this for placemaking value of this for for families the value of this for having a third place for people who only have their two acres and the road immediately adjacent to it to live on um i also do have a few pieces of comment uh that's more particular um first off uh with this first special uh thing before we move on from it i do want to see just how granular that we can get on what kind what we mean by professional offices and if there's some things that we're going to prohibit outright i certainly you know i'm always thinking what is the what is the sinister economic thing that could happen here i don't know that i want

[02:54:29] a payday lending company to plop a building in porters the moment it gets designated as a special use or that special uses start operating or that it becomes a crossroad community if that's the the direction it wants to go. So I do want to make sure we're being thoughtful about what kind of actual offices that is even including. If we can go to 3.1 under the land use section or 3 rather this is going to be important. So I want to highlight 3.1 because we talk about how when

[02:55:07] we're locating community resilience areas and as I've alluded I think it's prudent to think of those is co-located potentially with other types of uses because I think that place-making element is important. I do worry that, I agree with the idea of using the social vulnerability index. I am concerned that a census tract is just not granular enough. I realize that's often one of the most granular things, but like there's a wide range of communities that are going to be occupying a single census tract and we can't, like there are two rural census tracts in my own

[02:55:44] district and that does not let me get granular about the different kinds of community to see the levels of distress comparatively I recognize that census tracks are also a very small level of granularity I'm not sure that we have something better from the census but I guess I would challenge staff to see if we can figure out a more granular and refined way to actually do social vulnerability identification because I don't think this actually would get to what we're trying to accomplish here because it's going to blend a lot of communities together in a way that's not really readable and legible. If I can go to three under

[02:56:23] transit. So here we use my favorite word again, placemaking. It is also not clear if this concept is supposed to be limited to crossroad communities. And here we have crossroad communities in lowercase rather than title case. I'm never sure if that's supposed to mean something.

[02:56:45] But again, I think the idea of placemaking should extend beyond crossroad communities. I think it should be something that is in the back of our mind when we're using planning strategies in in the rural area like how is this going to be used who is this going to be used by so I guess I'm I'm curious how this is actually going to be articulated and what I should take this to me because it's not entirely clear I also do want to just uplift something maybe controversial that leapt out to me in the community feedback and this is also something I heard at several AC 44

[02:57:21] town halls and just talking with members of my community and that is I'm going to preface this with reminding everyone something that I think we've heard already today which is currently I'm an investor the highest and best use of any parcel in the rural area is luxury residential that is what I am going to use it for because that is what's going to make me the most money for my parcel and that is also what I think we all agree is least desirable we generally don't want to radically increase residential use of the rural area because of all the various climate impacts that can have. And also we don't want to continue to increase our luxury real estate

[02:57:59] because frankly we have abundant luxury real estate and we are very much in a dearth of affordable real estate. It is specifically highlighted to consider ways that there are opportunities to have pocket density based on the kinds of buildings that are allowable. The comment here says residential village designations could expand or allow some housing infill without too much uncontrolled growth. Consider multi-units and live-work units. I think it is valuable for us to continue to have on the table and think about we already have by right residential uses in the

[02:58:37] rural area and they're the kind of residential uses we do not want. Is there a way to legalize and make by right more affordable units and more affordable design types and patterns of living in the

residential area I think there are and I think they're challenging and again this also all comes back to the underlying problem of utility service but I would I did not see this reflected in the existing chapter and I think it's important and I also recognize it's a hard nut to crack but if there are strategies that have been proven successful in other rural communities

[02:59:12] throughout the country of mitigating sprawl while still allowing patterns of development patterns of construction that can result in more affordable home types I would be interested to see that reflected here I believe that is all I have thank oh I do have one more thing and I believe this has been alluded to previously but I'll reiterate it we've hit on in previous chapters that some goals are are measurable and actionable and trackable and some are not here I'm not sure we actually have any objectives that I would describe as measurable and

[02:59:47] trackable. That's concerning. This is a first draft, so I understand why maybe you wouldn't, but I think a lot of these, I can think of ways that they could be measured and tracked, and they don't have those metrics attached to them, and that would be something I think might be prudent moving forward. Thank you. Thank you. Back to 22. Thank you, and forgive me if I repeat or I seem like I don't fully understand. So I'm going to take these each and kind of look at them context of the draft goals and objectives so i'm looking at number one allow additional small scale

[03:00:24] community serving uses and i think it's tied to if it would slide 13 objective 1.4 which is update of permitted use categories if i'm correct and i think goal three as well and goal three yes the uh i guess the question you know that is big by this is that we already have you know a special use process but there are currently special uses that just you can't even propose in the rural area and so this is trying to open up which ones in order to sort of evaluate this

[03:01:00] it would be helpful to me to look at again and have in front of me these are the ones that are currently allowed by a special use permit and these are the ones that just aren't allowed period that we might want to consider so if i looked at professional offices doctors dentists and said they're not allowed currently, yeah, I'm kind of for opening up the possibility that someone would propose to have a doctor's office in a rural area where it might not be currently allowed by special use permit. So at the same time, I'm, you know, aware that, well, forgive me, but there was a Hickory Hill, I think it was, wanted to do a thrift shop and then that was not

[03:01:39] allowed because it was not a permitted use at that time. It's since moved on to something else, but it it could have been a country store but it couldn't be what was proposed and so that that's the kind of flexibility would be nice to have but i wouldn't want to open up too much so it'd be nice to see what what it is we're talking about in more detail also i guess in the same context we've had a recent discussion about artisans and so i'm looking at this and saying is that you know at that point i think you know we were saying that there was a a desire to make it so that you didn't

[03:02:17] even need to come with a special use permit but that you could have certain activities without a special use permit and so i guess that's part of this process of updating okay um going on to bullet two uh i yeah i i think we've all heard a lot of real angst about the idea of a crossroads community and what it means and and the fact that one size doesn't fit all um clearly uh it it probably would have been less of a concern if we had labeled these right from the beginning as resiliency hubs in the rural area or something of that sort because

[03:02:57] that is something that i i feel like yancey does a great service to a local community but i wouldn't necessarily want to expand services in a crossroad just because it is designated a crossroads so at the very least this is one of those areas where people said well Let's wait, do like small area plans and try to figure it out place by place what it is that we would want to put into that area.

[03:03:27] So while I've appreciated a lot of the conversation around crossroads communities, because I think I heard it in Batesville, for example, a lot of discussion about things that the community might find beneficial, but then they have to decide whether they want it there or whether it fits there.

[03:03:45] But if we're talking about using existing structures for resiliency hubs, fall for it. This is something really important. So I guess, you know, that is, again, goal three in the list.

[03:04:04] And to some extent, I'm going to preface all my comments by saying you've received a lot of feedback, not just from the Planning Commission, but from many groups of citizens representing different interests. Most recently, one of the ones I saw was from Southern Environmental Law Center, and I don't think it's one that was as well digested by the Planning Commission, because I think he came in very late, but I'm not positive.

[03:04:29] I really appreciate a lot of the points they had to make, and I appreciate a lot of the points that BEC had to make and the Natural Heritage Committee had to make, and some of the speakers who had previously submitted comments to us. And I hope none of those are lost in all this because, frankly, honestly, I've started to read through the 50 pages of Planning Commission minutes, but I didn't finish.

[03:04:52] And I apologize for that. So bullet three, transportation funding prioritization. I hear what people are saying. But when I looked at this, I thought, well, okay, we have, again, looking at goal one and two and three under transportation. We have rural rustic paving, which I hope we were able to continue.

[03:05:11] We have HBE 74, which Loudoun County championed, which would allow some of those funds to be used to improve a rural road without necessarily paving it because there are places where these are just dangerous roads and there might be something that could be done.

[03:05:28] And so seeking out funding for those things, as it's earmarked for those things, like rural rustic road programs, I have no problem with. So I'm not saying that we go into SmartScale so that we can get a rural road fixed.

[03:05:44] But I don't want to throw out what we're already doing in terms of transportation funding. I think also in this particular area, there have been suggestions, for example, in improving rural area community members' equitable access to walking, bicycling opportunities, which was slide 19, I think, but it's okay.

[03:06:06] And one of the writers to us suggested an Objective 3.3, which is proactively work with community organizations and others representing walkers, runners, cyclists to identify safety issues and opportunities for improvement. And I thought, well, yeah, I mean, if you're talking, and I'm happy to go back to slide 22, but if you're talking about what we're going to do in the rural areas with respect to transportation, It would be nice to recognize that when we're talking about walking, biking, particularly, that there are groups that are using these.

[03:06:38] And I think Supervisor Pruitt sort of identified that activity centers. And so being able to help work with them on prioritizing projects, I think, would be beneficial. But again, I agree that transit is not

something that we can expand without having first covered the development areas appropriately.

[03:07:00] I'm not necessarily taking away from jaunt for services for pickup in specific areas. I think in the objectives here where it talks about the Social Vulnerability Index and counties' overall score in communities that are more than five miles driving distance, I find the five miles is kind of arbitrary.

[03:07:21] There are some places where it could be a lot more than that before you really would expect that there's enough population to warrant something. But I think it's a big county and there's a lot of diversity in needs and uses around the county.

[03:07:38] I don't know if that helps. The last one, increasing community resilience. Again, I'm definitely for that and recognize, in my mind, that a lot of what we've been trying to really – what I really see as most beneficial in the crossroads community concept was recognizing community resilience hubs and making sure that, you know, those kind of resources are identified using existing structures and there as places that can support people in times of extreme needs, especially.

[03:08:15] Again, I also have a lot of comments sort of on the different specific goals and objectives, But I'd rather just maybe when we get the slides, as suggested by Supervisor Malik, perhaps annotate them.

[03:08:32] A lot of my comments would reflect or reflective of comments previously submitted by other organizations. But I just haven't gotten a sense of whether they're fully heard. There are some that I think are important in their own right for discussion.

[03:08:52] So we have objective 1.5, develop a location siting policy for utility scale of solar. Yes, but we're going to have to have a bigger discussion specifically about solar ordinance and what we'll allow by right, as well as what kind of procedures we need for those that wouldn't be allowed by right.

[03:09:17] I will just call out, and I guess this would be around 12 and 16 or so, that I agree with a lot of the comments made by people that that this goal for feels like just something really odd about talking about well we're going to plan for unique locations where they're already non-conforming and I'm not sure that we're really wanting to encourage non-conforming uses are we trying to I'm not sure what this says exactly I'm really not sure whether it is it saying well

[03:09:55] they're already there so we're going to make the best of it uh or are we going to try to you know i guess i really need help unpacking that um it bothered me the way it read because it because it felt like that's what we were doing was saying well they're non-conforming so let's let's instead of making them conforming we're going to somehow allow it worse make it worse right and that really scared me. Thank you. I will, like I said, want to give some more specific comments, but a lot of

[03:10:29] that is reflected in the comments that we have received and I support. So I want to look around though before we go on and make sure that others don't now have, based on these comments, and others more comments they'd like to make on this. Just a couple of comments, if that's okay, and I'll try and keep them brief um i do agree ned talked about naturally occurring when we were talking about um the crossroads communities and i in my head that's where a small area plan allows that the neighbors and the community in a naturally occurring uh discussion right about what they

[03:11:06] they have there and what they want and what they would like more of maybe or not have at all just thinking about it from that viewpoint. The other thing that I would really like to suggest is that somehow or another we update the data. The data in this document is old. When we're talking about 2017

census, I mean, there is a, it's just going to be really important to go back and update the data. And I understand that's probably, but because, for example, the Department of Agriculture puts out every five years, we can go on to the Department of Agriculture

[03:11:44] and look at agriculture in Elmore County and agriculture in Augusta County. They just updated theirs this year, but certainly a lot of the other data could be updated as well. It's hard to look at something and say, well, you know, wonder what the current data says.

[03:12:02] I will say that when we talk about agriculture in Elmore, A certain amount of it is agritourism, which is about grapes and vineyards, I'm just saying.

[03:12:19] And it's very concerning that the current data shows that the average income of the farmer in Albemarle County has gone down, while in Augusta County it's gone up in the last four years. Augusta County farmers are making twice as much as they were five years ago, and that Elmore County farmers are making twice as less.

[03:12:42] That's not the right way to say it, but anyway, you know what I'm getting at. That data is out there, and we can look and see on the Department of Agriculture that cattle is down in Elmore County, the number of cattle.

[03:12:58] I mean, what crops are being grown and how those crops are going down. So the data is out there, and I think it behooves all of us to really understand that picture, but we have to use current data to do it. but it would really be a worthwhile exercise in presenting.

[03:13:15] And maybe you all are working on that, Tori, and you're not in your head yet, so I'll stop on that. And I guess that's all I wanted to add. Thank you. I'm just going to follow up with one quick question, and that is, I just want to make sure I heard right, that April 3rd we'll discuss the growth management policy again.

[03:13:32] The community facilities chapter, and then that will include the growth management policy. Okay, because I had a lot on that, and I didn't want to take up that time now. If there's nothing further, I think we have another chapter to look at. We do have one more topic for today.

[03:13:51] And we are happy to have comments over email as well from board members, you know, more specifically kind of redlining or talking through the draft goals and objectives. So the second topic, development areas, land use, and transportation.

[03:14:06] So this chapter is organized into the following land use and transportation goals. So the vision for the development area and planning for future growth, including the activity centers and multimodal plan, and then investing in existing neighborhoods.

[03:14:22] And then for transportation, having a multimodal transportation network, safety, quality of life, and then emerging technologies. So once again, going to skip through the actual draft goals and objectives, and then talk through a few specific components of this chapter, and then share some specific questions for the board.

[03:14:42] So there are several tools and maps that are used to guide development areas, land use, and transportation, along with the goals, objectives, and actions. As shown in the diagram, they are a series of land use and transportation layers. They include the future land use designations, community design guidelines, activity centers, and then also the multimodal plan.

[03:15:03] The future land use designations are applied to each property in the development areas to provide a guiding vision for the future use of each property. and they provide guidance during rezoning and special use permit review. There are 10 draft development area-wide designations that we've shared through AC44.

[03:15:21] And in phase three, these would be applied to an updated future land use map for the development areas using a one-to-one matching approach. And then the draft recommendation through AC44 to date is to calculate recommended density on gross density, which we'll also talk more about.

[03:15:38] We also wanted to note there may be some changes made during AC44 to reflect existing development for the future land use map, such as re-designating a parcel for residential instead of industrial if there is already an existing apartment building, or to reflect the intended future use of county-owned properties.

[03:15:55] And it should also be noted that some master plans may have unique designations for specific areas that are not more broadly applied across the development areas. That would include designations such as downtown Crozet in the Crozet master plan, and neighborhood density low in the Crozet and Village of Rivanna master plans.

[03:16:13] And so guidance for those unique areas would be found and remain in the master plans. So with this updated set of future land use designations, we consolidated the mixed use designations and now have three total. We also turned the table of designations into individual pages for each to provide more space, including some examples and hopefully allow for easier readability.

[03:16:37] So moving on to calculating density, This is a topic that we are asking for the board's direction on today. The current recommendation, as mentioned, is to use gross density to calculate recommended density, which the planning commission also recommended during their February work session on the development areas.

[03:16:56] When applications for rezonings or special use permits that include a residential component are reviewed, they are evaluated in part based on the recommended density per the applicable master plan. density is calculated as residential dwelling units per acre. One unit is one single-family detached home, one single-family attached home, one modular home, or one apartment unit. Recommended density is given as a range based on the future land use designation. As an example, neighborhood residential is three to six units per acre. Special use permits and rezonings are also reviewed based on other relevant recommendations in the comp plan and master plan, such as

[03:17:33] transportation, parks and trails, and anticipated impacts to public facilities and services. So the two ways to calculate density are gross and net density. Gross density includes the full acreage of a site, and net density, which is the recommendation in the current comprehensive plan, nets out certain areas, in this case environmental features. Density calculations are one factor that affects the type of housing and total number of units that are built with new development.

[03:18:02] For example, using net density calculations for any property with environmental features will result in a lower number of recommended units as compared to using gross density. There is not a similar calculation for non-residential uses. For by right development, gross density is used for the zoning ordinance.

[03:18:19] And regardless of how density is calculated, ordinance requirements apply for protecting environmental features such as avoiding building in the floodplain. There are also requirements for providing open and recreational space and necessary infrastructure such as roads, water, sewer, and stormwater management, which also take up space on a site. So even with gross density, there are a variety of infrastructure and open space needs that still need to fit within a site. Along with other strategies such as encouraging redevelopment and infill and identifying activity centers, using gross density to calculate recommended density for rezonings and special use permits could be an option for prioritizing

[03:18:58] development in the existing development areas. This approach could also make some smaller housing types more feasible, and using gross density would increase the recommended density for some properties in the development areas, that is any property with steep slopes, stream buffers, or floodplain. It would leave recommendations for properties without those environmental features unchanged, and it should be noted that land use density ranges are recommendations, and the maximum recommended density is not always feasible. Clustering development to avoid sensitive environmental features is always encouraged regardless of the recommended number of units.

[03:19:33] And this is an example of a hypothetical property that has five acres in the floodplain and is 15 acres total. If the property was zoned R6 and the owner wanted to develop the property by right, the gross density calculation would be 15 acres times six units, which would be 90 units. If the property was instead zoned R1 and was designated neighborhood residential with three to six units per acre recommended density, and the property owner wanted to rezone to allow for more units, the recommended density per the current comp plan would net out the five acres in the floodplain, which would result in a recommended density of 10 acres times six units or 60 total units.

[03:20:14] So along with the future land use recommendations designations, there are also community design guidelines, which are an update to the neighborhood model principles in the current comp plan. They are intended to support the growth management policy by encouraging mixed-use, walkable, and dense development throughout the development areas that is also connected with multimodal transportation and that has access to quality parks and open space.

[03:20:37] They also provide guidance for rezoning and special use permit review and county facilities. They are intended to apply to all development in the development areas, with some of the possible exceptions noted depending on the context of the site and the proposed uses. For example, not every individual development is expected to be mixed use, though each development should contribute to a mix of uses throughout the larger area.

[03:21:00] Activity centers are locations where a higher intensity and density of uses is expected, paired with supporting amenities and infrastructure. This approach is intended to help guide and prioritize future projects and investments, and these activity centers would replace the 50 centers currently identified in the five master plans.

[03:21:18] The multimodal systems plan, which also includes identifying activity centers, is new for Albemarle County and maps multimodal corridors and modal emphases to link activity centers and other key destinations. It is implemented over time by both the private and public sector as funding and development opportunities become available.

[03:21:37] The plan is intended to support improved coordination with VDOT on future projects and review of new development proposals. We will be sharing updated multimodal and center maps in Phase 3

along with the future land use map, and we'll use community commission and board feedback to help inform updates to those maps.

[03:21:55] And in December of last year, we wanted to note we went to each of the community advisory committees and they provided their input on the draft centers and modal emphases. So we are currently making edits to those based on that feedback and feedback from online questionnaires. That includes adding park and rides and then collaborating with our parks department on more detailed greenways mapping, so we'll be sharing those maps in the next phase.

[03:22:18] This table summarizes the three draft types of activity centers. They're intended to increase in scale from neighborhood up to destination center, but they should all be walkable and mixed use. And we wanted to note that currently none of the county's long-range plans have a height recommendation that is taller than six stories, though there are multiple buildings that are eight or more stories that are already existing in the the county. So the draft recommendation for destination centers is eight stories to support the growth management policy and support building up instead of building out. So this is the summary of feedback from the planning commission and the specific questions for the board. These are focused

[03:22:57] on using the development areas land effectively and prioritizing dense and mixed use development over potential development areas expansion. So we would appreciate the board's feedback on any of the draft goals and objectives for this chapter and especially want to address the following questions, if the board directs the project to use gross or net density as the recommendation in the comp plan, and also if the board supports recommending up to eight stories in destination centers. So I'll turn it over to the board for questions and discussion. Thank you. Thank you.

[03:23:31] We'll go through our order. Supervisor McHugh. Okay. At first blush, I would support using gross density. Having said that, we can support that, but we're still going to have the challenge of the neighbors pushing back against density. If we're increasing density, we're going to have more pushback from the development area neighbors. I mean, we recognize that. And that's not a question

[03:24:09] you can answer. And I understand that. I'm just saying that I see that as what we probably need to do in the development area. I'm happy to do it. But at some point, it's going to have to come with an explanation to the citizens in those neighborhoods, or we're going to have to agree as a board, we're going to vote for what we want to see happen. I'm just saying. Building height, the only thing that saves me on the building height is it says up to, and that would be clear,

[03:24:45] right, that not every place is. Adopting parking maximums. I have in my head been a supporter order of reducing the current parking requirements. That's what you're getting at here. It's just another way of saying. It's a little bit more detailed. Help me out a little bit. Yeah, so reducing, I guess, reducing parking requirements would be, you know, allowing projects to have less parking requirements based on, you know, the type of business or service they're providing. Adopting

[03:25:23] parking maximums is saying you cannot build more than you know x number of parking spaces but those would probably be in specific areas such as you know maybe maybe some of the destination centers for activity centers that probably won't be feasible everywhere but that was a comment to consider from the planning commission yeah yeah and as with that caveat i could support that and consider incentives for structured parking and green infrastructure i think that's a good idea. I don't know what those incentives at this point might mean. I'd like to learn a little bit

[03:25:59] more about it. We hear a lot right now in this community about we have to put solar over parking lots. And I would be in favor of looking towards something like that. But I think people have to recognize, at least my understanding is, that's not going to, that amount of solar is, while it might be nice for those businesses using that parking lot to support their electric needs.

[03:26:30] That's not going to add anything to the grid. I mean, it's not like you're going to put solar over parking lots and then just say, okay, we've taken care of our problem with supporting the grid, right? I mean, it's not scalable, I guess is what I'm saying. We have to recognize that. But I think, is that something we might be looking at in the future?

[03:26:50] does that go along with what we're talking about here with green and well with structured parking and i mean i think it's something we would definitely want to encourage i would like but agree it's it wouldn't be at the same it's not utility scale no that's a better word for it thank you you describe it better than i but um infrastructure needs to be to keep up with the catch up with growth alignment with capital improvement program um infrastructure needs

[03:27:20] to keep up with growth that's going to be a challenge because vdot is not going to support infrastructure with roads until a project is approved i mean infrastructure follows growth so you have to help me with what you mean here sure and this was a comment from the planning commission also something that we've heard from community members um so that's you know partly

[03:27:55] why we're including it, but also recognizing that infrastructure a lot of times goes along with growth and is not necessarily ahead of it. I think that's also true for public water and sewer projects, and they don't want to necessarily overbuild either if they're not sure exactly what the demand is going to be. Yeah, so I have questions about that, because you can build highways to nowhere, and you can build schools that are half empty, because people didn't choose to live there. So I think it's counterintuitive for the community to understand, but we can't go

[03:28:29] out and build infrastructure ahead of the need and growth. I mean, that's just a fact. So I'm not, that last bullet I'm very suspicious of. And for right now, since I went first, I'll stop.

[03:28:47] Thank you. Thank you. Supervisor Galloway. Did I, and this is not a criticism, it's going to sound like it. The first question that we're being asked, the gross or net density, was that in there somewhere that we were pondering that question in the prep materials? It was, I think it's a draft recommendation. I don't know that it was an actual specific draft question in advance. No, I know it was there. I'm just saying, like, did we know we were going to be answering that question? Like, I didn't ponder this question until today. I'm not answering this question yet. I don't know.

[03:29:24] I appreciate I'm not going to just off the cuff. I mean, Supervisor McKeel did the same thing at first, you know, kind of your first gut reaction. But I'm not ready to answer this question. I need to go back and do, now that I know that that's a question you need direction on, I need to do a little bit more prep for that.

[03:29:45] And you did a fine job going over it all. I just have to think about it a little bit. Well, she had a little bit of information about infill and increasing density. And I get it. I get why you need direction on it, but I'm not prepared to give you an answer on that one yet. I think we could pair more detailed feedback with that with the future land use map as well, if the board just wants to make any general comments on that now or just wait until future work session. I need to think this one through a little bit more based on

what you, I don't feel like I need anything else. I just feel like I've got what I need, but I didn't really give this a lot of thought walking into today. So that's why I was asking if it was in there, because it was

[03:30:24] like, oh, shit, excuse me, I've missed it. There it was. Don't put that in the minutes. Review building height and form recommendations, building up instead of out. I'm in support of this. You know, I did go back and look, because I used to say eight for Rio's small area plan, I was wrong. It's up to seven stories with the bonus categories. So even at the core of the area plan, we're saying the maximum height was five, and then you could get up to seven with

[03:30:58] bonus categories. And I was thinking it was six up to eight. If we're going to consider the height, the small area plan, which was designed to be a high density redevelopment, needs to already be reconcerned because we're going to put the eight in conflict with our own small area plan where we're saying we want the height. I just said that last night, eight. I was wrong. So I'm okay with that. I think there are areas appropriate in the development areas that can support and actually be

[03:31:32] fine with the height. You know, and sometimes it depends on the site. Like if you put where the Red Lobster used to be on Raya Road, you put eight stories there, that's going to feel, you know, but if it's actually on the other end of Fashion Square Mall, it wouldn't seem as imposing, which is probably why we have some that are higher anyway. If we do not consider height in the development area or allow for it, then the issues around whether, you know, around the expansion of the development area become problematic. But you gain a lot of extra capacity in the development area

[03:32:08] by allowing for the height, which I know we all know. Parking, I mean, the parking piece I'm fine with. Consider incentives for structured parking and green infrastructure. I'd be okay with that. I don't disagree with what Supervisor McKeel was saying about, you know, catch up is probably the word I'd focus on here more than keep up, because we have to do our catch-up for what's already in place. And by that time, the stuff that's already been approved, we'll be catching up with that.

[03:32:39] So I'm afraid we're going to be in a lot of catch-up mode anyway. But I don't see how we could state that we would have infrastructure in place prior to. I would love to be able to say that and do that but that's just not the reality of how things are how things are working um now that being said i'm going to go back through some other comments since i've addressed everything on

[03:33:09] the board discussion page um the the development i think overall the the goals and objectives like i said for the rural area are accurate there are some that i think are problematic or present potential for problematic discussions or some inherent conflicts like I mentioned and the other one. But on page two of the piece, I'm not, well, I won't go there. That's just commentary. Parks and

[03:33:46] so goal one when we're talking about parks in the development area. And I mean, I'm being flip here, but I wrote down what parks because we've got so few, we've got one park and we've got a shared park with the city over at Pantops, a park that I think a lot of county residents, I'd love to know what the percentage of county residents versus city residents is for Penn Park, because I think outside of the golf and the baseball with the different leagues that are going there, my guess is a lot of more county people are using that park for the picnicking and the playgrounds and the stuff than the city residents are. But that's not our park. It's there for our use. It's public, but

[03:34:24] not a county park um so that leaves me with you know we talk about parks and trails a lot in goal one um relative to the development area i really think we have to emphasize the planning i know that

we have a piece in the cip set up for a potential pocket park in the development area but we don't know where or what and a lot of it is resigned to wait for maybe a private development happening and then we try to carve out a park um and try we do have trails that exist in the

[03:35:03] development area which actually work pretty effectively in the different partnerships between the hoas and community associations and rtf and all of that work but but there is a i mentioned this before a very a large growing need for other types of parks for different age groups that are are not just trails and designed around the activity of walking, and that I don't, I just don't see us trying to get at that in the comp plan, providing that kind of activity.

[03:35:37] We talk about it being vibrant, walkable, and mixed use, but when you think mixed use, we always think of the housing types and all of that, but for recreation, what's the mixed use nature of it? I just think of teenagers.

[03:35:53] When I think through the entire urban ring, where are the teenagers supposed to go for good park use that is accessible to their neighborhood in the urban ring because they don't have cars or have to rely on somebody to drive them there? And how do we get at that?

[03:36:12] And this is a concern that, frankly, many of my retirees are bringing up in citizen advocacy. The teens aren't coming after me. Who the hell I am? But I'm hearing about this a lot from residents that live here going, what are you providing for this segment of the population?

[03:36:33] So there's advocacy from an older generation for this younger generation, and they're on to something because that's, you know, give them a place to go and be at and do things is valuable or important. And we'll just jump in. That's one of the beauties of the Boys and Girls Club right now over on the Lamb's Land campus.

[03:36:51] They are doing that. Now, it's not reaching a lot, but that is exactly what they're doing over there when you go over there at 8 o'clock, 7 o'clock. Yeah, and, you know, the elementary schools have playgrounds and things on them, but they're not designed for older kids. And the things, the people that would go there and use, like, an elementary school playground on the weekend, you don't have a playground at the high school.

[03:37:13] And all the high school stuff is programmed out where it's difficult, even if they wanted to go do a pickup game. Well, it's inside. It's not outside at the high school. So things like that, I think, are important to provide in the urban ring and the development area as a service and function.

[03:37:34] And I would like, when I see parks, I see trails, I'm supportive, I understand. But parks are not just places where there's trails to go to. Page five, I guess this would be goal one. I might wade into this and hammer it for it.

[03:37:57] It's by some folks. But we emphasize somewhere the tree cover in the development area. 1.5. I get it. And folks that live in the development area definitely don't like seeing the clear cutting of lots that are getting prepped for the density that we say needs to go in the development area.

[03:38:20] We have approved applications and we often talk about trying to preserve tree cover and trees on each application. Important. I'm not saying it's not. What I'm starting to try to understand are the ramifications for either cost of the development going up, thinking now how it becomes less affordable

because there's more cost to protect an environmental feature, and since the lots are becoming more self-contained, the stormwater facilities that they must put in the property,

[03:38:53] how does that become complicated, if it even does, relative to then the idea of trying to protect tree cover on a lot? The growing concern in the Rio District, in the Woodbrook, in the Carsbrook area, of the drainage where all the piped stormwater goes, and we just keep adding to that, if we don't, you know, that's just not been on my brain, and it's becoming a pretty big issue, actually, in that area.

[03:39:27] So is that one of these conflicting areas where we're saying, well, we're going to emphasize that we're going to protect the tree cover, But does it create any unintended consequences that it hits either affordability for a project and or a stormwater system where getting rid of the trees actually helps you put in a more effective system underneath?

[03:39:46] And this came up last night in my town hall where they were, you know, saying, well, why are we getting rid of all these trees? I thought the idea was to protect the trees. Like, well, you know, there's certain sites where, I mean, I hate to say it, but they clear it because they have to do a lot of the grading.

[03:40:02] They have to get underneath to do all of the stuff for the stormwater and then build back up on top of it. And that's for good reason, too. Now, they don't want to see the trees go away because they're in the development area and hate to see a vast expanse of trees go away.

[03:40:19] But that's unstoppable. That's going to happen. Most of the trees are going to get removed from these places that are slated for development. So I want to be realistic in what we're telling people we're going to do tree cover-wise and probably need to have a really good understanding and conversation about competing environmental concerns about protecting trees.

[03:40:39] I get what having them there for. I'm all for it. But is that more or less important, too, if it adds to expense for the development? And or does it take away from what can happen underneath where those trees would be relative to what is leaving the site once it's developed?

[03:40:57] And I'll talk more about that later at more appropriate times for agenda items. the stormwater issue. So stormwater I know is mentioned, but the tree cover is being called out in a way where I almost feel like stormwater is at least its equal, if not a bigger concern in the development area. I forget where it was recommended, but I think for the parks, 2.1 parks and

[03:41:35] development area need a viable strategy and action plan backed up by the CIP. I feel like this was recommended by somebody somewhere. I think that's just my note. But is the Planning Commission responses in there? Get that in front of me. Sorry. Like we, the gist of this is that we need a game plan to back up what we're stating here for draft goals and for activity centers, parks, open space and services and what's needed. And wherever it came from that said we need a viable strategy

[03:42:14] an action plan backed up by the CIP they were exactly right it can't just be well we put some money aside and we may get a park someday in the development area but that's not really a strategy and a plan that can back up goal two so we we need to do a little bit more effort behind the scenes so maybe the action steps would help me understand or we can get at that in there I think in here we try to parse pedestrian networks and transit networks as if they don't rely on one another. I don't think that's the intent and it's probably not that way but that's

[03:42:49] how it read to me where if I'm in Woodbrook and I have I don't really have a pedestrian network in my community because there's no really sidewalks in there but there is a pedestrian network that exists if they want to go up north or south or we're working on it on 29 there's not really a pedestrian network for them to get across 29. MicroCat helps them now walk somewhere potentially traverse across 29 and then walk some more so i would like to see us think of a network more in

[03:43:21] from that multimodal piece knowing that well i mean i was watching a guy yesterday even though rio 29 is great and you can the one side has got the crosswalks and all that it was still watching this dude cross that area i was like oh man it's still even though it's all set up to probably be the best it can be for pedestrian support it's still nerve-wracking not to mention all the people just sprinting across 29 at any given spot.

[03:43:52] So I think in our comp plan, like when I think of Rio Road and I think of 29 as realities, you know, we're getting the pedestrian bridge down at Stonefield. But if folks can start getting into their head, whether they live here or they're visiting here, that in Albemarle, you don't really just have a just walking network or just a transit network.

[03:44:12] You're always going to have to do both. And then we might as well try to plan for that, because I think that might be more reasonable in getting things successfully in place. And we may be doing that. I'm just in reacting to this. This one for what's one for?

[03:44:38] I don't know what that means. OK. Oh, so my how for number one to higher speed motor traffic.

[03:44:58] And I mean, this is one of these where, well, to really achieve this, we have to put in an entire different bike network than what we've already put in. Like Ryo Road bike lanes and John Werner Parkway bike lanes, we keep them free and clear, but, you know, the bike lanes, honestly, are probably not wide enough.

[03:45:17] When I drive past the folks on the parkway, I'm kind of inch over still, even though there's a bike lane there for them. And it's not protected. Like, to go back and make all our bike lanes protected would be a massive funding mechanism. So I don't want to, you know, I'm all for trying to do these the right way as opposed to, I think, a lot of times.

[03:45:40] bike lanes have just got attached to things because it helped us with points but are they really effective bike lanes and if we're really going to commit to putting in biking infrastructure then that means I don't I'm sure it exists I'm sure we have places where it is proper and exists and just they're escaping me right now at the moment because I've been thinking of Rio 3-1 attractive streetscapes is interesting to me like the railroad corridor study really thinks of and

[03:46:12] conceives of a nice beautiful boulevard with medians and things in it. Again, how are we going to get there? We've got so many other things to do. I love it as an aspirational, but the comp plan needs to be tempered in its aspirations because the comp plan is what we're saying we're going to get done, not aspire to do in a lot of ways, I think. When are the master plan rewrites going to happen, if any that haven't been done in a while. We would be hoping to get to those right

[03:46:50] after the comp plan is adopted, acknowledging I think Places 29 is the one that is in most need of an update, but also Southern and Western. At some point, the work plan I know is going to come to us because we're getting asked with a lot of things and one-offs that impact our work plan, and some things in

here, like I'm starting to think more and more of the work plan, where are we at, What does this mean to current things that are not yet completed on the work plan and that sort of stuff?

[03:47:18] So I just don't know when that's happening or when that's coming back before us. Access to park already made these comments about the development areas, parks that we already have existing and how the development area folks get there and enjoy that. Rooftop and parking lot solar is what we're conceiving of if we're supportive of this notion in line with our own A or B regs and things for the entrance corridors.

[03:47:47] Supervisor McKeel shared an application, which sounded problematic, to allow this to happen. I'm okay with businesses that want to put solar on there to help their own piece, because that goes to a bigger, they're doing their part. But if then we're going to go, well, we don't like the look of the solar up on your building in a commercial zone that's designed for commercial.

[03:48:06] Like, well, there's already a commercial building there. Is these solar panels really going to change the nature that we have to scrutinize this? So if we're going to go in here. I'll interrupt. I think we need a 10-minute recess. Yes, sir, we do. We need a 10-minute recess, if the board could recess for 10 minutes, please.

[03:48:25] I need to speak with the chair about an unrelated matter at this time, please. Sorry. I apologize, sir.

[03:54:46] We're ready. Okay. Thank you. Welcome back from that recess. And to help understand it, our deputy county executive, Mr. Henry, is here to explain what's going on and give us sort of a little guidance, then we'll continue with our regular. Chair Andrews, members of the board, apologize for the interruption, and thanks for taking a quick recess. It's been an emerging emergency management scenario this afternoon with the red flag warnings that were out today. What started with a couple of brush fires early

[03:55:19] afternoon has progressed to somewhere in the order of 15 or so. Fire rescue is fully engaged across all stations. We've called in off-duty personnel and a request out for volunteers. And so we are bringing all our resources to bear on this, but it is emerging. We believe the majority of the fires are caused by downed power lines. And so we believe that it's still mostly rural, but we're trying to get a full assessment of that. Our emergency management through our fire

[03:55:54] Rescue Leadership has made a recommendation to the county executive, and now with the board in session, they're asking for a declaration of local emergency. What that does, it allows us to immediately make a formal request to the state, VDEM, in order to bring in additional resources to bear. We have mutual aid, but surrounding counties, we believe, are in a similar state, and so there's not the likely ability to bring in those resources. So again, that's the ask. Mr. Rosenberg and his staff are working on that language right now. We believe it'll be ready in the next 15 or 20 minutes

[03:56:33] for formal action by the board. Thank you. So board, I think we're just going, well, if there are any comments. Only a question. Is part of your protocol also to reach out to Dominion and notify them and what's going on so they can de-energize these things yes ma'am dominion has been has been involved since this afternoon all our typical partners are connected in thank you thank you um so board will continue with our discussion knowing that as soon as this comes in we should

[03:57:06] pause again and act and mr chair um steve rosenberg with the county attorney's office when i receive the action item for the board and i'm satisfied as to its form i will forward it to board members and county staff and i'll seek to gain your attention to interrupt so that the so the board can consider the item at that time of course thank you we're back to supervisor galloway

[03:57:45] Well, I'm sure he knows exactly where he was. Right on the tip of his tongue. I think some may have appreciated, and maybe I do too, that I got cut off with whatever I was saying. I'll move on to the next topic that I don't have checked.

[03:58:02] Draft employment districts. I like the idea of knowing employment districts, but looking through the list, I'm assuming right now that that's, I mean, how is that list determined? Is it complete? Because it does not appear to me to be complete.

[03:58:19] and is it open for discussion? It is definitely open for discussion. I'm happy to take comments on it now, but also with the future land use plan. And some of the ways that they were identified were from some of the current master plans. So Pantops and Crozet identify employment districts.

[03:58:37] The other master plans do not, but we looked at similar areas, especially areas with a lot of office flex, research and development, light industrial designations. And where is that list I think it was in the future land use section.

[03:59:04] I thought I saw a list somewhere. Well, in any case, like I wrote down, like in that list, and I only looked at the list one time and was making notes, so if I missed it, it's very possible because I don't have it in front of me.

[03:59:31] But the Rio 29 small area plan, as it's conceived, and why that intersection, I didn't see that Rio 29, the Rio corridor, and even the loop around that you take Rio West and it turns into hydraulic if you keep going, where it was, remember when they had the economic enhancement zones or whatever?

[03:59:51] Opportunity zones. But the amount of employment that exists anywhere from hydraulic road to airport road along 29, and then when you think of specifically going west on Rio after you go on 29 to the left, all of the employment areas, there's a lot of employment zones.

[04:00:13] So I'm like, well, okay, why are these not, if we're really going to go to employment zones, what's the, maybe I'm not understanding all of it yet either is why we would even create these. but if we're going to create employment zones, how are we defining them, and then what's the advantage of it? So there's also an ask of some more information on that so that I can be of use instead of just making general uninformed comments. What page is it? Well, I was looking at the pictures, but I swore there was a list somewhere. I'm scrolling and getting

[04:00:48] lost in the scroll of the actual draft. It was page 37. And just to clarify too why Rio 29 and some of those other areas aren't included is those are meant to be activity centers so mixed use whereas the employment districts are places that would be primarily employment generating uses so they might not have a residential component to them or it would be very secondary. Gotcha. So So most of these places that I'm thinking of, there are no residential in there.

[04:01:24] The smaller your plant, I guess, conceives of it, so maybe that's part of it. But these areas, with the exception of where the Drake, the Drake? Blake. The Blake. God, the Drake. I was thinking of a Seinfeld. I love the Drake.

[04:01:41] In the front of the Blake, there could be residential there. But, I mean, otherwise, all of that is employment. it. So that's why I was a little baffled as to why that wasn't. I'll learn more. On page 54, there's some build-out analysis and comments made about build-out analysis. Based on assumptions used in the build-out analysis, the buildable acres comprise only about 6.9% of the development areas. There appears to be sufficient land available to accommodate 20 years of estimated

[04:02:21] growth. So my question then becomes, well, how, but at the rate we've been approving things over the last is i don't know if it's just easy for me to go if we've only been approving a 58 of the what what was allowed based on our actual actions then are we at less than 20 years so i'm i'm questioning um based on this board's own voting activity if this build-out analysis supports a different timetable than 20 years or if this was based on our actions does that make sense what i'm asking based on the assumptions used in the build-out analysis of course i don't know what the

[04:02:58] assumptions are. It says the 22 build-out analysis include, and then it arrives at there's sufficient land available to accommodate 20 years of estimated growth. I guess I'm questioning whether or not that's a factual statement. It may be, but, you know, just like net growth, net density and gross density, that answer can change based on what the assumptions are. So I guess I'm asking for more information on that to understand it. PC, notes, redevelopment incentives, quantify future investments

[04:03:36] to meet goals. So I agreed with that. I know that the planning commission was talking about some redevelopment incentives and what those may be or could be or are. I would be supportive of saying that in the comp plan as I think, you know, when we think of development area and developments going in, you know, and I'm sure Supervisor McKeel hears it quite a bit, but people talking about empty storefronts and properties like last night about Albemarle, not just Fashion Square, but Albemarle Square, what's going on?

[04:04:12] Well, you know, some of those places are sitting idle for their own reasons, but if there was some incentives there to help that redevelop in the spirit of what we're going after, I'd be all in favor of that. And I think that could be an important, if it's already not, I didn't catch where that was listed as an objective or where that goes, but that could rise to that level. Thank you.

[04:04:34] Thank you. Supervisor Malik. Thank you. I will try to be better organized this time. I'm doing my very best here. I'll start with your screen and then have a couple of notes and questions to just bring to your attention, and you can mull them over later. When I was reading the paragraph in the notes about the gross or net density, I said, why not net everywhere? Because I want to understand more about you had a slide about the 60 and the 90 and if you do i understand you to say

[04:05:09] that all the same protections would be required because one of the reasons in the past why i've been in favor of net density is because it actually brings about the protection of the greenways and the open spaces for the residents in that place which then if we don't have that they all get built over. Maybe not the floodplains and the streams, but everything else gets covered with concrete. So I would love to be able to understand what the constants are in that analysis so that I

[04:05:46] know whether my answer is right or not. Because I would love to be able to say if all those protections are the given, then, I mean, for example, RST, there was a dramatic difference between their first issue and their second because they said, oh, well, we're not going to get anywhere without some play space for these 350 units there. So they rearranged things and went taller and put in the green things. So I

think it's really important that we consider the needs of the residents in the development area to have a wonderful place to live. Otherwise it will fail.

[04:06:22] And that's sort of been my thing for many, many decades is we can't have sardine cans as our growth area or people will not go. They will find a way to go to the country instead where they have at least one little blade of grass to look at. So I'm still, I need more help on the gross versus net, but that's just how I got to where I am so far. The building height, I know in Crozet, it's four by right and six with a special permit or a special exception or whatever. So that's

[04:06:58] already there in tiny little downtown Prozac and Piedmont Place is already at five at least because it's the basement where the barbecue place is and then four full stories and plus a rooftop on top of that so I do know that there will be building constraints for that and what I've been told about and that when people go to six stories then they have to have steel no they have yeah they have to have steel instead of wood which escalates the cost and it changes the whole entire prospectus of a property so they may not all choose to do that and they may not be able to

[04:07:38] afford to do that and i do want us to remember to be if all those new units are there how are we accommodating the residents and their needs to be able to maybe park one car not two or three or five but one and instead of saying to people which many old cities do is we have no place for you to park so go you know hire our we parked our car in the backyard of a 95 year old lady who lived down the down the block back in the 70s because that was the only everybody did that because

[04:08:12] that's all there was um and the parking maximums i'm fine with as long as we're encouraging and making facilitation for shared parking daytime versus evening time etc um as i mentioned earlier The PPPT, whatever it is, that may be something where we can encourage structured parking because while we may not have the land costs that Arlington has, every store, Whole Foods, everywhere, Target has underground parking in order to get their customers in the door.

[04:08:48] So I know it can happen. And back in 2004, I was not on the board, but Target came to our public hearing with a two-story plan in their briefings. And because nobody on the board asked them for it, they put up a 120,000-square-foot, one-story store.

[04:09:07] But this is why we have to keep asking what things can be improved in a process before we bless it and anything we can do. I know that I've been told, we just had a parking conversation the other day, that going down is incredibly expensive.

[04:09:25] We just aren't quite there yet here, but that it seems to be simpler to go up and then put all those solar panels on the roof of the top layer when you get there, or at the very least do the footings of the piers so that you can take two layers to four later, which is something the airport talked about 20 years ago and I think maybe it's finally going to do.

[04:09:53] Let's see. And I would agree with the catch-up. I think that's been the concern of certainly the development area in the Whitehall District is that there's 8,000 new people in 15 years, and there's been no catch-up.

[04:10:12] So that's what they're all looking for, and I think that will make a huge improvement in people's sense of quality of life, sense of well-being, ability to get around without getting in their car, all those kinds of things, which is good. Now, let me go to my notes real quick, and I will just make a couple of comments.

[04:10:33] I mean, I have big stars, yes, for 2.1 and 2.2 and 1.1. And I was, whoops, on, and I found, I answered my own question about that.

[04:10:51] 4.1, increase the number of privately and publicly owned low and emission prohibitions vehicles in Amara County. I circled privately owned and said how. So I don't know how we're going to do that. And it's one of those things where if we really don't have a way to do it, then we certainly could focus on the public fleet, and that would be a perfectly legitimate way to do it.

[04:11:14] Okay, we did that one. Hold on. Okay, and just on page 17 where you were talking about missing middle and all the various other units, I can understand how if there were an application process at Bamboo Grove, for example.

[04:11:38] I mean, they're going to have tiny houses there, And that's how they went from six to nine on a very small acreage. So that's great. But how does this correlate with development rights in a by-right situation? Because just in relation to the discussion earlier, there are many rural area properties where they have development rights depending on how many divisions they've already done.

[04:12:04] And there are many places, properties, where there are four and five residences, different generations, all because there were those extra division rights or development rights attached. So I don't know if there's any correlation in this discussion or not. So I will just leave that question with you.

[04:12:20] And thank you. Thank you. I think I answered my question. Supervisor Proof. Thank you. I have relatively few notes on the text of the chapter itself. So I'm going to proceed through this and then the handful of things I have.

[04:12:38] I also, like, have the gut reaction that gross is the direction that I would want to go. I can't help but think, though, that it seems like one of two things can be happening here, which is, one, this could be mooted in most circumstances.

[04:12:56] As I love to point out, our land use map is disconsolate with our comprehensive plan, and what we're talking about here is how that would apply for by-right uses. So either it would be mooted in those circumstances, Or it would be being used to only get to where our comprehensive plan already says we're supposed to be, right?

[04:13:17] So making things by right that our comprehensive plan already envisions as being by right. If the members of the board are following what I'm saying, right? Because our land use map tends to frequently have lower density by right uses than we contemplate in our master plans and our comprehensive plan.

[04:13:37] So I would just say if that is the mechanism we want it to do, this is just a backwards way of getting to achieving the densities that our master plans envision, then I would find this frustrating. I think this should be done, again, in concert with a land use map update that actually makes it so that we are achieving the densities that we say we're trying to achieve.

[04:14:03] In which case, gross then gets us greater density than might otherwise be achievable. if that is all fallible. Again, I am fully in favor of building up. I think that's got to be a necessity, recognizing that it realistically won't emerge very frequently because timber framed is still going to be cheaper for almost all uses, but we need to add that option to the portfolio. My understanding of the discussion of parking

maximums is that we're mostly talking about commercial and destination sites. I think a few folks and myself immediately thought,

[04:14:42] and when we talk about parking we often think of what the city just did right have a conversation around residential parking minimums i think commercial parking maximums are quite prudent and i have no issues with including them i do want to wonder out loud if residential parking minimums are something we should be exploring i'm very cautious about these i know that makes me a little heterodox as a new urbanist but i do think it's important to remember that what ends up being affected primarily in the people who get hurt sometimes the first person who might be hurt by a parking minimum would be a working-class person

[04:15:21] who has to commute to a variety of different job sites often far from where they live that being said I would be curious if this is something that we can achieve if we tether it specifically in the language that we use to deployment of transit infrastructure if that is something that we say has to walk together, right? A reliable something that the RTA would deploy once it has reliable transit, then those areas become available for reduced mandatory parkings for residential. I know that would help us significantly increase how easy it is for developers to deploy affordable units.

[04:15:59] So I just want to have that considered as something we put in our toolkit. I also echo my peers on the desire for less intrusive parking through structured parking.

[04:16:14] I also had flagged the kind of fundamental tension that we introduce in Goal 1, Objective 1.5, talking about tree coverage. And I agree, right, like when we clear cutting, unfortunately, is normally how we have to build, especially if we're trying to build inexpensively, which translates into more affordable when we're looking at residential. And in my own neighborhood, I think it's very easy to track the age of developments by looking at how, what the tree cover looks like, right? I'm right

[04:16:53] between Mill Creek and Foxcroft. It doesn't take an intense knowledge of the area to know that Mill Creek was built in the 70s and Foxcroft was built much more recently just based on the relative tree cover. One day they will probably look very similar, but in the meantime, they don't. So I think rather than talking about how we can incentivize or how we could discourage cutting during the construction process, I would hope that this gets tailored to focus more on what we can do to incentivize the replanting and encouragement of additional tree cover

[04:17:26] in these existing communities that we've already done the build out on. I also, I have to admit, I'm also was a little confused by the employment districts. It seems like the ones that have been identified are narrowly tailored to only be things that are already necessarily only going to be employment districts, right? I apparently live immediately adjacent to one, the areas designated industrial along Southern Parkway and Avon Street, right? Immediately across the street from me, and they're designated industrial. I guess I'm just not clear what this is accomplishing.

[04:18:05] To my understanding, we're not saying we're going to make them not industrial. If this is an industrial land use preservation strategy, I guess then I can follow that along. But it is not clear to me what it's accomplishing because basically it's just saying, as I read it, here are the areas that are already designated industrial in clusters.

[04:18:28] And if what we're saying in including this in the comprehensive plan is that they will persist, then fine. I just had a little bit of lack of clarity. I think I had one other set of things. Objective 3.2 under

transit, something Supervisor Malik teased out that I also was keying into is fleet versus public or fleet versus private vehicles.

[04:18:58] 3.2, I'm actually not clear what we're referring to. I think it is reasonable for us to try and set a goal for either of them or for both of them, but that doesn't leap out to me whether or not we're talking about our own fleet or whether or not we're talking about the general public.

[04:19:15] And again, I think we should set goals for, I didn't say this, I think we should set goals for both, but this wasn't clear to me. Additionally, for 4.1, which had just been mentioned about the number of low and no emission vehicles, here, this is one of these cases where I might suggest this is actually not the goal we want.

[04:19:38] Just increasing the number of privately and publicly owned low and no emission vehicles doesn't necessarily help us achieve our carbon goals. I can commute wherever I want on my Sportster, and it is going to be significantly lower emissions than an EV. EVs continue to actually have, compared to other forms of transit that aren't cars, pretty high emissions.

[04:20:01] Or not high emissions, this is not the right word. High carbon impacts, high climate impacts in their construction and also in the power grid that they have to draw off of. I might suggest maybe we would say increase the proportion or something to that effect, and maybe encourage other types of transit but that that leapt out to me that's all I have thank you so board we're going to take a moment now and I will tell you that you have in your inbox a resolution declaring a local emergency do we need to read this do we have to put it on as it can be

[04:20:35] put up or anything or just we all have it at this point the board the board members have it I I believe that that is sufficient, Mr. Chair. Let me just note, if I may, first of all, I want to let you know that I'm aware that the draft that I have sent to you does not have the names of the board members correct. Oh, yeah, look at that. In our haste to get something to you. You had something

[04:21:08] to work with. That's an oversight on my part. Amanda Farley in the office noted the need to make that change, and I didn't see her communication on that before I sent it to you. That's of no consequence. The clerk will call the roll, and when it's time for her to sign a version of the resolution, it will have the correct names and will reflect the roll call. Secondly, just as a housekeeping matter, I want the board to know that we can dispense with the closed session this

[04:21:45] evening if that's the board's pleasure. Neither of the two matters that we have for you this evening are time sensitive. I recognize that we're under time pressure, so I want you to be aware of that And you can keep that in mind. So the resolution that you have before you is a resolution of the board declaring a local emergency.

[04:22:12] For the benefit of board members and for the public, what is typically the procedure is for the county executive to declare a local emergency when it occurs. and for that declaration to be confirmed by the board at its next meeting following the declaration by the county executive. As it happens, you all are meeting this evening, so we're able to skip that first step and have the board consider this resolution and directly

[04:22:47] declare the local emergency, and it will continue until such time as the board takes action to rescind it. And that may not be as soon as the event is over, but there may be reasons for purposes of

reimbursement from the state or federal governments for the emergency to remain in effect for some period of time beyond the event itself. So you have it before you, and it simply recites

[04:23:22] the fact that there are drastic winds and uncontained brush fires, that county resources are exhausted and local mutual aid is unavailable, and that you're making a judgment that the situation is of such sufficient severity and magnitude to warrant coordinated local government action, and you take the step to declare a local emergency. Has everyone had a chance to see this on our invoice. Great. Then I'm looking for someone to make the motion to declare a local emergency. So, Steve, can I just say I move that we declare a local emergency. I think you can

[04:24:00] make a motion to adopt the resolution declaring a local emergency. So moved. Second. So we have a motion from Supervisor McKeel, second from Supervisor Malek. Without objection, the clerk will call the roll. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway?

[04:24:17] Yes. Thank you. And I hope that helps get resources to us to help contain this situation. If it's okay, we'll continue. I will try to be very brief just because I recognize that I can provide you comments in writing, but I will look at these particular questions quickly. I, perhaps sort of working with Supervisor Galloway a little bit uncertain as to what I think about gross or

[04:24:50] net i'm worried because when i hear net density i mean i hear gross density i imagine a a lot that has you know no ability to be developed except for in some small little portion and uh or half or or a quarter of the lot and yet suddenly we're we're counting it as if you could put the development sizes on there appropriate for a lot the full size of that lot and that just doesn't make sense to me, so I lean towards net for that reason. I still don't quite understand what the

[04:25:26] implications of gross would be, it seems, without, you know, specific examples, I could imagine some very bad scenarios. On the other hand, I don't really have a problem with the height increase. I will remind you, I guess I've said before, that I'm not completely comfortable with our designations of destination centers. There's at least one where I feel that it's not really qualifying within that. And so my concerns are more along those lines. And that comes up on

[04:25:57] particularly pages 36 and 7, I believe. Just to look while I'm at it. Yeah, when we look at multimodal transportation for a destination center, and so I would hope that it would have the ability to walk from there to other places. And that's a concern. Then parking maximums.

[04:26:23] I'm not certain, you know, I'm a little weary of getting in the way of certain private decisions as to what somebody thinks is the appropriate maximum or minimum for their area.

[04:26:39] Obviously, if you don't provide enough parking and you're in a residential area, you will restrict who can be there and you'll make your area probably less desirable for some people and they will move elsewhere. That doesn't necessarily make it less affordable or more affordable.

[04:26:55] It just is a decision the developer is making on their own as to what works. And I think I feel a little bit the same about parking maximums. While I would not encourage somebody to add a lot more parking than they need, I don't know what they need because it depends on the use.

[04:27:13] But I'm less worried about that than I was some of the others. I certainly agree incentives for structured parking and structured for rooftop solar, things like that, parking solar, green infrastructure. I will comment that Supervisor Galloway and others have remarked about preservation of existing tree

coverage in Objective 1.5, where it has increased tree coverage in Objective 2.2 for existing neighborhoods as opposed to new development.

[04:27:42] I think that that's a laudable goal in Objective 2.2. And then 2.3, improved stormwater management. I would like to see some of these sort of taken into objective or goal one, similar to objective 1.5, but not as it is in objective 1.5.

[04:28:00] I agree that preservation of existing tree coverage is not necessarily consistent with trying to really develop a lot. That doesn't mean we can't encourage tree coverage after the fact, increasing the tree coverage as it grows at planting.

[04:28:17] So green infrastructure, I guess, is also part of that. And then I agree with everybody that catch-up is really what we have to be hoping for. And obviously, even there, we'll prioritize applications, but we're looking for help in a lot of our infrastructure.

[04:28:36] And I think that we should prioritize our applications based on growth alignment. So, and with that, I will look to see if there are any other. Yes. One addition to the tree cover discussion is perhaps there can be refinement of allowable tree destruction in stream buffers and things like that, because there's a lot of gratuitous chopping going on.

[04:29:01] And whatever the law allows, much more serious, if any, punishment for people who just go, oops, after they've cut down 200 trees this big around and then are allowed to go back with 300 little bitty ones like this. So that all those greenways and things that we're trying to preserve for stormwater, naturally occurring stormwater, should have their trees left alone.

[04:29:25] Thank you. And I'm going to add one more comment. I'm sorry. But if we look at slide 26 quickly, I think, this is objective 1.7, monitor the capacity development areas to estimate if there's sufficient land available.

[04:29:44] In the full policy, there is an entire section describing the policy to guide potential future development area expansions. I have a lot of concerns about that, and partly it does seem to me that we're saying expansion was found not to be needed, yet the next paragraph goes on and says, well, you know, every five years we might reconsider that.

[04:30:06] I'm like, well, wait a minute. We're going to reconsider the comprehensive plan every five years. Why do we need to put that in here and try to suggest that we're already going to go back on this notion that we don't think it's needed over the next 20 years and revisit that in five years?

[04:30:21] We might revisit in five years whether it's only 15 years before it'll be needed, but I don't want to open up that. And so I also think that we should consider wording this in terms of not so much, you know, these are the criteria for expanding, but in a more negative way, which is that there won't be an expansion unless certain specified criteria are met.

[04:30:43] That's the way we're looking at this. We're not really trying to look for excuses to expand the growth area. We're trying to understand when we will need to and what criteria need to be met before we look at that. I was holding off on that until next time. Yes, I know.

[04:30:59] Let me jump in right now with one thought for people to carry away and mull over, and that is that the suggestion would be to separate the whole growth management issue from the comp plan because

we have enough to settle right here without that and have that be a separate issue that I think we can take on much more deliberatively as far as any changes or the expansion issue.

[04:31:21] Which might be on the slate for April 3rd, so I don't want to get ahead of myself, the discussion of that. Anyone else? I was going to make a separate comment. Go ahead. Just quickly, I want to just point out to folks that, and this is about transit because we're talking about transit and microCAT, the microCAT model right now is really working well and we're all thinking about how we can use that in the future, but I'd like to also point out to everybody that one of the advantages of the microCAT model right now is it's telling

[04:31:58] us where people live that want to use transit and it's providing a map for us when we start talking about transit itself and where do we want fixed route i'll use that word but the different type of transit so it's giving us a road map it's another way of looking at microcat that's all I'm saying thank you yeah I like that thank you Tori that's again a masterful job of keeping us going on this and a lot of a lot of time at the podium and I appreciate your stamina

[04:32:37] board I think that unless I know we we need to eat but we can eat and work so I would like to suggest that we go ahead and and try to fit in a closed session which I if we don't have time to finish it, we'll finish it afterwards. So if Supervisor Pruitt, if you have a motion for a closed meeting. I would like to move that the Board of Supervisors convene a closed meeting pursuant to Section 2.2, TAC 3711, Perrins A, of the Code of Virginia, under subsection 8, to consult with legal counsel regarding specific legal matters requiring legal advice relating to,

[04:33:09] first, the decision of the Board of Zoning Appeals in case number Alpha Papa 2023, TAC 00004, and second, the possible exercise of authority out of Virginia Code Section 15.2 TAC 2308 to appoint alternates to the Board of Zoning Appeals.

[04:33:30] Second. We have a motion from Supervisor Pruitt and a second from Supervisor Malik. Without objection, the clerk will call the roll. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Thank you, Board.

[04:33:45] We are now in closed session and we're ready to go back if you're ready.

[05:08:42] You don't have to have the police. You're lying. good evening we're back uh in session now and uh well the first we'll come out of closed session so supervisor pruitt if you have a motion let me unminimize it i'd like to move the board of supervisors certify by a recorded vote that to the best of each supervisor's knowledge only public business matters lawfully exempted from the open meeting requirements of the virginia freedom of information act and identified in the motion authorizing the closed meeting were heard discussed or considered in the closed meeting we have a motion oh second from supervisor pruitt a second

[05:09:19] from Supervisor Malik. Thank you. Without objection, the clerk will call the roll. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Thank you. Board, our next item is 14 from the county executive. I believe we have a county executive report tonight. Yes, sir. Thank you very much, Mr. Chair and members of the board. And this is the March county executive's report.

[05:09:46] And, board, I will go off script just for a second. We do have our normal report that's tied to our strategic plan, and I'll go through it in just a few minutes. But I do want to thank the board for the

unplanned interruption earlier this afternoon, as the board did take action to create a state of emergency here locally in Albemarle County.

[05:10:09] We have just issued a press release, and Albemarle County is responding to multiple brush fires through our community. We have activated our emergency communications center and our emergency operations center. We do have staff there. We both have career and volunteer units from Albemarle County that are currently responding to approximately 10 active brush fires of varying sizes throughout the county, along with multiple calls for smoke investigations.

[05:10:38] Three outbuildings have been involved so far in the fires. Several structures are threatened by fires that have not been contained at this time. The number of acres involved and the percentage contained are not yet available. An evacuation alert has been sent to the addresses on Taylor's Gap Road and the side roads between Dick Woods East and Blandamar Road.

[05:11:02] Albemarle County police officers are assisting with door-to-door notifications at this time. The Albemarle County Board of Supervisors, as I just mentioned, issued a declaration of local emergency earlier this afternoon. It is effective today at approximately 5.30 p.m. in response to this local emergency.

[05:11:22] And what's important for our community to understand is that this local declaration will allow our community to access resources outside of Albemarle County during this public safety emergency, such as what we are experiencing this afternoon. So chair, thank you, and members of the board, thank you.

[05:11:41] I'll move from that topic into the presentation this evening. Thank you.

[05:11:56] So board, you know, because we've now been doing this for about a year, where we're aligning the work, the day-to-day work of our organization to the board and staff's five-year strategic plan, and it involves six goals. We've talked about this every budget work session.

[05:12:13] We did talk about this as we presented the recommended budget, where we are aligning our budget to the six strategic goals. And so on a regular basis, I'm in front of the board, and I want to talk about the day-to-day work that, without our shining light on it, it may go unnoticed in our community.

[05:12:32] The first I'll talk about is our second strategic goal, which is a resilient, equitable, and engaged community. This picture that you have in front of you is capturing the work that's being done with Resilience Together staff workshops. These are 85 staff from the University of Virginia, the City of Charlottesville, and Albemarle County. Three workshop opportunities and goals are to build interdisciplinary relationships across our organizations, develop a shared understanding of the opportunities and challenges that's associated with building our

[05:13:08] community's climate resilience. The City and the University are certainly two very key partners for our success over the long haul. The next slide is tied to goal four, quality of life, and county partners with Crozet Trail Crew to improve popular trail.

[05:13:32] Parks and Recreation partnered with volunteers from the Crozet Trail Crew to build 250 feet of new boardwalk through a swampy area on a popular trail in the Old Trail neighborhood. The boardwalk was built in the future Western Park property and connects multiple parts of the Old Trail community. And I know some of the staff that were out there and they had a wonderful time.

[05:13:56] The board, this slide really is to talk about an effort that is going on across our county government and it's the county staff sharing their why. As part of the ongoing brand expansion project, employees recently have been asked to share their why they work for local government To give creative direction to a new word mark, the word cloud to showcase the common themes from those answers.

[05:14:24] We'll be exploring and promoting our employee stories and trying to share those stories with the community over the next few months. And I've been in several training sessions where employees share their why, and frankly, it's quite moving. Connecting with our people and goal number one, safety and well-being.

[05:14:45] and the board has spent some time in your budget work sessions exploring the connection with our budget and the community safety responsibilities that we have. This is our Albemarle County Police Department. This is a picture of 22 officers that were at a recent award ceremony recognized for saving the lives of 17 members of the Albemarle County community during 2023.

[05:15:12] Half of these rescues were results of launching the Narcan program in April of 2023, in which police department officers are trained and equipped with the nasal spray that reverses the effects of opioid overdoses.

[05:15:28] Very proud of our staff. Again, connecting with our people, and this has to do with our workforce and continuing to invest and strengthen our workforce. This picture recently happened just a few weeks ago, International Women's Day Women in Government Affinity Group kickoff here in Albemarle County Government.

[05:15:48] In this building, Albemarle County women staff members celebrated International Women's Day event with an event to recognize the date and launch a women in government affinity group. Approximately 40 women attended the event, and they learned about the history of the international event.

[05:16:04] They networked with colleagues from other departments, and they discussed ways to support each other as women. A group is creating a charter and goals at the end of March for an affinity group for women in government in Albemarle County. This is about infrastructure and placemaking, goal number three, and this is really about stream health restoration, and it's an update to the board.

[05:16:31] Phase one of the Biscuit Run restoration project is progressing from the design stage to permitting and procurement. The restoration design primarily entails installing intermittent log jam structures along an approximate one-mile section of the stream, and it's mimicking beaver dams.

[05:16:49] Why is this important? For decades and perhaps centuries, this portion of the Biscuit Run Valley was cleared for pasture and crops. During that period, very few tree roots held the soil together, so the stream banks became very vulnerable to erosion, and they became scoured out.

[05:17:05] The Virginia Department of Environmental Quality have declared Biscuit Run and Moores Creek, which feeds into it, into which it runs officially impaired due to the excessive amount of sediment smothering aquatic habitats. Left to its own devices, the Biscuit Run Valley would require hundreds of years to restore itself.

[05:17:24] This intervention that we are taking is intended to provide an ecological uplift so the stream valley can heal within a matter of years rather than how long it would take on its own. This is the BAAO

Trailblazers Award.

[05:17:43] Albemarle County was recognized as a digital inclusion trailblazer by the National Digital Inclusion Alliance. This recognition highlights some of the work in our organization as we've accomplished to continue to embrace the power of technology to bridge divides and empower lives through digital inclusion.

[05:18:05] Courts Project Update. Phase 1 of the Courts Complex Addition and Renovations Project continues to make progress. This phase includes preserving and renovating the historic Levy Opera House and demolishing the current Levy Annex to construct a new district courthouse.

[05:18:28] The concrete foundations and basement walls were complete in early February, and as you can see in the photo, the installation of the structural steel framing is right now underway. Phase one of the county court's complex addition and renovations project is expected to achieve substantial completion in early 2025.

[05:18:52] Yancey Fitness Center grand opening. Parks and Recreation has opened a new health and wellness facility located in the southern portion of the county at the Yancey Community Center. This project was made possible in conjunction with a grant from the Charlottesville Area Community Foundation, which has enhanced the Yancey Community Center with funding for various other resources, such as the Heritage and History Exhibit, modern audiovisual equipment, and a community garden. So it's really, really good work going on down at Yancey.

[05:19:24] Oh, this is a good story. County staff visited Murray Elementary's Environmental Club. Students from Murray Elementary Environmental Club sent a letter to the county executive's office sharing all that they had been learning about waterway conservation, and they wanted to know what the county was doing. Staff developed a response with input from environmental services, and instead of just mailing it back, they hand-delivered the letter along with the insight from the FEZ staff, the CAPE staff, to the fourth grade classroom. Laura Williamson read the letter. Kalilah Jones

[05:20:00] and Serena Gruya spoke about the importance of civic participation. So that was really, really a good day for those guys. So from the community and microcat update, microcat recently launched a larger presence at CHO, designated pickup area with signage that is now in front of the building, digital displays throughout the airport, near baggage claim, and beyond security.

[05:20:28] From the Blue Ridge Health District, recent Blue Ridge Health District staff member used the system to help a client get a ride home from an appointment and express gratitude in having a system that could assist her clients. The county, VIA, and CAT staff are working with Blue Ridge Health District for a training to teach clinical staff, WIC staff, and the community health workers about our system. And as of 3-17-24, there have been 13,324 total ride requests made to this service.

[05:21:04] Board, that is the report for March. And thank you for giving me a couple of extra minutes to talk about the emergency situation that we're working on over at our EOC. Don't plan to make any additional comments on that this evening, but we'll be monitoring the staff's work.

[05:21:22] And, Mr. Chair, before we leave tonight, if I do need to make any comments, I'll let you know. Thank you. Yes, sir. We'll open up for comments now on this presentation. Thank you. Supervisor McKeel. Excuse me. As always, Jeff, thank you very much. This was very informative and great.

[05:21:38] It's always good to see the positive and the enjoyment from our staff as they reach out to the community. I will just add that I was on an IRC meeting, Zoom meeting, Friday, and I asked if they had connected, because I tried to hook them up previously, with microCAP.

[05:21:59] And Harriet said that they are, the IRC is using microCAP, that they have translators that are working with the refugees. And she said it is working beautifully for us. So that was another positive. And that's all.

[05:22:14] Thank you. Thank you. Supervisor Callum. Thank you. Great report. As Supervisor McKeel said, enjoy seeing and reading and hearing about these different programs. And thank you for staff for being on point to get the local emergency ordinance put in place right away today. Supervisor Malik? It is such good news and really furthers the interaction that our citizens have with our local government staff. So thank you very much. Thank you. Supervisor Pruitt? No major comments. I appreciate the report and also hearing all the really extraordinary work our public safety professionals are out there

[05:22:52] doing right now. Thank you. Thank you. I concur with this remarks. I very much appreciate the report and the services of our emergency personnel right now. Thank you. That board, that brings us to item 15 from the public, matters on the agenda but not listed for public hearing or matters previously considered by the board or matters that are pending before the board. Have anyone and sign up? Yes, we do. Vice Chair McKeel will read the rules. Number three, no online.

[05:23:24] All right. Oh, I'm losing my, I'm sorry. My mic is falling apart. The following rules apply to all public hearings this evening. These rules are also included on the published agenda for the meeting, which can be found online and on the sign-up table to the is right. During public hearings, the board acknowledges speakers addressing the item listed for public hearing. Speakers are limited to one appearance of three minutes per public hearing

[05:23:57] item. Applicants, we do have applicants. We don't have an applicant. What did I do? Did I grab the wrong one? Wow, too much excitement today. No, here we go. This is it. Sorry. I apologize, guys.

[05:24:19] my fault um during the time set aside for matters on the agenda but not listed for public hearing individuals may address the board of supervisors concerning matters previously considered by the board or matters that are pending before the board other than items listed on the agenda for public hearing individuals are allowed one opportunity of up to three minutes to speak at each board meeting during matters from the public a sign-up sheet is managed by the clerk's office timekeeping is conducted through a timer and light system at the podium the green light will go on when you begin speaking, which begins your allotted time. The yellow light indicates you have one minute to finish speaking. The red light indicates your time has expired, and you will be asked to end

[05:24:59] your comments. To give all speakers equal treatment and courtesy, the board requests the speakers adhere to the following guidelines. When addressing the board, state your name, and if you live in Elmore County or Magisterial District, address comments directly to the board as a whole. Any written statements or other supporting materials may be given to the clerk. If representing a group or organization. You may ask others present to raise their hands in recognition. Speakers are not to share any unused time with another speaker. Back and forth debate is not permitted, and don't speak out from your seat or out of turn. All comments are live streamed, recorded, and published

[05:25:35] on the Almar County website. And with that, let's see what we have here. The first speaker tonight is Sherry Buttrick. And when you come down, if you'll adjust the microphone. Suggesting that I am Shorter than the average person.

[05:26:00] You look like you're about my height, so pull the mic down. Thank you. Welcome. I've always had to do this. Mr. Chairman, members of the board, my name is Sherry Buttrick.

[05:26:16] I live in the Whitehall District, and I'm here to speak about the rural areas section of the comprehensive plan. When I saw the logo for the comprehensive plan revision, I knew we had a problem. This logo depicts sprawl, houses in all the fields and on every ridgetop.

[05:26:34] This is not just a graphics problem. The Rural Areas chapter is planning for sprawl. We need the first and great goal of the Rural Areas section to be that the county supports agriculture. Wholeheartedly, not just a grim statement of its inevitability, which is, as it's drafted now, there will be thriving farms and working forests. Unfortunately, it seems to suggest, the plan and planners need to recognize that without agriculture and forestry, there would

[05:27:10] be no biodiversity, no scenic resources, no rural character that makes this area economically prosperous, and also allows for a wide diversity of jobs in the rural areas for people of modest means, who've been here potentially the longest of anybody. There needs to be, first of all, support for viable economic uses of rural land, not just boutique agriculture, but all agriculture.

[05:27:45] There need to be attractive options to conserve rural land. We need the plan to support, first and foremost, the use value taxation and its unequivocal continuation. If we lose the land use tax in this county. Make no mistake. There will be a massive conversion of land and this county will be Fairfaxed and we will drive out the long-term residents in the rural areas instantly. Good God. Second, we need to support conservation easements. There was a functioning

[05:28:19] purchase of conservation easement program that pioneered equitable options for landowners of modest means and the county mothballed it. The plan mentioned scenic resources but there are no objectives to protect them. We need to identify and protect important scenic view sheds. We need to restore the Mountain Protection Committee's recommendations that have been dropped. In short, we need meaningful support for agriculture and its resource base of farm and forest land.

[05:28:50] In this plan, not a roadmap to suburbia. Thank you. Thank you. Thank you very much for letting me have a minute or two of your time. I'd like to speak about the old ivy residences development introduce yourself first i'm sorry it's a peter reitmeyer

[05:29:24] and i'm the executive director at university village owners association um since the beginning of the gray star development pro project i've been very critical of the size the density the number of potential inhabitants the lack of parking storm water control and safety of the drivers on the very small road right there. Many of those local issues still remain unsolved.

[05:29:52] However, today I'm here to congratulate Dewberry Engineering and your county engineer, Frank Pohl, for the accomplishment in designing a sanitation infrastructure plan that will put the smelly parts of that system as far away from the homes as they can logistically be.

[05:30:15] This is by far a better plan than the original one where the sewage pumping station was proposed to be right next to their own multifamily apartment building number five. What this shows is

that when confronted with a problem that Gray Star Development really wants to solve, they can.

[05:30:36] I hope they will put the same amount of effort into resolving all of their remaining issues. Thank you. Thank you. William Sherman. Good evening.

[05:30:54] I'm William Sherman, a county resident living at 500 Crestwood Drive off Old Ivy Road, a neighbor of the applicant's project, Old Ivy Residences. If I understand correctly, the applicant has committed by proffer to provide a second on-ramp onto 25029 Bypass North.

[05:31:24] It would start side-by-side with the existing on-ramp entered from 601 Old Ivy Road. In effect, that on-ramp would be doubled in width.

[05:31:41] In the proposed sewage system for Old Ivy residents, SDP 2023-00071, project sewage would be directed by gravity flow, and running under that on-ramp to a place to the west of the on-ramp.

[05:32:07] Have the county engineers, along with VDOT and its federal counterpart, taken into account applicants' proposal to bore under the on-ramp?

[05:32:25] Boring is to allow, if I understand correctly, installation of a sewer pipe to enable drainage by gravity. Has the impact of that doubling of widths been taken into consideration in evaluating the proposal of a boring to install discharge pipe?

[05:32:44] Thank you very much. Thank you. We'll now move on to item 16, Old Ivy Residences, Central Sewerage System Request, led by Mr. Frank Pohl, County Engineer. Welcome, Mr. Pohl, again today.

[05:33:04] Thank you. Good evening. My name is Frank Pohl, County Engineer in Community Development. presentation. Okay, are you ready? Yes, please proceed. So this is a request or proposal from

[05:33:37] the Ivy Residences developer to install and construct and operate a central system for their development on Old Ivy Road. I inadvertently missed a parcel here when I highlighted the parcel. So I don't know if you can see my... Frank, I'm having a hard time hearing you.

[05:33:59] if you could just speak up a little bit or move your mic a little bit closer yeah that'd be great i inadvertently missed a parcel that's included with this uh request and it's this parcel right here as noted in this slide there are five parcels 65 6051 24c 24c1 24c3 and 24c4

[05:34:31] There are prior approvals for this project, ZMA rezoning of 2021-08 with proffers, another rezoning 2021-09, which had to do with steep slopes, and a special exception, I think, for some setback, building setback requirements.

[05:34:53] The project is within jurisdictional area for water and sewer. We've been told, though, that the service authority does not maintain systems that are on a single parcel but owned by a single entity. So they want to stop their ownership at the edge of the parcel, which is next to the on-ramp.

[05:35:15] And then they would take over that portion that is beyond their property. So that is the portion that will be extended by the development to connect to the public sewer on the other side of the bypass. Actually, it's not on the complete, it's on the other side of the bypass between the bypass and the off-ramp in that office complex there.

[05:35:39] The proposed system will be gravity, the entire system, and will consist of 184 individual connections. And a connection is a lateral that comes from a structure or building that is considered a connection.

[05:35:57] You can have an apartment building that has 20 apartments that would still only have one connection. Townhouses, a block of five, they are proposing that that would be served by one connection. Individual detached units are all counted individually as a connection.

[05:36:18] So that's why you may see the difference in number of units that are approved on a property and the number of connections. Okay and the county code requires the applicant to notify the board of a central system which they've done and the definition of a central system is on your screen and the part that kind of includes this project are the conduits because there aren't any

[05:36:52] quote pipelines but conduits I would definitely consider these conduits there are no pumping stations or force mains or treatment plants. So now that we've defined it as a central system, the hearing requirements are listed there also from Chapter 16, Section 104, and that's why we're here this evening.

[05:37:17] The next slide is a large-scale map showing the overall system. It is a pretty large project, so there's a lot of green line there. green line is sewer gravity system those are considered the main lines the laterals I did not show they are they're pretty small in this map but if you go to your packet you can pick them out in the individual blown up sheets that are indicated here the the public's portion that

[05:37:53] is to be built or would be built with this if it's approved is this section right here i don't know of any approvals yet that have been obtained to to construct this so they still have to go through those approval processes with vdot and the service authority this plan that they submitted was a pretty we consider preliminary plan um even though it looks as though they've they've done quite a bit of design to get to this point um and you can see all the different buildings here and the layout there's a pond here in the middle that they're they're routing

[05:38:32] around over here and the green is the private part or the private parts of the system there is a discussion with a service authority to possibly extend the public sewer those discussions are ongoing to possibly extend to allow future connection over here and into the victorian heights development or beyond the service authorities looking at that potential and they have to make that decision and if they decide that there is a potential for a future connection

[05:39:12] beyond their property they would then agree to possibly accept or to accept any portion of the system so the maximum that you are approving tonight would be for 184 it could be it could end up that it would be less and i don't know what the conclusion is of those or the status of those discussions are but the last i spoke with the applicant they were in discussion with the service authority for that purpose. So the next slide will go through the factors and these factors are

[05:39:45] strictly related to this proposal and nothing else. It's related to the system itself and the favorable factors are that this is a gravity system as mentioned earlier. There's not a pump station here any longer as originally proposed with the rezoning. So that means less maintenance and potential for failure most likely well not most likely but the potential would be for clogging or something like that the project is number two the project is located in the development area so

[05:40:23] it is should not should be bike should be served i guess is what we're our goal is within development areas to be served by public so this would allow it to be ultimately served by public even though we consider the on-site to be private third is the project is located within the jurisdictional area for water and sewer i think i got those mixed up the service area is what i was talking about for number two favorable and factors excuse me unfavorable factors are the system will be

[05:40:57] privately maintained and i don't know some people may say that's favorable but that's one i would think that is unfavorable because we prefer to be maintained by the service authority and with this proposal we have included some conditions of approval we use these whenever there's a system we tweak them to account for the type of system they're generally consistent whenever we have a request and that they meet for

[05:41:35] instance number two is that it's constructed to public utility standards number three we do review those plans with the final site plan and the service authority would not review this so we would be performing those reviews to those standards though number six we would also ask for documents be allowed to ask for documents we have if requested by the county engineer to request these documents for operation and maintenance so these

[05:42:10] are the conditions that were included and then that concludes my presentation and i open to any questions you have. Thank you. We'll go through our order. Supervisor McHugh. I don't remember one of these before, Frank. Maybe there has been. Is there a gravity? Do we have other gravity?

[05:42:36] I'm sure we probably do. I mean, I just don't know. We had the Regent's School with the pump station. It had some gravity and then a pump station. So that one had a little gravity. We've had, there's another one up on North 29, the River's Edge, but that included a pump station also. Those are two I can think of off the top of my head. But complete gravity, no.

[05:43:01] Yeah. You just look concerned. I'm just. No, I mean. You're okay with this. Yeah. I am okay with it. Yeah. Yeah. I think that this possibly may not need a central system approval, but that's something I'll be speaking with our county attorneys on in the future. In the future. I got you. Okay. Thank you very much. We wanted to make sure not to miss this, though, and that we've been trying to be consistent about these systems, but in the future that may change that we would bring

[05:43:37] to the board, of course. Yeah. It just seemed like you had some concerns, but as long as you're comfortable with this, that's fine. Thanks. Thank you. Supervisor Galloway. I mean, it seems like the site, the topography would make sense for the gravity. I mean, I'm not an engineer, Frank, you are, but that seems well suited for that. Well, it does go, you know, it's just different.

[05:44:04] And I'll say that, I mean, I'm not sure I understand the ACSA's rationale for the one, I mean, but I'll ask that question at a different point. Just related to the public comment that we heard about going under the ramps? That's ACSA would construct that portion on it? No, that would be constructed by the developer. So do they take everything into account with the on-ramps and all the things? Just since the comment came up in public comment, figured we should address that?

[05:44:37] Absolutely. I would assume that VDOT will review those plans and issue a land use permit for work within the right-of-way. Thank you. Thank you. Supervisor Malek? Is there a standard length of time which these sort of maintenance documents need to be maintained five or ten years or something by the owners? I don't know the answer to that off the top of my head. No other questions. I'm done.

[05:45:14] Supervisor Pruitt? Thank you. Am I correct in understanding that if this were subdivided out like for sale but the units weren't yet constructed this would not in fact require a private system? Yes. If they subdivided and had service to individual parcels, then the service authority would take it to a point where there's, I think, three or less or two or less served.

[05:45:43] So from that point, it would become private. And then those people would have to have the onus of constructing the laterals. Or rather, the developer wouldn't. Sure. Correct. I would like to concur that I have mild concerns about the idea of it being private.

[05:46:05] And with that comes concerns about long-term system health and just what the requirements and what that maintenance looks like. I'm going to guess that we don't have a periodic or no periodic maintenance, no periodic things that we do or probably even can impose on the owner.

[05:46:26] Is that about right? Well, so maintenance is when a failure, it's like your lateral when it leaves your house with the gravity lateral and the sewer that's in your street. I mean, I don't hear about maintenance occurring very often on gravity sewer lines.

[05:46:43] You hear it on water lines with water leaks, pump stations overflow, power goes out with pump stations, so you have backups for those which have to be maintained. But for a gravity sewer, if it's constructed to public utility standards, should be pretty maintenance-free.

[05:47:03] And my apologies, I was not yet on the board when we approved the old ivy residence. Am I correct in understanding that these are going to be rental units, or are these going to be? That's my understanding, but the applicant is also here, the representative.

[05:47:21] I think that's all the questions I have for now. Thank you. Thank you. And you've answered my questions. Again, I agree that pump station is scary in that sort of situation. I don't know what the actual slope of the gravity feed is. I've seen those get clogged as well, but not at a commercial scale.

[05:47:40] so that are you asking you know what the slope is i'm just curious uh the i can look here on the plans or the or to kind of follow up on that question is there a standard yeah there's a standard it's a half a percent is the minimum standard typically 0.5 because this is a pretty big slope across the property but it also has a lot of property so i don't know how that all worked out but i don't have any other questions yeah they have uh slopes from 1.78 so they look

[05:48:12] at the velocities and make sure it meets the flow requirements to keep the solids moving along and whatnot. Thank you. Thank you. Like I said, Ali, bad experience with a private system. Not an off slope. So what if there are no other? I believe this is in the chat. Yep, it is. It's in my, no other questions or comments. All right. Let me see. Oh, you have it on the board for me. Thank

[05:48:48] you. I move to adopt the resolution attached to the staff report as attachment C for the Ivy Road residences request for a central sewage system with a maximum or up to a maximum of 184 connections. Second. We have a motion from Supervisor McKeel, second from Supervisor Malik without objection if the clerk will call to roll. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye.

[05:49:15] Mr. Andrews? Yes. Mr. Galloway? Yes. Thank you. Thank you, Mr. Paul. Thank you. That brings us to tonight's public hearings. We have three, but we're going to group them together to at least understand what the issue is.

[05:49:31] They're all spot blight declarations, starting with 2941 Rolling Road, Parcel 103-67, then 3239 rolling road 103-51 and then 3247 rolling road 103-51b and these will be led by um miss lisa green our manager of coke compliance with an assistant she's coming yep my understanding

[05:50:09] is there's one presentation but we will open and close three public hearings tonight since they're separate matters thank you yes that's correct good afternoon chair andrews and board

[05:50:49] members. My name is Lisa Green. I'm the manager of code compliance for Almar County. I'm joined today by Jalene Boone, the property compliance officer for community development. Today, as a part of this presentation, we will summarize the spotlight process, provide a status of each of the six properties brought before you last August with a resolution of intent, present an ordinance for your consideration for each of the three properties we request to be deemed blighted.

[05:51:27] In addition, staff is presenting three funding options for your consideration and direction tonight. The presentation covers an extensive amount of information. Staff welcomes questions at the end. In case you have detailed questions, additional community development staff, along with members of our facilities and environmental services and department of finance and budget team are also

[05:51:55] here before we get into the details of this presentation in addition to our cdd colleagues we would also like to thank the members of the county attorney's office department of finance and budget and the facilities and environmental services for their help thank you to everyone for helping us get here and prepare these spotlight public hearings this chart illustrates a quick

[05:52:32] summary of our spotlight process. To start, staff receives a property complaint and investigates. During that investigation, all potential violations are explored and the structure or structures on the property are evaluated. If a structure is found to raise public health and safety concerns, the owner is notified of the need to address the specific problems and provide the

[05:53:07] county with an abatement plan. If the owner addresses the concerns satisfying the health and safety issues, then the case is closed. If the owner does not address the concerns or present an abatement plan, the county begins the spot blight abatement process. That is where we are tonight as we come to you, the board, with a request to adopt an ordinance declaring each of these three properties blighted. If an ordinance is adopted and sufficient county funding exists,

[05:53:42] the cleanup will begin to remove the public health and safety issues. Once the property is clean, the county provides an invoice to the owner for the cost of the abatement. This process would also include placing a tax lien on the property for any unpaid fees for work performed. We investigate complaints based on the order in which they are received. Now, I will turn the presentation over to Jalene Boone to go over the specific property details. Welcome, Ms. Boone.

[05:54:21] Good afternoon, property compliance officer. My name is Jalene Boone with Albemarle County. On August 16th, 2023, staff brought six properties before the board. On that date, the board authorized a public hearing for a spotlight abatement ordinance for six properties.

[05:54:40] Four on Rolling Road, one on Blenheim Road, and one on Commonwealth Drive. Here is a status update on some of the mentioned properties. Three Rolling Road properties are before you today for a public hearing and consideration to adopt an ordinance for each property to be considered for county abatement.

[05:55:02] 5005, Rolling Road is currently unfunded. 8038, Blenheim Road is currently unfunded. 87 commonwealth drive was recently sold on courthouse steps on february 27th 2024 for unpaid taxes community development is currently working with the new owners to bring that property into compliance as they intend to use it for personal habitation we are no longer pursuing spotlight for that property now we're going to show you the vicinity map and present conditions

[05:55:40] of each property. With this slide, we wanted to give you an aerial view of all three properties we are bringing for you today, all of which are in rural areas in the Scottsville District. All are uninhabited, dilapidated, and deteriorated, and thus have been determined to endanger the public health, safety, and welfare of the residents of Albemarle County. 3239 and 3247, owned by the same family seen at the bottom of this slide are right next to each other.

[05:56:15] The three properties are separated by just over half a mile. The next slides will show you a series of pictures of the three properties from the north, south, east, and west. For our first property, we are here at 2941 Rolling Road.

[05:56:34] In this slide, we show views of the house. These shots were taken from the north and the west. You can see that the windows are out and there are holes in the west view. Here are shots of the same house facing the south and east.

[05:56:54] Please note the missing windows, missing walls, sagging roof, trash, and debris. Next, you'll find pictures of 3239 Rolling Road, a property just over a half a mile from 2941 Rolling Road.

[05:57:14] Here is a view from the north and the west. And here is a view of the same property from the south and the east. Please note again the missing windows, sagging roof, and deteriorating walls.

[05:57:34] Moving right next door, you'll find 3247 Rolling Road. These are views from the north and the west. Here is the same house from the east and the south. Please note this house is actually caving in.

[05:57:52] Next, I would like to recap the actions taken to date. So we have contacted all property owners based on GIS records and sent a formal letter requesting an abatement plan. In conversations, the property owners have requested that the county move forward with the county-initiated abatement plan with the understanding that they, the owners, will owe the cost of the abatement to the county.

[05:58:20] Our next slide will represent the cost estimates after abatement has been executed. I will now turn this back over to my manager, Lisa Green. Thank you. This chart shows the different cost to abate these three properties. Based on the current budget, there's only enough funding to abate two of the three. Regardless of funding, staff recommends the board adopt all three ordinances.

[05:58:50] Now we will review each of the funding options for your consideration. Option 1, abate 3239 and 3247 Rolling Road, the two neighboring properties, and wait until next fiscal year to abate the last one.

[05:59:15] Option two, abate 32-39 and 32-47 and wait until the end of this fiscal year to see if we can find additional funds. Option three, abate all three properties.

[05:59:35] This option would need additional funding and a directive by the board to authorize the county executive to fund the balance. Previously, such shortfalls were authorized to come from the Board's Advancing Strategic Priorities Reserve, which has a balance sufficient to cover the shortfall.

[05:59:54] As noted on the previous slide, the estimated amount needed is approximately \$26,000. If approved, staff intends to utilize vendors currently under contract to accomplish these abatements.

[06:00:12] No additions to county staff are needed to accomplish these projects. To summarize, staff is requesting that the board adopt an ordinance for all three properties. And staff is looking for direction for three different funding options.

[06:00:32] After we answer your questions, we have suggested motion slides for each property. Each property must have a separate vote and a separate public hearing. We recommend taking each property one at a time. staff will put motions on the screen so the board can open the public hearing followed by the board's discussion and a vote and then we'll move to the next motion and the next property this completes our presentation and we will answer any questions thank you very much we'll go through our order before doing any public hearings we'll start with supervisor mckeel will you go back to the options

[06:01:10] again lisa please so you will obviously want us to decide the option tonight that you'd like to move forward with. And I have a question. Two of the houses are close together. Yes. And other houses, I've forgotten, a mile away or something. It's half a mile. Half a mile. My assumption is always that it's cheaper to do something if you bring the equipment in and do it all at once rather than doing two and then waiting six months and doing the last one. They are separated though

[06:01:48] they're not right beside each other which may not complicate it much but i guess that's the question i'm asking wouldn't we save some money if we do all three of them at the same time well the mobilization charge for 32 and 30 32 39 and 32 47 would definitely is built into that as a one mobilization charge we did not get the information back if there's a difference to move that equipment a half a mile.

[06:02:21] We would need to speak with Facilities Environmental Services on that, as they assisted us with the quotes. And I don't want to complicate it. I was just trying to figure out if there wasn't a savings to be had, if you did all three of them, but they are separated, or at least one is, and I get that.

[06:02:36] That's kind of the idea, yes. Okay, I think that's the only question I had. Supervisor Galloway? The list of all the properties, there was this, I think, there were six total, but it had two listed as unfunded. And I missed this. So if it was in the packet, I apologize. Those ones that are under unfunded, we've identified and we just don't have the

[06:03:10] budget for? That's correct. So those would basically wait until the next fiscal year before making any more steps on it. Yes. Potentially the one tonight if we didn't agree to move.

[06:03:25] Well, that is one of the options. But you've got two kind of in the queue. after these three that the new budget would allow you to proceed or take action but that is correct we um there is a in in your budget that you're looking at at this time there is a uh that you will vote on for fy25 there is a line item to add additional funding to the spotlight budget so if that is approved there would be that option and i think i heard it say the strategic reserve

[06:04:02] I mean, there's ample funds to cover \$26,000, but I mean, do we still have our just separate board reserve? I should know the answer to that off the top of my head. I would recommend, Supervisor Galloway, I really appreciate you bringing that up. I'd recommend that we not take that from the strategic reserve.

[06:04:17] I'd recommend that you allow Jacob Sumner and I to identify the money, probably from the contingency account. We have one-time money in the manager's office in the contingency, and we also have ongoing in the contingency. and we're we're approaching uh the last quarter of the year and so um it's an excellent time from a timing standpoint so if the board would be comfortable uh i can go ahead and work with the finance department to get that done that's great thank you and then because one of the questions coming in today was recouping all the costs so i heard you say tax lien so the idea is to forget

[06:04:56] the budgeted amount this is just what it takes to get it done then we go and get that money back hopefully whether or not the risk is all the dollars if we recoup some or all of it i mean all of it's the ideal um but is that your since these owners said yes go through with it they we we are confident that we're going to recoup and cover all these costs this was a conversation that we had in great length with them that they would we would build them oh since this is the first time we've come to you with this we are still working through some of the finer details

[06:05:31] with Department of Finance and Budget, but yes, what we have going forward is if this is approved, we would proceed, and the budget approved, we would proceed with the remediation and working with Facilities Environmental Services once it would take the mobilization and get everything together as far as the actual removal.

[06:05:59] And then once we received all of our invoices, we would then invoice the property owner or finance, Department of Finance and Budget would invoice the property owners. So in an ideal world, really, we're agreeing to give you money, upfront money, that we will eventually be paid back and can replenish wherever it comes from.

[06:06:21] That is the idea. In an ideal world. That is the idea. In a real world, it may be a portion of that. I don't know what the situation is. We anticipate, once we do collect, to collect all of that, plus whatever contingency, and there's several things in there.

[06:06:38] Again, the fine details we'd have to get back to you on all the cost. But the entire amount would be billed, and then we'd place a lien on that property in the event that it is sold without having that cost paid, so that we would recoup that first.

[06:06:57] Great. Understood. Thank you very much. Supervisor Malek. Thank you. I had the same question about mobilization, and I hope that running the backhoe up the road is not going to be a big deal because it seems very sensible. Does the county also have some kind of overhead fee to carry out the staff business regarding this?

[06:07:18] We have, again, we're still working out those fine details, but I think there's a fee and then a tax on top of that per the state code. Okay. Administrative fee. Thank you very much. Supervisor Krupp.

[06:07:35] Thank you. I kind of want to continue digging into what the collection process is going to actually look like based on the conversations you've already had. Because basically what we're doing is giving what seems like it's an interest-free loan to potentially bad actors in order to have them get the quality of their property right.

[06:07:59] So is it their intention to retain ownership of the property? At this time, that is what we know. However, again, based off of this process that we're still going through, and maybe we can have Department of Finance and Budget help us out with this, but again, we're working on those fine details.

[06:08:25] the idea is uh it is possible that the the county it would be a it would be a tax so an unpaid tax so if that were to continue to go unpaid it would kind of go through the same process as 2087 where it would be sold without that uh on the that kind of leads into my next question which is is is the lien that we place on the property is it immediately foreclosable or does uh does a certain time of failed debt service at the toll. I'll take that question. Good afternoon. Jacob Sumner,

[06:09:05] Chief Financial Officer. Thank you for that, Supervisor Pruitt. This would be a tax lien that we placed on the property, similar to our processes where our property owner doesn't pay the real estate tax. Our process currently is after failure to pay on your real estate property taxes. After about two three years we then go through the judicial sale process where we go through the process of having the property sold at the courts and then the the funds that are recouped from that

[06:09:37] pays the the tax bill off so this would be in the same process as that with the remainder being delivered as profits to the the owners i would need to double check on the on that particular process, but I do know that there is a process for any funds that are in excess of the tax length. I'd have to give the details for that for you. I did all right in property. I recently took property law, more recently than I think other people in the room, and from what I recall,

[06:10:08] it is delivered as profits to the owner. And the actual real property taxes on these units are all current, which is why we are not able to just do a normal tax sale and handle this in another way.

[06:10:25] The last time we checked, that is correct. Just to kind of signal my direction, I find option three very appealing. That's kind of consistent with what I think I've made known my general philosophy is, which is government exists to do services, not to save money. Thank you. And most of my questions have been answered. I kind of go with option three as well let me just ask one i guess which is we have two things going on tonight we're doing these ordinances we'll consider to uh propose ordinance to declare the

[06:11:03] properties blighted properties um i i see that there were two that are unfunded is there a reason why we don't declare them blighted properties even though we don't necessarily have the funds right now to remediate that? We weren't. Well, since we were in such arrears with the amount, I'll get that. Thank you, Mr. Svoboda. Yes, sir. Bart Svoboda, Deputy Director, Zoning Administrator for Albemarle. The three properties you have before us are the ones that

[06:11:42] we focused on. So they are, I'll use a term I've learned from Andy, they're kind of ripe in the process to be able to go forward with. The other two we did not pursue so they have the notice and different things like that haven't gone out so it would be they're not ready to be able to have the spotlight ordinance adopted this evening. Okay well I wasn't proposing that we do that I'm trying to just understand the process for example even with these three it's it seems evident that we could do the ordinance regardless of whether we actually found the funding immediately to

[06:12:21] to remediate those all three properties this being the first set we also wanted to make sure with what we had in the budget how we recover what was left that was kind of the idea too is is to get our feet wet on these a little bit sure and then start to pursue but there isn't a there isn't a requirement that as part of this process that we have a certain number of days or something to begin the process of actually tearing down the property or anything or fixing the blade in in order to do the ordinance there are certain steps that have to take place first with the abatement

[06:12:55] plan like the opportunity for the public so before we adopt that we need to be able to check all the boxes that the property owner has been informed and all those things no i'm asking on the other end which is once we've done it did we really have to have i mean i guess option one abate two properties and then wait to abate the third couldn't we pass ordinances related to all three and then you decide when it's appropriate to fund all three not i'm i'm still in favor of for the three before you tonight yes okay all right i apologize for that's that was my only

[06:13:30] question is why we have to fund them in order to abate them in order to do the ordinances we can do the ordinances whether the fund is right there right now or not yeah okay thank you uh Supervisor Malin. One follow-up from Mr. Sumner, please. I was surprised to hear or didn't understand I was going to be hearing about the two to three-year delay. So would typical interest in penalties apply, such as similar to a regular tax bill that was not paid on time?

[06:14:05] Because that would certainly be a deterrent for landowners not to wait. I would need to look up the specifics on if it would be the same rate as far as the penalty, but it would have a period of time where it would be current, and then there would be a delinquency as far as if it was not paid. When it moves into delinquency, that's when we go through the process where if it's not ultimately paid, we'll move to judicial sale. But that delinquency takes effect pretty quickly, if it's like tax bills, anyway.

[06:14:39] Yes, ma'am. Okay. And then at that point, then once it gets sold later, then those other fees would be applying. I'm just thinking back to the comment earlier about, you know, I don't want anybody making money on us on this. So that's why I'm trying to understand all the extra costs that would be in there.

[06:14:57] Thank you. Thank you. I have one follow-up question. Supervisor McKeown. Just trying to understand the difference, because we declared one other house blighted a few years ago. Smithfield. And so that was our first one. Yes. That one, we had to go to court. So this one, we're not, these three, we don't have to go to court. And I understand they're all a little different. I guess my question is, there's no need to go to court about this particular, or these three. That is correct. Different situation. That is correct. Interesting. Unless

[06:15:35] we want to foreclose the lien after two years of delirancy, which would be a court action. foreclosure. I think we went to court with the other one because of access. I believe that's correct. Our building official is not here. I'd have to get the details on that. It's just a little different process, but we did go through the one and declared it blighted, but we had to go to court, but we're not going to have to go to court with this unless. Correct. Okay. All right.

[06:16:07] Thank you. Do you want us to go around for these three funding options before we go to the public hearings or should we just go on to the public hearings since they may be included in the motions that are coming up? I haven't seen the motions if we could just to see the first one at least and we'll know. What's the process? What's the easiest way to do it? Yeah I would defer to the county attorney's office but I would it feels right to go ahead and do the ordinances first and then talk about the funding options. I don't know if that's technically necessary.

[06:16:41] either mr rosenberg or mr harrick can answer that okay well um i think what we'll do at this moment is open the public hearing for the 3239 rolling road uh spot light declaration that's sufficient do we have anyone signed up we do not so i will close the public hearing matters back before the board this is in the scottsville district yes i would like to move that the Board of Supervisors adopt the Spotlight Ordinance Attachment Foxtrot for property 3239

[06:17:18] Rolling Road. Second. Motion from Supervisor Pruitt. Second from Supervisor McKeel without objection if the clerk will call the roll. Ms. Malik. Yes. Ms. McKeel. Yes. Mr. Pruitt. Aye. Mr. Andrews. Yes. Mr. Galloway. Yes. That motion passes. We'll go on to the next. So now I will open the public hearing for Spotlight Orc declaration relating to 3247 Rolling Road. Do we have anyone signed up? We do not. Thank

you. Then I will close the public hearing and supervisor approved. I would like to move that the Board of Supervisors adopt the Spotlight Ordinance Attachment Foxtrot for

[06:17:57] property 3247 Rolling Road. Could I clarify that these are actually attachment ease to each of these ordinances. Oh, okay. Thank you. I move that the Board of Supervisors, believe my last, I would like to move that the Board of Supervisors adopt the Spot Black Ordinance Attachment Echo for property 3247 Rolling Road. Second. We have a motion from Supervisor Pruitt. Second from Supervisor McKeel. Without objection, if the clerk will call the roll. Ms. Mallett? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes.

[06:18:31] Thank you. Do we need to go back and say the first one? Let's go back to the previous one and we'll do it again real quickly um we just need the motion i would like yes i i don't think that you need to remake the motion on the prior item i think that if uh if the chair would just i i think it's been corrected i think that it's been noted that it was e not attachment out yeah thank you so we can move on to the third one which is that's right okay uh for a spotlight

[06:19:07] declaration for 2941 rolling road i will open the public hearing no one signed up close the public hearing matters back before the board for a motion i would like to move that the board of supervisors adopt the spotlight ordinance attachment echo for property 2941 rolling road second motion from supervisor pooh second from supervisor mckeel without objection if the clerk will call the roll Ms. Mallett? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Thank you.

[06:19:40] That concludes our public hearings, but we still have the matter before us of funding options. We want to go through our order. If there are any additional comments, support? I would support option three. Supervisor Galloway? Yeah, number three, and I'll support of giving the county executive the flexibility to find where the funding will come from in a variety of contingencies.

[06:20:08] Supervisor Malek? Same. Thank you. Okay. Supervisor Pruitt? Ditto. Three. Okay. And I agree as well. Do we need a motion formally to adopt? I would suggest the same. I guess my question is whether these are funds that have already been appropriated so that it's just a transfer? Yes, sir. These are already appropriate in our reserve for contingency. So I'm looking for a motion that would evade all three properties. Sorry, no. County Attorney Rosenberg, you can correct me if I'm wrong,

[06:20:43] but the board does not need to make a motion to direct me to spend that money that's already been appropriated for situations just like this. Mr. Sumner can clarify if I'm wrong. It's in the manager's contingency, both one time and ongoing. And if I'm wrong, I apologize.

[06:21:02] It is already appropriating our reserve for contingencies. And part of our policies and process is if there's any transfers out of the contingencies, we report that back to the board as part of our quarterly financial reports. Thank you. And I believe this concludes this matter. Thank you very much. Thank you for your time. Looks like you'll be back for more eventually.

[06:21:28] Thank you. Board, this brings us to item 20 from the board, committee reports and matters not listed on the agenda. Supervisor McHugh. I do. I just want to ask, just for perhaps more information, I noticed that there is a bill to help conserve agricultural land amid development pressures will become law under the, it is about transfers, it transfers the ability for the state to hold easements to the Department of Forestry.

[06:22:05] Do we have any information on that, Ann? I'm just curious. I haven't heard anything since the beginning of session. It was about consolidating some extraneous easement holdings to DOF. Yeah, this is March of the 19th. It might be interesting to find out a little bit more about this.

[06:22:23] Maybe I'll see if David can help us with it out of curiosity. It's a streamlined process of protection from future development following legislation that will become law later this year.

[06:22:40] Oh, okay. I don't know about that. It's kind of interesting, and I thought maybe you might know. I do not. I'm sorry. All right. I'll email David and see if he can share some more information with us about it since I have the article, if that works. And that's all I have. Okay. Supervisor Cowley? No, I just had to look up the word heterodox to see what that meant.

[06:23:01] I've never heard that word before. Always improving your vocabulary. Word of the day. Supervisor Malik. I do not have any. I used so much time first thing this morning, or this afternoon, that I did not. Thank you. Supervisor Prude? I have nothing I'd like to bring up at this time.

[06:23:19] Board, I did say that I would bring up that for the public that we will have a discussion as a matter of the Ragged Mountain Natural Area Permitted Recreational Activities at the April 3rd meeting. That discussion will appear at the end of the meeting as a board matter unless there is a consensus to move it to earlier in the afternoon.

[06:23:41] Not seeing that, I'm going to say that it would be at the end of the meeting, and we would look to have that discussion at that time. Chair, if I may inquire on this point. Sure. I know we're not really in that part.

[06:23:58] Is it going to be an agendated item? Yes. Okay. That is the only thing I wanted to clarify. Yes. At the end of the agenda. Okay. At the end of the agenda. With the notice under the rules having been given, it's added to the agenda. Thank you. And I also, just to follow up, I concur that it would be great, as we're coming to the end of the legislative veto session, at some point get an update on where things are, because I've seen several bills.

[06:24:23] We talked about the real rustic bill. I'm not sure what the status is. There's a preempting local authority for short-term rentals bill that I'm not very concerned about that's been discussed. And it would be great to have, at some point, some update on the status of those. but I don't want to do that prematurely. Yeah, because his veto session, I mean, his veto period is not over yet.

[06:24:42] Not over yet. That's right. There's more coming. It's in April. We know. And there's a little bit about holding up the four other items he wants. I understand. I will look to the county executive to ask if there's anything else this evening.

[06:25:00] Just a couple of things, Board. The situation that we spoke of earlier is improving. Oh, good. And so certainly we're not through the emergency period at this time, but at this time staff, of course, is fully engaged over at the EOC.

[06:25:22] Ms. Kilroy and myself continue to get updates, and I believe that's all that I've got on that situation at this time, and Ms. Kilroy's signaling that she thinks we're good at this point, sir. Thank you. Thank you very much. Is there anything else from any board members?

[06:25:38] I just want to thank the staff who aren't here. and the staff that are here and the fellow supervisors we had a really good discussion today I think about the comp plan some of us were in different

places and coming at it a little differently but I just appreciate the really good discussion and at the end of the day how we were able to work together and I want to thank staff again because that's a lot of hard work for staff and I'm going to stop so we can all go home I appreciate that I'm saying I'm going to do better with my organization and then it always falls apart.

[06:26:17] That's my problem. Board, we will adjourn to March 25th, 2024, 3 p.m. in room 241.

Opportunities for the public to access and participate in this meeting are posted on the Albemarle County website, on the Board of Supervisors' homepage, and on the Albemarle County calendar.

[06:26:33] Participation will include the opportunity to comment on those matters for which comments from the public will be received. Thank you and good night.



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