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Albemarle County Board of Supervisors Organizational Meeting, Wednesday, January 8, 2025

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- Official agenda: https://albemarle.granicus.com/AgendaViewer.php?view_id=1&clip_id=1262

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[00:00:03] i would like to call the albemarle county board of supervisors regularly scheduled meeting for january the 8th 2025 1 p.m i would also like to announce that this meeting is the annual organizational meeting of the board of supervisors good afternoon and happy new year my name is jeff richardson and i will be presiding over the meeting until the election of the chair after which time i will pass the meeting over to the newly elected chair i'd like to mention at this

[00:00:40] point that i'm joined today by our county attorney interim county attorney mr andy herrick and i'm also joined to the left by two of our staff from the clerk's office miss claudette borgeson and mr travis morris also at the meeting today lastly i'd like to mention that our officers present for today's meeting are Lieutenant Angela Jamerson and Officer Tavon Richardson. I'd like to thank the Albemarle County Police Department for its continued support. And again, welcome to 2025.

[00:01:15] Thank you for being here today. At this time, please join me as we do the Pledge of Allegiance. Pledge of Allegiance to the flag of the United States of America, to the republic which stands

[00:01:30] at this time if you will please join me in a moment of silence thank you at this time we will

[00:02:03] move into the annual organization first is the election of the chair i will conduct the election of the chair and i will open the floor for nominations for the chair of the albemore county board of

supervisors for 2025 i'd like to nominate jim andrews for chair is there a second second from nomination from miss lapisto currently a second from miss malik are there any other

[00:02:34] nominations at this time there being no further nominations the nominations are now closed is there a motion to elect Supervisor Andrews as chair? So moved. Second. Motion made by Supervisor Malik. Second by Ms. Lapisto-Curtley. At this time, I guess we will call the roll. Mr. Andrews?

[00:03:04] Yes. Mr. Galloway? Yes. Ms. Lapisto-Curtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. The motion to elect Supervisor Andrews as chair has passed.

[00:03:20] Congratulations, Supervisor Andrews. Excellent job, Jeff.

[00:03:49] Appreciate that. We now move to the next order, which is the election of the vice chair. We first open up for nominations for the position of vice chair. Mr. Chair, I nominate Supervisor McKeel to be vice chair.

[00:04:06] Second. So we have a nomination and a second to Supervisor McKeel. If there are any further nominations, if not, then we'll close the nominations. Is there a motion to elect Supervisor McKeel as vice chair? So moved. Second.

[00:04:21] We have a motion from Supervisor Malek, second from Supervisor Galloway. Without objection, if the clerk will call the roll. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. LaPista-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. That done.

[00:04:40] moving on i i guess it calls for a possible comment if people have a moment they want to add anything to this as we get started supervisor gallant i am very pleased with the leadership that's occurred over the last year i'm glad we're keeping the team together and look forward to more of the more of that same good leadership this country so good luck to both of you thank you supervisor mallet yes john well wrangling the cats this is a really important year and i'm glad to have consistency in our leadership. Thank you. Thank you. Supervisor Pruitt. Keep getting the

[00:05:14] job done. I'm happy to have y'all. Thanks. Supervisor LaPice McCurdle. Yes, I'm also very happy that you're leading the team because I think you've done an outstanding job this past year and looking forward to another great productive year. Thank you. Thank you. And Supervisor McKeel. Yes, thank you everyone and just a quick thought that we have a lot happening this year. Exciting actions and moves for our community and I think we're all anxious to get some of this work done. Thinking

[00:05:49] specifically about the work with the comp plan, the new regional transit authority work, lots of great things going on. So thank you very much. Yeah, thank you all for trusting me again this year for this and we'll do our best to keep things moving and make sure every voice is heard I also agree that this is a challenging year ahead and I know there's a it's a cliché in a way to say every election is the most important election every day every budget's the most important budget but this is this is a big one and and I look forward to working with all of you

[00:06:27] and from hearing from the public so I'm glad to see a lot of people here at this first meeting often not very well attended. So really appreciate that. We're going to get some business done. Our next item of business is continuing with the annual meeting is to appoint a clerk for the current year. We need a motion to appoint Claudette Bargerson as the clerk for the year.

[00:06:52] We have a motion from Supervisor Malik, second from Supervisor Lupisto-Kirtley. Clerk will call the roll. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lupisto-Kirtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. And a motion, we probably could have done these together, to appoint the Senior Deputy Clerk, Travis Morris, for the current year.

[00:07:13] Second. Again, motion from Supervisor Malik, second from Supervisor McKeel. Without objection, the clerk will call the roll. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. LaPista-Kirtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Thank you. Our next item is to adopt our 2025 and January 2026 calendar of meetings, which are in the packet.

[00:07:37] Note the usual first and third Wednesdays, except not the first Wednesday in July, and the second Wednesday instead of the third in December. We've also included numerous planned work sessions for the fiscal year 26 budget and for AC44 meetings and public hearings on the budget and tax rate.

[00:07:56] and start right away with two more meetings in January. So we're looking for a motion to adopt this calendar. So moved. Second. We have a motion from Supervisor Malek and a second from Supervisor Lapisto-Kirtley.

[00:08:14] And if the clerk will call the roll. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lapisto-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Thank you. And, Board, our next is to adopt the rules, policies, and operating guidelines.

[00:08:31] These are the rules of procedure first for 2025. We have, again, some minor changes, relatively minor changes in the packet, which have been summarized by the interim county attorney. And I'm looking for a motion to adopt those rules.

[00:08:47] So moved. Second. We have a motion from Supervisor Lupisto Curdley, a second from Supervisor Malick. Again, I want to make sure that if there's any discussion, hearing none, then I'll let the clerk call the roll.

[00:09:03] Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lapista-Kirtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Thank you. And then we have board policies, again, relatively minor changes. I don't know if Mr. Herrick wants to make any comment on any of these.

[00:09:21] There are no changes to the policies. The only change to the policy is just the updated date of the readoption. Okay. Thank you. So we're looking for a motion to adopt the 2025, sorry, board policies.

[00:09:38] So moved. Second. Motion from Supervisor McKeel, second from Supervisor Malek. Again, without absent discussion, the clerk will call the roll. Mr. Andrews. Yes. Mr. Galloway. Yes. Ms. Lapista-Kirtley. Aye. Ms. Malek.

[00:09:53] Yes. Ms. McKeel. Yes. Mr. Pruitt. Aye. Thank you. And then finally, in this vein, we have the adoption of the Board of Supervisors' operating guidelines, which are a really important document for us in our relationship with staff. And I, again, look for a motion to adopt these operating guidelines. So moved. Second. Again, motion by Supervisor Malik, second by Supervisor McKeel. Without objection, if the clerk will call the roll.

[00:10:20] Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. LaKeista-Kirtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Again, I'll pause at this time for any comments any board members would like to

make on the rules and all. I think we've gone pretty smoothly.

[00:10:37] Anything from Supervisor Galloway? No, sir. Supervisor Malek? I think planning ahead on how you're going to do makes it all go smoothly, so thank you all. Supervisor Pruitt? I have no comments. Supervisor Lupisto-Curtley? No comment. Supervisor McKeown? And I'll just make a comment that if the public is interested in any of these documents, They can certainly find them located, I'm assuming, on our website.

[00:11:01] Yeah, on our website. Are they under, Andy, where are they? Just so. So looking at the meeting agenda for today, if you go to the meeting agenda for today, all of these documents are linked to today's meeting agenda. But they'd be on our website routinely anyway. They're on our page as well. On our page.

[00:11:17] They're on the Board of Supervisors page. I believe so, and if not, we can have staff put them there. Right. The new ones will be updated. there i just want to make sure that the public is aware that they can find these thank you thank you that's an important point so uh appreciate that and i appreciate the importance of those for how we how we operate and i think have served us well in operating smoothly uh so uh board the uh that really pretty much completes our annual meeting uh activities uh we now are looking at this meeting for today and adoption of the final agenda i have not heard any suggested changes if there's a motion

[00:11:54] to adopt the final agenda? So moved. Second. A motion from Supervisor McKeel. Second from Supervisor Malek. Without objection, we'll call the roll. Mr. Andrews. Yes. Mr. Galloway. Yes. Ms. Lapista-Kirtley. Aye. Ms. Malek. Yes. Ms. McKeel. Yes. Mr. Pruitt. Aye. Okay. And board, this is the time now for brief announcements by board members. So I will turn to Supervisor Well, I just wish everyone a Happy New Year.

[00:12:24] Obviously, I hope everyone is taking care with the road conditions that are there. I think it's a good time to remind folks that VDOT handles the clearing of county roads, that the county does not, with the exception of a few spots where there are some agreements in place.

[00:12:40] I know there's one small section that you have to go through the city to actually get to the county piece in my district, that a memorandum of understanding helps get that cleared. they go primary roads secondary roads then tertiary a lot of our neighborhood roads are tertiary so those tend to be the last so depending on how difficult they are finding it to clear the roads if you're concerned about your subdivision getting cleared that I saw some out in a few today so it sounds looks like they are getting out there today to start getting those cleaned up so received an email on that just a little bit ago so just thought I'd mention it but otherwise I was looking forward to this new year and the challenges that we face, both with the

[00:13:20] comp plan and the budget that's coming up, but ready to get to work. Thank you. Thank you. Supervisor Malek. I'm sorry I will not be quite that brief, but anyway, happy 2025 to everybody. And it has been said before, this is a critical year for so many projects which have been on our agenda and our work plate for many, many years.

[00:13:39] I've been grateful, feeling grateful this week to the voters who sent me back last year because of the ability then to work on finishing this new comprehensive plan, adding what we must and keeping the character of the county supported by our voters for more than 60 years to my memory.

[00:13:57] Ordinance processes for the utility scale solar and for data centers, adoption of the water protection chapter of the zoning ordinance, updating the burn regulations, putting in reporting regulations for sewage sludge. These and many others have been in the queue for a long time. Citizens desire answers and closure to these issues, which are hanging over them in many cases.

[00:14:18] But the start of 2025 brought us back to a halt, remembering a peanut farmer from Georgia. And I think we've all been reading a lot in the newspaper about things he said that I remembered when they happened but had forgotten. So I just wanted to read a couple of little short things.

[00:14:35] In 2021, he called upon Americans to reject political violence, polarization, disinformation, and embrace fairness, civility, and respect for the rule of law. Without immediate action, we are at a genuine risk of civil conflict and losing our precious democracy.

[00:14:54] Americans must set aside differences and work together before it is too late. And another from 1979, after a tumultuous era that I do remember well. We were living in western Massachusetts for those years, and fuel was short, and tempers were, too.

[00:15:13] In this speech, he wrote about there are two paths to choose, he continued. One is the path I've warned about tonight, the path that leads to fragmentation and self-interest. Down that road lies a mistaken idea of freedom, the right to grasp for ourselves some advantage over others. That path would be one of constant conflict between narrow interests ending in chaos and immobility in a certain route to failure.

[00:15:37] We can do better, and we must, for the sake of our residents today and our grandchildren and residents of tomorrow. Thank you all. Thank you. Supervisor Pruitt. I would like to first just say how thrilled I am that since we last met at this body, we have officially opened Biscuit Run Park.

[00:16:02] This is contained entirely in the Scottsville Magisterial District in the southern part of our urban neighborhood right off Avon. The parking lot, which is kind of the core feature that we really put in here, the parking lot is going to be right at the intersection of Avon and Scottsville Road.

[00:16:18] And that is a great park. It's got hundreds of miles of trails. I will say we really got a bad hand dealt to us by the Lord Almighty here because it rained pretty heavily right after we opened this park. And the very first few hundred feet of the park have a lot of clay.

[00:16:35] But I promise once you get past that bit of clay, it's a really beautiful trail network. And it gets a lot drier and a lot easier to walk around. But it's a hard road for the first few feet, especially just right as you get in there. It's like truly the first 20 feet are the worst, I promise.

[00:16:53] And there will be, over the next several years, a lot more amenities coming to this, a lot of sports fields, a lot of additional services that residents can take advantage of. A big thing that I'm excited about this project is how, if you're familiar with the Avon Corridor, you know that this is something that built up through subdivisions, right?

[00:17:09] And a lot of these subdivisions are right next to each other. I can throw a potato from my porch and hit my neighbor behind me, but to walk there takes 20 minutes. What this is going to do is really connect by foot traffic and by biking traffic potentially a lot of different neighborhoods that are right next to each other, A lot of different parts of our community that are right next to each other as the crow flies, but are really disconnected.

[00:17:31] And I think that interconnection is going to be a huge value that we see over time and how that's going to really be realized through our community. So I am thrilled. Also, I am always elections guy. I like to talk about elections. We do have an election every year. That being said, the next one is going to be for a bit, but I do just want to mention, in case you missed it, because the entire span of this election happened since we had our last meeting, Several special elections to fill vacated seats just occurred.

[00:17:56] This was something that a lot of people were very focused on because it potentially influenced who controlled the legislature. Democrats have narrowly retained control of the legislature thanks to winning two races in Loudoun. More locally, Senate District 10, we did elect, this is right next door to Albemarle County, they elected Luther Seifers, a Republican, and Jack Trammell put up a hard fight but ultimately lost in that race.

[00:18:22] SO THAT IS KIND OF HOW THAT HAS SHAPED OUT IN THE GENERAL ASSEMBLY. I DO WANT TO JUST ACKNOWLEDGE THAT WE'VE HAD SOME REALLY SNOWY WEATHER. IT'S QUITE TREACHEROUS. I CANNOT GET IN AND OUT OF MY OWN NEIGHBORHOOD RIGHT NOW BECAUSE WE'VE GOT A VERY SHORT PRIVATE ROAD GOING STRAIGHT UP A HILL THAT MY OLD SEDAN CANNOT MAKE IT UP.

[00:18:39] SO PLEASE MAKE SURE YOU'RE BEING THOUGHTFUL ABOUT WHETHER OR NOT THE TRIPS YOU MAKE ARE NECESSARY AND WHETHER OR NOT THIS CAN BE SOMETHING YOU CAN PUT OFF FOR A FEW DAYS WHILE ALL THE SNOW MELTS. I'm very grateful to know that throughout our community we've had blessedly few power outages. You might have heard, you know, my coworkers, I work for an organization out of Richmond.

[00:18:58] That is not the experience they have had. They've had significant outages, and many of my coworkers still don't have water. In the Scottsville District, we had fewer than 100 people who actually lost power. That was folks who got their power through Appalachian Power. And to my knowledge, all of those are back on at this point.

[00:19:17] No one was out of power for more than 24 hours based on what I've heard. So I'm very grateful for the crews, for the linemen who put in that work and made sure that that happened and that our community stayed safe and warm. Lastly, kind of connecting a bit to what we were just talking about, about the General Assembly, I want to mention what has increasingly become a hobby horse, which is since we last met, there has been a new sale of an apartment complex in my district.

[00:19:42] The villas at Southern Ridge, this is kind of right off 5th Street, just north of 5th Street, near the Albemarle County offices on 5th Street. Very near Cavalier Crossing, very near Timberwood, all these, this neighborhood. Some of these are condos, but a lot of them are going to be residential rentals.

[00:20:02] This was recently sold. It has been sold to a Henrico-based firm that has stated that they intend to invest a few million dollars to update and renovate and then significantly increase the rents of this area. That is well within their right. It is something that ultimately will increase the value of that property and increase the value of Albemarle County.

[00:20:21] It is also potentially going to displace hundreds of residents. This is something that I've already talked about when it emerged at Cavalier Crossing as potentially disastrous to a lot of low-income residents in our community, and it's something that we continue to have little to no ability to do anything about.

[00:20:38] I'm very grateful that this board has approved some additional security deposit assistance that is going to potentially help displaced residents find new places to live. But the places to live are dwindling because we continue to see the little affordable housing inventory we have diminish, get redeveloped into less affordable housing.

[00:21:00] So I would like to take this opportunity to also mention that I've had a productive conversation WITH DELEGATE CALLSON AND HER TEAM AND SOME FOLKS FROM LEGISLATIVE SERVICES ABOUT A BILL THAT THIS BODY SUPPORTED THAT IS GOING TO LOOK AT EXPLORING WHAT WE CAN DO AND WHAT ADDITIONAL POWERS COULD REALLY HELP TO TRY AND STOP THIS LOSS OF AFFORDABLE HOUSING INVENTORY THROUGH REDEVELOPMENT. A REALLY UNDEREXPLORED DIMENSION OF THIS. WHAT CAN WE DO TO KIND OF CLAW BACK A LITTLE BIT OF MORE AFFORDABLE INVENTORY WHEN OUT OF STATE, OUT OF REACHING CAPITAL COMES IN really just does some churn and burn, just looks at this like statistics, looks at it as numbers,

[00:21:40] and the end result is displacing a lot of folks. So I'm really excited to see what becomes of that bill. I'm going to probably make my face known a few times out in Richmond to try and get some movement on that, and I would love to have some more support from the community and from my board as we continue to confront this issue. That's all I got. Thank you. Supervisor LePiestro-Curley.

[00:22:00] Mine won't be as long. A lot of good comments. I just wanted to give a recap of basically what's happened, well, in the Rivanna District over the last few months, the enlarging of Darden Tau by adding Freebridge Lane, which has been very, very popular.

[00:22:19] And we have a – it's only for one year. It's a pilot program, but so many people are going through there, and they're really enjoying that walk. I don't think they're doing it right now because of the snow. Speaking of the snow, it's not in the ice.

[00:22:34] It's not going to melt, I don't think, anytime soon because at night it refreezes. So I think everyone really has to be careful, particularly those people on tertiary roads that have not been plowed yet. It could be very dangerous. Just wanted to give you an update.

[00:22:52] We have, there has been a Parks and Recreation, Abamor County Parks and Recreation Foundation formed. People can donate to that for the benefit of our parks and parks throughout Albemarle County. The other one that is being formed is a fire rescue foundation, which really complements our fire department.

[00:23:16] We already have a police foundation. So those people, because we're very generous in the county, those people wanting to donate for amenities that the county does not provide for fire rescue. and also police. That's all I have. Thank you. Thank you. Supervisor McKeel.

[00:23:37] Just piggybacking me on your great reminders, I will add that Elmore County Public Schools now has a foundation as well, so that if folks want to donate to public schools and Elmore County Public Schools, they can find that information on the Elmore County Public Schools website.

[00:23:55] I have a couple of other things that I just want to point out. On Tuesday, January, the 21st there will be a seminar on learn how not to become a victim of fraud scams or abuse and this is for seniors and is being provided to us by the commonwealth of virginia office of the attorney general as well as sheriffs and police and firefighters are banding together it's called the Virginia Triad. So that will be held Tuesday, January the 21st, 10 o'clock to 1130 at JMRL

[00:24:34] Central Library, which of course is on Market Street. So a good opportunity for seniors to be able to ask some questions and get some good information. The other, one other item I want to really celebrate is that the University of Virginia Health Children's Hospital, Sentara Martha Jefferson Hospital have now opened the Pediatric Neurodevelopmental and Behavioral Health Care Clinic, which is located on 29 North. If you think about right there near the bridge,

[00:25:09] on 29 North, and it is a partnership to expand access to behavioral health care for children across Central Virginia. That means we now have services for children with autism, ADHD, anxiety, and depression. They opened for their first clinic on December the 20th, and it is accessible for all children regardless of their insurance or ability to pay, and interpreters will be available. So this is really something to celebrate for our community. I'm really pleased to see this happening, and it's

[00:25:47] a great partnership between the health care providers in our community. And I think we all sort of, or at least Ann and I, are tag-teaming a little bit because, of course, Jimmy Carter, our 39th President of the United States and winner of the 2002 Nobel Peace Prize, died Sunday, December 29th. And I just thought it was appropriate today to remind ourselves of some of his administration's accomplishments, especially as Albemarle County is updating our comprehensive plan, which has a focus on environmental stewardship.

[00:26:23] President Carter believed in harnessing the power of the sun, our most renewable and sustainable energy. In 1979, he celebrated the installation of the first solar panels on the White House roof to fuel water heaters in the White House.

[00:26:39] At that time, he challenged Americans to support a national solar power program, understanding solar was clean, economical, and would provide a more secure and self-reliant nation. He established the Department of Energy and mandated the first gas mileage standards for cars and required cars to have seatbelts and airbags.

[00:27:01] And he doubled the size of lands protected by the National Park Service and was the first president to undertake the federal cleanup of a hazardous waste site. As president, Jimmy Carter urged Americans to protect our most precious possession, the air we breathe, the water we drink, and the land which sustains us.

[00:27:19] I believe Jimmy would endorse the hard work and expense it takes to accomplish these goals. And given his belief in solar, would endorse our community's new vision of moving numerous public transit vehicles to hydrogen fuel cell technology powered by solar.

[00:27:39] Thank you very much. Thank you. I appreciate that. Yeah, I echo a lot of the comments made by previous supervisors. I look forward to a challenging but rewarding discussions this year on budget and challenges related to safety services, social services, housing, economic opportunities, natural resource stewardship, and continuing strengthening, I hope, of our relations with the city and the university and our legislators and our regional partners.

[00:28:10] We mentioned passing. I do want to address that this whole board I know shares in mourning the passing of Mr. Chuck Pace, who was a dedicated educator, stepped up to be on the Board of Education at a time of need, and then won re-election only to have his term cut short, and we're very sorry to see him go.

[00:28:35] His seat will, of course, be up for, again, an election with a full slate already of local and state elections, this year. On the subject of weather, just second Supervisor Galloway's comments that VDOT is in charge, but we can pass on messages, but I do encourage people to use the website feature or 1-800-4-ROAD, that's 800-367-7623, to report issues with road cleanup. I know it's bad out there. I felt yesterday, even though we had already thought we cleaned everything up, but

[00:29:14] They didn't quite get enough of that treatment on a transparent ice step, and it was not a bad fall, but please be careful out there. Anyway, any other additional comments? Yes. If I could, Mr. Chair, I appreciate you pointing out the passing of Mr. Pace.

[00:29:33] The week before he passed, I had just received word from some folks who were expressing to me how the teachers of the school division really appreciated and enjoyed Mr. Pace and his service and how he listened to them and not you know it's easy to listen sometimes I think and receive questions and nod and go with that but he would follow back through with answers and they really appreciated that type of service and I also you know it was with some enjoyment on a few of the school board meetings that I had the opportunity to sit in on watching him as a new member ask questions I remember my first year on that board and it's important to be able to ask questions for

[00:30:12] understanding, and he was doing that with such an earnestness, and he was enjoying it, learning about the division and what he could do as a policymaker. So the Rio District is certainly at a loss for his passing because of the service he was putting in and was getting ready to do a full term on. So thank you for bringing that up and acknowledging that and giving me a few extra moments to say a few words. Thank you. And if I may add, it has never gone above freezing here today so anything that looks liquidy right now because of the sun on the road at four o'clock is going to be a sheet of ice so all of us need to be careful even walking to the car

[00:30:51] all right board that brings us to our next item which is now styled a public comment on matters previously considered or currently pending before the board other than scheduled for public hearings for today and with that i'll turn this over to the vice chair do we have people signed up to speak I believe we do.

[00:31:11] We do. We have people signed up to speak, but we have no one online. Okay. So everyone is in person. Welcome. And we have nine speakers. Welcome. And let me first read what we ask folks to do as they're speaking.

[00:31:29] During the time set aside for matters on the agenda but not listed for public hearing, individuals may address the Board of Supervisors containing 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.

[00:31:49] A sign-up sheet is managed by the clerk's office. Timekeeping is conducted through a timer and a light system at the podium. The green light will go on when you begin speaking, which begins your allotted time. The yellow light indicates you have one minute to finish speaking. The red light indicates your time has expired and you will be asked to end your comments.

[00:32:07] 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.

[00:32:25] If representing a group or organization, you may ask others present to raise their hands in recognition. Speakers may not share unused time with another speaker. Back and forth, debate is not permitted, and please do not speak from your seat or out of turn. All comments are live-streamed, recorded, and published on the Elmar County website.

[00:32:45] And our first speaker today is John Gulley. Welcome.

[00:33:02] Thank you. You brave the weather to get here. I'm John Gulley, yes, and thank you for your work on the board. I appreciate you giving us this opportunity. I am here to speak to the beauty of the area and the efforts to preserve it. I am involved with this group, Albemarle Gravel and Wine, and we just do weekly outrageously fun gravel rides in the area and connect people to the history and to the economy in a way that is distinctive.

[00:33:29] And moving here from North Carolina, a state that has the most miles of paved roads of many states in the East Coast, I think the most. It's like one giant Applebee's. And when I moved to Charlottesville, I was just, like, overwhelmed by the beauty and distinctive character of the area.

[00:33:48] And I just want to make a plea to preserve it. And they've done a lot of research on the gravel roads. I'm sure you're familiar with some of this. But they're cost effective over time. They're safer. And once we paved these roads, the speeds increase, and they work against the distinctive area of this sense of this community, I think, and what makes it great.

[00:34:17] And so many of these roads in particular, like I was on Ridge Road this morning, and it's a de facto public park. It's just, along with Dick Wood, some of these roads are so frequently traveled by the UVA cross-country team, just local areas, cyclists and runners.

[00:34:35] And we have over 500 members in our Albemarle Gravel and Wine group, and we are creating experiences that connect people to the history in a way that can't be matched in some other communities. So I just wanted to speak to that issue.

[00:34:53] And thank you for your time. Thank you. the next speaker is bob putnam good afternoon i'm bob putnam and i am a resident of scottsville district and i'm here to uh show my support for the albemarle county easement association

[00:35:32] i live in scottsville my wife and i are stewards of 67 acres of mixed deciduous hardwoods in the past 35 years, I've witnessed a dramatic reduction in native habitat. Hardwood forests converted to pine plantations, rural development, wineries, and industrial ventures such as utility scale solar.

[00:36:01] Our 67 acres has been a small part of a large network of natural forest. Now we are a small island of native landscape about to be engulfed by a large industrial solar complex or project.

[00:36:21] This past year, we were able to put this land in a conservation easement. Albemarle County Easement Authority made this possible. The staff was helpful and knowledgeable. We couldn't have done this without them. The process is complex and expensive, too expensive for most small land owners. The easement authority made it possible for us to preserve this small but important

[00:36:58] natural place, but we are lucky to have the resources to do this. Many small landowners are not. This is why we need to fund and revitalize the ACE program and continue to support Albemarle

County's easement programs. Thank you. Thank you. The next speaker is Rex

[00:37:26] Lynnvile. I haven't seen you all in a while. Rex Lynnvile in the Samuel Milla District. I want to start by going off script and just saying thank you all for opening Biscuit Run Park and the investment that you've made in that. And I'm super excited about the bridge that's going to connect it over to Southwood eventually. Both of those are projects that are near and dear to my heart that I was involved with in early phases. So thank you for that. For nearly 25 years, Albemarle County has been a leader in land conservation. Despite the success, threats old and new continue to chip away at the farms, forests,

[00:38:06] natural habitat areas, and scenic open space that have defined Albemarle County for generations. Subdivision is the classic threat that we're all aware of, but we're also seeing a regional and national rise in land loss due to utility-scale renewable energy facilities that can consume thousands of acres in a single swallow. Given the persistent need to preserve and protect the land base that increases community resilience by providing natural climate solutions, I'm delighted to see that the draft rural area section of the comp plan proposes the continuation and reactivation of the ACE program and increases funding an increased funding for monitoring and enforcement capacity of the conservation

[00:38:44] easement authority these two programs and voluntary land conservation in general are key components of the county's strategy for achieving the vision of the rural area at one point the county was investing as much as 1.5 million dollars plus annually in the ACE program and I would encourage you to move forward with an annual allocation of at least that much those past levels that would allow the county to take advantage of historically high levels of matching funds available in conservation programs both at the state and federal level as for increasing the capacity of the ACE program with 210 easements the authority I'm sorry that is the ACEA program with 210 easements the

[00:39:24] authority is now one of the largest land trusts in the Commonwealth one of the key recommendations embedded in the Land Trust Alliance's standards and practices for how to operate a land trust legally, ethically, and in the public interest is annual monitoring of at least of every conservation easement held by the land trust. Investing in the capacity to live up to the stewardship and enforcement obligation inherent in those 210 easements is vital to the success of the conservation program and the rural area preservation. Finally, over the years, I've heard

[00:39:59] unfounded concerns that protected land reduces the county's net tax revenue when in fact they are revenue positive. First and foremost, cows don't go to school, and protected lands reduce the county's cost to community services. Secondarily, because of the way that land under conservation easement is carried on the county's land use books, the county receives more school funding through the composite index calculation at the state level and pays less to the city of Charlottesville via the revenue sharing agreement. Finally, I'll close by saying that a recent survey showed that 92 percent of voters nationally indicate they believe we need

[00:40:37] to do more to protect land, water, and wildlife. Thank you. Thank you. If you have any other additional comments, you can provide them to the clerk. Thank you. Our next speaker is John Moore. Good afternoon. I'm John Moore, Samuel Miller District. I've lived in and around Albemarle County four separate times since 1972, including time at UVA in the early 80s getting a master's degree in land use and environmental planning. It was an exciting time for planning in Virginia.

[00:41:12] That's when Albemarle County took a deep look at both its natural resources and its capacity to absorb growth in a fiscally and environmentally responsible manner. The results of the studies and

analyses to determine how the county should grow were twofold. First, a comprehensive plan that established both well-defined areas to accommodate growth and resource protection areas that collectively became the rural area. Then to implement the plan, the county revised its zoning ordinance to direct development into the growth areas and away from the more sensitive and

[00:41:45] vulnerable rural area. Studies show that the economic activities, including agriculture and tourism conducted in and enabled by the rural area, are a significant portion of the county's economy and worth protecting. Think of the rural area as the nest of the goose who laid her golden egg in Charlottesville. Protecting the rural area from the deleterious effects of sprawling and higher density growth has been a paramount tenant of the county planning ethos for over 40 years.

[00:42:20] Why? Because the natural resources on which we depend, clean air, clean water, agricultural soils, forests, and rivers depend on our stewardship of those resources. I'm on the board of directors of the Albemarle County Easement Authority, a body who owes its very existence to the county's enlightened commitment to protecting the rural area by providing a means for its citizens to voluntarily and permanently protect their land from excess or inappropriate development.

[00:42:50] I'm also a member of the ACE committee whose purpose is to help equalize the financial benefits of easement donation for those families unable to make meaningful direct use of both federal and state tax incentives. That program has remained unfunded by the county during my entire tenure on the authority and the ACE committee. As a first step and as a matter of simple equity to its citizens, I would encourage the board to fund the ACE program and to that end to establish an Albemarle County Conservation Fund as a conduit for other conservation related projects.

[00:43:25] I also strongly urge the Board and Planning Commission to deepen your commitment to the importance of the rural area and to continue a successful and enlightened approach to the management of future growth in the county 40 years in the making.

[00:43:42] Let's work together to foster and promote sustainable growth that enriches our citizens and protects our valuable natural resources. Thank you all very much for your due consideration and for your continued service to our community. Thank you. Thank you. Dan Becker. Hi, and thanks for the opportunity to speak. My name is Dan Becker.

[00:44:13] I live in Samuel Miller District. I've been a resident of the county for over 40 years. 18 years ago, I put my farm in North Garden under easement with the ACE program, and I can tell you that that has been a lifesaver for me. First of all, I don't have enough income to take full advantage of the tax credits. Having direct payments from the county to facilitate this easement has been just great. Also, wanting to protect my property in perpetuity and looking for an easement holder. Well, an easement holder is only as good as the organization

[00:44:51] that it's under. With the county, you know it's going to be there forever. You have that confidence in that perpetuity. Also, the process was extremely easy to do. All of the survey assessments, the baseline data reports, the title searches, all of that was handled by the county, which if I had gone through another easement organization, I would have had to pay for and do myself.

[00:45:18] I've since put an overlay easement on the property through the 500-Year Forest Foundation, and together, my neighbor and I, my neighbor did the same thing. Almost 300 acres on the east side of Cook Mountain down there is now under protection and perpetuity.

[00:45:36] all made possible and jump-started by the ACE program. So, like the other speakers before me, I would encourage you to refund this program, keep it in place. And also, there's been suggested that an Albemarle Conservation Fund be incorporated, and I think that would be a great idea because there's money being left on the table.

[00:46:00] There's grants, federal and state, for this program that the county is currently not utilizing. You could also take money from proffers under special use permits to go into that fund that could be used for the AIDS program and other important conservation measures.

[00:46:17] Lots of creative opportunities if such a fund was created. We've all seen the increased traffic pressure development encroaching into the rural areas. These are powerful forces, and they're not going to go away. So everything we can do to protect the rural areas becomes vitally important.

[00:46:35] Thank you. Thank you. Stuart Overby. I'm Stuart Overby. I live in Southern Albemarle in the Samuel Miller District.

[00:46:53] I'm here representing a group of landowners in that area. We were brought together by a couple of very large and malodorous applications of biosolids, a.k.a. sewage sludge, that happened in our area this past spring and summer.

[00:47:09] We call our group Don't Spread on Me. We have done a lot of research on the topic, and among the things we've learned is the sewage sludge is being marketed to farmers as free or low-cost fertilizer is full of toxins, including pharmaceuticals, heavy metals, industrial chemicals, hormones, pathogens, and PFAS, also known as forever chemicals.

[00:47:31] Therefore, it's important that the Board of Supervisors and the Planning Commission and Planning Commission staff understand this practice undermines pretty much all the laudable goals of the AC44, including environmental stewardship, supporting agriculture and biodiversity, and the pursuit of clean water.

[00:47:50] It also undermines your tax base because PFAS-contaminated land is worthless. It can't be farmed and it can't be lived on. It might be good for an industrial solar farm. I know that Supervisor Malek has been aware of this issue for years and has identified several places in the environmental stewardship chapter in which at least mention of biosolids can be inserted.

[00:48:15] And I encourage all of you to accept and adopt those suggestions. and in addition i hope you'll all work with us in 2025 to help craft a biosolids ordinance for the county we have a lot of information about this issue on our new website don't spread on me dot org which is still a bit of a work in progress but please take a look and i hope you all be willing to meet and engage with us in conversation on this issue we'll be in touch thank you thank you thank you the next speaker and I will admit I'm having I'm struggling to make sure I can

[00:48:51] understand exactly what the last name is Peter and I'm not sure the spelling of the last name I apologize is it is it Dutnell Dutnell I'm close I apologize if I mispronounce any names but good afternoon good afternoon did everybody pronounce it doesn't get it right well introduce yourself so that we can get it right next time. Is that okay? Right. I'm a farmer in North Garden,

[00:49:27] have been there for 34 years. I've been a farmer all my life. The reason I went into agriculture, farming, lifestyle farming primarily, was because of my interest in nature and conservation on both sides

of the Atlantic. So it's been a privilege to own land and quite difficult to protect it and to steward it there seems to be a lack of that there used to be more steward ship in abamard county in days have passed but it seems to have given way to greater development and the people who come here are necessarily country people with the understanding of country

[00:50:06] ways and that is a problem and so education is possibly the best way to deal with that from the young people. We need young people in agriculture. You all eat food and we need good healthy food without chemicals and organically if possible. And Abamar County is a clay soil which is very sensitive and subject to erosion as we've just had this year gone past. Two droughts and severe floods are very difficult to maintain. So I think education from the schools or maybe Piedmont or Something like that could be indicated here.

[00:50:48] I thank you for the chance of being here in this county. I've enjoyed it. I'm 80 years of our age trying to retire. It doesn't seem to happen very easily, but still fighting. Thank you.

[00:51:03] Peggy Gilgis. Hi there. Good afternoon. Thank you very much for the opportunity to speak. I've spoken to you about several things having to do with AC44.

[00:51:22] Today, I just want to remind you that the phrase, think global, act local, has never been more relevant than it is today. We're living at a time when we have to grapple with many human-caused problems, crises really, that are threatening our future.

[00:51:41] Here in Albemarle, we may seem to be very far removed from the chaos of climate disturbance, resource scarcity, species extinction, and serious pollution problems. but without recognizing what's happening around us, we'll fail to do what we can locally to address these issues. Land conservation and stewardship is a solution to many of these problems. The rural area is not just scenic, though I cherish the views living here. It plays an important role

[00:52:18] in sequestering carbon, moderating temperature, slowing and absorbing unprecedented rainfalls, protecting water quality and quantity, and preserving biodiversity. I know you all are well aware of this, but it bears repeating and often.

[00:52:38] Let's invest in protecting it from fragmentation and degradation before it's too late. To that end, in AC44, the county should do more to strengthen its land conservation programs. Please reinvigorate our easement authority and reactivate our ACE program, and make climate change action, including natural solutions, a whole-of-government pursuit.

[00:53:04] Thanks. Thank you. Thank you. And the last speaker is Kim Biasioli. Thank you.

[00:53:23] Good afternoon. Kim Biasioli with the Piedmont Environmental Council. Would you? There you go. Thank you. Is that better? That's better. Okay. My comments today are about the AC44 Rural Area Chapter. We're so pleased to see the emphasis on land conservation, and objectives and actions that support the county's own programs.

[00:53:42] Land conservation is a critical tool for implementing the growth management policy and succeeding with the plan's goals for environmental stewardship and climate action. Keeping rural land intact is in and of itself a natural climate solution, providing public benefits like carbon sequestration and flood resiliency to our entire community.

[00:54:03] We're undervaluing these benefits. Economic analyses consistently show a return on investment in land conservation, in the form of natural goods and services and by reducing the cost of providing additional services to the rural area. Things like schools, fire and rescue, water and sewer. These are just some of the considerable costs that come from allowing sprawl. The intact natural landscape is also a major component of our area's billion-dollar tourism industry. People don't come here to

[00:54:37] breathe in smog and stare at the pavement. By establishing and supporting its land conservation programs, Albemarle has long been viewed as a leader in the Commonwealth. This success is widely recognized in the conservation community, where Albemarle County's programs are regarded as exceptional and as models for other localities to follow. However, resources for these programs have fluctuated over time, and the ACE program has not been active in recent years. When this program was active, it conserved land and water with an equitable approach, providing more support

[00:55:15] to farms at risk and to landowners who need it at most. So as you review the rural area chapter today, I hope you'll focus on two things. First, please remove the language proposing a target for a percentage of the rural area that may be conserved. This is a de facto allowance for sprawl and it's contradictory to the county's own vision for our community, specifically outlined in the growth management policy, the rural area and environmental stewardship chapters, and the climate action and biodiversity action plans. Second, please take this opportunity to re-establish

[00:55:52] Albemarle as a conservation leader by establishing stable and dedicated funding and staffing for the land conservation programs. These are a critical investment for our community. Thank you. Thank you. That's it. Thank you. Thank you. I appreciate all the comments today and many from the Sandler Miller district. Our next item is the consent agenda. Do we have a motion to accept? I've heard no recommendations changes. So moved. Second. Motion from Supervisor McKeel, second from

[00:56:29] Supervisor Malek. Without objection, if the clerk will call the roll. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lapista-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Thank you. and board the schedule calls for a recess right now for uh 15 minutes um if we could try to come back by 210 i think it'd be yeah 210 would be great and uh we'll start into our work session at that point on the ac44 rural area land use chapter thank you cool we'll get some hot car

[00:57:06] oh is it still up okay welcome back um at this point we will take up a work session

[01:11:10] on AC44 Rural Area Land Use Chapter led by Tori Kenilopoulos, Principal Planner. Welcome to you and Mr. Barnes and everyone here to help. Thank you. Thank you. Good afternoon, Board of Supervisors.

[01:11:26] My name is Tori Kenilopoulos. I'm a Principal Planner on the Long Range Planning Team and we'll be talking about the Rural Area Chapter today at the Conference of Plan Update. I'm also joined by several colleagues in the Planning and Zoning Departments to help answer questions since this is a complicated topic so we'll start out with sharing the topics that we're asking for specific board direction on and then share a brief summary of the Planning Commission's feedback from their two recent work sessions on the rural area chapter a quick overview of community input themes and then walk through the goal objectives and actions for this chapter

[01:12:04] talk about the preferred land uses in the rural area ways to protect large and unfragmented parcels, non-residential land uses in the rural area, rural communities, and then talk about the upcoming

schedule for the comprehensive plan. So today we'll be asking for direction on these topics. These are, I think, very similar to the ones that we share in the board's packet with just a few slight wording changes and consolidation. So we're looking for feedback on if the chapter provides sufficient recommendations and context for updating the zoning ordinance related to the

[01:12:40] rural area if the board supports reactivating the acquisition of conservation easements program or if additional information is needed for making that decision if the board supports related actions 2.1 and 3.1 to reduce parcel fragmentation and support land conservation which I'll talk more about and what additional considerations or criteria if any should be added to the area planning process for rural communities which I'll also talk more about in the presentation and then in general if anything seems to be missing or if other changes are needed.

[01:13:14] So before we dive in just a quick overview of the rural area I'm sure many folks listening will be familiar but in case anyone is new to the process or to the county the rural area is about 690 square miles so about 95 percent of the county's land area about 46 percent of rural area land is within water supply watersheds for our public drinking water supplies and that was a main reason for establishing the rural area with the first comprehensive plan.

[01:13:42] Almost a third is within National Register historic districts, and about 38% is within farmland, and that has been fairly consistent over time. So this is a summary of the Planning Commission's work sessions in November and December on the rural area.

[01:14:00] For conservation easements, the commission mentioned that there are different types of easements providing protection for different resources and emphasized the importance of resources in the Biodiversity Action Plan, and the commission did not recommend including a specific target for a percentage of land to conserve within the rural area, which I'll also talk a little bit more about. There was support for industrial uses that also support local agriculture and forestry, but the commission felt that more restrictive language might be needed in the comp plan, making sure we're emphasizing local agriculture and forestry and not a broad range of industrial

[01:14:35] uses and then considering potential impacts. For the rural area land use plan, the commission recommended different layers and data that could be included to evaluate the rural area and also recommended addressing Action 2.1 for lot size to be done with the rural area plan.

[01:14:54] The commission asked us to consider where housing may be appropriate in the rural area in very limited locations and then also to continue to discourage subdivisions and their impacts to natural resources and habitat connectivity. The commission asked us to address potential impacts related to tourism in the rural area and then for rural communities to more specifically list out what type of uses could be appropriate and mentioned artisan and craft uses and then small engine repair such as for farm vehicles and asked us to look at potentially including more criteria

[01:15:28] or guardrails for these types of uses and their impacts. So we've received quite a bit of community input over time on the rural area and this is a very brief summary but this highlights the main themes that we've heard that includes protecting and restoring the natural environment including land conservation for rural communities having a community engagement process specific to individual communities and looking at small-scale businesses and services and resilience hubs that support community members and continuing to protect historic cultural and scenic resources and ensuring that adaptive reuse uses similar building footprints.

[01:16:08] So a quick reminder of how we're drafting each chapter within the comp plan. That includes input from community members, the planning commission and board, and staff, reviewing the current comprehensive plan and carrying forward work that is still relevant and that should be included, incorporating best practices, and then using the AC44 guiding principles, which were developed in phase one and are shown on the screen.

[01:16:34] So each chapter includes a goal, objectives, and actions. The goal is the high-level vision for what we want the community to be like. Objectives are what we're trying to achieve. And then the actions are how we implement the plan to achieve those objectives.

[01:16:50] This is a summary of the goal statement for this chapter, and it reflects the community input and priorities that we've heard to date. And it's very similar to the priorities in the 2015 comprehensive plan, including thriving farms and working forests, protected natural historic scenic and cultural resources, rural communities, and large unfragmented parcels. And this is a summary of the objectives for this chapter. There are seven total, including protecting rural land use patterns and associated resources, improving the effectiveness of land conservation, supporting local agriculture and

[01:17:29] forestry, adaptive reuse in rural communities, and planning for and managing non-residential uses and existing development. So a few things to note about the actions that are in this comprehensive plan. We are not including actions that have been completed or are already ordinance requirements and also noting that relevant actions are found in other chapters related to the rural area such as transportation and environmental stewardship. So these are the preferred land uses in the rural area which are consistent with the 2015 comprehensive plan that includes land

[01:18:05] conservation, agriculture, and forestry, and then noting that a significant amount of the rural area is identified as having important soil for those agriculture and forestry uses. So looking at the rural area landscape, about 13% of the rural area has been converted to non-rural uses, and that includes residential uses. About a quarter is protected, and then about 4% is within parkland, And so that leaves over half of the rural area that is not protected and not yet developed.

[01:18:40] So the chapter emphasizes the importance of avoiding these intermediate parcel sizes that are too small for farming or forestry, but are also large for residential, and then avoiding subdivisions that break up habitat connectivity. So we have a couple of tools that we'll be emphasizing today related to keeping those parcels unfragmented. One is conservation easements, and those are voluntary and permanent agreements to protect rural area land and natural and cultural resources. And as mentioned, about a quarter of the rural area is protected in permanent conservation easements through a variety

[01:19:17] of easement programs. They limit subdivision and residential and commercial development, and they can focus on protection of different resources. So that could include stream buffers, agricultural land, historic sites, or wildlife habitats. The ACE program is a purchase of development rights program with an equity focus, and it provided financial incentives for landowners of modest means to protect their family farm from future development. And this is an important tool from both an equity and climate action standpoint, as it reduces residential development in the rural area and helps landowners, especially those with lower income, hold on to their land and reduce

[01:19:55] pressure to sell. So another related action to keeping parcels unfragmented is 2.1, which is having a maximum lot size for residential development. So I'll talk a little bit more about how subdivisions and development rights work in the rural area now because it's a little bit complicated. But the purpose is

to have residential lots be smaller to have more land leftover for land conservation or agriculture or forestry. So right now when there are subdivisions

[01:20:29] in the rural area, we're seeing about six acres is the typical lot size with the minimum requirement being two acres. So we have a couple of examples to walk through. This is one from the 2015 comprehensive plan, just a theoretical example, but on the left-hand side it shows the development that's allowed by right today. So today you can have a subdivision of 21 acres or more by right in the rural area. And then for lots that have development rights, which were assigned with the

[01:21:05] 1980 rezoning to rural area that the county did, you can have up to five residential lots, which must be at least two acres. And then once subdivided, they can't add up to more than 31 acres total. So in this example on the left, there's a parcel that's about 11 acres and some that are about six, one that's three, and those add up to 31 acres total. And then the other lots are 21 acres by right. So that's how the subdivisions work today. And the example on the right, again, is just a theoretical example, but it shows what that could look like if the maximum lot size was

[01:21:42] four acres. So that would only use 20 acres for those development right lots, and they'll result in smaller residential parcels with more land left over for other uses. And this is the second example that shows what that could look like if the maximum lot size with development right lots divisions was two acres, which would leave even more large parcels left over. So again, these are just theoretical examples and the recommended action just recommends establishing a maximum

[01:22:13] lot size but doesn't specify what that should be yet. So a priority recommendation in AC44 that is not in the current comprehensive plan is the rural area land use plan. So that includes recognizing multiple geographic areas within the rural area that have specific conservation needs. So instead of treating the rural area as just one land use this would look at having multiple land uses and also multiple conservation focus areas so that would include community engagement and also geographic analysis and mapping analyses and as the planning commission mentioned there are

[01:22:53] multiple tools we can draw from like the biodiversity action plan the environmental features that we have in gis and other areas to show those priority protection places and then one thing i wanted to note that's a change from the information included in the packet is that based on the planning commission's feedback we recommend removing the percent target for conservation so that has been removed from this slide and we'd recommend removing that from action 1.1 so another important area for the updated comprehensive plan is guidance for how we

[01:23:28] should update our zoning ordinance with the zoning modernization project currently most rural area zoning district uses are related to agriculture and forestry, and then supporting uses, and then there's some small-scale businesses and services allowed for rural communities.

[01:23:44] The current comprehensive plan has a criteria for new uses section in the rural area chapter, so those are considerations for what new uses could be allowed in the rural area zoning district, either by right or special use permit for uses that are not currently allowed in the rural area zoning district. And the AC44 chapter has an update to that section, which is summarized on this slide and then also included on page three of the draft chapter to help guide the zoning modernization project. These are very similar to the 2015 plan recommendations, ensuring uses

[01:24:19] support agriculture and forestry and or rural communities, and making sure they don't have significant infrastructure or environmental impacts. This is a summary of other land uses besides agriculture and forestry and land conservation that may be appropriate in the rural area but are not appropriate in all locations and have impacts that should be mitigated. And those could even be through performance standards or through the special use permit process. So that includes uses that support local agriculture and forestry and rural communities, low-impact outdoor recreation, low-impact economic development,

[01:24:58] and then utility-scale solar, which will be covered in a future chapter, and is also moving along the process of the zoning ordinance update for utility-scale solar. So one area that we've heard a lot of feedback on since sharing this chapter is making the actions more clear related to industrial uses that support local agriculture and forestry.

[01:25:21] So that includes Action 4.2 for light industrial and commercial uses that support local processing and retail sales, and then also the actions under Objective 7 regarding commercial and industrial uses and the interstate interchanges. So we'll be making updates to that section, including based on feedback that we hear today.

[01:25:41] So these industrial uses are important from a location standpoint due to their impacts. They are uses that could be appropriate at the interstate interchanges, and they also inform future zoning ordinance and land use updates such as changes during a rural area land use plan. One potential use that the planning commission mentioned as an example was commercial kitchens and we also wanted to note that the rural interstate interchange recommendation is very similar to the 2015 comprehensive plan which also recommends studying the shadwell

[01:26:18] interchange, especially for uses that could support agriculture and forestry. The AC44 plan update also recommends studying the Yancey Mills interchange, but prioritizing studying Shadwell first. And that study would include community input and commission and board work sessions.

[01:26:36] And one of the major reasons to study these areas is because they already have existing commercial and industrial development and underlying zoning districts with the potential for additional by right development. But that is a recommendation for future study and not changing land use with the comprehensive plan update. So rural communities are existing communities within the rural area.

[01:26:59] They're called crossroads communities in the 2015 comprehensive plan and their purpose is to provide access to essential public services and basic service needs for rural residents that can include community resilience hubs. And the focus is on equitable service provision but without encouraging additional residential development. So these are very similar recommendations to the 2015 Comprehensive Plan, and they build on the current plan and community input heard during AC44.

[01:27:27] The current Comprehensive Plan recommends potential land uses for crossroads communities such as country stores, offices, daycare, doctor or dentist offices, community centers, and public institutional uses such as post offices. So there are similar uses listed in the rural area chapter for AC44 on page 5, including a few additions such as fire rescue and police services, job training programs, community gathering spaces, emergency shelters, and access to affordable and healthy food.

[01:27:59] Many of these could be accommodated in existing buildings, which could also be designated as resilience hubs. Many of these uses already exist in rural communities, and the comprehensive plan is

needed to provide guidance for potential additional locations and also for adaptive reuse of existing buildings. So again, further study is needed, which could be through a rural area land use plan or some other process. And this chapter does recommend engagement with individual communities prior to land use changes, if any are desired, specific to each community. And again, development should be primarily through adaptive reuse or replacing existing structures with a similar

[01:28:39] building footprint. And the majority of non-residential uses would still be through the special use permit process. So I think from what we've heard to date, there's a lot of interest in the community resilience hub concept in existing buildings. And there's, you know, potential interest in other changes, but not until there's further engagement and specific to individual communities, which is pretty similar to the current comprehensive plan recommendations as well. So this is a quick recap of the schedule. We went to the planning commission on the environmental stewardship chapter in December and the board work session

[01:29:15] for that chapter is coming up on January 22nd. As mentioned, we went to the planning commission on the rural area in November and December. We have today's work session on the rural area. We will be revising the development areas land use chapter and rural area land use chapter and growth management policy and coming back to the board in February for further input on those chapters, including based on your input today. And then the parks and recreation chapter will be going to the planning commission later this month and then to the board in February so this is a

[01:29:51] brief reminder of the direction topics for today I'm happy to also answer questions and take comments on other sections we do also have the objectives and actions queued up on the following slides so if the board's preference is to walk through one at a time and you know answer these questions along the way we can definitely do that thank you thank you and I'm torn here looking to my right and left as far as whether we go through these topics first or whether we jump to if we

[01:30:24] can keep these somehow in our frame to the objectives and actions one at a time so that we keep it organized. I look at the first one, whether the chapter provides sufficient recommendations in context for updating the county's zoning ordinance. Is that well connected to an objective, or is it kind of hard to?

[01:30:54] I think partially connected to the objectives and actions, but also to the section on the third page on the guidance for the uses in the rural area. So I could pull that up as well if that would be helpful to start with.

[01:31:12] Yeah, I'm a little nervous about starting with that one. I think it's pretty broad as far as updating the county zoning ordinance without looking at everything else that's going to be commented on so I would recommend that we hold that number one so do two through four and then come back around and have a conversation so uh if it's if you will and I think because this would actually dovetail with some objectives maybe we could do number two first uh it dovetails well with objective three uh if the board supports reactivating ace uh and additional information needed to evaluate and I will uh go through our

[01:31:51] order with that. So we start with Supervisor Galloway. So I'm addressing number two. Is that one? Yes. Keep me. Yeah, we're going to try. Keep me in my lane here. Right. Well, fundamentally, and I'll be, I don't, won't mean to take a lot of time. I think fundamentally for me, I won't be able to answer this question today because it's a budget question for me. So yes, I think additional information is needed and

that I would be supportive. There are many times or our budget process where we have what we casually could refer to them as parking lot items.

[01:32:28] But in years past, we've had some things where before the budget even gets started, we know we've got some bigger topics to discuss. So I think we just, I would say, all right, we need to do that. You know, through public comment today, I think in our own conversations in the past on ACE, going back since I've been on this board, there's a lot of statements being thrown around about return on investment and how it relates to revenue for the county, what it actually costs, what the return is.

[01:33:01] I think a lot of that could be teased out so that we're all on the same page on it. And then we just have to decide because it is something that costs us something. And as we do with anything that we program funds for, we consider what that cost is, what the return is, and then where it fits in the priorities, you know, ranking against other items that we have that are needs.

[01:33:25] So, you know, to me, this is fundamentally, you know, I'm not I'm not speaking to the merits of the program or the environmental stewardship. That's piece of this. And, you know, the philosophical nature of it, I'm not going to be questioning.

[01:33:41] So for me, I really do need to have a very specific budget conversation about it before I would say yes or no to supporting reactivation of it. So that's where I'm at on it. Some of the questions I would have about it, going into it, based on what's being said here in the presentation, that I need cleaned up.

[01:34:06] I think on whatever slide it's on, it says it helps folks with modest means. I need to be reminded what that criteria is. Modest means can be interpreted interestingly, and this is a program that shouldn't be interpreted based on who's saying it.

[01:34:30] It should be very clear and clean about what it is. So I need to be reminded about what that is. I think one question I have right now is it was put here that it's an equity piece. And based on what your statement was, Tori, that it sounds like it's because it helps lower income, that the equity is socioeconomic.

[01:34:52] Does it address the equity lens in any other way? Racial diversity for racial landowner? Do we know? I would ask if Scott Clark could provide a little more context on that question.

[01:35:09] And as he's coming up, I'm just going to remind the board that while we are taking these one at a time, the number three talks about Action 3.1, which is specifically about revising the ACE ordinance to clarify the scoring requirements. So it really is an appropriate piece to talk about here if we're going to talk about the ACE program.

[01:35:27] So scoring requirements, and I think this is probably where you're coming. And I don't know if that's a requirement. I'm just saying that, you know, this comp plan has been directed to be looking through an equity lens and an environmental lens. So the equity lens here, I want to know if it's just around socioeconomic equity or if it addresses other elements of equity as well.

[01:35:54] Good afternoon. I'm Scott Clark. the conservation program manager in community development the ace ordinance that was developed back around 2000 addresses equity purely in terms of income so that was what was written back then it's been consistent throughout the program so the way it works is to prorate the amount offered to a landowner based on the value they're giving up in the easement so if they are at the lower end

[01:36:26] of the income scale, which is \$55,000 AGI, then they're going to get 100% of the value of what they're giving up. And then it gradually scales down from there. As income goes up, that percentage goes down until you get to a point where for somebody who's got quite a bit more income, it's not really worth their time. So it is only based on income and not on other factors such as race. In terms to get into the program, so how have we done? Have we analyzed our land use or

[01:37:00] easement program of how we've done beyond just helping lower income has it helped with minority landowner conservation i don't believe we've done that analysis well if we're going to look at it through an equity lens we may want to take a peek at that um i'd be curious to know how we've done in albemarle the state looked at this um in the past and they called us out so um i don't know if they did that with data or not i'm just for you know curious about what that that is because if we're going to say we're going to look at something through an equity lens, and then

[01:37:39] we're going to put a boundary around equity to just be socioeconomic, then, I mean, we just need to be clear on what the actual information is. And I don't know what the answer is. I'm not, this isn't me trying to catch anything.

[01:37:54] It's just, I don't know. But it's important. It seems to be important that we look at it from that angle with a lot of other programs that we do. So I would be curious about that and would think that that's something that we would need to take some time to to find out but you know you never know you might have had that information you know I'm not saying we should have had that information but sometimes I ask a question not thinking we do and somebody goes yeah we do actually know that so that that is one element of it I think we do need to clean up just for clarity opinions about how easement programs

[01:38:31] and things like that impact when we start throwing around composite index and how it impacts revenue sharing and all that we just need to get on the same page um we can't have different varying things out there of what that of how it impacts that so i guess i'll leave it at that um for so it would delay me on 2-1 for 3-1 um that's the piece that's that's that's broken uh or dealing with the uh revising the use ordinance that's clarify scoring requirements yeah to reactivate

[01:39:11] So, I mean, I don't like that. I'm not reacting to. I just think there's more information needed to look at that program. And just so I'm clear for those who are listening, it's just purely, all right, what does it cost us?

[01:39:27] What are we going to get for that? And then stacking that up against the other funding priorities we're going to have. As everybody mentioned in their opening statements, they're looking at a tough year this year. So that's where I'm at. Thank you. Mr. Professor Malik? Thank you.

[01:39:44] Oh, I lost my page. Okay, so number two. Having been involved since 2000 with the ACE program and seen how it has evolved over the 20 years until it went into remission in 2020-something or other, it has been evolving carefully with the criteria being developed all along, so it has not been stagnant.

[01:40:07] But I will say from a general service versus cost aspect, if you're not having services needed on a piece of property due to its use or easement or lack of development, then the costs to the overall general fund are reduced.

[01:40:30] And in addition to the natural resource protection, that was the reason why my two-time predecessor, Walter Perkins, who had been a supervisor from Whitehall for 14 or 16 years, actually led the

effort in the late 90s to begin the ACE program and said it needs a million dollars a year in order to do anything because this is the way we're going to be able to keep costs down for the overall taxpayer and also preserve the area in the country for water protection and forestry and agriculture.

[01:41:08] And so that was the basis of it. And the matrix from the people for modest means, for people who have income that they can shelter through a tax credit, then the ACE program is not helpful to them, and therefore they do not participate. The grand majority, I think perhaps all, although I haven't gone back over the years, of the participants. Few were in the 100%, the grand majority in between 20 and 50% of the easement value. And a few, even in the last couple of years, who were in the 5 or

[01:41:45] 10%, and they said, thank you very much, but we'll donate instead. And so this kind of process does protect the taxpayer and allows people to participate in either protection of their farm in perpetuity, who don't have the means to take benefit of the tax credits which others are able to do.

[01:42:10] So that's been the sort of general highlight of it. I'm very much in favor of its continuance and look forward to the discussion to figure out how the two agencies, ACEA and ACE, can go forward together and cover more of the biodiversity, natural heritage types of resources in our easement that then may be included right now. I know there's always been a big debate on the committee about, and a request actually by me

[01:42:44] and others, to use the DCR mapping for critical resources as a backdrop. And that was not adopted yet, but it doesn't mean it can't be put in, which would broaden the aspect of what the protections are that will be protected by an easement and increase the value for the, across the water protection, zoning enforcement, all those kinds of things, the investment of staff resources that are going to be needed.

[01:43:17] So that sort of covers the support for the continued work on updating all of the process for the easement program but definitely to support funding it it has been really sad over the last several years that we have gotten nothing back from the state as a local match even though the numbers of dollars even in the current administration is far greater than it's ever been for having local dollars back and in previous years the county would benefit from other counties not

[01:43:52] doing any match and so we would get four and five hundred thousand dollars instead of 150 because we had the match available and were able to basically bring down money that caused tremendous savings for local taxpayers to achieve the same benefit.

[01:44:11] So the maximum lot size is an interesting concept. I think it brings back the clustering that we had for a number of years and for some reason has been told it's not legitimate right now.

[01:44:27] It was in operation for at least a decade in out of a while. And so I don't know why that isn't already showing that you can have small lots clustered around a very short street and then have residue lots of 80 and 100 acres to meet your subdivision in the rural area.

[01:44:44] One backs up to me, and it's fabulous. The two large lots are protecting the streams that go through the property as well. So there are a lot of benefits. What doesn't show on the map, the theoretical maps of the two acres, four acres, et cetera, is the topography issues.

[01:45:00] This is the topic we'll come back to. This is the 2.1 that we'll come back to. Okay, so 2.1 we weren't supposed to do that. That we'll come back to. Okay. Thank you. Supervisor Pruitt, we're going to

stick to ACE for the moment. Yes, of course. So we all come to questions with different kind of presumptions and different fundamental lenses that I think we like to think through problems with.

[01:45:22] So to kind of tee off how I'm going to talk about this issue, I want to just say, you know, the very first lens, the very first set of questions I always ask when I'm thinking about policy issues. I always see things, first and foremost, in all parts of my life through a class lens. That is kind of my core operating language with which I analyze any problem.

[01:45:45] And then, of course, I account for all the other things. I ask all the other same questions that we do. I think about race equity. I think about climate justice. I think about what do members of my district say? That all comes into play, And how different members of this board might prioritize those will vary by individual members of the board.

[01:46:04] But for me, the very first thing I always think of is what is the class impact of this? How does this influence issues of socioeconomic status and how we sort people in our society? And so with that kind of presented, because I think this is going to come up a few times throughout how I talk about and discuss the rural area, So I would like to just say I had written down almost everything Supervisor Galloway said, because I think those are the right series of questions to ask about the ACE program.

[01:46:35] And while I am supportive of it in concept, I love what several of the speakers today have had to say. And I actually, frankly, learned some new things I had not heard before about how we carry this on our books affecting our revenue sharing element, for example.

[01:46:50] This was news to me. This is also things that I have not seen written down in a report, right? I hearken back to when we were talking about another thing that is a tax expense that we engage in, which is our elderly and disabled tax exemption.

[01:47:08] We considered an incredibly modest change to that during my term on the board that cost us money in tax revenues. And we received two different rounds of very thorough analysis about what those households actually look like, right?

[01:47:27] What is the impact on revenue? What is the state of their assets? What is the state of their income? What does that distribution curve of that community look like? Are we actually serving the people of modest means that we think we're serving? What are the homes that we're preserving?

[01:47:44] What is the nature of those? Are these mansions? Are these historic farmsteads? or these individual small shotgun ranch-style homes. This was something that we talked about, and it, I think, heavily informed our decision. I would want to see, frankly, a similar kind of analysis to make sure I'm fully getting my head around the ACE program, because I'm willing to believe that it does all the things we say it's doing.

[01:48:07] It does prioritize farms and parcels of modest means, and it is helping preserve this rural character. I trust that when I'm told that, but we trust but verify. when we're making decisions with the public's money. And it does raise an alarm bell to know that the only current criteria, and I'm drifting into 3.1, so I apologize, but I think these are hard to talk about.

[01:48:32] 3.1 is very relevant. Okay. It raises an alarm bell to me when I hear that the only criteria is income. It is quite common to have very modest income and quite robust assets. We have, I mean, it's a

very challenging thing in policy in this community because many farmers might have income that is in the five digits, and they might also have unencumbered assets that are in the tens of millions.

[01:48:58] I think understanding how we think through this and setting aside farmers, but we know what this community looks like. We know that there are plenty of people who might have very little or no income who also have incredibly robust assets in holding.

[01:49:15] So I think we need to make sure we're actually understanding, are we serving communities of modest means Or are we serving people who are on social security and also have retirement accounts in the millions of dollars? These are very different types of communities, and I think this needs to be something.

[01:49:34] I even might entertain the fact that this board knows the answers to that and has discussed it previously in the long history with the ACE program. I haven't. I haven't. I was not here when we had those discussions. I'm not familiar with that kind of background. and if I'm going to support the reactivation of the program and the funding of public dollars, then I would need that information.

[01:49:57] So I apologize if that's going to be a little bit of make work, but I think it's really critical to being able to speak thoughtfully on whether or not this is doing what we're saying it's doing. That's all I have. Thank you. Supervisor Lopez Tuckerman. I've been on the ACE Committee for the last two years, and we haven't met, So that tells you how much I've been effective in that area.

[01:50:22] I am interested in reactivating this program, but I think we need to be realistic. I agree with Supervisor Pruitt. This program has to help people, when I say of modest incomes, lower incomes, without some other kind of, you know, they don't have tens of millions stocked away somewhere.

[01:50:46] So that all goes back to the scoring sheet, and I think the scoring sheet that was used previously needs to be redone so that we can actually verify who we would be potentially buying their assets from, giving money to.

[01:51:06] I did want to ask a question of Tanya. What we would offer a landowner, would that be the same amount as what a developer would offer? maybe just a yes or no shout out i would say no pardon it's based on the value of the easement right the easement versus the value of the land so there are different things you would be buying please scott so just to clarify two things the the scoring sheet by which an ace applicant is

[01:51:43] evaluated is scoring the property based on its conservation value so soils footage of streams and many, many other factors that go into rating it in terms of its conservation value. The land value, the purchase price for the easement, is a completely separate matter.

[01:52:03] We do the conservation ranking of all the candidates in a class in a given year, and two or three will rise to the top as having the highest scores. And then we evaluate those as potential purchases. And that's where the price comes in, and that's that per-rated table based on income.

[01:52:23] I'm not sure we can answer the question, is that the same they would be offered by a developer? What we do know is that's a given percentage, according to the table, of what an independent appraiser says is the cash value they're giving up by limiting uses on the property.

[01:52:42] My thinking was that if I am of modest or low-income means and I'm at the point where I want to retire or sell or move away, is it more beneficial for me to offer my land to a developer or to be part of

the AIS program?

[01:53:06] Would the money be basically the same? There's an awful lot of factors that go into that. So I think that's why we're relying on that independent appraisal instead of guessing at what the purchase might be based on a developer's desires.

[01:53:24] Okay. Understood. Understood. Because I think it is important to help someone of lower income or to take into consideration other aspects, be it race or whatever. But I also feel it's important because these are taxpayers' dollars.

[01:53:44] So the public is paying for this. And I want to make sure that the taxpayers have the benefit of having this land go into a conservation easement that is going to benefit the entire county.

[01:54:03] And what I mean by that is that if you have a parcel of land that is adjacent to another conservation easement parcel of land, that's going to increase. That's going to give connectivity. If you have, if there is wildlife habitat, if there is streams, riparian areas that we need to protect, that's worth it.

[01:54:27] If it's a piece of land that is out in the middle of nowhere, so to speak, surrounded by residential, and it's not going to have a connectivity or big impact, I've got a problem there using taxpayers' dollars for that purchase.

[01:54:44] So I think the scoring sheet would come in very, would be very beneficial to make sure we give, should the board decide in the future, monies to where it would benefit the county as a whole since we are using taxpayers' dollars.

[01:55:03] And when we bring back more information to respond to your questions, we can definitely share that with you. A lot of the factors that you just mentioned about adjacency to conservation land, stream frontage, soil quality, all those things feed into that scoring.

[01:55:21] So a property that has those factors is going to score much higher and be more likely to get an offer of purchase than, as you mentioned, the property that has no adjacent easements, that has low quality so i think that's going to fall to the bottom of the list and be less likely to get an offer at all and i would just be very concerned that we with this program since it is we already talked about taxpayers dollars to do our due diligence but because for what i have an understanding of and someone can correct me is that maybe the scoring process in the past or the

[01:55:55] decisions made in the past were um weren't as beneficial as they could have been well we can certainly bringing back more information about that and have some more detailed discussions. Thank you. That's all. Supervisor McKeel. Sure. Thank you very much. I would agree with several supervisors who have already said that they don't have enough information.

[01:56:24] I'm not ready to make a decision on this. We have the ACE program paused for a few years, and we're looking at it again. And I do think it's a budget issue because it involves dedicating dollars to a program that makes it a budgetary issue for me so um but i will say that um i have a i'll just go through a couple of the notes that i made um we talk about the program is to support family farms i'd like to have a little bit more data about that i guess i'm not seeing

[01:57:03] family farms in Albemarle County. What we think of normally as a family farm, I need more data about that. What is the pressure on the properties that require setting aside funds for these specific properties? What are the properties growing? We know 95% of agricultural land in the county is used to

grow hay or pasture for cows or horse grazing. That's from Peter Lynch, our assessor, who said that to us. So, I mean, I'm just wondering, and what's the definition of

[01:57:38] low income? That gets back to questions that several of you all have had, or modest incomes. I need to understand what that is. Are these folks threatened with hardships? Are we assuming that poor people will just automatically develop? And what do we mean by modest or poor people?

[01:57:58] I mean, I'm just, I'm really questioning a lot. And I thought, to be honest with you, that there were federal and state programs that would benefit this concern that we have. There was in 2012 a JLARC report about this, and I haven't heard any reference or any discussion about the recommendations from the JLARC study.

[01:58:23] And I have real concerns about whether the ACE program really is equitable, is providing equity for our community. that was addressed back in 2021 by the Virginia Secretary of Natural Resources in the Northern Administration. I think looking at some of that information could help us because it would bring different perspectives as opposed to just what we have always assumed this program does for us.

[01:58:54] At the end of the day, I have no idea how I'll come down on it, but I need more information before I can just say absolutely. I would support funding for the ACE program to be what I'm thinking I'm hearing is a line item that we would be doing every year, putting money into every year. I have to think about that. I guess the, and I'm just reading my notes and I apologize for stopping here a minute. 25% of the rural area is already protected

[01:59:31] in permanent easements. We are in Albemarle County, number three in Virginia for the amount of property in conservation easements. That's something to applaud. I'm not saying that's a bad thing. I'm celebrating that. Having said that, and you all have heard me say this many times right up here at this dais, when we've done something for so many years without really looking at it carefully and thoughtfully to just continue something and assume that what we've been

[02:00:11] doing is working the way we think it was working 20 years ago I just I have to have more data I have to to understand it better um and I was just looking to see here what my notes um it would seem like Albemarle is an outlier in the state and um if we're an outlier then I'd like to know why we're an outlier compared to the other jurisdictions, some of which have obviously

[02:00:51] an ACE program. And I'd like to understand better the Virginia position. And maybe that's harder for you all to get to, but I think the JLARC report and some of this other information gets to that. And I will just, well, here, let me see. I have notes everywhere and I apologize for that.

[02:01:12] I will agree with Ned, and I will say pretty much there's a lot of confusion around the composite index and ACE program and how our schools are funded and how it affects.

[02:01:37] We had an email from Greg Kampner that actually was pretty clear about that back in 21. So I'm just saying that we all need to be on the same page eventually about the composite index.

[02:01:53] Because the school division believes one thing, some of us believe something else, and I think that we need to settle that issue as well at the next time when it comes back to us to talk about. We know that the money, the county transfers to the city the revenue sharing, and that revenue sharing is not calculated in the county's composite index.

[02:02:15] I mean, that's, we know that. So I'm not saying any of this is bad or good, I just think we all have to have the same set of facts. so we can make decisions, right? And I would like to talk about it further. So I'm not ready, and I guess after all of that, I'm not ready to support reactivating the ACE program right now.

[02:02:36] So, Jim, what else do you need me to talk about? I think we're going to comment, and then we'll go on to the next item. Yeah, we're good. And we'll go around again. So just to give my sense of this, I am in favor of reactivating the ACE program. I feel like we put it on pause a couple of years ago.

[02:02:53] There were some issues about whether there were properties at that time or funding at that time for opportunities. And because of a change in personnel and other things, we didn't do anything. However, I think that what I'm hearing is a sense of a loss of connection so that people don't have the same familiarity with the scoring and the criteria that were used in the past.

[02:03:17] And so we will probably need to revisit that to get to the point where we're comfortable understanding what the purpose is. which my understanding, as described before, that the purpose is about protecting these parcels. And so the scoring is related to the value of these parcels, the value of the easement importance to the county.

[02:03:38] That said, I understand the concern that the word equity is perhaps misused. It then is intended to help those landowners who are unable to get help simply by the donation of their easement. We also should revisit and settle once and for all my understanding on the composite index and effects because land use is very different, land use taxation is very different from permanent conservation easements which permanently change the value of the property and therefore now don't treat that property any differently

[02:04:12] for the composite index than if it were not under land use or conservation easement. It also similarly reduces the value, which reduces the revenue sharing potential there. So I'm in favor of this, but I will say that, you know, when it comes down to making budget decisions, which we've heard a lot about, I don't see the comprehensive plan as asking for a sort of budget commitment, which is, I think, appropriate.

[02:04:41] But I would need to know what the opportunities are a little bit better for match and and the needs are a little bit better for properties that we can identify that we really think are important for conservation so that we can know what we're funding that is a budget discussion not a discussion for today in my opinion okay does that help chair andrews i just want to make sure leaving the discussion on number two that the staff is clear um and and certainly we can we can meet after today and clarify and circle back to the

[02:05:18] board but um there are more there are board members that had specific questions about the program is the board expecting us to come back with more details on the ace program and how it works uh the the the criteria and such set aside some time for that for the board's consideration separate from the budget discussion is the board is expecting that we need that yeah okay i think that would be valuable excellent and as part of the going forward with this section of the chapter as well. Very good. I work with Ms. Wall who's connected back to community development and we'll

[02:05:55] work on putting that together and then scheduling that at a time that would seem hopefully to make sense to the board. Thank you. Scott Clark had made a presentation to the board two years ago

maybe. Right. It has some wonderful background and perhaps he can dig that up again. Yeah that's the other option is to point us back to the times when we've discussed this so that people can be reminded of the discussions that we've had a couple years ago. A homework packet would be really helpful to me and be able to get it all forward, including these references to these studies that I have not had recently. Right.

[02:06:27] The JLOC study is important. Chair, if I had a quick question. I'm just thinking about what we're asking staff to do here. And I'm also trying to put this in the context of a AC44 process that it sounds like we're asking to be continuously contingent on us getting more information to make a decision on this action item number two right and i'm wondering if there's a way that we can conceive of what we're trying to get this information from that does not put a roadblock in the ac 44 process right can we say that we are notionally in favor

[02:07:04] of of moving forward and refining the um conservation easement program and then have the process i think we all want to go through this kind of process of discernment of the ac of the ACE program be an action item that comes out of the comprehensive planning process rather than a roadblock in the comprehensive plan?

[02:07:25] Do you understand kind of what I'm getting at here? I agree. I think that if we have a sense that people are just worried about the budget numbers, then we can revisit and understand that better. But if there's significant concern about even reactivating this, we need to hear that now because it does affect the comprehensive plan. Yes. And that could be, if we need and need be, a separate meeting, an additional meeting, additional... I know, I know, I know. Or a workshop, perhaps.

[02:07:57] We'll take it as an action item to go back and to sit down and work through the comments that were made today, and then we'll look at your existing committed meetings and examine how that might look coming back. All points noted. Thank you. I'll just clear for one thing.

[02:08:14] Super fast. And that is, a question was asked about the money a developer pays versus an easement of value. Even during the height of the development crush pre-recession, \$25,000 per development right was the most the county had ever paid.

[02:08:30] So the only one that was hired due to state match of \$500,000 was the land around Beaver Creek Reservoir that was put in for the Clayton easement. But a developer who would buy the property takes ownership of the property. The easement person keeps owning the property, keeps maintaining the property keeps paying taxes on the property. They just have an easement on the property that says, you're not going to build those 17 houses that I could have had if our easement wasn't on.

[02:08:56] That's all. So that's what we did in the separate process back in the 90s, so it's not part of any of this. But anyway, they're two totally different categories that we need to keep straight. Thank you. Thank you. And before going on, I'll just remind people, I think that riparian easements are part of the environmental stewardship chapter so this may have an opportunity to discuss some aspects of easements again in that context then i would suggest that we now address action 2.1 if we can because that's another major one which is implementing a maximum lot size for

[02:09:33] development right lots to reduce the acreage used for residential lots compared to the 31 acre maximum for five lots currently you showed us the examples i believe that's what you're looking at at this point is whether that's something the board supports and we'll go around our order uh super much gallon um i mean i'll be curious to hear what other folks have to say it seems if you're gonna if i mean the point of

the rural area is to preserve it and not allow it to develop that this seems to be a tool to do that or a way to do that um so in and of it for and and not

[02:10:09] and it's an ordinance you put in place it doesn't we don't have to pay for it so um it's a way to achieve what we're saying we want to achieve in the bigger picture. So I don't have any issue with it from that standpoint. I think some of the things that may rise up to be issues I'll bring up at a different point, but I don't necessarily see taking this action as being an obstacle to those concerns.

[02:10:38] So I wouldn't have an issue with this. Supervisor Mal. I think it's an excellent idea. I mentioned earlier that it's going to be a little trickier than it looks on flat because of topography and there may be some loss of development rights because of that but that's okay because when you buy something that's steep or swampy you need to understand it's not the same as a flat field and that's the owner's responsibility it's not the county's responsibility to maximize absolutely everything. The one thing I had on here when the down zoning happened in 1980

[02:11:09] the exceptions to get it passed were 21 acre minimum is the now rural area minimum but five two-acre lots were the exceptions. I don't know quite how it gravitated from that to all these six-acre and 25-acre things, but if this is a step in the right direction to get it back where it belongs so that there's maximum open space left and we don't have these 21 or 25-acre front yards, which is what nobody in 1980 anticipated. Everybody said, oh, those are all going to be cultivated, and if there's land around the houses, then the neighboring farmer will be able to make

[02:11:49] use of all those well that has not panned out because now we have 25 acre front yards and that's got to stop so i thank you supervisor um could we could we actually have that example slide um on the screen so like my peers i think i find this it seems like an easy decision right we we want i've said before i think every every large residential community or large residential property that goes into the rural area is a bit of a policy failure. We're actively trying to prevent that. We're actively trying to make it so that while we keep

[02:12:28] the rural area amenable to people who live there, we're trying to discourage residential use of the rural area and make it so that it is affordable and also desirable to live in the urban development area. So, yeah, this is like a free way to get there. And if we're not seeing a major political opposition, I'm not clear on why we wouldn't kind of reduce the residential use of the rural area through this subdivision reform.

[02:12:55] The only thing I would add is every time I try and get my head around the acreage and subdivision requirements in the rural area, I feel like a dummy. I look at this and I'm very confused. I don't know, and I hate to, I'm not entirely sure what it is that we're agreeing on here other than it is reducing the overall residential usage of large rural subdivisions.

[02:13:19] the actual rules that go into play with that are, I find, byzantine, and I would be surprised how many members of the public might understand it better. But if you think there is an easy one-paragraph explanation for how it works currently and what this change proposes, I would appreciate that.

[02:13:38] I know you took a stab at it earlier, but I remain confused, and I'm sorry. Supervisor LePistro-Kirkley. You're not the only one. I looked at this and I said, what? But I do have a better understanding, now that I've spoken with staff, and my understanding is, and please correct me if I misinterpret it, but it

gives, it really does, by clustering the smaller acreage, it allows a larger piece to be part of our, frankly, climate action plan

[02:14:16] because it preserves this whole area, which preserves wildlife, which preserves the habitat, riparian, et cetera, et cetera. So this is really, I think, beneficial rather than, for example, if you took the one on the right and you spread out those four acres all over the place, then that would destroy a lot of natural habitat and wildlife, I think.

[02:14:38] That would cause them to go elsewhere. And, okay, am I getting pushback already? Go ahead. Just wanted to offer a little clarification if I could. Louder. I think we're talking about two different things.

[02:14:54] I think they're asking to speak louder. Okay, sorry. There you go. There you go. Face into it. I think we're talking about two different things. One is this lot size issue, which is, on the scale of things, a tweak to how subdivisions are done now.

[02:15:09] We are looking into setting a maximum lot size instead of just a minimum. So in this example, the development lots would use 20 acres instead of 31. So that's purely a lot size issue.

[02:15:25] It doesn't change the amount of development. It doesn't really change the form of development, except to say that we don't use up quite as much land on the smaller lots. Now, what you mentioned a moment ago about clustering is actually a separate program. We have a clustering ordinance for the rural areas.

[02:15:43] They're called Rural Preservation Developments, an odd name, but that's a form of subdivision that allows you to take these small lots, maybe from a few parcels that are adjacent to each other and group those together and then have one remaining piece that's under easement.

[02:16:02] So that's a different form of subdivision than what you're seeing on screen here. If you all are interested, we have a couple of slides to explain that separate program as well. But we can come back with more information. Again, those are two different things and two different forms of subdivision in the rural area.

[02:16:18] Okay, so which one? You said there's two different forms. This is the one in front of you. It was what we would call conventional subdivision. So this is how most subdivisions in the rural area happen is basically what you're seeing on the left is the fact that the smaller lots can total up to 31 acres and everything else gets cut into 21s.

[02:16:42] That's our basic rural area zoning. And then the clustering form is just a separate optional program that, frankly, doesn't happen very often these days. Okay, so if the one on the right doesn't happen very often, then you're looking at the one on the left.

[02:17:00] Well, the one on the left, sorry, I'm confusing things worse. The one on the left is where we are now. The one on the right is a proposed tweak to where we are now for conventional subdivisions. So what you're seeing on the right is something we might consider doing, but it's not what the rules say now.

[02:17:17] Okay, and that's what I thought, so I'm glad you clarified that because I thought the one on the right allows for more open space also. It does a bit, but can you bring up? If it's only a bit, why are we doing this?

[02:17:35] All those little bits add together. Okay, a lot of little bits here.

[02:17:40] Just to clarify, the slides you were just looking at are both of those scenarios, the existing and the possible, were about conventional subdivision.

[02:18:35] And what that was showing was a single parcel being completely converted from an open space or farm use into two sizes of residential lots, small ones and big ones, two acres and 21. The clustering program, or the rural preservation development option for subdivision, which is a different form of subdivision that is permitted at a developer's request, attempts to get away from taking an entire property, especially an entire property made of multiple parcels, and dividing the entire large property into nothing but residential uses.

[02:19:14] We're going to go on to the next one. So, for example, here's a property made up of three large parcels. and it could be divided as you see here the red lots are those small development right lots the two acres and then the large ones in gray are the 21 acre lots uh the roads over there on the left where the purple arrow is so you get a very long road to access all of these lots and all of these small lots are being created on their parcel of origin so they're distributed back for a second

[02:19:49] they're distributed all across the property again the entire property is being converted to residential lots. And that northeastern corner you see up there is actually up on top of a ridge. So those lots are up high and very visible and take a lot of impacts to slopes to get there.

[02:20:09] This is the clustering option that we currently have, the rural preservation development. What you see here is that all of the lots but one have been converted to small lots. So you take up your total of small lots and 21s, add it 20 or whatever that is, 19 of them go over in a group, in a cluster. And one remains as a farm parcel that goes under a conservation easement. So this is just a different optional form of development in the rural areas. Again, we don't see a lot of these anymore, only a few in the last decade or more. But the advantage here, we can go to the

[02:20:48] next slide, is that, again, for the developer's perspective, you get a shorter road, also helps with water quality. The stream is on the preservation tract. The preservation development has kept those lots off the top of the mountain where they were originally located up in that northeast corner so by grouping all of the lots but one as small lots in one area you reduce the overall impact you still have just as many lots just as many houses the number of lots being developed has not changed but the area effect it has and theoretically someone could farm or

[02:21:24] managed for forest on that preservation track. So this is an optional form of subdivision. It only really works above a certain size because you need the acreage to make it work and to get the minimum of 40 acres for that preservation track. So this is what we currently have or this is what you're... This is an option that we already have. So you all have probably seen clusters as well in the development area. Many other communities have ways of clustering serving subdivisions like this to reduce their overall impact area.

[02:21:55] Ours is not particularly efficient compared to some for the rural areas because you still have that six-acre average lot size for those small development lots, which is kind of a problem because it's not a very efficient cluster, but it still preserves more land for actual rural uses than conventional subdivisions.

[02:22:12] Okay, well, I see the Calvary coming up. Yeah, she's coming down. Calvary. Jody Filardo, Community Development Director. This is a very complicated topic, and it is only part of the entire comprehensive plan, but it's especially particular to environmental sustainability.

[02:22:41] So what I'm wondering is if, given the feedback from the board today on the ACE program questions and some of this further information and some of these questions, Might we be able to package this for the next time around?

[02:22:56] Because there are a whole lot of other things in this rural chapter that I know you all want to get to. And I'm afraid that if we get too deep, literally in the weeds on this stuff, we may not get to the rest of the things that you all want to discuss, if that's all right.

[02:23:13] Personally, I would very much appreciate that. Thank you. President McHugh. Sure. Do you want to go back and put this up on the screen again to help me? Oh, there we go. Now we've got it.

[02:23:29] Thank you. Yes, I would say that I do. This is an example. Let me back up a minute. This is an example of relooking at what we've always done in saying that we need to tweak it, in my opinion. And I'm talking about parcel fragmentation, and absolutely.

[02:23:47] So I do support this change. Now, what it might look like, that's, I guess, another topic for, and that's not my expertise, to be perfectly honest with you, but I think, yes. And I agree absolutely with Ann.

[02:24:06] Huge front yards are not what we meant to. Maybe it's just the invention of the riding lawnmower that made this easier to happen, and financial resources to buy riding lawnmowers. But just big yards are not what I call good conservation with properties.

[02:24:30] And certainly, and I'm sure they treat them with, a lot of them treat them with chemicals. Not everybody, but so I'm just saying this, I am yes into word of this, and I'll just let it go with that. And I guess that was the only question you had right now. And we're good. Okay. Thanks.

[02:24:46] I'm going to be probably the outlier here. I support the notion, I think that, you know, the examples given are kind of simplistic, and the example given for clusters is more detailed and shows that you have pressures to put the parcels sometimes at the back of the lot, the front of the lot.

[02:25:04] People play things with, games with road frontages because there are road frontage requirements, and that's what sometimes drives people to make it a bigger lot. The 25-acre or 21-acre lot or bigger front yards is a completely separate issue because it's what they're doing with those other lots that then create these huge questions of what are they going to do with the other 20 acres or 19 acres if they really only need two for their house.

[02:25:33] When it comes to whether you have six acres or an average of six acres for your five development rights versus only allowing two, my concern is that, yeah, it is a de facto getting rid of development rights because it will be more difficult for some people to find a way to fit a development in on the parcel if they're only allowed to use two acres than if they could use a little bit more.

[02:25:59] I guess I'm a little nervous about it, and I don't know whether there are any mechanisms, I would like to ask whether there are any mechanisms where a parcel owner, if they wanted to use a development right that didn't quite work, could come to the board or otherwise ask for a waiver to allow, you know, whatever they might need to make a lot that uses a development right.

[02:26:25] Obviously not avoiding the issues that I think we're doing a good job with in preventing people to build on slopes and in places where they shouldn't be building, next to streams, whatever. But the examples used here are simple, and the plots that we actually are dealing with are often very complicated.

[02:26:45] And I'm just a little nervous about this as a major way of saying, nope, we're going to really cut down on the amount of development because two-acre maximum really will limit how you can use the property for a house site. And to be clear, right now on the standard one, you use up to 31 acres.

[02:27:06] Right. And what we're asking is, can we actually reduce that number? Are you guys interested in reducing that number? Whether we end up at two or three or four is the minimum, I don't know. We'll have to work on the ordinance when we get there. But at least it sounds like there's a consensus for the board that this is something maybe we should pursue when we're doing the new ordinance.

[02:27:24] Yeah, I might be more in favor, I guess, of saying that we reduce the 31 rather than limit to each particular lot because that just allows a lot more flexibility for using it without necessarily doing the same thing. And putting the residue back to 80 acres, which is where it was originally, and now it's down to 40, it looks like.

[02:27:45] So there are ways to do that. So I'm in favor of learning all those options. And, Jim, I really appreciate that because that was very helpful. And I think what you mentioned is very worthwhile. The other thing I would just say quickly, and I don't want to open another, but I think the cluster piece is great.

[02:28:05] How we get that to happen, I don't know, but that makes a lot of sense to me. Are there any communities that are considered best practice when it comes to this type of challenge that we could look at or have looked, I'm just throwing that out there.

[02:28:25] I'm always saying that, you know, there are other communities that I'm sure are doing things better. We're not always the best at everything, and maybe it would be helpful. I don't know, but you all have a limited amount of time, and I recognize that too. But anyway, thank you.

[02:28:40] I invite everyone to come take a tour of Tanager Woods with me because that's the living cluster right around the corner. Yes, thank you. If it's okay, I think we can move on to question four. And at the same time, perhaps we can combine, since it talks about 5.1 and 5.2, which are adaptive reuse of existing structures in rural communities for small-scale uses, and 7.2 and 7.4, which are part of managing non-residential land uses in the rural area with respect to small-scale uses.

[02:29:14] We don't have in there anything about the interchanges, and so I would assume that that's a separate question that we won't address in this these comments but we may when we come back and look at the objectives so this point we're looking at criteria for planning rural communities and small-scale uses you've listed quite a few in the introductory materials of just minor tweaks from what is an existing 2015 comprehensive plan but I know that this is an opportunity for the board to give you feedback on that so I want to go through an order on that topic, if possible.

[02:29:54] Try to keep it in chunks. Supervisor Galloway, does that make sense? Well, I don't know. We'll find out. So I know that the, well, let me pull up five of those specific things.

[02:30:10] Like, I don't, when it says, if any, like, additional considerations or criteria, I mean, I did not have any that came to mind that I'm like, oh, this needs to be in there. But there's also not, you know, conditions and criteria necessarily listed out for me to look at and go, well what's missing so to ask me what's missing when I don't know what's there was an interesting I mean some's there small scale professional offices I mean there's some stuff there what I think gets at this uh planning commission on the planning commission page it said the

[02:30:48] commission recommended more specifically listing out which land uses would be appropriate to consider the future of planning for like i agree with that and then what the evaluation criteria would be. So in all of the conversations about, well, if there's going to be, I thought there was another place that there was a note on that from the commission, but I'm not seeing or I did not highlight it. I think anything that we can do to identify what, when we think

[02:31:26] of not just development like houses, but what could happen in the rural area, that yes, thought of what those considerations could be shouldn't be one blanket piece. This is similar to my comments about activity centers in the development area. An activity center on Pantops is very different than one over on Rio 29. And how that can change, given that difference in location, exists in my mind in the rural area as well. So I think you get at that train of thought with the interchanges not to introduce that here but shadwell and 107 are completely different

[02:32:02] so those planning would take us off different paths so i think in the it would be the same case in the uses for the rural area around something right in close to the development area is going to be thought of and looked at differently than something that's out on a mountain somewhere but there's also been great i'm thinking of the i forgot the name of the project but out by 114 the the company that stores basically they store all their it's not landscaping it's probably an understatement but but they have workers show up they get stuff stuff stored there they leave for the day they come back that got approved last year that's a perfectly

[02:32:40] appropriate use out in the rural area the community was all in support of it the neighbors it made it look better out there by the vdot depot or whatever you want to call it so it's like how do we get at allowing or encouraging that type of thing where it's not just one-ups and I mean maybe that's how we have to deal with it like oh that's a good idea I'm thinking of the airport the folks that bought the house by the airport they're expanded next door to the lot they're turning that into offices it all makes sense with what they're trying to do so we might as well try to encourage that and to allow it but I don't I don't have recommendations on oh we adapted I

[02:33:20] don't want us going into all we have to identify rural zones like we do activity centers um but light industrial uses i think is scary language for rural when for folks that think of rural area but light industrial is what that landscaping company follow would fall under um so we might as well start talking about some of those type of things and saying yeah this is appropriate and where do we get at that is that what five ones even after uh small scale offices not I mean, I don't disagree with what's in there.

[02:33:52] I don't think anything listed, like the small-scale professional offices, adaptive reuse of historic structure, I mean, that's all good. But it just seems like we've had some real instances, especially just given in the last year or so, of things that are appropriately placed.

[02:34:09] The impacts are low. They help the local economy. They help local business. And we should be doing what we can to try to help that along with the COP plan. And if you want to go back to your page, did I answer the question or get at it?

[02:34:25] What additional should be at? Oh, 7.2 and 7.4. Well, I mean, I think that falls right in line with what I'm thinking. 7.3 is the interchanges.

[02:34:44] That wasn't on our list, 7.1 and 7.2. The resilience hubs, I think, yes, I think structures that are out there, especially when we have emergencies, that we have to figure that out. But I don't think we're

going out to build things to create those.

[02:35:00] We're going to take advantage of what exists now and how can we help that along. So, no, I don't see any additional items in there other than to try to encourage some organic things that have happened already that would make sense in the rural area, if that makes sense.

[02:35:17] Supervisor Mellon. Thank you. Let me go back to the right sheet here. Okay. So 5.1, I think that these are examples of what we already have, and I'm not sure what update means.

[02:35:36] So we already have medical offices in Free Union and Earliestville, and we have country stores in all three of those places, plus Free Union. And so these are the existing villages and crossroad places where 100 years ago, everybody went to get their stuff.

[02:35:57] And as long as it's in that parameter, then that's okay. And what does update mean? Because there's no detail that scares me. Okay, go ahead. Sure. Those uses are not allowed in the rural area zoning district currently.

[02:36:13] So it would be to allow some of those uses in existing rural communities. I think most of those properties where they are today would be zoning from commercial zoning that was already in place. Pre-existing non-conforming.

[02:36:28] Certainly not in for union, for sure. There is no commercial in for union. But anyway, we'll deal with that. I'm not going to argue with you about that. 5.2, adaptive reuse as an excuse to take something that should be respected as a historic property and then use it as an income-producing to, you know, oh, I'm going to save it by completely obliterating it.

[02:36:55] That's something that gnaws at me. So every time I see adaptive reuse as something important, I'm going to be asking why. But the small-scale uses as what we have today, yes.

[02:37:10] but i remember reading to my horror in the the survey stuff people were saying oh we should have drive cleaners and we should have ev charger things and i'm going uh no because dry cleaners are full of chemicals and you just can't go dumping that in a place where there is nothing but drinking water and septic so very limited and it's all going to really depend on what the next phase of the writing is as to whether I can weigh in on that. The other one that you asked about was

[02:37:43] seven. Someone in our correspondence made a really good suggestion for the sevens, and that is that these are land use planning things and therefore should really be part of the number one rural area plan rather than being dealt with separately where we're not going to give it the right attention and or public input into these things.

[02:38:10] I will certainly go through super quickly here. 7.1 schools and firehouses, those are what we should be using. And the derecho way back in whenever it was, 2011, I guess, there was a big focus in the after-action report about improving the facilities at our schools and firehouses to be covered, be able to be emergency shelters in the country.

[02:38:34] I still support that. 7.2, I have no idea what that means. So in feedback, you might be able to share what, because I can't react to it because I absolutely cannot understand what it says. 7.3, the legacy commercial uses, I would only consider them one at a time rather than trying to reopen that can of worms because we went round and round and round about five years ago on that and did not get anywhere because each of the 19 parcels is so different from the others.

[02:39:06] So I think if something comes up, then we need to deal with it as a single application. 7.4, okay, yeah. I guess having that part of what the locality, what the people living around there need as part of that 1.1 or whatever it was earlier.

[02:39:32] Human health, property values, and ecosystem health from the impacts of extraction, those are contradictory. And so I don't think if we're going to mention any of those, they need to be mentioned separately so that we don't say, oh, well, we're going to make you a little bit sick so we can get after whatever in this mine over here.

[02:39:52] Or we're going to ruin the quietude of these people so we can put a data center right there next to you because you're just a few people and you're in the country and so too bad. So economic value of mineral resources goes along in my mind with economic value of industrial uses.

[02:40:11] and we have to be super careful and respectful for the 49% of all the people who absolutely do live in the rural area, and they have rights too. 7.6, I will remind people that in 2015, no, yes, 2015, Crozet Master Plan did a whole additional effort based upon the Yancey thing at the direction of the Board of Supervisors at the time, and nothing has changed in my view on that.

[02:40:44] So I would push back on trying to push forward, move forward anything there because a year and a half or so at least was spent doing that work. A proposal had come in to take the lumberyard and turn it into Fashion Square Mall, and we know how great that would have been.

[02:41:01] Another great big empty building. So we have a lumberyard. It is a heavy industry. It is very supportive of the local forestry businesses here and thriving business. So those kinds of things need to be not undercut by something that is somehow higher in the interest level from the venture capitalists from out of state.

[02:41:26] And I will stop there. Thank you. Supervisor Proven. I beg the board's patience. I want to kind of introduce this with a very brief vignette to kind of capture, again, a framework that I like to think about this issue with.

[02:41:41] There was recently, before the Planning Commission, a proposal for the Shule Garage, and this was very controversial amongst members of the public.

[02:41:57] This body got one to two dozen pieces of feedback that were almost entirely negative in opposition to this repair center that was going to be in the Keene area. It received unanimous opposition when it went to the Planning Commission.

[02:42:14] was ultimately withdrawn. And again, we're looking at about maybe a dozen people coming out in opposition to it. And I'm going to cite to an unusual source, but I will let you know that the very next day after it was denied, there was a thread on the Scottsville Facebook page in which 90 different people responded in outrage that this was denied because they were expressing a kind of continued frustration at underinvestment in the South Side, a continued lack of service provision and a continued lack of employment opportunities in their community and i don't

[02:42:50] want to kind of in this opportunity weigh in on whether or not i would have voted in favor of that garage but my point that i'm trying to get at is that there is i think a pretty significant voice that we are insulated from on the board of supervisors of rural working and middle class people who have lived in this

community and wish to remain in this community as rural residents and who want to have some access to services, amenity, and employment opportunities in the place they live.

[02:43:23] And that is borderline anathema, I think, to a lot of the positions that this board takes regarding the rural area. And I do think we need to grapple with this a little seriously. I appreciate that we have taken a bit of a turn from talking about crossroad communities because, as has been pointed out by other members of this board, That's a very specific framework that we created for vernacular architecture preservation and a few other tools.

[02:43:50] We're trying to import it into a future-looking concept. And so I think the pivot into, you know, let's name this a new thing. Let's talk about how we want to talk about non-residential uses in rural focal points, in rural communities. I appreciate that. And I have been, when we talked about rural crossroads previously, now when we talk about rural communities in the comprehensive plan, And I continue to think that we do need to actively work to locate and encourage non-residential uses, including light industrial or including commercial, in a very limited and constrained way that supports those local communities.

[02:44:27] There is a photo in here in the package that we received that I am delighted by because I was going to bring it up either way, which is there is a commercial facility in the Samuel Miller District that includes Dr. Ho's Pizza. We would never, as a body, I think, approve that.

[02:44:45] And there would be outrage if it came for us today. That is a huge community hub. That is a major point of social gathering. That is where people have their, you know, I'm from a small rural town. We had the, I recently took my husband to my hometown and I showed him, hey, you can still see where the trophies from, like, Little League games and where my class's cheerleading team have, like, a signed photo up there.

[02:45:12] like these are community gathering places, they're social hubs, they're places where people work, they're places where people gather, and they work as a third space for young people. They work as a place where young people get employment, especially when we look at the south side.

[02:45:28] If we're only focusing on the preservation of existing grandfathered-in uses, right, the existing veterinarian's offices, the existing law offices that are in the rural area, the existing country stores that are in the rural area that have been grandfathered in after the downzoning, then what we do is we kind of de facto prevent any such uses in the south side, which had a greater level of deprivation during that time, a greater level of underinvestment in that time, and do not have those pre-existing uses. There are not such uses in significant parts of my district because, frankly, there was not that money flowing into that district at the

[02:46:08] time um so i like this idea i don't know that i can get much more granular on what specific uses but i think uh identifying areas identifying small area plans that we can move forward with that and actually this is the challenging thing right so when we talked about the crosswalk for um for zoning generally in our urban area chapter i i had some concerns that when we focus that in our CACs this actually kind of has an anti-democratizing factor because we don't have this big inflection point where the community can come out. I have a little bit of concern if we're

[02:46:45] going to do this with small area plans that again you have an anti-democratizing factor where it becomes a higher information engagement opportunity and so we're going to see the same cadre of people

who we keep seeing because it's going to be only the people who are following on Engage Albemarle and we're not going to capture these these people who we don't hear from as much on the board who might see a greater desire for some commercial uses but um i do think there needs to be a space for this there needs to be certainly amount of oversight that we exercise in locating them and

[02:47:20] controlling the type of use i take the point right a laundromat should never be in the rural area because that uses a tremendous amount of water from our aquifers and it uh results in uh in um things leaching into uh into water supplies on the back end dangerous restaurants i just talked about them but i recognize that's going to be challenging because those are big draws on the aquifers um i think these are also the uses that we are going to need and so we need to figure out how we're going to control and uh and modify those concerns it if the best thing we can do is a small

[02:47:56] area plan to kind of isolate that that might be correct but we need to be really thoughtful and forward leaning as a county and how we're identifying who we're drawing that input from because i would be concerned about how we would move forward with that whether or not we're actually hearing from the same voices we always do i know this is something we're very thoughtful about in the ac44 process and there was a really excellent concerted effort from the engagement office at making sure we're bringing in kind of not the same cohort of voices that we always hear from i would hope we'd address this with the same level of scrutiny really making sure we're pulling from communities that we don't hear from as much, maybe using novel engagement methods,

[02:48:35] maybe soliciting feedback that doesn't involve someone coming out to a meeting. Maybe we can meet them where they're at, either remotely or in person. So that's kind of where I'm at with that. I apologize for not being able to articulate down onto a single clear actionable, but I think my intuitions on this in the more macro sense are pretty strong.

[02:49:02] Thank you. Supervisor Lupita Ferdinand. I have some of my concerns, and I echo what Supervisor Pruitt has said, is being able to give some services to the folks in the rural areas. So I know in Scottsville and maybe some of the other areas, and I know in my area, when you don't have some of the basic services where people can go to, that causes additional trips, traffic, et cetera, et cetera.

[02:49:35] What I would like on 5.1, I know we're talking about specific things. I would like to see more of a balance and flexibility in our comp plan to be able to come forward and say, and I think what Supervisor Galloway mentioned about there was something we approved regarding that there was a store, right?

[02:50:05] not electrical, not electrical, but there was something we approved that no one had thought of, but yet we approved it as a body. We don't know some of the things that we'll be coming up with in the future. We don't know what people will come to us and say, this would really be a good thing to have in this area.

[02:50:26] We don't know that. My concern overall for this plan is that we do have a balance. We do have some flexibility. I would like to see us look at things maybe on a case-by-case basis or at least staff look at that to see what's the feasibility.

[02:50:45] For example, a laundromat in the southern area, no, maybe we wouldn't want that in a rural area because of the fact that it uses a lot of water. I do disagree with the restaurants, though. If it's an existing restaurant or an existing facility, I'm not going to use more water.

[02:51:01] And people in the rural areas are asking for places to be able to go to or be able to go eat. I mean, right now, everyone's traveling all over the place. I do want to address 7.3 because I want to make sure if we're, and I know we're going to get into this and it's going to be hot and heavy, But industrial uses, is there a way to eliminate or eliminate the size of data centers?

[02:51:35] Is that something we can, I don't see that anywhere in the comprehensive plan where we are limiting to small or medium-sized data centers. We are actually in a separate thing. We're in the process of bringing you a resolution for intent to study data centers and to develop some regulations.

[02:51:56] that part will get to you fairly soon okay that that is perfect that is perfect so in going over okay we're seven we're in the sevens um yeah i would like to see like in 5.1 i'd like to see more it says small-scale professional offices well what about if there's some other kind of an office or some other kind of a business um i don't want people to be eliminated automatically i'd like to see maybe it go through staff and they say, you know, this is worth looking at. That's something

[02:52:34] I would like to see to give people more services. As far as, I think we're looking at, no, you went back to some point two. Okay. I mean, 5.2, 5.2. I think I addressed those. I mean, we're talking about country stores and rural communities. It may not be a country store. It may be some other kind of business that gives people the opportunity to purchase something that they don't have to go

[02:53:08] in town for that is not a big, that doesn't pull resource water, things like that. I'm glad the data center is going to be addressed. That's of importance to me. 7.1, utilizing existing buildings and community facilities, totally support resilience hubs.

[02:53:37] Yeah, we're going to get into the Shadwell-Yancey thing, I think. It is a separate issue, right? It's planned, yeah, we're going to get to it. 7.2. I do like the community input, because it's a way to reach out to people, because we can't just keep hearing from the same people.

[02:54:01] We need to hear from more people. So, how do we do that? I'm not quite sure. I know I talk to a lot of people. I think all the board, we talk email to a lot of people. But how do you get across to more people to see what they really want or what they're willing to have, what they feel they need?

[02:54:20] So that would be good. Other than that, I think I'm good. Thank you. Thank you. Supervisor McKeown. Sure. I'll try to be sort of quick about this because, but I really agree.

[02:54:35] I want to start with Mike's comments. I really agree with Mike. We need to recognize that we hear from a certain segment of our community, but there's a whole part of our community that we don't hear from. And when I knock on doors in my rural area, I find a lot of the folks that live in these houses don't even live here 365 days.

[02:55:00] It is a second house. They have their own private plane. They're flying in and they're flying out somehow or another, and that's fine. it's all fine and good. Having said that, we have to figure out how our regular folks, and I use that, I feel like I'm a regular folk. I drive my own car. I do my own laundry. I don't have a small commercial, I mean, a small private plane. And I'd like to go to restaurants. I'd like to be able to have some services in my area, right? Even if it is the rural area, there's some

[02:55:40] services that would be nice to have. And I think we have to think about those folks. Just say how you all want to present that to us. But I agree completely with Mike. We're missing hearing from the working folks like I used to be before I retired. And they have a need to have some restaurants and places

to go. Doesn't mean they have to be everywhere. Doesn't mean that we have to approve everything, but there is a balance that I think we have to think about.

[02:56:14] And I have a, so let me just go on a minute. We talk a lot about historic and cultural. I think one of these, we're talking about here historical, right? Because I don't want to go off track too much. But is that in 7.2? Yeah. So help me understand the definition of historical. So are we talking about, what are we protecting, I guess is my question. Are we protecting

[02:56:54] the 1932 homes on the Shenandoah Parkway? You know, we talk about those at one point that we lost? I mean, I'm just, or are we talking about the privately owned 1860 plantation homes? There's a difference for me. So help me. And I don't expect you to help to say today, but I need to better understand what we are protecting. And let's see. And I guess that's,

[02:57:29] am I, I'm not sure whether I've even answered your question or not. 7.2 rural areas, small scale uses community. But I don't have anything other than those comments, I think, to add to because you were asking if there was anything else we were missing. And I do think we're missing what Mike addressed was the piece for the folks in our community who are just the regular old folks that would like to have a few specific services in their community. Thank you. Thank you.

[02:58:02] And I will try to be brief as well. I just want to focus on what we're doing here, which is looking at how to update the comprehensive plan which includes language like you know review and update and you're asking us whether we agree that we want to review and update and i guess my answer is yes i i don't see anything in here that i would not want us to be doing as part of our comprehensive plan in terms of looking at what's uh possible particularly in the way it's worded

[02:58:36] here which is a lot of reuse of existing structures adaptation to existing structures the only place where i have some pause in terms of the legal import of a comprehensive plan is when we start saying that we're going to to do this for small scale and and some cases that low impact and some other words like that that i don't know what they mean exactly and so i'm a little nervous that you know once we put it in a comprehensive plan that that it's going to be seen as approving a small scale use whatever that is and it's not my understanding is it's to review and look at

[02:59:12] these and i think that's a good use of a comprehensive plan so anything further on this one did anybody else have any comment about moving some of those things from 7.24 or whatever to put up in the number one rural area plan as that with some email we got suggested that i thought that it was such a good idea um so you're saying just can't find it let's see to move 7.2 to to one well it was all the seven point something three to six i guess were the ones that was suggested

[02:59:50] would be best in the 1.1 redo just because of the overall different aspects but that the rural area planning as opposed to being dealt with some of those things separately which means they will get less attention i think that's something staff can look at they can come back to us about that yeah when they're reviewing the rewrite to see whether everything belongs where where it is um if we go back to the guidance slide to see where we're at before i can make a suggestion if i would so at this point we still haven't really discussed about updating the county county zoning ordinance

[03:00:30] related to rural area uses whether this chapter provides sufficient recommendations but even And rather than going there, I'm going to ask if people could answer that question in the context of let's

just look at each page, because I think if we do like three pages is all it would take, of the objectives and see if people have additional comments.

[03:00:51] So if we go to the objectives, but recognizing we're still also trying to figure out whether we're updating the zoning part. So this has all of objective one, but nothing beyond objective one. Are there additional comments that people want to make that haven't been made about this page, knowing that we're going to go now to the next page, the next page, and actually four pages, slides of objectives, if you will.

[03:01:18] So I will turn to Supervisor Galloway. Sorry to spring this on you, but I imagine you've taken notes as you went through it. You just want me to generally react here. Do you have anything on these? I don't think there's anything missing here.

[03:01:35] I think some of the comments that I was at gets to what is outlined already in 1-1 in some ways. I've lost the, when Supervisor Malik brought up the movement of the one to the other, I'd actually reacted positively to that initially, thinking, well, that makes some sense, but I've lost the, I didn't write it down, so now I'm just going to assume that it still made a little bit of sense there.

[03:02:03] But I don't think there's anything here, and I'm just going to like, well, what the objective is and then the actions trying to achieve that objective seem to be in line is that what you're asking yeah and i don't think that anything is necessarily missing here um and i think one one especially gets is attempting to get at some of the things that you heard from the planning commission which i agree with so so i do appreciate that thank you supervisor malik just looking for people who have an opportunity to make the comments that they didn't get a chance to make already on the specific objectives.

[03:02:41] Okay, great. So in the second bullet, I will bring back again, healthy water supplies should be the first priority because that is what the whole county and urban area is depending on. I'm glad to see it in there, but I think it should be higher up.

[03:02:59] And the map of the rural areas focused conservation, The critical resources from DCR 1.2, location standards. The solar ordinance is incredibly important because of the detail required in order to be able to protect all the things that we're supposed to be protecting in the rural area.

[03:03:21] And we do not want to make the same, oh, sure, why not, attitude that other counties have because now they're trying to clean up things that have happened. So I just put solar ordinance under 1.2 as a way to call that out. And is it just the first thing?

[03:03:37] That's just the first page. We will go to the others. Thank you. Okay, thank you. Supervisor Pruitt. The final bullet, I remember we've had members of the public, we've had PEC, I think, speak in opposition to this final bullet. This has already been addressed. It's removed. That's what I thought. I thought I caught that, but I saw it on the screen and here.

[03:03:53] I wanted to make sure I was remembering that correctly. Okay, so it's gone. I have no other comments. Okay. Supervisor Lopisto-Curvin. I just had one question regarding, it's actually on page five, support for low-impact uses to encourage the economic viability of rural properties to help keep those rural properties intact. Where would that, is that in one of the objectives or not?

[03:04:18] It is not in one of the objectives, but is just meant to be overarching guidance for looking at the zoning ordinance update for what types of uses might be appropriate. Okay, got it. And that would include

a myriad of that would include myriad of things got it thank you i don't have any other comments regarding um supervisor mckill so i don't really have any other comments um on what we're seeing here um i do look at that one two three four that fifth bullet and maybe we've already

[03:04:55] addressed this a percentage includes an overall percentage target for land conservation in the county we've already yeah that's been that's being remembered you've said that so i just want to be clear yeah so just a quick question on that and that is was the word target always meant to be a maximum or was it was called because it's certainly been interpreted that way but it never sucked me as necessarily meaning that so the word was cap that was in there so originally so anyway oh okay but but not even it's gone well it's here i just want to make sure we were on the side so i think

[03:05:29] i'm good with um with this okay page let's go to the next page i don't have any additional comments all right so now i know it's sort of rushed on you but i'm hoping that people have done their homework so if uh you have any additional thoughts on objectives two or three we've got them before before us a good time to talk supervisor i don't know if it's if it's relevant here i'll just call

[03:05:57] out the, because this I did agree with, where the PC was having a conversation on, it's under the section land conservation and keep in rural area parcels large and unfragmented.

[03:06:21] The commission noted that different types of conservation easements protect different resources and that conservation should be focused on areas identified in the Biodiversity Action Plan. I think this has been mentioned before. So is this the right place where that should be addressed?

[03:06:36] That would be addressed in looking at the scoring requirements and making sure that they... So it wouldn't necessarily be in any of these actions or objectives. Well, 3.1 is about the scoring requirements for the ACE, which we already discussed. Okay, so not in 2, though. 2.3 is where it would be appropriate, actually.

[03:06:53] Just anything that we haven't discussed that you have marked on these pages that you're concerned about. Well, in light of the conversation about the rural preservation developments in this cluster piece, It kind of tweaked my interest or made me go, okay, well, we want some ability here to make it even better for what we want to do.

[03:07:17] So if that's coming back per what Jody spoke to, then I'd be interested in hearing more about, okay, well, what do we need from the state? Or what are we hoping for that would allow, what is that going to allow us to do? I mean, I made a connection of we haven't been really been doing these.

[03:07:35] Is there an obstacle as to why, et cetera? I don't fully understand, or that's just a side conversation. Ace, I know that we've dealt with that. Yeah, I'm good. Okay. Supervisor Pruitt?

[03:07:53] Did we skip Supervisor Malek on that one? Oh, sorry. Supervisor Malek. I did skip you. I apologize. Thank you. Panic, panic. Okay. I've talked about 2.1 already, and 2.2, the old language from the 80s was residential in the rural areas associated with the primary uses of agriculture and forestry.

[03:08:14] So it is now, there was a big fight every five years to keep that language in there, and now it seems to have gone away, and now it's just open residential. So I'll just throw that in there for future consideration. 2.3, rare habitats and species during the special permit process.

[03:08:31] This is a very high priority for me, and I think that the biodiversity impact should be part of the site review because it's been ignored at site review ever since the Biodiversity Action Plan was adopted.

And then 20 years before that, since it was written.

[03:08:46] So I hope that we will make some progress this time. 2.4, I don't know why we need legislation, frankly, because we already have the clustering ability. So somebody can later on explain that to me, because that's been a confusion for me, and I'll stop there. Thank you.

[03:09:02] And we're doing the entire page here, so. Oh, three also? Yes. Oh, okay, sorry. All right, now I'm ready. Let's see. We've already done 3.1. Okay, revise. 3.1, okay. 3.2, I guess throughout all of these, there needs to be a lot of coordination with the NGOs who are already working in this space and no need to duplicate what's been going on to make sure that to help participate in outreach, to make sure we're reaching more of the unaccessed landowners now to make sure they know about the opportunities to participate in all these different programs.

[03:09:42] I think that will be an additive effect if more people are working together on the same things. And we'd already talked about the sale of tax credit on donated easements as the way that people of higher than modest means can participate without the ACE program.

[03:09:58] So I won't do that. Thank you. Thank you. Supervisor Prod. I don't think I see anything that I would identify as being missing. I'm excited about 2.3. You know, we can talk about biodiversity and the importance of preserving it all day long.

[03:10:14] We can write as many plans as we want, but until it actually gets incorporated into site review, we're not doing anything about it. Thank you. Supervisor, please jump in. Right. I don't have anything to add. I know 3.1 we're talking about, we talked about the scoring and everything regarding the A's committee, but I think we're going to be getting more information on all of that at another point, more information. So nothing to add. Thank you.

[03:10:36] Thank you. Supervisor McHugh? I don't really have anything other than I agree with the 2.4. I'm kind of interested in that cluster and what legislation staff would, maybe a little bit further information on that at some point. That'd be great. Thank you. Thank you. And I have no additional comments, except that I know in the environmental chapter we're going to talk about riparian conservation easements, and I'd like to get a little clarification on how that fits in with this three on that.

[03:11:04] So, but with that, I think we can go to the next. Mr. Chair, I'm so sorry. Sure. I realize objective two is describing reducing and mitigating the impacts of natural systems and cultural resources from development when it occurs.

[03:11:20] We touch on the former. I'm not sure I'm catching where we're touching on the latter, right? So 2.3, right? 2.3 is addressing the natural systems. Is it addressing cultural resources? I don't know that it is.

[03:11:36] I don't know that there's a cognate to that. It seems like 2.3 could also have a second component or a separate, rather, action that would mirror that but touch on cultural resources, right? If we're looking, and I see some concerned faces, I just want to make sure.

[03:11:53] No, I think it's a fair comment, cultural resources in the objective, but there's nothing in the actions that actually addresses cultural resources. Yes, so I think you could very easily look at it. Something might need to be added here that actually addresses that. And I'm looking at 2.3 just as a framework, because that's one that does specifically the natural resources component.

[03:12:09] Thank you. You could have a very similarly phrased thing for cultural resources. Thank you. Suggestion is we take out the cultural resources part of that, and you find that when we come to talk to you about the historical. We have a chapter on that later. Thank you for the catch. We'll delete the words here. Thank you.

[03:12:25] Good. Then I think we can go to next. So four, is that where we are now? Four, five, and six. And they're all up. I'm going to just see if we can make sure we cover our comments. So I will start with Supervisor Galloway.

[03:12:42] As a question for understanding, the 4-1, I mean, it's specific to using land conservation tools to reduce the conversion of rural lands, et cetera. In similar fashion, I mean, it says as residential, commercial, and large-scale utility uses.

[03:12:59] But this basically relies on earlier easement conversations. I mean, there's one program specifically we're going to talk about. I'm thinking of the one large-scale utility that we did approve, and I remember a lot of discussion around the soil condition that existed there now prior to going on.

[03:13:18] But this in any way doesn't change the scrutiny if an application for large-scale utility came before us of how we would scrutinize the project this is just saying if if things are put an easement we won't ever have to worry about getting an application for a large-scale utility or residential or whatever do I have it right am I reading this is and I just call out six two I just think places that small things that

[03:13:52] are think of as addition that to the but the economic viability for somebody doing something like this um i think is is wise so encourage that thank you thank you okay let's see uh 4.1 it's reduce the conversion of rural land um and the soils how we're going to how are we going to do this conversion of or prevent the loss of prime soils is what should be the goal in

[03:14:28] my opinion there 4.2 to me there's a big difference between a meat processor small meat processor are inside a building half the size or quarter of the size of this room and a data center and so we have got to do a better job of delineating for for the county before some application comes how we're going to deal with that that meets all the legal tests of having to make decisions by categories as opposed to by one-offs because one-offs get us in big big trouble and we can't stand up behind them 4.3 performance if we're going to do by right worker housing and I know

[03:15:07] we had special permits for one for the child's a year or so ago then really strong performance standards would be needed and that's probably possible but until the performance standards are in case i'm i'm not prepared to say do whatever you want so um number 4.4 only by special permit and the reason this is a question of scale because the apple shed on whitehall road is very different than a basement food distribution illegal thing in advanced mills a number of years ago where people

[03:15:42] were working in the dark bringing it from stuff that was brought in by tractor trailers over a really nasty country roads and staff spent about a year finally getting that thing shut down so there needs to be the special permit application process in order to prevent things like that from getting a foothold and then having to be stopped. 4.5, this seems to be a one-off just for one particular application. I think all properties in this circumstance should have their own frontage

[03:16:17] on a public road, period, because singling it out for historic properties only so that a particular place can come back again, I think our comp plan should be more broad brush than that. 4.6, home

occupation level only, as opposed to big industrial, if you're going to put it out in the country, where the roads are narrow and crummy and big deliveries are really an imposition on the safety of everybody else.

[03:16:50] Let's see, 5.1. 5.1 and 5.2 we've previously discussed. Yeah, we did that, already exists. Okay, 6, noise regulations. I will reiterate again, I think reducing to 40 decibels will really help a lot because 50 and 60 is mind-crushing.

[03:17:08] And 6.2 is intriguing because I don't know if this includes glamping. There was an application, someone who wanted to be able to bring in 10, totally self-contained, their own water, their own septic, everything, sits on the land and you pick it up and take it away.

[03:17:32] no infrastructure out at a winery in Greenwood and was told they would have to apply for a \$2,500 special permit, and they said, never mind. So that's just what came to mind when I was reading this when we're talking about small-scale, low-impact outdoor uses, as long as there's no lighting and things like that to go along with it.

[03:17:54] No new roads, no water and sewer. So that's all I have to offer there. Thank you. Supervisor Pruitt. Thank you. So I think probably objective four has, as we kind of just caught, a lot of things that I think we have not talked about very much, so which are potentially kind of impactful.

[03:18:12] I want to actually echo what Supervisor Malik was saying on 4.3. I would be kind of curious to know how big the ask for this is. And before really weighing in on this, I mean, I would want to have serious conversations with legal aid justice centers like Farm Worker Program, because I would be concerned about the quality of the lodging that they'd be providing, the context in which it's being provided, what populations they're drawing from.

[03:18:39] On-site farm worker housing is often a deeply exploitative and problematic practice, and I would just want to know a little bit about the standards we're going to establish and what side of the issues that legal services in our community has identified previously on this.

[03:18:55] So I would be hesitant on moving forward with that until I've been able to have those conversations a little bit more in depth um 4.4 and 4.6 um i see how those are going to be really critical for those economies to be able to scale and those are going to potentially provide you know greater economic vibrancy um but i would similarly have maybe just some concerns about issues of scale and possibly whether or not it would be more appropriate for special use permitting because interpreted liberally, what we've written there,

[03:19:30] could allow for some really tremendous, you know, set it up on an interstate, have a massive, like, poultry shipping and distribution center for Tysons. You know, I could see that being easily construed under 4.4, a massive warehousing and distribution center drawing from different rural surrounding counties.

[03:19:51] I'm not sure that's what we're looking at or trying to encourage there. I think we're looking at more what are the services that could support the Albemarle farmers and how do we make that managed to scale. I think we can probably capture that with some refinement and language without having to, again, I'm trying to make sure we're not forever asking for you to keep coming back to us and we never actually have a comprehensive plan.

[03:20:17] So I don't want that to be a roadblock, but those are kind of some concerns I don't want to see captured in that. I do like 4.2 as drafted. And here we have a little bit of the same kind of tension, but I think that captures it well. And I'm intrigued and pleased by 6.2, and I'd be interested to see how we realize that in an ordinance.

[03:20:39] But, I mean, this is something you hear me talk about a lot, right? We talk about preserving the beauty and the natural value of our rural area, but, like, who's it for? It's all private. So figuring out ways to actually make that something that we collaboratively participate in and enjoy. It's always something I'm excited about.

[03:20:56] That's all I have. Thank you. Supervisor, please do currently. Yeah, I'd like, is there an explanation for 4.3? Because there's, I understand the concerns by Supervisor Pruitt, but what brought this to light? I mean.

[03:21:13] And I can let Scott Clark clarify if I miss anything, but my understanding is that there are differences between the local requirements that we have now and the state requirements. And so some of this is trying to kind of bring those together and make sure that they're consistent.

[03:21:31] But the state has priority over our ordinances, correct? We can have higher if we want to. Pardon? Can't we have higher regulations if we choose? Yeah, we can have something higher. We can be stricter. Right, we can be stricter. So this was brought up because the state has perhaps lower standards than we do?

[03:21:53] I think one key thing in this to remember, this is kind of coming up on several of these points, is by allowing this to be in the comp plan to be something that can be considered, to greatly influence us as we go to write the ordinances. We're going to redo our zoning ordinance after this.

[03:22:11] Obviously, standards of quality for the housing, we can talk about those particulars when we were actually talking about lodging for agricultural workers. To your points, you're kind of like asking some very specific questions, and I think you will be able to deal with those when we're talking about an ordinance change.

[03:22:29] But at least what you're signaling to us is this is a topic that we should be able to address and to move forward with, as opposed to we're not interested in that at all. We think that needs to come out of the comprehensive plan. Okay, and that was the purpose for it, which I think is very helpful.

[03:22:46] to know. Thank you for that. My only other concern was like on 5.1, that it says to allow small-scale professional offices. I would like to include, look at businesses with existing partners. We discussed this previously. Okay, that was it. Okay. 5.1 and 5.2 were our previous.

[03:23:11] Right, but I didn't know if businesses were. No, if there's something additional. right okay okay uh otherwise that's it thank you thank you sure we talk a lot about how we are an agricultural community and we really we really are very limited in our agriculture i mean we really don't have a lot of agriculture when you compare us to other communities so what i'm saying is that i like this because it would support agriculture in our community and maybe would allow more agriculture to actually be

[03:23:46] happening, rather than just vineyards, which are about weddings and parties, right? I'm just saying. So I think, and I like vineyards. I go to vineyards. But I'm just saying that I think we can support agriculture doing some of these things, and I think that's really good.

[03:24:03] You've clarified the farm working housing, so I think that's, because I had some concerns about that, the state always has a pretty low bar, and I'm not sure that that was what we would want to match so I think that's great um and I guess really most of what the comments have been made I there's nothing that I really disagree with so I'm just going to let it go at that um I do think that 4.5 is a really good idea because we have fought these over and over again

[03:24:39] just recently in my district where traffic was going up a road that was really inappropriate private road anyway. So I think I really like 4.5. So thank you very much for that. Thank you. I'm going to start off with 4.1 and just call attention to the fact that I was very much in favor of the language in 1.2. This is developing patient standards for renewable energy projects in the rural area, et cetera, protecting forests and all. This one says you'll use land conservation to reduce conversion of lands with soils important for agriculture and forestry to

[03:25:17] other uses such as residential, commercial, large-scale utility. It's an odd mix, and I'm really not sure how. I don't personally feel like large-scale utility belongs here. It belongs in the other place. It is unclear to me what this is going to do, if this is going to be interpreted as saying no large-scale utility on any land that could be farmed or has forests. We already went that route, when we looked at Woodbridge, it had trees on it. They had been harvested. We said,

[03:25:49] okay, I don't want to go back on that. Updating the regulations in 4.2 to allow rural light industrial commercial uses. I noticed this is one of the places where you did not use the words small scale or low impact in any way. And I just am cautious. I think somebody mentioned it, that there could be processing facilities that become huge.

[03:26:15] And, of course, as we look at the regulations, we have to face that. I understand the comprehensive plan is not writing the regulations, so it's just saying, yes, we should look at that. Similarly, the rest I find is very supportive. I'm very supportive to looking at and adding additional possibilities.

[03:26:35] And so I have no other comments. I am worried about what we mean by possibly glamping, but I think that, again, this is something we'll see again, and I think it should be considered as a look at low impact.

[03:26:52] Yes? I guess after the discussion, I will withdraw my support for 4.3 because I think that if we're going to be going to the lowest common denominator, I don't want to go there because the reason we have special permits is because of the atrocious conditions that existed earlier, you know, in previous decades.

[03:27:10] I do look at 4.3 as an opportunity for us to review what we have, not as a statement that we're going to do. That's right. We have existing reasonable things. I don't know why we're spending more time after our comp plan is adopted doing stuff that we're doing well.

[03:27:27] So, anyway, just a comment. One other thing that I will throw out because I didn't know where to put it here, but relating to something Tori said at the very beginning about how things that have already been done are no longer included. The reason I would push back on that is that to state that it's important to have elements, even though they are in process right now, is a protection going forward in case some previous board or future board decides that they want to just abandon everything that's been done for the last 60 years and go off in some other tangent without having to modify the comp plan.

[03:28:04] So as a protector of that, there were two categories of things, things that are done and something else that I wanted to just make that point thank you with that I think we turned the last of the

second oh sorry yeah i just wanted to clarify that uh the vineyards are agricultural and that and that they really uh add a lot millions of dollars to our economy and i think that's something i'm and i don't think you meant that in any other way but But it is very important.

[03:28:38] I mean, you wouldn't ask Napa to start growing hay or growing potatoes or something like that. We are the wine region of the world, according to Wine Enthusiast Magazine in 2023.

[03:28:54] And I just think it's important to realize that that's a very important and lucrative agricultural business for our county. It is. Thank you. I'd still like to see some other types of agriculture. Hay?

[03:29:10] We have hay. Yeah, I know we have hay. And we have lots of small truck gardens and things like that. We do, but what I see is this supporting them. Whitehall District alone has, like, what, 30 vineyards, you said? Farmer's markets, for sure.

[03:29:25] Getting those connections is what's really important. I think we're ready to turn to the next page. And, again, we've discussed some of these. Some supervisors commented on everything on here. Others have felt that they limited to the 7.2 and 7.4.

[03:29:44] So I want to give an opportunity for you to revisit. Supervisor Gowell? So I'll just add two cents in before I move to 7 on 4.3. And this is more of a blanket statement than specific to 4.3, but I'll use that as the example. But if we can get rid of a special use permit process that can be replaced by strong performance standards, It prevents us from having to process the special use permit, which gains us efficiency.

[03:30:12] And what I've been reading and been told for the local farmer and the profitability of a local farm, the expense of our special use permit process can be onerous for them. So if a performance standard can be met that allows them an increased opportunity to do it by right and not have to go through the special use permit, I'm in favor of that.

[03:30:34] I'm in favor any time if we are confident and performance standards can replace the special use permit process of doing that. I think you can look to our homestay ordinance and how many things come to us that get blanket approval by us that probably could just be identified as a performance standard and we don't need it as a special use permit process.

[03:30:54] So my two cents on that particular item. Here, I'll just hone in on 7-6. I mentioned some comments on the interchanges, and I'm really thinking of Shadwell more than Nancy Mills. And it's started to be there that the small area plan is going to focus on, and then you list out these particular items.

[03:31:18] But there definitely should be an economic development component to that because it is in an economic area, especially Shadwell. And we've even invested some of our own economic development investments there. so that should be part of that particular process and then i mean this seems to me to be a way since we're talking about the work that'll be done or guiding it that gets to i know supervisor pruit earlier in the year or last year the folks that have existing businesses out there but are have some things with our ordinances that are not allowing them to do things it sounds like we'd all

[03:31:54] be supportive of that that we should be allowing that i know one of them existed in this particular area but there were folks coming out from some other areas around the county as well so i mean that's bigger work than just this particular interchange but that small area plan could be the perfect

place to solve that issue for that and then could lead us to a bigger fix throughout some of the other areas uh in the rural area to allow that that activity i'm thinking of the i think it was a furniture store this is a good i mean i don't know if it is or not but it

[03:32:31] seems to me this would be a good place to say fix that issue because i don't think anybody here was necessarily and we might have been problematic with the the means by which we were trying to get the change but i don't know that anybody was actually objecting to the change itself so this could be a good avenue to get that corrected that's all i have there thank you thank you Supervisor Malone?

[03:32:52] I don't think I have. Yeah, you went through all seven of these. I did, because I thought that was my assignment, so I didn't. Okay, thank you. Supervisor Pruitt? I similarly don't feel like I have any additional comments on these that I haven't kind of captured in some of my other more broad comments.

[03:33:08] I do just want to, so long as I've got the talking stick, briefly step back to concur with kind of the position you made on 4.1. I think it is helpful that we acknowledge that there's kind of a fundamental tension in agricultural soil preservation and expansion of our renewable energy, but I would not want to see that construed as standing in the way or preventing the expansion of renewable energy resources in the county, rather just a way that we prioritize how we try and locate and site these.

[03:33:43] An acknowledgment of the tension, but not a prohibition. So I appreciate the point you made there. Thank you. Supervisor LaPiestro-Curvin. I will say regarding the – I'm not sure about Yancey because I know they're focusing on Shadwell, the interchange first.

[03:34:00] But I will say that if there are certain areas of that Shadwell between I-64 and, let's say, if it was up to Hunter's Way or VDOT, then there are areas in there.

[03:34:17] One is a highway commercial where the Comfort Inn is, right? Next door to it are two homes that were commercial, then they asked to be rural, and now they're asking to be back to commercial. So, I mean, those things could be addressed with what we have.

[03:34:37] And there are other areas that are light industrial, which, of course, by right, you know, their legacy, and then they could do something like that. I think the big issue and what a lot of the people are concerned about, and it was the same issue, frankly, when we did the exit 129 exit regarding the use of water.

[03:34:58] And that's the residents there because there was an agreement by a previous board that water and sewer would be for Glenmore and beyond, but not in that area. So that's something to consider.

[03:35:16] Whether or not you want to consider doing that, I don't know. But I worry about what could be put in at that interchange under the existing rule. I would not want to see that area studied for anything, you know, for additional commercial because it is zoned rural.

[03:35:38] So what we'd be doing is we'd be expanding the development area, which I think we've all said before that we do not want to expand the development area at this time. Thank you. Supervisor McKeel.

[03:35:55] Yeah, I don't have a lot to add to this, although I will say I have a question about 7.6. I thought the Planning Commission prioritized Yancey Mills. The Planning Commission prioritized studying the Shadwell interchange.

[03:36:12] But I guess I'm wrong on that, just remembering incorrectly. And I thought the reason, maybe I'm just thinking about their discussion, because Yancey Mills has more property than Shadwell. And they

did have specific comments on Yancey Mills as well and some of the uses that might be appropriate there.

[03:36:33] But they did support studying Shadwell first. Yeah, and maybe I'm just thinking about a conversation with my planning commissioner. But it is true that Yancey Mills has more property than Shadwell. Property for what? I mean, the zone already.

[03:36:49] I don't understand your question. It's a larger area. I'm not sure of the total acreage difference between the two of them, but we could definitely look into that. Yeah, I thought that was part of the discussion as well. I'd have to go back and look at it, although it's fine. No, I do have – so I don't have any other comments.

[03:37:05] I just had that one question because I had my head wrapped around it a little differently. Thank you. Yes. Thank you. And I have very little additional to add here. I really appreciate that the process in 7.6 prioritizes land use and zoning opportunities, supporting agricultural, silviculture, and related supporting industries at these locations.

[03:37:28] I'm glad that's there. I don't see it in 7.3 where it just says review and update legacy commercial uses for zoning districts. It specifically mentions Shadwell and Yancey. So I'm a little nervous that 7.3 is a little too open-ended.

[03:37:44] It doesn't really tell me what we're trying to accomplish by that, and I would like to see it expanded to limit what additional uses might be brought in under that. And I just wanted to mention that in 7.6, public water and sewer feasibility,

[03:38:08] The word feasibility is very problematic, and that's going to cause a lot of blowback from both Supervisor Pruitts and my district both because of what was promised, what was said before or done before.

[03:38:27] So, like I said, what they have now, they can do by right, and there are highway commercial and there's light industrial, and they can do that now. And I do believe, and I think, Mr. Richardson, when you're going to check, and maybe someone's here that can answer that, but I do believe that somewhere I read, and once again, I could be wrong, but somewhere where I read, I thought it said, if you have a business or residence and your well goes dry, then you are able to connect to local water and sewer if there's a pipe there.

[03:39:02] Does that sound familiar, or was I dreaming that? I'd like for someone in the Community Development Department to address that. It's a good question.

[03:39:18] That last clause would be a big if, though, right? That would really only apply to places like Shadwell, where there's already build-out. Yeah, where there's already. Right, right. David Benish, Development Process Manager. Under your current policy for extension of service, water and sewer service, in the rural area, you have to meet two criteria.

[03:39:39] There has to be a documented health or safety issue, and you have to be adjacent to a water line. So it's those two criteria that align with that. That was it. It was a health and safety issue, which meant you don't have any more water. But that's not the same thing. Pardon?

[03:39:55] It's not the same thing. You just have to go drill another well at \$40,000 for yourself. Right, but there may be an area where you can't. Okay, so I would want them to drill another well and have water, but if something happens, you have a business, and they cannot drill another well in that area, right?

[03:40:14] The practice is to try to determine whether there is a reasonable and feasible private option before you go to a public option. This is all a policy, and the board decides when staff does an analysis. So the board can weigh in as to an importance of an issue and whether service should be provided.

[03:40:32] So it's not a performance standard that's met and checked off and granted administratively. It's a board act. But it's based on those criteria. My wanting to leave out the word public water and sewer feasibility.

[03:40:51] David, you said it was a two-prong test, and you also quickly hit the second prong, which stated that public water needs to be available. And the term is adjacency.

[03:41:07] And adjacency has been measured across the street as adjacent. So there's been, the board over time has always allowed for a little flexibility because of situations may be unique based on our topography and such. But adjacency is the word that's used.

[03:41:23] So that essentially means there has to be an existing line. The principle behind that is you don't want to continue to incrementally extend lines, and then you wind up a mile out from where you didn't want development.

[03:41:39] Right. And the other concern was if we just stayed with what we had, then you wouldn't have growth continuing. And I'll give you an example. There is Edge Hill, which has a very large acreage, and they want to be able to frankly develop that and have homes.

[03:41:58] Oh, yeah, homes. So if you can imagine the traffic on 250, that would be huge. That would be huge. So keeping it as is would be best, in my opinion.

[03:42:14] Thank you. I will look to you. Okay. Since I jumped over seven, at the top in the blue, it talks about special events in the rural area and i would not support having anything other than the special permit process that we have now for anything because there are the some categories that have the state waiver but since the 70s we've had a special permit requirement panorama was the last one that i remember to have uh weddings and

[03:42:50] funerals and stuff in the old barn back there but uh these should not having this as something that is more available is going to take away the ability for customers for the people who have made the investments in the farms who have the current ability to do these things the winery bill for example so i just would like to keep that as down as limited as possible and the economic vitality for landmark properties i know that i have probably gotten in trouble saying this in

[03:43:29] the past but please don't buy a historic property if you don't have the resources to fix it up and don't come to the county to save your bacon because you don't so that's just it's a way to almost divert the the essence of what we're supposed to be trying to do do it to change these without adaptive reuse or other things thank you i have a quick question regarding special events in the rural area would that include weddings are you talking about weddings in a regular house

[03:44:03] property yes pardon just any old buddy's property they can't do that you can't have a commercial wedding venue at just on your property other than for your family or something right family that's what this is talking about is commercial special events music things whatever where you sell tickets whatever so wineries we approve something for clifton in they have state legislation that makes that

happen that requires us to have that at the wineries and the other thing just to remember is that there is already a state bill that was passed last year that is

[03:44:42] taking into consideration impacts on agricultural and forest land for solar things. So this conformance with state law is important, as Andy will remind us. So let's save ourselves some effort on going against that. Thank you. Thank you. Going back to your slide of directions, I think we've actually addressed a lot of this we kind of skipped over one which is whether the chapter provides recommendations and context for updating the county zoning ordinance i know there's a

[03:45:16] zoning ordinance guidance slide i'm not sure if that's appropriate at this point but maybe we've answered this because it really depends upon which uh which particular point uh is being discussed as to whether we've said yeah that's something that you should consider a zoning ordinance update I personally agree with Supervisor Galloway that if we can put in performance standards and find a way so that it's zoned now without requiring special use permits, that's helpful.

[03:45:46] And I see a lot of nodding. Is there more that you're looking for? Have we provided the direction that you're looking for? Yes, I would say that you all have. And I know I've been taking a lot of notes and other stuff as well. And I think I would propose maybe returning back to that topic in a little bit more detail at the next work session.

[03:46:07] Once we've had a chance to revise this chapter, I think you all shared a lot of comments that were really helpful for ways that we can better clarify some of these actions. And I think that also might help answer that first question in more detail as well. Thank you. Are there any – we're going to go around, but before I do that, what is next on your agenda for this presentation today?

[03:46:30] is there is there more coming are we okay for today yes supervisors for any final comments then if that's all right well i don't know that we addressed number five no we didn't supposed to be addressing number five this is a good time to address i tried to stay in my lane tried to slip that fast you but number five we didn't get direction topics on number five i'm looking for response today but I want to throw out some stuff all right I got myself and this is on me back in April May and my planning commissioner about

[03:47:08] understanding and it's used here in the chapter strong rural economy the state of what that means and what's the analysis are we there are we not there understanding the economic activity of our local farms and how and and I need to understand that. I'd asked for a tutorial. It was offered to me. It was my fault that I couldn't get scheduled. So some folks from the Farm Bureau were going to help me understand it better. So I'll re-engage them. But we're using the phrase strong rural economy. And when we've talked about

[03:47:44] economic development in the past, that was a piece where if we just think of economic development as a development area activity, to points that were made earlier today about our wineries and some other things, that that would be a problem. That's an incorrect way to think of it. We have to think countywide. And I don't think thinking of our rural economy is in competition or is a counterpoint to anything we've discussed here today. If we can benefit and our local economy can benefit from what's existing in the rural area that we so envision, then we should encourage

[03:48:21] that and try to go after that. So I don't know when would be appropriate to understand better the state of our farming situation in the county from small scale to upscale. I know there's census reports

and things like that out there, but if we're going to say we're going to support and go after and encourage a strong rural economy, I don't know what that means for Albemarle, and I don't know where we currently stand. And with all of these things, I want to know, well, what's the current state and what are we trying to achieve so i'm throwing that maybe that's done during the

[03:48:57] economic development plan update i don't know but that's definitely something that's that was on my mind and thinking about this chapter how do we determine this so even a database do we have it do we have an understanding of i mean i don't know maybe ann's got a an old book somewhere that says all the working family farms and things that are out there and what they do and all that i mean i'm just i need a better because i i think just to my points about um about like composite index and things like that we just the comments just get thrown out i mean somebody said cows don't go to schools today so okay but what the hell does that really mean so what does exist out there and

[03:49:37] what what's the economic activity and i think that's an important question that we should contend with when we're thinking about the rural area and how we plan for it moving forward so that's one addition um i still just renew my because there's been a lot of talk about demand for services and i've heard small services folks wanting it and i'm still just renewing i know it's coming and being worked on but it's specific to the investment of fire services in the rural area versus development area i'm just saying that i'm still expecting that's going to come to us at some

[03:50:10] point this one's probably a little bit more uh provocative we've in the development area chapter we kind of we i say we michael correct me on this but floated the idea of maybe certain areas defined as development area now can revert back to rural area and we could pick up different development areas so the percentage stays the same but maybe old swaparoo happens and we've thrown around theoretically what the reversion the develop the ravanna area could revert back

[03:50:46] but what we haven't done is theorize and potentially consider well what would replace it And I think that theoretically I've been giving that some more thought when I think of areas that are defined rural that have the infrastructure around it when we're dealing with the needs that are being put on the development area both service wise and for other reasons that we should have some further thought of maybe what what might the criteria be if a swap were to happen because you can't just go out and just randomly pick.

[03:51:22] i mean it would have to be smart it would have to be smart um i don't know if there's an appetite for that but it's been thrown around and when we we talked about it there seemed to be some nodding heads about it so this is more a theory i'm sure it would scare the hell out of some folks that think this is some sort of step to to increase the development area but i really just say the development area is under a lot of pressure to protect this other 95 percent and if we don't maximize its use we're gonna we're gonna find ourselves in an issue and if we have some places that could revert back and then others be found to be and I think that's at least an exercise that should be considered so I'm putting that

[03:52:01] out there is something that if we don't have to decide that today obviously but I think this board maybe could take some time to give it some thought and go all right well if we did allow how many I don't know what rewan is actual say it's 1% I don't know what it is but if it's 1% where what would we replace that 1% with and what and i'm not even saying identify an area but just even think about what would a criteria be to say well if we did that what might that look like so that might get me in trouble but i think it's a good i

think it's something good from a planning perspective to think about given the demands on the development area and then i'll finish with we have an affordable housing

[03:52:40] crisis and we have 95 of the area that we haven't discussed how it's going to play its part to help us solve that we have a lot of folks that have lived here for a long time and to Mike Supervisor Pruitt's point about how we have tax rebate for folks that who have lived here that are elderly they're limited on income and the property values have put a tax burden on them where it's become problematic for them to keep their property on the other end of the spectrum how is the rural area helping us with folks coming in we're not stopping residential development the planning commission said and endorsed the idea that there could be some appropriate places if i remember

[03:53:19] trying to pull up the language that's in here some commissioners noted not all some commissioners noted that limited residential development may be appropriate in some locations within the rural area which would could be evaluated with a future rural area plan i endorse that thought but i only endorse it not for and maybe we get creative with the new lot development the 31 to 20 and maybe with this preservation piece that scott was defining to us we could maybe get clever in there of how we could create if new for new residential that goes into the rural area they're not your 25 acre lawns

[03:53:56] that that they're actually recreating the possibility that for the folks that came here 40 and 50 years ago that still live here they were they bought affordable homes then and it's becoming problematic for them to continue to afford them well who gets to start out who wants to live to Supervisor Pruitt's point about having some services around him and wants to live out there. Well, I was looking just, you know, anecdotally at Zillow. There are some lots for sale out in the Royer that cost more than homes in the development area. You know, three, four, five hundred thousand dollars just for the lot of land. Now, maybe it's a lot of acreage. I didn't

[03:54:35] look into that. There are some homes out there that are under five hundred thousand dollars for sale but those exist so that's current affordable housing stock but if new to if new residential development is going to occur in the rural area we know that's going to happen it's going to it's not like we're stopping anything from being built there are still going to be things that are going to be built how do we figure out how to help that be affordable units or put an emphasis or priority on affordable units so it's not just more uh you know 800 million dollar million and a half dollar our homes because i think folks should have the advantage of living and choose it otherwise all

[03:55:14] we're going to do is keep forcing people into townhomes and apartments which is fine for some some want that i'm not debating that point but that can't be the 100 of the answer and that the to solve the affordable housing crisis if we think that we're going to solve it just in the development area the foolish thinking it's not going to happen so we need to think i think it's contingent upon us and responsible of us as a board to figure out how we are going to continue to work on and try to solve the affordable housing issue and how the rural area plays into that solution so i didn't bring any of that up in our objectives or goals i will call out that i didn't

[03:55:53] see the affordable housing section as a related chapter to this particular chapter so you call out environmental protection you called out i think parks and rec maybe i forgot the slide that that was on but i'm i'm challenging folks that when you come forward with the affordable housing piece of how we can not put affordable housing in our goals and thoughts and wishes for our rural area in competition they shouldn't be counter to one another i think there should be a way that we can achieve what we want in the

rural area uh you know philosophically that this community wants but this community also wants and needs affordable housing issues in the rural area we have to figure

[03:56:31] out how the brewery is going to help us solve that so i'm going to punt that to the affordable housing chapter but i think it's an appropriate conversation and discussion and and conundrum that we have to wrestle with thank you thank you thank you a couple things so the swap one idea i will throw out there is when some land in the croze master plan was swapped from just north of 250 by the trestle to just north of 240 across from Highlands. It was access to sewer and water was the most important element. So that's just one of your criteria that would have to be in there,

[03:57:08] and we could certainly ask ACSA to help us figure out where those locations might be, because I don't know how big or how many. On the affordable housing in the rural area, many, many of our naturally occurring affordable houses are in the country. At the end of those gravel roads, single car garage sized houses that people have lived in for a very, very long time or new and new generations moving into the same places and not forcing them out is my biggest heartburn because they are tremendous any of those properties with million dollar views, they've been there so long

[03:57:47] they have the million dollar views and they're under tremendous pressure to sell out to people who will pay anything for that view a way to, so Getting some extra planning to include that will be really important, whether it's mapping or whatever.

[03:58:07] Modular homes in the rural area, I had a group who came and wanted to put in 20 units right across Dickerson Road from GE and was told it wasn't going to be allowed. So that was right on, and had water and sewer, everything was right there.

[03:58:24] So that's just one way that we might be able to look at doing something in the future. And so having, as I wrote down here, locating, you know, where we can help with houses in the affordable chapter, those houses in the rural area will be important.

[03:58:44] So they're all around me. I mean, my house is in that category, too. It's just we've added on to it over 50 years. Supervisor Fruit. A little bigger. I would, I think, largely endorse what Supervisor Galloway was saying.

[03:59:01] I've said some of the same things previously in discussing the rural area. Just recognizing that it's very challenging to figure out how we do that without encouraging sprawl. It would be a very tricky needle to thread, and a good answer does not come to mind. The only thing I might add is that I've been thinking recently, after some conversations with some developers who I have come into conversation with, about transferable development rights.

[03:59:33] I've been thinking about transferable development rights in the context of the development area, because that's where it naturally might come up. But I'm wondering, as we're sitting here talking about application of the 31-acre rule, which I do feel like I understand now, by the way. I did some reading also while other people were talking.

[03:59:49] I feel like I understand what we're doing now. But when we're looking at things like that and we're looking at how we assign development rights in the rural area, I do wonder if we could effectively encourage more affordable uses, more affordable allocation of development rights for residential uses if we had a mechanism for transferable development rights that worked in the rural area also, right?

[04:00:17] So, like, if I have, I get a development right for every two acres, right, generally speaking. Messy, but let's pretend that's how it works. I have four development rights. I have 16 acres. And currently I have to have each of those on at least two acres, right?

[04:00:34] I can't build them right next to each other. They have to each have their own two acres. What if they were all owned by a single developer and then subdivided? We allowed a transferable development right where they put all four development rights into one area, can build a single fourplex and then have a bunch of area that has no development rights and becomes effectively conserved land.

[04:00:54] And you have a fourplex, which is a much more affordable residential option than anything that would be sitting on two acres, right? I throw that out there. I don't know if that's actually feasible, but that sounds feasible, as I say it out loud. It sounds like it would slightly reduce the housing cost for development in the rural area.

[04:01:14] And this would be something I'd be interested in potentially in exploring as we're looking at are there ways to skin the cat of actually making it so that people can live in the rural area, new people, not just legacy communities, without putting continued strain on that environmental community, without putting continued strain on the character of that community.

[04:01:36] I'm just thinking through ways we could actually try and skin that cat. That's all I got. Well, first point of clarification, when Supervisor Galloway kept saying Rivanna, I think you meant Scottsville because that was the village of Rivanna, the village of Rivanna.

[04:01:53] Okay, that's which is in Scottsville, which is in Scottsville district. You know, meet me outside after. Anyway, pardon? Yeah, then it's fine words.

[04:02:11] But in the rural area, there are many, many smaller homes where people have lived for years and years and years. And I've seen things that are equivalent, you know, to a double wide and single wide.

[04:02:28] You have that in the rural area. So they're not all large pieces of land. The large pieces of land are more of the historic ones that have been around for, you know, they're historic. But I do believe that we can look at something like that.

[04:02:50] Why not? Once again, being flexible and being willing to look at new ways of looking at things, because there might be areas in the rural area that we can increase a little bit. one of the areas and i've mentioned this to my constituents also is 29 north i mean that that's a rural area but yet above polo grounds road but yet that area is is building up i mean that's something and especially along that corridor that's something that could possibly be looked at

[04:03:25] in the future in case anyone from rivana is listening but you know in the future um to Because you have the infrastructure there. You have the roads, you have water and sewer, and you also have bus service that will be coming.

[04:03:42] So that's a perfect area. You do not want to have a lot of homes, affordable homes, way out in the middle of nowhere. That's not going to help any, I don't think. So near an infrastructure communication area like for bus transportation would be best.

[04:04:04] Those are my comments. Thank you. Supervisor McKeown? Yes. I appreciate Ned putting that because we have talked about swapping out at some point, perhaps, some areas. And I would really, what

we would need to do, in my opinion, is staff to come back to us with some criteria that we could talk about because I think that's exactly right.

[04:04:27] You need infrastructure. You need roads. You need water and sewer, all that infrastructure that would go with it. But I would be very interested in staff looking at some criteria that we might be able to, I mean, you look at, I mean, we could all come up, I'm sure, in our district with a specific spot that we think might very well be amenable to that, Lamb's Road.

[04:04:54] And I think you want to look at the surrounding areas, the density, the build-out that's already there. But there's lots of criteria that we could come up with. I'd be very interested in that. I would also, during this revision, I really think it's important that we look at manufactured homes.

[04:05:17] They are a really great option now. They're not the old trailers of yesteryear. And to be able, and I do know, I'm like, Ann, I have heard that we just don't allow them.

[04:05:35] And folks say, oh, no, we do allow them. I just think we need to actually come to an agreement that manufactured homes, where they might be, and having that discussion, because that would provide affordable housing in our community.

[04:05:51] So I'm in favor of that. And the other thing I had a note about was, and I never say this very diplomatically, so I'll just say it like I always say things. In 2015, the comp plan reiterates lower level of service expectation and response time in the rural area and development area over and over and over again.

[04:06:19] It talks about it. And so to get to what Ned was talking about, I have here, I acknowledge that the demand is not static, right? we're growing and we have folks out in different parts of our county right now that we never used to have before so it seems like to me that we have to make sure when we rewrite this comp plan that we take that into consideration and think through carefully how we're going to lead people to the understanding of what our response times are going to be what's realistic right um and not

[04:06:55] just say well if you're in the rural area you're not going to get the same response time i so you you all uh will take that for what it's worth but um i'd like to see somehow or another to get to what ned was saying about expectation reasonable expectations and and how the comp plan expresses that um the other thing i'd just like to add because i'm curious um we talk about wells and water in the rural area and yet we really don't have any baseline to compare what our aquifers

[04:07:31] are doing what what and is that at the is that at the um do we depend on the health department to give us that information i guess i'm just struggling with we don't have a baseline at all so we don't know other than someone says my wells run dry dramatically varies from location and i understand that because of our rock formations, it varies dramatically, but is there any way that we could get to, I don't know, I'm not an expert on this, but is there any way that we could get to

[04:08:07] at least a general baseline so we really know what's happening? And maybe Ann knows more about this than I do, but I just would be interested in, as we're talking about the rural area and the wells and the aquifers and um uh and someone said to me one time it was up to the health department and i find that kind of interesting but anyway so it's just something to think about and do you have anything to add to that because there used to be a well that up until the recession was

[04:08:42] measured on a regular basis out in the meacham's area i think but it may have been somewhere else and uh due to staff considerations when the 75 positions disappeared in 2009 that's stopped but there's no reason why it can't be started again as a gap and develop a new baseline i mean just knowing what it was 20 years ago and what it is today would be a start and i know that dan eggleson was here talking about river gauges right in the and how having more measurements of the stream flows and things throughout the county would help fire and rescue to know anticipate more

[04:09:21] about flood stuff then similarly that connection of river flow and stream flow is directly connected to groundwater as well it just takes 15 years sometimes for groundwater to come back and we've had five droughts since 2002 so it'll or 2000 so it'll be interesting to learn but i very much would support bringing back and putting in some language about consider restoring the in the environmental stewardship chapter wherever it belongs finding out more about our water

[04:09:55] situation i think the state may drop the hammer on us and have us have to do this anyway because of the all the water focus that they're having nowadays oh david's it's too complicated an issue david finish development process manager that's too complicated for me to even try to delve into it. We're monitoring wells that we did work on in the program, and we can bring some of that information back. Oh, that's great to know.

[04:10:21] When you say you want a baseline of information, when you mean baseline well failures, number of wells, what is... I don't want to get too complicated about this, David. It just seems like to me that we don't have any good information for the people in the rural area, and for us, on what's happening with our aquifers.

[04:10:40] And I use the word baseline pretty liberally. I mean, I just... I will say as a precursor to the community facilities section, a study of impacts of septic systems in wells in our rural area is something that we are recommending. Okay. So that's obviously down the path.

[04:10:59] If you're looking for some baseline information that justifies that sort of action item, we can be prepared to do that. I just wanted to get some clarity as to what type of information. I'm thrilled to hear you say what you're saying. I think that's great.

[04:11:14] And I didn't even know that we had a well at one point, and so Ann just... I can't remember the number. It's either 20 or 40. I can't remember. There's several wells that we used to monitor that we don't monitor. But given our concerns around water right now and all the changing dynamics with our climate, it just seems like to me that if we could do something...

[04:11:37] So it sounds like you're going to be bringing us something. In the community facilities section, we'll be discussing the need to do those types of studies. That's great. But we can try to bring with some of that groundwater information with that section. And I'm sorry, I just didn't know when else to bring it up, so thank you.

[04:11:56] We're still early, and we've got a lot of chapters to go, and I think some of these things will come up in those chapters, such as housing. I guess I would just want to use this as my opportunity to state my appreciation for the fact that a lot of this chapter is focused on preservation of our natural resources in the rural area and conservation in the rural area, and I hope that is not lost.

[04:12:21] That is number one priority for me with respect to the rural area. I understand that there are pressures on housing, but our decision has been that there's a 95%, There's a 5%. There's a 5%

development area that we're trying to use as well as possible.

[04:12:37] We did note today that 13%, almost 13% of the 95% has already been developed. It's listed as developed property. And so that may come into play when we start talking about whether there are possible properties that might be adjacent to the development area that would be appropriate for the density of development in the development area.

[04:13:00] I'm not interested in any topic that says, well, we're going to have a tapering or allow a little bit more development here on the outskirts of the development area. If you're going to do any kind of swap, it has to be at the development, at the density of what we expect from a development area.

[04:13:19] With respect to the rural area, if we, you know, we'll get to housing, but I could see accessory units as auxiliary units. a term of art here, as something that could allow some affordability without taking and breaking up parcels, because that would mean that you might have an ability for someone else to live on the property next door in the same area, right in the same region, but not subdivide or allow other uses on that property.

[04:13:54] That's a pressure on conserved areas, but it's one that at least affords some opportunities for people to live in an affordable way. Personally, I understand that the inequity of allowing someone to might build a \$2 million house in a rural area, but those people aren't paying our taxes on that \$2 million house.

[04:14:17] Land use doesn't cover dwellings. And so I have no interest in telling them, oh, we don't want you in our county. We have a very wealthy county. We also have a lot of needs in our county, and I hope we can see our way to accommodating both.

[04:14:36] Yes. With the board's permission, I would ask that on a comment that Supervisor Galloway made, I think it was a question really specific to farming, agriculture, and economic development. Ms. Kilroy, if she could speak to the board just for a second, she can maybe share some relevant information on that.

[04:14:55] Thank you. Sorry, I saw you come up and I got sidetracked. Mr. Galloway's list was so long. Good evening, Emily Kilroy, Director of Economic Development. As part of the Economic Development Strategic Plan work that we are right now sort of in the background working to kick off, and we'll kick off more publicly over the next couple of weeks, agriculture has traditionally been one of the target industries of the county's economic development program.

[04:15:22] And so we've been looking at sort of what is the state of the agricultural sector in the community. And the U.S. Census just released the 2022 Data Year Agricultural Census, which was an update that we've been eager to see.

[04:15:39] The last one was done in 2017, and it's just taken a little while for the data to actually get published. So that data is freshly available and provides a lot of answers to some of the questions that you all were raising in your discussion this afternoon. So I'll send that out to you all so that you can just get familiar with that and know that we are looking at agriculture and where it fits in our economic development strategy moving forward.

[04:16:03] Thank you. That's music to my ears. Thank you, because I have a copy of that just released as well. So thank you very much. Supervisor. I just wanted to mention, again, thinking of this, the rural areas

and expanding, I think we have to make sure that if we do swap outs, like Supervisor Pruitt suggested, in his district.

[04:16:29] But if we do swap outs, we have to remember that there's also a pull on services. So we have police and fire. If we have a lot of development here, there, everywhere in the rural areas, that's going to be more of a pull on our fire and services.

[04:16:47] So I'm going back to my mantra, which is higher and denser in the development area as long as we can, because there will come a point when we might have to start going out a little bit. But I don't think we're there yet. I don't think we're there. We just have to also have the fortitude to accept what is given to us by the developers regarding affordable housing and number of units and such.

[04:17:14] And I do support manufactured housing, even tiny houses, because not everybody has a family of six or ten. I mean, you could have a family of two and have a tiny house, which would suit me just fine, but anyway.

[04:17:33] Which I said we will have many opportunities to revisit, I think, some of these topics. But with respect to the rural chapter, we'll see some of this again, I'm sure. But have you gotten the feedback you need for today? Thank you so very much for a wide-ranging and very informative discussion.

[04:17:50] We appreciate your input. Thank you. Thank you. And you're still smiling. We eat this stuff up. I mean, this is what we did. With that board, I think we're ready to go into closed session if there's nothing further. So I look for Supervisor Pruitt to make a motion.

[04:18:08] Yes, it is a doozy. I would like to move that the Board of Supervisors convene a closed meeting pursuant to Section 2.2, Tax 3711, Parents A, of the Code of Virginia, Subsection 1. First, to discuss and consider appointments of supervisors as members or liaisons to various county authorities, boards and other public bodies, including, without limitation, various community advisory committees, the Acquisition of Conservation Easements Committee, the Audit Committee, the Chamber Public Policy Committee, the Solid Waste Authority Advisory Committee, the High Growth Coalition, the Regional Transit Partnership,

[04:18:43] the Metropolitan Planning Organization Policy Board, the Thomas Jefferson Planning District Commission, the Virginia Career Works Piedmont Council, the Regional Housing Partnership, the Agricultural and Forestal District Advisory Committee, the Blue Ridge Committee for Shenandoah Park Relations, the Historic Preservation Committee, the Economic Development Authority, the Police Department, Citizens Advisory Committee, the Regional Housing Partnership, the Housing Materials Local Emergency Plan, to play my last, the Hazardous Material Local Emergency Planning Committee, and the Regional Transit Authority.

[04:19:18] And second, to discuss and consider appointments to various boards and commissions, including, without limitation, the Economic Development Authority, the Equalization Board, the James River Alcohol Safety Action Program, the Joint Airport Commission, the Natural Heritage Committee, and the Thomas Jefferson Emergency Medical Services Council.

[04:19:39] Second. We have a motion from Supervisor Pruitt, a second from Supervisor Malek. Without objection, call the roll. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. LaPista-Curtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Great.

[04:19:56] We'll go to 241, I believe.

[04:56:06] We are back, and we're looking for a motion to come out of closed session. Yes, I would like to move that the Board of Supervisors is certified by a recorded vote. That, for the best of each supervisor's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorized in the closed meeting were heard, discussed, or considered in the closed meeting.

[04:56:27] Second. Motion from Supervisor Pruitt. Second from Supervisor Malek. Without objection, the clerk will call the roll. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lapisto-Kirtley? Yes. Ms. Malloy? Yes. Ms. McKeel? Aye. Mr. Pruitt? Aye.

[04:56:43] Okay. And I believe we have a couple of motions coming out of closed session with Supervisor McKeel. We do. First, I'm going to name the Board and Commission reappointment list for our committees. To the Economic Development Authority, Stephen Hood.

[04:57:03] To the Equalization Board, David Norford, Bob Beard, and Evan Mayo. To the James River Alcohol Safety Action Program, Chief Sean Reeves. To the Jaunt Board, Jason Eversall. To the Joint Airport Commission, Francis Caruscio.

[04:57:25] Natural Heritage Committee, Laurel Gillette. and the Thomas Jefferson Emergency Medical Services Council, Meade-Whitaker. And that's in the... Second. We have a motion from Supervisor McKeel, a second from Supervisor Malek.

[04:57:41] Without objection, it's called the roll. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lapista-Kirtley? Aye. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. And the next list of folks are the Board of Supervisors appointees to our boards and commissions.

[04:58:03] And I am going to just move that we extend the appointments as currently constituted. Second. With the exception of. Well, and I'm going to do one more. With the exception of, and I will have one more to give.

[04:58:20] Okay. That's a new one. So we have a motion from Supervisor McKeel and a second from Supervisor Malik. Without objection, we'll call the roll. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. LaPista-Curtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes.

[04:58:35] Mr. Pruitt? Aye. And then the new authority that has been formed is the Regional Transit Authority, and I move that we appoint Supervisor McKeel and Supervisor Pruitt to that authority. Second. Again, motion from Supervisor McKeel.

[04:58:53] Second, Supervisor Malik. Call the roll. Without objection. Please call the roll. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Laquista-Kirtley? Aye. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Thank you.

[04:59:09] With that, our next matter is from the county executive. Not seeing him present, we will go to from the board. Committee reports and matters not listed on the agenda. Supervisor Galloway? Oh, I thought I had something. We'll come back to you.

[04:59:25] Supervisor Malek? Nothing, thank you. Supervisor Cruelly? Nothing at this time. Supervisor Lapista Cruelly? Nothing at this time. Supervisor McKeel? No, sir. I don't remember. Then Supervisor

Galloway, we're back. Save it for next week. All right. Then I have nothing. Have another chance. If there is nothing further, then we will adjourn to January 15th, 2025, 1 p.m., Lane Auditorium.

[04:59:49] 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. Thank you and good night.



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