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Albemarle County Board of Supervisors Regular First Meeting, Wednesday, April 3, 2024

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[00:00:05] This is Mike. Ah, now it's working. Okay, good. Sorry. I'm pleased to call to order this regular meeting of the Albemarle County Board of Supervisors on this 3rd of April, 1 p.m. in Lane Auditorium. I'd like to note that at the dais we have Supervisor Mike Pruitt of the Scottsville District, Supervisor B. Lepisto-Kirtley of the Ravana District, Supervisor Diantha McKeel of the Jack Jewett District, Supervisor Ned Galloway of the Ryo District, Supervisor Ann Malick of the Whitehall District, and myself, Jim Andrews, representing the Samuel Miller District. A quorum is present. We're also joined here by our County Executive, Mr. Jeff Richardson, our County Attorney, Mr. Steve Rosenberg, and our Clerk, Ms. Claudette Borgerson, and our Senior Deputy Clerk, Mr. Travis

[00:00:42] Morris. Also, let me please welcome Albano County Police Officers present, Officers Andy Muncy and Matthew Middleton. We thank you for your service here today and every day, the work you do and your colleagues on behalf of the citizens of this county for our safety and security. If all present now,

[00:01:00] will stand as you are able to join us in the Pledge of Allegiance. Thank you. And if you could

[00:01:23] please join us now in a moment of silence. Thank you. Board, our first item of business is to adopt the final agenda. And I want to make note that we have, since it was first published, added to the

[00:01:58] consent agenda item 8.7.1, which would cancel the April 10th budget work session, meaning that if the consent agenda is adopted on that part. Our next meeting would be April 17th. So with that noted, and any others anybody might bring to attention, I would look for a motion to adopt the final agenda as amended. So moved. Second. So we have a motion from Supervisor Lapisto-Kirtley, second from Supervisor McKeel. Without objection, if the clerk will call the roll. Ms. Mallett? Yes.

[00:02:30] Ms. McKeel? Aye. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lapisto-Kirtley? Sir Kirtley. Aye. I'm sorry. I was looking at speaking order. I apologize. Okay. Board will now move to brief announcements by board members, and we'll do this in the order for today's meeting, starting with Supervisor Malik. Thank you very much. Let me get Paige here. So just two announcements. LEAP, the Local Energy Alliance Project, presents Solarize Virginia. It's now time for people interested to sign up for information about solar panels, free home

[00:03:09] assessments and discounted rates for transitioning your home to more use of solar energy and this is the 10th anniversary of Solarize Virginia and the application time is April 1st to June 30th so please contact Leap at solarizeva.org to get all the information and because it is spring and spring is when plant sales happen the Whitehall Virgin 14th annual plant sale will be held one day only, Saturday, April 27th, 8 to 1, rain or shine, at the Community Building in White Hall at 2904 Browns Gap Turnpike, and see you there.

[00:03:44] Come early. Thank you. Thank you. Supervisor Lupisto-Kirtland. Thank you very much. I just wanted to commend staff regarding the budget town halls that have so far already been held, and I think there might be some more coming up, and I encourage everyone to attend, or if they've already attended, that is great.

[00:04:06] if they have any questions, you know, to notify us, but it was a really good presentation from staff to let the public know what our budget is all about. Thank you. Thank you. Supervisor Galloway. I have no announcements today. Thank you. Supervisor Pruitt. First, I would like to join Supervisor Lupisto currently in thanking both staff for their continued push on both the community outreach element of the budget and the actual budget development process. This is my first year really in the driver's seat and watching the sausage get made with the budget and it is a tremendous effort that staff puts together so I'd like to thank them and again the members of the

[00:04:45] public who have been similarly engaged throughout. It's been really inspiring to see the community all work together on this. I would also as per usual like to remind all members of the public that we do have in-person early voting beginning for the primary elections for Congress in our district beginning on May the 3rd. Again, we have primaries in both the Republican and the Democrat primaries. They're all going to be fairly tightly contested, so your vote matters in whichever of those two primaries you choose to vote in. That's all. Thank you. Supervisor McKeel. Yes, a couple

[00:05:19] of things. The Jack Jewett Town Hall is scheduled for this coming Monday, which is April the 8th. I think that's correct. Yes. Monday, April the 8th. It will be held at Journey Middle School at the Media Center at Journey Middle School. And it's scheduled for, well, it'll start at 530, but we'll have a brief business meeting for the CAC first, and then we'll move into our town hall.

[00:05:47] So, the other item that I just want to mention is that on March the 21st, Dr. Daniel Jordan passed away, and he was certainly instrumental in bringing Monticello into the 21st century.

[00:06:10] A great leader that we had in this community, he added educational programs at Monticello that discuss slavery and race in honest ways, and he'll be missed.

[00:06:27] And I do want to just comment from the viewpoint of, I was a school board member during his tenure, and Dan was always very connected to Monticello High School. He reached out to me after we named it Monticello and was just thrilled that the name of the association of the name.

[00:06:51] And I don't ever remember during his tenure, once Monticello High School opened, at every 4th of July naturalization program, Dan had a Monticello High School student on the stage.

[00:07:07] They either sang, they led the Pledge of Allegiance, they read a passage of some sort, but he really honored Monticello High School. It was really endearing. So I just wanted to mark his passing, and he was a loss to the community.

[00:07:25] Thank you. Thank you. Thank you very much. Board, I just want to, again, add my appreciation for staff and those members of the public who have come out to the town halls so far. We had two in Samuel Miller district the town hall at BFNC so far has drawn the greatest number of people I think for a single town hall so I'll leave that out there as a challenge for those who have town halls remaining I also want to again mention this year the Batesville day is May 4th and it's always a great day so I'll bring that up again does anyone else have anything to add

[00:07:57] If not then our next item is proclamations and recognitions and I will turn to Supervisor Pruitt to make a motion to adopt a proclamation recognizing Dark Sky Week. And this is just the full text of the proclamation as written. As a motion. Yes. I would like to move that the board adopt a proclamation recognizing Dark Sky Week. Whereas the aesthetic beauty and wonder of a natural night sky is a shared heritage of all humankind, the experience of standing beneath a starry night sky inspires feelings of wonder and awe. Many people in Albemarle County live

[00:08:36] under a dome of light pollution, excessive artificial lighting at night that disrupts natural darkness, and may never experience the visual wonder or ecological and health benefits of living under a dark sky, and whereas light pollution has scientifically established economic and environmental consequences, which result in a significant impact to the ecology and human health of all communities, and light pollution represents a waste of natural resources amounting to roughly \$3 billion per year of wasted energy in the United States and contributes to climate change.

[00:09:09] And whereas Albemarle County has adopted the Biodiversity Action Plan to protect the many species which rely on undisturbed night environments to hunt, mate, and thrive. Albemarle County is home to Fan Mountain Observatory operated by the Astronomy Department of the University of Virginia.

[00:09:27] the southernmost edge of Albemarle County is less than 10 miles from the James River State Park, which is one of four Virginia state parks designated as an international dark sky park by the International Dark Sky Association. And whereas the International Dark Sky Association is the globally recognized authority on light pollution and has created International Dark Sky Week to raise awareness of light pollution and provide free education, resources, and solutions to the public to encourage the protection of and enjoyment of dark skies and responsible outdoor lighting.

[00:10:03] Now, therefore, be it proclaimed that we, the Albemarle County Board of Supervisors, do hereby recognize April 2nd through 8th as International Dark Sky Week. Second. We have a motion from Supervisor Pruitt and a second from Supervisor McKeel.

[00:10:20] Without objection, if the clerk will call the roll. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lapista-Kirtley? Aye. On board, I think we have Ms. Christina Hirsch-Putnam here to accept the proclamation and make the remarks.

[00:10:38] Welcome. Thank you so much. Great to see you. Can I bring my fellow dark sky enthusiast up here with me? Wonderful. Well, on behalf of the Natural Heritage Committee, the Piedmont Dark Skies Group, astronomers, naturalists, and my fellow citizens, I want to thank you for your support in addressing light pollution.

[00:11:02] And I just want to say light pollution, unfortunately, this is increasing by just about 10% per year, which is really astounding. And so the disappearing darkness not only limits our view of the stars, but it also has serious health implications for every living thing on this planet.

[00:11:25] for billions of years all biological processes have evolved with the earth's predictable rhythm of night and day it's encoded in our dna um lighting up the night just disrupts this predictable cycle in addition excessive outdoor lighting is disorienting and often fatal for migrating birds and nocturnal insects and it just so happens that this week coincides with the peak bird migration that's happening in the northern hemisphere so just want to make note of that so thank you so much

[00:12:01] and we look forward encouraging everybody when the clouds part to look up into the sky and enjoy the wonder of it thank you and i'm carol carter and i also just want to say thank you we can all do something to reduce light pollution whether it's switching off a light bulb pulling down our blinds talking to a neighbor or business about over-lighting, or joining Piedmont Dark Skies.

[00:12:28] Thank you for this proclamation and for all that you do to protect and conserve the things that make Albemarle County exceptional. Thank you. If you'll hold for a minute, I think we'll probably want to add comments, so I'll give the board a chance. Supervisor Malik?

[00:12:43] Thank you. I'm horrified about the 10% increase per year because back in the 80s when my kids were at elementary school, the kids from town all came to our backyard to lie on the grass and look at the constellations because that was the only place they could be seen. So we all have to do a much better job on this.

[00:13:01] And thank you for leading the way. Thank you. Supervisor Lupisto-Kirtley. I am very appreciative of the Dark Skies Initiative. And anyone who doesn't understand it, just go to a large city, live in a large city. I lived in the L.A., in L.A. County.

[00:13:19] We didn't see stars maybe a couple times a year. that was it it was like oh my gosh look there's stars up there uh came here you see stars what a difference that's something we need to protect and maintain so very much in favor thank you for doing this supervisor gallivine thank you for being here today and for the comments and for your work on this i wouldn't um mention that a week ago i had visited my hometown in wheeling west virginia which not that it's void of light pollution but it's was a point of comparison that there was a noticeable difference from my front porch and where i was at in wheeling and i was not

[00:13:58] off in the rural areas um but even in a place that is a city in that town there was still a note i noted a difference so just thought i would share that thank you for being here today thank you uh supervisor pruit i believe you also have the proclamation to hand i do i was going to hand that when we're

all done with the remarks is that appropriate all right um Thank you so much for being here and for your work on this issue.

[00:14:25] I know when you first brought it to my attention, or rather when you more recently brought it to my attention, I had just come back from visiting my father, who lives where I grew up in rural South Carolina, in the upstate, in the mountains. And I had just been in the front yard with him while I was visiting, and he was looking up at the night sky and asking me to describe what he was seeing because he had some cataracts that were developing and making it hard for him to see the stars.

[00:14:54] And I remembered growing up as a child, going out there with my parents, taking our night sky atlas, learning all the stars above me. And I worry that this very simple memory, this very seemingly inconsequential but so impactful memory, is something that we have future generations that won't have.

[00:15:16] You know, I served on a ship in the Navy, and it is a truly majestic and powerful thing. You are crossing the Atlantic. You are having a bad time. You are trapped on an iron box at work, and you are able to go outside when you're on launch six hours in the middle of the night and look up, and the entire universe is above you with a kind of just power and majesty that I worry we don't have on land anywhere else in America.

[00:15:46] So thank you. thank you for your work on this. Thank you. Supervisor McKeel? Yes, thank you very much for bringing this forward. I've lived in a neighborhood for over 50 years that has lots of astronomers from UVA, and every time someone has mentioned putting up a streetlight, the response has been no, just anecdotally. I will say, though, that I am very hopeful that when we update

[00:16:20] our 20, 25-year-old lighting ordinance that you all will be following this with us and coming back to us at the appropriate times to say, think about this, think about that, because updating that ordinance and bringing it into the 21st century would actually make, I think, a difference for our community. The other thing I would add is, well, two more things and I'll stop then. But I have been very concerned over the last decade in watching the lighting

[00:16:56] industry moving to the dusk to dawn post lamps. Because when I look around my neighborhood, those are the ones that are really, you know, they go on automatically, they go off, which is, you know, we all think is great. But they are really a problem. And I don't know how we get at the industry recognizing that that's a problem. I'll just leave it at that. And the only other thing I'd like to add is that in our community, you only have to drive up to Pantops. No offense,

[00:17:34] Bea. None taken. You only have to drive to Pantops to see the scatter from the University of Virginia. And I'm not blaming just the University of Virginia, but my point is we're all in this together and we have a community that we're not going to get to dark skies if we don't get the city and university working on this initiative together and I think that's critical but thank you for being here. Also add my thanks for your initiative with this proclamation. I know it is about dark skies but it also speaks to astronomy for me and I'm one of the only ones

[00:18:13] up there I think that's taught a full-term course in astronomy and enjoyed forcing students to come to the campus telescope at 4 a.m in order to have some dark skies um but i really appreciate that i and i i think it you know because it's dark guy week is happens to include april 8th i should mention that we've got a major eclipse in this country coming so safe travels and safe viewing for any of those who

might be traveling to where they can see it obviously you don't look directly at the sun. So even with an eclipse. So anyway, thank you again. And Supervisor Pruitt, you have

[00:18:50] a proclamation? Yes, sure. Just a second. Thank you. We'll come back together. Supervisor Lopisto

[00:19:27] Curley, have an additional comment? Yes, I'd be remiss if I didn't mention that I've read an article regarding LED lights on the front of cars and how they're blinding. And I think the effect of led lights is having a significant unfortunately pros and cons that last longer and everything we know that saves energy but the brightness uh it it frankly it bothers me i'm not sure we need it that bright and i do look forward to an update of our lighting ordinance thank you thank you i would just say on that point the american medical association recognized that um headlight glare

[00:20:06] was a safety problem and sent a letter to Detroit, the powers that be, in 2016. And so they are supposed to be making some adjustments, but Detroit moves slowly. That's good to know. Thank you.

[00:20:23] Thank you. Board will now move to item number seven. From the public, matters on the agenda, but not listed for public hearing are matters previously considered by the board or matters that are pending before the board. And I believe we have a number of people signed up to speak, and Vice Chair. Vice Chair McKeel will read the rules for in-person. Are there any online speakers?

[00:20:43] No online. For in-person speakers, a reminder that our rules are that 10 speakers unless the board moves to change that. So please proceed. 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.

[00:21:10] 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. Up to ten persons may speak during each matters from the public session.

[00:21:27] 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. The red light indicates your time has expired, and you will be asked to end your comments.

[00:21:43] To 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 Albemarle County, your magisterial district. Address comments directly to the board as a whole. Any written statements or other supporting material may be given to the clerk.

[00:22:01] 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 another speaker. Back and forth debate is not permitted. Do not speak from your seat or out of turn. And all comments are live streamed, recorded, and published on the Almar County website.

[00:22:25] And with that, our first speaker for today is Carlos Armengold. Armengold? I'm going to get it right. Armengold. Welcome.

[00:22:41] Please adjust the microphone. that's appropriate thank you how do i change that how do i move the oh i see and you're going to need to speak up because we can barely hear you good afternoon my name is carlos armengal and i live in the samuel miller district thank you chairperson andrews and fellow supervisors for allowing me the opportunity to speak to you today about the ragged mountain reservoir and its importance to our community a topic that you will discuss later this evening this beautiful piece of

[00:23:16] land lies a few short miles from here. I would like the Board of Supervisors to consider changing the Albemarle County Code that prohibits any activity not permitted at the reservoir so as to allow other recreational activities like running and mountain biking. I have two sons who attended Albemarle County Schools and graduated from Monticello High School in 2022. They loved riding their bikes and hiking at Ragged Mountain when they were young, whether they were riding with their family or practicing with the team. As a pediatrician with over 25 years of experience at

[00:23:52] Pediatric Associates of Charlottesville, I come to this topic from a different perspective. During my career, I have witnessed ever-increasing rates of childhood obesity. The latest CDC numbers from the National Health and Nutrition Examination Survey paint a grim picture of obesity in America's youth, especially if you belong to a minority group. As a result, I have made it a priority to encourage physical activity for our community's children and adolescents. As a coach for various sports, including as an assistant for the Monticello High School mountain bike team.

[00:24:27] Intuitively, physical activity should have many positive benefits, and not surprisingly, numerous studies have supported the association of physical activity with improved health and well-being. As a coach, I'm happy to report that I see these benefits play out every practice and at every event. Researchers have identified various barriers to physical activity in children and adolescents, barriers that we as adults can control and affect, particularly in the built environment. As a coach and pediatrician, my priority is to remove barriers for children and

[00:25:05] adolescents and allow them to have opportunities for physical activity and mentorship. The CDC has produced guidelines for communities to follow regarding physical activity. Access to Ragged Mountain helps alleviate some of these barriers, including access to safe and easily accessible facilities for our youth to use for recreation. Time is not on our side. The longer the community, the county, delays updating this code, the harder it becomes for our youth to access the amenities at Ragged Mountain. Please consider taking action now. Thank you. Thank you. The next

[00:25:42] speaker is Mark Lorenzoni. Hi, everyone. I'm Mark Lorenzoni. I live in the Jack Jewett District. I've lived there since 78. I first want to thank you. I know I'm eating up some of my time doing this, but I don't get to speak to you like this in this scenario for the work you do on an ongoing basis.

[00:26:08] It's often thankless, but trust me, it's not unnoticed. So I thank each of you, all of you, for your work. I'm here to speak on the same topic, recreational use at the Ragamount Natural Area. I live in the county, but I wear a different hat.

[00:26:27] Some of you may know my family has owned business within the city, and our customers are really awesomely the demographic of the people that I think should be able to use this beautiful almost thousand acre facility. We have bird watchers, we have runners, we have hikers, we have walkers, and we have mountain bikers, families young and old that frequent our business. And across the board, people are taken by the fact that the proximity of this incredible resource. The other hat is both Cynthia and I are Parks and

[00:27:02] Rec graduates of Michigan State. We're old people, so we graduated in the 70s, early 80s. And this is the exact, exact type of thing we were studying back in classes at Michigan State, was shared usage of public space.

[00:27:18] This is a beautiful opportunity to really have a landmark scenario, something we can be proud of. I'm proposing, with your blessing or with your guidance, that we form a committee of folks that represent all of those entities that I talked about earlier.

[00:27:37] birdwatching, hiking, walking, running, cycling. And we figure out how we can use this facility moving forward together, collegially. I've got lots of ideas. I'm not going to waste my time here, your time talking about it. But this can be a really tremendous project that we can be proud of moving forward.

[00:27:57] I personally see this, people have been calling this divisive, controversial. I look at it the opposite way. This is an opportunity for the county and for our community to do something special, to have a recreation area that is shared usage.

[00:28:13] So I'm offering to be part of that. I would love to be a part of it. This is the kind of stuff I love rolling my sleeves up on and moving forward. So thank you for the time. Thank you. All right. Grace Agnew. Hi there.

[00:28:41] I'm Gracie Agnew, and I live in the Samuel Miller District. I'm here to speak on behalf of myself, my friends and family, and the whole of the mountain bike community on the same topic as the two previous speakers, the Ragged Mountain Reservoir. I don't know if any of you have had the pleasure of walking or riding at the Ragged Mountain Reservoir, but it is beautiful.

[00:29:02] Before it was closed down to riders, my family and I rode there just about weekly. Additionally, I have friends in my neighborhood, friends and fellow teammates, because I'm on the Monticello High School mountain bike team, that live in my neighborhood, and we have also enjoyed riding over to Ragged together.

[00:29:19] One of the big factors that contributes to Ragged being one of our favorite places to ride is accessibility and proximity. We have other wonderful places we can ride, for example, Walnut Creek, but a car is required to get there, and I don't always have access to a car, and neither do many of my teammates, So Ragged makes for a great place that we can meet and we're able to ride our bikes to get there.

[00:29:42] The mountain bike community just a few years ago was barely present in the past few years. It has grown substantially, not only the people, but also the trail networks around Charlottesville. And much of this growth and maintenance is due to hard work put in by the mountain bike community.

[00:30:00] The very trails at Ragged, which were now banned from riding, we put a lot of work into those. For example, the Cambic organization. And I'm sure that Albemarle doesn't want to be a county that's quashing the spirits of volunteers and making them ask questions like, why did we put so much work into these trails if we're not actually going to get to enjoy the fruit of our labor?

[00:30:22] Next, I also understand that a county needs money to run on. So I don't know if you all are aware, but in Charlottesville, in just one afternoon, you can pick up about 50 miles of trails on a bike without barely using any road. Of that 50 miles, many would consider the Ragged Mountain Trail Loop the highlight of that ride.

[00:30:45] And we have great tourist, attractive tourist destinations like UVA and Monticello. And I believe with 50 miles of trails, Charlottesville could be a mountain biking hub. And this could be another attractive tourist destination.

[00:31:01] We could bring people who are clearly willing to invest considerably in their sport to Charlottesville. And by bringing more people into Charlottesville, we're bringing more money into Albemarle County. So in short, I think instead of impeding the mountain bike community, which is made up of people who enjoy being outdoors and are willing to voluntarily maintain the trails around Charlottesville, I believe instead of impeding it, we should be promoting it.

[00:31:25] This will support high school students like me who enjoy getting in a ride after high school or after school. And this will also support the community as a whole by making Charlottesville a more popular destination. Thank you for your time. Thank you. Sue Friedman. Chair Andrews, supervisors, County Executive Richardson, and staff, thank you for this opportunity, not just today, but every day, for comments from the public.

[00:31:58] I'm here today representing CAA, the Charlottesville Area Alliance, and would like to read a statement of support from them. CAA supports maintaining the current Albemarle County ordinances regarding authorized uses of Ragged Mountain Natural Area as an age-friendly open space.

[00:32:20] CAA was formed in 2015 with a vision that the Charlottesville area will be the most age-friendly community in the country. We are an alliance and we incorporate businesses, organizations, and governments who are supporting age-friendly living.

[00:32:41] Our mission is to lead the advancement of an age-friendly community through participation in the Livable Communities World Health Organization program. Again, thank you so much, and hope you will take age-friendly as a priority concern as you consider the Ryttegood Mountain natural area.

[00:33:04] Thank you. Neil Williamson. Now for something completely different. Good afternoon. Neil Williamson with the Free Enterprise Forum.

[00:33:20] Can 15 words make a difference? The right 15 words in the right place can make all the difference. The very heart of planning is the concept of looking ahead. Later today, you'll be discussing the 20-year forward-looking AC44 comprehensive plan.

[00:33:38] The Free Enterprise Forum has been very vocal during the preparation of AC44 regarding the need to expand the development areas. As often as we have raised our concerns or potential solutions like the lasagna plan, The Board of Supervisors has made infinitely clear their unwillingness to expand the development areas in this iteration of the comprehensive plan.

[00:33:59] While we remain convinced the development area expansion is needed, we can also count noses. Perhaps the Board would be willing to consider adding 15 words to the AC44 Community Facilities Infrastructure and Services chapter you were discussing in the work session today.

[00:34:18] Today, here we are at the AC44 Phase 2 of a three-year planning exercise to update a plan that is updated every five years. Would this not be the appropriate place to add 15 words to the third page of this chapter?

[00:34:35] We believe if these 15 words are added and followed, it could positively impact Albemarle County beyond the current planning horizon of 2044. Under Public Water and Sewer Objective 1.2,

coordinate with RWSA and ACSA to provide public water and sewer service in the development areas in a fiscally responsible and sustainable manner, consistent with the growth management policy.

[00:35:01] That's what's currently written. The Free Enterprise Forum proposes adding the 15 following words, identify the most fiscally responsible and sustainable areas to potentially expand the current development areas. While not a lovely piece of prose, these 15 words would direct RWSA and ACSA to examine the potential expansion of their infrastructure to serve the potential expansion of the development area.

[00:35:29] By adopting this language, the 2029 Board of Supervisors, perhaps with some of you still sitting here, will have data to drive the decisions regarding development expansion that will definitely be needed when you next review the comprehensive plan for the AC-50 plan.

[00:35:46] The Free Enterprise Forum has to ask, why would you not want to know? Thank you for the opportunity to speak. Thank you. Rob McGinnis. Good afternoon.

[00:36:07] My name is Rob McGinnis, and I'm here representing the Piedmont Environmental Council. My following comments pertain to the draft solar renewable energy goals and objectives for the Community Facilities Chapter for the updated comprehensive plan. There are contradictions contained within Goal 2, Solar Renewable Energy, which could cumulatively hinder Rural Area Chapter Goals 1 and 2, which aim to support working forests and the agricultural economy.

[00:36:34] Objective 2.1 lists timbered land as a recommendation for where solar facilities should be sited. As nearly all land in the county has been timbered sometime in the past, this objective is not useful for best siting practices, as it would, in effect, allow siting anywhere.

[00:36:51] Timberland, for all its short-term unsightliness, does regenerate, whereas removing the tree stumps followed by masquerading typical many utility scale solar projects terminates this natural process. In contrast, Objective 2.2 states the impacts to forestal resources will be minimized.

[00:37:08] Timberland is still forest land. It is just in the early stages of regeneration. Objective 2.3 does not include protection of forest cover, so despite including priority protections of silviculture soils, The county will not be minimizing impacts to forestal resources if it is removing forest land from production and preventing it from returning to forest cover in the future.

[00:37:31] The county's draft solar energy facility ordinance includes a requirement for a siting agreement between the county and the developer. The community facilities objectives for solar facility siting should include a recommendation that mitigation of impacts to prime ag soils and loss of forest land should be mitigated via the siting agreement.

[00:37:53] The monies received by the county from the developer should be directed to the county's purchase of development rights programs. Lastly, and unrelated, a quick comment on the county's list of rural roads listed for paving. A number of the roads on the current paving list have significant cultural and recreational values.

[00:38:11] One of the most important being DECA Lane. We hope the county will consider options other than paving. Thank you for the opportunity to provide my comments. Thank you. Paul Sullivan. I'm not sure I'm seeing anyone. Paul Sullivan? I don't believe he's here.

[00:38:37] Okay. So, yes, as long as Mr. Sullivan's not here, we are through. Thank you. That concludes matters from the public. Our next item is the adoption of the consent agenda. I mentioned previously that we've added 8.71, canceling the April 10 budget work session, as previously discussed. I am not aware at this time of any other amendments, so the floor has opened a motion to adopt the amended consent agenda. So moved. Second. We have a motion from Supervisor Malek, a second from Supervisor McKeel. Without objection, the clerk will call the roll.

[00:39:17] Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lupuso-Kirtley? Aye. Thank you, and I just want to make note that that means, contrary to what's on the agenda that's printed that our next meeting will be April 17th here in Lane Auditorium, and we'll announce that at the end of the meeting, obviously.

[00:39:42] Board, we're now ready for item nine, which is S.L. Williamson, Consideration of Claim, led by Mr. Steve Rosenberg, our county attorney.

[00:39:59] Mr. Rosenberg. Thank you, Mr. Chair. This matter concerns a claim presented by S.L. Williamson Company to the Board of Supervisors in connection with a contract for the Ivy Road Sidewalk Improvements Project that was entered into between the county and S.L. Williamson Company Incorporated on July 17, 2021.

[00:40:33] Counsel to the contractor presented the claim in person to the board at its meeting on March 6th, 2024. And on that same date, the county attorney's office briefed the board concerning the claim in a closed meeting.

[00:40:54] Then the matter is now before the board for consideration attached to the agenda briefing. I'm sorry, attached to the executive summary, are two resolutions. Attachment A is a resolution to accept the claim, and attachment B is a resolution to deny the claim.

[00:41:16] The amount claimed is \$238,207.29, and as indicated in the executive summary, consistent with the advice of the county attorney's office, Staff recommends that the board deny the claim as made by S.L. Williamson Company.

[00:41:37] So, as I indicated, you have the two resolutions. You have the staff recommendation based on the advice of the county attorney's office. And the matter is now before the board. And it would be appropriate for the board simply to make a motion, to consider a motion approving or adopting one resolution or the other.

[00:42:02] Thank you. So I'll look for a motion. I'll make the motion. I move to adopt the proposed resolution to deny claim asserted by S.L. Williams & Company, Inc. in the form attached to the executive summary as attachment B. Second.

[00:42:18] We have a motion from Supervisor McKeel, second from Supervisor Lupisto-Kirtley. Without objection, the clerk will call the roll. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lupisto-Kirtley? Aye. Thank you, Board. That gets us to item number 10, work session, the VDOT Albemarle County fiscal year 25 to 30 draft secondary six-year plan.

[00:42:44] And I believe that will be led by Mr. Albert Karina-Plum, Planner 1, from Transportation. Welcome, Albert. Good afternoon, Chair Andrews, Board. My name is Albert Karina-Plum, and I am a transportation planner within planning within community development.

[00:43:13] This presentation will cover the draft secondary six-year plan for this year, as well as a draft list of roads that are to be paved under the Rural Rustic Program. The secondary six-year document is a document that applies to the roads in the secondary system and identifies funding allocated for the next fiscal year and estimates the funding for the next five fiscal years.

[00:43:37] Telefee funding stems from utility companies paying a fee to VDOT to put lines in the right-of-way. These funds right now are being used to help fund the Berkmar Drive Airport or extension by Airport Road. District grant unpaved funds are used on both rural rustic and other projects, including the previous Ryle Mills extension.

[00:43:55] This plan is updated and adopted by the board annually each spring. The secondary six-year plan is heavily informed by the Albemarle County Priority List for Secondary Road Improvements-Unpaved Roads. It is guided by the Albemarle County Unpaved Road Policies and Review Process.

[00:44:13] The document was updated in May of 2022 to now require demonstration of support from two-thirds of residential property owners along the road segments. These are the seven roads that have been prioritized for paving as part of this year's Secondary Six-Year Program.

[00:44:30] Three have enough signatures to move forward. Sutherland Road was approved last year, but extensive drainage work pushed paving to this year. Both Blair Park Road and Starlight Road are one signature from crossing the two-third threshold. and Burton Lane still need to receive enough signatures.

[00:44:48] There has been confusion about what can be paved with these two roads, Burton Road and Burton Lane. All of Burton Lane is eligible for paving. Just the southern half of Burton Road, from Burton Lane down to North Garden Lane, is eligible for paving. These two projects are independent of each other, and one does not require the other to move forward.

[00:45:08] Once signatures and feedback are received, staff will return for resolutions to pave the roads under the Royal Rustic Program in May. Stony Point Pass was paved in two segments last year, a northern portion and a southern portion. There were requests from citizens at the end of the northern portion to extend paving an additional 0.2 miles south.

[00:45:29] That segment did not qualify for paving under the Rural Rustic Guidelines due to narrowness and other safety concerns. If constructed, this would be a more substantial road project requiring right-of-way vegetation clearing and some road widening.

[00:45:45] VDOT has preliminary estimated the cost of this product to be about \$86,000. Funds from the district grant unpaved pot of money could be used towards paving this section of the road. Assuming that all roads this year receive the necessary number of signatures, there would not be leftover funds this year to complete that paving of 20-point pass.

[00:46:07] The board may vote to add it to this year's paving list, but it would, again, certainly push one of the roads to this year's list to next year. I want to coordinate more with VDOT, but if some roads do not receive enough signatures this year by the May 15th public hearing deadline, those funds could maybe be shifted to 20-point pass.

[00:46:26] And then for board action, staff will return on May 15th for a public hearing on the Secondary Six-Year Plan, where the board will consider a resolution to adopt the FY2530 Secondary Six-Year Plan.

There is still time for roads that do not have enough signatures to get them, but the deadline will be the public hearing.

[00:46:46] The letters that are already sent out are the only communication I really have with landowners. I encourage both board members and residents on these roads to reach out to neighbors to make sure that they are aware of the letters and to respond to me to indicate their support or disapproval for payment of these roads.

[00:47:03] Thank you. Any questions? Thank you, Mr. Cranflin. We will go through our order. Supervisor Malek. Thank you. Is this the appropriate time to ask you a question about some blocked information on the list of roads? Yes, for Deca Lane? Yes, please.

[00:47:18] What does it say at the place that's squashed? First of all, I apologize for that squashed cell and the Excel sheet. Essentially, it says that only part of deck of laying could be paved under the Rural Rusted Guidelines. Only part? Only part of it.

[00:47:34] Only a portion of it qualified because of, again, things like safety concerns with the nearest in the road or deep drop-offs or things like that. For about 20 years, it's been the geometry of the roadway period that's caused it not to qualify. So I guess we still need more data about that because it keeps popping up on the list.

[00:47:54] Yes. Usually it's a response in one phone call, and then we get 35 emails to people to say, we don't want this. So this is a problem with not establishing these and getting them listed separately. It would save you a lot of time to do that. This year, Decalane is not considered for paving this year as part of this year's secondary six-year plan.

[00:48:13] And for paving to happen, it would have to follow the normal procedure for all the other roads. And I guess just for future use, for ones that are either done or in the right-hand column where it says does not qualify, period, perhaps those could be listed someplace else so that we don't have confusion when people are scanning down the list to make sure if they should respond or not.

[00:48:37] Yeah, I'll look at that, and thank you again for the suggestion. Thank you very much. Thank you. Supervisor Lapista-Curtley. Thank you. So thank you very much for your presentation. A point of clarification from what Supervisor Malik said regarding DECA Lane, were you were you saying that it would just be a portion of Deca Lane not the whole thing kind of like Stony Point Pass where one end was done and the other end was done but not the whole thing yes correct 20 point pass there was like the middle section that could not be paved because it was too mountainy but so it's two different portions this could be similar and that part of

[00:49:12] Deca could possibly be paved but okay and that would be more for like safety reasons or this I mean, VDOT does the feasibility study for these roads to determine if it can be paved under the rural rustic guidelines, and part of that is to reduce the amount of actual construction, so it's basically paving within the existing road bed and the existing road geometry without altering the road considerably.

[00:49:38] Okay. And regarding Stony Point Pass, I know I've been getting, as you have, a lot of emails regarding that point two, And we talked about it in the beginning. The roads were paid back in the fall, which is very nice.

[00:49:55] And then we said we'd bring this up again if there were additional funding. From what I understand is that I understand the price and what would have to be done. If the others on the list do not comply with the signatures, would that free up?

[00:50:13] You're saying that would free up if they don't follow through for the other projects by getting the signatures. That would free up monies to be able to do that 0.2 section of Stony Point Pass that is desperately asked for? Yes, potentially.

[00:50:29] I would want to check with VDOT and coordinate with them to make sure that they're able to do it. But in theory, if roads that do not get enough signatures, that money becomes freed up and may be used. But again, I would want to check with VDOT and see what they say about it first. Okay. And if they do get the signatures, then that means that the only way to get that 0.2 portion paved would be that we, the board, would have to pull from another project. Is that correct?

[00:51:00] So the district grant unpaved money can be used for that as well. It would probably be something that could be added to next year's list since every year it kind of regenerates itself. So if all the roads move forward with paving or with signatures to be paved this year, it would be most likely that Stony Point Pass would be for next year's round of paving in general.

[00:51:24] It would be still using the same pot of money, the district grant. It would just be another item that we added to, I guess, VDOT's list for next year. So if we get the signatures and if all those projects that are currently on the list get paved, then there's still a possibility for Stony Point Pass next year.

[00:51:43] is that correct yes okay i know okay good thank you hope springs eternal hi tanya swartzen gerber with uh the community development department as well just to clarify a little bit i believe it would be up to the board's discretion if you wanted to add stony point pass to the list that is funded if all the other projects are all the other roads are um have enough signatures you could

[00:52:18] quote, bump one, to add Stony Point Pass, if that was your decision? I just, I mean, the board has been so good and so patient with getting Stony Point Pass paved, what we did get paved, in that small section.

[00:52:38] I mean, I would leave that up to the board. I would ask if that's possible. I'm not sure I want to bump anyone's project. I think I'd like to be respectful of that. Yes. But maybe consideration, if everything, like you said, goes through, maybe consideration to put it in for next year.

[00:52:56] Yes, and thank you for clarifying that. But yes, it would be up to board discretion to have that segment paved. Again, not under the Rural Rustic Guidelines. It would be a more substantial road project. But yes, it would most likely bump off a project for this year's list if it was added.

[00:53:14] but again there's also there's always next year which is a new slater roads and we don't really have an idea of yet what next year's list looks like so there's that whole opening right there okay i would guess i would ask unless somebody on the board wants their particular project bump which i'm not sure they do but maybe at least a consideration for next year for stony point pass that point too i don't have enough information to make that consideration yes i would i recommend that we wait till the public hearing portion with the resolution to move forward in any considerations for next year.

[00:53:47] Got it, okay. Yeah, I was just trying to figure out the process. I understand. Thank you, though. Okay, thank you very much. Thank you. Supervisor Galloway. Thank you, no questions. Supervisor Pruitt.

Thank you so much.

[00:54:03] Two very simple questions. The first, I'm just embarrassed to acknowledge that I don't know how we count these votes. Is the two-thirds based on the total number of respondents or the total pool of potential respondents? So, the two-thirds, so I go to the Albemarle County GIS webpage, and then from the affected road segment that's getting paved, I pull all the landowners that live there, and I have the whole list, and so I send out letters to each one of them, and it's throughout the entire list of people on that road.

[00:54:34] So, for the roads that have received enough signatures, that means two-thirds of the people on that road have at least reached out to me and said yes. Okay. So it's the, if there are 100 people on a road, you need 67 of them to actually affirmatively email.

[00:54:51] Yes. Got it. Thank you. Could you help me understand, there's an interesting little note in the Glendower project that has been approved by the two-thirds that it could potentially be split into two projects at Coles Running Road.

[00:55:08] Can you help me understand what that looks like, why that would be done, what the benefit is? So a lot of these longer roads that have intersections and kind of are bisected by roads, I think it's bisected by Cole's Rolling Road, about halfway in the middle.

[00:55:24] Glendower extends from Blenheim Road on the eastern side to Route 20 on the southwestern side. So Cole's Rolling is about the middle half. Some of these roads, since they're so long, sometimes the road differs in its geometry as you go through. And there are sometimes portions where people want to get paved and people don't want to get paved.

[00:55:44] So if there was a lot of very contentious and there's very much people on the southern side did not want to get paved with people on the northern side or the eastern side did of Coles Rowling Road, there is the option of VDOT to essentially pave one half of the roads.

[00:56:01] Do we have divergent feedback on that? I mean, only when they elect to CC me am I CC'd on these responses that you're receiving? So that's just a level of granularity. I have not seen very much divergent feedback on a split so far, so I'm not looking forward to that.

[00:56:19] If we do, we still have time. This is why I'm coming here in early April. We still have until May 15th. So if there is a large upswell of residents who are interested in that, we can move forward with that and talk about that as well. Awesome. Thank you. Thank you. Supervisor McHugh.

[00:56:36] No questions. Thank you. My only sort of questions are addressing sort of this decalane issue, which is in my district, in that there appeared to be a lot of confusion by the way the list was published as part of the agenda because it always has, now under our policy, requires the two-thirds assent of those who live along it or Meacham's to try to get to it.

[00:57:10] I mean, and, and so I don't know if there's a way, first of all, I want to confirm that this process is working in staff's opinion and that whether there's a way to indicate, you know, maybe it's because that got scrunched a little bit that there's, you know, substantial opposition exists short of, of trying to go back to the old way, which was to maintain no paving lists where it was kind of the supervisor that decided whoever happened to be elected.

[00:57:37] Whereas I really like the idea that two-thirds owners, users along that road are the ones who are in control of their destiny and appreciate their desire not to have that road paved. So I didn't know if

there was any additional feedback or way in which this, if the communication is working the way it should.

[00:57:58] From my opinion, this is my second year doing the secondary six-year road plan process in the rural rustic. I believe that the two-thirds rule that was instituted is a good rule because it gives a lot more agency to the homeowners and the landlords on that actual road and it puts the I guess the onus on them they want it paved or not on them themselves and it's not up to as much the board and you we kind of go with we people want to have it paved so for example if deck and lane really does not want to be paved then it won't be paved into a stick and that's the decision for the people on that road so I think that it works pretty well and I think communication can be improved and always room for that but overall i think the process is working okay thank you uh i really

[00:58:38] appreciate that i will comment that i was i was uh i received a request from one of the planning commissioner members to have further identification of which roads are used by bikers and runners and i don't know if that information is something that could be provided as these matters come up but i throw that out there as an idea and obviously also was interested in planning commission feedback but i don't know that that's necessary um and uh yeah again burton lane and burton road i guess uh so a mailing has gone out to the residents yes they're waiting for

[00:59:17] i sent mails uh i sent lists to the roads back in mid-january i believe so i've received mostly feedback but um burton lane and burton road i have still a lot of people that i've not heard back from yet. So there's still plenty of going either way of being paved or not being paved. So I've not heard back. And then Blair Park and Starlight Road have just, if I receive one more letter from each, either saying yes or no, that'll confirm if the road can be paved or not. Thank you. That's very helpful. And we'll put out the word. Yes. And thank you again for the suggestion of the using data about bikers and walkers on these roads as well. I think that

[00:59:57] could also help some of the context and narrative for paving these roads as well okay thank you thank you for that recognition because that's been shared that's been requested many many times over the last five years to consider other users than just the cars so my question then is when would be the appropriate time to have that better discussion for the board is it the may whatever it is hearing or is it a separate meeting to talk about how we can use readily available software that's already documenting all these hotspots for where other activity is going on.

[01:00:33] I'll use the Decolane as a consider as an example. Ridge Road has been a long, popular place for running groups for years. It has almost no parking. And where there has been parking, it has blocked access for emergency vehicles and stuff when car people can park on both sides of the road.

[01:00:53] So there has been a moderately successful effort on the part of some of the running clubs to ask their people to park at a mayor of the Lewis, or what do we call it now, Ivy Elementary. But if Deca Lane is paved, any part of Deca Lane is paved, that ruins that connection because it will not be safe.

[01:01:13] People already go 50 on that road. It is horrendous. And it's got the Meacham's River at the bottom, which is the break between the Whitehall District and the Sammy Miller District. So I would like some guidance on when that discussion needs to happen and the consideration of the rural gravel roads and the other uses.

[01:01:34] The reason that more than 10 years ago, Dickwoods Road was the first of the Do Not Pave list was because the residents got so furious at having a new neighbor move in who had been told by somebody in their sale process that the road was going to be paved next year and not to worry about the dust when there is absolutely no interest in paving that road.

[01:01:55] and it was a major focus for the running children from Western Albemarle and other track clubs to run on that road. It was the only safe place that they had access to. So in the same situation where we have lots of adults who like to walk their dogs or be able to get out in places where there are no sidewalks and walk, this is a use that I think needs to be talked about and figure out how that can be incorporated into this process. The district grant is still a zero sum so don't I think

[01:02:31] we should not amuse ourselves by thinking that somehow Culpepper is going to give us extra money if we add things on. We get x amount of dollars and we have to figure it out so there is no oh I'll just get mine next year without that consideration and also two more things the fewer than 50 vehicles is not really emphasized very much I mean it seems like you ought to have substantial traffic in order to even get on the list before the county spends hundreds of thousands of dollars to do anything.

[01:02:57] And secondly, Fox Mountain is on the list and it says BOS suggestion and I absolutely did not put it on there. So it would be one of the things that I would want to add as a do not pave because of the, there is no way that the county can meet the state requirements to say this will not be an open door to subdivision and development if that road is paved. That will be the end of that whole part of the mountain if that road is paved. So I would like some clarification at an appropriate future time for those kinds of things to be discussed. Thank you. And I'm not entirely sure

[01:03:35] when the right time is to meet with the board or the PC about using the data, but that's something I'll talk with my team about when the right time is to bring that up. But thank you for that suggestion as well. Okay. There have been everybody on the board and others, all the planning commissioners as well, and staff have received maps, the Strava maps and things for months and months and months. So it's out there and easily doesn't require purchase of extra software or anything else to be able to get the information available. Thank you. Thank you. Supervisor Pro. Kind of to continue and pick up the same thread that my peers on the board are touching

[01:04:09] on. Glendower Road is also part of a popular seven mile loop that runners enjoy. I'm curious when we do, when we are actually reaching out to Culpeper District to execute on a requested pavement that has the adequate amount of support, how much flexibility and direction do we have to take measures that might enable more shared use? Do we have the ability to request wider margins, colored blockers on the edge that might discourage cars, this kind of thing? Is there any kind of

[01:04:45] flexibility, or is it just like, no, we pave it in the quickest and cheapest? That's just possible. For clarification, by wider margins, do you mean like a wider road, or? I'm thinking the road being the same width and having paved margins on the side of the road that could accommodate alternate forms of use.

[01:05:03] For the rural rustic, that is... Shoulders, that's the... Shoulders. Thank you. For the rural rustic, that's... So the rural rustic is trying to keep it as, I guess, rural as possible.

[01:05:19] So it really is paving within the existing. So if it's an 18-foot-wide roadbed, then it stays at an 18-foot-wide road and that has drainage on each side. So it really is changing the road from gravel to paved is the majority.

[01:05:34] And then that would not be considered as an improvement as part of the rural rustic program. So thinking out loud, maybe for the benefit of the board, really the only option to expand other kinds of uses would not be on the road itself. It would be trailblazing alongside it, right?

[01:05:50] Like if frequent users were alongside the road in the drainage ditch and it became trailblazed and usable, which is not really in the scope of what we can do directly. There's some chatter I invite all of you to come out and see the the state mandated ditching that's going on and they haven't done it in 30 years the ditches are right at the edge of the pavement and they're three feet deep yeah so if you get oh yeah you're gonna have a broken leg at the very least that's why that keeping the speed down is absolutely essential on a lot of these properties

[01:06:23] if there's nothing further did you get what you need from us yes thank you okay thank thank you very much. I will see you in May for the public hearing. Appreciate it. Thank you so much. Thank you. Good. Well, board, we are actually a little bit ahead, but we were scheduled for a recess at this time, so 15-minute recess. That's good. I'm getting hot coffee. All right. I'll see you back

[01:06:51] in 15 minutes. That's great. We're ready. Okay. We're ready. Board, we are coming back together

[01:23:24] and moving on to item 11 the AC44 work session draft goals and objectives for community facilities led by Mr. Ben Holt senior planner two welcome Mr. Holt good afternoon supervisors thank you Ben Holt with the county's long-range planning team yeah please move the thank you is that better there we go I'll try to keep that a little closer yeah all right so just one more time for the record uh Ben Holt long-range planning team and I'll be presenting on AC44 comprehensive plan

[01:23:58] update on the topic of community facilities draft goals and objectives so this afternoon we'll cover the work session which centers around the discussion of the draft goals and objectives within the community facilities chapter and the relevant direction for the growth management policy as pertains to the subject at the end of the session will include the upcoming schedule for AC 44 after we finish our discussion feedback from both the public and the Planning Commission on this subject of community facilities

[01:24:36] is included in your packets so staff is now seeking the board's input on these draft goals and objectives and including any additions or suggested changes you have for the chapter content so I'll give a brief overview on the topic of community facilities and how that relates to growth management and then hopefully we'll have plenty of time for our discussion so beginning with the growth management policy, that policy provides critical direction for the development facilities

[01:25:10] and infrastructure within the county. This policy directs growth within the designated development areas, and that currently comprises roughly 5% of the county land area. The rest of the county is designated as rural area, which prioritizes the preservation of land for agriculture, forestry, and protection of environmental resources. The development area is intended for more dense and mixed-use development, along with supporting infrastructure, services, and transportation networks. The county's growth management policy was first established with the 1971 Comprehensive

[01:25:48] Plan, and related to community facilities, the policy supports efficient and cost-effective infrastructure networks and services such as public water and sewer, libraries, public schools, and emergency services from fire, rescue, and police. There's substantial overlap between the community facilities chapter and other chapter topics such as transportation land use environmental stewardship

housing and parks and recreation the chapter features four primary goals which include public facilities infrastructure and services renewable energy communications and utilities

[01:26:28] and community resilience the draft language for the goals and objectives are included in attachment A within your packets and this language is captured in the following slides. I will skip past these slides but I'm happy to return to any of these slides for reference if you want to review the specific language during the discussion. So the updated growth management policy will carry forward county equity and climate action priorities in accordance with framework for an equitable and

[01:27:04] resilient future. We'll always there will also carry forward the established rural area and development area priorities, as well as promote efficient use of county resources with a combination of protecting essential elements of the rural area, ag and forestry resources, land preservation and conservation, water supply resources, natural resources, and historic scenic and cultural resources. The development area will be designated for a variety of land uses, facilities, and services to support counties future growth with an emphasis on achieving density and high quality design as

[01:27:43] well as new and infill development related to the growth management plan is the topic of future development areas expansion before i get into this topic i just wanted to add for the sake of clarity that staff is not proposing an expansion of the development areas at this time nor are we seeking guidance from the board on whether to pursue that at this time. This topic, however, has been broached previously during our planning toolkits discussion, which is a way to guide land use and

[01:28:21] transportation. So our feedback from the planning commission and the board during that year, earlier in the year was to provide guidance on expansion criteria and to help guide future decisions about when future expansion may occur as directed by the land use build out analysis to determine remaining capacity within development areas. The existing plan does not provide extensive

[01:28:53] guidance on how and where future expansion may occur. Potential factors for guidance may include infrastructure needs, environmental areas to protect, water supply, and public services. Additionally, there is a need to coordinate with service providers regarding long-term plans, including infrastructure for public water and sewer.

[01:29:18] The topic of expansion, excuse me, there we go. Establishing a clear expansion criteria is a common practice used by many jurisdictions within their comprehensive plans to avoid premature expansion, to coordinate efficient infrastructure and avoid development sprawl. The criteria drafted includes 10 different criteria points. Transportation would be evaluated for level of service, safety, and multimodal network.

[01:29:48] Public schools would entail analysis of current and projected capacity and identified school sites. Public water and sewer provision requires coordination with ACSA and RWSA providers and consideration of existing capacity. Other evaluation includes community facilities and service provision such as fire, rescue, and police response, as well as public buildings such as libraries and community centers. Environmental stewardship involves identifying environmental features to protect and analysis of the existing development areas boundary. Density building form and

[01:30:25] redevelopment would entail analysis of the density achieved and the inclusion of mixed uses and establishing activity centers. Water supply watersheds involve protecting watersheds and avoiding areas with limited existing development, as well as well in septic issues. Land use and expected

development form entails meeting community design guidelines in locations adjacent to the existing development area and city boundaries. Parks and recreation

[01:30:58] evaluation involves existing parks, trails, and amenities, as well as future plans. Last would be the anticipated impacts to adjacent and nearby existing development and neighborhoods, as well as maintaining a hard edge to the development area boundaries. Our discussion with the planning commission included coordination, feedback on coordination with ACSA and RWSA on provision of public water sewer, as well as considering an objective to consider nature as an infrastructure

[01:31:35] consideration, and also utilizing a wildlife risk overlay in the plan, establishing more community centers within the development areas, and establishing criteria for potential development areas, expansion to guide future decisions. And they also suggested that we include a wildfire risk overlay.

[01:31:57] So that brings us to our questions. The specific questions we'd like the board to consider are whether the plan should recommend public water and sewer for legacy zoning areas with non-rural area zoning adjacent to the development areas. So these are areas that already have different types of zoning other than rural zoning that you see throughout the rural area. So a couple examples of these are the areas along Hunter Way adjacent to 250 east

[01:32:33] of the development areas, which is an area that we previously discussed in relation to rural interstate interchanges. Another area would be the portion between Western Albemarle High School and Yancey Lumber along Route 250 West. Additionally, should we consider water and sewer provision to areas that are adjacent to the development area that have failing septic so that we can address health, safety needs, as well as protect water quality.

[01:33:11] And then the second question is regarding expansion criteria. Should we continue to develop a policy to guide potential future expansion in the development areas? And are there factors that should be added or changed? And so at this point, I'll pause for discussion.

[01:33:28] And again, happy to revisit any slides as needed. Thank you. We'll go through our order. Supervisor Malek. Thank you. So just to not go down the first rabbit hole that comes along, focus on these questions first, and then we're going to go back through the goals separately and be able to have our questions or concerns.

[01:33:49] Yes, absolutely. These are the initial questions, but feel free at any time to revisit the other goals and objectives. wait and do that later and others may have a different view but it sure would be helpful to go through goal by goal instead of having all 10 all at once because it was very confusing doing that um no we have a really good process already when there is an adjacent property that has the proper health failures that has been in existence i think since ACSA was founded and so especially

[01:34:27] in the area, the example you gave between Western Albemarle and Yancy Mills, the south of 250 drains directly into the drinking water supply. So that should come off the list. If you're giving credibility to the criteria you've already given to protect the watershed, then that area would not qualify. And it's been, we've had lots of turmoil over the last 30 years, but certainly the last 16 years about uses there that wanted to have public water provided but they have always

[01:35:02] been rural area property and were purchased knowing that and had those uses should need to be defined to what the services are available so I am personally happy with the current way that we look at

the health expansion and is that what those two examples are what you mean by legacy zoning not just the little commercial, the 19 places around the whole town where there are old commercial.

[01:35:28] Yes, those are areas that either have commercial, like a highway commercial, I believe, and industrial zoning. But anything that's of a distance would be a terrible burden for the ratepayers, the whole rest of the taxpayers, if we're thinking that we're going to be running water out to something that people purchased knowing that they were on their own, basically.

[01:35:52] I'm trying to emphasize how important that is that we not take away that ownership responsibility. I would say no on the second one right now because the more people think that they can always move on to the next greenfield, the less they're going to be interested in providing the infill that we need to provide the growth area success.

[01:36:18] And certainly as far as providing services to an even greater geography size, we haven't solved our infrastructure needs in the current growth area. So I'm not interested in going bigger. thank you thank you supervisor lupisto currently thank you very much mr holt um regarding number one i would say uh no however with the caveat that i want to be made aware of or i think the

[01:36:52] board should be made aware of any public health safety needs so should that arise i mean we certainly need to know about that and maybe that's small maybe it's large maybe it's medium of size But I think that's something we need to be aware of, but not looking to recommend public water and sewer along 250 East.

[01:37:18] Small portion, perhaps, depending on, once again, public health and safety needs, if that answers your question. And number two, not in favor at this time.

[01:37:35] I've always said we should go higher and denser in the development areas. And I'm not sure we're ready to name factors. I think once you name factors, then that's going to spur the investors and everything all over the place.

[01:37:54] And they're going to start investing because they're going to anticipate that this is a growth area. I mean, maybe people can figure it out already. I don't know. But I would not be in favor of guiding potential future expansion of the development areas by here as a criteria.

[01:38:12] I think we all kind of know what the criteria is, so without explicitly stating it. So those are my few viewpoints. Thank you. Thank you. Supervisor Gallivan. Well, I'm going to go through all my stuff, or are we going to do another round?

[01:38:32] We're going to do another round. We will definitely do another round. So if you just want me to do these two questions before I start spouting off on this one. We will do another round. What is the difference on question one from what we're doing now? We're just adding something into the comp plan? So right now we don't have mention of extending water and sewer to these certain legacy areas where there's generally commercial activity occurring.

[01:39:00] So that area between 250 and 64 east of town, you have some industrial businesses, some commercial businesses out there. So do we provide recommendation for extending water sewer to those areas, areas like that where there could be further economic drivers?

[01:39:25] And then the second part of that is the areas with failed water and septic. And that would be for, both of those would be for areas near the development area so that there's some proximity to existing

water sewer infrastructure.

[01:39:40] so whether or not it's in the comp plan or not if they have a failing issue and it's a public or health and safety issue it's coming to us to get decided on so i guess why are i'm asking what's the purpose of elevating this to the comp plan i think to the second point to your first point you're saying well we just go ahead whether there's no public health or safety anyway we're just saying that since this activity is out there seems like it should be hooked up to public water so let's go ahead and recommend that we do it we think it's worth at least considering and to

[01:40:12] To guide the substantial investment in water and sewer, we think it would help to have some visibility within the comprehensive plan, if that's an intention of the board. Do you have a fellow staff member in motion behind you? Yeah. Mostly just moral support.

[01:40:33] David Benes, development process manager. I think this is reflective of a decision that you recently also made in the Hunter's Hall area, where you granted water service for fire suppression for a warehouse that was becoming larger. So the somewhat difference from what we do now is there has to be a documented health or safety issue.

[01:40:55] We felt like these properties that have commercial industrial zoning that have by-right uses that could be fairly intensive, things like fire suppression would be a proactive way to provide for safety. So water being sort of a less catalyst for growth, but addressing things that could be uses that are generated by higher employment, where by right, these properties could develop into fairly intensive uses.

[01:41:27] It would be better to provide those services to just these zoned properties. So it was sort of a more anticipating, better treatment of more intensive development in these zoned areas. Kind of treat them like we otherwise treat similarly to the own properties in our development areas.

[01:41:47] Sewer is the one that's the more greater catalyst for growth. And that one we would probably want to be a little more careful about. Thank you. That's the subtle distinction, but that's the primary distinction. Thank you. But whether or not it's in the comp plan or not, we're going to address these issues as they come up on the properties.

[01:42:08] You have that option under the current policy, yeah. Got it. let me think on that first question while I go to the second one. Should the AC40, the second, the development area, I mean, I've said publicly that this is the third rail in Albemarle County politics, but why we're afraid to have the conversation, I don't know. At some point, you know, and we all, I've heard myself say, sorry not to listen to myself when I'm talking, but I've heard others say that, you know, well, it's not going to be filled for 10 years or 20

[01:42:45] years or 50 years, speaking of the development area. So we shouldn't really have to have the conversation about potential expansion. But what we probably need to do is, and the discussion lets us get there, is define what do we say is 100% filled. Like the last time we had this conversation a few weeks ago, we had anticipated 20 years, I think, based on anticipated units being put in. But that's assuming we approved at the full density levels. And if we don't, does that change the timeline. So if 20 years is assuming max density, and we're not approving, we're

[01:43:24] approving at 58% of that density level, then 20 years isn't the right number. So at some point, this board needs to say we need to have the conversation. I'm not saying that the expansion of the development area is inevitable. What is inevitable is this, I've said this before, is the board has to have the conversation. And this is the planning document in order to do that.

[01:43:45] If we're identifying the potential areas, I don't see what the harm is in that, but I think more important or the first part of the conversation is saying, what is the goalpost of saying that the threshold's been met that now requires the expansion of the development area or the growth area?

[01:44:06] And we probably, I think with that conversation, it's worth having. So this came up in my town hall meeting for the budget, talking about some density in the development area and protection of the rural area. and in no way, shape, or form about being favored and expanding the development area.

[01:44:25] But the Rio Road Small Area Plan and talking about that's where we've approved some height and some density, but we can't flip a switch and make that happen. The redevelopment has to happen. And if we calculate all those units in, maybe that delays the expansion of the growth area, et cetera. So I think it's okay to have the conversation without then all of a sudden supervisors.

[01:44:49] And, I mean, you know, some will probably say that because I uttered these words today that I'm in favor of expanding the development area. And that's why it's the third rail of Albemarle County politics and why people that are for expansion of the development area and who at least want the discussion to happen say that there's no political will on the board to do it.

[01:45:10] So, you know, if you just don't want to expand the development area, then we say so. That's the easy phrase to utter as a supervisor in Albemarle County, right? that's easy. But is it good planning? And as somebody that represents a good portion of the development area, I, for one, need to stop saying and looking at my constituents in the eye and saying, oh, well, that's 20 or 30 years down the road. Because I don't know how far down the road it is. And if we never talk about it, then I've just got my head in the sand about when it may

[01:45:48] actually occur. And if it comes up on me faster than I realize, you know, Neil was prognosticating that a few of us might still be here in 29 sitting at this dais. Well, if we are and it comes up on us and we're not ready for it, then we didn't do our job as supervisors to plan for it in the document that's meant for the planning. So I'm open to having the discussion about it. Before getting to areas that I would say let's identify the areas and all of that, I think there is worthwhile discussion that has to happen that is both prudent and responsible for both sides of the issue, whether you're for or against the expansion, to at least go, well, we've identified 5%.

[01:46:29] Now let's define what the goalpost is that we can all agree on. Hey, we've maxed out. I don't know the answer to that question. I'm interested in trying to determine what it is. For the first one, I mean, I get why folks get nervous when we put water and sewer outside of the development areas, because that's like opening the door to the future development.

[01:46:48] It seems like this isn't very much a change in process, maybe a change in our view of saying use that's already existing could be allowed to go there. But if the people that are doing the use don't feel they need it, then I don't know that I'm ready to just say we have to put it in.

[01:47:06] So I think on that one, I'm actually okay with saying if a public health or safety issue comes up, that that's when we need to address it. Because I don't see us going out and just going, all right, let's recommend that we're going to move this water out there for some other reason.

[01:47:24] Thank you. Thank you. Supervisor Prude. Thanks. Could we? Is there a reason why the previous slide? Sorry. Thanks. Which slide is that? The one with the questions? The one with the questions. Yeah. So I can remember what I'm talking about.

[01:47:43] This first question is, I also had a hard time really disentangling it from our current practice and policy. It seems like a public health and safety need is the kind of thing that prompts action even under the current paradigm.

[01:47:59] Also, am I correct in it seems like this... feels intrinsically tied up in another thing that we discussed earlier in the comprehensive plan around rural interchanges. Is that a fair characterization of this proposal? Yes, there's substantial overlap. Since we specifically looked at these two example areas where there is commercial zoning in place, so there's by-right use already occurring out there.

[01:48:25] And if I'm recalling, I remember what the community feedback was generally not tremendously fond of rural interchanges. It was maybe the rural land use type that had the lowest appetite. I don't remember exactly where we landed as a body on rural interchanges.

[01:48:43] I don't think we really touched much in that concern chapter on what was proposed. I'm making sure that a decision we take on this question also doesn't interfere with previous board decisions. So I'm frankly asking my peers if they have any insight as to where we landed on that whether or not we even can deny this without compromising that previous a previous commitment in that chapter in the rural chapter there was not unanimous feedback on that subject but what we heard from the planning commission the board was that there was some appetite for

[01:49:22] utilizing small area plans in the future at those locations to determine appropriate use and the the scale of use. And that would also entail exploring infrastructure. So this subject of water sewer is part of that conversation, and it's being broached here again for that reason.

[01:49:41] Thank you. I appreciate that recap. That feels like something we would have said, something that is decisively non-committal and involving a small area plan. With that being the case, it seems like we would be significantly curtailing any kind of small area plan that we could execute any kind of community-led development decisions or planning process that we might contribute to if we did not accept the first question, if we did not approve the possibility of extending service and exploring service based on feasibility, proximity, existing

[01:50:15] uses, and health and safety. So with that said, it seems like the expansion of those services is going to be contingent to discussions on a subsequent small area plan, and I would vote in favor of this question in order to not curtail future discussions, if that follows.

[01:50:35] On the second question, yeah, this is a spicy one. This is kind of the central fulcrum of Albemarle County politics, and I would generally agree with the way that Supervisor Galloway framed it. At some point, we need to actually have a discussion. And this isn't even identifying an area. This is identifying the criteria for identifying an area. This is acknowledging in the comprehensive plan that we recognize the problem. And it also lets us have a more substantive conversation about what that process and what identification is going to look like, which I

[01:51:13] think is important. Because when I think about the possibility, the specter of expanding the development area my concerns are always in the details specifically because I think once you at some point we are going to be talking about specific discrete square miles and acres and that is a central part of the concept and that is what I think makes maybe the specter the boogeyman of this disintegrate a little bit when we can actually hold in our hand what even we're talking about I also have personally like a lot of

concerns when I think of my concerns about the development area and its expansion there are things that we can't

[01:51:49] even talk about unless we get past this first stage right like I'm concerned about how we are going to manage the land use map in those areas and how long in advance those decisions are going to be made available right the primary public benefit that could be derived or what I see as one of the primary public benefits is decreased land value right because there's suddenly a significant relaxation on the supply side of the market and that would make it easier to build less expensively in a way that is able to attract better uses, commercial uses that we might find

[01:52:25] desirable that currently are priced out, attract lower income housing developments. And that is going to be very complicated when we think about when we're zoning that and what we're zoning that. Are we going to try and, you know, to borrow a mentor of mine, Rich Schrager's favorite phrase, Are we trying to capture mobile capital by deliberately zoning it under our intended use?

[01:52:46] That is a very realistic thing under our current plan and the direction it seems like our housing team is going. That's an important part of how we're going to fund affordable housing development. We're zoning it under, capturing fees in lieu, transitioning that into subsidies elsewhere. Or are we going to try and zone it at a high level of density in a way that immediately allows massive buy-right explosive development?

[01:53:09] And depending on when we advertise that, potentially spikes up land value. These are like the conversations that we need to be having around this. And frankly, we can't have any of these conversations that actually shape what it means and inform whether or not we're in favor or against expansion of the development area unless we take the very first step of identifying the criteria of when we think it is prudent to expand it, talking about the criteria for what expansion would even look like.

[01:53:38] So I think it's a necessary, albeit politically toxic, it's a necessary step that has to be included in the comprehensive plan. So I guess yes on both. Thank you. Supervisor McKeel.

[01:53:54] Sure. I do agree with what Mike and Ned have said, just basically to start off.

[01:54:10] I do agree. But let me go to the first bullet. a little bit different take on this, perhaps, just because of my struggles in my district in the very urban area that is rural. And so I'm thinking about this in a little different way.

[01:54:33] Now, you're talking commercial here. Most of this is, I think, dealing with commercial in a way. Yeah, I'm looking at it from the viewpoint of how do we marry climate action and affordable housing through the lens of failing septic systems and protecting our groundwater.

[01:55:12] We know that failing septic systems are not what we need, what we want. And in these older areas, in many of the older areas, we have failing septic systems. Certainly we have them even in the development area, but I'm talking right now about the rural area.

[01:55:29] So if I look at this, I am immediately thinking to myself, so I have an affordable housing complex in my district that is not very far from the jurisdictional area.

[01:55:46] It's in the urban ring. it is an affordable housing complex that we do not want to lose how do we marry that being able to save affordable housing existing affordable housing because if we don't help that

complex i fear that it's going to be sold and we're going to end up with more expensive housing there and we will lose the affordable housing that we have there that has really benefited multiple multiple

[01:56:21] families over the years. Matter of fact, back in the 70s, I lived there. So we're talking about Lamb's Road as an example. So I'm looking at maybe something that while these examples are fine, and I will say I'm taking them to be just examples, right? But I would suggest another example of looking at climate change, failing septic systems. The area that I'm talking about is in the watershed. The development area line was put there 30 years ago because it was a

[01:56:56] watershed. So how do we get specific areas, identify areas like that that will support our continue to support affordable housing that's existing? Help with the climate change initiatives that we have about protecting our groundwater and protecting water. But I'm really talking about septic not i'm not talking about bringing in water right i'm talking about public sewers what i'm talking about i don't know if you have any thoughts on that at all or if um but that's one of the

[01:57:36] things that i'm thinking about when we're looking at this first bullet i don't know how many other areas we have in the county that are like that maybe that's the only one i have no idea but we're talking about an area that's right off hydraulic road and georgetown road right down the road from my high school in the rural area that has affordable housing that we're liable to lose and is in a watershed so and and i'm not even asking for that whole area to be part of the i just want to say can we look selectively at certain areas that i've been told that that's

[01:58:13] not in the jurisdictional area because it's too far here comes david i've created something now that i've got david to the mic well just real quickly so you understand the current policy because I think it relates to this first question. For that example, the current policy for rural areas, for providing jurisdictional areas, properties in the jurisdictional area, is that when they're in the rural area, there has to be a documented health or safety issue which applies to that site, and it has to be adjacent to an existing facility.

[01:58:45] The comprehensive plan for the years has never identified a distance. That is a policy that the board amendments to the jurisdictional area are approved by the board that's a policy to guide your decisions exceptions have always been made based on the merits of that particular case so as an example key west subdivision water failed they were one mile away from i believe available water but the board approved extension there given those circumstances so i think each and every case you look at that standard or that circumstance, excuse me, and apply what makes sense from that

[01:59:25] guidance. So there is the potential in any case. We would guide you to be consistent and so that you don't create precedents that cause our county attorney problems, I guess. But you can make those exceptions. I don't believe you can condition your agreement to provide that service. So you can't condition that property to say, when we provide service, it forever and a day has to be afforded.

[01:59:52] Yes, and I understand that day. So it's a decision purely to provide that service, but under the current policy, you have the discretion to apply those standards. And there are other couple examples where you, they haven't met that proximity issue, but it was based on the circumstances of that site where you made that decision to extend service. And that's great to hear because I was told flat out it was too far and no it wouldn't even be considered and that standard is based on the fact that what is guiding control of that land is the rural area zoning so when you provide that service there is some limit to what can happen to that property when you provide that service the difference in

[02:00:31] these sites that we were looking for that's the basis for your first question to bring it back to that question is those properties have zoning that's not rural area that doesn't restrict activity to a much lower level on those private systems. You could have pretty intensive activity on those private systems. So that's the difference between the areas, and it is very specific to those zone properties. Right, right. And I guess I was told it was too far from the jurisdictional area. It is. In the strict reading, it is, but that is just

[02:01:06] applying our interpretation of your ultimate decision through an amendment. And I'm sorry if I'm taking up a lot of time with this, but I do think that looking at some of this through the lens of climate change, protecting groundwater, I'm going back to my point, and looking at it through affordable housing lens as well, marrying some of that and figuring out how we might apply that. And you might have also seen, I think it's objective 1.5, and this section also speaks to studying impacts of septic systems in the rural area. And it's trying to get at that bigger picture

[02:01:43] of that we do have subdivisions that are 40, 50, 60 years old in the rural area, and how do we address that? It may be through public systems, it may be through innovations of private systems, but we do recognize that's a larger issue, and there's another objective that's trying to address that.

[02:02:00] Yeah, because I think the Yancey area has a problem with some failing septic systems right now. And many of you, I mean, you could go through it, I got it, I understand, because we have lots of older areas. Okay. So thinking though about, I'm going to go back to my trying to get the jurors looking at it a little differently in marrying climate change, protecting groundwater in watersheds, affordable housing, how we get at that. And David seems to think we've got that.

[02:02:34] Maybe. I don't know. It's okay. So go back to your slide with the bullets. So, in general, so looking at this, I would be willing to have a broader discussion about this as well.

[02:02:58] About which point? The water sewer or the... I'm sorry, the first bullet. Okay. Yeah, yeah. And I probably have said enough about septic and failing septic systems and public sewer. Regarding development area expansion criteria, I agree.

[02:03:13] We have had, anytime it's even mentioned, people in the community really get upset. And I understand that. But we have had the same rules now for lines for 25, 30 years.

[02:03:32] And it seems like to me, anytime you've done something for that long, it's worth taking a look at again. Doesn't mean you're going to change everything. But there may be some tweaks that are needed. There may be some changes that are needed. I don't know, but I am certainly willing to have that discussion if we can figure out how to do it, because it does seem to be very upsetting for many people in our community.

[02:04:03] When we're talking about expansion criteria, there is one that we've talked, I mean, I think you mentioned schools, roads, Almaro County Service Authority, Ravana, you know, all those issues. I would add population, population as related to the development area and the magisterial districts. I think that's a criteria that would be worthy of looking at because we're talking 20 years, 30 years,

[02:04:40] I don't know how long, but I think that it would be an interesting criteria to look at. and i think that's the only um criteria that i would add um and with that i'm going to stop thank you can i should repeat that criteria again yeah population so that's people population right as related to the development area and the magisterial districts i think that could be very informative i don't know where it would lead

but i think it could i think it's a piece of information we should have for the future not for now but for the future because we're talking

[02:05:16] 20 years, lots of ways. But I agree wholeheartedly with Ned and Mike, if we don't start talking about these things, and it's not good planning to just say, I'm not going to ever talk about it. We have got to have those discussions and somehow or another plan at least as best we can for the future.

[02:05:39] Thank you. Thank you. I just wanted to add a couple points of clarification related to some of the things you all have said. Just to recap, the Planning Commission generally supported exploring this criteria, but they did not want to include any mapping at this time to avoid land speculation. And Mr. Galloway, per your mention of the land use build-out report, that included both high and low projections. So even if we continue at the current density,

[02:06:14] that study currently says that we do have capacity. However, of course, if the county starts approving rezonings at a higher density, obviously it's going to take longer to fill that area. And then another thing is that the expansion criteria doesn't mean that it leads to yes decisions. It works on both sides of the coin. The criteria can also provide justification to maintain the development area for an extended period of time for some of those criteria like

[02:06:48] the density, increased building height. And those are some of the things that we are suggesting within the plan, especially as related to activity centers. I haven't gone yet, but go ahead. He called me out. He did. I don't disagree. And in fact, defining what a full development area is can help you protect your rural area.

[02:07:13] So I understand. We just have to get over the fear of having the conversation. If it's height and units and all of that, okay, great, let's do it. But, you know, so I appreciate you pointing that out because I don't disagree with that.

[02:07:29] And I get why defining or identifying areas can be problematic, which is why I'm not ready to go there. Maybe I am, but the first part of that conversation has to happen before you can even go there. So I'm going to give you some of my thoughts, and then we'll see if we've got that part before we go back around again.

[02:07:50] And I'll jump to number two first, since we were just on that. It does seem that I'm one of those who don't want to expand the development areas. But I recognize that this is a question of criteria, and the criteria kind of cut both ways.

[02:08:11] So I had discussions in the past about how we best defend our decisions. And sometimes in defending our decisions, we're in a better position if we have criteria that say, you know, until these criteria or these parameters are reality, then we're justified in not extending the development area.

[02:08:32] So the criteria can actually work to help protect, which is, I think, one of your points about how the criteria could work. It's a protection for the development area. So in that sense, I don't have a lot of problems with that. I do say that the goalposts are going to be difficult because when you say, what is 100% filled?

[02:08:51] Well, the city of Charlottesville is also right now looking at how they can grow. And they're landlocked. So they're not going to expand the development area. They're just simply using other tools. And so that is something that we're always going to have available to some extent as well.

[02:09:07] Which brings me to kind of response to point made, which is that some of our development area decisions are based on geography as well. And sometimes it may be that because of that geography, with the current magisterial district political boundaries, that it really isn't a question of whether the magisterial district itself doesn't have enough development area, but whether the lines are drawn in a way that make our magisterial districts comparable in how much development area versus how much rural area. I would never want to suggest, well, we've got these ragged mountains here

[02:09:43] between 29 and 64 that are right next up to the city, but Samuel Miller doesn't have enough development areas, so we have to develop that. I think that's the wrong way to look at it. We need to look at it in terms of we can change the political boundaries, but we can't change the geography of the county. And there are going to be some areas that are possibly the areas that might work if the development areas were to be expanded and other areas where I think it would be very difficult and problematic to consider that. But again, I wanted to be able to defend our decisions, and I sort of see the idea of having that discussion as helping us to

[02:10:21] defend the decisions that we're making. Then I want to jump back to number one, the first question, and I'm still not sure if I'm really hearing a lot of difference, because we do have a process for allowing these areas to be considered for water and sewer. I'm a little concerned about the definition of a failing septic or failing water because depending upon how i currently use my property i can basically force the septic to fail now i'm not suggesting

[02:10:57] that that's necessarily you know going to happen in my case but depending upon the use of the property you could find yourself saying well you know if we want to continue to use this way then the septic is never going to be able to keep up with it and i don't i don't want to use that tool i don't want that tool of though they're failing to be used as a way of saying well well then we have to uh provide them service which then allows for more development uh in that sense that said i fully agree with supervisor uh mckeel when it comes to you know an existing uh property like an apartment complex uh whether or not it's affordable housing it's housing

[02:11:33] it's and it's in a situation where we're not really controlling that usage and we see that it's failing, we need to be able to find ways to fix that, but can we fix that without going through the comp plan? I'm a little nervous, so I'm leaning towards no as far as putting it directly into the comp plan, though I do want to make sure that we address those issues and have the procedures set so that we can address those issues as they arise. Now, that said, I'm distinctly

[02:12:05] sensing that of the board we have a very much a mix about whether this comp plan recommends water sewer for some legacy zoning and rural adjacent areas to address public healthy safety needs it may even be different depending on those two sort of pieces there are two separate questions really and I don't know if you've gotten what you need on that first question Yes.

[02:12:36] I'll look and see. Okay. And then on the second question, I also sense a distinct difference of views as to how much we can put in with respect to criteria, although I do think that it may depend on how you phrase those criteria, whether it's seen as a permissive step or as a firm criteria where, unless this happens, we're not looking to expand the development area.

[02:13:03] I'm looking around because we're going to go back through our order and discuss this generally, if that's all right with you. But I want to make sure that you feel comfortable with our answers here. Okay. Yes. Thank you.

[02:13:18] So back through the order again with this chapter. Supervisor Malik. Thank you. Just a couple of notes I wrote down as we went along. Because the first thing I wrote was near is different than adjacent. Our current very simple process is adjacency. But then, as David reminded us, there's been these various occasions, which I had until now forgotten about, that had allowed other things to happen.

[02:13:41] I also want to make sure we have in the record that Virginia Department of Health has tremendous funding availability, it's seasonal, but anyway, for repair of septic systems. And also the federal government has huge grant opportunities for federal systems, of course, for water safety systems.

[02:14:00] So we want to make sure that we're not ignoring those opportunities for any of the homeowner's places. Certainly when you have a multifamily situation, that's almost impossible, I think, to manage with a septic system anyway. So those, I guess, are truly very old legacy systems, things that need to be dealt with.

[02:14:22] The slippery slope category is everything is adjacent to something. They continue growing, growing, growing, and all of a sudden it's bigger. But the service authority would have the responsibility for those decisions. We may give them the, say we're supportive of it from a comp plan point of view, but they have to carry that out.

[02:14:44] And the landowner, I understand, would have to bear the cost. That's not something where the taxpayers bear the cost and run stuff down there. For a business particularly, they have to be providing that. the affordability question someone raised about how if we expand the growth area it'll make it easier for things to be affordable but unfortunately i think that even back as far as the 80s the um there was not an overwhelming effort on the part of the business community to build affordable housing period i mean i think earliestville forest was the last one 200 units in the woods and they

[02:15:22] started out at 40 000 which was great and now they're selling for 250 and 300 and they're very nice neighborhood, but the way the private sector works and their financing works, they're going for the top of the market, and unless we're doing something differently, then I don't see that changing. Regarding the second bullet, we talked about this a couple of times ago. I think it would be very successful to separate the growth management discussion and resolution of that issue out of the comp plan and to have it have its own agenda and its own work session and its

[02:15:59] own deliberation and not try to cram it into a 15-minute discussion as part of many, many other things that we're talking about. And I'm all in for that. I'm just not in for something where we give it short shrift and then we say, sure, sure, why not? So I very much would like to put that back on the table again. There also, over the last 20 years, have been several changes to the growth area, one being in Crozet, where area on the south side of the Crozet growth area was added, no, removed, because of its adjacency to the Meacham's River, and our area on the

[02:16:37] north end was added in right along 240, and so those kinds of changes can be done, and as can changes, modifications to the comp plan when necessary, so those have been done. The CMA process has happened quite a lot just in the last few years, so I think that we shouldn't think that just because we adopt something now that it's written in stone uh forever uh talked about that let me zoom down here make sure that yeah i think that that basically covers

[02:17:12] what i wanted to add that had come up in others thank you thank you supervisor lupisto kirkman yeah thank you very much um i am not in disagreement with what supervisor galloway said as far

as discussion i think i think this board does need to have a discussion an in-depth discussion whether or not it goes what our decisions are I don't know I don't know but I think it's always good to get everything the facts out there to have a discussion possibilities

[02:17:46] having said that I I feel comfortable that with what we're doing we can address public health safety needs with what we have now Key West is a good example and when you say that was about a mile from water and sewer hookup my understanding is that is is the mile is that considered close distance you know whatever because I'm thinking about what uh supervisor McKeel said about her

[02:18:18] her affordable housing unit that I don't know how far that was from the from a water sewer hookup and I don't know Key West was that would that be considered a long distance a mile i would think so and yet we did it we addressed that issue and so i was i'm very happy about that and i think that's something we could continue to do um i i think i think it's a slippery slope to go right now anyway to for expansion i think people abomar i think will all frankly this is

[02:18:57] my opinion always be on the expensive side it's going to be more expensive than the surrounding counties and expanding it don't know how much that's going to help but going higher and denser as i've always stated before i'm in favor of to address the issues that we do have and i think it's incumbent upon this board to stop to start maximizing the housing i think that's something maybe a discussion or if that's something we can do and agree to have more than 58 percent

[02:19:35] affordable housing on a development project i think that's something that we can as a board can do frankly uh now um a policy to guide potential future expansion um i'm not in favor of that and i think you mentioned at the beginning you said you're not recommending any changes at this point to the comp plan in that area right okay and but i like the discussion i think it's time to have a discussion about all this uh what we want to do what's going to be the future

[02:20:14] that'll probably entail a few workshops maybe more or a retreat i don't know uh anyway though i hope that answers or that is helpful with my comments vice president remind you this is a chance to go through any of this chapter yep never mind i'll come back again then i thought this this i guess it starts on page three so you go to i get this would be public water and sewer i

[02:20:51] don't know if you get slides on this or not i'm in the actual draft goals and objective what number is it you're referencing public water and sewer objective one two one three yeah they're starting there probably yeah so in here not that i have and it seems like one of these is specific to the questions you raised so you'll be addressing that but i feel like in here somewhere we need to

[02:21:23] have um and this issue is becoming more and more on my radar and concerning to me we're mapping all of the piping and i'm thinking specifically development area now but we're mapping all of the piping infrastructure where stormwater from sites is coming out um we're also got the natural channels that are not piped or underground mapped so we know where those are at the capacity of those and I'm thinking specifically the channels the open channels I feel like we need

[02:22:02] from a planning perspective or a big picture perspective need to get at that whether that's encouraged I don't know what a subjected objective or goal is but it's along the lines of what we're already got underway by mapping the piping like let's find where the pipes are degraded or need in need of repair understand what the inventory is for lack of a better word but you take ryo hill and where all that water flows whether they have facilities or not so whether they're just freely

[02:22:38] leaves the site or gets captured and then released under a certain percentage at some point it's going to hit the natural channels and my concern are the um the downstream impacts from upstream responsibility. The folks downstream are dealing with issues because of increased flow and volume that this is where I've talked before about litter, their own property being undermined, whether it's water property or land property, depending on the channel. And they are realizing

[02:23:15] the burden, the cost to deal with the negative impact when it's an upstream issue. So this is something I think is going to be in my opinion is a growing growing concern and priority in the development area that just I've said to folks in my CAC and others it just frankly hasn't been on my radar until the last few years to think to ask questions like that when developments have come forward specifically at the top of Rio Hill as they flow wherever they're going so this is response to something that i'm seeing and others i'm sure in the rural area and such with the

[02:23:53] volume of water and what you're seeing it's very similar issue but it's a little different because it's being piped and we actually have the ability to maybe control the capacity going into those channels especially if they're going through a facility so um i'd like to see something or some thought or effort in at the comp plan level that says we're mindful of that we understand that it's a public issue and what are we going to do and i don't have the answers for that my guess is this ends up under the the umbrella of public public works department eventually another item

[02:24:30] as we continue to urbanize um to deal with and support so we might you know i'm starting to think let's let's think that through of how this water flow through man-built things that funnel to natural things and then what that does to properties as it goes through a very tight area. I hope that made sense. There was an emergency. I didn't note the page. Oh, I guess it's page 4.1.12. Emergency services provide high quality and responsive emergency services that

[02:25:08] adapt to changing community needs, emerging best practices. My note is that, and I may have to wait to see the the the details of the actions but is this is there a staffing level objectives here based on our our population when we talk budget often ask well are we staffed well for police fire rescue relative to our grow our population and and you know population grows it's going to put more and more demand as we urbanize it puts more and more demand there so what i see changing

[02:25:46] community needs and emerging best practices I get the best practices part but I wonder is the board thinking of it thinking of staffing from what this is trying to get at as an objective versus going what we can afford and I think the comp plan is the place to say this is the objective and based on our population this is really where we need to be and based on the nature of our population and where they live this is where they need to be which is why one additional police officer a year

[02:26:19] is not going to cut it in the budget or fire or you know pick your pick your service so i'll leave that there goal four uh oh i was just so this is one where i'm curious about how this we had a lot of talk about resiliency centers at a different i think that was during the crossroad communities but like why is resiliency it says resilient community this is seems to be an off a great

[02:26:50] place to talk about resiliency centers um or at least have it linked up so i'm just calling that out that maybe it is or maybe it will be, but it seems like this. We were speaking specifically about rural area and rural need and the potential for these type of centers in a crossroads community.

[02:27:13] So I understand the context of that conversation, but that doesn't mean we don't need resilient centers throughout the whole county. And this seems like a place where that could be addressed since it has been discussed in other spots. And then on page 16, you probably don't have this on a slide because this was not really under goals. This is under police. There was a statement in there, future needs for the police department could include training facilities and strategically located smaller offices. Agree. So I'm calling out that I do agree that. I guess it hasn't been

[02:27:51] discussed for a long time. I don't recall the board. I think maybe before I was on this board, there might have been talk at one point about a fire training facility, a regional that could be housed in Albemarle. But that can be a revenue generator in some ways to offset costs. So I'm just calling this out as, yeah, strategically located smaller offices agree. The training facility conversation, not only does it help us offset costs from not having to send people outside of our area, but bringing other people in to train could be something to generate revenue.

[02:28:23] I would be behind an effort like that. So I'm just, again, wanting to underline or highlight it or star it. Thank you. Thank you. Thank you. Supervisor Pruitt. Thanks. I'm going to begin with revisiting two hobby horses from previous sections because they emerge in a lot of different chapters. First, a very easy one, 4.3. You're already there. I've mentioned this before, but this talks about prioritizing access for census tracts that have higher social vulnerability

[02:28:59] indexes. Great. I love that. Track level data is also going to be insufficient given our population density. I am in the same tract personally as and as even nicer communities like Lake Renovia is in the same tract as Eagles Landing and Southwood currently. Almost all of Southern Albemarle is one tract. It's really two tracks. All of the Southern Albemarle rural areas two tracks. That doesn't let me do any kind of granular identification of community need. I don't know what tools we have available, but it really can't be census tracts. It would be prudent to have

[02:29:37] something more granular if we're going to do that. And I know generally census tracts is the most granular we can get, but we would need to figure out a different alternative there, I think, just because I don't know that it's workable. And the other thing is the use of the word equitable um this is popular thing it's almost like an invocation like oh if i say equitable at the beginning of the sentence then i'm ensuring that everything i'm doing is good um that everything i'm doing will be supported by my entirely democrat uh you know uh panel uh board of supervisors and then i don't think it is actually being articulated or supported by

[02:30:17] many most of the objectives uh 1.5 as was already mentioned uh has a concrete i would say actionable equity element that is being scrutinized but it does not talk about in any other objectives uh frameworks that could be uh used that incorporate uh equity concerns either like social vulnerability we've talked about that um which is a very all-encompassing index um household median incomes, racial disparities. These aren't frameworks that are really being discussed or addressed. There's also other equities generally, I would say, handled on a policy

[02:30:57] level at local government in two ways, right? Like through implementing equity conscious frameworks, which is what I was just talking about, and also through affirmative equity solutions like we have in, actually, that's a bad example, but proactively including goals that say you will deliver x type of services based on known disparities. None of those leap out at me in here. So if we're going to say that we

want an equitable framework, granted this is not maybe the case point, water and sewer access, but if we're going to say we want an equitable

[02:31:33] framework, I would like to see actual concrete objectives that speak to that. Things that propose and execute an equity conscious framework, things that of decision making and process, and things that propose and execute on an equity increasing, a disparity combating series of services, things like direct services to specifically targeted populations, I don't see those identified.

[02:32:00] And so either we're accepting that we're not engaging equity as a serious element or we need to go back and revisit how we need to incorporate an equity lens throughout this. That's a very big picture thing, but it is a frustration of mine.

[02:32:16] And if you think that is an unfair characterization of it, I'd invite any closer look at any section that you might want to direct me to. We had a discussion from the public, thank you, about Objective 2.1, and I do want to support just PEC's notice of this from a very specific way, or a very technical way.

[02:32:43] any land can be timbered. If I am preparing land to sell for use as a, or I'm preparing to lease land for a solar project, I can immediately establish this criteria by cutting down all the trees. Voila, it is timbered. It seems like a relatively simple thing to just replace that criteria with a consideration of soil quality or regenerative capacity slash regenerative timelines, right? I think regenerative timeline is a very realistic thing. Everything has a regenerative capacity if we are willing to look in the 100th year but if it's going to take 20 years then maybe

[02:33:17] that is a is a prudent uh criteria um also in generally goal two right we have two discussions 2.2 and 2.3 around utility solar utility scale solar which i think we all agree is desirable i am concerned that we don't have much discussion of the role and how to incentivize and enable community-scale solar, which frankly seems more conducive to a lot of the things that we say are our concerns about utility-scale solar, which is intrusiveness in the rural area.

[02:33:50] Community-scale solar is a smaller footprint. It also, I would suggest, does less to contribute to some of the broader macro concerns that some people invoke, right? Community-scale solar does not go towards Loudoun's bajillion megawatt data centers, which is a concern that people voice. I don't want to be footing the bill for loud and bajillion dollar megawatt. Anna's smiling.

[02:34:14] She sent us a helpful article. Or was it? Who sent the helpful article? Someone that was specifically about this. Community-scale solar does not, to my understanding, connect into those distribution grids because of issues of its scale. That eliminates that community concern. We are not in our current draft solar ordinance talking about community-scale solar, and I think there is a place for that. So I would encourage that to be something that is prioritized in the comprehensive plan so that we can at some point address that once we are, maybe as part of our current solar ordinance, maybe as part of the next thing.

[02:34:51] I do also just want to revisit, I realize we talked about you asked for feedback on criteria related to the development area. Now I've seen the 10 criteria of what we are looking for in future expansion areas.

[02:35:08] if I'm correct, there's not, to my memory, a specific bulleted list of triggering criteria. It's generally just based on land use buildout. Is that correct? Am I mischaracterizing that? You're speaking of the current guidance?

[02:35:24] Yes. Yes. It just sort of, the plan obliquely references when it relates to the land use buildout as determining capacity. I would suggest if we're talking about criteria, I'm frankly less concerned about the criteria we're using for identifying available tracts or prospective regions. And what I would be interested in is what criteria we're using for a staff recommendation for the win, which I think we're all interested in. And specifically something I don't hear discussed when I review this are the

[02:36:02] way that this, yes, land build-out will be a triggering thing, but also the way that land build-out and our current land usage is affecting market effects. Is it that we can no longer realistically have some of the commercial amenities that people desire for place building, town building, because they are not market feasible anymore, which is true in some parts of the county, and would this be able to affect that? Is it implicating our equity lens because we have reached a point where we are no longer able to have developers have a market feasible

[02:36:37] solution to delivering housing or other amenities based on our current land use build-out and the way that is influencing the supply side of land. I think it is important that we consider that because in addition to just impacting the overall land use build-out, the decision of how we're executing our land use build-out is impacting the shape and texture of our community beyond that.

[02:37:03] It is impacting the kind of people who can live here. It's impacting the kind of amenities that we can have because we are dependent on what the market is willing to build out. So I would appreciate, I guess, a more wholesome consideration of how the broader community and the broader market is impacted, not just have we finished getting to whatever the number we had.

[02:37:26] I think it's like 64% of land use that we say we're done. There's like a magic number of available land based on a variety of concerns. So I would just add that. I would like to see refined criteria on the when question, not just on the where question.

[02:37:48] And those are key elements that I would identify. How it impacts market availability of certain amenities and specifically related to placemaking and how it impacts overall equity concerns and the cost of living that are impacting residents.

[02:38:06] I think that's all I have on this chapter. Thank you. Thank you. Thank you. Supervisor McKeel. Sure. I'm just going to jump in real quickly to piggyback on what Ned said about the urban areas, because certainly, and I imagine we all have these problems, but the water running downstream, and certainly what I've seen is that it channels down and sometimes it channels down and then goes into a pipe and then comes back out and channels again.

[02:38:37] I mean, it just... So we do, and I have multiple areas in my urban community that have concerns about that. So looking at that would be really great or mapping it somehow or another.

[02:38:55] You know, a very interesting book I read a few years ago, it's called the drowning of Matthews county David's nodding his head he's read it too and the and this was it was Matthews county drowned essentially because they didn't keep their channels clean it's a fascinating you're nodding your head too it's an interesting book to read I have a copy if anybody wants to borrow it um but we've you've got to make sure those channels keep stay clean right for one thing but then we also have channels that are going downhill uh and and

[02:39:32] In one case, I have water that's going downhill from an apartment complex onto a small residential area, which is a real challenge. So I'm agreeing with Ned on that one. And let me just run

through here and take a look.

[02:39:54] Again, this talks about existing older septic systems. I'm not going to go into that again, but that is here. And I have a question because when we approved Center 2 at Almora High School, there was a lot of hula, certainly when it went to the Planning Commission, about why it needed to be, why it had to be heard the way it was presented.

[02:40:31] Special use permit, I'm not really, I don't really remember exactly, but the question, the comments were that it's on a school property, and why are we, because it's on a school property, and they're asking for school, a school, but it's in the rural area, and it had some concerns about, and I'm sorry, my brain is not computing exactly what that issue was.

[02:40:56] david you want to help me with this but it would be nice to be able to figure that out so that if the school in the rural area wanted to build help me with where we are i didn't follow super closely but i think um in zoned rural area the rural area height and setbacks were restrictions to where it could fit on the site so it had to be rezoned i believe to an urban zoning and it's in the rural areas that's inconsistent with our comp plan. Yes. We are contemplating that. You'll see moving forward in the plan possible ways to address that. Good. Because that was what I was hoping was

[02:41:32] because it just seemed kind of wackadoodle that we were having to spend time with the planning commission and us on that issue. So you're looking at that. Thank you very much. So seeing the schools reminded me and I couldn't didn't quite have my head wrapped around. I didn't go back to look.

[02:41:48] thank you um under solid waste management um i've just jumped this just jumped out at me ben uh talking about bailing facilities convenience center centers which i all agree with in addition to curbside services help me with what you all meant by curbside services um i believe that would be the actual trucks going to properties to pick up either trash or recycling which we don't have currently as public providers as right correct i mean we're not providing that right and so i was

[02:42:25] looking at that so is that being contemplated is that what you all thought is that somewhere in the future we might need is that sorry david david i'm giving you your exercise i just noticed curbside services i thought it was interesting yeah i think that's references to acknowledge of the private service, so the convenience centers are to augment that service.

[02:42:54] That's good, as opposed to it. Okay, that helps for clarification. I was just curious, because that would be a big kahuna if we were talking about that. Okay, all right. Data centers, to just address what you were talking about, and this is probably not relevant to our conversation, but I just saw a map of the data centers that are going into the state of Virginia, and it is shocking.

[02:43:19] Well, but if you look at them all over the state of Virginia, it is shocking. exactly i'm just saying um wind i find interesting because we hardly ever talk about wind and i think that would be something really interesting to put on our radar screen to talk about i understand that we're not out in the ocean where there are lots there's lots of wind but we do have i would say it would be worthy of a discussion um and i'll just leave that

[02:43:50] there let's see um what else did i have here go through um police and smaller offices i think ned may have mentioned that that's what i was getting at at one point when i inadvertently called them a substation and i was corrected very quickly that we didn't want substations but having said that the police

certainly are going to be needing if you look up 29 north and certainly our population centers and i don't know how you get at it but i really like the idea of looking for the police

[02:44:30] we all have been told about how the police used to sit in the yancey parking lot so it's not just up 29 north but police sit in the yancey parking lot because that's where they had connectivity right or a restaurant that they could utilize so thinking about it through the lens of providing the police with some small office space or something in the right places in the county, I think would be really appropriate.

[02:45:01] And that might be all I had. I think that's all I had in notes on right now. Thank you, Ken. Thank you. Thank you. Yeah, if we could just flip through the beginning of draft goals and objectives, and I'll just make sure I hit my comments quickly if I can start back at slide, I don't know if it's 11 or something.

[02:45:23] Go back on the slides. Go back one more then. So I just want to just confirm that when we talked in our first discussion of the two questions about allowing private central or looking for expanding the ACSA jurisdictional area, that we have here this thing about serving crossroads communities if public water and sewer service is not a viable option.

[02:45:58] And I'm really leery about I guess we really haven't settled on what we mean by Crossroads Communities well enough to know that we would be, you know, looking at this. But I guess it's under private central water and sewer systems.

[02:46:14] So it depends on that use already coming in. I just want to make sure I understood that when I looked at it. I didn't have anything else on this slide or the next. If we could move to 13, I think.

[02:46:32] No, 13, actually. Okay, renewable energy. Yeah, in this goal, I'm trusting that we have a big discussion coming eventually on the solar ordinance, where some of this is going to be discussed at greater length.

[02:46:50] And I hope that we can come back and revisit, in some sense, what comes out from that solar ordinance so that they're consistent. I'm very worried that some of what's been drafted, you know, it's got their environmental concerns, but there are also concerns that we haven't enabled community use solar or smaller-scale solar by businesses that say, you know, we need it for our use, but it's larger than your number of megawatt criteria that's in there currently, and I want to make sure we address those concerns, but it would be better to do that when we talk about that specifically.

[02:47:29] I will just add a comment with respect to data centers, which I'm not a big fan of, but we all actually use, whether we realize it or not. And unfortunately, with that and with the continued growth of electric vehicles and things, what we have seen, and several supervisors have pointed to articles about this, that electricity needs are going up faster than our growth of renewables, even though our growth of renewables has been pretty impressive.

[02:48:06] needs to be more. So that's something we'll have to consider as we look at our criteria for solar, and particularly by right solar, I think, because some of these projects just won't happen unless they don't have to go through all this process. And if they don't happen, we're in trouble. So let me go to Objective 3.6, where I notice here proactively work with and support private communication electric and natural gas services and recognize immediately that natural gas service

[02:48:41] is again you know going to be a inconsistent to some extent with our climate action policies and i'm nervous about how that fits with our climate plan and i thoroughly agree with supervisor

galloway's comment that once we talk about health and safety the healthy, safe, and resilient community that that cries out for cross-referencing resiliency centers.

[02:49:10] It's the next slide, 16, but it's in the goal four. And if we could, and I hesitate to open a can of worms for everyone, but if we could just look at slides. You went through quickly, slide 20, then 21 and 22.

[02:49:26] I just want to look at them again. Back to 20, please. Dimension criteria direction. Okay. Then 21, all right, there's a lot in here, and I'd like to take a look at the slides again, and you may have additional comments when we start looking at 21, 22, et cetera, for these expansion criteria factors and how they fit.

[02:50:00] We kind of did a big picture overview on this, and when I look at this, I'm not sure what all of these mean, how they're going to be interpreted. It's just a lot of words without a lot of connectors to tell me what does it mean. I hope that is helpful without getting us too far afield and going down those right now.

[02:50:22] And those were my comments at this point, but I want to look around. I'm sure there are additional comments. I'll go to Supervisor Malek first. I'm sorry I missed my cue that it was time to go back and work off the gold list. So I do have a couple of things that I did not mention the last time.

[02:50:40] We've done the Objective 1.5. One of the things that could be done tremendously to improve a lot of septic function is to require pump-outs, which many other communities have, and provide the support for people who need financial support to carry that out.

[02:50:59] There are also VDHS dollars for that as well, and that kind of thing would also help discover ones which are failing, which people don't know about. So I would add that to the list of things. Under 1.14, the bailing facilities cost millions of dollars.

[02:51:19] It's one of the largest things on, and Jim can talk to this more than I, on the CIP for the RSWA. So that's not the sort of facility that can be strewn around the country, around the county. That has to be located in one separate place. So I was just trying to clarify that equitably located would not necessarily go with that particular thing because it just can't be.

[02:51:43] On goal two, the solar as well, that the consistent with the comp plan is even more than the climate action plan recommendations.

[02:52:00] And to incorporate land use is important in the goal. I'm very distressed by 2.1, as others have been, about the intentional clearing or intentional neglect of a property to make it look like it's distressed and therefore qualify for somehow to be considered a wasteland and therefore more suitable for a utility, solar.

[02:52:24] Half of our property is in various timber tracks, and they are very active and beneficial for climate as well. So we do have to be aware of that and protective of those things. I would love to see some wording that prioritizes solar on the parking lots and rooftops and certified urban brownfields can't be done anything else with in order to further that community one of the issues we're going to have to deal with at the legislature is to break the stranglehold which dominion currently

[02:52:58] has on community solar the ability the 75 dollars per month minimum that they're allowed to charge every homeowner who's really only supposed to pay like five dollars for their what because they're to generate it or want to generate it in their own neighborhood. We had many opportunities and people in the western part of the county who have elevations where they did qualify for significant wind and they

were forced to give up because they couldn't even get the offset to be able to pay off the windmill because of the stranglehold that Dominion has. So that we just

[02:53:37] need to make sure we're understanding what those risks are and I'm very much on page six well let's see 3.1 I was very grateful actually for bullet three under the the personal wireless I actually think that this paragraph is the the whole thing is pretty well put together but it does respect the other impact impacted resources 3.3 complete rural fiber broadband is I think what's been the

[02:54:11] emphasis of the broadband authority and the BAAO office not to mix that up or with with the other provisions because it is the fiber that can work the best for a long period of time. On to zooming onto page there. Objective 3.6 to work with communication electric gas blah blah blah. Others mentioned about the gas I would agree with that but focusing on community centers and the rural area buildings which already exist and agencies who could provide resilience hubs. I know that

[02:54:48] the Ruritans in Whitehall were struggling trying to get resources in order to be able to upgrade their wireless or their, I mean, sorry, their ability to generate fiber broadband service strong enough so that people could come there during COVID and actually get service and to also improve the emergency response in these rural areas. So I think that we have lots of potential partners out there. Under goal 4.2, I don't know how we would ensure that private stone water management and flood infrastructure is properly maintained. So that's just a question I will throw out there.

[02:55:27] If we say we're going to do it, I'd rather not over promise and say we're going to do that unless we have a way to actually do it 4.3 I definitely think what I read from objective 4.3 this is in community health and resilience is protecting the food growing land we have is incredibly important and increasing the capacity for the smaller truck garden folks who can make as much on one acre as I make with my whole herd every year it's a lot of work for them but the people who work at the farmers' markets and take their things to the farmers' markets or grow things for the food

[02:56:05] pantries are already happening now. And I think if there's a vision that we could strengthen and encourage in some way, that opportunity would be great. Okay, I'm not going to take a lot more time with the input themes because there's really nothing I can do about those. All right, I will, it's just when people say we should build libraries everywhere, I'm going, no, we already have a bookmobile. We can't build a \$10 million library all over the place. So that's, I'll stop there. Thank you very much. Thank you. Supervisor McKeel. I mean, Lupisto Hervey, sorry. The smallest

[02:56:43] one. Yes, I just had three points. I'm really concerned, and I brought this up before, regarding my VACO conference, regarding the data centers. And what I was told at the VACO conference is that the data centers can come in, buy land, buy right, and then once they do buy the land in a commercial office setting, the criteria, that they can, it's buy right, they can build a data center. So that's what I was told. And they said the only way to counter that is to have

[02:57:19] something in the comprehensive plan. So I guess what I'm looking for is I haven't seen anything and what's been proposed regarding data centers and how to say no to data centers if that's what the board decides to do, but something that can limit having data centers here because I think there might be consensus on the board perhaps not to have large, like Loudoun, not to have a lot of large data centers like Louisa, but how do we prevent that if they can do it by right?

[02:57:54] Question, do we know? David's standing up. David's good. Okay, come on, David. They are currently permitted in our industrial districts now, so it would take an ordinance amendment to...

[02:58:15] I'm sorry, I'm having trouble hearing you. Yeah, I'm sorry. I'm David Benesh, development process manager, again. They are currently permitted in our zoning now, in our industrial zoning district, so it would require an amendment to the zoning ordinance first.

[02:58:31] guidance in the comp plan could guide what further decisions and location criteria you might have. But in order to control them or not have them by right, it would require some amendment to our ordinance, as I understand from our zoning office. Okay. I think that might be worth something looking into. Otherwise, they will come. Because what I was told, once again, at the conference, Once you can have land that is \$200 to \$300 per acre, they come in and offer \$2 to \$3 million.

[02:59:09] I might wonder out loud if we have enough contiguous industrial zoned land to actually support a data center. So I think that is the functional stopgap that we currently have. Any kind of actual data center that is able to operate a scale would probably require a zoning map amendment to actually get industrial.

[02:59:33] And I invite staff to correct me if they think that is a mischaracterization, but I know the ones that we were talking about from these various articles that we circulate are massive. They are mini acres, and we just don't have that kind of continuous industrial zoned land. But I was told it was like as small as five acres.

[02:59:53] There are different sizes, and so you do have to be careful about how they're defined, because some can be as small as actually a transformer that you see next to a light pole. So there are all sorts of types. You have to be careful with the definition, but Mr. Pruitt is correct.

[03:00:11] The ones that we're concerned about tend to be a really large land area. And our grid and our electrical system appears to be most suitable in the north, north of the city. And I appreciate the fact that they're usually on larger land masses.

[03:00:28] But once again, what I learned is that as little as five acres. So I'm just putting that out there. Yes. Chair Andrews and members of the board, what I would suggest, based on the board's interest, is the staff will take this separate from the comp plan review discussion this afternoon.

[03:00:46] and we will work with the community development team and work on this issue and look for an opportunity to come back okay thank you I very much appreciate that um the my other the other point regarding at 2.1 regarding solar and such is and I'm very happy to see that we're saying parking lots and rooftop buildings that we have that in there and I'm I'm wondering how much that can be emphasized i mean i'd much rather see them on and build commercial buildings anything

[03:01:23] uh it would be nice to have other than solar farms we'll probably end up i know we'll have solar farms but it would be nice to have see more parking lots more larger buildings uh commercial buildings and such like that to encourage do something to encourage uh shingles solar shingles Things like that, if feasible.

[03:01:47] And the last question I had, I know that we talked about, Supervisor McHale mentioned about police and having an area to go to, but you said we can't say substations. Can you address that? A substation has a whole different definition.

[03:02:04] And because Jeff informed me in a meeting, I was talking, so I'm using the word office, not substation. Because the substation really gets into... And I am very aware of what a police substation is, and I know all about that.

[03:02:20] But I think what you're referring to is someplace for them to go out in 726 square miles of our county to be able to. Right, to have access to a computer, maybe to a coffee pot, certainly to a restroom. I'm just saying, right?

[03:02:38] Yeah, is that now something that they could work with the fire department? because we have fire stations all over the place. Just throwing it out there. You can throw it back at me. Okay, thank you. Those are all my questions. Thank you.

[03:02:53] Thank you. Anything further? Supervisor Calloway. Just one additional point on the, I made this point at a different chapter review, so I don't, I can't remember why, but the solar renewable piece, and Bea just spoke to it before, but we've all said we want to see solar on rooftops and parking lots, but we better not be making it damn difficult to do because of ARB guidelines for entrance corridors. So that has to be, if we say we want it and we're all cheerleading for it, but then we're like, yeah, but we don't want to see them and make it difficult for places to do it, then they're not going to do it. So we've got to,

[03:03:31] we've got to be mindful of that wherever that falls into play here. I happen to agree with, on the data center issue, I happen to agree with Supervisor Pruitt's point on this. So I understand staff will take that issue up, but I almost want to know to the expense of what else because I'm throwing that out there.

[03:03:52] Oh, you mean staff time? Correct. Right, gotcha. I do want to just pick up one quick note, and I apologize for going over, about the, to Supervisor Galloway's point and Supervisor Lapista currently's point about how we're actually, and again, it has been mentioned in other chapters, how we're incentivizing rooftop solar.

[03:04:13] I've talked with the staff liaisons at the ARB before about this and how they actively, you know, There is guidance about roof slope direction based on the entrance corridor that can directly compromise other considerations. And we do not have any kind of, to my knowledge, nor have we formally explored what it would do to the development market to require solar readiness on new developments.

[03:04:41] Because not all roofs are designed in a way that can physically support solar installation, which is a concern. And if we're saying that's a priority, we need to actually act on that. And realistically, that might cause construction costs to be higher. And I think we need to just have that data so we can actually make a decision on that at some point and what that would look like.

[03:04:59] And, you know, this is public facilities chapter, so maybe that's not the appropriate discussion. But something we could also have is we're talking about new facilities we want to build. It does seem prudent that we might say that we would require that new county facilities be solar ready on development.

[03:05:17] when we build a new radio charging station and bathroom for rural police officers, that it has a solar panel on top. Thank you. The last thing. Okay. I promise I won't ask again. One of the things that in the development areas goals pages, one thing that has not been included but could be very beneficial for really good redevelopment in the growth areas is consideration for structured parking because getting away from these large, large acreages of parking lots and putting much more beneficial use on those, employment and other things,

[03:05:58] there may be some math that will help to push the structured parking over the hump, over the threshold to be able to be possible, but I think it will allow a far better implementation of our growth areas for sure. So I just wanted to put that on the list as well.

[03:06:14] Thank you. Lord, this brings us to... To where we would next go to the closed meeting. But before we do that, I just want to bring up a point. And that is that we have, of course, our 6 o'clock matters from the public.

[03:06:30] And we do have about, well, certainly more than 10 people signed up already. Do we have a number? 13 right now. 13 right now? 13 right now. Well, we don't know what that number will be. So we may have to wait until we get back and find out what that number is. But there will be a question as to whether or not there's a motion made to, And I've got the motion ready, if we need to, to expand that number beyond the 10 in light of that.

[03:06:57] But I'm just going to look around and see what people's thinking is about the 10 before we go in. But then we can do that quickly when we get back if there's an appetite for going beyond 10. Supervisor Malek, I'm just going to go through the order real quick.

[03:07:15] Well, I understood that doing it on an individual day is not a good idea, first of all. Second of all, is there a notice when people could sign up online that shows you're not in time to be in the first 10? Or do all these people think that they have been effectively signed up?

[03:07:31] The ones who signed up in person will know what number they are, right? But if they're not? Correct. So online, it does say that it's limited to 10. Okay. But it doesn't tell somebody where they are in the queue? It allows it to sign up past that unless we shut it off after 10, which we have not done.

[03:07:51] We've not shut it off, but, yeah. So going forward, that might be some good thing to do. Another way to do it. Supervisor Lupisto-Curtley, just about the 10 limit. If we've, I think it's bad form to do it the day of.

[03:08:07] I agree. And then I think just limiting it to 10, we've told them 10, stick to it. Supervisor Galloway? Yeah, I think this has now come up, what, two or twice? This is the second time at least. Yeah, so this means we probably need to have a different discussion than specific to a topic to untangle it from that and bring it up and just stick to what we said we were going to do and what we define for folks. And then I would, since we have their names, we could encourage them to send us written communication, that we could make those comments part of the public record,

[03:08:42] even though they don't speak it. I don't think there's any prohibition for that. The ability for us to include written communication as part of the minutes that's related to speaking rules I think that's allowed but I'd have to defer to the county attorney. Do e-comments get put into the record? They're part of the record but not part of the minutes. I don't know Mr. Rosenberg whether the comments that can't be made but but are given to us in writing then could be treated differently

[03:09:22] than just emails that we might receive on the topic as far as the record goes. We can come back to you about that after the closed session? Well, I think the clerk has indicated that the practice has been for them to be included as a part of the record, which is what Supervisor Galloway was suggesting, but not a part of the minutes. Oh, it's a difference.

[03:09:57] What is the difference? I'm not sure I understand. Well, I can't speak to what you were saying, but what my intent was, was similar to when someone's here, they get cut off at three minutes and they have another minute of talk. We allow them to submit that substatement to us in lieu of the extra minute, and then those are included in the minutes, I thought, in the record. Is that not accurate? In the record. So, all right, what's the difference between the record and the minutes?

[03:10:27] Yes, that's what you mean. Well, the minutes are what transpires at the meeting. So the record, what's the record I would suggest to you that it's a combination of the minutes and any separately submitted materials that are received from the public what I'll do what I can do during the break is look to see whether this issue is addressed by your rules I guess I didn't know there was a difference between the record and the minutes I thought the minutes were the record the same thing if people show up and they're not among the allowed to speak they should be allowed

[03:11:04] to present a intermittent thing and get it part of this. I mean, I think we're creating an artificial thing. And how does somebody find out what the record is? None of us seem to know. Board, I'm going to interrupt the moment because I feel bad. I really have jumped the gun.

[03:11:20] Mr. Holt is still here. And I want to make sure that we have addressed your questions and whether you have anything additional you'd like to add for us at this time on the previous topic. I apologize. Nothing on the previous topic. I do have some closing slides about next steps in AC44, so if you are comfortable, I can cover that real quick.

[03:11:40] It should just take a minute. But thank you for your feedback. Very helpful and very thorough. Thank you. He was just going to let you keep on talking. I know, I know. I apologize. So just looking forward at our timeline, staff is planning to kick off Phase 3 this spring.

[03:12:02] So we're around late April, early May. And at that point, we'll be sharing draft action steps for the chapters. So that's the granular level implementation steps that fall under these objectives. So hopefully that'll help clarify how we're going to achieve some of these objectives.

[03:12:21] And in the summer, we're going to schedule multiple Planning Commission and Board work sessions to cover all the chapters, as well as activity centers, multimodal plans, and future land use maps. And that'll include refinement of the action steps so that we can move towards plan finalization. And in the fall, we'll be focusing on plan priorities. We're calling those big moves. Those are priority actions that are going to, many of them will span multiple plan chapters. So this will be the target for what we

[03:12:57] want to achieve, especially within the first five years of plan adoption. Thank you. Thank you. Any questions or comments? Yeah, so, I don't know, this may just be a, leave it floating out there and see, but I see multiple sessions.

[03:13:20] You know, when we got in prep for these meetings where we've gone through these pieces, the information obviously is released the Thursday before. The action steps are going to be even more content. Right. So, process-wise, are we going to have the ability to review the action step items before the release of the packet?

[03:13:39] Hi there, Chair, if I may. Tanya Swartzen-Druber with Community Development Department again. Our plan right now is to release all of the action steps about a month in advance of your first meeting.

[03:13:55] The first meeting will likely cover development area and land use transportation. So you would have the draft action steps prior to that meeting for at least a month. That's great. That's good.

[03:14:11] Thank you. Very helpful. Now we're back to where we were, although I want to check with the... Well, let's make sure. Yeah, are we ready yet? You're okay. You're good? Thank you very much. Thank you for your patience.

[03:14:27] Feel free to interrupt me at any point if I have neglected to conclude a matter appropriately. I think you should just keep standing there and make Jim. Well done. Appreciate it. Supervisor Pruitt, then. Yes. So I think I've voiced before that I generally worry that sometimes our community is not as politically engaged as it could be on a variety of issues.

[03:14:53] And I'm concerned about steps that would further shill political activity and political engagement with their government. Because frankly, most days we don't have anyone in the audience. And I think we should take that as a warning sign. And I also want to recognize that we have, as was pointed out, we have already had twice our own threshold triggered, which to me indicates that we have miscalibrated.

[03:15:20] And I think it would be prudent that we explore what the correct limiting factor is, because I do appreciate that we need some kind of limiting factor in theory. I don't think in practice we need a limiting factor at this time, but in theory we do. We need to be prepared for the one day that we have 100 people and we can't conduct business.

[03:15:39] But I think it's abundantly obvious to me that 10 is not the correct number. And maybe we could have additional tools that are, maybe we could have a non-strictly capped and just avail the board of different tools and our rules that could handle this.

[03:15:59] Yeah, we will have a further discussion of the rules at some point, I hope, soon. Yes. I just wanted to say, I think the fact that we're holding to, for now, what we're doing and letting the audience know in advance that, you know, the people who sign up afterwards, that also gives them time during our meeting to write down their thoughts and submit it to the clerk, if they so choose. I want to just recognize briefly, I didn't weigh in on the instant case before us, and I apologize for that. That being said, I do think it would be

[03:16:38] prudent for us to waive it again today, personally, because I think something that we have been, that I've received emails and that I just know from the CC lines others have received email is the perception because we expect people are going to come and talk about Ragamount. The perception that this was done without community input, that this was done, I recognize this, right?

[03:16:58] It was a court decision, but the perception that it was done behind closed doors, and I think it is important on this issue that we avail ourselves to the public and not be perceived as attempting to limit the ability of the public to engage with us on this issue.

[03:17:15] I think it's an important symbolic part of our relationship with the community that we actually allow full public comment on this today. So I would look to have the rules waived today. And I don't think we should think of that as bearing precedentially because there is the general consensus that we need to revisit this.

[03:17:36] Supervisor McKeel? Yeah, I am very concerned about we have a policy and we're now constantly going back and revisiting it based on an ad hoc situation. I read every time I read these, it says up to 10 persons may speak during each matters from the public.

[03:17:58] And there's not a public hearing tonight. I look at this differently. Public hearings, I'm happy to have everybody speak as whatever we need to do if we have to stay here until midnight, but this is matters from the public, not on the agenda.

[03:18:15] It's a whole different situation, and I am concerned when we have a policy and we just occasionally change our policy to meet whatever. I just don't think it's good form. Having said that, we really have to go back and take a look at this policy, our guidelines and what we're doing.

[03:18:33] I think Claudette said that there is a way for people to see on the website I heard you say. You addressed it for us. It states that the public comment for matters from the public is limited to 10. Exactly. So I don't think this is, I mean, it's, and while I feel bad about this, it's a bad situation, we really have seen this coming.

[03:18:54] And to be honest with you, we're going to have to deal with it. So, yeah. So I agree with the rest of the folks with, I think, the exception of Blake. Yes, Supervisor Allen. Two things. One, I dropped the ball, I guess, because for ages and ages, decades, if there were many, then it was cut to two minutes, and that was the way to meet the same time period and have more people speak.

[03:19:17] That apparently has now disappeared from the rules, and I didn't notice it because it wasn't a red line, I guess, when it went away. So that's my fault. But the content neutrality is what's a real concern. If we do something on one day and not on another day, then that's asking for trouble, as far as I can tell.

[03:19:32] And we have a policy until we change it. I'm happy to change it because I was on the losing side last time, so thank you. Well, I'm hearing a clear consensus that we'll stick with the policy. We would need majority plus one, actually, to change it at this point.

[03:19:47] So we will go to a closed meeting, but make sure that we can communicate with the public that while we may have a few extras to fill in as alternates, the 10 limit will be maintained. Okay. That being said, I would like to move forward.

[03:20:06] Just check again, is there anything from the county executive or the county attorney? Okay. Then I would look to Supervisor Pruitt for a motion to enter a closed meeting. Excellent. I would like to move that the Board of Supervisors convene a closed meeting pursuant to Section 2.2, TAC 3711 Alpha of the Code of Virginia under subsection 1 to discuss and consider appointments to various boards and commissions, including, without limitation, Crozet Community Advisory Committee, Historic Preservation Committee, John Board of Directors, Piedmont Family, YMCA Board of Directors, places 29, Parents Hydraulic Community Advisory Committee, Places 29, Perrin's North Community Advisory Committee, Ravana, River Basin Commission,

[03:20:41] and Albemarle County Social Services Advisory Board, under subsection 8, to consult with legal counsel regarding specific legal matters requiring legal advice related to the possible exercise of authority under Virginia Code section 15.2, TAC 2308, to appoint alternates to the Board of Zoning Appeals, and under subsection 29, to discuss the renegotiation of a public contract between the county of Albemarle, Virginia, and the Charlottesville Albemarle Society for the Prevention of Cruelty to Animals, involving the expenditure of public funds for the provision of shelter services, where a discussion in an

open session would adversely affect the bargaining position or negotiating strategy of the county and the board.

[03:21:17] Second. We have a motion from Supervisor Pruitt, a second from Supervisor Lupisto-Kirtley. Without objection, the clerk will call the roll. Ms. Mallett? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway?

[03:21:34] Yes. Ms. Lupisto-Kirtley? Aye. Thank you, board. we will now go into closed session is that right okay i just want to remind the public that the reasons for going into closed session are on the website so if it's read a little quickly it is available uh to be to be viewed thank you that's good we're going to give you the gold star

[03:22:12] for the fastest reader good evening we are back in session and i believe supervisor pruitt you

[04:58:35] have a motion to bring us out of closed session? I certainly do as soon as I open it up because once again I closed it on accident and now I have it. I would like to move that 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 Information Act identified in the motion authorized and closed meeting were heard discussed or considered in the closed meeting. Second. We have a motion from Supervisor Pruitt and a second from Supervisor Malik, without objection, if the clerk will call the roll.

[04:59:09] Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lapista? Kirtley? Aye. Thank you. And I believe we have a motion coming out of closed meeting. Vice Chair McKeel? We do. We have some appointments to boards and commissions, and so I actually have three.

[04:59:29] For the Places 29 Hydraulic Community Advisory Committee, Kate Acuff. For the Places 29 North Community Advisory Committee, John Reacher. And for the Ravana River Basin Commission, Lonnie Murray. Second.

[04:59:45] We have a motion from Supervisor McKeel, a second from Supervisor Malek. Without objection, if the clerk will call the roll. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lapista-Kirtley? Aye. Thank you. Board, next item is a report from the county executive.

[05:00:03] Mr. Richardson, is there a report to make? Mr. Chair, this is not the normal time that I would be presenting my county executive's report. This board knows that is at the second meeting of the month. I do have several things this evening that I would like to share for the board and for our community.

[05:00:19] Chair, members of the board, you do know that on our agenda tonight, on the consent agenda, is the county resolution declaring the end of the local emergency that we declared on March the 20th. And that ironically was in this meeting on March the 20th.

[05:00:34] i did want to share a couple of pieces of pieces of information for the for the board and for our community on march the 20th our community is aware that we did have a number of brush brush and fires throughout albemarle county in specifics though i wanted to share that between 12 and 8 p.m on wednesday march the 20th that our albemarle county fire rescue department which is a combination fire department with both career staff and volunteer departments across the county, that we

[05:01:11] responded to 26 fire-related calls for service between 12 and 8 p.m. that evening. That is three times the typical average number of dispatches normally seen in an eight-hour period. There were a variety of calls. There were some very, very difficult fire situations that our crews worked through the entire night into the next day and there was a clean up and wrap up on the 22nd but we reached a point on the 20th where we were completely maxed out with both career volunteer and callback staff uh i've got an initial report that the that the total amount of overtime was

[05:01:51] around sixty thousand dollars of staff overtime i want to take a second though because when we issued through the board's declaration of emergency. When we asked the state for assistance, we received mutual aid resources from Cumberland County, Amelia County, Pulaski County, Carrollton, the Department of Forestry, and VDEM. They assisted us in Albemarle County on the scenes.

[05:02:20] So I do want to say publicly a huge thank you to the fire departments and emergency management and related agencies across the Commonwealth that responded in a matter of hours when we needed help. Because other communities across the Commonwealth were also struggling and dealing with the issues that day with the dry weather, the heavy winds, and all of the things that accumulated down power lines and things that accumulated in a number of fires across the Commonwealth.

[05:02:50] I also want to thank not only the fire department for the leadership, for the hard work over the course of several days, but also we had a number of agencies mutual aid with the city. We had assistance, significant assistance from a number of departments. We activated our emergency operations center that day through the next day, and so it was a very unfortunate set of circumstances, but I couldn't be more proud of the people in Albemarle County, our partner agencies, our volunteers and career staff. And then again, thank you board for activating that state of

[05:03:29] emergency. We needed it that day. And I did want to publicly thank those agencies. The second thing this evening that I just wanted to bring to the board's attention, Mr. Trevor Henry, our deputy county executive, he will be doing a formal Ravana station, Ravana futures report at our second meeting in April. But he and staff will be traveling to Washington, D.C. next week for three days to attend an Association of Defense Communities Conference. I wanted to alert the board of this because that will be certainly something when he gets back that he will speak to. But as this board

[05:04:08] knows, we continue to work very close with our federal partners, our state partners, and are very thankful for the board's support with our work out at Ravana. Mr. Chair, that's all I've got this evening. Thank you. Thank you. Any board members want to add any additional comments? Just a quick, maybe it's a request, but board, and I say this, it sounds like I'm saying it in jest, but my mama always taught me to write thank you notes. And I was just wondering if we could ask our chair to send a thank you note on our behalf to the other counties and the agencies that helped us.

[05:04:47] That's an excellent idea, and I would not have thought about it without the Board's guidance there, but I think that would be outstanding. It would really mean a lot because those letters coming from the Board, they're going to be read at the Board meeting, and those agencies, they appreciate that. We'll follow up.

[05:05:02] We'll get that done, and we'll get that on your desk, sir. Thank you. Thank you. It's acceptable. Thank you. Great idea. Thank you. Board, next up is item number 16 from the public. Matters on the agenda but not listed for public hearing or on matters previously considered by the board or matters that are pending before the board.

[05:05:23] I need to start this section with an apology that the rule 6D1 of our rules for this board currently states that we will accept up to 10 public comments at a meeting and we are going to stick to that limit tonight.

[05:05:41] I apologize for those who signed up and are not in that first 10, but I have been assured that if you have written comments that you can provide to the clerk during the meeting today, that we can include those written comments, concise written comments in the record that would have otherwise been read in the minutes, that is, but only if you signed up and can provide those tonight at this meeting. So with that, We do have sign-ups, comments, and I will turn to Vice Chair McKeel to read the rules.

[05:06:15] I believe all of our commenters are in person. If anybody has skipped, we will go to the additional sign-ups for alternates, but I'll leave this to Supervisor McKeel. All right, and I'm going to read, as Jim indicated, our rules.

[05:06:32] 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.

[05:06:54] The sign-up sheet is managed by the clerk's office. Up to ten persons may speak during each matters from the public session. 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.

[05:07:11] 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 your comments. To give all speakers equal treatment and courtesy, the board requests that speakers adhere to the following guidelines.

[05:07:27] When addressing the board, state your name, and if you live in Elmore County, your magisterial district. Address written comments, I'm sorry, address comments directly to the board as a whole. Any written statements or other supporting material may be given to the clerk.

[05:07:42] If representing a group or organization, you may ask others to raise their hands in recognition. Speakers may not share any unused time with another speaker. Back and forth debate is not permitted. And do not speak from your seat or out of turn. All comments are live streamed, recorded, and published on the Alomar County website.

[05:08:06] And our first speaker for this evening is Erin Bernard. Welcome.

[05:08:22] Please adjust the microphone to make sure you can be heard. Thank you very much. Erin Bernard. This is my daughter, Demery Bernard. We are a city of Charlottesville residence. We wanted to read some statements for you tonight. Hi. My name is Demery Bernard. I am 10 years old, and I am in fourth grade.

[05:08:40] I have been mountain biking my whole life, and it's very important to me. I love the feeling of wind rushing through my hair. Mountain biking with my family has led to many outdoor memories and whatever I put on my helmet, I know there will be an adventure.

[05:08:56] Ragged Mountain trails are perfect for kids like me because they're not too easy and not too hard. It's a perfect place to train for adventure races that include mountain biking. Being in nature teaches

you new things and has become a part of me.

[05:09:13] When I first heard that we couldn't bike or run at Ragged Mountain, I felt very nervous that I wouldn't be able to find another place that felt like home. Please change the rules at Ragged Mountain so that kids like me can continue to bike, discover, and learn.

[05:09:29] Thank you for your consideration. My name is Aaron Bernard, and Demery is my amazing daughter. Over the last eight years, Ragged Mountain has become a special place for my family. It's a place where I've shared many incredible moments with my children, including teaching my oldest daughter how to mountain bike, watching her talent, adventurous spirit, and confidence grow as a young woman.

[05:09:50] Prior to March 7th, on any given weekend, the Ragged Mountain Trail system was filled with hikers, trail runners, picnickers, mountain bikers, and families, all coexisting in a spectacularly beautiful place. While the intent and goals of each person on the trail may have been different, they all had a shared purpose, to commune with and protect the natural spaces that we love.

[05:10:08] To be clear, the shared use activities I just listed do not pose a threat to water quality that our community rightfully holds so dear, as evidenced in both the Ravanna Water and Sewer Authority's 2016 memo and their reaffirmed 2024 memo. They are the environmental authority on this matter.

[05:10:24] Ragged Mountain truly is a unique biking area combining proximity to the city and beginner to intermediate trails. The accessibility for our youth is not the case on many of the challenging sections of the Ravanna Trail. This is not the case on the narrow, hilly trails of Biscuit Run and is certainly not the case on the steep trails of Hayward Forest.

[05:10:42] Ragged Mountain is unique. I respectfully request that the Board of Supervisors use this tremendous opportunity to work together with the community and update the county code to allow biking so that the code remains effective at both preventing pollution of the water supply and also not limiting healthy non-polluting outdoor activities. Who here supports Ragged Mountain biking? Thank you for your

[05:11:04] consideration. Thank you. Jack Holbrook. My name is Jack Holbrook and I am a resident of the Scottsville District. I have been a member of the Albemarle High School mountain bike team for the past four years throughout this time i have met some of my closest friends and made some really

[05:11:41] amazing memories our team provides the opportunity for close to 30 high schoolers to exercise and connect with this their peers both of these things can boost academic performance and they promote overall well-being both ragged mountain was a favorite practice location for myself and my teammates due to its convenient location natural beauty and accessibility for all experience levels yes there are other trails in the area but like hayward forest they are often steep and rocky

[05:12:19] and further away from densely populated areas by prohibiting mountain biking at ragged mountain you have essentially shut down one of the most popular trail systems for mountain biking in our area the main justification i've heard to restrict trail use at ragged is with regards to water quality. While I fully respect your desire to protect our water quality, the Rivanna Water and Sewer Authority has stated multiple times that mountain biking around their reservoirs does not impact water quality. The other argument I've heard about the ordinance being changed is with

[05:12:57] regards to user conflict. I'm an avid mountain biker. I'm a team captain on the Amaral High School mountain bike team, and I'm quite involved in the mountain bike community, and I have not heard

of one single instance of user conflict at Ragged Mountain. In addition, on our Murrell High School mountain bike team, we emphasize the importance of trail etiquette and yielding to other trail users. Please revise the ordinance to reflect the information from the Rivena Water and Sewer Authority so that these trails can be used by all. Thank you. Thank you. Colleen Little.

[05:13:38] Good evening. My name is Colleen Little, and I have been a resident of the Scottsville District for 17 years. Thank you for allowing me to show my support to amend the code for shared use trails at Ragged Mountain. I'm a hiker, a biker, a nature lover, and I have coached youth mountain bikers for over a decade. I think we can all agree that bicycles do not cause pollution, and I could go on for hours about not only the physical but the mental health benefits cycling

[05:14:15] provides over a lifetime. Instead, I would like to point out the message that you are sending when you prohibit certain user groups on the Ragged Mountain Trail. By limiting usage, you are directly discouraging healthy lifestyles and limiting the ability for all of us to enjoy the beautiful area that is ragged. In the many miles I have hiked and ridden around our county parks, I've had nothing but positive interactions on the trails. Strangers striking up conversations

[05:14:49] as we pass each other and even people encouraging us as we ride up a difficult hill. Cambic encourages all members to ride safely, to slow down and exchange a hello to everyone on the trail and to use a timber bell to alert others on the trail as we approach. This is the reality of what is happening on our local trails, camaraderie and community. People of all abilities, backgrounds, and ages coming together to enjoy nature. It is disheartening to see that such a valuable resource

[05:15:23] is being restricted. In addition to the diverse community of users, I want to add that the self-contained loop around Ragged is also one of the few places that many women riders, such as myself, feel safe to ride alone. And lastly, I would like to emphasize that strengthening your partnership with CAMBIC is the key to unlocking the full potential of Ragged's sustainable biking and hiking trails. There's a wealth of expertise, skill, and manpower within the organization,

[05:15:59] and by developing a strong relationship with us, the county can capitalize on our knowledge and experience for the long-term benefit of the community. I urge you to reconsider your decision and trust the citizens to use our trails responsibly. If you have not had the opportunity to enjoy Ragged Mountains Trails, I encourage you to do so. Thank you for your time and consideration.

[05:16:25] Thank you. Tom Olivier. Good evening. I'm Tom Olivier from the Samuel Miller District here to speak about item 19.1, permitted recreational activities at the Ragged Mountain Natural Area.

[05:16:46] I'm surprised and not in a good way by the presence of this item on your agenda. The recent agreement between the city and county banning bicycle and horseback riding at Ragged Mountain was reached in a process that included many public and private meetings, deliberations by the city and county governments, and of course, extended litigation in the courts.

[05:17:08] The outcome, so heralded on the front page of the Daily Progress, was the right one. Albemarle County should stick to it. Ragged Mountain was identified as one of the county's most important biodiversity sites in the 2004 Biodiversity Workgroup Report.

[05:17:25] The 2016 Ragged Mountain Survey by the Center for Urban Habitats detailed its biological richness. Such biodiverse places attract people, and Ragged Mountain is no exception. However, the 2016

survey also pointed out that human intrusions, including trails, had led to degradation of native populations in part of the area.

[05:17:52] Invasive species were identified as a consequence of the human intrusions and a biodiversity threat. In 2016, the Albemarle County Natural Heritage Committee wrote to the Charlottesville Parks and Recreation Advisory Board.

[05:18:08] The letter noted, all forms of human intrusion into wild landscapes have certain negative effects. What is important is the scale of the activity, which could increase significantly with the allocation of new trails and uses.

[05:18:24] The Natural Heritage Committee recognized application of the precautionary principle in planning uses in the natural area. Don't be fooled. The core controversy surrounding bicycling at Ragged Mountain is not about trails, trail erosion, trail maintenance, or free trails in coming years.

[05:18:43] It's about whether the county has the will to limit intrusions on a biologically precious place so that the biological resources can be sustained. You already have an agreement rooted in the due caution that supports Ragged Mountain biodiversity.

[05:19:01] I urge that at this 11th hour, you do not toss this hard-won agreement away. Thank you. Thank you. Dave Stackhouse. Hi, my name is Dave Stackhouse, and I live in the city, but I'm speaking on behalf of the Charlottesville Area Mountain Bike Club, also known as CAMBIC.

[05:19:29] I'm 75 years old. I've been a director at CAMBIC for the last 14 years. Besides riding bikes, I like to maintain and build trails. CAMBIC has trail work MOUs with Albemarle County, City of Charlottesville, UVA, Fluvana, and DCR.

[05:19:47] We do trail work at Pretty Creek, Walnut Creek, Mint Springs, and the future Biscuit Run. I often work with your park staff, including Chief Park Planner Tim Patalino and Tucker Rollins, your trails division manager. In the city, we work on the Ravana Trail, trails at O'Hill, Hayward Forest, and the trails at Ragged Mountain Reservoir.

[05:20:10] Last year, Cambic raised over \$100,000 through dues, donations, and grants. We have tools, equipment, and volunteers. We will be using all of that to build trails for community use for everyone in our community.

[05:20:28] Now, poorly designed trails can cause erosion and silt, and that's a threat to the aquatic ecosystem. MAMBIC has learned how to build trails that prevent erosion and help everyone enjoy nature with minimal impact.

[05:20:44] The tools we use to prevent erosion are contour and grade. We use this tool, the clinometer, to shoot accurate grades. We use this handbook as a reference to help us improve our trail building.

[05:21:01] We use this science to flag trails in all the county and city parks I mentioned, and that includes rebuilding the very trails we're talking about in Ragged Mountain. Soon, RWSA will raise the water 12 feet, and that will flood the Lakeside Trail.

[05:21:20] If biking is allowed there, CAMBIC is committed to rebuild those trails and make other improvements, hiker-only trails, if those are asked for. But if the county code excludes bikes, why would CAMBIC do that, and who would rebuild those trails?

[05:21:41] And more importantly, what will happen to the culture in our community and our trail community? What would that do to it? KMX sees a brighter future. We think it's an opportunity to increase collaboration with the naturalists, the hikers, and the mountain bikers, come together and build a better system than we ever had, and one that protects the water.

[05:22:05] So we can work together toward that future if the county code is amended to allow it. Thanks for the opportunity to speak. Thanks for your service, and I'd appreciate a show of hands of those that support biking at Ragged. Thank you.

[05:22:24] Bobby Kasteen. Hi, good evening. My name is Bobby Kasteen.

[05:22:41] I'm a resident of the Whitehall District. I was born in Albemarle County, and I've lived here my entire life. I'm also a CAMBIC board member and a general outdoor enthusiast. I became serious about mountain biking about nine years ago when I needed a better activity for my cardio health.

[05:22:59] I'm 65 years old, and I would like to note that despite what many people think, mountain bikers are not just young people. It's great activity for everyone, and many people that I ride with are over 55 years old, or the ARP group, I call them.

[05:23:14] I work at UVA Hospital on the Ragged Mountain Loop. Being so close offers a great place to get a ride in after work, being only several minutes away. We'll talk a little about something a little different, though, than what we have. I'd like to tell you what CAMBIC does to promote positive trail behavior and community engagement.

[05:23:35] First off, we're constantly pushing information out to our members about trail behavior in hopes that everyone can be a good ambassador. Some examples are bikers give way to all other trail users. Bikers slow down when approaching folks. We use bells on our bikes to allow folks that we are there.

[05:23:54] We stay in control of our bikes at all times. We don't ride muddy trails, and we don't cut switchbacks. And we're also engaged with many community organizations. For example, currently we're collaborating with the Shenandoah National Park Trust, Rivanna Trail Foundation, Community Attention Youth Internship Program, and Appalachian Conservation Corps on a program called Trailblazers.

[05:24:20] This is a paid youth program to develop diverse outdoor youth leaders teaching trail maintenance and construction, and CAMBIC is co-funding this pilot program. Each year, CAMBIC members repair and tune hundreds of loaner bikes used by the city's Safe Routes to School program. This program promotes safe walking and bicycling to school.

[05:24:41] Similarly, CAMBIC members pitch in every year to assemble about 700 bikes for the toy lift, the community program that gives bike to at-risk kids. I personally lead a Tuesday evening beginner ride at Pretty Creek that helps anyone that's new to mountain biking and wants to learn it.

[05:25:00] Riding's important to my health. It's something you can do your whole life and stay healthy, and it feels good to help other people stay healthy in that respect. So yes, we are a club that loves to ride bikes in the woods, but we also promote community engagement and health. Please change the code to one that allows healthy outdoor activities at Ragged Mountain.

[05:25:21] And thank you so much for the opportunity to speak. Appreciate it. Show of hands for anybody that supports Ragged Mountain. Thank you. Rick Randolph. Rick Randolph, Scottsville District.

[05:25:39] As two sitting supervisors may well recall, my position was clear and consistent in 2016-17 when the differences between the city of Charlottesville's efforts to oversee the kinds of public access activities in the RMR clashed with the expressed desire of this board to preserve its jurisdiction over the RMR.

[05:26:03] As a long-term cyclist myself, I understood and appreciated both the desire of the MB community to have a challenging and safe place to enjoy their recreational passion and the concerns articulated to the board by our own staff and by birding and by hiking groups that mixing m-biking and dogs with more passive and human-centric activities interferes with the quiet and solitude that many people seek in walking

[05:26:34] RMR's trails. My position on RMR led to my receipt of a series of defamatory letters and even a slam video, all from mountain biking supporters. One of these letters even included a death threat over riding a bicycle in a park. Really? I asked the author. I see some of the same self-serving and threatening language permit our uses or cause a rift and ill will in the community and a my way

[05:27:08] or the highway sentiments expressed recently. Just because a voluntary organization can build cycling trails in a cost-effective manner does not mean they should be permitted to do so. Maintaining that the county should not prohibit children and families, including members, I might add, of my own family, from engaging in healthy outdoor activities like cycling and RMR ignores the reality that permitting the use and or dogs in the RMR can and does interfere with the enjoyment of more passive activities by other children, families, and seniors in the RMR.

[05:27:47] One of the reasons I committed myself to securing with State Senator Deed's support the county's lease of Biscuit Run Park was to ensure that M-Bikers would have a safe, accessible recreational space for them to enjoy their sport without infringing or negatively affecting the enjoyment of that park by other users.

[05:28:12] I've seen no mention by mountain bikers of the county's commitment to provide availability for mountain biking there or in the county's hedgerow park on 29th South. The reality is that mountain biking public land in Albemarle County is in no way constrained when this board affirms its long-standing policy to exclude their use in RMR. Thank you. Thank you. Lynn Wolowick, and maybe I'm mispronouncing that, but you can straighten me out when you come forward.

[05:28:48] Lynn Wallowick. You did a good job. I was pretty close. I'm a member of the Samuel Miller District. I'm not here to debate whether biker speed or whether noisy or not, or whether they're courteous or not. I'm here to talk about the amount of biking trails and hiking trails that

[05:29:18] we have. In Albemarle County, there are 12 biking trails consisting of over 120 miles of biking trails. Conversely, hiking trails, there are only two, two natural hiking trails for hikers only.

[05:29:42] That is Ivy Creek and Ragged Mountain. This is about preserving and protecting one of the two natural hiking only areas that serve all residents of the county. These two areas have been designated as natural areas for hikers and only a total with only a total of 13 miles of trails. By allowing bikers at Ragged Mountain natural area, you will reduce the figure to one area that is six miles

[05:30:20] long for a natural, serene hiking experience that serves all of the county residents. In 1988, the county passed a code forbidding biking within the Ragged Mountain Reservoir.

[05:30:36] It was called the Reservoir then. In 1997, the area was deemed a natural area by the Ivy Creek Foundation and supported by both the city and the county. This provided that citizens could hike and observe nature in a serene setting without having to experience speeding bikers on the same trail. In 2016, a new city ordinance permitted bikers at Ragged Mountain Natural Area. However, a court judgment in 22 reversed the city's ordinance permitting bikers, thereby supporting

[05:31:13] your ordinance for Ragged Mountain to be dedicated strictly for hikers. While on appeal, both the city and the county reached an agreement to permit only hikers at Ragged Mountain. History supports Ragged Mountain as one of the two natural areas to serve some 125,000 residents. Recently, Hayward, which is adjacent to Ragged Mountain, Miller School, and Observatory Hill were open for bikers.

[05:31:41] By the year-end, Biscuit Run will add more biking trails for the community to enjoy. How many more miles of trails does the biking community really need this your decision therefore becomes do you really want to abandon your original ordinance thank you if you are not able to finish your comments please can give them to the clerk okay thank you thank you for your consideration john

[05:32:07] lewis hi my name is john lewis i live in west park drive in the jack jewett district i was going to speak a little bit about cambik but i feel like we've said enough and we've submitted some materials that tell us more about our organization.

[05:32:31] I do want to focus why we feel that it's important to keep shared use at Ragged. First of all, mountain biking is a human-powered recreational activity. It's not mountain bikes or dirt bikes. We don't tear up the trails. We fix them, and we continuously educate our users on shared use trail etiquette, saying slow down, et cetera.

[05:32:49] I believe other speakers have spoken to this point. Why is Ragged important to us in the biking or shared use community? It's the only trail loop close to our urban area that's beginner friendly and feels safe. Its rolling terrain is great for beginners, slower riders, families, and children.

[05:33:06] It's the only trail system with water views within safe riding distance from our urban area that bikers and runners are able to view the watershed. The other publicly accessible water area is South Fork Reservoir, and that's limited to hikers, which we have no problem with.

[05:33:24] Riding close to home, it's also close, so it's climate friendly and reduces car dependence for the urban residents. I think it's a wonderful space that can be shared with a combination of shared-use trails and hiking-only trails. CAMBIC supports having a separate network.

[05:33:40] We're just asking of hiking-only trails for the majority of the park. We're really just asking for one shared loop system that allows runners and bikers to enjoy this special area. In conclusion, Cambic, representing our mountain biking recreational users, is asking to amend the code to allow a shared-use loop around Ragged, which permits bicycling and running.

[05:34:01] We also support having hiker-only trails, which permit at Ragged, for those who want a quieter experience. We're willing to help design and build hiker-only trails in conjunction with the shared-use loop, especially after the water is raised at the reservoir.

[05:34:19] Thank you for your time and consideration. We submitted to the clerk the following, a petition with over 1,300 signatures supporting shared use at Ragged Mountain, CAMPB's proposal, which covers a

little bit of our version of the history and what our proposal is for future use, and a brochure, which provides us some more background in who we are and who we represent.

[05:34:38] Thanks for your time. Thank you. Kim O'Brien. Hi, my name is Kim O'Brien, and this is my son, Will.

[05:35:02] We live in the Samuel Miller District, and tonight we are here to represent the homeowners that live in Ednum Forest, who also support multi-use trails on Ragged Mountain, but unfortunately couldn't be here this evening. I would like to just take a quick moment to share our family's story.

[05:35:20] We recently moved to Charlottesville in 2022, and being avid runners and bikers, our number one priority for choosing a neighborhood was direct trail access without driving. We chose Ednum Forest because of its access to Ragged Mountain.

[05:35:39] We instantly fell in love with the trails. I felt like it was a safe place for my kids and myself to ride, hike, bike alone. Everyone we met and encountered on our weekly family bike rides were pleasant and just out enjoying the beauty of the multi-use trails.

[05:36:00] Ragged Mountain reminds me of a restaurant that probably a lot of you remember that used to exist on Emmett Street called The Tavern. The roof of the tavern said where townspeople, tourists, and students came together. It was where the community of Charlottesville was all happy together.

[05:36:19] I feel the same way about Ragged Mountain. You see townspeople, tourists, and students all together enjoying the beauty of the trails, multi-use, and everyone getting along and not alienating any single one group.

[05:36:35] Please don't take the joy away from being with my family or anybody doing what they love on our backyard trails. Thank you for your time and consideration. Thank you. And those are our public speakers for the matters from the public board. Our next item is the beginning of our public hearings. Our first two public hearings relate to a single property, the SP-2023-00011 and SP-2023-00013, Service Dogs of Virginia. Sid Schulf, senior planner, will present concerning

[05:37:14] both special use permits. Then we will hold two separate public hearings, first for the commercial kennel and then for the private school. Before opening the public hearing, I'd like to remind the public that you have the desire to speak on these matters. There is a sign-up sheet on the audience right under the window. And Mr. Schoff. Great, thank you. Good evening, everyone. My name is Sid Schoff. I'm a senior planner with the planning division of Albemarle County's Community Development Department. Tonight I'll be giving staff's presentation on special use permits

[05:37:48] SP 2023-11 and SP 2023-13 Service Dogs of Virginia. These are two special use permit requests where the first one is a request for a private school and the second is a request for a commercial kennel on a 38.8 acre lot in the rural areas. The subject property is located northeast of the city of Charlottesville, east of Stoning Point. It is located on the south side of Turkey Seg Road, east of Stoning Point Road, also known as State Route 20.

[05:38:18] The tax map parcel is 48-61D, and the entire parcel is approximately 38.8 acres. It is zoned rural areas and is undeveloped. It does not have any subdivision history and appears to have all five of its original development rights. It is designated as Rural Area 1 of the Albemarle Comprehensive Plan.

[05:38:36] The surrounding properties are all zoned rural areas. The two properties to the southeast are owned and maintained by the Service Dogs of Virginia Executive Director. The parcel to the south and west is a tree farm with no residences on the property. And across Turkey Sag Road to the north is a single family residence.

[05:38:54] The site is wooded with a mixture of mature deciduous and evergreen trees that vary from 20 feet to 60 feet in height. The site is also hilly and contains critical slopes areas throughout the site. Additionally, the southern and southwestern portion of the site is designated as mountain protection area.

[05:39:10] Lastly, there's a stream with the water protection ordinance buffer located along the front edge of the site on Turkey Sag Road. So for this application, the applicant is requesting two special use permits. The first one is a private school dedicated to training service dogs and the recipients, and the second one is a dog kennel needed to house the dogs.

[05:39:31] This is a screenshot of the concept plan that was provided as an attachment in the staff report. The applicant's limiting the clearing of existing vegetation and land disturbance to the construction of the driveway, parking lots, stormwater management facilities, and building pads as shown in the lower and upper site building envelopes.

[05:39:48] None of the development will disturb critical slopes or mountain protection areas. The remainder of the 38.8-acre lot would maintain its wooded nature. The proposed lower site is approximately 1.3 acres and would contain the training and administrative building, parking, the client dorm, which would only house four clients at a time, and the puppy center kennel, which would only be used to house new litters for eight weeks at a time.

[05:40:12] Additionally, the proposed upper site is 2.1 acres and would contain the caretaker residents, a kennel to house up to 20 dogs at a time, a small pool, a training facility, and a parking area. To sum, the applicant's proposing for six buildings to be developed on the site.

[05:40:27] All buildings remain screened with existing vegetation outside of the proposed clearing and land disturbance areas. The proposed buildings meet the required rural area setbacks in the ordinance. Additionally, the supplemental regulations for a commercial kennel require kennel buildings to be at least 200 feet from any lot if they are soundproofed.

[05:40:46] The closest kennel building is the Puppy Center, which is soundproofed and 200 feet away from the closest lot line. Additionally, the kennel in the upper side is located 500 feet away from any lot lines. Lastly, the applicants provided that all buildings on the site will be soundproof, regardless if it is a kennel or not.

[05:41:05] For the special use permit application, it was reviewed under the Factories for Consideration as outlined in the Zoning Ordinance. Staff believes that the proposed special use permits will not be detrimental to adjacent parcels, will not change the character of the nearby area, will continue to be in harmony with the rural areas zoning district, and consistent with the comprehensive plan.

[05:41:24] These are the conditions drafted by staff. You have them in your staff report, but in sum, it's the development must be in general accord with the concept plan that was provided. The second one's maximum height of structure is to not exceed 24 feet. Third, perimeter fencing of outdoor activity must be installed prior to commencement of uses.

[05:41:41] Fourth, all buildings must be soundproofed. And fifth, the private school use of the property is limited to service animal instruction, training, and handling. In sum, staff found this favorable because it's consistent with the review criteria for special use permits contained in the zoning ordinance.

[05:41:56] There is one factor that's unfavorable, and that is the proposed access is in the stream buffer. However, there are no other means of access to the site, and disturbance is limited to the minimum necessary. With that all being said, staff recommends approval with the conditions as recommended in the staff report, and I'm happy to answer any questions from the board.

[05:42:15] Thank you. Thank you. Board will go through our speaking order to ask questions, initially. Supervisor Malek? Thank you very much. Am I correct that the same stream buffer access crossing would be required if there were to be a house built on the line?

[05:42:32] That is correct. Thank you. Supervisor Lupisto-Furt. No questions. Supervisor Galloway. I have no questions right now. Supervisor Pruitt. No questions. Thank you. Supervisor McHugh. Thank you, Sid. No questions.

[05:42:48] Thank you. I have just the same question about the stream. So with that, I believe we are ready to open the public hearing. do we have anyone signed up from the public now vice chair McKeel will read the rules

[05:43:28] that will apply to all public hearings this evening unless we have to amend if there are more online later before the applicant will present first so go ahead the following rules let me scoot closer we're always telling people to get closer to the mic I should do the same myself 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 audience's right. During public hearings, the Board will acknowledge speakers addressing the item

[05:44:04] listed for public hearing. Speakers are limited to one appearance of three minutes per public hearing item. Applicants are limited to a 10-minute presentation of their proposal and are allowed a five-minute rebuttal at the closing of the public hearing. Timekeeping is conducted through a timer and a light system at the podium.

[05:44:22] 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 your comments. To give all speakers equal treatment and courtesy, the board requests that speakers adhere to the following guidelines.

[05:44:41] 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 clerk. If representing a group or organization, you may ask others present to raise their hands in recognition.

[05:44:59] Speakers may not share any unused time with another speaker. Back and forth debate is not permitted. Do not speak from your seat or out of turn. All comments are live streamed, recorded, and published on the Almar County website. Thank you. And first, we'll hear from the applicants.

[05:45:15] I believe Peggy Law, Scott Collins, Eric Ross are here. please introduce yourself and hold the microphone. Good evening. My name is Peggy Law. I am the applicant. I am the executive director and

founder of Service Docs of Virginia. I think,

[05:45:42] if I may, are there some slides loaded? I might need your help. When we purchased this property, it was with the intention of building a permanent facility for our organization.

[05:46:03] Currently, we are unable to be very efficient or raise puppies or do some of the things that we need to do. Thank you, Eric, that we need to do in order to run our organization properly. This property meets the...

[05:46:22] If you'd like, I think we'll stop the time and let you get your slides up if you're looking close. Okay, thank you. Thank you. That's a good point. Technology. Yeah, we don't want to... Sure. Okay, if we can start. Thank you.

[05:46:42] I'm trying, Eric. Are you able to advance the slides? It says a PDF. It might be up and down and step side to side. Oh, there we go. Okay. Yeah. Thank you. In order to do our work properly, we need a dedicated facility that meets our needs. We have been in retail spaces and scrambling for the last 24 years,

[05:47:19] and we finally have reached a capacity where it's we're just really in dire need of having a dedicated facility this particular property meets the county requirements for the 500 foot setback we didn't need 38 acres for our work but we needed it for the setbacks which we have have done we also are proposing to have much greater buffer because the property is larger than that 500 foot setback so that neighbors will not feel a uh any impact of us being um on the property

[05:47:58] um we're only using two percent of a of a 38 acre parcel uh for for the actual buildings that we hope to to um to build um i just want to briefly talk about what what our organization does um this are two folks who have benefited from our physical assistance dog program they're um obviously both in wheelchairs. These folks, we train dogs for both children and young adults who are on the autism spectrum. These both are people with very difficult medical issues, and we train dogs for

[05:48:36] three different medical alerts, type 1 diabetes, mast cell activation syndrome, and low cortisol. And these are pictures of two clients with their dogs who have truly saved their lives every single day. We have a PTSD program for military and first responders. And finally, we work with trauma centers that work with children who have been, experienced trauma or teens or college students. We have a, it's called a facility dog program. And these dogs are, have an amazing

[05:49:13] impact um wherever they go so i'm hoping that you can help us to um do our work better and um and more efficiently so that we can help more people um receive some of these amazing dogs thank you thank you uh we'll go through our order if we have questions of the applicant uh supervisor malik no questions thank you thank you supervisor lapisto kirtland no questions supervisor galloway thank you miss law i mean you've been doing this a long time anytime we've done any sort of kennel approvals before barking is always a concern that comes up. Now, I know

[05:49:50] service dogs are trained to, if they do bark, bark for a specific purpose. Can you just speak to your history of the barking and how they're actually trained to probably not bark unless it's very purposeful? Well, we don't train our dogs to bark for anything because barking is a nuisance and we don't like it. So when we're training an alert, we specifically do not train barking, but we train the dogs to bump you with their nose. Barking, I agree, is a nuisance and not something that I like.

[05:50:21] I think I'm not going to tell you that dogs don't bark because they're dogs, and they do. So there will be some barking. There's no question. I think these dogs are going to be very tired. They are in training. They are working. They're not bored. And they are bred for lovely temperaments but they're dogs you know they might bark we will have soundproof kennels and their dogs will be in during the required hours from 6 p.m to I think it's 10 p.m to 6 a.m

[05:51:00] I just don't my experience is not going to be a big issue but I do appreciate the concern there's probably six dogs here tonight and they're very quiet others might be barking at us later the um i guess the the soundproofing piece is kind of that extra extra step so i know that like we think of the use beyond just your use so if it stayed a kennel down the road all buildings will be soundproofed so even if it were not service dogs and perhaps

[05:51:36] someday in the future other dogs were there all the buildings will be able to keep i mean if they're outside we're going to hear some barking but if they're inside we're not that is correct my understanding though is that this special use permit is for service dogs only and if someone else was to use the property for a different use they would have to apply for their own special use permit and that's the same for the private school as well right i believe so that the school is only for that purpose. Yes. Yes. So the reason for the private school is because we have to train the

[05:52:12] clients how to work with their dog. And we've always been for the last 25 years, we've been considered a school by the county. Thank you. Thank you. Supervisor Pruitt. I don't believe I have any questions. Thank you. Supervisor McHugh. I don't have any questions for the applicant. Okay. And again, I recognize that you have a panel to house up to 20 dogs. So we have sort of sense of the capacity.

[05:52:43] And I know there's some description of traffic in here. I don't know past experience with the number of comings and goings. - We have five employees. So yeah, there's not a huge amount of traffic. If there are five building rights that, so there would be probably more people coming and going if there were homes.

[05:53:02] - That's what I figured. And to be honest, we have 30 dogs on our road of six tenths of a mile, so not ours. um all right thank you very much thank you uh at this point we'll turn to comments from the public um we did have um two more people on our the architect and our engineer if they may speak for oh um we're still within the what's it here at the time i'm sorry we realized okay not done um

[05:53:35] we'll have five minutes for rebuttal as well so thank you okay the first speaker is megan weeks there she comes i think she's in the back no oh there you go megan weeks with one of the service dogs look at that tail oh the way to our hearts through that tail welcome hello my name is megan

[05:54:13] weeks and i believe i'm in the white hill district um sorry i was diagnosed with a ptsd in 2016 and discharged from the military in 2018.

[05:54:31] During those two years, I spent inpatient because I was often at risk of taking my own life. I'm not telling you this to garner your sympathy. I'm telling you this to try to understand. I'm sorry.

[05:54:48] I'm telling you this so you can understand what PTSD does to one's mind. PTSD told me I no longer mattered, that the pain I felt would never end, that I was worthless to my community and that taking my life was the best thing that I could do for myself. I was desperate and reached out to Service Dogs of Virginia after seeing so many soldiers with dogs at Walter Reed Military Medical Hospital. When I received, when I got my

[05:55:23] acceptance letter from SBB, it was the first time in two years I felt hope. When I finally got paired with Moby, I realized I mattered. Call it corny, cheesy, or melodramatic, this dog made my life matter. Moby and by that, Service Dogs of Virginia are why I am here today, why I am alive today.

[05:55:57] I am asking you to please support Service Dogs of Virginia and approve their permit. The proposed building plans for SDV represent a significant opportunity to enhance their capacity to train and match service dogs for veterans and first responders in need. By supporting SDV's building plans, this board will be contributing to a meaningful investment in empowerment of individuals living with disabilities, including those like myself. Thank you. Thank you very much. Marty

[05:56:35] Silverman. Welcome. Good evening. I'm Marty Silverman from the Whitehall District. Thanks for the opportunity to speak.

[05:57:02] I'm a volunteer for Service Dogs of Virginia. And I just want to reiterate some of the things that I mentioned in my written comments. Peggy Law is an amazing person. She's done amazing things over the course of her life with this organization.

[05:57:17] But if anything, she's a little too humble. So just to underscore, Service Dogs of Virginia is only one of three service dog agencies in the state that's accredited. It's the only agency. in the state that trains medic alert dogs.

[05:57:35] So this is a resource not just for our immediate area, but for the entire state. And the utility of service dogs is constantly increasing, and the need for service dogs is constantly increasing. And the only way the organization can meet those needs for the public is to have a permanent home.

[05:57:55] And this site meets those needs. the only concerns that one might have are reasonable and a part of the neighbors and we appreciate those and I think in the discussion those concerns were adequately addressed but just to underscore these dogs were really quiet again Peggy in all honesty says the dogs bark but I have to say having raised two puppies and two adolescent adult dogs over the course of four years none of those dogs that ever barked. It's just, it's amazing. They're just very calm dogs. And living

[05:58:34] in a rural area, I hear packs of beagles baying and whatnot. It's a sound that we hear in rural areas. And dollars to donuts, these dogs will be quieter than any other dogs in the neighborhood. it's just it's just a simple fact um the only other concerns are those about um the about the facility fitting in the neighborhood and again i hope our architect will have a chance to speak to that um and those and so just uh the organization is working hard to allay the concerns of the

[05:59:09] neighbors and i think they will successfully and again the region needs the facility so thanks for your attention i appreciate it very much thank you and also we were going to have a dog and pony shows but the ponies didn't show up. That's funny. All right. Danny Graham. How you doing? My name is Danny Graham. I'm just here to talk about the permits in general not the not the job that's

[05:59:46] going to be done with. We're having a little hard time. That's right. I'm here to talk about the permits in general not the the job that'll be done with the permits because the boundary of the zoning on the property is already one thing so you're changing the zoning of the property to bend it to something else that it's not the people in the community have purchased properties in the area knowing that the zoning is what it is we're all farm cow of course all people but the i live across the road and the opportunity to say that that they've been looking for a site

[06:00:25] they had a site going in nelson that they abandoned and that property was sold last year in July, I think. July. But that property that was sold when she purchased the property in 2020 at the end of the year, that property was assessed at \$50,800. When she sold the property, that property was assessed at \$213,200, which means the taxes and the comps for the area

[06:01:02] went up 150 something thousand dollars just in a short of two years and you know from that standpoint right there the comps used in the area for the rest of the properties now that has already been left behind is now going to have to deal with the higher comps for taxes and assessment the uh the 2024 tax assessments aren't out yet but 150 thousand dollars in just short of two years

[06:01:34] is unspeakable. And now the thing comes with the information where they applied for special use permits that they abandoned last year with Nelson County Planning and Board of Supervisors. Now that situation is laying here with all the information that was never used in this situation here where we have unanswered questions about studies, you know, hydrology,

[06:02:10] about soil, about, you know, I mean, if you look at the stuff that was posted, you'll see the water runoff from the mountain. The work that has been done on the property in the past 100 years, those rocks laid in those valleys were laid by farmers to control erosion. You start bulldozing that stuff out, you put more water in the creek. And, you know, if you look at the pictures that are online right now you can see that they're standing water in the road and just from what happened in nelson county last year and the year before with this same situation thank you thank you thank you this information yes you may yes you may thank you and we have one more speaker

[06:02:48] signed up lynn woloski no he spoke at the last and i think this may have been okay this is a duplicate i think nope that's it okay we're so we finished the the folks that signed up okay people have okay thank you uh the applicant now has time for a five-minute rebuttal which can be by whatever person people combination that you choose thank you my name is eric ross i'm a

[06:03:23] resident of the rio district a local architect here in town i'm going to start from this slide and go forward and just talk about the architecture as discussed where this site was selected because it met many of the requirements that were in the zoning ordinance in terms of the setback required for the kennel namely the 500 foot setback so that's the pink and blue building in the middle of the site right

[06:03:53] here so we're proposing we know that the neighbors are concerned about are we going to come in bulldoze the site and put down a huge building that's not the intent in any way we're going to be cognizant of energy use water reclaimed and efficient use of water protecting the landscape for the future today and for the future designing these buildings to be removed so they will be designed

[06:04:28] for disassembly and that they have a circular design ethos from the outset so we're going to use a prefabricated building system to minimize waste on site And to build this as quickly and efficiently as possible. The planning commission with the work we did with them, the height of the buildings will be capped to 24 feet.

[06:04:52] So we're working at a residential scale for all the new structures. There are six buildings, but again, none of them will be higher than 24 feet. We will be using resilient materials, so metal roofs, non-combustible siding. Given the fact that we had the brush fires this week, we are trying to build buildings that can stand up to those kinds of natural events.

[06:05:18] Again, all the buildings will be soundproofed. In addition, the code requires that we build soundproof enclosures for the dogs outside within the 500-foot setback. So there will be a six-foot fence that's soundproofed as well for the outdoor runs associated with the kennels.

[06:05:35] And then the dogs will be inside from 10 p.m. to 6 a.m. as mandated by the zoning ordinance. These next few slides are just going to talk about the general characteristic. So we're going to preserve nature as much as possible. So these will be buildings built into the landscape.

[06:05:52] Again, metal roofs, cement board siding. Again, a prefabricated building system that will be built off-site and will take about two weeks to install the structures on-site. Again, residential scale, so 24 feet in height.

[06:06:12] we're going to elevate the buildings off the ground so we're not going to bulldoze and build a pad slab on grade we're going to elevate and do a structured floor so the buildings will hover above the topography and allow the natural vegetation to continue to grow underneath and then again buildings tucked into the landscape these are just some pictures of the again the scale of the buildings eight feet to the eve these are some details of the prefabricated building system we're proposing they'll do the floors the walls and the roofs and then the design

[06:06:49] for disassembly principles. So using all natural materials, bio-based materials, long service life, so these buildings aren't going to, you know, start to fall apart once we're done building them. They're built to a high standard factory condition. Connections are all reversible and, again, designed to be taken off the site should the use not be needed anymore. That's it.

[06:07:17] Thank you. Board, if we have additional questions for the applicant or comments at this point, Supervisor Malin? I do not think I have any extra questions right now. Thank you. Supervisor Lupisto-Curtley? Yes. I just had one question. Could you please address the issue of water, standing water, that the other gentleman brought up, please? From what I know, that there's poor drainage along the edge of the road. So as part of the development, we'll improve, you know, what we're required to improve. But I think that's an ongoing issue. That's just an issue

[06:07:54] along Turkey Sag Road. But that's something that can be mitigated? At least we'll control the runoff on our, we'll control the runoff that's associated with our work by building bioswales and other. Yeah, I can speak to that a little bit. My name is Scott Collins. I'm a civil engineer.

[06:08:14] So what you have is you have a stream that runs parallel, sorry, parallel to Turkey Sag Road. That does have a stream buffer on it. It gets a fair amount of water. So when it rains, it does When you have heavy rains, like we had probably today or some past events, it does kind of seep out of the drainage ditches and flood half the road in that area.

[06:08:40] There is a fair amount of water that's coming off the hill, coming down where the purple is. It's kind of the top of the hillside. That's over. It has a pretty good fall across the site. It kind of runs down to this little gully. Our plan is to install sort of a stormwater detention facility in that gully that's going to collect some of that water that's coming off the hillside.

[06:09:02] So it's going to slow it down and detain it for a little while, which is going to ultimately help. And when it releases that water coming off the hillside over time, it's going to kind of help that situation along Turkey Sag Road not contribute to the effects of it right now.

[06:09:21] And you mentioned that when it rains, that half the street or part of the street becomes flooded. Are you talking about turkey sag? Yes, ma'am. And would this contribute to that, or are you planning on mitigating that also?

[06:09:37] Well, we're planning on, by detaining the water on our site, it should help that situation. From some of the water that's coming off our site, it's obviously coming off all the sites down to the road, because the road's kind of in a low area next to the stream. so but it wouldn't increase anything no what about the effect on the neighbors no i mean it would um the idea is that would actually decrease the amount of water over time heading down to the that stream it helped detain it and um release it at a controlled rate which would then um help with

[06:10:16] the flooding on the along that roadway during heavy storms okay thank you very much no other question. Thank you. Supervisor Galloway. Right. So any stormwater mitigation, since it is a special use permit, all they are responsible for is their site and what's leaving. So that's what you're going to mitigate. So the point is, is that while the other sites might still be letting water go, you're actually going to be controlling the release of the stormwater from yours after your

[06:10:43] post condition. Correct. I don't have any questions. I'll have comments. Thank you. Supervisor Pruitt. i have nothing for the applicant thank you professor mccue i don't have any questions for the applicant i have a couple more questions for sid this when we have a chance but for the applicant no okay thank you thank you thank you very much um board will now uh have a chance to ask questions they've uh staff or any you know further questions before i close the public hearing

[06:11:22] uh supervisor malik no further questions thank you supervisor lapisto kirtley no questions Supervisor Galloway? I have no further questions. Supervisor approved? I'm good. Thank you. Supervisor McKeel? Sid, if you'll just address the water concern and how you'll be working with the applicant during the process. Yeah. So if this special use permit were to be approved tonight, down the line, this plan would be subject to a site plan and a water protection ordinance plan that would be reviewed by county engineers for the WPO plan. The site plan will be reviewed by planning and all of our partners so that includes the virginian department of transportation

[06:12:00] engineering so we'll make sure that there's no issues with the water or anything like that and the only other question i have is just i'll be honest with you it's i'm always frustrated when we're in these situations for approval that the approval follows the land and there's no site there's no sunset clause it follows the land having said that i'm not against this proposal

[06:12:29] but could you just talk a minute about um how the what the approval how that will affect the future and how it might go with how it does go with the land and what could happen in the future yeah so if we're able to change um the slides to the conditions not sure who's in charge of that but um yeah so if the special use permit were to be approved yeah you're correct it runs with the land and so the conditions that we have drafted here from staff kind of just tie into what this

[06:13:07] what this application is so it's tying in the private school and the commercial kennel side of things so if they were to pack up and leave whoever would come in would need to adhere to the conditions as well as all of the requirements that we have in our zoning ordinance okay so the conditions that are listed that have already been established with this application yes that's Thank you.

[06:13:32] That's all I have. Thank you. I have no additional questions. So, board, we will close the public hearing. The matter is back before the board. We'll give us one more chance to speak before we look for a motion from the supervisor of records.

[06:13:47] So, Supervisor Mellon? I think that this is similar to many gathering places where people teach riding or have other rural uses and has limited amount of visitation. And I think this will work out just fine.

[06:14:03] Thank you. Thank you. Supervisor Lupisto-Curdland. Yes, I think this is a good application. I've listened to everything. I've attended a community meeting also. And I think they've really mitigated any concerns, hopefully.

[06:14:21] And I do like the project. Thank you. Thank you. Supervisor Calibre. Thank you. I'll be supportive. I mean, the buildings are going to be soundproofed. Worst case scenario with dog barking, we do have a dog barking ordinance that can be put into place.

[06:14:37] in a sound ordinance but it doesn't i mean i'm not sure that would be an issue i appreciate the applicant pointing out that the kennel was specific to this type of dog training because that limits just a dog kennel um similar to the school i had missed that detail the school hits was specific to um training for for folks that go and stay there um the water usage doesn't seem like it would be any more intensive than what would be there if even residential was put into place. And I just want to be clear, the zoning is not changing. The zoning remains the

[06:15:17] same. It's the property owner is coming forward to request the special use permit. But I do appreciate all those who spoke during the public hearing, but we'll be voting to approve. Supervisor Brode. Thank you. I think the applicant has done an excellent job of mitigating a lot of the community concerns related to this project that have already been attested to by the other members of the board.

[06:15:41] They also seem to have done a thoughtful job. Thank you. I apologize. I continue to talk too quietly while I'm up here. They also seem to have done a thoughtful job at thinking through their environmental mitigations and making sure that it is not an intrusive or intensive use.

[06:15:57] And this is, like I'm sure it is for many, a very soft spot issue for me. I know many other veterans who rely on these dogs. It is a tremendously important resource for my community. And so I'm immensely, immensely supportive of the work that they're doing.

[06:16:15] Thank you. Thank you. Supervisor McHugh. Yes, I too am in favor of this proposal. I thank you for your really good work. I am just sorry that you all work so hard on what you do to have these wonderful dogs for the residents of our community.

[06:16:32] And yet people can go online and just buy fake vests and put them on their dogs. It's just really, but that's another issue. But I really appreciate the hours you spend with your animals and the way you vet them. It's just really lovely.

[06:16:48] So thank you. Thank you. And I am also very supportive. i would like you to come and train the coyotes near us not to bark so much but i think this is very appropriate for the rural area as described i'm very appreciative of the service being provided and i think it's time now for a motion yes thank you very much it being a huge dog lover i'm very excited about supporting this actually i wanted to come down and pet all those dogs i think the motion we're looking for is the other one first we have to

[06:17:22] close? No, I'm just changing because we did the kennel first. Yeah. Thank you. We're doing two separate. So I move to approve special use permit SP202300013 as attached to the staff report as attachment F. Second. We have a motion from Supervisor Lupisto Curley, second from Supervisor McKeel without objection if the clerk will call the roll. Ms. McKeel? Yes. Ms. Malik? Yes. Mr. Pruitt?

[06:17:58] Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Mr. Kirtley? Aye. Thank you. We will now turn to the other public hearing related to the same matter which of course may be a little more abbreviated but I will ask first to look to the board if you have any questions of Mr. Schofer if you have anything further to present on the other part of the public the other uh special use permit i think you've presented everything so far uh if the applicant does you still have 10 more minutes to present if you'd like uh on the on the service dog um special use permit okay and do we have anyone

[06:18:36] signed up to speak on that we do not okay so um i will open and close the public hearing if the applicant has nothing further if the board doesn't have any questions then i'll look for a motion I move to adopt the resolution attached to the staff report as attachment E for special use permit SP202300011. Second. We have a motion from Supervisor Lapisto-Kirtley, a second from

[06:19:04] Supervisor Malek. Without objection, the clerk will call the roll. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lapisto-Kirtley? Aye. Thank you. That brings us forward to item 18 tonight, another special use permit, 2023-00012, Kenridge Landscaping Amendment.

[06:19:30] And I believe this one is being presented by Mr. Cameron Langell, Principal Planner. Welcome. Okay, good evening, everyone. My name is Cameron Langell. I'm a Principal Planner with the Community Development Department.

[06:19:48] One thing I'll say before we get into the presentation, you may notice that there's a different name on the staff report. Rebecca Ragsdale, who is the planning manager, a colleague of mine, has actually been reviewing this application throughout the process, but she was unable to attend this hearing tonight. So I'll be giving the staff presentation and recommendation to you all on SP 2023-12, which is the Kenridge Special Use Permit Landscaping Amendment.

[06:20:14] So to begin, I'm going to talk a little bit about the site context. So this road you see here is Route 240. This up here is actually not a road. This is a railroad. The Kenridge neighborhood is within this area. It's all those dwelling units that you see, and there's a label that says Kenridge.

[06:20:37] It's immediately across from the Birdwood Golf Course. To the east is the White Gables neighborhood, and then to the west is the Boxwood Estate, which has some clinical offices and then commercial uses. On the opposite side of Kenridge, across from the railroad, is actually the Farmington golf club up here you can see it and so this property is owned co commercial office back in 2005 a special use permit was approved to allow residential development on the property that granted 66 total dwelling units those have since been built there were conditions that were imposed

[06:21:12] with that special use permit and one of those related to landscaping buffers around the perimeter of the properties so you'll notice that is the yellow colors that i have here on this image so it's the western border, northern border, and eastern border. So what this special use permit is, is a request to amend the one condition that deals with the landscaping within those buffers.

[06:21:37] In the original special use permit, that was condition number six. Long story short, over time, the way that condition was written, it has created problems. It was very specific in relation to the species that it required, as well as the sizing and spacing of that landscaping. It called for basically one species along all those buffers the buffer was installed but over the past 15 years there it's had issues with maintaining itself the roots have had issues in different portions of the buffer on the east the west the north I think you know in the attachment three which is the project

[06:22:13] narrative the applicant does a really good job at giving a detailed analysis of where certain segments of the buffers have basically just died entirely. And so what this request is, is an amendment to that condition to allow more flexibility for landscaping within that buffer.

[06:22:33] I'm not going to bore everyone and read this slide word for word, but on the left is the existing condition as it's written, and on the right is the proposed condition. The primary changes include elimination of a requirement for underground irrigation in each of those buffers, um it allows additional buffers inside of the development on the individual residential lots so that would be in addition to the uh evergreen tree species that are in the buffer the property owners could actually do their own landscaping immediately adjacent to that it also allows for

[06:23:08] flexibility in landscape design such as having either a single and or double hedgerow of plantings in that eastern northern and western buffer finally there's flexibility in species and if this special use permit amendment were to be approved we would be working with the applicant once they get to the site plan stage to make sure that any species they're proposing complies with our accepted landscaping list which is something that community development has we enforce it anytime we have a development project that's under review in the county so staff we haven't identified

[06:23:46] any unfavorable concerns with this request but we do think this amendment will result in an improved landscaping and screening buffer for this project. At the December 13th, I believe it was, Planning Commission hearing, the Planning Commission recommended approval, staff recommended approval, and so that sums up my presentation.

[06:24:09] I'm available to answer any questions, should the Board have any. I can also pan back to any of the previous slides I showed, if need be. Thank you. Thank you. Questions for Mr. Langeel, Supervisor Malek. No questions.

[06:24:22] Cameron. Supervisor Lupisto-Curtley. No questions. Supervisor Galloway. No questions. Supervisor Pruitt. Nothing. Thank you. Supervisor McKeel. Cameron, thank you for pitching. That was very nice. I'm sure Rebecca's appreciative. We've had a lot of problems with Leland Cypress in my neighborhood as well. They are, yes, they die, right, and not good. Anyway, no real questions, just a bunch of comments. Thank you.

[06:24:50] I guess my only question is sort of, what do we do to not sort of get ourselves in this position in the future? Are we confident that going forward we're imposing conditions that make sense and don't have to be revised? To answer it honestly, we've learned a lot over time.

[06:25:06] And we have staff members that are subject matter experts when it comes to natural resources and landscaping. Not just within community development. We have some folks in our facilities and environmental services. They worked with us to come up with that plant list that is now our official plant list.

[06:25:22] So I think, speaking for staff, we're very confident that moving forward with any of these types of development proposals, we'd be making sure that landscaping species, spacing sizes, all of that is actually feasible to get installed in the field and sustain itself over time.

[06:25:38] Thank you. And just as an aside, I just want to say to what Cameron just said. We had at my CAC recently one of our staff members who is an expert on invasives in Charlotte Humphreys Park specifically, and she did a beautiful, just a wonderful job in explaining the invasives and what.

[06:26:00] So I would highly recommend that for your all's CACs at some point. Sorry, but I just couldn't resist. Thank you. Board at this time will be entering the public hearing, and I believe that Mr. Collins is speaking on behalf of the applicant. but we've read the rules and I trust he understands them. Do we have anyone signed up to speak?

[06:26:20] We do. One speaker, but we have read the rules, so I think we're okay. Mr. Collins. Great. Thank you very much. My name is Scott Collins. I don't have a presentation tonight. I think it's pretty straightforward, but I did want to talk about one thing that Mr. Andrews did bring up. What's interesting is that when the project, this project was a very sensitive project when it was approved back in 2006. And I think what was interesting is, you know, you kind of ask how we got to that point. I believe the project, when it was first started through this special use permit

[06:26:57] process, Charles Sticks prepared that landscape plan that was sort of a mixture of deciduous evergreen trees for that planet buffer. And I think over the period of the approval process of special use permit that that buffer turned in from that to this um hedge row like the staggered row of leland cypress's trees that kept on getting tighter and tighter as far as the spacing and um it worked great it was a great buffer for construction which is what a lot of people wanted um worked pretty well for you know 15 years definitely screen the site during the construction

[06:27:36] activity for the site and the buildings but as you can see from the longevity of the buffer it hasn't worked out very well in the as the neighbors are in there now so that's why we're changing this special use special use permit conditions that we can get a better buffer in there that now sort of works for the property for the next you know 50 100 years now that the homes are there and and um it trying to blend it in with the debt with the property owners and so it's gonna be much better but that's kind of how it got there i think so just a little bit

[06:28:09] of history but thank you very much thank you um do we have any questions of the applicant supervisor mallet no thank you supervisor lupista cridley supervisor galloway so you said where are you working mr collins are you working with the community like are they have a say and what But the buffer, we've got a list.

[06:28:32] We're changing what is allowed in there. Do they have a say in, I mean, hey, I kind of prefer this over this kind of thing? Are you working with them? Yes. Yeah, we're working with Kenridge HOA, and we're working with the adjacent property owners as well. We've gotten their input on either on both sides of us as to what landscaping they want to see in those areas.

[06:28:54] Great. Thank you. Thank you. Supervisor Pruitt. Thank you. I have no questions. Supervisor McKeown. No questions. And I have no questions, so we will now hear from the public. We have one speaker who signed up, Paul Sullivan. Welcome, Mr. Sullivan.

[06:29:11] Please adjust the microphone. Good evening, and thank you for the opportunity. My name is Paul Sullivan. I'm the president of the Kendridge HOA. So I thought it was important to put a face on this plan, and I want to thank Scott Collins and his team for helping us out.

[06:29:31] I obviously reside in Elmar County in the Samuel Miller District. I have a few of the neighbors with me here who can raise their hands because I told them they could enjoy their dinners at home. I think we have this one.

[06:29:49] Just let me, I don't want to repeat things, but the Kenbridge community has really been around for almost 20 years. It's pretty much built out, except for a couple, maybe two more buildings. And we know what we need. And believe me, we love our community and we want to make it look right.

[06:30:05] And one of the things, it looks on the map very small, which it is, but the geography changes rapidly. Or sometimes you've got an area of water collects, other areas up high, and the sun exposure is really different where you are.

[06:30:22] So therefore, to Scott's point, one size does not fit all. And we have coordinated with our neighbors, got their inputs. We come up with this plan that allows enough flexibility to adapt to the conditions of where people are planning their screen to be effective.

[06:30:43] Because we, too, believe the screen is very important. And this change reflects the owners' and Kendridge's desires. Again, as I made a point earlier, White Gables, Boxwood, and, of course, Cross Street have had input.

[06:31:04] I will tell you that the question sometimes comes up, what is the enforcement mechanism? And we recently, a couple of years ago, rewrote our covenants to better fit what we want.

[06:31:20] And we have in our covenants ability to, through our processes, to ensure that our neighbors who will plant changes to this screen have to be approved and will be monitored. And we certainly have always valued the county's input.

[06:31:41] And as I mentioned earlier, they're going to be part of this. So I feel very comfortable standing in front of you to say this is the right thing at the right time. And we're very happy that we're at this point. Thank you. The applicant has additional time at this point.

[06:32:01] If the board has any additional questions. If not, then I will close the public hearing, and the matter is back before the board. For comments, Supervisor Malik. I'm very grateful that over time people have learned more about how to manage the species, because what I've often found in neighborhood, in particular neighborhood in Crozet, where very large trees are planted way too close together, and now they're popping the sidewalks and the foundations and things.

[06:32:36] So I really appreciate all the work that you're doing to try to have this be more successful. And the Leyland Cypress I've seen have all got fungus and they're all croaking anyway. So I'm glad you're moving away from that. Thank you. Thank you. Supervisor Lupisto Kirtley. I'm supportive and I think this is a good thing to do.

[06:32:55] And I'm glad we're using our native plant list. Happy to hear that. And thank you. Supervisor Galloway. I'll be supportive. Thank you. Supervisor Pruitt. Supportive. I appreciate the HOA being so forward-leaning and looking out for the residents. Thank you. Thank you.

[06:33:11] Supervisor McKeel. Yeah, I'm supportive, and I do think it's great how you all have worked together. It's all good. So thank you. And I, as well, am supportive and grateful for the cooperation between the county and HOA in this process.

[06:33:28] Board, it is in the Samuel Miller district. So I will, unless there's something up here, I'll say that I move to adopt a resolution in the form of attachment D to approve SB 2023-12, Kenrich Landscaping Amendment for the reasons stated in the staff report and the staff conditions presented. Second. We have a motion from Samuel Muller District, Jim Andrews, and a second from Supervisor Malik. Malik, I think she beat me. Beat you on that one. It's hard sometimes.

[06:33:58] Without objection, if the clerk will call the roll. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lapista-Kirtley? Aye. Thank you, Board. Board, that brings us to our item 19, which is from the board, committee reports and matters not listed on the agenda.

[06:34:21] We're going to start with general items from the board, and I will bring up a special item tonight, Supervisor Malik, and we will go through twice because of that. Two things. Have board members seen these information things about housing already?

[06:34:39] If not, I will get them scanned and have staff to circulate them. They were given to me by somebody, and they seemed might be useful, so I will share that. And I will also pass down the line a mailing which I received, which I think many people around the area are receiving by folks trying to get solar.

[06:35:00] You know, please call us up to let us put solar on your property, because I think it's very important that we move expeditiously on our solar ordinance and bring a little order to what could be happening. And I look forward to all that work because I know we've been working on it basically ever since the first application up on Route 53.

[06:35:22] So it's time for that. Thank you. Thank you. Supervisor Lupisto-Kirtley? Yeah, I have nothing to report. Thank you. Supervisor Calloway? Thank you. Jeff, you addressed this in your report. I didn't ask a question at the time, but since our budget, we have two fire-related initiatives that we're dealing with in our budget that we'll still have to finalize.

[06:35:47] And when you mentioned that you were maxed out that day, staffing wise, I think that that was a question that I was thinking about asking even prior to bringing it up in the report. Because we've talked about in the budget meetings, like, well, what would it take to put this community into a situation where our personnel is maxed out?

[06:36:06] So we just experienced that. So I think if there was an appropriate time, maybe it's in a written report or whatnot. I'd like to understand that a little bit better relative if that was just fire and police fire police emergency because I think that's pertinent or is certainly pertinent to our conversation right now in our budget relative to the positions that we're discussing and even came up during our comp plan conversations this afternoon so if that's something that it's just kind of a tell me more kind of thing to understand and not that I'm asking for that right now right

[06:36:44] but um at an appropriate time as we continue uh you know the next time our budgets may be in front of us that might be a good time or I'll leave it to you to figure out the timing but I can go ahead now and address that that we will have that we should have that information to you before the weeks in simply because I know that I've seen some preliminary information from the fire department that gives specifics

on the the calls that were ran that day the specificity of the number and the number of trucks the apparatus and the staff that were on the various calls simultaneously so we can give you we can give you some specific information on that where you can see during that

[06:37:24] eight hour period where our people were and and the complexity of what some of what they were looking at that day and i presume that'll include i mean obviously we had all these this fire personnel spread to fires but other incidents i'm sure were occurring in addition to the fires i I would hope that that would include that, because that compounding effect is...

[06:37:47] Yes, sir. Thank you. Thank you. Supervisor Proett. I would like to draw the board's attention to the fact that we just approved a series of very extensive amendments to our housing policy earlier today, specifically on how we administer housing choice vouchers pursuant to federal rule changes.

[06:38:08] Later this month, a very sweeping and important rule is going to go into effect from the administration, changing the rule on how we affirmatively further fair housing. This has significant impacts on local governments and how they engage with fair housing, which is distinct from affordable housing.

[06:38:27] This is very much what my work focuses on, and this is ensuring non-discrimination in practices of housing and how local governments and the way that they organize their built infrastructure may or may not be enabling or combating patterns of discrimination. It's a very exciting rule.

[06:38:44] It's also something that's going to be very important in how this county chooses to engage on it, because this is going to, we have to do so through our regional partners, because we function as a single consolidated region for HUD's purposes, and it's going to be very exciting to see exactly how we engage with this problem.

[06:39:01] So I just highlight this because it's something that's very near and dear to me, and it's going to be coming down the pipe imminently, possibly before the next meeting will be finalized in effect. Thank you. Excellent. Supervisor McKeown. Yes, and I really appreciate Ned bringing that up, discussing the firefighters and the response and us having a discussion about that.

[06:39:26] The other thing, Jeff, and I guess this is a question for you, that I've been thinking about is we do recognize that we are not California. We're not some of the areas where forest fires seem to happen a lot.

[06:39:46] Having said that, we do have exposure. We have a lot of trees. We have lost some trees, but we have a lot of trees. We also have a lot of invasives that lead to fires often in ways that you don't think about.

[06:40:03] And I guess my question is, I would love to be able to have, even if it's just a work session of some sort, to talk about preventative measures or what we could do.

[06:40:19] Is there anything we should be looking at in, I don't know, in the code or anything to help homeowners make their properties more, for lack of a better word, fireproof? We do have the Department of Forestry here, and we also have a very educated staff on this issue.

[06:40:41] And I would be interested, for example, this winter I had someone come in and just, I have woods behind my house, And I had somebody that came in and cleared out behind my house all the debris because I was concerned about fires because people walk in the woods behind my house and sometimes smoke.

[06:41:03] And I guess, Jeff, I'm just getting to this. If that would be helpful, if there, and maybe there's nothing that we can do. And I'm thinking about it more as an informative educational opportunity. But is there anything we should be looking at in the future knowing that fires are coming because of climate change right and while we hope we don't have very many in this community um just trying to think proactively and you don't even have to respond right now but just think

[06:41:33] about it with staff perhaps okay thank you thank you i agree with that um a board a lot of people here still we we've heard from many thoughtful members of the community both for and against the current county ordinance that limits activities permitted at the ragged mountain Reservoir and Natural Area. I also believe we've heard some interesting ideas on possible ways forward. Unfortunately, I believe there are also misconceptions about the effect of recently settled lawsuit over jurisdictional authority to limit activities on the city-owned property,

[06:42:09] which include the restrictions on the county rules against running, cycling, pet walking, horseback riding, and any other activity that's not presently expressly authorized. I very much appreciate hearing from people on this issue, and I regret that I've not been able to respond individually to the many emails that I've received. I especially appreciate those who have taken time to attend our meeting today, to speak, and those of you who stayed on to listen to us. Obviously, any change in the status quo with respect to permitted activities will require a majority board action. Based on recent conversations with staff, my understanding

[06:42:48] of the city's authority as the owner of the property, also county attorney and county attorney staff. I believe the board's discretion and scope of authority to address the issues in a more nuanced way, as some have advocated today, will require additional attorney staff work and staff work, attorney work, and if we are to be fully informed before considering any alternatives.

[06:43:11] Long-winded way of getting to the motion that I am going to put forward for discussion, I would like to make the following motion. I move that we direct staff to come back at a subsequent meeting to provide a presentation regarding the litigation results, the settlement terms, what these mean in terms of the county's authority, and also possible ways forward if additional activities are to be considered. And that's a motion. Second. So we have a motion from a second from Supervisor Lapisto-Curtley. We now open for discussion of the motion. Supervisor Malik. Well, thank you

[06:43:49] for discussion. I appreciate all the efforts of volunteers, whether they're firefighters or trail builders or bird watchers, anybody else in our community, but I am one of the many county residents who appreciate the natural treasure, which is Raggin Mountain Natural Area. It's one of only two natural areas open to the public in the county, a place where to walk and sit, watch birds, and rest. It is a natural area and a reservoir. It is not a recreation area, and for that reason, I'm going to vote no on the resolution. Okay, thank you. Supervisor

[06:44:23] to pistol correctly? Yes, I appreciate everybody coming out today, very much so, and I do know that you realize we are not in a position to make a decision this evening. I would like, I do support the motion because I do think it's something that maybe needs to be looked at in totality with the staff, with our county executive, our county attorney, with the city of Charlottesville.

[06:44:51] So I do support the motion because I think this is something that is reasonable to look at everything in totality. So that's where I'm coming from. Thank you. And thank you all for turning out tonight. Supervisor Calloway.

[06:45:08] Is it your intent, Mr. Chair, that if it came back forward, the staff would do the historical work on the ordinance, the original ordinance being put in place and what the rationale was, the whole history? I actually think that also one of the things that we could include in our discussion right now and going forward are questions that we would want answered by staff as part of that presentation.

[06:45:33] So, yes. Because I don't want anybody on the board or in the public to misconstrue that if I support the motion, it's to be fully informed to make a decision that supporting this motion tonight should not be misconstrued as where I would end up on the action.

[06:45:50] I think that would be unfair to everybody involved, but it would be important to me. This original ordinance was passed well before the city property and the city issue and the litigation that came up, and there certainly has been claims made that seem to have happened post, you know, well after the ordinance was put in place, and I just have not done the research to go back and look at the ordinance and understand that.

[06:46:20] So I want to know the history of the ordinance, why it was put in place, and the concerns about the water quality that was raised, and why those activities were limited. That will be important relative to the other things I have no problem having the open discussion. So in the spirit of that, I would vote for the motion.

[06:46:38] But again, that is not in any way, should not be misconstrued as where I stand on the matter. Thank you. Supervisor Pruitt. Yes, I just want to reiterate like what I understand, and this is for the public also, what I understand that we're deciding here today is we are voting on whether or not we want to receive information to then make a decision to create a document on which we can make a decision on.

[06:47:04] it is literally three tiers removed from the action so i just want to clarify that as my understanding of the process which i believe we have consensus on as the board is that being what the process is and to kind of simplify that for the public so this is going to result in delivery of information and a description of what our options are because it is if we do not make a simple binary choice about what to do then it becomes complicated and requires significant additional work with community partners on to how we can structure that legally again kind of just

[06:47:37] speaking for the explicating it for the laity as i know we've all been involved in this conversation i am supportive of this i think there are a lot of ways that we can talk about how to adequately de-conflict uses which i think is the the path forward for this and i i want to echo what i know we've heard from several people that this presents the opportunity to strengthen our relationships with other parts of the community, including with Charlottesville, including with the mountain biking community, including with the hiking community. And I think the first step for that has to be receiving more information and having a proper public forum to create this. I know

[06:48:17] a recurring theme in the initial wave of feedback I received was that this was a deeply impactful decision that came from behind closed doors. There's complicated reasons about why I would say that's not fair, because this was the result of ongoing litigation. But I recognize that that as the public sentiment on that.

[06:48:34] And I think it's important that we create the space to actually, you know, hash these things out in public for the community as to what the board is thinking, as to how we are reaching this issue. Also,

like, I just want to acknowledge I'm generally in favor of trying to move forward into restoring some amount of bike access.

[06:48:56] You know, I think there is a... Americans all have a certain amount of John Stuart Mill in them. It is an ethos that is so deeply ingrained in our culture. And at the base of that, we accept that we should not be impinging on liberties except for when they are impinging on other people's liberties.

[06:49:18] And there's an ongoing philosophical debate on where we draw that line between conflicting liberties. But if you're talking about total restriction of liberty versus a complication of someone's liberty, then I think there's a pretty clear decision on that.

[06:49:37] So I'm in support of this motion, Chair. Thank you. Supervisor McKeel? Yes, and I do want to thank everybody for being here tonight and for hanging in, although this is early for us to be finishing up. I just want you to know. Look at Jeff is shaking his head.

[06:49:56] We're often here until 10 o'clock, so maybe we should take a long break. But I do appreciate it, and I appreciate all the emails that I've received. I agree with several supervisors. I just couldn't respond to all of them. I appreciated them, and I did read them, but I just couldn't respond to all of them.

[06:50:18] And I do respect your all's work, and I respect your opinions. Ragged mountain natural area is going to begin construction to raise the bladder at the reservoir by 12 feet beginning in the summer of 25.

[06:50:35] That's almost on top of us. With some work already happening, that change is a result of concerns around climate change and the availability of water for the residents currently served by public water, which is not everyone in this county.

[06:50:52] That will significantly change the shoreline and result in changes to the topography and land use of sections of Ragged Mountain. Biscuit Run is now scheduled to open this fall. That opens another park for passive and high-impact use.

[06:51:11] At this point, and while I'm appreciative of Jim's motion, very appreciative, and I understand that it looks like we have four votes to pass it, I support right now the continuation of providing two parks, Ivy Creek Natural Area and Ragged Mountain Natural Area, as places for the public to enjoy a more passive activity as described in our current ordinance. Thank you. Yes. So yeah, I just obviously brought this motion forward in part because I believe in the motion as a way forward, recognizing that, as I said, that recent

[06:51:50] conversation conversations have shown me that you know we have to understand the city's authority as the owner and our discretion and what the litigation implies with respect to that i also agree that we should be considering the raising of the level and what that might imply and in order to be fully informed i believe we'll need a presentation of some sort at this time i'll look to county attorney or mr delori either one if they want to make any comments or i have a question so has there been any kind of asking about staff time to prepare this because often when ideas come

[06:52:27] up we're all trying to talk about the work program and figuring out how what else is going to get pushed in order for all of this staff time and I would say it's not just about people and I would ask everybody to spend some time on the urban habitat analysis of this property and what is at risk there because it's that is part of the learning and presentation as well and should be part of our our learning in public thank you thank you i think it also will give us a chance to have

[06:53:00] a more complete debate on the merits um yes i was just going to say i want the audience to know that this is not something uh should it pass uh which it looks like it but this is not something that's going to appear next month or the month after it's going to take staff a while to work on this so i just wanted to just to let everyone know so we're all being open and honest about everything we just need to take the time to be able to see the history know the history to go through this and to see what's available and to see then what the board will ultimately decide but that will

[06:53:40] take time. Thank you. Thank you. If there's nothing further, then I would like to request a roll call. Ms. Malik? No. Ms. McKeel? No. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. LaPista-Kirtley? Aye.

[06:54:03] Okay. Thank you, board. That concludes that matter for the moment. I apologize if we're hoping for more. That's where we're at at this point. That's fair. Mr. Chair? Yes. I would like to add an additional unrelated motion for the board's consideration. I would like to move to enter Ms. Amanda Brookman of the Scottsville District's email received by the members of the board at time 1841 into the official record. Is this somebody who was commenting on this and wasn't able to get their comments? And if that's acceptable, I have. On advice of counsel. Do we need a vote? Do we need

[06:54:39] a vote on that? Okay. I will second that. We have a motion from Supervisor Pruitt, second from Supervisor Malik, without objection, if the clerk will call the roll. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Apiso-Kirtley?

[06:54:55] Aye. Thank you. We'll turn to Mr. Richardson. Is there anything further on the county executive? Yes, sir. Then, board, we will adjourn to our next meeting, which is a regular meeting on Wednesday, April 17th, 2024, at 1 p.m. in Lane Auditorium.

[06:55:12] 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. Participation will include the opportunity to comment on those matters for which comments from the public will be received. Good evening. Thank you again. Bye-bye guys. See ya.



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