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Albemarle County Board of Supervisors Regular First Meeting, Wednesday, April 2, 2025

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[00:00:01] Good afternoon. I'm pleased to call to order this regular meeting of the Albemarle County Board of Supervisors on the 2nd of April at 1 p.m. in Lane Auditorium. I'd like to note at the dais we have Supervisor Mike Pruitt of the Scottsville District, Supervisor V. Lupisto-Kirtley of the Ravana District, Supervisor Dianne McKeel of the Jack Jewett District, Supervisor Ann Malick of the Whitehall District, and Supervisor Ned Galloway of the Rio District.

[00:00:31] I'm Jim Andrews, representing the Samuel Miller District. A quorum is present. Also, we're joined by our county executive, Mr. Jeff Richardson, our county attorney, Mr. Andy Herrick, our clerk, Ms. Claudette Borgeson, and the senior deputy clerk, Mr. Travis Morris. Also, let me please welcome Albemarle County police officers present, Master Police Officer Eric Ketchum and Officer Lester Clark.

[00:00:55] We thank you for your service here today and every day on behalf of the citizens of Albemarle County for all you do for our safety and security. If all present, could now stand as you are able and join us in the Pledge of Allegiance.

[00:01:17] Thank you. And I now ask you to join us in a moment of silence.

[00:01:54] Board, our first item, as always, is adoption of the final agenda. I'd like to note that we're adding item number 17, an emergency ordinance changing the polling place for the Branson's precinct of

the Rio Magisterial District to this evening's agenda. also now item 18 now item 18 on the agricultural forestal districts there was a revision in the publication so it's publication to reflect the additional by right withdrawal requests received after it was posted um other than those two changes um there are no other changes to the final agenda if we have a motion to approve the final agenda as amended so moved as amended second

[00:02:32] we have a motion from supervisor mikhiel a second from supervisor malik without objection If the clerk will call the roll. Ms. Mallett? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lobisto-Kirtley? Aye.

[00:02:48] Thank you. Board, we'll now move to item number five, which is brief announcement by board members in our speaking order for today, starting with Supervisor Mallett. Thank you very much. Happy April, everyone. Today at noon, the reconvene session for the General Assembly began, And hopefully we will learn more by the end of tonight how many outstanding bills and override choices end up.

[00:03:16] From the Shenandoah National Park, there is a new website where one can find out what's going on up there regarding all of the staff freezes, cuts, funding, trail closures, et cetera, snptrust.org.

[00:03:33] And I'll find a link there. and I am very much looking forward to the April 9th Budget Town Hall held at West Ramal High School beginning at 530, and also the one the next day on the 10th at North Fork Research Park, which is not in the Whitehall District, but many of the Whitehall residents will probably go there because it's lots closer, also beginning at 530.

[00:03:55] Thank you. Thank you. Next is Supervisor Lapista Kirk. Yes, thank you very much. I did attend the second day of the Police Citizens Academy and enjoyed it very much. I'm doing it one per year, one day per year, because I can't get to all three.

[00:04:16] But it's very good if anyone has a chance to do that. Also attended the Child Prevention Month, and we put out pinwheels at Fifth Street Station. Just to make people aware, child abuse is a real thing, and we need to make sure that we're all vigilant and look for those things.

[00:04:38] And if a child needs help, that we make sure that we get them the help they need. Lastly, I had a Key West in my area, in Rivanna. We had an assessment meeting. People wanted to hear from the assessor, Peter Lynch, which he attended and explained to everyone how assessments are figured.

[00:05:01] And we actually had a very good turnout, 35 to 40 people, so I was very pleased with that. Not that everyone's happy about their assessments, but at least they understand the process. Thank you. Thank you. Supervisor Galloway. I have no announcements, thank you. Supervisor Pruitt.

[00:05:19] Yes, I wanted to first thank everyone who has come out to our town halls. We still have, I believe, three more on the docket, but I have finished my third and final. So thank you for everyone who came out to those. I would like to make sure everyone just has on their own mental calendar for all the folks joining us online that May 17th there's going to be a joint meeting with the town of Scottsville that I'm excited and looking forward to.

[00:05:44] And in that note, I'm going to mention a few things that are happening in the town of Scottsville. So as I addressed previously, there is a new gallery space owned by the Scottsville Center for Arts and Nature. This is the former Riverbend Boutique.

[00:05:59] It is now a nonprofit gallery space. They have their debut show open currently that will be running, I believe, through the rest of the month. It is a great opportunity to find an excuse to go down to Scottsville, see what they've got down there. and it is some surprisingly affordable art for those who are interested in filling out their home.

[00:06:19] Additionally, SCAN is going to be in celebration of Earth Day, have some events that they're putting on in Scottsville in some of their wild land that they have preserved, and that is going to be on the 19th of April. Lastly, I would like to raise that in-person early voting is coming, and it is so much sooner than you expect.

[00:06:41] So for our primary, which is likely to be dispositive in some of the elections here in the county board of supervisors level, we have one contested primary, and that is going to, it's important that we know this because early voting starts in one month.

[00:06:58] The 2nd of May is going to be the beginning of early voting in the primary elections for 2025. There are also, as we've talked about before, as I've talked about before, quite a lot of contested races at the state level. These are all going to be really important, and they're all pretty hotly contested at the state level, so make sure to get out there.

[00:07:18] And unfortunately, the elections website is down right now, so I can't get you more information about deadlines. But according to Fairfax, which has already posted their election information, early voting starts on the second. Oh, and it has been brought to my attention that I misspoke.

[00:07:37] I said May 17th is May 14th as the Joint Scottsville meeting. Thank you. Thank you. Supervisor McKeel. Sure. Just to follow up with B's comment, I, too, attended the Elmira County Police Department's Citizens Police Academy.

[00:07:54] Took it decades ago and just again recently, and it really is a wonderful opportunity for citizens to learn a lot about the police and what we do in the county and the operations of the police department, especially as they affect citizens.

[00:08:14] I enjoyed it very much and hope that many of you can think about joining it next year. We're hopeful that they'll be offering it again next year. The other thing I wanted to just point out is April 14th at Journey Middle School is the Jack Jewett Budget Town Hall.

[00:08:34] We are honored to be the very last public town hall, so we'll be wrapping all of them up. So April 14th, 5.30 to 7.30 at Journey Middle School. Come one, come all.

[00:08:49] It's your last opportunity. And the only other thing I wanted to point out was we now have copies of the 2024 Annual Albemarle County Police Department Report, which is chock full of lots of information.

[00:09:08] You can pick up a copy and take a look at it if you choose. It's also available online. So you can get a hard copy. You can get it online. And the Albemarle County Community Report has been released for 2024. So both of these are really great informational documents for people to take a look at.

[00:09:27] Thanks. Thank you. Yeah, I second that on the annual report from the police in particular. It's a very thorough explanation of all the different things that our police department have done for us. It's thick. It's thick. Thank you. I, as always, mentioned a little bit about spring bulky waste amnesty days, and they're coming up in April and May.

[00:09:47] Most importantly, the e-waste collection is April 19th from 9 to 3 at the Ivy Solid Waste and Recycling Center. And I mention it because online registration is required, so it's something that people, if they want to do, they need to plan ahead. Also, just in the realm of announcements we receive occasionally, I noted just the other day that we have an announcement that kindergarten registration opens on April 7th.

[00:10:13] And I thought, wow. But an important thing for people who have kids about to join kindergarten. And that is it. If there are no other announcements, then thank you. Our next item is proclamations and recognitions, and we have two.

[00:10:32] Please, if you're here for them, please stay for both. We'll start with Supervisor Malik, Proclamation Recognizing Dark Sky Week. Thank you very much. As someone who lives far from the streetlights, I really appreciate being able to read this recognition in the form of emotion.

[00:10:50] Proclamation Recognizing Dark Sky Week. Whereas the aesthetic beauty and wonder of a natural night sky is a shared heritage of all humankind, the experience of standing beneath a starry night sky inspires feelings of wonder and awe. Many people in Albemarle County live under a dome of light pollution, excessive artificial lighting at night that disrupts natural darkness and may never experience the visual wonder or ecological and health benefits of living under a dark sky. And whereas light pollution has scientifically established economic and environmental consequences, which result in

[00:11:28] significant impacts to the ecology and human health of all communities, and light pollution represents a waste of natural resources amounting to roughly \$3 billion per year of wasted energy in the United States and contributes to climate change. And whereas Albemarle County has developed the Biodiversity Action Plan to protect the many species which rely on undisturbed night environments to hunt, mate, and thrive, Albemarle County is home to Fan Mountain Observatory, operated by the Astronomy Department of the University of Virginia.

[00:11:59] The southernmost edge of Albemarle County is less than 10 miles from the James River State Park, which is one of four Virginia state parks designated as an international dark sky park by the international dark sky association and whereas peak spring bird migration falls during dark sky week and 80 percent of migrating birds fly at night and need starlight to navigate whereas the international dark sky association is the globally recognized authority on light pollution and has created international dark sky week to raise awareness of light pollution

[00:12:34] and provide free education resources and solutions to the public to encourage the protection of and enjoyment of dark skies and the responsible outdoor lighting. Now, therefore, be it proclaimed that we, the Albemarle County Board of Supervisors, do hereby recognize April 21st through 28th, 2025 as International Dark Sky Week and ask each resident to join us not only in observing and pondering upon this important week, but also raising awareness and support for protecting our precious dark sky resources.

[00:13:06] Signed this second day of April, 2025, Jim Andrews, Chair. Second. We have a motion from Supervisor Malik, a second from Supervisor McKeel. Without objection, if at work, we'll call the roll. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye.

[00:13:22] Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lapista-Kirtley? Aye. Thank you. And I believe we have Christine Putnam here for our natural heritage's chair of our natural heritage's committee, here to

accept along with others, many others.

[00:13:37] Welcome. Thank you for being here. Thank you so much for having us. And you can see behind me, these are all members of the Dark Skies Piedmont Group, and we are all advocates for protecting the night sky. So I just want to say on behalf of the Dark Sky Piedmont Group and as a member of the Natural Heritage Committee, I want to thank you for your support of Dark Skies and your help in raising awareness about the growing problem of light pollution.

[00:14:06] All things on this planet evolved with a predictable cycle of day and night. the rhythm of light and darkness is essential to our health and well-being. With the advancement of inexpensive and efficient LED outdoor lighting, the darkness of the night is disappearing at an alarming rate.

[00:14:27] Excessive light at night disrupts our sleep. It confuses migrating birds and nocturnal predators with deadly consequences. It also obscures our view of the stars and disconnects us from our place in the larger universe.

[00:14:47] The good news is that with proper planning, we can utilize LED technology to create community-friendly lighting that works with our circadian rhythms, saves energy, and keeps us safe. LEDs can last for more than a generation, so we don't want to be stuck with lights that are too bright and a source of blinding glare.

[00:15:06] This is why it's essential to get an outdoor lighting ordinance right with perhaps lumen per acre caps and dark sky compliant light fixtures. We recommend that Almar County follow the lead of other Virginia municipalities, such as the town of Vienna, in hiring a lighting consultant to provide guidance on creating an effective outdoor lighting ordinance.

[00:15:32] Because it's quite technical. So that is our recommendation. when we get to that point but thank you so much for being supportive and on behalf of our entire group we're very pleased that um you are taking the time to recognize how important this is thank you for all thank you uh i'm sure supervisor will have a comment and she'll bring you the proclamation but uh we will start with supervisor malik as soon as she gets back to her seat thank

[00:16:03] you i should have waited till after comments i'm sorry up way back in the 90s when my kids were small the children from the city had to come out to our farm in order to do their astronomy homework during the spring fourth grade watching the constellations and mapping them because they couldn't see in town and that's just was 25 years ago but we want to make sure that that's not going to be lost forever seeing the milky way in your backyard is a pretty astonishing thing sort of like seeing an eagle it makes the hair sound about on the back of your neck so So thank you all for all you're doing to help us out with that.

[00:16:44] Thank you. Supervisor, please do a favor. Oh, we're not done yet. You're the whole rail. Sorry. We'll be here another three hours on this. Thank you very much for coming.

[00:17:00] It is such an honor for us to present to you all the Dark Skies Initiative platform proclamation. It is something very important, not only in the urban area, frankly, in the rural areas, Because there are more and more developments and we really do want to protect the wildlife out there.

[00:17:19] And I found out this past year through personal experience, the bat population, very, very important for the bat population. And they eat up all those pesky mosquitoes. So this is why it's so

important to have dark skies because the lighting does interfere with bats at night.

[00:17:38] And so let them do their thing, encourage them to do their thing through low-level lighting or no lighting. So this is just, I'm very excited. I'm glad that we have this initiative, frankly. And hopefully we can improve the ordinance.

[00:17:54] Thank you. Thank you. Supervisor Calloway. Yeah, thank you all for being here. I do think in some ways, I grew up in an area that really did not have much light pollution. So I understand the importance of what you can view and see and experience. Then I lived in Cleveland, which I couldn't see a star.

[00:18:15] But I have to say that having lived here, and I live currently right in the development area, I'm always quite surprised how when I'm on my front yard, just how much I can see. I know it doesn't match with the folks out in your neck of the woods. As long as you don't look south. But I'm always amazed by that.

[00:18:34] So I know that there can be, like as you've said, the types of things that the technology allows provide what we need to provide in the development area for safety, but then still allow, if not necessarily in your front yard, you don't have to go but so far to be able to enjoy what you can see for those that do live in the development area like I do.

[00:18:52] But thank you all again for being here, and obviously we'll be looking forward to your input if such an ordinance comes forward for us to consider. Thank you. Thank you. Supervisor Pruitt? I think I've shared with you, Christine, before that, you know, I've driven ships in the dead of night hundreds of miles from land in the middle of the Atlantic and Pacific Ocean.

[00:19:16] And looking up the detail and the grandeur of the stars above you and the Milky Way and the precision with which you can see it, like it's one of these, like, a calendar photo, right, is truly extraordinary.

[00:19:33] And I grew up country, and I would watch the stars, and even then I couldn't see that kind of precision. And it makes you realize kind of two things. The first is that, oh, this is truly a resource that for most of the world has been lost.

[00:19:49] This is an experience that we have to describe to people, that we're getting to a point where maybe a few folks in nowhere Arizona, right, like maybe on a reservation, and mariners are the only people who can describe this experience to people, which is bleak.

[00:20:08] And the other thing is I can tell you the actual tangible navigational challenges that you get when you start to have light pollution. There is the smallest thing when you are in the bridge of a ship at midnight will ruin your ability to perceive the horizon and to judge distances.

[00:20:30] You have to close your eyes if you're going to go to use the toilet, for example, because you don't want to spoil your night vision. It takes 30 minutes to adjust. And when you're just 100 miles out from land, you will begin to see that land, and it will disrupt your view of the horizon, and it will harm your ability to perceive relative distance on other landmarks.

[00:20:54] And I'm just a simple human with my normal crappy 2020 eyes. I can't fathom what that might do to nighttime predators, things that really do deeply rely on their eyes and that are designed to hunt during nighttime.

[00:21:09] So it is very clear to me from my own experience that it is a serious threat to biodiversity from that angle. So thank you for continuing, as you all will, I'm sure, every year, raise the importance and the salience of this issue.

[00:21:25] Thank you. Thank you. Supervisor McKeel. Sure. Thank you all for being here. And first, before I make any more comments, Christine, would you like to introduce the folks or let them introduce themselves that are here? And I do want to take a minute to recognize Sally Thomas, who is a former Alomar County Supervisor of the Samuel Miller District, but now lives in the Jack Jewett District.

[00:21:50] But perhaps everybody could introduce themselves. Well, thank you so much for being here.

[00:22:10] We all appreciate it very much. Just for a couple of comments, I have been very lucky for the last 50 years. The neighborhood that I live in, in the Jack Jewett District, has been over the years full of astronomers.

[00:22:29] So we have beaten back several tries at streetlights. Now, we do have a couple, but we have beaten back many of them. And it is lovely because we can sit in our backyards and see the skies. Unlike when we talk pantops, if you're driving pantops, you really see the light pollution in that area, mostly from the University of Virginia.

[00:22:56] I'm going to say that because that's what we see. And where I'm going with that is I would love for this community, the city and the county and the university, to come together and look at a dark skies ordinance.

[00:23:11] because if we do it, if only one of us works on it, it's not going to have the same effect as if all three localities work together. So we do have a very old lighting ordinance, and I know that all of us are anxious to get to an update for that ordinance.

[00:23:31] I will just add, though, that in my neighborhood, most of the light pollution really comes from the technology now of dusk to dawn lights and while I turn mine off every night before I go to bed or in the early evening most people don't and that technology is very well people I know people feel like it makes them feel safer it is very concerning when you're trying to have dark skies in in your neighborhoods but with that thank you

[00:24:07] very much. We all agree with what you're asking for here, and we hope to get to that ordinance before too long. Thank you. Thank you, and just to second that, we have on our agenda later this afternoon a look at the development chapter actions, and one of them, 1.5, is update the county's relating requirements, so we will be looking at this. Not the requirements today, but at least the action as part of AC44.

[00:24:34] I'll remind Supervisor Galloway, having lived there myself and grown up in the area, that there were a lot of clouds in Cleveland, which is one of the reasons why you don't see the night sky particularly well. But I very much appreciate this. I'm the only one up here, I've said this before, that actually taught astronomy and made my students get up at 4 in the morning just so they could get a chance at seeing a lot with the telescopes that otherwise wouldn't be available to them at other times of the day.

[00:25:00] So, again, I appreciate this. We have a couple more quick comments, then. I just wanted to say that maybe Cleveland has clouds, but L.A., Los Angeles does not. And if you saw a star, you were really, really lucky. So it just tells you the consequences of not having a dark skies initiative.

[00:25:22] Thank you for being here. Yes, sure. Yes, of course. Yeah. Absolutely. Smart. But you're going to have to get closer together.

[00:25:38] Yeah. And a selfie won't work. An old politician that I am, I can't help but mention one group that hasn't been mentioned that I am a member of, and that is the aging population, because aging eyes have an even harder time adjusting from light to dark.

[00:26:00] So when you go to a Sheets filling station and the bright light there, and then you drive out onto the highway, you are a danger to yourself and everyone else because those eyes take a long time to adjust, and you in your sign ordinances and lighting have total control over that in a way that most of this light pollution you might not have control over.

[00:26:26] So I couldn't resist. Thank you. Thank you.

[00:26:42] Thank you very much. Thank you. Before we move on to our next proclamation, which will be read by Supervisor McKeel relating to Recognizing Financial Literacy Awareness Month. Yes, and I will read this in the form of a motion. Proclamation Recognizing Financial Literacy Awareness Month.

[00:27:00] Whereas, financial literacy is essential to the economic health and well-being of individuals, families, and communities, empowering people to make informed decisions about budgeting, saving, investing, and managing debt. And whereas, promoting financial literacy equips individuals with the knowledge and skills necessary to achieve financial security, build generational wealth, and prepare for unforeseen financial challenges.

[00:27:28] And whereas, April is recognized nationwide as Financial Literacy Awareness Month, providing an opportunity to raise awareness, foster education, and encourage conversations about personal finance and economic empowerment.

[00:27:45] And whereas businesses, schools, community organizations, and government entities in Almaro County are actively engaged in providing programs and initiatives that foster financial education for residents of all ages, helping to address issues of economic disparity, promote responsible financial decision-making, and enhance overall community stability.

[00:28:09] And whereas, Elmar County recognizes the importance of financial literacy in supporting local economic growth, home ownership, and small business success, ensuring that all residents have tools to thrive financially and contribute to the well-being of the county.

[00:28:27] Now, therefore, be it proclaimed that we, the Elmar County Board of Supervisors, do proclaim April 2025 as Financial Literacy Awareness Month and encourage all residents to engage in financial education opportunities, take steps toward improving their financial literacy, and support initiatives that promote financial empowerment in our community.

[00:28:51] Signed this second day of April 2025, Jim Andrews Chair. Is there a second? Second. We have a motion from Supervisor McKeel, a second from Supervisor Malik without objection if the clerk will call the roll. Ms. Malik? Yes. Ms. McKeel? Yes.

[00:29:07] Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lapista-Kirtley? Aye. Thank you. And I believe we have Ms. Janasha Bradford here, the founder and CEO of Mahogany and Friends, to accept the proclamation.

[00:29:22] Welcome. Thank you for being here. Thank you for having me so we can hear you. Okay. Can you hear me? Yes. Very good. Thank you. Do I do my speech now, or do I get the award?

[00:29:39] Go ahead. Okay. Well, my name is Janacia Bradford. I go by Jay. Thank you so much for this incredible honor. It truly means a lot to be recognized by Albemarle County during Financial Literacy Month. On behalf of Mahogany and friends, I just want to say how grateful we are, not just for the award, but for the love and support we felt from the entire community.

[00:30:03] Mahogany and Friends started as a passion project, a way to make financial literacy fun, creative, and culturally relatable for our youth. We believe that if you teach kids about money early, you're not just teaching them how to save or spend. You're teaching them how to build confidence, make smart decisions, and shape the life they want to live.

[00:30:22] Over the years, we've had the chance to bring those lessons to life through stories, characters, curriculums, and community events. We've seen how powerful it is when kids start to see themselves as financially capable. At the end of this month, during Financial Literacy Month, our nonprofit Mahogany and Friends Foundation is hosting our Budget Does It workshop, and thanks to the support of our amazing sponsors, we're reaching 305 kids across the Boys and Girls Club location in Albemarle, Cherry Avenue, and Southwood.

[00:30:54] This workshop is all about giving kids a fun, hands-on way to learn how to budget, save, and make smart choices with their money. We couldn't do this without our village. A heartfelt thank you to our sponsors, Custom Inc., CNF Bank, S&P Global, the City of Charlottesville Office of Social Equity, Albemarle County Office of Equity Inclusion, shenanigans, and all of our other community members and local businesses who are helping make this possible.

[00:31:23] You're part of something meaningful, and your impact will be felt for years to come. Thank you again for the recognition we're honored we're grateful and we're just getting started thank you very much and again supervisors will have comments so be patient with us starting with supervisor Malik thank you and congratulations your approach sounds wonderful because there's joy and success and accomplishment all combined in one very challenging topic yes thank you I was of the generation of do your chores first and then maybe there'll be some allowance and maybe if you're lucky and you've worked really hard you might get to buy yourself a pop at Hunt Country store

[00:31:59] which used to be called Grover store when I was little you know when you were out in the summertime so those kinds of work for the gratification rather than just expecting everything immediately is a really good lesson for kids kids of all ages that's for sure so thank you for all that you're doing I appreciate it thank you supervisor Lupista Kurt yes thank you very much Jay that was um actually inspiring and I'm I'm glad you're you all are doing what you're doing. Financial literacy is extremely important for everyone, but especially for our

[00:32:32] youth in these trying times. So what you're doing is very good work and continue getting all those donations so you can help more and more children. Thank you. Thank you. Thank you. Supervisor Galloway. Yeah, likewise for everything that you are doing to help educate. I love that you use the phrase uh making kids feel like they're financially capable um that there's a certain level of confidence both psychologically and emotionally that comes with that um that if you find yourself in the reverse situation especially when one bad financial decision could live with

[00:33:09] you for five ten fifteen years if not longer and then what the result of you know putting the social emotional stress on you of having to deal with that situation so the more that we can educate and help folks understand decisions, especially when you're young, how they can come back and haunt you later is a good thing.

[00:33:28] So really, really respect the fact that you all are taking that on and doing that kind of work with the kids. So thank you very much. Thank you. Thank you. Supervisor Pruitt. Hi. Thank you so much for being here first. I personally really love aphorisms, right?

[00:33:45] Like short little statements that are deceptively profound. You know, I'm affiliated with the United States Navy, with AA, and with the Christian faith, all of which love aphorisms, right? And one aphorism that I do like, that I also deeply disagree with, that we hear a lot, is that the master's tools will never dismantle the master's house, right?

[00:34:09] And I look at that, and I'm like, you know, actually, I think I will need a chisel and some hammers, which are probably part of the master's tools to dismantle the master's house. This is apropos, right, because it's not lost on us that you are a black woman who is serving communities, boys and girls club, that are often poor, that are often disproportionately folks of color.

[00:34:29] And these are folks who have often a worse shot financially, both in our community and in the world, right? I represent Southwood. It is not lost on me that those kids have a worse shot in their financial lives than the rest.

[00:34:46] They're not going to be inheriting, you know, some seed capital from their family. And I mention that because if we let ourselves believe, like, the master's tools whenever it's mentioned, then what that lets us do is believe that it's not worth investing in financial literacy in young people, in marginalized communities, in folks who don't have that access.

[00:35:07] And I think that has to be really essential. So thank you so much for the work that your organization does and for the work of, frankly, the folks that sponsored you believing in this kind of work. because I think this has to be a really critical part of how we dismantle the Master's House. Thank you so much.

[00:35:22] Thank you. Thank you. Supervisor McKeel. Yes. Thank you, Jay, for being here. And thank you for all the work that you all do, especially, you know, with our young people. It's really wonderful. We do have some organizations that work really hard with financial literacy for our older population as well.

[00:35:40] I know Java does some work, and I think the Center, and even Habitat, which is great to cover the whole range of ages. And I will say, I've been around long enough. When I first saw this proclamation, it took me back to the days decades ago, when I was on the school board.

[00:36:02] And the UVA Credit Union had a branch office at Altmore High School. And there was talk about moving one, opening one at Western Albemarle. And it was such a great experience for the students because the credit union folks would let the students take rotations through to learn a little bit about banking.

[00:36:25] And it was just a really innovative, I thought, idea, something to think about, bring back from the old, right? Because I think the credit union enjoyed working with the young people and even the teachers and the people at Almar High School could use that branch and it was close and handy for them.

[00:36:47] So just something to think about from the old days. I never knew about that, but that's something I'm definitely going to think about. I can still see the location off the cafeteria where it was located. And I'm not sure what, maybe funding, I don't know what happened to it. But it really worked well to the point where we were talking about expanding it.

[00:37:07] Anyway, something to think about. But thank you so much for being here. Thank you. And after Jim says his remarks, I'm going to bring your proclamation, so don't worry. And I just want to second the comments made by the other supervisors and appreciate particularly the fact that this is a lifelong learning process but needs to be started at a very young age, and I'm glad you're getting them started on the right foot.

[00:37:28] So very much thank you for that. Thank you. Thank you, guys. And I'm going to bring this up. Okay. While Diantha's walking over, your comments reminded me, in elementary school, one of the best student jobs was to be able to work the supply closet before school, which is where people could go and buy pencils and things like that for a nickel, two pencils for a nickel.

[00:37:49] And that was all that part of skills and making sure that the till was balanced at the end of your half-hour shift and that kind of thing. So good preparation for banking. Thank you, guys. Thank you very much. Thank you. Board, this brings us to item seven, which is public comment on matters previously considered or currently pending before the board other than scheduled for public hearings.

[00:38:15] And Vice Chair McKeel will read the rules and introduce the speaker. Yep, just let me pull the rules out here. So we have no one online and two people in person. So during the time set aside for public comment on matters previously considered or currently pending before the Board, individuals may address the Board of Supervisors.

[00:38:40] I'm sorry, I lost my place. Individuals are allowed one opportunity of up to three minutes to speak at each Board meeting. A sign-up sheet is managed by the Clerk's Office. Timekeeping is conducted through a timer and light system at the podium. The green light will go on when you begin speaking, which begins your allotted time.

[00:38:56] The yellow light indicates you have one minute to finish speaking. The red light indicates your time has expired, and you will be asked in your comments. In order 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 Elmore County, your magisterial district.

[00:39:15] Address comments directly to the board as a whole. Any written statements or other supporting material may be given to the clerk. If representing a group or organization, you may ask others present to raise their hands. Speakers may not share any unused time with another speaker. Back-and-forth debate is not permitted, and please do not speak from your seat or out of turn.

[00:39:35] All comments are live-streamed, recorded, and published on the Almar County website. So with that, our first speaker for this afternoon is Gary Grant. Welcome.

[00:39:54] Thank you. My name is Gary Grant. I live on the Bleak House Road in the Ryo District. On March 19th, two of your board members stopped me in the aisle of this auditorium and challenged my suggestion that work sessions should be held in this auditorium instead of in room 241. The sound volume from room 241 for the public to hear the public's business is so low

[00:40:29] as to be close to violating public meeting law. How ironic then that today this board will hold not one, but two work sessions right here in this auditorium where I suggested all of your work sessions should be held. The argument made to me on March 19th by Supervisors Andrews and McKeel was that Room 241 lets the six of you see each other better during the work sessions. Nothing was

[00:41:01] said about how well the public can hear you from Room 241. Also, in relation to one of your work sessions right here this afternoon, let me remind you to look again, or maybe for the first time, to my email to you of March 5th. It has relevance for your work session today about rural rustic roads. This board, through your staff in the Community Development Department, put Bleak House Road area residents through a month of hell starting February 16th because of your terrible

[00:41:40] process for approving or defeating paving projects. Luckily, because 14 families worked together to defeat an unwanted paving project on the Rio and Whitehall boundary, we kept our peaceful gravel road from becoming a paved racetrack. By the way, we saved taxpayers \$543,000 by not letting

[00:42:13] Alomar County government and VDOT pave over us. Now what we wonder is how soon this board, through your community development department and your still terrible process, will put us through hell once again. Thank you, Gary. Thank you. The next speaker is Neil Williamson. Good afternoon.

[00:42:50] My name is Neil Williamson. I serve as the president of the Free Enterprise Forum, a privately funded public policy organization focused on Central Virginia's local governments. Yesterday was April Fool's Day. For a hot minute, I considered a blog post. Albemarle County announcing a public-private pickleball partnership to convert your recently acquired 172-acre Rivanna Futures acquisition into a corporately sponsored Vlasic pickleball sports

[00:43:26] complex. I even came up with a name for their national championship, which would drive lots of tourists to Albemarle County, the Vlasic Classic. As my Uncle Charlie would say, that would be a big deal. But after a little bit of consideration, I thought better of posting that. Who would believe that Albemarle County would squander away a hundred acres of limited, valuable real estate within their highly restrictive development area for recreation. Oh, wait a minute. This already

[00:44:00] happened eightfold. Today, thanks to actions by the Commonwealth during the Tim Kaine administration, Biscuit Run is a 1,190-acre park in the heart of Albemarle's development area. This is just one of many governmental actions that have reduced the landmass of your development areas. Today, By adjusting your Nixonian-era development area boundaries, you can fix this planning pariah.

[00:44:32] Regardless of your position on the value of Biscuit Run Park in the development area, nothing in Biscuit Run follows the long-touted neighborhood model, philosophy of dense development, interconnected streets, rich amenities, and pocket parks.

[00:44:48] Our vision is for Albemarle to continue to densify at its core. To accomplish this, we must also increase height allowances. together with development expansion significant by right height adjustments in the core will generate taller land efficient development development is like electricity it follows a path of least resistance the free enterprise forum believes the board should be bold we believe expanding the development area from less than five percent to seven percent is the right number

[00:45:22] we ask for you to step forward today thank you thank you that's it thank you uh board our next item is the consent agenda. I have not heard any request to pull anything from the consent agenda, so if

there's a motion to accept the consent agenda. So moved. Second. We have a motion from Supervisor Lupisto-Curtley, a second from Supervisor McKeel. Without objection, if the clerk will call the roll. Ms. Mallett? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes.

[00:45:52] Ms. Lupisto-Curtley? Aye. Thank you. Board, this brings us to our first of our work sessions on Mr. Chair, I just want to acknowledge that I want to thank the Electoral Board because on the consent agenda is the piece of branch lands. I know it will be coming up later, but as they're both in attendance, I just want to thank them for the work of finding a new location for the branch lands voters in the Rio District.

[00:46:13] So thank you. Yes. Thank you very much. Thank you for being here. So, Board, our next item is the work session on AC44 Development Areas Land Use Chapter Revisions and Community Design Guidelines. This will be led by Ms. Tanya Swarzen-Druber, Planning Manager, and welcome.

[00:46:33] Thank you. Give me a moment to bring up the presentation.

[00:46:49] Good afternoon. I'm Tanya Swarzen-Druber, Planning Manager for the Community Development Department.

[00:47:06] Here to talk about AC44, our comprehensive plan, specifically about the revisions that we made to the development area's land use chapter, as well as to look at the community design guidelines. So we'll go through some of those revisions, we'll talk about the design guidelines, and here go our feedback, and also go through the upcoming schedule.

[00:47:32] Today we really only have the one question, do the revisions and additions to the document meet your expectations for both of those pieces of the document. Just as a reminder, our development area's goal is to have a thriving and walkable mixed-use community through development and redevelopment, infill, and adaptive reuse with a variety of house types

[00:48:04] and multimodal transportation connections that includes tree coverage and protected natural features. We've talked about, in previous sessions, the land use tools, and two out of these three.

[00:48:22] The first being the activity centers that overlays our land use designations and will more than likely or will recommend more mixed use and higher density than the underlying land use designation.

[00:48:38] And we've talked about land use designations, which is really the recommended future land use. So today we're here to consider the community design guidelines, which is really what that development looks like. It goes to transportation, street design, building design, and site layout, as you have reviewed in your packet.

[00:49:02] Just to go over a few of the kind of a summary of changes that we made to the development area's land use chapter, We added the major findings and trends, just like we have for all the other chapters. We've updated the FLUM, or the future land use map.

[00:49:23] We've separated those publicly accessible parks and open space from private open space. We've also included a connection between the multimodal strategic plan and incorporated that into the ideas of the activity centers.

[00:49:42] We went ahead and added a section regarding nature per your direction, and then we also updated a few of the actions for this chapter as a result of direct feedback from both the PC and yourselves.

[00:49:59] I'm happy to show on this slide right here all of the remaining chapters that we'll be discussing over the next few months. So today we're here to talk about the revisions of the land use chapter, the development areas land use chapter and the guidelines, but we'll be speaking very soon to you on April 16th about the thriving economy and community facilities and infrastructure chapters.

[00:50:28] We'll be taking both of those together at the meeting of the 16th. And then you can see in that green box when we'll be coming to you, NPC for housing, transportation, and then we'll be taking cultural resources and the community resilient chapters together for our last meeting, June 4th.

[00:50:49] So with that, I'm going to leave the slide up for direction topics and turn it over to Chair Andrews for feedback. Thank you. we have a lot of a fair amount of time for this so i don't want to take everything all at once it might be best to try to take it in chunks if that's all right i certainly would separate out development areas land use and the community's design guidelines as we go through our order with respect to the former of course there are many pages leading up to the actual list of

[00:51:22] objectives and actions i look to the board for consensus here that do we do that all at once or do we keep the objectives and actions as a separate discussion? I'd be sensible if there are a few comments on the paragraphs and then come back to the objectives and actions.

[00:51:44] So we'll start with the paragraphs, the narrative, and then specifically look at the objectives and actions. So I will start going through the order. Again, we're looking at the development areas, land use narrative, and start with Supervisor Malik.

[00:52:00] Thank you. So I'll just have a couple of comments by pages. They've already been made before but did not make it to the next level. So I just wanted to raise them again because otherwise, I mean, I think they're important.

[00:52:17] On page four, the Rutgers paragraph throws in an end completely conjectural that if you have reduced parking requirements, rents are going to go down. And I don't think that's appropriate to put in a comprehensive plan.

[00:52:36] I couldn't hear you because your head was turned out. Oh, sorry, page four, the Rutgers paragraph on the right-hand side. Oh, okay. So I'm just raising that again because I don't think it's appropriate. I would like to know where, page 11, middle residential, where do we talk about smaller lot sizes to make missing middle actually work?

[00:53:02] Because I'm glad to see in the CCE about the co-housing now, Chris Fuller's coming back again, but he's 15 years ago tried to bring something to Crozet that would have been spectacular.

[00:53:19] But the minimum lots were too big, and so it would not work. So that's important, I think, to get something in there. Just in general, I think we should be having photographs of Admiral County.

[00:53:35] I don't think it's appropriate to have pictures of the Navy Yard in our comprehensive plan. I've been there. I know where it is. So I just make that publicly again. And I really appreciate on page 37 about bringing more nature into things.

[00:53:57] And so we had talked earlier about having less restriction and requiring a paid top lot in every circumstance when an alternative might be more appreciated by the residents. And some resident conversation is also something that would be helpful.

[00:54:16] And I guess that's all for now. Thank you. Thank you. Ms. Supervisor LeCousteau-Curtley. Oh, so question, are we going in order, starting at the beginning and going through there, or?

[00:54:34] We are doing the entire narrative of the development area chapter, not the community design guidelines, and not the objectives and actions. And then we'll go back and go through the objectives and actions, and we'll go back and do the community design guidelines. Okay, so if there's not a concern with the narrative, yeah, I don't have a concern with the narrative.

[00:54:57] I'm okay with the narrative. I do have questions regarding, well, future land use interpretation policy. I know that's page 26. And I thought that that was a really, really good one.

[00:55:15] But I don't know if that – it said taller buildings, which goes to my point that I brought up before about allowing taller buildings. So we're just using on page 24 where it says future land use interpretation policy. Am I off track here?

[00:55:31] No, please go ahead. Then it said cluster development, protection, sensitive environmental features, et cetera, et cetera. Taller buildings, but it doesn't give a height limit. Is that assuming that we can go beyond our current level of four or five stories?

[00:55:50] Can we go up eight, nine stories in certain areas where it would benefit to be taller with amenities? would that negate that in this item number three on page 26 no it would not necessarily negate it the idea behind the activity centers was an overlay that would recommend a higher more than likely at taller buildings but I think the text that we've included so far is just

[00:56:28] denser and intenser so we did not specifically write in taller so we can do but we can add that but it does say okay uh in paragraph three it does say taller buildings can provide uh additional density while reducing the area of land impacted by development in other words so you have something like let's say a fashion square an albemarle square some of these other places that are a void of commercial um they could have commercial plus a tall you know tall buildings uh with amenities

[00:57:06] i've actually seen it in reston where they have spaces for people to gather they have a swimming pool etc etc all in these taller buildings but it seems like before we were saying no you can only go go up to four or five stories but in the appropriate places and i emphasize appropriate places going eight nine ten stories should a developer want to do that i feel is something very uh important plus it's close to transit water sewer things like that this would be in

[00:57:39] the development area am i getting any pushback from anyone i don't have any pushback i think this is the umbrella under which other decisions will be made in the future at the zoning level so i agree with that but you have to give you have to give the opportunity otherwise if you don't have that opportunity if you don't say taller buildings which this does and i'm clarifying the interpretation of that when they see taller buildings we're not putting a building height limit if i understand that correctly then i'm good with this word there's no number there pardon

[00:58:17] there's no number there all right good um i think that that's that was my big no regional center uh and i think it's um reinforced in the regional center on page 33 that says building height at least three and up to eight stories would it be limited to eight stories because i'm hearing from developers that it could be uh the point the good point for them

[00:58:55] is eight nine and ten so can that eight stories be changed to ten stories or just up to you know whatever someone is willing to build i said i suppose it could if it was the will of the board i'm trying to i'm trying to get denser in the development area that's my whole purpose in certain areas in areas where it would be feasible to have or at least give developers the opportunity

[00:59:31] that they know that they can come in, which also assists economic development, where they know they can come into an area and build a tall building, have commercial in there, and instead of cottages or single-family homes or even townhomes, trying to open up that mindset.

[00:59:56] Mr. Chair, do we have a map of the regional centers? Because I'm drawing a blank on which ones those are. Is that available? I don't believe I have that as a backup. Because it makes a difference if it's a center more remote, then the hire might be fine.

[01:00:15] But if it's not right in the core, then I would not support going higher. I remember that they're quite limited, right? I think there's a countable on your hands amount of them. Yeah, they are limited. We're not talking about just anywhere, but they are limited. Like two per district.

[01:00:31] Could be two per district. But if we are talking about increasing density in the development area, we need to go higher, too. For your reference, the activity centers are the map that we've seen before is on page 30 of the chapter.

[01:00:53] Okay, and that would include the regional centers, right? Yes, ma'am. Yeah, I saw that map. That would include everything that I think would be feasible, you know, should a developer want to come in and do something like that. I mean, let's face it, folks, we have to think of something different.

[01:01:11] Otherwise, we are going to be going out into the rural areas and expanding that. Okay, so that's it for now. Thank you. Thank you. Supervisor Galloway. I mean, I think for the most part, with the writing and the draft and everything that's in there, I'm ready to call it a good draft that we take out and start to get feedback on.

[01:01:37] I don't really have a whole lot here to add on. Most of my comments will be when we get to the action items and the objectives. I've got some stuff there. But to speak to just the conversation that's coming up, I mean, what's the tallest I see in their eight stories?

[01:01:52] I mean, if you go much higher, it kind of changes. I don't know if our market supports going higher than that. I wouldn't be. I certainly think if somebody thought they could and it could be possible, I'd want to hear from them. But there's no shut doors here. And I know that the small area plan for Rio 29 already addresses height in a different manner than this, and that's an optional overlay.

[01:02:16] So my guess is some of these other regional centers are, I'm sorry, what's above the regional center? Regional center is the largest. That's the top one. So there may be other regional centers that have to have their own small area plan and optional overlay developed for them that can address the height for that optional overlay in similar fashion that the RIO-29 one does.

[01:02:40] I mean, when it comes to getting the units, and especially if affordability is involved, I mean, I just think it's an option that's on the table. I don't feel like anything in here the way it's worded prevents us from doing it. And then I'll just speak to the, I don't mind the Rutgers study being in there.

[01:02:57] It's support for the opening statement that the other, all three bullets address. You might want to just include others than just one study. You might have a list of things that, because that's a general,

that's an understanding. That's not disprovable.

[01:03:13] My clarity, the last sentence is all I was complaining about, is that there's an automatic connection between fewer parking spaces and lower rents. I'm not complaining about the Rutgers study being referenced at all. But reducing and making the land available for additional units can help with reduced rents.

[01:03:30] But it's not, it can, that's different, not will. It's the declarative statement in here that I don't think is appropriate because it makes us... It's a factual statement, in my opinion. Allowing reduced rents as compared to more typical over-parked residential developments means that that's what the study says.

[01:03:49] I mean, if you're going to list studies, I'm just weary of listing one. But this particular subject area, multiple studies have said yes, if you reduce the parking requirements, that it does go to allowing reduced rents. So that's something you could find a lot more information on.

[01:04:07] So I think if you're going to cite sources, it shouldn't just pick one source out there because it leaves yourself open for things. If you have multiple sources that you can cite, well, then that's a different animal. But at the end of the day, and I'll react if other comments come up anywhere else in the chapter, but I'm good.

[01:04:29] Okay, thank you. Supervisor Proett? Thank you. I want to first just for the public who doesn't have the things in front of us, There are five regional centers, which are Hollymead Town Center, a very large section of the Rio 29 area, the kind of intersection of Hydraulic and 29, part of the northern end of Pantops, sorry, lower Pantops, and a little bit of 5th Street, kind of between the county offices and 5th Street Station, it seems to be the area.

[01:05:00] So those are the regional centers that are under discussion. want to first just kind of describe what my understanding of even the narrative section of the comprehensive plan is and see if that is consistent with what staff sees because I think that informs how we think about and talk about it I see this as being because most of this is dedicated to talking about different types of planning districts and what that implies and I see this because it not the zoning code i see this as a descriptive statement about a future vision right it is saying

[01:05:42] let me pull one and i'll give you an example of what i mean um building form of neighborhood mixed use buildings are generally one to three stories building footprints for non-residential are typically less than that is not saying that's what the zoning code would describe it's saying we might expect that if we are doing everything we're saying this is about what the median building will look like this is what will be accomplished and so if i'm correct in understanding that i'm looking to you for a competition you are yes it is not a normative it is not saying buildings shall be one to three stories and neighborhood mixed use correct it is a vision

[01:06:19] um in that case i am i think quite comfortable with the bulk of this and have very little to change um the the main thing i would um i actually want to pick up something that supervisor malik touched on earlier and that is about photos right i'm thinking about again what is the purpose of the narrative section i think of the narrative section as being like easy to engage as a new member of the county or a new person caring about county governance right it helps you think through it it helps me think oh what is this it helps me get inspired about what i might care about what i

[01:06:57] might want to get involved in and humans are simple animals at the end of the day we like pictures i think it is probably helpful to connect the pictures more directly to what we're trying to accomplish with them i don't necessarily have an issue with navy yard having a photo in there if it's something that we can't show in the county right and some of these things i think there probably aren't good examples or there's maybe only one good example of them frankly um and so that is fine i wonder and i realize this is a staff ask i wonder if it might be prudent to have

[01:07:32] captions on any of these because i i'm embarrassed but you know i've not lived in the county as long as some of my peers some of these i'm like what the hell is that um and it might not be in the county and i don't know um and i think that informs how i might look at this and think about what i'm supposed to be getting out of it oh oh this this is working in this neighborhood i can connect this now um and i wonder if that might increase the utility for kind of the target demo for this um and i do believe actually that's all i had on this i will have more juice uh when we actually

[01:08:09] get into it um well i've been skeptical of the way in which we plan to utilize the crosswalk and the cac's as a primary kind of vector of zoning decision making as we move forward and how it's going to pay into the flume i understand that as being something i would tackle in the action items but if that is incorrect and should be attacked here help me out here i don't remember if there's a specific action item that touches on this do you understand the question i think so um

[01:08:46] it might be better to go ahead and discuss it okay in a general sense versus attaching so in a general sense i know from a previous meeting of the board um and kind of what was voiced there um when we last looked at this we i believe one of the questions we specifically received was about the idea of crosswalking and basically not having a unified discussion on the future land use map what is zoned as what and instead uh relegating that to the cac level um and the

[01:09:22] master planning process and the master plans would then be incorporated into the comprehensive plan and would directly inform the flu my understanding is that is what we agreed on with the board when we said yes to a crosswalk and that is what this document currently reflects i'm seeing you nodding i continue to be uncomfortable with that and i would reflect that back to the board um the land use map is one of the most important legislative decisions that we make as a board um on land use and something i've expressed continued kind of frustration is that it feels like our own comprehensive plan is out of step with what we're saying uh with what the zoning

[01:09:59] code says and it seems like this is a way to replicate that process moving forward and i also i'm concerned that it does not elevate this as an issue politically for public consumption and feedback in a way that we would want um in that it potentially puts it out of it puts it out of the hands of people who do not already live in those neighborhoods right fifth and avon is going to review and develop the master plan for fifth and avon um which would incorporate less of the views from outside of fifth and avon um i bring this up because it's my cac right um i don't know

[01:10:36] that it that is the healthiest or most effective way to do planning for a county as large as ours that is serving as many citizens as ours um if it is still the board's intent that we rely on a crosswalk i would suggest that we need a strong subsequent legislative process from the board um and i would still oppose it right but if if we do insist on going through a individual cac's developing their own respective land use policies which i am opposed to but if we do that we need to have a legislative oversight of that that is extensive and maybe i'm misunderstanding the

[01:11:14] process but my understanding is like currently it is developed by the cac's and we adopt it um and it becomes incorporated in its land use policies if we are going to do that it needs to be a very serious on the scale of what we have done here um review of those policies because i would be concerned about, frankly, the community writing its own rules for itself in a way that might not serve the entire county.

[01:11:41] I agree. We have Ms. Flardo, I believe, has come to address this. Thank you. Thank you, Chair Andrews. Jody Flardo, Community Development Director. And thank you for the opportunity, Supervisor Pruitt. With the zoning ordinance, we are going to be bringing all of the zoning ordinance section by section to both the planning commission and the board in public hearing and depending on on how this thing rolls out likely in work sessions prior to public hearing so we're not planning on

[01:12:16] utilizing the cac's as a an evaluative tool if you will we would we're always happy to go to to the CACs to share what we're thinking and to get feedback but clearly this will be a PCN board regularly scheduled series of meetings and conversations I hope that so so help me understand there is there an element of help me understand how something gets on my future land use map okay right like because it's my understanding has been that that is frankly coming from bottom up

[01:12:55] from my CACs based on the current map and then re-evaluated. But if I'm misunderstanding that, I want to make sure I'm understanding. There are a couple different ways that you can change the future land use map. What we've done for the future land use map before you today is we have consolidated the small area plan future land use maps.

[01:13:17] And so having small area plans considered and evaluated and brought forward from your constituents in that particular area would be one way. However, if you as a supervisor would like to consider or ask for or pose to your fellow board members a change in land use for specific parcels in your district, you are welcome to bring that forward to the board directly.

[01:13:47] So there are at least two ways that that normally would happen. Today, because the future land use map is part of this work session, I had reached out to the board prior to this meeting and said, if you all know of specific parcels that you would like us to reconsider for a different land use designation, bringing it forward at this work session today and then forward through the public process in public hearing, both at the PC and the board, you're welcome to do that as well.

[01:14:20] So we kind of offered up a slight modification on that because I know folks talk to each of you, as they do to us as well, saying, golly, I really would like some support in doing something different with this particular parcel. So I hope that addresses your questions.

[01:14:38] I want to also just make sure, because our zoning change is going to be subsequent to this. Yes. And that would also involve, frankly, not just a future land use map, but an actual land use map, right? It will actually include a zoning district map, and that will be the law.

[01:14:59] I guess something I'm concerned about is us falling into the current pattern we have, right? Which is that our comprehensive plan and our land use map are discordant. I hope that turn of phrase doesn't, but you know what I mean, right?

[01:15:15] We are always briefed every zoning map amendment that comes before us about the disparity between our comprehensive plan, which incorporates the master plan, and the actual planning district that it is in, right? Are we going to automatically incorporate into the comprehensive plan whatever the changes to the planning district map that we create during the zoning amendment process are?

[01:15:42] Our hope is that the future land use map that we're working on now will inform the zoning district zoning map that will come before you. That's our intention. So we are intending to couple those things together.

[01:15:59] We start with a comprehensive plan when we're doing an evaluation of a rezoning. And so should the zoning map be requesting a rezoning to something that does not work or fit within the future land use, land designation for that parcel, we have in the past come before you with both a comprehensive plan amendment and a rezoning where you have to marry those two things back together.

[01:16:28] So that would be my expectation moving forward. My understanding is we have not done that in several ways. We have done that. Okay. My misunderstanding. I apologize. Okay. Sorry, I'm still thinking through this. I apologize for staring wistfully off into the distance.

[01:16:45] I guess the thing, and I recognize I'm showing some imprecision and some uncertainty in how I'm engaging with this, and I apologize to the board for not coming fully copped on this. But I guess the concern I'm reflecting is something I hear from ICACs, is that they have not revisited their own master plans.

[01:17:06] some time some of them think that their master plans are out of date um we have incorporated their inputs in to create our our current future land use map that we have before us and we have had the opportunity to give individual feedback and i'm that was not lost on me uh it didn't slip by i just frankly don't know enough about my individual parcels to be able to feel like i can give a coherent pushback on this fifth and avon i believe 2015 is when their last master plan was maybe earlier and they are interested in revisiting it but we're about to incorporate

[01:17:45] into the comprehensive plan their current work and we're going to use that as the guidance for executing a zoning map or a zoning a planning district map in the zoning code I am worried that we have not and I hate this because we've done so much public outreach I'm worried that there has not been a public feedback and discussion on this issue specifically and if you think that is mischaracterizing this but i i keep looking to when i moved here the thing that people in public advocacy in the charlottesville area were talking

[01:18:20] about was charlottesville's flume they talked about it they had meetings that went past midnight they looked at individual parcels people on the planning commission people in the uh um town or city council reviewed it in several rounds um and there was a lot of public consternation and thought that went into it um there was a lot of folks from lajc who who did some organizing around it um and we're about to adopt something with the same level of bindingness this board is and i don't feel like there's been this kind of public engagement and maybe i'm out of step here but

[01:18:58] i guess i reflect this to the board i'm not sure that we've had this level of of thought on this specific issue and it does it does give me cause to worry and i i don't mean to uh grudge any of uh community development's process on this i think y'all are doing what you've been told to do um i guess i would do my my comments there kind of with an open question if this is actually the way we want to proceed on this or if there's a another way forward and like while you're there

[01:19:31] address that for us i think um my views are different than yours simply because our small area plan process involves much public engagement and mind you yours is a bit long in the tooth i understand

that the process for revisiting all of that is another process that will follow behind this and so i i think we've got a bit of um we've got a timing issue here but we do have the process

[01:20:06] that you need to be able to make modifications should your community come to you and say we want something different in this area we've got tools in place that we can use to get you there from here um so i i don't exactly share the concerns but i've got a different perspective than you and certainly we take direction from the board so whatever you all would want that would be what we will do to just final comment during your time um this feels like a yell at your

[01:20:42] supervisor moment right like i would have expected a lot of feedback from my constituents about the land use map i have had no one reach out to me about particularities of the land use map and i realize this is a weird way to reflect like but my concern is we're in the decision making posture on it today and who's yelling at us if we're a long way from the decision Yeah, that's months away.

[01:21:08] No, months away. Supervisor McKeel. Just to say right now, I'm comfortable with where we are right now. Sorry, I wasn't comfortable with where the mic was. But I'm comfortable with where we are right now.

[01:21:25] Thank you for that. Thank you. Do you want to add anything else at all, Jody? Because, I mean, I know Jim will give me a little bit more time if I need it. I think the only thing I wanted to add was just to reiterate, Today we're in a work session, but you all are not making a decision today.

[01:21:43] The adoption will not be until right now, October 15th, is Adoption Day. So we've got a little bit of time yet just sharing that. So maybe that will make you feel more comfortable with the process for today.

[01:22:01] At least I hope so. Thank you. Thank you. Yes. Thank you. In general, I have no real argument or changes that I'm requesting here. I would like, just for my own self, help me understand.

[01:22:19] On page four, just, and we have the narrative about sufficient land available to accommodate 20 years of estimated growth. Help me with those comments, and I guess what I'm looking at is the estimated growth in the land available because we went through 15 years maybe of solid 1.5% to 2% growth.

[01:22:47] All of a sudden we have jumped now to about 5% to 6% recently. I mean, not a decade, but recently. So I guess I just want to help me understand when we're looking at that data, what percentage, what are we looking at in the way of growth?

[01:23:06] Are we looking at the 1.5% to 2% or the 5% to 6%? Are we splitting it down? I'm just trying to figure it out to be honest because it's critical because that's really important in my opinion. I guess we didn't look at that figure to know the exact number, the growth rate.

[01:23:27] How did you come up with the, I don't understand, and maybe it's just me. Maybe I'm confused. Help me, Jody. It's a Weldon Cooper Center. And I, yes, so that's what you use, right? But how recent is this? I mean, because it's going into the comp plan.

[01:23:46] Jody Falarido, Community Development Director, again. We were using, we were basing these figures on the capacity study that we did in 2022. We have recently, we are in the throes of signing final contracts for an amendment to those numbers.

[01:24:06] So there's more to come on that. And we are hopeful that we will get the updated numbers for you. In fact, we are targeting to get them for you before you adopt the comp plan. You have answered my

question because in my gut, I just keep thinking to myself, this is not matching with what I'm hearing from Weldon Cooper and some of our other.

[01:24:28] So thank you. You're welcome. So more to come. Okay, I appreciate that. And the only other thing I have is I understand, I guess, Anne's concern about Rutgers identifying the one. But I'm like, Ned, all the studies that I've ever seen show that.

[01:24:46] I mean, how much trouble we want to go to listing all kinds of studies. But certainly multiple studies have found, and if you want to play with the language a little bit about more than just that particular one. But certainly I agree with the point you're making here that that is certainly, in my estimation, an accurate statement.

[01:25:07] I just get into what we were discussing earlier. And that's really all I have. Thank you. I have a number of different questions that are mostly just trying to make sure the document is as clear as it can be, I hope. I know there were some comments that we received from the public about color schemes.

[01:25:27] And the FLUM has a color scheme, and then the regional centers or the centers map has a color scheme. But then on pages 7, 31, 32, 33, there are other little inset diagrams with multiple colors. And if those are not following any key anywhere else in the document, it should be made clear that these are not intended to follow that key because I think that was confusing to someone at least, and I hope that that can be fixed.

[01:25:58] Let's see, there are those two maps, the activity centers map versus the future land use map, and I want to make sure that as much as possible those are consistent with each other and also the description.

[01:26:15] So, I mean, I heard a lot of discussion about the number of stories, and of course, if we look at the future land use map, there are a number of up to five stories, six stories, four stories, but then we get to the regional centers and it says up to eight stories, but it doesn't say how that fits with the other maps.

[01:26:31] So I got myself just a little bit confused as to why one map has one set of stories associated with it based on what the activity is, and the other map has a different set. And so I thought that maybe could use a little bit of tweaking, if you will.

[01:26:46] I agree with the comment about captions on photos. I think that that would be very helpful to the extent that the photos are purposeful and they're intended to illustrate something. At least a caption letting us know where it is would help, and maybe even what it's illustrating. Let's see.

[01:27:02] I want to make sure that we're being consistent on our use of secondary uses. And where this jumped out at me in particular is when we get to the urban land use, which, let's see, urban residential, page 14.

[01:27:22] Suddenly we have secondary land uses, single-family detached housing. And, of course, I know one of the efforts here is to try to densify, but when we see single-family detached housing as a secondary use, And my question, I guess, is do we need to list this as a secondary use?

[01:27:40] What does it mean to say that you can have a single-family home in the urban residential area? And do we, are we, what are we, I guess, are there by-right expectations built into this document? I mean, I notice that in other areas, let's see, middle residential also has secondary, single-family.

[01:28:02] But then others did not. So I wasn't sure whether we were consistent, whether this is what we intended. So like for neighborhood residential specifically says single-family detached and attached.

[01:28:22] So that's consistent. Just something I think needs to maybe be looked at. I'm just worried that we may have inadvertently thrown things in here that we really don't want to have. for example urban residential not that they don't exist let's see i just raised the point that as i looked at the different uh step back expectations um that in my experience on the

[01:28:58] board we've had a number of special exceptions involving step backs and they almost seem automatic. And I want to make sure that we are intentional to try to streamline things so that if there are standards that can be put in that would make it so that we didn't need to review those, that would be helpful if they're something that we expect that we're not going to need to deny. I mean, if there are some trigger where we know, well, these are the ones we really want to look at. I'm not trying to say that they're not important.

[01:29:31] And I'm just noticing that we almost always just get them and say yes. And those are my comments. I do think that the small area plan process involves a lot of public engagement, needs to.

[01:29:52] But the CACs are sort of the most intimately familiar with the geography of that area as it exists. That doesn't mean that they should be looked to to write the small area plans, but certainly they have the feedback. So that's just feedback on that comment.

[01:30:10] And thank you. No others. Very quickly, your discussion of maps reminded me, page 5, the key, does describe Scottsville as an independent city, which it is not.

[01:30:27] So the key should probably say independent cities and towns. Very good. Yes. Yes. So my question, is this the time for me to bring up the – I did respond from Ms. Valardo's question about changes to the flume.

[01:30:46] So is this the time, or is there some other time later today to talk about that? It's up to the board. However, you could certainly bring it up now since we are in the chapter where we're talking about – If we're in the flume stuff. Okay, so I had circulated an email to all of you in response to the question, and this is the area of – If you can picture Miller School Road, Crozet Avenue, come together at the light with 250 going, and just west is Brownsville on the north and was on the south.

[01:31:17] And this very small lot was left out of the reorganization back in 2008 when the area to the east was rezoned into what was going to be at the time a mixed-use, large office and residential thing, and then it got wiped out by the recession and sat empty for many, many years and now has a very large self-storage building going on there.

[01:31:46] But the residential lot is really, really difficult now, and the landowner had discussed back in 2010 making it commercial, and so that is my response to Jody's question is that would be the only one that I have that could be changed to commercial in the future land use map at the comp plan level and then could come back for a rezoning when the landowner was ready.

[01:32:15] So that's the element that I have to bring forward to the board. And I also put some feedback on that, just one area, and that is what is called the Sieg property, which is the corner of 29 and 64 currently has no real accessibility to any other area except for by car getting in and out of 29, which is already a four-lane road.

[01:32:39] 64 is inaccessible except by the interchange. And that was proposed to change from regional mixed-use, which normally goes to general commercial, but it was proposed to change to community mixed-use, which suggests a walkability that I don't think is there, and so I suggested that I thought it was more appropriate at general commercial the way the rest of the regional mixed-use were generally changed.

[01:33:00] And that was the only feedback I gave on that particular area of the flump. Are there uses that would be excluded if it were general commercial? I guess some upstairs residential would still be allowed. Residential would still be allowed. Still would be allowed. Yeah, okay.

[01:33:16] Still would be allowed. Yeah. As a secondary use. Secondary. As a secondary. It could be as a secondary, right. For this, this would not impact, I guess, the application, which is already in?

[01:33:33] Yeah, I was going to say there's an application. The ramification is about to be resubmitted, I think, but I think it's unclear. So the ramifications of being secondary, just so everybody knows, can we talk about that?

[01:33:51] This, I think, informs very well what you were talking about earlier, right? Because the response that this is a secondary use, I'm like, well, I don't know if that means it's by right use. That is just less desirable or if it because if it's by right, right, then it's going to be it's going to start to have residential because I mean, these are still comprehensive plan. Right. Exactly. So by right is a question of zoning. It informs what we would expect this would turn into, though.

[01:34:23] So Jody's at the podium, so let's let her know. Jody Filardo, Community Development Director. For this particular property, a secondary use would mean that if you wanted to have most of this property be residential, then it would not be in compliance with a comprehensive plan.

[01:34:48] However, if you had less than 50% of the entire property in residential, that would comply. And, of course, you could always bring it back for a comprehensive plan amendment with a rezoning as well.

[01:35:05] So that's what you would be setting up on this parcel if we made the change for discussion today. I hope that clarifies that. It does. If you could refresh my memory that under the existing comprehensive plan, what would the requirement be?

[01:35:25] You know what? I'm going to need help from my team. Tori, do you know? So in the current 2015 comprehensive plan, it is part industrial and part regional mixed use. And if I'm remembering correctly, I think that residential is one of the primary uses and the density range is 6 to 34 units per acre.

[01:35:47] Currently? Yes, currently. Okay. So I'm not real comfortable, and maybe it's because I'm not a land use expert, but I'm never very comfortable in changing in midstream. If we have an application for that property right now and we're talking about changing something, that makes me very uncomfortable.

[01:36:08] We are changing something because we're changing it. Well, I understand, but your change is what I'm suggesting. The problem is that we're taking the existing categories and moving them in different directions, and this particular category is getting split two ways. Yeah.

[01:36:23] It's a question of which way does it get split. But I'm uncomfortable with changing it from any way. Supervisor McKeon, I've got a little bit of good news that may help. We are expecting a resubmittal, but we do not have an application in our hands right now.

[01:36:45] So you're not hitting an application that we are currently reviewing. Yeah, that's what I'm concerned about. Thank you. You're welcome. All right. Thank you. You're welcome. With that, I think we should go to the actions. Okay. And again, the question is whether we try to do all four objectives at once or break it up into pieces.

[01:37:10] I guess how many do you have on a slide? Because it would be nice to be able to look at them while we're discussing them. So, yeah, let's do one, then we'll do two and three together since they're together on a slide, and then we'll do four. I think that's probably the most efficient way to see what we're doing while we're doing it.

[01:37:27] So if we go through our order again, we'll start with Supervisor Malik. Thank you. So 1.2, my concern here is how does this ordinance or how does the comp plan protect the loss of employment space?

[01:37:44] Because using the Crozet downtown as an example, it has been since 2005 and probably further back, the community has been much more interested in, or really, really interested in getting more jobs for people who live there so that it reduces the amount of driving into town and all the 250 traffic, et cetera.

[01:38:09] So I'm worried about how 1.2 would impact the loss of employment space. If it were limited to only LI and HI, then that's a concern.

[01:38:26] If it's C and C1, then I have less concern. So help me with that. I think at the action level in the comp plan, we were keeping it a little bit more high level to be determined with the zoning ordinance update.

[01:38:46] So it's meant to be somewhat flexible, and we haven't mapped it out yet to specific zoning districts. Okay, so if you would save that note for when you get to that other point. And just the rest of Objective 1, I'm happy with.

[01:39:04] I have very much priority for the structured parking as we need it all over the place if we're going to get more density. So 1.7 is a high priority for me. Thank you. Thank you. Supervisor Lupisto, perfectly. No, for this page, I don't have any problems.

[01:39:27] I did star the 1.7 because I thought that, I personally thought that that was good. Okay, thank you. I like that, so that's it. Supervisor Galloway. So for 1.9, the monitor, the proportion of development occurring within the development areas, et cetera, compared with the rural area, don't we – so the 17 percent baseline, is that just how many new units went into the rural area?

[01:39:53] Yes, that's correct, the proportion of new development. So don't we know or do we know in the rural area how many – what's the max capacity of the by-right building that can occur in the rural area? Isn't that something we should know? I think there have been estimates over time, but it's pretty difficult to figure out given the development rights and trying to figure out how many have been used.

[01:40:18] But we know each parcel and how many development rights exist on a parcel. The 21-acre rule makes it very difficult to know whether you can divide a property into different 21-acre parcels. We do know, well, we could find out how many small lot development rights are, but even that is a pretty big task.

[01:40:35] My point is, if it's proportional and we're just taking how many units built in an area by right compared to the development area, I'm not comfortable with that as the proportional analysis. And if it

seems to me that we would have a better chance at getting at to what's allowed in the rural area, even based on our current rural area standards and knowing which development rights do exist, I understand there's some complications.

[01:41:04] But it'd be a hell of a lot easier getting at a ballpark number than it is in the development area for potential building out. But my point is, is if we say we have 17% new units, but that 17% is just because those new units came online, how does that become a way to proportionally analyze that we need to push things to the development area?

[01:41:23] If buy-write activity, maybe it would have been 40% was allowed in the rural area. And we had 40% new retail units out there. But if that was all right, all by right, and allowed under rural area zoning, then I think that it could vary in a way that I'm not confident in, start pushing like we've got an issue happening in the rural area, therefore we have to increase the density even higher in the development area.

[01:41:53] There's just got to be a way to figure out with some at least ballpark way to go, all right, we've got this many properties that are not developed, many development rights that haven't taken example haven't taken advantage of um you know the the mobile home application that was in front of us the buy right was six units on that particular property so right there i know there's six well you know if that six develops out by right and another 10 properties build six units and we got 60 new units well that's all okay based on our

[01:42:27] rules. So why should that drive some sort of proportional trigger that the development area must have stuff driven into it? Does that make sense? It does make sense. And I think when we say 17% of the new dwelling units, it's compared to, I don't know how many dwelling units we got were built in 2024 overall, but that is a percentage of rural area units built plus development area units so that's the proportion i understand but it says monitor the proportion

[01:43:05] of development occurring within the development areas compared with the rural area but if we're just comparing what it really needed you know and then it says if the proportion of residential development begins to increase in the rural area develop options for further encouraging and directing growth to development areas but if the proportion of residential development begins to increase in the rural area and it's all done by right based on rural area zoning i don't understand the logic behind what we're doing here? I think it might be one indicator that development is happening more frequently and it's easier to do in the rural area. I understand. We don't want

[01:43:44] development, period, in the rural area. Right. And we don't want the folks that got the by-right development rights to build their units. I mean, that's basically what we do. We don't want units. We don't want development out there. But it is allowed, and there are by-right development rights in the rural area and they can do that we don't have any will or ability to stop that from happening my concern is if folks take their buy rate right build their residential units out in the rural area which tend to be single-family detached homes if we start saying that what's

[01:44:18] already allowed happens and places a different burden on the development area i don't i don't I'm not following the logic, and I have an issue with that. Please. Jody Filardo, Community Development Director. Jody, could you speak up?

[01:44:35] You should talk so softly. It's just hard sometimes to hear you. And we love Gary Grant, but we don't want him coming down and saying he can't hear us in this room either. Okay. I'm trying to swallow the mic here a little bit. Jody Filardo, Community Development Director.

[01:44:51] Supervisor Galloway, I think the intention of this is a much more blunt instrument than you are expecting. What we're trying to make sure of is that we have some kind of litmus test to understand are people choosing to build in the development area?

[01:45:09] My understanding of this particular item was not to be punitive or to disallow people who have by-right development opportunities in the rural area from developing, but really it was more to be able to come to the board and say, board we were trying to make the development area some fabulous place for people to live work and play we really want people to build and develop there but we wanted to let you know we're not seeing much development in the development area and we're seeing this big growth of development

[01:45:46] in the rural area that it so it was really intended as a much more blunt instrument than i think you are anticipating i don't know if that helps but that was really the intention of this so we can go back and take a look at the wording of this to reflect that better but it was really to give you all just kind of like a litmus test to understand what we thought would make the development area robust and active and desirable may not be working because people are fleeing to the rural area it

[01:46:23] was that kind of a thing we can look at the wording of this though i appreciate that and i don't think we should use one year as a baseline if you do stick with the approach so that's just an arbitrary pick of a number and oh it's the last year let's use the most recent one yes that's not a way to you to form a baseline if we're going to do proportional analysis the fact is is that there's very few i mean there's by right projects that are happening in the development area right now that are single family detached but at most there are two so you know the the type of home that you can build in the rural area you can't build in the development area and if it's a

[01:47:00] rezoning it'll never happen because we're putting that density all in there i'm just saying that it seems that we have an amount that no matter what we do is going to be allowable in the rural area yes and that should we should be able to back into that number in an easier way or in some theoretical way just like we say what our capacity is in the development area so that then we can say all right is there pressure to go beyond in the rural area what's allowed already like we just assume that we're going to do something that's greater than what's allowed in the development area and we want the reverse in the rural area but let's be let's be realistic about what's

[01:47:36] already allowed and i don't know that number i don't know if somebody said well based on the property that's out there in the 95 percent and people's buy right and their development rights how many homes do you think could build in the rural area? I don't know the answer to that. But there's got to be a way to ballpark it and figure that out.

[01:47:52] Let us take that guidance and request away and come back to you. I just don't want that, oh, if 50 units popped up in the rural area one year and that turned into whatever the percent is, and I don't know how the percents are. But if that happened and it's all allowed and by right, why is that triggering some other action?

[01:48:11] Yes, it's a meaningless number when you look at it from that perspective, I understand. Maybe I'm just being overly concerned that 1-9 looks like it's trying to trigger, because it does say, monitor the proportion of development. If the proportion of residential development begins to increase in the rural area, develop options for further encouraging and directing growth to development areas.

[01:48:32] Well, that's the whole, I mean, the whole plan is kind of like that. Why are we adding this extra layer of saying, well, since this buy-write activity is happening out there, we've got to do something more than what we're already doing by having a development area and rural area defined? I don't know. I might be making a mountain out of a molehill.

[01:48:49] Just judging how differently two of us interpreted that, I thought it was describing the snapshot that we get quarterly about where the building was happening. And that was my superficial look at it, but I didn't think about it. Oh, no, I understand, but when you start doing proportional analysis, and I'm going to suggest that, oh, we're getting too much out here and not enough here.

[01:49:08] Well, okay, that might be true, but it's not because of the units building in the rural area. Some say it's because our developer incentive program doesn't work. And some say it's because it takes too long to get stuff through. You know, there's a myriad of reasons why we could say, well, things aren't happening in the development area, and I think we're going to be responsible and try to address all those.

[01:49:27] I don't want to be adding an extra layer in based on something that's just allowed out in the county. All right, I'll stop. Supervisor Pruitt. Thank you. So I was actually going to speak to this. So I will just say, Supervisor Galloway, I agree with you on many things, maybe most things on land use, and I strongly disagree with you on this one.

[01:49:47] And I do think, I mean, I will turn to staff. I think this might be in here because I talked about this. I don't know if it prefigured me being on the board. Like, I think this might be a Supervisor Pruitt action item on here. I think it is.

[01:50:02] Okay, it is. And so I just want to make the case for this, right? This is responsive to, I would say, as a resident of, as a Scottsville district representative and a person representing the south side, is responsive to two very different and distinct sets of constituent concerns that I hear from different blocks and it connects those two concerns in a way that I think is very elegant and a blunt instrument um my equity focused citizens who primarily live in the urban area who are often involved in public advocacy are very concerned about the density that we are accomplishing in

[01:50:40] our development area and whether or not we can continue to accomplish the the density and frankly just the deployment of housing units that we need in the existing development area right there are people who are concerned that the development area is not big enough and that infill is going to be more challenging and separately there are constituents in the rural area who want to preserve the rural character of the rural area um and what is not stated in there but I think is also true but a working class character of the rural area especially in in my district on the south side

[01:51:11] it shouldn't be lost on the board that as it is more challenging or less desirable to live in the urban area that goes somewhere and that results in something that frankly disrupts what my rural constituency wants which is a rural working class area that preserves that character and preserves that natural environment right the creation the deployment of housing units by right in the rural area right now are very different in character

[01:51:50] than what are historically in these areas. And I recognize that it's by right, but insofar as we have a normative view of what we want to see there, I think it's important to have a warning light when our policies are not working as intended, when what is happening with our development area, what is happening with our availability of by right uses is resulting in a consumption of our rural communities and a significant shift in their character.

[01:52:21] This I see as providing an opportunity for staff to highlight a warning light when the character of our rural area is changing dramatically and faster than we might expect and cause us to reevaluate whether or not we are accomplishing what we need to be in the development area.

[01:52:38] And I recognize that that is somewhat duplicative with a standard that is already in our growth management plan, one of our other warning lights that we've incorporated into that. But I think it is a pressing and central enough concern in a lot of Southside residents that I think it does bear lampshading in the comprehensive plan's actual actions.

[01:53:02] I don't see it as something that creates a punitive element, right? I see this as something that it highlights to staff that we deserve a report when this becomes serious or untenable. And I think the language I read here leaves it to staff's discretion as to when that ratio is triggered.

[01:53:25] And I don't think that's out of whack. If we had a year where 50% of all developments were in the rural area, that is actually alarming. That means we're fundamentally failing in how we're deploying incentives. That means something is wrong with our development incentives. That means something is wrong with the available land we have left.

[01:53:42] That means something is wrong. something is wrong if that is happening. And I think that warrants a report to the board so that we can reevaluate it. And so I believe that this is a... I have no issue with 1.9 as drafted. And I don't think I have a question, Jody.

[01:53:59] I realize you're just standing there and receiving this. You can sit if you want to. But I just wanted to provide, I think, a differing perspective on that because I'm not sure. I think it needs to be revisited. If it does need to be revisited, I'm not sure the content is there.

[01:54:14] as much as just clarification if there are misinterpretations as to a potential punitive element that this might have or a restriction that we might deploy, because I don't think that's the goal. I think it's an evaluative tool for this board. The one other thing I want to raise, and I think it's particularly prudent because I did think about this, so I want to talk about 1.5 and how that also informs, and this may not trigger a language change, but I just want to voice this.

[01:54:45] I thought about this when the Natural Heritage Committee was talking to us earlier about dark skies, and I want to make sure that the way we implement this is smart. It significantly raises the cost for development if I want to build a public garage and it requires a special use permit, if I have to do some kind of survey that I have to draw down some contractors for, that I have to pay additional costs for up front, that I have to prepare for a legislative review showing what my lighting and spillover might be.

[01:55:24] That is a significant additional cost up front. The desired outcome is good. But I would wonder, and maybe this isn't something that should be included in this implementation here, but I voice this for the board's consideration, for staff's consideration. I think it is always desirable if we have clear standards rather than the requirement that people develop surveys or studies that we can review legislatively, right?

[01:55:53] So I'm saying there should be a clear, these are the types of lighting that are appropriate. These are the standards of lighting penetration beyond your borders that are appropriate, rather than things that have to significantly create an upfront burden on the development and planning for a site because that does, it affects our ability to deploy economic development tools.

[01:56:15] It affects the ability to deploy new job-creating properties. creates an additional cost that gets translated into rent on residential developments. I like the goal. I want to retain the goal. I want to make sure whatever language we use, either here or when we actually turn to the zoning code, captures that.

[01:56:36] I'm not interested in continuing to require study after study. I don't want a bullet point list of two dozen studies that a developer has to accomplish and bring to us that I'm not going to read um just to get something approved for a special use permit um i raised that here because that's the first one that came across it i'm sure it's implicated by other things throughout here but um i just wanted to raise that um and again i don't know if that there's language that needs to be inserted on that those are the only two things i have an objective one thank you supervisor mckee

[01:57:11] yes i'm going to say it a different way because i i'm going to tell you what i see the problem is I'm not sure I have any solutions. But I agree with Mike. We are losing the ability for working folks to live in this community.

[01:57:32] I'm just saying. And the property is not as expensive in the rural area. The manufactured home proposal offered a great opportunity, but we couldn't approve it. We couldn't as a board approve it because it wasn't in the comp plan.

[01:57:49] I'm not sure how we solved that problem, but we have become an Aspen. And our workers are having to live outside and drive in, which environmentally and in many other ways is not healthy. It's not a good thing. And how we get at this, because I'm just saying that there are working people that should be able to live in our community, and it seems like to me the only place that they're going to be able to live is in the rural area because the land is not as expensive.

[01:58:23] So we've got to figure out a way to make it so that they can do that. Now, I'm not, you guys are the experts, but I'm getting at what you're saying, and in a very different way, and I'm way up here and not into the details, but I am terribly concerned that folks that teach, and firefighters, and police officers, and people that work on our automobiles, and people that work in our stores can't live in this community, and we've got to figure out how we're going to solve that problem.

[01:58:58] And I don't think it necessarily means that we have to expand, but to get to that is really critical. That's a philosophical statement. I do agree on going back to the page that we're looking at here.

[01:59:22] One of my other frustrations is all of the empty parking lots we have in the development area. And if you go into those parking lots, they have signs that say, don't park here, towing enforced, nobody's parking there.

[01:59:42] Is there a way that we can, and I understand, Neal, that they're private property, but is there a way that we can work with them? Somehow or another, we've got to figure this out because it's wasted land in the development area. It's wasted space.

[01:59:59] Some of them border right on our parks. People could park or park their bicycles or their cars and use our trails if they could park, but they're going to be towed away if they park in those places. I'm

sorry, but it just seems like to me.

[02:00:18] I made a couple of notes here. Let me just go back to them. Oh, here it was. And I know we talk about the terrible word seems to be incentives, right, trying to figure out incentives. But, for example, Albemarle School, well, I don't have to go into all of them.

[02:00:37] You all know them. But is there a way that we could figure out some criteria that, by right, some of this could happen in some of these areas, in these parking areas where we could actually use them for, I don't know, residential or, and maybe I'm living in la-la land, but it just seems like to me we have acres and acres of unused parking.

[02:01:05] We certainly don't want to be creating any more, so I get with the changes to the parking requirements. But just to think about that from the – anyway. And I guess that's all. I have some other comments for – I really always – I do go back to 1.10, 1.10.

[02:01:27] LUPIC and the third-party agreement, that is really important for our community. The Lubick is a process that has been really working well. I think we could strengthen it if they looked at more issues like the lighting ordinances and dark skies, if they looked at them from the lens of Charlottesville, Albemarle County, and the university and took some of those on.

[02:01:54] One of the problems we had with its predecessor was that it just became a meeting where people were getting reports. and sometimes the same reports over and over again. My hope is that LUPIG actually gets to the meat of some of these issues and allows those three localities to get together and actually solve some problems.

[02:02:18] And I guess with that, I'll stop. Thank you. Thank you. I don't have any additional comments on this section. I will say that I do agree that just putting in one year of a baseline is probably not helpful, but I do think that encouraging and directing is weak enough that it doesn't say that there is any particular action.

[02:02:40] I do find that section a little bit weird. I mean, I guess it's a good word. It's not clear to me that you can compare what's going on in the rural area. I also am very sensitive, and it's the last comment I'll make about this, very sensitive to the fact that when we went through the ag forestal districts recently, there was an effort to just look at those parcels that were in ag forestal districts and figure out what their development rights were, And that was a massive undertaking that had been postponed for years because of the nature of how much effort it would take going through the county deeds and everything else to try to figure out what people's development rights are.

[02:03:16] And to ask us or ask staff to do that for the entire rural area, not just the ag forestal districts, I think is way more than we should be asking at this point for this. Thank you. I just wanted to say regarding item 1.9, I agree also with Supervisor Galloway.

[02:03:37] If it's a one-year study, I don't think that's beneficial. I'm not quite sure. I didn't bring it up before because I'm not quite sure why we're monitoring that. I think whatever is happening in the rural area is going to happen. I think most of the land is privately owned.

[02:03:53] I don't think we own a lot of land in the rural area, do we? maybe some land so i mean if we're going to develop that for affordable housing okay but otherwise people are going to do what they're going to do you're not going to have large developments in the rural area and the development area you are i

mean they're almost like two separate groups doing two different types of buildings single family homes versus larger developments and so why all that's being monitored anyway i'm not quite sure but we have two more sections of these objectives to go through.

[02:04:28] Okay, one other question. Thank you for 1.5. Do we not have, regarding lighting requirements, I do agree with Supervisor Pruitt, don't we have something that a developer has saying, these are the things you should be using?

[02:04:48] We do have lighting ordinance. Jody is nodding her head, because if we have something saying, just like our native plants list these are the plants you should be using so if we have something regarding lighting or updated lighting these are things you should be using i mean i agree why i have to hire someone to do a study standards not specifics okay we all right jody filardo community development director we do have we have standards um and the standards are specific but we do not have a list of

[02:05:24] unlike our plant list where we have species families and species specified in our lighting ordinance presently as part of our zoning ordinance so that it will come to you all in the zoning ordinance modernization we do have standards but we don't say pick from this list or anything of particular lights but we do have standards and so you'll see more of that with zoning ordinance okay technology will continue to change yes okay so we go on to uh both objectives

[02:06:01] two and three since they've been on one page i know two has to do with parking which we've already have some comment on but we'll go on from there with supervisor malik again going through our thank you um my only comment is 2.3 is the high high high priority for the uh success of the middle density and smaller units so that's all we're accomplishing 2.6 starting this afternoon so I'm well I don't have to raise that one thank you oh three let's see

[02:06:34] no I'm all set with three as well Supervisor LaPista-Curley yes for two and three I have no comments thank you Supervisor Calloway I have no concerns about the text that's currently there and I regret board that i do have something that occurred to me in my work that is not captured here i encountered it in a different county's uh comprehensive plan and i throw it out here

[02:07:07] for y'all's reflection knowing that maybe we won't have enough support for it but that is um that we consider barriers to affordability created by um standards that impact non-standard family and household structures um what we're getting here is uh boarding houses cohabitation and group homes right um we do have uh regulations regarding some of these right um but this gets to how we define single family um how we define group home how we define boarding house and whether or not that's

[02:07:44] actually consistent with our own goals whether or not that the way we've structured that creates additional cost burdens on on individuals right currently in certain residential districts more than two people cannot cohabitate if they are not related. That is not true of all residential districts. There's a cross-cutting based on whether or not you're R1, it's very interesting.

[02:08:08] And there are additionally sometimes fair housing concerns as relates to group homes and recovery residences that this can trigger. This came up once via an email, but I don't know that the board has ever grappled with it. I raise this for the board's consideration. It doesn't mean we have to adopt any changes, but I do think it's something that should be included as part of our zoning review, and that it might warrant inclusion in this comprehensive plan as a priority.

[02:08:35] That would probably most effectively go in three. Supervisor McKeel. I don't really think about that one. I don't really think right now. I appreciated the mention of transit, walking and biking.

[02:08:57] I think I'm all right on this one for right now. Thank you. And I have no additional comments, but I will second Supervisor Pruitt's comment and that I agree that some language talking about how we review those requirements and whether they present a barrier or not is important.

[02:09:16] I think there will also be some legal review in that and that there are already requirements, I believe, in state law that certain types of group homes must be allowed to exist regardless of whether the people living there are related. So that's information that I think should be brought before the board at some point to find out whether we need to open up to more possibilities.

[02:09:38] I've mentioned in connection with the Housing Summit how we have gone from, and I don't have the numbers in front of me as well as I did before, but it's like something like 15 million, no, it was a number of empty bedrooms. Oh, yes. Dramatical increase up to like 40 million empty bedrooms now compared to how many empty bedrooms there were when the population was, It's like eight times now what it was when the population was more than half what it is now.

[02:10:04] So this would go towards that. So no additional comments. We can move on to number four. Supervisor Malik. Oh, I just wrote high priority next to 4.1 and in 4.4.

[02:10:22] Still concerned about bulldozing down forests, trees, buffers. Oops, I didn't mean to do that. Should not be allowed because now it is a pattern. The first guy got away with it, and now everybody else is just running crazy.

[02:10:38] So this is really ruining our any intent, stated or subtle, to have any kind of tree grove. So I don't know the solution to that because I'm not sure we have the authority to do what we really need to do, which is to find the heck out of people when they do that, and then they won't do it anymore.

[02:10:58] But I'd hate for that to be something we do just on paper because that makes us look pretty stupid. Thank you. Thank you. The only concern I have would be 4.4, and I love the fact that we have trees.

[02:11:15] I plant trees everywhere, plenty of trees. However, street trees, depending on the location, it's interfering with some of our commercial. So, for example, if we put streets right in front of commercial, the full-leaf trees, you cannot see the signs.

[02:11:34] I experienced that in my area in a restaurant. We're trying to improve people going there. They had no signs, just on the side. And then they got a sign in the front where, you know, a couple trees that are hiding the sign. So I think there should be something in here that takes into account when we look at trees, either maybe a tree and a bush, two bushes and a tree, or some combination whereby, And I understand the shade canopy and everything, but a combination where we can support business plus have our trees.

[02:12:14] So to be cognizant of that fact. Otherwise, what we're doing is cutting off our nose to spite our face because we're not helping businesses, which we desperately need to do, and yet we still need the trees. So I think that's something that should be addressed in this, whichever one you want to address.

[02:12:35] and they're cognizant of where the trees are placed if they're in front of commercial areas with signs. If it's a blank wall, fine, but otherwise, yes. Supervisor Gallagher. I don't know if this is the right place to put it, but it's where I thought of the note because of 4.3, 4.5, probably somewhat in 4.7.

[02:13:05] but i think the county should take it upon themselves to really push in an application process or whether it's by right or rezoning coordinating all the different utilities vdot in the county in accordance well i know why i thought about it with the trees because hearing of an example of well if the storm water infrastructure is supposed to be under the sidewalk and not out in the road well then what can you plant if you only got but so so far to go And then what does that do for the life of the tree being planted in that area with this infrastructure below it?

[02:13:43] But without going into incredible detail with the project that this kind of illuminated this to me, it is a by-right project. But the process is getting slowed down in some ways, it seems, because of disagreement between, you know, utility, VDOT, our own county engineers, then slopes can get involved.

[02:14:03] I mean, there's got to be a way to be able to just know all of this so you know what you can count on and come to some sort of agreement so that there doesn't have to be a judgment call on every single application. I mean, if our tree ordinance is in competition with we want to put infrastructure under sidewalks, then we have to accept that fact and know that different types of plantings are going to have to exist probably above that infrastructure than if it wasn't there.

[02:14:32] or vdot's going to have to accept that some infrastructure gets put out in the roads even though they don't like in a manhole or whatever so i think there probably needs to be something in here that speaks to the county saying we want to be able to coordinate these different parties with the objective being not necessarily protecting tree coverage or anything else but getting to speed of the damn process and saying let's get this done faster and coordination of everybody being on the same page can helps that and maybe gets rid of some of the bickering that often requires i know staff has given me examples of they have to get everybody in the

[02:15:07] room and it's like well why why do we have to get everybody in the room every single time when we're all trying to get things approved and we all want we should be able to come up with some sort of similar agreement or we should strive to in my opinion thank you professor pruit um i like the text that's here uh the thing i would raise is what i raised in the first section um when we're And this, I think, sounds in the same kind of vein as Supervisor Galloway's point.

[02:15:38] But I would always be interested in standards, articulable standards, standards that don't necessarily require discretionary review over surveys, over processes. And I realize this is my very layman's assessment and that this is probably complicated to implement, but I raise that again.

[02:15:59] And, again, I'm not sure if this requires any change in language here. And I also do just have a question, and this might not be related, but this chapter evokes it to me because we're talking about green infrastructure and this often plays in.

[02:16:19] But do we discuss – this is a bigger question than this chapter – do we discuss energy costs and energy burden in the comprehensive plan? No. And I say this recognizing that localities have little power because we are not the energy regulators.

[02:16:42] But I'm thinking recently, because of our recent conversation, about the burdens that affect working families in the rural area. I'm thinking about the implications that environmental policy has on this and the types of environmental harm that can result from different kinds of energy policy.

[02:17:01] i want to just recognize and raise that there are there are burdens that we have a hard time controlling that fall on certain populations that are related to energy costs um that can be quite

extraordinary uh especially in the fringes of this county this isn't an urban area thing but several of the language here triggered me on this and i'm not sure it's currently addressed in our comprehensive plan so i just raised that up to the board and that's all i got thank you supervisor Yeah, 4.1, I definitely agree with that.

[02:17:37] Having said that, just a couple of thoughts. You know, some of this page does lead me to the idea that we're not very far away from needing a public utilities. Some of what we need to do would be done by a public utilities department.

[02:18:00] I'm just saying. Now, that doesn't mean tomorrow. But, for example, we talk about planting trees. And I am so sad in the spring when I drive through parts of Charlottesville, I will say, and not so much Albemarle, but Charlottesville, and I see the bags of death.

[02:18:22] Those green bags they put around the trees when they plant them. And then the next time you come around, they're dead, right? So trying to figure out how to avoid that happening is another thought, right? So when we're talking about updating street requirements, spacing, soil, buffers, all of those things that go along with planting, if we're going to plant to make sure it lives, excuse me.

[02:18:49] And I do think that at some point we're going to be looking at, we're going to be needing a public utilities department in the way of how we do some of this. I'm just saying it gets to some of our frustration Ned and I have had in the urban areas along maintenance and upkeep.

[02:19:09] The one on 4.6, I would add UVA Architectural School. And the reason is because they do a great job of integrating nature with their urban design. Some of their work over at the university on their new developments is outstanding.

[02:19:30] Daylighting and some of, you know, and working in tight spaces. So if we could, they have great expertise is what I guess I'm saying here. And I guess that that's...

[02:19:50] I do agree with some of what the folks here were saying about the needs of looking at some of these other points, but I think I'm good for right now. Thank you. Thank you. And I have no additional comments, so we can move on to community design guidelines and go through our order.

[02:20:10] Yeah, we're getting close here. Well, we have less than 10 minutes left of scheduled time, so we'll see how it goes. We'll start with Supervisor Bell. Okay. I actually don't think I have a way.

[02:20:32] Oh, the only comment I would have on the transportation page, number four on the left, separate bicycle infrastructure, to be thinking that there are some places, and I'm thinking of Route 29, where it's not possible to create right there.

[02:20:53] But there are lots of parallel roads like Berkmar, which is already laid out, where the bicyclers can move up a block and go over there. So as long as we're finding a way to say that, so that it's like saying we're going to provide something for all people in the world.

[02:21:13] We can't do that. And so let's try to tighten up our language a little bit on that on page four. And oops, what's over here? Let's see. Okay.

[02:21:31] best practices on page nine. Is there a way to have under number one having a percentage of the very small houses? They talk about mixed uses. We're always suggesting we'd like to have all these things and the elements of it that the residents and the communities want the most are not necessarily the ones that the developers want to build. So I just throw that problem out

[02:22:03] there um transits to are there more things that can be incorporated since the county can have proffers adjacent to projects so that it's required to have benches shelters those kinds of things as part of a rezoning instead of always having the county have to come back later and pick those up um number five and and you have these already number five the micro i don't know what microability devices are unless it's gators and gators in the street is a really bad thing so i

[02:22:41] just want to make sure we're having a real problem with having crozet and public safety is having problems with it as well um and last one number i would suggest under parks recreation on page nine to add something number four use sustainable trail design because right now um the uh we're putting trails right next to streams where they're getting washed out immediately whenever there's high water, bridges are washing away, and it's also the construction of those trails is causing buffer, you know, the destruction that then causes a downward spiral.

[02:23:17] Forest Service has really great design guidelines for things like that. And the last thing, number three, under parks, my suggestion would be and or restored, period, because any time we say we're possible, it's never possible.

[02:23:35] So I would just suggest we have some rules and stick with them. Thank you. Thank you. Supervisor LaPistola-Curvin? Yes. Under land use number three, I would suggest they're saying build a full range of housing choices and housing types throughout development areas.

[02:24:00] Would that be assumed that it includes high-rise, higher-rise apartments in suitable places? Okay. And number four, I'm just wondering, how many, this is off the subject a little bit, how many applications have been received with our new 20% requirement?

[02:24:24] Do we know? I heard it. I saw a number back there. Two. One. One. Okay. Okay. Just wondering. And that's what I, number eight, emphasize the reuse of existing development area sites, especially outdated uses with large parking lots, which is what Supervisor McKeel was talking about.

[02:24:52] Once again, I put in the high-rise concept. We only have a few in the development area. Under transportation, number seven, I would love to see additional roundabouts and even what we call mobile roundabouts, which are smaller and a lot less expensive.

[02:25:14] That would be, because I think those are real safety and traffic calming measures right there. Let's see, the last.

[02:25:33] Once again, on page nine, references, best practices. You know, the trees and such are very good, but we are for protection for pedestrians, et cetera, et cetera. But it also says transparent windows along the first floor of buildings, especially along major corridors.

[02:25:52] I would have in there also referring to businesses, once again covering signs that we don't want covered because we want the businesses to do well, and that's the end of my comments. Thank you. Thank you. Supervisor Galloway. I'm pretty satisfied with most of this.

[02:26:11] I would just make a couple. Well, one's a really small comment. I have noticed throughout several chapters, and I don't know if it's the spacing used, but you have a lot of places where there's no spaces between words. i would imagine at some point that'll get caught by the final editor and all that down the road but you know you see it once but now i feel like it's like oh i bought a red car now everybody owns a red car so there's a lot of places in other chapters i've noticed that too and again sometimes when

you pick certain types of spacing it makes it there's probably a space there but it looks like there's not a space there maybe there's just a so for what it's worth um page three number

[02:26:49] let me get there page three number six oh i agree with that um i'm sorry page three i was looking at number three number three i agree with i've been in agreement with that when we've we've used that rationale for some other applications um number oh number six was the example conserving critical looks like one word in the space um number seven i appreciate that statement recognizing that not all circumstances or properties are the same and thus i think flexibility is a key

[02:27:28] in in everything we do so that i think anywhere that can be emphasis was have some emphasis on it is um is proper i think the only thing missing i feel like some and i don't know if it's appropriate here or not but on page nine when we use these best practices under land use you know we're strongly and this it says in the preface as a reference for the development community and have been organized by the four design guideline categories.

[02:27:56] Do we need to state in a land-use piece, I get we're trying to get a mixture here that gets to affordability, but I think we should just call out the developers that applications with the maximum amount of affordable units in it is a good thing.

[02:28:13] We want to encourage that and strongly invite that. But if this seems to be a place, well, let's go look at these best practices that we should follow, And it doesn't mention affordable in the way that Housing Albemarle was called out earlier in the first whatever page that was.

[02:28:32] But I think under the best practices under land use, there could be a statement here that backs up our desire for affordable units and that development projects should be brought forward or encouraged to be brought forward with as many affordable units as possible. Thank you.

[02:28:47] Thank you. Supervisor Pruitt. I would echo that point. I think that's really well taken. I, again, kind of trying to articulate what the audience for this is, I see as this being kind of a standing document of the board of what we expect to see on individual decisions that come before us.

[02:29:07] So that the new developer, for example, who is not familiar with our region could say, oh, what is the board like? And they could think, oh, I'll come here and this will give me some kind of broad strategic things that are on their mind, even if they're not articulable in discrete policies.

[02:29:24] So insofar as that's true, yeah, we should articulate that because I think it's accurate that we generally want to see as much affordability as they can manage and as much density as is permitted, if not more, right? We often look at more densities than permitted.

[02:29:41] In fact, we exclusively look at more densities than permitted. So I would highlight that. Otherwise, I think I'm for the most part fine. There are two things I just want to highlight. One of those, this is probably going to gesture maybe a bit toward my ignorance of individual site design requirements.

[02:30:00] But I look at site design, and this may already be true. I'm pretty sure it is true in our entrance corridor. But page 7, I look at 2 and 3, and I take that together, and I say every single person is expected to walk around the building.

[02:30:18] They have to park in the back, and they have to enter in the front. I read that as saying that. I don't think that's wrong. and I wonder if that is something we actually want to require people to do. It is an aesthetic thing, right?

[02:30:34] It is appropriate in our entrance corridors. I don't know if it is appropriate in pantops, right, where someone's going to be whipping off a very busy area. They're going to want to go in their advanced auto for a quick in and out, and they don't want to around the front door that has to be facing outward from their parking lot that has to be facing behind.

[02:30:58] Do I raise that up? I'm not sure it's appropriate outside the entrance corridor, which I say that now. I think Pantops is in the entrance corridor, so screw me. But the point being, I'm not sure this is the appropriate thing in all situations.

[02:31:14] Maybe my board disagrees with me. The other thing, and this is even more minor, Parks and Rec, number one. I think this list of potential activities is not consistent. Oh, sorry.

[02:31:29] I apologize. reference best practices on page nine parks and rec number one um I think this list is not internally consistent with other parts of the comprehensive plan which it doesn't have to be but it should be right um what I mean by is I'm not sure ninja play equipment is talked about in the parks and rec chapter I like the idea I'm not saying to get rid of it this doesn't talk about splash parks which I know are discussed in the parks and rec chapter there are there are sections where we were currently say like these are the amenities we expect in an urban park these are the amenities we expect in a rural park i think they should probably be

[02:32:07] consistent across them so that it's not unclear okay do you want me to build a water feature do you want me to build a natural play scape which to me means like a bunch of logs and stuff do you want me to build uh a tween american ninja warrior scape we're telling them different things um that's all i got climbing walls are else inside usually right i'm sorry aren't climbing walls usually inside a building?

[02:32:34] You can go both. No, they're outside too. Kids climbing walls are normally outside just because. Oh, okay. Yeah. Okay. I stayed corrected. Under transportation, I really, really like 8 and 9 when we're talking about connectivity.

[02:32:51] The problem is we talk about connectivity all the time, and we end up sacrificing it because of pushback. How we get that into our, what we actually do, right? because neighbors don't want connectivity, communities don't want connectivity, and so we have it here, but we've got to figure out how to implement it.

[02:33:17] And I think Fairfax at one point had a real problem with trying to get connectivity, and they solved it by just saying this is the way it is, and we're not going to discuss it, right? Having said that, but we've got to figure out how to get all these communities connected.

[02:33:34] Oh, I say all, but at least the ones that make sense Because almost every proposal we have, the neighbors are coming and saying, we don't want to be connected to him. We don't want to be connected over there. We want ballots here. But it really is important. And I will go back to best practices.

[02:33:56] And this gets at what Ned said. But a best practice for us should be to coordinate with VDOT and with our water and sewer folks, with the city perhaps all of these because what happens in my district is vdot comes in and paves and then two months later we're digging it up to put in a water pipe or a sewer pipe or i'm just so if we can figure out how to get all of these businesses and organizations utilities whatever

[02:34:32] you want to call them together and figure out how to coordinate these projects would be cheaper for everybody, less impact on the neighborhoods. I can give you at least four instances in the Jaguar District where we put down something and then came back within six months and started digging it up again so that somebody else could do something. And I'm sorry, I know I harp on this to death, but this is a great place for LUPIC to talk. LUPIC has all those people at the table twice a year. They ought to be looking at their projects and how to put them together.

[02:35:12] And I know they're doing better than they did five or six years ago. But there's still a lot of work that needs to be done in getting this construction and infrastructure together. And let's see. I agree with B. If we could get VDOT to put in smaller roundabouts, they're less expensive.

[02:35:33] You see them all over Europe. VDOT has a tendency to want to put in everything that works on the interstate highway, right? And in the urban areas, smaller sometimes is better. That includes a lot of things about size of roads and everything.

[02:35:50] Smaller is always better. And I will say, this gets back again to some of this best practice. I'm looking at thinking that eventually we're going to have to have more of a public utilities department than we have to do some of this.

[02:36:05] Having said that, I don't want to lose track of parking garages and art, especially in certain. doesn't mean that every parking garage should have three or four spaces dedicated space for an artist but when we went to Greenville we saw that in the right areas they put in the parking garages and then identified two three of those spaces that an artist could have a a space and it was really just wonderful so just a little tickler if you talk about wanting people to live in the

[02:36:44] development area let's bring in some activities that really make them want to live there so anyway that's all i have jim thanks good thank you um two quick things page three just point out that there's another one of those little maps that has a bunch of colors and a bunch of shapes and i don't know what they name page four um could you tell the difference between number five and 13 since five does talk about housing units uh 13 and talks about commercial employment versus mixed uses I guess I'm just not seeing the difference, really, between these two.

[02:37:22] You said 5 and 13, right? Yeah. 13 is specifically for multifamily residential.

[02:37:41] Okay, but 5 is for housing units without garages. That's true. Anyway, that's just something to look at. We'll look at it. Okay, thank you. Are there any other additional comments? We also had sort of other category.

[02:37:57] I didn't know if there was any other category that has not yet been touched on. i digressed enough okay have we given you what you need i'd like to revisit the um the updates to the flum um the two proposals i just want to make sure that we have consensus among the board members and supervisors that we should make those changes other than what you've heard from a couple of us is anybody else's crozet wanting yeah wanting to change anything that's

[02:38:29] just the two um but you need clarity on those two questions yes i need clarity that the consensus of the board is that we should make those changes i heard there was some discussion that a little bit of back and forth so i'd like to have clarity on that okay do we want a motion do you want to vote i want to go just around the horn just around the horn i think it would be sufficient just supervise mal i

support the vote okay supervisor lupisto currently can we go over again exactly what was being proposed for... There's one in Crozet.

[02:39:03] For the fluff. Crozet. It's just a question of whether they... Just the one. Those two. Yeah, I don't have a problem. Yes. Supervisor Galloway? Well, go to the... This one I don't have an issue with. Go to the... I was trying to track this, and it didn't seem like we were going to make the final call today.

[02:39:23] We don't have to make a final call today. But what's here now is regional mixed use and industrial, and it would be changing... I'm sorry. The suggestion is... Regional mixed use, right. Regional and then that purple. I'm looking at these two.

[02:39:39] And then it switches to community mixed use and industrial. And what was your point again, Jim? I don't know. That there's not connectivity or something? Regional mixed use is otherwise going to, when it translates from one system to the other, to the new system, regional mixed use has often been translated to general commercial, and this has it translated to community mixed.

[02:40:02] And then the residential becomes secondary. And again, we don't need to make that decision today if we want to have additional discussion. I just want to give the opportunity. I'm kind of on the fence right now. I'm not there, but I think if I could give some thought to that one.

[02:40:23] May I ask a clarifying question? Are there uses, between these two alternatives, are there uses that would be either allowed or prohibited? Or is it pretty much the same uses but perhaps different proportions? The connectivity to other parts, over to Fontaine, for example, I think was the basis for one of the reasons to change this so that it would be more connected to itself and or recognizing that it was more vehicular than pedestrian.

[02:40:53] Is that sound right? Okay. But otherwise, are there differences in uses that I'm not aware of? I think my, I'm sorry, is there an answer to that question? It's only the residential being secondary. That's the only difference.

[02:41:09] My concern is that we have other areas that are commercial where residential isn't necessarily either proportionally was wanting to be less or that we're having issues getting it in there. This is something I struggle with because we need certain commercial sites of a certain size to accommodate some things that we don't.

[02:41:30] Now, they're not past Tier 1. I mean, these would all be economic development-wise Tier 1 places. Employment places, yeah. And we need something better. But on the other hand, places that were designed to try to be those type of places are not being successful in putting the commercial activity in there and are coming back and asking us to convert it to residential.

[02:41:52] So that's kind of my struggle with this one. I want to keep, well, I'm literally on the fence on this one. I'm not sure that I have a strong issue with either of these.

[02:42:10] I hear the concerns that are being raised on the one caddy corner from Fontaine. is that caddy corner from fontaine or am i miss yeah it's in that area yeah um i'm walking walking the streets right here um i think i hear the concerns that others are raising but it it feels kind of like i'm having a hard time getting my hand around it because we have not prescribed these to very specific zoning requirements um and i did think i mean frankly i thought supervisor

[02:42:44] andrews's point that basically we have split the concept of a residential or of a zoning type into two separate types and we need to basically pick which of that this is tacking to and frankly like be a shitty place to put it would be a bad place pardon me to put um a large density residential like i'm looking at it right it would be dangerous to get in and out of i don't think That's unfair to say.

[02:43:12] So I'm willing to support it as is, but I'd defer to the vote. Thank you. Mr. President McHugh. I'm happy to support the Crozet one. I'm like Ned. I'm not ready to support the other one. I'd like more discussion about it, or we'll have to see as we go through.

[02:43:29] And I support both. Okay. Anything else? I stated the Crozet one, I support this one. I still would like more information because I'm not quite sure if I can make the correct decision yet. Okay. Thank you.

[02:43:45] Thank you. With that, we are going back to Porter.

[02:44:08] Item 10, VDOT, Alomar County Fiscal Year 26-31 Draft Secondary Six-Year Plan, presented by Mr. Alberic-Karina Plunn. Planner 1, Transportation, welcome. Thank you.

[02:44:27] All right. I'll wait until you sit down, supervisors.

[02:44:38] All right. Good afternoon, Chair Andrews and Board. My name is Albert Karina-Plund, and I'm a transportation planner and planning within community development. This presentation will cover the draft secondary six-year plan for this year, as well as the draft list of roads that are to be paved under the Rural Rustic Program.

[02:44:56] Some background. The secondary six-year plan is a document that applies to roads in the secondary system and identifies the funding allocated for the next fiscal year and estimates the available funding for the next five fiscal years. Telefee funding stems from utility companies paying a fee to VDOT to put lines in their right-of-way, These funds are being used to help fund the Berkmar Drive extension by Airport Road.

[02:45:18] This plan is updated and adopted by the board annually each spring. The SSYP is heavily informed by the Albemarle County Priority List for Secondary Road Improvements, Unpaved Roads. That was the Excel spreadsheet that was attached to the materials, and it is guided by the Albemarle County Unpaved Road Policies Review process.

[02:45:38] This document was updated in May 2022 to now require demonstration of support from two-thirds of residential property owners along the road segments. I wanted to go through the current rural rustic process of how staff does it so you have a better idea of the context.

[02:45:55] So the first thing that happens is that a paving request is received from either a resident or a supervisor, and VDOT evaluates the road and provides reports stating whether it is eligible for paving under rural rustic. These requirements include geometry, safety, curves, drop-offs, things like that.

[02:46:13] Staff identifies affected owners and sends letters to inform them of the paving request and asks for their support or opposition. This year, I placed signs at the end of the roads to improve awareness of the process and found it to be successful. Staff then tracks phone calls and emails from the residents and records their support and opposition or opposition to paving and answers any questions.

[02:46:34] Prior to the board work session, staff determines whether roads hit the two-third threshold of support to be recommended to be added to the draft secondary six-year plan and works with VDOT to draft

that list to be presented at the work session, which is right now.

[02:46:50] Following board directives, staff prepares the new draft secondary six-year plan for the May public hearing. Following that public hearing, the secondary six-year plan is adopted and staff returns in June with resolutions for paving each of the roads as a consent agenda item. These are the nine roads that have been requested for paving as part of this year's secondary six-year plan.

[02:47:12] Five of enough signatures to move forward. Sutherland Road had enough signatures last year. The scope of paving was expanded to include the end of the road, but it already had the two-thirds support. It already had VEDA approval. It just needs a separate resolution to be added. Sharon Road had demonstrated 9 out of 14 affected residents supporting paving with no residents opposing paving.

[02:47:36] I've been working on a resident to gather signatures on that road. And also we had a situation with Burton Road and Burton Lane that was a little interesting as well. So we recommended that they be added to the list despite each falling one vote short.

[02:47:54] Both roads were requested last year and failed to reach this threshold, so letters were sent again. The section of Burton Road that could be paved was the section from Burton Lane going southeast towards North Garden Lane. And a portion of that road is already paved. It's just in very poor condition.

[02:48:13] And all the responses we received from Burton Road were in favor of paving. Responses from Burton Lane were also in favor of paving, and staff documented many instances of residents concerned about the state of the road. I received many emails from residents showing potholes or washouts or whatever it may be, especially from this year with all the snow we got.

[02:48:35] Burton Lane is a short dead-end road where the paving effects would be limited to the residents that live on that road and Vest Walker Road. But it is not a larger road network for other people from North Garden Lane or Burton Road have to drive on Burton Lane to get where they're going.

[02:48:54] It's just the kind of cul-de-sac right there. And additionally, VDOT does not recommend paving a road just to connect to a substandard unpaved road, which might have happened if Burton Lane did receive enough votes and Burton Road didn't. So staff felt that due to the safety concerns out there and the state of the road and demonstration from residents that showed that the majority did support this, we recommended that it get added to the list.

[02:49:20] And lastly, Foster's branch also had a resident working with me to gather signatures to get two-thirds, but it came up short. The Board of Supervisors can recommend to make changes to the draft secondary six-year plan now before final adoption at the May 21st public hearing.

[02:49:39] There have been numerous questions about the process and the wish to have a discussion at the work session. Staff would like board feedback on these four items. I'm going to read the questions, and then we can return to the slide after the presentation is over, if that's okay. firstly would you like to see a do not pave list if the list of roads is drafted it would be appropriate for the board to affirm that list through a vote so that there is a clear record and registry does the board want to see the responsibility of gathering signatures fall back more on the residents they requested continue to see staff manage the signature process with voluntary contributions for people wanting to help which is what's happening right now

[02:50:18] or a combination of the two and what other changes the board want to see from the rural rustic program. And finally, please provide directions to staff on recommendations for paving so we may update

the draft secondary six-year plan. Staff returns on May 21st for a public hearing on the secondary six-year plan where the board will consider a resolution to adopt the FY26 SSYP. The SSYP can be changed up until it is adopted at the public hearing.

[02:50:48] Staff will return in June with resolutions for each of the rows that are on the SSYP. Thank you. And any further questions? Thank you. We'll go through our order. Supervisor Malek. I guess a question before we get to all the discussion things.

[02:51:04] I saw on the chart, attachment A3, almost all the roads have fewer than 100 cars a day. And the standard is 400 cars and above. So I'm just trying to understand why we're doing this at all.

[02:51:25] Can you please clarify the standard for what it is? The standards for rural rustic is more than 400 vehicles per day. and the traffic if i'm reading the chart correctly and one of these charts where it uh it was like 80 90 40 cars a day on these properties i can i can look again i i'm fairly sure updated traffic count 75 there we go i finally found the right thing i think the 400 was only for doing an 18 foot pavement with it wasn't for the for a rustic program in the data

[02:51:59] no well it's in the thing here somewhere on page two of four now that's when i was reading it That's when it jumped out at me. So do you want to tackle his questions one at a time, or what's your direction on how to go through this?

[02:52:19] I don't have any other questions because the two in the Whitehall District, which were of greatest concern, were resolved by the information gathering. But I do hope that we can. I guess my question to leave with you is, it said in your staff report that Bleak House Road was already determined not to be paved, and somehow it got reactivated without it coming back to the board.

[02:52:40] So I just want to clarify how that's going to be done in the future with other ones which already have had their vote established one way or the other. And that's the kind of the first question. I don't know if you got a chance to read Kevin McDermott's email that he sent to the board where he kind of answers the questions about the do not pave list.

[02:53:03] That's why we're coming here asking for more direction for the board now. How does that do not pave list get created? Is it from a board vote or does it from demonstration of support of one-third that they don't want it? And how long do roads stay on there?

[02:53:20] And can roads come off? And if they can, how do they come off? That's kind of the discussion we're hoping to get answers from right now. Okay. Well, just for history's sake, Dickwoods Road was a combination of many residents, the Western Albemarle track team who uses it every day, and the general concern about speed.

[02:53:42] And it was a board decision at the time, back in 2008 or 9 or 10, I'm not even sure. As far as I'm concerned, nothing has changed. So I think that the concern is that having Albert spend so much of his time chasing around on something when in the old days, neighbors had to talk to each other and get together and say, yes, let's go request this, rather than throwing our staff into the middle of this neighborhood battle,

[02:54:16] which is not necessary, then if there's a concern of somebody who needs special assistance, that person could reach out to their supervisor or to staff and say, please connect me with my supervisor who can provide some help to facilitate this.

[02:54:35] But we're concerned always about the burden that we're putting on our staff, who has lots of other jobs to do. And so going back on a process which had worked well for 20 years or more, I think that it's not a step in the right direction from my perspective, which is why I raised it for consideration.

[02:54:56] But none of these have been arbitrary at all. And DECA was another one that was mentioned sort of as an aside. Joel D'Annunzio, the previous VDOT residency engineer, was the one who declared that it was not going to qualify because of one of those geometries, something or other.

[02:55:16] So that had nothing to do with any particular person who lives on the road. Half of it's in Sammy Miller District. Half of it's in the Whitehall District, but it's very good in addition to not qualifying for paving and should be, therefore, on a list that says this is not qualified so you don't have to or your person in your role does not have to continually every two years dig back, reinvent the wheel.

[02:55:40] I just want to try to simplify this. It should not be a situation where people have to go back to the barricades over and over again. And for neighborhoods and street areas where people have lived for 30 years, they're getting real tired of this. And it's a response from, you know, one person who moves in.

[02:55:58] And whether that person was told factually by their agent or the seller, oh, this is going to be paid, that was the Dick Wood story. Well, my real estate agent told me that it was going to be paid right away, so I bought the house. And now it's not, and I'm mad.

[02:56:13] And I said, well, sorry about that, but that's, you know, caveat emptor and all that stuff. So it's why I think there needed to be process on that to prevent that continual uproar that was going on.

[02:56:29] So I'm happy to have them adopted by a board vote so that it gives some predictability for people. Certainly not to redo something which has already had the collection effort done.

[02:56:45] That needs to be done. The board could always in 20 years decide something else. Or in 20 years or five years or 10 years, you know, a group of people could get together and say, we've changed our mind and now all of us want it. But it used to be everybody had to decide.

[02:57:01] And certainly it still is, excuse me, for the situations where right away dedication has to happen for the paving. But I just I'm sorry for all that you've had to go through because of the sort of mixed up process that we have right now.

[02:57:19] That's OK. It's part of the part of the job. And a point of clarification is for roads that do not qualify for paving, so that would be DECA or some of the other ones we've got requests for, I do have a list of roads that VDOT says they do not recommend it for paving. It's separate from people not wanting it, but there is a list of roads, and I believe it's in the spreadsheet, I think it's like about eight roads maybe, that cannot be paved under rural rustic.

[02:57:45] So that list does exist, and the list we're looking for now is to not have that, since we do have VDOT telling us what roads can and can be paved, but just knowing what roads that can be paved, what roads should not be paved is more we're looking for.

[02:58:02] Okay, and the residents have the right to decide. Yes. Okay, thank you. Supervisor McEaster-Furman. So going down the list, I don't believe in a do not pave list, and I'll tell you why, because in five years, 10 years, 15 years, residents change what some of them want today uh then some of them don't want tomorrow and so that could change i think it should be i i really like what the board passed which is two-thirds of the

[02:58:37] people living on that street need to say do they want to do they want to pave do they do they not want to pave and if you wanted a gathering of signatures then that's fine i would once again make the people on that street responsible for gathering the signatures and delivering them, and also maybe sending up a follow-up letter saying out of the ten, nine of you signed a petition to have the road paved.

[02:59:09] That way everybody there knows that if someone else put their name in there and they really didn't do it, you know, it was false, at least they've been notified that the road we have these signatures so i think that's um that's a good way to get feedback i know that one of the comments in here was that well there were a couple elderly people that couldn't go around getting signatures well if you have 10 people and there were only two people that want it paved and they're the only two well they're not going to be able to get the signatures anyway but my point is someone else on the road should be

[02:59:49] able to help them should be able to get get signatures okay so i think that's the people's responsibility living on that street provide feedback on other changes no other direction no but i do have one question if i'm living on a street like foster's branch and i own six homes so i'm i own one of the homes and i own six other homes for rentals but i own them i pay the taxes how many votes do i get it's a one vote one vote okay so who votes for those other six homes

[03:00:26] they're renters they could be gone tomorrow it the the owner of the properties vote the renters do not vote and this would be the property as i'm saying i own six homes and you would only get one a vote you can only get one vote even if you own six 16 one one home you you get one vote you get one vote even if you own own you know nine out of the ten homes on that street yes oh okay i thought each home would get a vote okay because then that well would i give you your two that wouldn't give

[03:00:59] you your two-thirds and yet you own a majority of the homes sometimes um we have where if a parcel is if there's a house on a parcel and the person owns the parcel next to it but there's no house on there i we only get one vote and then for things that happen like that they still get one vote just as it's i think it's we think it's the the most fair way to do it without digging into ways of like oh i own two houses here or a family owns this or something like that it's just if you own one ten fifty properties on a road you still get the one vote okay well then that clarifies my

[03:01:39] question. Thank you very much. No other questions. Supervisor Calloway. I mean, I guess I don't recall the action we took to get rid of the do not pay list. I'm having a hard time remembering that. I wasn't working here when that action may have happened in May 22, so I would have to defer to Kevin for that one. Well, anyway, that doesn't matter. I mean, I think of it, i'll use the bleak house road as an example i think there's a couple of things that we could

[03:02:13] do from a pragmatic point of view that could ease a lot of different things when hoas or neighborhoods come to me about traffic calming the first thing i tell them to do is go to the community get a survey and get your petitions it's the first thing i tell them to do i don't even know if that's the right step on the process but i know this if they don't get the signatures They ain't going anywhere.

[03:02:35] And I say, I don't want to spend a lot of time, meaning other people's time, doing these other steps unless you have the weight of the community behind you. So I don't see why that burden can't be here. So your step two, staff verifies that there is general interest support.

[03:02:51] That should be the start of the request. Well, I'd like to have my road paved. Well, go to your community. If here's the affected number of residents, go talk to them, and then come back and talk to us

after you see what you learned from your community, right? Then we capture the point in time.

[03:03:09] Like right now with Bleak House Road, I've always thought of Bleak House Road as one that would never be paved. Now, never is a long time. I mean, if the residence is somehow tripled out there and opinion changed down the road, et cetera, I get it. If people don't live there and different people live there.

[03:03:24] But if somebody makes a request to have that road paved six months from now, then they should be told, no, six months ago we didn't get the support needed and none of the residences have changed over, none of the math has changed, then staff shouldn't be spending any time on that request.

[03:03:41] So I think there's a reasonable way for us to figure out, okay, we just went through this with this road. This guy or woman just moved in here and they would like to have the road paved, but let's just inform them what just happened and that this is the process that should play out. And I think that would only take 10, 15 minutes versus determining the specific concern with the road.

[03:04:01] If they have a concern with a shoulder or a washout or maintenance or something like that, then they should come with that specific request, not asking us to pave it as the resolution to that. I mean, the residents along Bleak House have certainly asked for some maintenance-type things over the years, which is appropriate.

[03:04:18] So there's another spot in Earliestville that I've always seemed as a will-never-be-paved kind of road. But nobody's ever brought it forward and requesting it to be paved. So I guess I'd be of the mind that, yeah, I think there's a way to capture point in time when the process plays that if the support's not there for paving, that that should go on a do not pave list.

[03:04:38] And there's probably a reasonable amount of time before it should be revisited. I don't want to take away the citizen's ability to come forward and ask for it. I think that's their right if they want to do it. But they should talk to their neighbors first before they just come flying out of the gates. And then provide feedback on, yeah, the signatures I think should be the community.

[03:04:59] There's just too many times, again, I wouldn't want an HOA that has a formalized board and a formalized structure, even a community association without a formal, that are meeting annually and got e-mail lists and things like that. They can go out and collect the information.

[03:05:16] These are gravel roads. What's that? These are gravel roads. They're not likely to have HOA. understand but i'm saying is that i would not want the community association or the hoa to come back and say staff has to go verify these signatures and that's what it is now and that's what i mean i would imagine on the gravel road that the burden is is a heck of a lot less than a 300 or 400 resident you know community like woodbrook doesn't necessarily have a community association but if they wanted which they've wanted some traffic coming in there i was like well go go get go hit the doors and get like 80 percent i forget what burden i tell them carrie can talk about that later but i think that's a reasonable thing to do because then the neighbors can decide what

[03:05:55] they want to do before there's a lot of time and money spent on it and i think they would understand that because the the communities i've worked with that tell them to go do that grassroots part first has always understood my concern i don't want to spend a lot of time on something that may not ever happen because your own community doesn't support it so i think that could be applied here as well. I don't have any other suggestions for changes to the program, but I'm always going to be supportive of the projects that go through the process and the community members pass the threshold and want it. I'm

never going to be like, well, no, I don't think we should do that, which I think is why they should have the responsibility

[03:06:34] initially to meet that burden before they get all the public resources spending on it. All right. Thank you. And point of clarification, if I can ask, when you say a do not pave list, are you talking about a permanent one or just like Supervisor Galloway suggested maybe that lasts a year or two years or six months or something?

[03:06:54] That is part of the discussion we're having is how long should a do not pave list? It shouldn't be two years, three years. I mean, it should be, I mean, I would think that it's probably not a time frame. If you brought me the request on Bleak House Road, And I know that, I don't know, 40% of the people, it's already passed the third burden where they can't get to the two-thirds oppose it.

[03:07:16] And you bring that back, and I look on there, and all the residences are the same 10 years from now. It's still on the do not pay list. If I look out there and I'm like, oh, wait a minute, the ownership's changed, and there's, you know, double the homes that built out there. Well, then that's a different answer.

[03:07:33] But I think that's all beside the point. If a person without knowing that we just went through this process on Bleak House this time, let's say nine months from now, a new resident moves in there. If they read that they have to go talk to their residents and meet the threshold first, they're going to quickly discover on their own from their neighbors that, no, we just shot this down nine months ago.

[03:07:55] So I think it helps. I think it's reasonable and helps us save time if we just make that the first step. That when you come to the county asking for paving, walk in with a petition of your own folks already. Because then I think that just, I mean, it probably puts a burden on the constituents, and I get it.

[03:08:14] Some of this can get emotional, but I think that's a reasonable thing to request neighborhoods to do. Are you saying number two should be number one? Yes. Yeah, I think that should be the first step. So it would be number two here.

[03:08:33] How it works now is that we get a request in VDOT first to evaluate the road to make sure it actually can be paved. If it can't be paved, I tell the resident, sorry, it cannot be paved and it's done. Only send letters to the roads that actually can't be paved. So something that I was wondering, Professor Galloway, when you're saying they should come forward with the votes already done.

[03:08:56] One thing we were worried about, and that Kevin mentioned in his email, is that we don't want residents to also have to go through all that work of collecting signatures and verifying. With all due respect, I don't have to pay those residents.

[03:09:13] You've got other stuff to do. And I've told residents that. I don't want to have staff, when I say I don't want staff burning time, working on your traffic comment request if 60% of your community doesn't even want it. I don't want VDOT spending time on that, right?

[03:09:29] And that is, I'm comfortable enough as their representative to tell them that. So the process I would like is to support what I often would tell folks under traffic comment for the paving piece. Look, this takes a lot of time and effort, so I would rather know that the support's there before the time and effort goes, and just because you have the support doesn't necessarily mean you're going to get what you want.

[03:09:52] Then the process has to play out. But let's not even get out of the train station if we don't have enough riders on the train. It's like, forget about it. That's a waste. To me, that's a waste of resources. And I

can pitch that. I've just pitched it. Many times, over and over.

[03:10:10] Supervisor Pruitt. Prior to maybe a minute ago, I think I did like, for the most part, the existing pattern. I thought it made sense. I also thought it was generous to residents, but I do appreciate the point that Supervisor Galloway has just made.

[03:10:27] And honestly, it might have bought me over that we should expect a development of signatures. The thing I would raise that I might be concerned about is that absent a letter that might have, I assume, do we give them like a detachable, please mail this back in?

[03:10:44] with your position kind of thing? In the letter, I instruct them to either email or call me back. I have received physical letters before, but they're instructed to email or call. I guess the only thing that gives me pause is people are more comfortable knowing what to do if there is a formal process, right?

[03:11:07] Like if there is a form they have to fill out, if there is a check they have to mark, that kind of thing. I think that gives people a level of comfort. I don't know if that means having a standard form on our website that we would ask people to use for this. But, I mean, you get what I'm saying, right?

[03:11:24] Like unsolicited letters coming in and you have to associate them with addresses. You have to figure out if they're actually saying with particularity enough what you need them to say. All that stuff I think could make the process more complicated than it needs to be and it could continue to be onerous on the department.

[03:11:41] So the thing I would think is if we are going to a process where the public in aggregate needs to be the first mover, I think we need to give them some structure and some guidelines for that to work properly. So I would submit that.

[03:11:59] And if we are not able to or willing to give them that structure, then I think the existing system is more appropriate. because it seems, frankly, not that much more onerous than you having to sort through unsolicited letters from a wide range of folks.

[03:12:16] The thing I would suggest is I do like the... I appreciate the point about how there is a value for some kind of do-not-pave list so that we don't burn resources on something that we know is going to get denied again.

[03:12:35] I also am not sure if it's based on ownership turnover. That sounds like it might still be just as onerous on staff or maybe more onerous because it now requires that you track deed transfers, which we just talked about being onerous.

[03:12:51] So while I think it's less elegant, I think a time-limited one would make more sense. I might throw out five years. Supervisor Malik seems to think that's a bad idea. There's no predicting.

[03:13:08] There's no predicting at all. I would throw out five years just because you're not going to be able to have turnover much faster than that. It's still reasonable. And I would say I think it's important that we always retain some amount of legislative oversight on these, even when there is broad community support.

[03:13:26] It is not a common issue, but, I mean, I think the example of Dickwood's Road is very well taken, right? Dickwood's Road is a major regional asset for the value it adds as an unpaved road. and every parcel on Dickwoods Road could be developed tomorrow by people who want it to be paved, and I'm not sure that would outweigh the regional value that Dickwoods Road offers currently.

[03:13:54] I don't think the same was true of Glendower. Glendower is also used for the same reasons as Dickwoods Road. But, I mean, you're right. Dickwoods Road is where every regional track team trains, and they will not be able to do that safely if it is paved. So there is a value, I think, that I think is important that we retain the ability for legislative oversight and discretion on these, even when they have approval.

[03:14:21] And even saying that, I don't know that that means Dickwood's Road or something similar should be on a permanent do not pave, because conditions can change. I don't know. Maybe in the future no one runs anymore. No one has the ability. We've all lost their legs.

[03:14:37] Is there anything that I've not provided direction on? No, I got it. Thank you. Supervisor McKeel. I have to say, wow, because, and this is really, in 28 years, I have never had a constituent call me about paving or not paving a road.

[03:15:00] I mean, a rural road, because I just don't have any, I guess, to be. So maybe I should just, because I don't have a dog in this way, maybe I should just excuse myself. But having said that, I see this no differently than VDOT. VDOT does not spend a lot of time giving us a design for something that we haven't approved.

[03:15:21] They require us to approve a proposal before they go back because they were spending all kinds of time on design work, and it would either never be built, a project would never come forward, so it's kind of the same way.

[03:15:38] Again, Dominion Energy, if you want to put up a streetlight, Dominion Energy requires you to get permission from every neighbor within, is it like 500 feet or something like that. That works great. So I'm looking at it through sort of those two lenses.

[03:15:54] I think a do not pave list is probably fine. The do not pave list for me is what the roads that VDOT says you can't pave because of whatever that condition is. And if VDOT goes back in in 20 years and changes the road, then it comes off of the dupe-not-pave list.

[03:16:14] It seems like that's pretty easy for people to understand based on the conditions. We can't pave it. So I guess I was confused as to whether or not you're talking about a permanent dupe-not-pave list or one that just neighbors don't want paved.

[03:16:31] Or are they combined? You could have separate ones. So I do have the cannot-be-paved list already existing. That's what I'm talking about, is the cannot. Yes. That's good. Right. So, but I do think that if you want to have a list, five years, ten years, because these are not, these roads are not going to suddenly change in two or three years to try and make it easy for you guys, it would be my thought.

[03:16:57] Feedback, signature, absolutely it's a citizen's responsibility. Absolutely, it's not your all's responsibility. I do have one question. If you receive, say we go back to that six houses owned by one person, if you get signatures from six addresses, you do make sure that those addresses are all separately owned?

[03:17:23] Yes. You go in and verify that? Yes. Okay, that's great. That was the only question I had. So, yes, it's not your all's responsibility for the signatures. And I don't think direction for recommendations for paving.

[03:17:38] No, I think I'm good. I like the process of people have to work together as a neighborhood, come to us with the signatures, right? And that part of it should be on them, not on you.

[03:17:54] Have I answered your question? Yes, thank you. And for clarification, so we have the cannot be paved list and the discussion about a permanent or a five-year or however, that's for roads where residents have expressed that they do not want to pave.

[03:18:10] So that was the main question, but I believe you answered as well. Oh, okay. If you have anything else to say about that. Yeah. For the do not pave. Yeah, so the cannot be paved, that's just, it cannot be paved, that's simple. But the do not pave is like, we do not want it paved. That's the list where we're asking you, would you want to have something like that?

[03:18:28] And if we do, how do roads get on there? How long do they last? And can they come off? I think this seems like it should be simple. It is simple. We're just trying really hard to make it complicated. I'm just thinking we're overthinking this, but like I said, in 28 years, I haven't had anybody ask me.

[03:18:49] And I have one every month. I'm going to start, though, going back to slide four because I just want to clarify something. You have on slide four current process request VDOT, then staff identifies owners and said that is not what's in the packet.

[03:19:09] The packet says county staff determines specific concerns, then verifies the two-thirds, then goes to VDOT. I like this process better that's not in the packet, but this go to VDOT, make sure it's okay. So as I see it, the first step is can it be paved? And if it can't be paved, then we inform the residents that it's not eligible for the program, at least.

[03:19:30] We'd have to go through some other process, and there'd have to be some really good reason why we would want to take that on if it's not part of the rural rustic paving process. The second would be the history. If we know that there's a history of this road being asked about in the past and it's not been approved, then that's what I would call a do not pay list.

[03:19:47] In other words, it's not something the supervisor said don't pay, but it says the residents have been asked. There's not two-thirds support. There wasn't two-thirds support last time they were asked. It's a secondary six-year plan. I think six years is a nice number. I'm okay with five, but six is a nice number to say, you know, it was asked for in the past six years.

[03:20:06] We're not going to go and ask again. But I would leave open the possibility that if a resident was able and willing on their own to go out and get all of the signatures to the point where they were beyond the two-thirds, then they can bring it back. But I certainly wouldn't encourage them or let the neighborhood know that you were making this inquiry and ask them for their feedback because you're just going to get people upset like they did at Blake House where they knew they didn't want it and somehow thought because the question was being asked that it was going to happen to them.

[03:20:38] When it really, I don't think it really was. Obviously, if the road had not been previously looked at and that doesn't have a history, then we still have to have VDOT look at it. And I think that should proceed then notifying the owners and finding out whether there's two-thirds support.

[03:20:55] That's if there is no prior history. If there's prior history, then I think that takes precedent. Again, on some time frame, which I'm just proposing six years because it's a secondary six-year plan. I want to, with respect to the signatures, I agree that it's the resident's responsibility.

[03:21:14] At the same time, I know that you did some work on Burton because there were issues with communications among residents on Burton. And I very much appreciate staff helping out with that

because I do believe that there is no one opposed to it. There's just difficulty in getting responses in that particular case for other reasons.

[03:21:33] And I also will say that with respect to forms, I have had, and these are some of these residents, I've been on these roads for decades, and they're older and they say, I don't have email. I don't do email. And then the others are going to say, you mailed it to me?

[03:21:53] I don't do things by mail. So being a little bit flexible is certainly helpful. But I do appreciate that that runs the risk of having the possibility that because of your checking, you've got to be sure that you're confident that you're hearing from the people who you actually think you're hearing from.

[03:22:12] That'd be true in any case. But being a little flexible in that, I appreciate it. That, I think, goes through the questions that you have there. The only other question, and this was your last provide feedback direction, and I'm looking at Shepard is in the audience on this one.

[03:22:34] We've talked about the number of years on a list or whatever, but number of years to meet traffic counts. I guess I've had many inquiries from Old Sand Road in the past month, and the answer has been that in 2018 there was a traffic count that it didn't meet the requirements and therefore it's not being looked at and I guess I'm getting some pushback from them saying you know 2018 was a long time ago the school buses are using it now regularly it's still a cut through the and then there's some concern that the traffic count wasn't done at the right place is there any way to revisit traffic counts how often does that happen

[03:23:13] um for determining eligibility carry if I could pass this to you if you want to I could wait till you come up later but I thought this is the secondary six year bring it up now and where's the street again old sand comes off of the secretary sands uh right it's cut through from Irish oh from Irish and you don't want cut through roads you know that's it's a good question and when we looked at the traffic counts and saw it was from 2018 we agree that it's outdated um so we're kind of talking internally with our traffic department to see if we can get that road recounted so we

[03:23:46] have a we have a more up-to-date record and then pass that what is a good because we have we have routine counts that we do so I'm not really sure why this one hasn't been counted since 2018 so to answer your question yes we can we can have that recounted so that we can have a more accurate okay data point thank you I mean not to pick on your counting techniques but the only time my road has been counted and I'm not worried about being paid it was counted well past two-thirds of the residents homes on the road so of course it doesn't get many counts because there's only

[03:24:22] actually one house at that time there was only two houses after the after the count so anyway dead end any other yes I wanted to know were you referring to perhaps a petition that would be generated by us it could be emailed or sent to someone who wants to do a petition of the instead of just writing out on a piece of paper I want the road paved I mean do we have an actual petition we could send out so right now no if residents do want to help with signatures I literally give them the sheet that I use which is

[03:25:00] the GIS web I compile list from there and then I that's how I track things and I'm like here are the houses that we need to hear from I basically have like column says approve question mark and if they have a sign there that's or a signature there that's that means they approve that so that's how I do it thank you again I would hope that this isn't a tremendously burdensome process for staff we'll find out actually a

point for clarification for these professor Andrews when you talked about the six years being a time for a do not pave this road to be on there but if you say that if a road gets on there

[03:25:37] because there was enough support but a resident comes back in two or three years and demonstrates support would that road then come off the list despite the six years that that would be my view on it if the if there was support demonstrated by the residents at some later time then it could come off but otherwise they would be informed that there had been a request within the past six years and it had failed and Jeff yeah let me step in just for a second Albert thank you very much so uh Chair Andrews and members of the board what I would suggest that the staff would do would be to step away from the feedback today we need to develop a

[03:26:14] form make sure that we'll get miss wall will get the management from the department to help to make sure that that that we've got a modernized form that that hopefully is easy for residents to use i've heard loud and clear from the board today board's going to let me know if i if i've miss mislistened to the board is that the onus is on the neighborhood the onus is on the residents so we're going to work on that process and in it and and we'll work through those steps and then what i heard the the chair say was and i liked alberic he said if vdot steps in and says it

[03:26:52] can't be paved it's on a camp camp can't be paved list if if residents vote it down through a process it's on a do not pave list i heard the chair suggest that at some time in the future if if the numbers on the road change and they want to go through the process again there's no there's nothing that prohibits them from doing that is that okay with the board yes is that fair for is that fair okay so i think we've got the framework to take this go back work on the details so the board can move along and i think we've got what we need uh in order with that framework unless

[03:27:28] there's a board member that is saying you missed something that we talked about i'm looking at an And I think Ann's okay. The only thing I would comment on is I worry about the phone call piece. It seems like we should perhaps have something in writing. And I know that everybody doesn't have email, but people could mail something or they could drop it off.

[03:27:48] Because I think the responsibility of you having to take phone calls and keep track of it and then somebody not. I'm just saying that I think you need something that you can document. Right. Well, I'm seeing here, right, or I saw on another screen what they've been doing.

[03:28:06] That's what has been done in the past. The petition is something that would have to be multiple pieces anyway. But I don't agree with you having to take record phone calls. That's where people are. I'm just saying. My understanding from what Mr. Richardson said was that there would be, the form could be generated.

[03:28:26] But I far prefer a signature rather than a check the box and something that can be verified and duplicated and publicized, et cetera. So people know this is public and they're going to sign saying, I want this paved so that they can't later on weasel out.

[03:28:44] I picture something not dissimilar from our petitions. Or be intimidated. So if you want to make a form, I think that's wonderful. It gives that verification built in. You can also say name and address and signature like everybody who makes petitions does.

[03:29:00] But I like that idea. And I don't think that people should have to, the county staff should be having to notify any owners ahead of the petition coming in. That's just, I know that you wore yourself out

trying to do that, and I'm really sorry. Where's the other question I had?

[03:29:21] Carrie can address when she comes back up how much effort is involved in having to determine if something can be paved or not. Because if that's a really long, drawn-out process, like the dozens and dozens of hours to determine a real development right versus a theoretical one, if that's what we're asking them to do, then I still want the neighbors to do it first.

[03:29:42] That's all. I'm going to push back to ask again, then Carrie can address this, But my understanding is that the rural rustic paving program is part in place because it costs as much or more to maintain a gravel road as it does to maintain once it's paved.

[03:29:59] so that it isn't necessarily just an expense if there's additional problems with the road, and that contrary to a comment made during the comment period earlier about the cost of paving, the cost of maintenance of a gravel road may be great as well.

[03:30:18] I guess the only other comment I'd like to make, though, is that in connection with informing people and soliciting opinions of signatures, that it also, and I don't propose to do this right now, but that staff maybe look at making a little list of reasons, effects of having your road paved, because there are good and bad, and I just would hope that as people sign up for this, that they're aware of the good and bad aspects of paving the road.

[03:30:49] The dust goes down dramatically, but speeds might go up. No might about it. It's a guarantee, yeah. Depends on the shape of the road already, but yeah. And I will just add, regarding your maintenance question, is that the paved roads in the Whitehall District are in such desperate shape because the weather's been so awful that it's no guarantee either way.

[03:31:11] Anything further? No, thank you for the discussion today. It's very helpful. We'll go back and start brainstorming all this stuff, and I will be back for the public hearing on May 21st with the adoption of the secondary six-year plan. Thank you. Thank you. board that brings us to the vdot quarterly report and uh miss carrie shepard the charlottesville residency administrator is here to present thank you for your presence here i much appreciate it

[03:31:41] good afternoon mr chair members of the board am i speaking we can't hear you how's that you still have to talk into the stuff to speak how's that there you go okay let me pull up my presentation okay um i am carrie shepard with vdot here to give you your uh first quarter quarterly

[03:32:14] report still yeah tough tough to hear okay let me try this again um so i'll start off with our preliminary engineering updates we're making a lot of progress on a lot of our different projects the route 29 shared use path right now is in final design and we have a spring ad date we're looking at june for that ad date and the construction will follow shortly thereafter and we're looking about six to eight months for construction for that project we have our exit 107 park and ride on I-64. Right now, there's a limited access change that has to be approved by the CTB that

[03:32:50] is slated to be approved in April or presented to the CTB in April for approval. We're still on target for a fall of 2025 ad date. For Route 250 and the 20 intersection improvements and corridor improvements, we are also still on track for an additive spring of 2026. We're moving next to the right-of-way phase i have designed on within the next couple months um we'll be moving into right-of-way so that and we are on target to meet that spring 2026 ad date for the route 702 fontaine avenue replace bridge replacement um that project has been a bit of

[03:33:28] a challenge for us but luckily we are planning to re-advertise it this June our goal with that is to have the bridge replaced prior to the Fontaine interchange improvements as part of one of the design build bundles so hopefully that um that comes back and we can award it and get that project taken care of for out 680 Browns Gap Turnpike I believe I've mentioned this before but that has been included in the album all bundle two so I will go to the next slide to talk about the bundles um the hydraulic package the last element which is the pedestrian bridge is still currently

[03:34:07] under construction um the rest of the project has been substantially completed as far as the next bundle bundle number two with the five elements the route 240-250 project is going to start construction we're expecting in early May and that's also when the bridge at on 680 is going to be reconstructed as well we're going to use the time frame after school is out to have to have the detour for 680 so that we're minimizing disruption as much as possible the other elements and aspects of this project will start will follow shortly thereafter the next element will be the fifth

[03:34:46] street old Lynchburg road roundabout we expect that hopefully into the fall and then the Belvedere green tea and John Warner Parkway Rye roundabout will follow and then as far as our next design build bundle we have three elements to that one that's the hydraulic district avenue roundabout the Fontaine interchange improvements to follow the bridge replacement I spoke about in the last slide and then the shared use path into the city of Charlottesville that public hearing has been

[03:35:17] scheduled for May and design build request for qualifications is ongoing right now as far as rural rustics these are slightly on hold until the plan is approved of course old Dominion is complete Sutherland I have that under construction because once that part two gets added and approved by the board on the plan then we can go in and finish that entire road and then currently we We also have Henderson Lane, which we will finish construction on this year.

[03:35:49] And then we'll move into the ones that are slavery funding for this year, Glendower Phase 1 and Phase 2. And I think there's a few others based on the feedback that Albert gave. But once that's finalized and we have funding, then we'll proceed with those. As far as our other bridge projects, these are State Force bridge projects.

[03:36:10] We have Stillhouse Creek emergency bridge replacement. This is still ongoing from Hurricane Helene damage. Unfortunately, because of the snow throughout the winter in February and January, we've extended the date we thought we were going to have this reopened. I have March on my slide, but it's actually going to be about mid-April.

[03:36:29] But the crew is working as quickly as they can to get that back open. And then, of course, we have the Route 601 Old Ivy Road superstructure replacement ongoing as well. That's a daytime one lane closure restricted to eastbound traffic only, night closures for full closures or full detours, I should say.

[03:36:49] And we're still expecting this project to be complete in summer of 2026. And then last, I have just a couple traffic engineering related requests that are still ongoing. 29-250 bypass from barracks to Fontaine, the sign review for reflectivity.

[03:37:08] I did mention that again. They had not hit that corridor, but it is in their plans to do so. and then they're going to inform me when they have that complete and let me know what signs that they're going to be replacing. Thank you. That's great. We did or we have been reviewing all of the truck-restricted routes in Albemarle County to make sure that they are still valid.

[03:37:29] Most recently, we completed a review of 22-231 for the over-length restriction. That has been verified that the over-length restriction is still valid. There are two curves on that road that are not large enough to accommodate trucks that are over-length. We are also in the progress of completing our study for 20s, 20-point road, pedestrian facilities.

[03:37:51] That's still in the conceptual phase. We're looking to get some county feedback, hopefully within the next couple weeks, so we can continue to move that forward. And then, of course, we have Ridge Road, the parking signs. And I think we are in the process of scheduling a site visit, another site visit, to talk through that issue.

[03:38:11] And that is all I have, unless there's questions, comments, concerns for me. Thank you. Appreciate the report. And we'll go through our orders. Supervisor Malek. Thank you. On the charts that were part of our SSYP, there was a column that said SF hired contractor.

[03:38:30] Is that state forces slash hired contractor, or are you shifting? My alarm bells went off when I saw a hired contractor do it because of what happened on Bluffton Mill and the \$600,000 that various contractors ate up and never fixed themselves.

[03:38:46] So I thought you had gone back to your own state forces doing a lot of the smaller jobs in the county. Can you help me understand the chart? Yes. So right now we have a rural rustic crew that's dedicated just to rural rustic projects.

[03:39:03] They go out once the road is funded, and they do the prep work. So they do the ditching, the tree trimming, any pipe replacements. And then we do have a contractor come out, lay the base stone in asphalt. Bluffton was the surface treatment, which is another reason why that one didn't last as well.

[03:39:22] But since we're using asphalt now, we have been using the contractor. But our crew comes to us, the prep work, and then the contractor comes in to do the final surface. And it was the drainage that never got done beforehand that caused that to fail. That was part of the issue. Yes. Okay. Thank you. That's my question. And I sent you emails, but you can get to those later.

[03:39:39] Thank you very much. Thank you. Supervisor Lopisto-Curtley? I just have one question that's on Stony Point Pass, that .2 of a mile. Is that going to be completed spring or summer? It depends.

[03:39:55] I mean, I think that might have been an Albaric question. Yeah, we didn't run through the priorities as it currently stands on the secondary six-year plan, so I think that one's still on there. I'm not sure how, with the two-thirds vote, where the plan...

[03:40:12] I'm getting nodding, so good. Thank you. Bye-bye. Thank you. Supervisor Galloway. Hi, Carrie. Good to see you. Since the Hillsdale-Rio intersection project didn't get funded at SmartScale, do you guys have on your radar to look at timing again of the lights or do anything relative to the danger of that dual-lighted intersection?

[03:40:36] I know that when, and you may not have an answer for that today, but I'm just curious, the issues that we were putting in the SmartScale app, you know, that still exists. Oh, I'm with you now. The dual roundabout, the peanut roundabout, or Hillsdale.

[03:40:52] So I didn't know, like, okay, the project didn't get funded, but we still have to address some stuff. Like, can you just, is there anything in motion or being talked about? I think at this point in time, since it wasn't funded, that design wasn't funded, there's an opportunity to look at that again for next

round and see if the peanut roundabout is the solution that y'all want to continue to present or if maybe there's another solution that we can present that would be more, I guess, more likely to be funded.

[03:41:20] I just, I guess, and I don't know, I don't know if the analysis of the way the lights are working now have been, you know, researched or looked at in a while, and if there's anything that can be done about even just the programming of the lights to help this.

[03:41:36] I just, again, you may have done that six months ago, and I'm not remembering. But that's what I guess I'm asking for a follow-up on, maybe. Okay. Thank you. And it's been a couple months since we talked about the two items I usually ask for just the most up-to-date on.

[03:41:57] I know that the Greenbrier-Hillsdale, the modular roundabout was looking probably to be next fiscal year. Has anything changed on that, or is that still hopeful? It hasn't. Yeah, we're still working through the process. We're working through different kinds of materials that we can use, finalizing some design elements.

[03:42:14] So that's still moving forward, and I'm hoping next fiscal year, yes. Great. And then the only other item that we had talked about in the past was the Penn Park Road and the speed limit change from 35 down. I know that that needed, I'm just, I remember that there was some question about, wait a minute, are we analyzing that or are we not?

[03:42:35] So I was just asking for an update on that. Let me follow up with you on that one. Thank you. Thank you. Supervisor Pruitt. One question, same question I always ask, which is I can't go in and out of Scottsville without getting questions about the timing of Glendower Road's paving.

[03:42:54] So can you give me as much precision as you feel you can comfortably offer season and year of when we will start and when we will finish? If it's fully funded and on the plan as approved this year, then we should be able to do it this summer.

[03:43:11] It is our plan unless something changes in the priorities to do it this summer. That's what I've been saying. Yes. Every time someone asks, I answer. Then I go back and review the video of the last time you answered this question to make sure. Got it. Thank you. That's all I got. Thank you. Supervisor McKeel?

[03:43:28] Carrie, I want to thank you for always responding to my requests and helping me as best you can, and you've been great. I will say that I hear chatter from some of the legislators that this coming, the next session in the General Assembly is going to be about transportation funding.

[03:43:46] We'll see. I think we could all use some. I have a couple of questions, or just some comments. Georgetown Road, across from the veterinarian, You know, it's flooding again. Okay.

[03:44:02] That's an ongoing problem. I don't know whether the, I think it's not a swale. I think you actually, anyway, it's flooding again. Okay. So when we have a bad rain, you know, it's not good. And you know the area I'm talking about right there. Yeah. Thank you for the update on the signage because some of those signs have gotten so bad that you really, they're not reflecting at night.

[03:44:23] They just look filthy, dirty, and awful. So thank you for that. Smart scale talking about the Barracks Road, Georgetown, I have to put that on the record. The Barracks Road and the Georgetown and all those projects that appear not to be funded right now.

[03:44:39] Hopefully you all get back to looking at how to piece that out. Because some of those, I don't think they have to be done as that big package. So if we looked at them separately, it would be great. And this is one I always ask.

[03:44:57] Do we have any movement at all with the cities synchronizing their lights? They promised to do that years ago. You know what I'm talking about, from the city to the end of the county. Any discussions at LUPEC about that?

[03:45:14] There have been discussions with the city. There was one recently that I unfortunately was not a part of. It was more technical in nature. But they do have a phasing program, I think, right now to start upgrading their signals and looking at their signal timings.

[03:45:30] I don't have much more of an update to give you than that. I don't know kind of where they're at in that process. Yeah, I just always feel like LUPIC is a great time for that because VDOT is often at the table and the city and the county are there. And a good number of our backups and our traffic jams, at least in the city and the county borders, could be handled if their lights were better synchronized and signalized.

[03:45:55] There's a lot of, so if they're looking at that, that's a good thing. I would encourage them. And then I will, I know you have very limited maintenance funding, but there is a lot of just tree debris.

[03:46:13] And some of it comes right up to the edge of the roads in the urban areas. And I guess maybe you're waiting for July to get some more maintenance funding. I don't know. I'm just. We're trying to get that cleaned up. It's just, it's been so much.

[03:46:29] I know. It's been so much. Yeah, and it seems like every year we get more and more and more. But anyway, just mention it, in those heavily trafficked urban areas where the trees have fallen and people have cut them, and they just pull them off to the side, and there's just a lot of accumulation.

[03:46:49] And you have picked up some for me, and I really do appreciate it. Thank you. In areas that was really causing a problem. So thank you. That's all I have. Thank you. Thank you for this report. Excellent, as always. I appreciate its status on the big projects, the little projects.

[03:47:05] I've sent you some questions and emails that people have been concerned about. The only one that I'll follow up on now is just trying to know as people come in and say, somebody came out and tried to repair the road and they didn't do a good job, they didn't finish it. It's usually because it's a patch, it's something done in the cold weather.

[03:47:22] Have we made that transition? When is the typical transition time to permanent, more or less, repairing versus cold patch type repairs? We are out patching right now.

[03:47:38] We've made a big push to do a lot of patching. We had a lot of winter breakup. Right. In addition to the winter breakup patching, we're also doing finishing patching prior to the paving schedule. So we've got multiple different kind of patching efforts going on at the same time.

[03:47:54] Okay. does that answer your question some of those roads might be resurfaced or something when the weather's more consistent um it depends on the schedule depends on the road depends i mean yeah i think it kind of depends on on what which roads we're talking about and kind of if there's any specifics i think i got a specific one earlier today which we are looking into okay the harmony neighborhood would be the it's kind of one missed but yeah we could talk about that later okay thank you very much uh super professor malik has a quick follow-up i forgot is it the county or

[03:48:27] vdot who maintains the wonderful your speed is signs in early spill so i know who to request cleaning the solar collector i think is what's causing it not to function very well because it's all gunky okay i didn't know that was that issue okay fantastic i asked the right person man that's good thank you thank you very much thank you board we will uh move on then to uh our closed meeting if we have a motion to go into closed meeting yes i would like to move that the board

[03:49:03] of supervisors convene a closed meeting pursuant to section 2.2 tech 3711 a of the code of Virginia first under subsection 1 to discuss and consider appointments to various boards and commissions including without limitation the citizens transport advisory committee the Crozet community advisory committee economic development authority the Rivanna solid waste authority and the Rivanna water and sewer authority and second under subsection 8 to consult with legal counsel regarding specific legal matters requiring the provision of legal advice including first a proposed agreement regarding payments in lieu of taxation and second the actions required prior to enactment or administration of covered practices under Virginia code subsection

[03:49:40] 24.2 tech 129. Second. We have a motion from Supervisor Pruitt. Second from Supervisor Malik without objection. The clerk will call the roll. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Gallagher?

[03:50:01] Good evening. We're back. The Supervisor Pruitt will motion for getting out of closed meeting.

[03:50:21] I would like to move the Board of Supervisors certify by a recorded vote that, to the best of each supervisor's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed meeting were heard, discussed, or considered in the closed meeting. Second.

[03:50:38] We have a motion from Supervisor Pruitt, a second from Supervisor Malik. Without objection, the clerk will call the roll. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. LaPista-Kirtley?

[03:50:54] Aye. And I believe we have a motion coming out of closed meeting. We do. I'm going to make the motions for appointments to boards and commissions and authorities, and this is in the form of a motion. I move that we approve to the Citizens Transportation Advisory Committee, known as CTAG, Peter Thompson, to the Crozet Community Advisory Committee, Grace Spalding, to the Economic Development Authority, William Mitchin, to the Rivano Solid Waste Authority, Jeff Richardson, to the Rivano Water and Sewer Authority, Jeff Richardson, and Quinn Lunsford.

[03:51:32] Second. We have a motion from Supervisor McKeel. Second from Supervisor Malek. Without objection, I prefer to call the roll. Ms. Malek? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lupisto-Kirtley? Aye. Thank you. In other words, we move to item 16, which is public comment on matters previously considered or currently pending before the board, other than scheduled public hearings.

[03:52:00] We have one person signed up, I believe. Yes, and we have one person signed up electronically. No one signed up in person. So let me just get my, right.

[03:52:23] During the time set aside for public comment, individuals are allowed one opportunity of up to three minutes to speak at each board meeting during matters from the public. The clerk will announce each speaker before it is their turn to speak.

[03:52:39] Timekeeping is conducted through a timer. The timer will commence when you begin speaking, and this begins your allotted time. You will be notified, you know, Claudette, you're going to be handling this.

[03:52:59] No, this one is not. It's online only, but it needs to have the directions, and that one doesn't have the directions. So let me just – that one was – so let me just – I will pick up where I sort of left off.

[03:53:15] I'm sorry. Let me just find the place. I'm sorry. For those people speaking electronically, the clerk will announce each speaker before it is their turn to speak. In order to give all speakers equal treatment, please state your name.

[03:53:40] And if you live in Elmar County or your magisterial district location, address comments to the board as a whole. And all comments are live streamed, recorded, and published on the Elmar County website. And if you're participating by phone, press star 9 to let us know you want to speak.

[03:53:59] Then press star 6, if from a landline, to unmute. If by Zoom, please remain muted until you're called on to speak. And Claudette, I'll let you handle. The speaker is Kathy Coleman. Yes, that's correct. Ms. Coleman, you may begin speaking.

[03:54:17] Welcome. Good evening. My name is Kathy Coleman. I live in the Rivena District, and I'm here advocating for the reinstitution of horse trails at Biscuit Run Park. The original state plans for Biscuit Run Park unambiguously assigned the park to have horse trails.

[03:54:40] A county representative stated to me that in 2018, a survey was conducted, and it showed no interest in horse trails at Biscuit Run. I've personally talked with multitudes of local horse enthusiasts, the Virginia Horse Council and the Albemarle County Extension Agent, and only a single individual can recollect any type of a survey.

[03:55:05] This survey clearly did not get to the many local horse enthusiasts or the horse council or extension agent. We've all been waiting for the Biscuit Run horse trails to open, only to be stunned that the trails were eliminated.

[03:55:23] We ask that the horse trails at Biscuit Run be reinstituted as was originally planned. Thank you very much. Thank you. Thank you. Board, this brings us to our action item this evening.

[03:55:39] Emergency ordinance changing the polling place for the Branchlands Precinct of the Ryo Magisterial District. and this will be presented by our county attorney, Mr. Andy Herrick. Good evening, Mr. Chair, members of the board. Andy Herrick, I'm the county attorney. This matter comes before you this evening due to the need to change the Branchlands polling place for the Rio Magisterial District.

[03:55:59] As the board may be aware, the current polling place for that district is the Hillsdale Conference Center. The center has let the county staff know that it is no longer interested in continuing to serve as a polling place. Therefore, the Electoral Board and county staff have gone looking for potential other polling places and have settled on the Harvest Church of God, which is located at 1025 Rio Road East.

[03:56:23] They're coming before you tonight with the recommendation that that be the polling place for the Branchlands Precinct. Coming before the Board, though, requires a 60-day review period of the Attorney General, which is why we come before you this evening with this proposed emergency ordinance.

[03:56:41] Before the Attorney General will consider this polling place, it needs to have been adopted by ordinance by the board, which is, again, why we're bringing this to you this evening. So the board may recall on the consent agenda this afternoon, there were some related items where we asked the board and the board agreed on the consent agenda, essentially the commission staff, to begin the process of providing public notice for a permanent ordinance to be considered on May 7th.

[03:57:08] So we really have kind of a two-pronged approach here, one of which involves the adoption of an emergency ordinance this evening to begin the Attorney General's review period, the other of which is soliciting public comment for a permanent ordinance which would come before the Board on May 7th.

[03:57:25] With me this evening are some folks that might be able to answer any questions that the Board may have. We have both Gina Pace and Aaron Davis from the election office. And in addition, we have Dr. Clarabelle Wheeler and Bucky Walsh from the electoral board who can also answer any questions.

[03:57:42] I, as well, am happy to answer questions. And with that, I'll take your questions. Okay, we'll go through our order. Supervisor Malek? No questions, thank you. Supervisor LaPita? No questions, thank you. Supervisor Calloway? I don't have any questions. I'm just grateful for those involved trying to find a new location and understand you've been working hard to find that spot.

[03:58:01] So thank you. Supervisor Pruitt. I would also like to say that I'm grateful to the community at Harvest Church who is allowing us to use this space. Without them, we would be even more up the creek. Supervisor McKeel. No questions, thank you.

[03:58:18] And I have no questions. I also express my appreciation for being able to get to this. And you have the motion form, I guess, we've been sent? Was there something? No, I did not have something. I don't have a suggested motion, but if the board is in consensus, the motion would be to adopt the emergency ordinance changing the polling place for the Branchlands Precinct to the Ryo Magisterial District.

[03:58:39] Exactly as it reads. So moved. Second. Okay, we have a motion from Supervisor Lupisto-Kirtley and a second from Supervisor Galloway. Without objection, if the clerk will call the roll. Ms. Malick? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye.

[03:58:55] Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lupisto-Kirtley? Aye. She's feeling guilty that she usurped your position. orio district ordinance thank you thank you for being here on to the next which is our public hearings um our first public hearing is uh on 25-3-2 which is agricultural and forestal districts this is chapter 3 article 2 division 2 uh reviewing the seven districts but as one public hearing and and one potentially one ordinance motion i mean yeah motion and this

[03:59:32] is being presented by mr scott clark welcome good evening i'm scott clark from the community i'm sorry i'm just conservation program manager i want to make sure thank you thank you yes i'm scott clark from the community development department um the item for public hearing tonight is a set of seven agricultural and forestal districts which are for their periodic reviews we just have a few short slides in the presentation however we have staff here and plenty more slides to show you if you have follow-up questions.

[04:00:09] Across and Forested Districts are a voluntary land conservation program used across the state of Virginia to protect rural areas. For each district, it's required that they go up for a public hearing for

their periodic review, which is usually every 10 years in Albemarle, before they are renewed for another 10-year period.

[04:00:33] During reviews, we use these criteria you see here on the screen to analyze the districts as they are on the landscape now. you'll see that item seven on the list regarding development rights is one that has been of particular interest in the last year or two and it states in part that the policy of the county is not to include any parcel determined to have no development rights the reason for this is the subdivision limitations of the district program only restricts small lot development rights so

[04:01:09] a lot without those kind of rights is effectively not regulated by the districts staff and the planning commission have made recommendations for the renewal of these seven districts in accord with that policy. However, the AgCoverse District's Advisory Committee had a different opinion and recommended differently. So that's what this table shows, and I'll run through it in detail in just a moment. So in the middle column, you'll see the staff and planning commission recommendation

[04:01:44] broken down for four categories of parcels. So parcels with development rights would remain in the districts of course the parcels that are requested for withdrawal would be removed this is the one time during the course of a district that landowners can withdraw by right parcels without development rights under the staff and planning commission recommendation would be removed parcels without development rights that are in the open space land use taxation category would be renewed for five years and then put up for removal the point of that is to avoid hitting

[04:02:23] those landowners with immediate rollback taxation through their removal from the districts. The advisory committee recommendation, in contrast, would be the same for the first two categories, keeping the parcels with development rights and accommodating their requested withdrawals, but would also keep all of the other parcels without development rights in the districts.

[04:02:49] This table is an update of the table that was in your executive summary for tonight's hearing. A couple of the, three of the rows have changed slightly. The numbers have shifted for the Keswick and Mormons River District. That's because we received some late withdrawal request that came in since your report went out. The state code allows people to withdraw from a district up to the moment of this hearing, so we need to accommodate them up to the very last minute. So this is just adjusting the stats to show you what's being withdrawn in those two

[04:03:26] districts. In Fox Mountain, you'll see if you compare the two tables, the number of removals has gone down that's because in one particular case a parcel two parcels under the same ownership one had rights one didn't at some point in the last couple of months those parcels were combined so it's no longer necessary to remove that one resulting parcel and on the right there you can see the resulting size for each of the seven districts and again this is under the planning commission and staff recommendation at this point uh mr lynch and i are happy to take your questions

[04:04:08] As a reminder, I should have mentioned there is seven districts, but there is just the one public hearing for a single ordinance amendment. And the ordinance that Mr. Herrick sent you recently accommodates the most recent updates and will be included in the motion.

[04:04:24] And if I might just add one thing, the most up-to-date ordinance has been printed on blue sheets and passed out. So it's on blue sheets with a revised date of April 2nd, and that's up to the moment

draft ordinance. Okay. We'll go through with questions prior to opening the public hearing. Supervisor Malik.

[04:04:47] Thank you very much. In case people haven't listened or heard this before, could you describe the separation of the Ag Forestal District and the land use program? Because I think when we got started on this development rights criteria five, seven years ago, it was because the Ag forestal district membership was being allowed to circumvent revalidation and get people access to the land use program and there didn't seem to be a better way to do it so some clarification

[04:05:21] would be helpful for everybody if you could i'll just run through these real quick and then you can pile on um so you all may have seen this slide or some others similar to it recently uh you can break parcels in the rural areas into three groups those are not in any conservation program those that are in periodic land conservation like add four districts and open spaces agreements and parcels that are in permanent conservation easements. This is a fairly complex chart of how

[04:05:58] parcels in any of those three categories either pay full rate tax or can qualify for the different categories of use value taxation. Just to be clear, it is often believed that agriculture and four districts are a tax program themselves. There's no automatic qualification by being in the district, and an awful lot of Ag4 district parcels are just paying full-rate taxes. The concern that we've been dealing with is this particular situation here, which is that if a

[04:06:35] parcel is in an Ag4 district and has a minimum of 20 acres of open space land, it can qualify for that open space tax category, whether or not that parcel can actually be subdivided. So if that parcel doesn't have any development rights, can't be divided into those small lots. The districts make no difference. So their membership in the district is providing a route to that open space taxation without any conservation benefit in return. So that's been the concern, and that's why parcels without development rights have been recommended for removal so that it's not going to

[04:07:13] be possible for them in the future to use that route to the open space taxation. I would just add And more generally, the two programs, the conservation or the Ag Forest District program and the land use program are two distinct programs.

[04:07:34] They do have a symbiotic relationship in which the Ag Forest District participation or inclusion allows that open space qualification in land use. So I think that might be directly the answer to your question, Ms. Mallett.

[04:07:53] That's great. Thank you very much for clarifying that. Thank you. Supervisor LePiestro-Curtley, any questions? No questions, thank you. Supervisor Galloway? I have no questions. Supervisor Pruitt? I don't believe I have any questions, thank you. Supervisor McKeel? No questions, thank you.

[04:08:10] And I have just a question that we have, again, distinguished. Some parcels will be removed, one or two, that I guess were notified more than five years ago.

[04:08:28] But others that somehow only found out within the past five years, they'll just be recommended for a five-year renewal if they're in open space. I can go through the individual districts, but there are a few cases. I guess I'm looking particularly at the Mormons River.

[04:08:44] There's one that's in pink and several in blue. Highlights in the pink, I guess, indicates that. Well, no, that's by agreement. I'm sorry. I'm looking at a different one where there's a parcel that's in open

space in the Fox Mountain, but still being removed, and I think it's because it's been previously notified.

[04:09:15] At this point, there's, I'm sorry, I may have pulled up the wrong one. There's just the one parcel that would be removed from Fox Mountain, which is the very small, the label is blocking out the parcel itself, the 1426A in the middle there.

[04:09:36] Okay. All right. I'm sorry. So the reason for parcels, instead of removing the parcels that are in open space, they're given five years to either switch to a different type of taxation or to start paying their taxes. Right. If they're currently in open space, qualifying that way from being in the district, then giving them five years gives them the opportunity to either qualify differently through agriculture and forestry taxation,

[04:10:09] or to go back to paying full rate taxation for a five-year period so they avoid that all-at-once rollback. Okay. Thank you. I just wanted to make sure that was clear. I hope that helped. With that, I will open the public hearing. Do we have anyone signed up to speak? We do.

[04:10:30] I'm sorry. I'm so broke. So we have no one online, and we have two people signed up to speak.

[04:10:48] During public hearings, the board will acknowledge speakers addressing the item listed for public hearing. Speakers are limited to one appearance of three minutes per public hearing. Timekeeping is conducted through a timer and light system at the podium. The green light will go on when you begin speaking, which begins your allotted time. The yellow light indicates you have one minute to finish speaking. The red light indicates your time has expired and you will be asked to end your comments. In order 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

[04:11:25] live in almar 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 speakers may not share any unused time with another speaker back and forth debate is not permitted all comments are live streamed recorded and published on the almar county website and our first speaker for tonight is madeline rafferty welcome my name is madeline rafferty

[04:12:04] and I'm here to share my support. Ms. Rafferty, we can't hear you. Thank you. Appreciate that. Is that better? Much better. Wonderful. I'm here to share my support for agricultural and forestal districts and my request that you, the Board of Supervisors, do not remove parcels from the AFDs without a more thorough parcel-by-parcel analysis.

[04:12:23] The AFDs have many benefits. I'll highlight two that are of particular importance to me. One, the AFDs are an important conservation program that contribute to the rural character and beauty that defines our county. it's uniquely special that about 15 minutes in any direction from the city we have areas of open farmland and two the additional notification and review process associated with afds are an important tool for community awareness and engagement for both of these reasons as well as others i respectfully request that you act to preserve the integrity of the afds and only remove parcels that have been proven based on an individual analysis to be managed inconsistently

[04:13:03] with the purposes of AFDs. By preserving AFDs, we are not only protecting our agricultural heritage and natural resources, but we are also ensuring the character and beauty of our county remain intact for future generations. The open spaces, rolling hills, and forests that these districts preserve are a defining feature of our landscape and contribute significantly to our quality of life. That distinctive beauty,

along with the fresh air, clean water, and productive soils that we all benefit from, are the direct result of decades of thoughtful conservation and protection of these values. Moreover, the additional notification and review requirements

[04:13:41] associated with the AFDs serve as a crucial mechanism for community awareness and engagement. This additional checks and balances system is unique to the AFDs, and I believe it should be supported and protected. It is important that any special requests or exception to land use are thoroughly considered and the community has a voice in the decisions that affect our collective future. This transparency and inclusivity foster trust and cooperation among residents, developers, and local government, which is essential in today's fast-paced world where community involvement is often overlooked. Removing parcels from these districts undermines

[04:14:18] the principles that have made conservation's efforts successful in our county what it is today. It not only diminishes the environmental benefits, but also erodes the community's ability to participate in decisions about the future of our land. I would urge you to consider the long-term implications of eroding our agricultural and forestal districts. Instead of voting to remove the parcels today, I would recommend exploring ways to enhance and support these districts, ensuring that they continue to thrive as a vital part of our county's identity and conservation strategy. Thank you very kindly for your attention to this important matter.

[04:14:52] Thank you. Thank you. Our next speaker is Melanie Van Moorgen. Everyone is speaking very quietly tonight, so if you'll speak up. Yes, it's been one of those days, so I actually don't have my prepared statement but you guys already know me i'm melanie van royan i'm the chair of the ag four committee um i had a prepared statement uh it was going to remind you much of what you already know

[04:15:26] for example how two-thirds of the parcels being removed are not in the land use program and those parcels already pay full market rate taxes and 98 of the parcels in total there would be no tax implication to removing them. So why remove them to begin with? So one thing I wanted to share is a personal story to explain my example where I come from in terms of why the Ag4 districts are so important. I now sit in a position of privilege, and I understand that. I come from modest means,

[04:16:03] but worked really hard to get to where I am now, and I am absolutely fortunate and privileged. And I'll be one of the first to tell you that I would not be able to have afforded the work that we've done in our land and the thousands and thousands and thousands and sometimes tens of thousands of dollars we invest in our property every year to return it to forestry.

[04:16:26] When we bought our property seven years ago, one of the things that really, really bothered us was that a good portion, we estimate about a quarter to a third of the property, had been deforested to convert to a trail system specifically for dirt biking.

[04:16:44] And when we moved in, we didn't have the equipment, and we couldn't afford the equipment to move the dirt that had been so heavily compacted and would take years and years for forests to grow back. And quite honestly, we didn't want those mounds to be there because it would potentially lead to erosion on our parcel.

[04:17:09] We were fortunate that we were in an Ag4 district, and around us, we were surrounded by parcels in Ag4 districts. And a neighbor was generous and kind enough to offer their very large tractor, and we've had other neighbors who have offered their equipment as well.

[04:17:27] And because the land is protected, and because some of them have been in accidents in the past and gotten hurt on 29 moving farm equipment down the highway, we have an agreement that we cross equipment across these unfragmented continuous parcels of land. Really quick, since I'm running out of time though, one of the things three years after we bought our property is the next door neighbor decided to sell their property and move. And the value of the Ag4 districts really came into play there. And it's actually the reason that I joined

[04:18:02] the committee because of that experience um one of the potential sellers who offered a lot more than any other potential seller for the property wanted to develop the property into a thank you thank you if you have prepared marks you can submit them all right that's it thank you that's all the speakers um with that uh we have any additional comments uh pertaining to the before I close the public hearing. We can still ask questions of staff. And I will close the public

[04:18:39] hearing and bring the matter back before the board. Supervisor Mal. I don't think I have any questions. Thank you. Supervisor Alpesto-Curtlin. Pertaining to the speaker up there, what would happen if we didn't remove the parcels? I mean, probably others have a much better understanding than I do, but what would happen if we didn't remove them? Does it mean, I mean, removing them Does it mean additional monies for the county, or what does it mean?

[04:19:11] Well, it's impossible to say what might happen on all of them. It's up to what the landowners choose to do. For the parcels that are currently proposed for removal, the Ag4 districts don't affect their ability to develop.

[04:19:30] The parcels that are recommended to remain in the districts are significantly restricted in their ability to develop by that additional measure of being in the districts. This is all on top of rural area zoning, which is restricted to a certain degree in development and what's permitted.

[04:19:48] The Ag4 districts add more restrictions on how much development can occur. But again, that only affects those small lots. So for these parcels that are recommended for removal, there's no difference in terms of residential development on those parcels.

[04:20:04] Where there is a difference is if those parcels stayed in the districts, there would be additional restrictions on special use permits. or additional level of review on specialties permits on those parcels or on adjacent parcels.

[04:20:20] So you're saying this actually gives the landowner more freedom to do other things? Yes? No? No, the districts apply additional restrictions. I'm sorry, what?

[04:20:36] The districts apply additional restrictions. In the case of the parcels that are up for removal, those restrictions regarding the subdivision are relevant. They can't subdivide anyway. So there's really little or no difference between being in the district or being out for those particular parcels.

[04:20:55] And they're the ones that requested removal? Well, they're the ones recommended for removal by the staff in the Planning Commission. There's a separate category. Let me put a graph up here real quick. There's a separate category of parcels that are requested for withdrawal by the landowners themselves, which is something they can do by right during the review process.

[04:21:19] So for the seven districts that are currently up for review here, the green areas show the acreage that would remain in the districts. The yellow bars are the amount of acreage that would come out

due to the landowner's own request to withdraw.

[04:21:35] And the pink areas are the acreage of the parcels that would be removed through the application of that policy regarding parcels without development rights. Okay. And the whole, okay, that's all. Thank you. Thank you.

[04:21:52] Supervisor Galloway? I have no questions. Supervisor Pruitt? I just want to make sure I'm correctly understanding. We would have the memorandum submitted in our report says that there's, or rather a memorandum from the Ag4 District Committee says that there's 6,000 difference a year in annual revenues that would be as a difference of the removal of all of these parcels.

[04:22:21] I assume that also includes other ones that are voluntarily being removed. Do you know readily what the tax difference of the ones that we are involuntarily removing would be?

[04:22:38] Does that question make sense? Does that follow? It does, but at this point it's hard to calculate because some of the parcels that were notified in advance five years ago and remove themselves voluntarily from the program aren't actually under land use at this point.

[04:23:01] So if we had not taken this act five years ago, they would currently be under land use and it would change the calculation by quite a bit. So I think you can't just look at how much taking this action right now would save the county in tax dollars because it's a much more complicated formula.

[04:23:25] Because several people have already withdrawn themselves knowing today was coming in the last five years. They did that in order to avoid it all being captured in one rollback bill. They did it over time. Thank you.

[04:23:41] Thank you. Supervisor McKeel. No questions. Thank you. Thank you. And I have no additional questions as well. With that, then, we're looking for a motion that is in the form provided as revised today.

[04:24:02] That's correct. That's correct. And provided to us on blue paper. And I see that Mr. Clark has prepared an up-to-the-moment motion as well. Ah, well, thank you. So the first, second, third motion.

[04:24:21] Okay, go ahead. So I move to adopt proposed ordinance number 2532 as revised April 2nd, 2025. Second. We have a motion from Supervisor Galloway, a second from Supervisor McKeel.

[04:24:37] Without objection, the clerk will call the roll. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lapista-Kirtley? Aye. Thank you.

[04:24:53] The board, this brings us to item 19, ZTA 2024-2 Data Centers, Phase 1, presented by Bill Fritz, our Development Process Manager. Welcome, Mr. Fritz. Hello.

[04:25:10] And, Bill, you're the first tonight, but you need to move your mic up. I need to move it up, and I need to be careful about how loud. I know I can speak loud sometimes, and sometimes not quite loud enough. Let's start it here.

[04:25:30] Thank you. Bill Fritz with the Community Development Department. This is a proposed zoning text amendment for data centers, and it is the first phase. We have two phases, and I'll get into that a little bit. So why are we proposing these regulations? Well, data centers have potential impacts that are different than other land uses. They can generate sounds at frequencies different than other land uses and potentially have excessive water consumption.

[04:25:57] Because the use does not have a large number of people working in the buildings, the need for windows is reduced, while the need for cooling facilities is increased, resulting in building appearances different from other uses. Because of the need for energy, there may be off-site impacts to the power grid.

[04:26:16] What is proposed is a follow-on approach. The first step is limited in scope in order to allow some regulations to be put in place quickly. These regulations will allow the county to review applications and mitigate the impacts of any project. The follow-on step is more comprehensive and will involve researching the potential impacts and methods of impact mitigation. The proposed amendments are not intended or designed to discourage or prevent data centers from coming to the county. The current ordinance amendment simply gives the county the ability to review applications to determine if there are impacts that require mitigation. The phase two amendments are intended

[04:26:55] to identify those possible impacts and methods of mitigation and to codify those mitigation techniques. This should make processing data center applications easier and prevent undue impacts on the community. Currently, there are no specific performance regulations for data centers.

[04:27:15] The only time that the county can evaluate a request and potentially establish conditions is in commercial districts when the data center is over 4,000 square feet. So the proposed ordinance continues to allow accessory data centers and data centers under 4,000 square feet in the industrial districts. The Planning Commission recommended that the ordinance prohibit any provisions allowing the modification of the accessory data center regulations, and staff has made that change, and it is included in the proposed ordinance. The proposed ordinance allows

[04:27:50] data centers with limitations, allowing, excuse me, allows accessory data centers with limitations. Allowing accessory centers is necessary because many businesses and organizations operate computer systems that qualifies data centers. For example, this building and the services operated by the county have the characteristics of a data center, but without the impacts generated by large centers.

[04:28:16] Due to the nature of data centers, it is staff opinion that accessory data centers will not generate impacts greater than generated by the primary use. However, during the Phase II Zoning Text Amendment, this issue can be further evaluated, as can the by-right size.

[04:28:34] Larger facilities will be by special use permit, allowing detailed analysis of the specific applications. During the Planning Commission public hearing, there was some concern that multiple buildings could be placed on a lot resulting in more than 40,000 square feet on any individual lot.

[04:28:51] The ordinance has been revised to make it clear that the gross floor area cannot exceed 40,000 square feet per lot. in existence today. The proposed ordinance allows data centers by special use permit in the downtown Crozet district. The Planning Commission discussed allowing data centers in the DCD, but they made no recommendation to remove it from the DCD. But I wanted to point out it was a topic of conversation, but they made no recommendation.

[04:29:22] So there are some performance standards. Limited performance standards are proposed for this text amendment. These standards are in addition to the existing performance standards for all uses of an industrial character. The current ordinance has things that include such regulations for such things as electrical interference, sound, and emissions. The Phase 2 evaluation may indicate a need to modify these regulations and may include additional regulations. As an example, the Planning Commission discussed establishing setbacks from residential property lines, and this will be one

[04:29:56] of many items evaluated in Phase 2. That concludes my presentation. We are recommending approval. The planning commission recommended approval by a vote of six to zero and i'd be happy to answer any questions you might have thank you we'll go over with questions first of supervisor malik thank you oops there we go you had mentioned the over 4 000 square feet was where the ability to have rules begins is that because below 4 000 there's a state prohibition 40 40 000 is is what

[04:30:35] we're proposing no i understand that's different from in your staff report you said there was a and also you mentioned it just now um except in oh in the in the current ordinance uh in commercial districts it's regulated when the data center is over 4 000 square feet under in the current ordinance so tell me more about why there's a tenfold increase before you would begin to regulate to 40,000 square feet.

[04:31:07] - We believe that based on some of the information that we've been able to obtain from various localities, we believe that a 40,000 square foot building won't generate the adverse impacts that would need to go before the Board of Supervisors for a special use permit.

[04:31:25] We also have increased regulations. We have a 200 foot setback from any lot line and a 500 foot setback from any rural property. I should note that right now, if you're in a commercial or industrial property and you're adjacent to a commercial or industrial property, there's no setback.

[04:31:46] So this would be establishing a 200-foot setback. So combined with that setback and the limited size, we believe that 40,000 square feet wouldn't have adverse impacts. It's still a really big building. Yes.

[04:32:01] 500 by 800 is an awfully big building. Supervisor Malek, if I could just add on to that to clarify, the current regulations in the industrial districts allow a data center of any size by right. And so what we're proposing in the draft that's before you is a 40,000 square foot tipping point from a by right to a special use permit requirement, an industrial, and then a special use permit in the commercial districts.

[04:32:33] Correct. It's all sizes. All sizes by special use permit. And multiple stories, all that, there's no height or anything else in here. We're not proposing any new height regulations.

[04:32:52] Right, it would just be whatever the district is. All right, and special permits for everything. Okay, so I guess I'm confused why there would be so much by right when we require special permits for veterinary clinics and preschools with 25 children.

[04:33:15] Why are we giving a buy-right for 40,000-square-foot data center anywhere? In the commercial districts? In the commercial districts, what we're doing is right now you can go up to 4,000 square feet in a commercial district before you need a special exception or anything.

[04:33:35] And what we're doing is we're dropping that to zero. So if you want to do a standalone data center in those commercial districts, you now need a special use permit. In the industrial districts right now, you can do data centers of any size with no additional regulations.

[04:33:51] And what we're proposing is to put a cap of 40,000 square feet by right and impose a 200-foot setback from lot lines and some other regulations. So we're not adding any use to the commercial districts.

[04:34:08] We're not expanding any use in the commercial district. They could have already made that application. They simply would have done it through a special exception. And I understand the special exceptions aren't going to help us because we can't put conditions on. So we're just, we have to have special permits or we're not really going to get anywhere.

[04:34:27] I just am still having a hard time with the size that is being given. I much prefer the cap to be a whole lot lower from my personal expense. In the commercial districts or the industrial districts? In the industrial.

[04:34:43] Okay. And I'm saying that because other counties have been struggling with this long in advance of ours. And they are universally now saying everybody should be having a special permit. And they have regretted their ability, their previous history, to just hand out permits to do this because they wouldn't.

[04:35:07] So that is why I'm trying to learn from the bad experiences of others as we go forward. I will make a side comment about the Crozet DCD, and that is a very small geography in a very small area and it's keenly interested in employment and therefore not a great spot right now for huge building with four employees that does not forward the the community benefit out

[04:35:41] there at all perhaps in many many years when acme comes online and available that's a maybe a different situation but i would very much request that the board not include the crozet dcd as an area where a standalone data center would happen inside as part of cob5 i mean that was a bank data center but it's not anything like what i see when i go to loud you know those are horrific and the impacts to the neighbors because of all the things you are trying to prevent has been horrendous and set these communities at war with themselves for the last 10 years

[04:36:20] So that's just my thoughts right now, and I'll stop there. Thank you. Thank you. Supervisor Lopez, the permit. Amelia wanted to say something. Sure. Thank you so much. Supervisor Malek, one thing just to follow up with is Phase 2 is going to help us get further time to study and right-size whatever that number is that should be by right versus special use permit, I come up with a larger array of appropriate performance standards so that it really does minimize the impacts of the use when it's appropriately located.

[04:36:58] It could even be that there's so many options of how to go in a phase two. We haven't scoped it. We're meeting on that next week, getting right to discussing it, talking about process and scope and so forth. But there are many options.

[04:37:14] Some localities have done overlay districts, you know, and I guess the main point is this was an attempt to come up with a number that made sense from a couple of different perspectives, knowing that we're going to revisit it with phase two.

[04:37:30] Well, thank you, and I appreciate all the work that's gone into it, and it's always easier to make it more lenient than it is to ratchet it back. So that's my suggestion to start smaller, and if something is indicated better to put it back to the \$40,000 in the next phase, that might be more successful.

[04:37:47] We've had a really hard time over the years tightening things. We've done a great job of loosening things over 20 years. Thank you. Thank you. Supervisor McEastro-Curtley. Thank you very much for your presentation. Thank you. For a point of clarification, right now in the commercial area, if something is over 4,000 square feet, then they need to come to us for a special use permit.

[04:38:13] Special exception. Special exception. Yes. And we're proposing to change that to zero, that we want them to come to the county for a special use permit for anything in the commercial area. Right. And the difference between the two being a special exception does not go before the planning commission and a special use permit does.

[04:38:34] Right, right. And that would also include the 500 feet. The 200, the 500 regulations. 500 and the 200, exactly. Yes. And in the rural area, we're talking right now they can put in any size. No. No, not in the rural area, no, in the industrial district.

[04:38:51] Right, right. So the 40,000, what you're proposing, the 40,000 square feet, over 40,000 in the rural area. Industrial area. Industrial area. Why do I keep thinking rural area?

[04:39:08] Okay. Industrial area. Over that, then that would be a also? That would be by special use permit. Okay. In the industrial area. Correct. Okay. So we have the commercial area, we have the industrial area. Correct. Nothing in the rural area. Correct. Okay.

[04:39:23] And are they allowed to be built in the rural area? No. Okay. Good. Just maybe to add on to that, because this may be a point of clarification, there's rural areas of the comprehensive plan and some legacy zoning that is industrial.

[04:39:43] But the performance standards that we have suggested, including the fact that the property must be served by public water and sewer, really limits those properties and their sizes, too, to be available for this use.

[04:40:00] Yes, I saw that one of the conditions is to have water and sewer, and that would include the legacies of areas. Correct. Okay, thank you very much. Those are all the questions I have. Thank you. Thank you. Supervisor Calloway? Why do you get all the easy ones?

[04:40:16] Dental centers, cell phone towers. Luck of the draw. Luck of the draw. And forgive me if you may have to keep me in track with commercial and industrial. Okay. So it doesn't look like I did a good job of note-taking on that. Was it discussed at all to allow some square footage by right in the commercial districts?

[04:40:38] Just not 40,000? I do not recall any conversations that the Planning Commission had to allow any by right usage in the commercial districts, and staff did not propose it either. And if we approved currently what staff had in place, does that in either the commercial or the industrial create any non-conforming uses?

[04:41:01] I don't know that we have any, and I'm going to say no because I'm unaware of any data centers that are 3,999 square feet. There may be accessory, and they would still be permitted as accessory.

[04:41:18] I'd also be very surprised if there were any that were over 25% of the gross floor area. And for that particular one as well, the accessory use, does that create any non-conforming pieces with anyone? That's what I'm saying. I'm not aware of any. For that, too?

[04:41:34] Correct. Okay. And it looks like the Fairfax, you kind of looked strongly at the way the Fairfax ordinance was in there with the numbers and such. I'm going to refer, this has been a real team effort, and I'm going to refer that to Amelia McCullough. We did. Most localities are not using a square footage tipping point, but we did look at Fairfax and theirs is 80,000 and 40,000. And given the scale and character of their development being so very different, so much more urban, we thought that the 40,000 was more applicable to Abmore

[04:42:10] County. And you said you landed on that number, not just because some other place used it, but But the impacts that folks get concerned about seem to not really present at that size. When we thought about it and we started thinking about the size, at 40,000 square feet, you're not going to have so

much equipment that you're going to have to start having a massive amount of cooling equipment combined with the setbacks.

[04:42:33] We thought that was a reasonable number that would mitigate with these other regulations that we have. And then over 40, then the impacts may grow. So that's why you're saying bring it up. Correct. And as I said, as part of the phase two, we'll continue to look at that. So the 200, and this is the one I'm not remembering, is the 200-foot setback on everything or just the commercial district?

[04:42:58] It's a 200-foot setback on everything. So talk to me about, in trying to go through, and I'll say this stuff out loud and you can correct me if I'm wrong, but the outside generator is the noisemaker that we're worried about. We want this to be in a tier three or a level three container box.

[04:43:16] That means 23 feet away from that box, it produces 70 DBA. Correct. But if we are, then that would leave us 170 plus some feet from the lot line if they obey the setback. Is that level three box, the 70 DBA at 23 feet, and the additional 170 feet all kind of why we arrived at those numbers?

[04:43:41] So it's 200 feet. The measurement of the DVA is taken 23 feet. Okay, I see what you had to talk through. Because our noise ordinance would say it has to be a certain DVA at the lot line. Right. So does it take 200 feet plus a level 3 box and 23 feet at 70 to get to our desired level?

[04:44:03] So what we did there is we wanted to have a uniform setback. So we said 200 feet. Obviously, we didn't want to have a separate setback for the generator, so we put it in there. We're still really working to try to understand the generator noise.

[04:44:20] We understand that that has been a problem in other localities, and we admit that we're being very conservative with that number right now, and that should be something that we look at in the future. It may be possible to use a Level 2 enclosure, and we went with a Level 3.

[04:44:36] LEVEL THREE IS WHAT USES -- THIS WAS FASCINATING RESEARCH, BY THE WAY. LEVEL THREE, THAT'S WHAT THE INDUSTRY STANDARD HAS FOR USES THAT REQUIRE GENERATORS, BUT THEY'RE IN AREAS THAT ARE SENSITIVE, SUCH AS HOSPITALS AND NURSING HOMES AND SOME GOVERNMENT BUILDINGS WHERE YOU'RE IN A RESIDENTIAL NEIGHBORHOOD, SO YOU MIGHT HAVE TO BE RUNNING THESE FOR DAYS DURING AN EMERGENCY OPERATION, AND OBVIOUSLY YOU WANT TO BE ABLE TO CONTINUE to use the hospital and nursing home without causing undue impacts.

[04:45:12] So that's where we borrowed that level three generator enclosure in the 73 DEA in case, for example, this building doesn't have an enclosure, but we have it in a courtyard that would achieve the same level of sound attenuation.

[04:45:28] And I should note, too, that a secondary reason for the increased setbacks above the minimum industrial setbacks are because some of the sound that is the most nuisance to the neighbors is not easily attenuated at the property line if the building's too close. And that is that ongoing continuous low-frequency hum. So most localities, because that is so hard to regulate, enforce, even take the readings, the proper readings, you have to like take every internal corner of a room it's the most complicated sound reading i've ever heard of so what most localities

[04:46:06] have done is increase the setback to attenuate that hum impact on the neighbors and there's something backing 200 feet it it's a common um proposed setback for data centers and i wish i had sort of tallied across the 16 localities that i checked with um it's one that i saw repeated a couple times well i mean

i get nervous anytime we do uniform setbacks because we've done uniform setbacks for some other things and they're in front of us all the time for a special exception

[04:46:40] so i will so this would be by special use permit if they were over 40 000 square feet it would be by special use permit so they'd be before you they could include a special exception to recruit reduce that which would be evaluated at the same time as the special use permit so it wouldn't be separate meeting they would have to do wouldn't have to be excuse wouldn't have to be they would have to do it at the time they could they could do it at the same time as the special use permit yes it's two actions by the board but but one public hearing and one one one so it could evaluation couldn't come back in the future is what you're saying they could request they can

[04:47:18] request a special exception if it was under 40,000 square feet they could request a special exception to reduce it. That would be a hearing for a special exception on a by-right use, so that would come before the Board of Supervisors. If we were recommending approval, we would put it on your consent agenda. If it was over 40,000 square feet, it would be by special use permit, and we would simply process the special exception concurrently with the special use permit.

[04:47:45] Just in the industrial order? Or in the commercial district for any size. But that would be anything, because they don't have any by-right options. Correct. All right, I think those are my questions for now.

[04:48:08] Thank you. Supervisor Pruitt. I'm actually going to share a lot of Supervisor Malek's concerns here. I think it is well said that if we're seeing this as the holding pattern we want to be in while we are waiting for additional comment for the final product, then it makes sense to be more restrictive rather than less restrictive.

[04:48:30] I recognize that the proposal that's before us is imposing new restrictions. But I don't think that should stop us from, frankly, being more cautious and recognizing that our existing level of restrictions is inappropriate. We can also be more restricted than this.

[04:48:45] I think it would actually be prudent. So I would actually, I think, share the recommendation I think I heard from Supervisor Malik, which is that the industrial district buy-write level be cut substantially to 4,000, with the possibility of exceeding that by special use permit.

[04:49:09] I think that would give this board a level of oversight that would be prudent, while we are still kind of figuring out what is a new issue to this part of Virginia that has not previously come to our shores. So I would recommend that.

[04:49:25] I also do think it is probably appropriate, both geographically, economically, politically, that things not be allowed in downtown Crozet. I will share that. I also do want to elevate something that PEC reached out about this with that I don't believe was incorporated from the Planning Commission, but please correct me if I have this wrong, but PEC highlighted the by-ride accessory element as being potentially problematic with some of our larger facilities.

[04:49:57] You look like you had something to say on this. So the reason that we're – so right now if you're accessory, 49.9%, that's accessory. We're proposing 25%, so we're already ramping down there.

[04:50:15] Our concern about the size of the – so if you have a very large building, the accessory use has to be solely for the primary user. So how much of that, how many users do we have of very large buildings

that are going to have 25% that is just for their data center needs?

[04:50:36] So we're not concerned about that. But the other thing is, is that because it's accessory to the primary use, they're going to need to mitigate whatever impacts they're causing by the data center so that they can continue the other 75% of activity they're going.

[04:50:54] So we think by having it be the 25%, having to be solely for the primary user, that those two things, they're going to automatically mitigate it so that it doesn't have impacts. So we're not concerned about that 25% size. Help me understand the solely for the primary user, right?

[04:51:11] So we had three examples that PEC offered. I think two of them might not be necessarily implicated by this because these are mixed-use facilities, right? Seminole Trail and the State Farm Building. The third one, though, I could see actually being workaroundable and weaponizable.

[04:51:31] So that's Raytheon, right? Raytheon has a very significant facility and would be able to get, I think it's 57,000, a hyperscale data center. And depending on what we're construing as accessory to the primary use, what is the primary use of that facility?

[04:51:48] Servicing Raytheon's mission could be something they would say. And then Raytheon would say, well, I need a 57,000-foot facility to explore our qubit-enabled quantum data center facility that we want to pitch to the U.S. Department of Defense.

[04:52:08] And next thing we know, we have a massive power sink with a massive footprint that I think we wouldn't have a tool to stop, which is alarming. I also just mentioned the possibility of quantum because I think it's important that we remember that this is a shifting field underneath our feet.

[04:52:25] It is very possible that the energy costs multiply radically with the arrival of mainstream quantum computing. And also, frankly, the demand for new space shrinks dramatically. The entire industry could be upheaved the moment these start hitting commercial levels.

[04:52:42] With the demand for existing facilities going up, the power demand for existing facilities skyrocketing, the demand for new facilities plummeting right and inversion of where we currently are I raise all this to say I think it would be prudent personally and I might not have support on this board no one else has raised it but for the accessory cap by right to track to the to the industrial district which under my proposal would be quite limited right that would be 4,000 if that is not accepted then I would say at least \$40,000.

[04:53:20] I think that's all the feedback. Professor McKeel. I'd like to hear Amelia and Bill speak to the suggestion that Mike is making about scaling down the size. So to be clear, the commission did talk about just what you're talking about.

[04:53:39] Should there be a cap on not just the percentage of the use, but an absolute cap, so not more than \$40,000 square feet? That number, exactly what you said, the board, obviously, they could say accessory 25% not to exceed 20,000, 10,000, insert number here.

[04:54:02] I don't really have more to add beyond what we've added. We're not concerned that it would generate the impacts because they would be mitigating it because they have to operate that other 75% of their building. so they wouldn't want to be generating the noise and so forth because they have other operations going on.

[04:54:20] I guess it's most... Is that what you... That's exactly what I wanted to say. I don't know if Amelia had any... And Amelia, do you want to add anything? I think he's covering... Sorry, I keep thinking of this building, and if a data center here were so large, if it starts to impact the other services and the other work that's occurring in the building, then we would have a problem that we'd have to fix.

[04:54:46] So I don't think that that's something that the primary user, the business that is hosting the data center, is going to allow to happen because it impacts their main business. And that was our line of thinking. It does, you know, it's fine, and we can certainly write something that has a cap, and it does make sense, you know, as you're talking about that, to consider that.

[04:55:09] And with all that being said, obviously this is also something that can be evaluated with the phase two. Right. what's the right numbers, 25% the right numbers, should there be a cap so we can do that. We were trying to pick something that was workable right now that would still allow data center activities to occur without undue regulation but still have enough that the board supervisors could look at it.

[04:55:32] So we were trying to balance those sizes, and it's a number. And so what I think I'm hearing is that that balance that you all have struck, and I really appreciate it because I know you all have done a lot more work on it than I have. But that balance for now could be adjusted as we come back to phase two.

[04:55:55] Absolutely. And I think if we approve something today and you all come back and say you think really, I'm saying say we approve something at 3,000 or 4,000, right, and then we came back later at your all's recommendation to increase it after your work, I think that's much harder than scaling it back down for the public to be perfectly honest with you.

[04:56:22] So lots is going to happen in phase two. This is just the beginning to get something down, right? Trying to give the board some ability to look at these things, yes. So when we're talking about buffering and noise and all of those issues or all those concerns that we know everybody hears, those will be handled in Phase 2 as you're going back through.

[04:56:52] They'll continue to be evaluated. So we'll have more final suggestions in Phase 2 for those. We will revisit them. I think that what we've drafted with the current performance standards attempts to address, sort of take a big swing at some of those.

[04:57:09] You know, like if you're using water for cooling, make sure it's a recycled system and things like that. But we will revisit that with phase two. Right. And just for interest, because I know you all mentioned it, so that people that might be listening, one of the planning commissioners asked if you were going to compare a building so that people knew what \$40,000 really is.

[04:57:43] Could you give that comparison or an example? Sure. Do you want to do it? So the grocery store in Crozet is about 40,000 square feet. Grand Piano, Grand Furnishing.

[04:57:58] Grand Piano is about 40,000 square feet. On 29th, yeah. I just thought it would be good for that to be on the record in this discussion so that people could think about the size. I guess those are all the questions I have right now.

[04:58:16] Thank you. Thank you. I really appreciate this. I appreciate your agility in getting this before us so that we can at least start the process and close off that loophole that allowed industrial data centers of any size. I noticed, you know, you have a requirement of water and sewer, but you also have a requirement

of closed-cycle cooling, and I'm just trying to understand how the decision was made to combine both of those.

[04:58:42] So by using the water and sewer, that's somewhat of a proxy for not in the rural area of the comprehensive plan because we don't provide much water and sewer to properties in the rural area. So that's trying to follow and forward the comprehensive plan.

[04:59:00] And then the closed-loop system is to minimize the draw on the water supply. Right. Okay, appreciate it. That's why. I understand. And then also there's, you know, the difference between a special exception and a special use permit, which I understand, but with respect to requirements like this where it says that these cannot be waived by special exception, That doesn't mean that they could be waived by a special use permit.

[04:59:23] Is that correct? Yeah, that's correct. Okay, that's what I understood. I guess we'll have additional discussion, but I like the balance that you've struck. I think that there may be good reason to say that the \$40,000 is the limit on the 25% just because it closes off that possibility.

[04:59:45] But otherwise, I appreciate what you've worked on. To be clear, staff is not opposed to that. We needed to provide you with something, and we wanted to explain how we came up with that number. The logic of having a 40,000-square-foot cap is just as logical.

[05:00:04] Okay. Thank you. Additional questions before I open the public hearing? Yes. Whenever you get to the court. Yeah, I wanted to make sure. You mentioned about the water, that with the loop system, there wouldn't be an additional pull on water.

[05:00:20] That's the idea. What about the electricity? I heard that those require electricity. So they are, by their very nature, heavy draws on power and Dominion, and we'll provide them with power. One of the things, and we're still trying to wrap our heads around this, is how to address that and can we address that.

[05:00:43] The county has no ability to regulate high voltage power lines. we can do between 115 and 220 kV. There's a window that we can do. And substations we can review by special use permit.

[05:00:59] So if we had a very large facility going in, we may be looking at two special use permits, one for the data center and one for a new substation to facilitate it. Right. That's one of the things that concerns me is the high voltage lines that would have to be augmented or put in depending on if any data centers get approved and the type of electricity that they would pull.

[05:01:26] Right, and that would be the kind of information we could get during a special use permit review to find out what the impacts are. All right, so we're talking, once again, 4,000 feet in the commercial area, 40,000 feet in the industrial area, but that's just a number that you came up with regarding the 40,000, or does it apply?

[05:01:49] Is it because of the 25%? No, no, the 25% has nothing to do with the 40,000. 40,000 was a number we just used based on our experience about sizes of buildings before they start to have impacts on adjoining properties, given the setbacks and other regulations that we're proposing.

[05:02:07] And last question, I know that the 4,000 square feet, that would be considered a small data center, correct? Right, and that 4,000 square feet is going away. So now it's any size in the commercial districts would require a 5 feet per minute. That's right, that's going to zero. That would be a very small facility.

[05:02:24] Right, that would be a small facility. The 40,000, would that be considered a medium or a large facility? This is something that I have trouble with because it's one of those questions of how tall is tall. Amelia McCauley can answer this more, Or that there doesn't seem to be a unified definition of what big is and what medium is.

[05:02:47] Is that summarized? At this point, there aren't sort of industry standards for what constitutes small, midsize, and large. You know, we understand that midsize could go up, for example, to 165,000 square feet.

[05:03:05] And large can go over a million square feet. But it's a broad range, and I'm sure it varies based on a lot of different things. And just to circle back real quickly to your power comment, some localities actually are considering the proximity to those existing substations and high-voltage power lines for the application for special use permit.

[05:03:30] And, you know, as we start thinking about where they can go and mitigate impacts, there may be some places that, through an overlay or something like that, that they are appropriate by right, maybe in an overlay district or an industrial park or something with all the right combination of things that it needs to minimize the impact on the community.

[05:03:55] Okay. Well, I think it's obvious that if we don't have controls over them, they're going to have controls over us. so thank you thank you supervisor malica yes thank you um so i thought i understood things and then i got confused listening to the discussion so uh standalone there's uh page 13 or 14 and one of the many handouts in italics planned industrial parks profit blah blah blah uses um talk to me

[05:04:29] about things that seem we seem to have no control over amelia this is the page you can pass that to because it seems incomprehensible to me, those three sub-bullets in there.

[05:04:48] Those special districts, which were pre-decided in 1980, and so they have all sorts of rights that we can't control. Is that what that's all about? The section that Supervisor Malek has handed me is in the zoning ordinance related to planned industrial parks and proffered industrial districts approved prior to April 3, 2013.

[05:05:10] And basically, it's a vesting of rights if they were approved to allow certain things. And then later we, for example, it was proffered that they would allow use X. And then we go and change the zoning ordinance and take use X out of that district.

[05:05:27] They're still entitled to what was given at the time of the rezoning. So is your question whether there are industrial parks that will have vested rights to this use? Yeah, I mean, basically, if there's anything particular, a site that that refers to, or it's just policy in general, the only one I remember is the one up on Pantops where we couldn't say anything because it had been approved in 1980, basically.

[05:05:55] I know which one you're talking about. So the short answer is when the board approves a planned development, It does give the owner of that property certain rights to rely upon the ordinance that was in effect at the time that planned development was put in place without being impacted by subsequent amendments.

[05:06:17] And that's across the board, 1980, 88, 92, two weeks ago. They get locked in at the time they were approved. Okay, so at some point you can let us know where these things are that seemed to be important enough for us to know about that we had this attachment here.

[05:06:41] There seems to be some discrepancy now about things that cannot get waivers, which I thought was setbacks, but then someone just mentioned a few minutes ago they could come in for the SP and get a waiver from the setback, which I think is a bad trouble.

[05:07:05] Could we just confirm that with Andy? the question was you know the the section that we've written limits special exceptions for things like setbacks and connection to public water and sewer and if somebody comes in through a special use permit process are they entitled to seek an exception to that which limits the board to give exceptions? So the only thing under the draft ordinance that could not be sought by special

[05:07:43] exception are subsections A1 and B1, which are the size limits under A1 and B1 is that they must be served by public water and sewer. Those are not attainable by special exception. But every other regulation in chapter 5 unless specifically prohibited is on can be can be waived or accepted the question I thought was whether those could be waived by some special use permit so so during during the special use permit if if I if I understand the question if during a special use permit somebody

[05:08:21] wanted to use a 100 foot setback instead of a 200 foot setback they would apply for their special use permit for the over 40,000 and they would apply for a special exception to reduce the setback from 200 to 100 feet we would review both we would make a recommendation on both we could recommend approval the special use permit but not the special exception for example and the board would take two actions one on the special use permit one on the special exception but if they wanted to apply for doing this where you were not in a water

[05:08:55] and sewer district coverage as part of a special use permit would that even be entertaining if they had if they were on a piece of property that was not served by water and sewer they could apply for a special exception to be not on water and public water and public sewer they could apply for a special exception to do that under the current no excuse me no i'm sorry that was the one that was the one that was added the the planning commission added let me go back they cannot apply for a special exception to be not on public water and sewer they

[05:09:32] have to be on public water and sewer there is no special exception because you know sort of the jurisdiction for special use permits is different because that means it's for uses rather than for setbacks and such okay that's what I wanted to clarify. I thought I was clarifying it earlier. And I apologize. I was looking at this and I was looking at the wrong number. I appreciate the clarification because it wasn't what I was saying. So in this phase of things, the board has the discretion to say we're not going to have waivers because we're already using, I mean, unless others agree

[05:10:10] with me to reduce the cap to \$20,000 or something, we already have a huge buy right. And it seems like there should be i would propose that we not be continuing to give away the ranch here that's all and that's what i see these pages so i'm encouraging others to uh think about that as well open the public hearing if that's yeah sure okay i'll open the public hearing do we have anyone signed up to speak we

[05:10:41] do thank you okay we have two speakers and we have no one online so during public hearings the board will acknowledge speakers addressing the item listed for public hearing speakers are limited to one appearance of three minutes per public hearing. Timekeeping is conducted through a timer and light system at the podium. The green light will go on when you begin speaking, which begins your allotted time. 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. If more than

[05:11:19] 10, oh, I'm sorry, in order 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.

[05:11:37] Speakers may not share any unused time with another speaker. And back and forth debate is not permitted. All comments are live streamed, recorded, and published on the Albemarle County website. And the first speaker for tonight is Rob McGinnis. Welcome. Good evening. My name is Rob McGinnis, and I'm here representing the Piedmont Environmental Council. First, I want to thank the board, the planning commission, and staff for moving forward with this phase one data center

[05:12:15] zoning text amendment. The first phase zoning amendment is a good first step in addressing potential impacts of data centers, particularly large data centers. PEC supports the draft phase one zoning text amendment, and we look forward to the development of the more comprehensive phase two text amendment. I transmitted to the board earlier this week my comments, and I'm not going to go back through those comments except for one. PEC's position is that either a data center is not

[05:12:49] allowed in the downtown Crozet district, or only accessory data centers would be located within a primary use in that um downtown um crozet district large larger data center facilities and standalone accessory data center buildings are typically windowless warehouse type structures with associated site development that if developed in downtown crozet would not positively contribute to a thriving and vibrant vibrant small town environment thank you for the opportunity to

[05:13:24] my comments. Thank you. And our next speaker is Christina Libre. Libre. Libre. Got it. Good evening. Thank you. Good evening, Chair Andrews and members of the Board of Supervisors.

[05:13:45] My name is Christina Libre, and I'm an attorney with the Southern Environmental Law Center. SCLC appreciates the county's attention to patching what we see as a very concerning hole in the zoning ordinance, and we strongly support the data center's phase one zoning text amendment that you're considering this evening. To be sure, data centers are an important part of our modern digital economy, and they do provide valuable benefits. But as we've seen elsewhere in Virginia, without thoughtful zoning protections, data center development can cause significant harm

[05:14:18] to communities and to the environment. Currently, the zoning ordinance is being interpreted to allow data centers as a by-right use in all industrial zoning districts, regardless of the size or any other characteristics of the individual project. As a result, the county has no ability to deny a proposed data center in those districts or even to add common sense protective conditions to a project. The zoning text amendment would patch that hole by requiring a special use permit for any data center proposal above 40,000 square feet in an industrial zoning district. This would ensure

[05:14:55] that the board of supervisors gets to review any proposal above that size, decide whether to approve or deny, and if you wish to approve, to place protective conditions on the project. This is a simple and sensible short-term solution while the county undertakes a more comprehensive look at how to regulate data centers. Although we strongly support the proposal as a whole, there are two important changes we urge you to consider. First, we echo concern about the potential size of accessory data centers. Because the only limit on size is that an accessory data center can't exceed

[05:15:30] 25 percent of the gross floor area of the primary use it serves, an accessory data center could exceed 40,000 square feet by right if the size of the primary use happens to exceed 160,000 square feet. For consistency, we recommend including the 40,000 square foot size limit on accessory data center uses. And second, we echo concern with permitting data center development in certain commercial districts, even if only allowed with a special use permit. In particular, data center development may not be appropriate in the downtown crozet district as you all discuss this evening

[05:16:07] which is intended to promote traditional downtown development in closing again we appreciate the county proactively getting out in front of this issue and developing this proposal and we urge the board to adopt it thank you thank you are there additional questions uh yes supervisor where'd bill go he's right here hiding i just want to follow up supervisor mikhael asked for the comparable facility you use the the furniture store we have bigger buildings than 40 000 square

[05:16:47] foot in the in the county right now right oh yeah oh sure oh yeah so from a visual standpoint we've got this size that is out there so you used a grocery store and a furniture store how many employees would a grocery store probably yield in Crozet? I wouldn't want to guess on that.

[05:17:07] Probably even if it's a small one. At least 100. And then all the traffic coming to and fro from the retail customers. But this is a building that would probably have fewer employees if it's a total data center use. And we don't have all the retail activity coming in and out. So I've been hearing like these big concerns about the ugly data center monster that exists out there in the world but a 40,000 square foot facility from a visual impact exists in our county in fact larger ones do and you know we're concerned about sound and energy got it it looks like we're trying to

[05:17:45] address those but we don't have the traffic impacts that if a 40,000 square foot retail facility came in like a Home Depot. It's probably bigger. So I'm just trying to, I don't, when I'm starting to hear these massive, like we're not looking for the 250 and the 500,000 square foot data center stuff. We've never looked for facilities like that per se. So let's keep the rhetoric to a point where it's like, we've got buildings that look like this. Maybe they have more windows, but I challenge you to find how many windows are in Costco. But the idea is that

[05:18:23] we have to stay focused, in my opinion, on the impacts. You've clearly put caps because you're regulating with this step forward, which you've said. And it looks like we're going to even scrutinize what we're regulating even further in the second phase. But I don't want to start thinking like, and you know, we just had two groups that I guess that they were really one of the scare tactics, they could have done it, but are supportive of the effort because the 40,000 square foot facility from an impact standpoint you feel like keeps us from the bigger concerns

[05:18:57] from both the sound with the step back mitigations and the energy drawdown with the recycling water but then doesn't have this actually has a smaller impact than say a retail facility that we put up somewhere in the in the county i wish i'd written it that way yes that's what that that was our thinking i said i wish i'd written it that way that was our thinking it doesn't have the same transportation impacts parking impacts loading zones of other other industrial uses so that's why we came up with the setbacks that we have and the size to mitigate the the impact that it would have on adjoining property because of the unique characteristics of it i mean i think it's important

[05:19:37] based on some comments that have been made here tonight that we have to put that into some perspective and context based on you know we wouldn't nobody thought twice about approving home

depot we were just concerned about what the fence was going to look like walmart or costco So I'm just throwing that out there for food for thought as we consider this.

[05:19:55] Thank you. Thank you. I actually, I'm sorry, there was a discussion earlier about the water systems, and it reminded me that I had wanted to ask a question about this that I overlooked. And I'm struggling to find it here, but my understanding is that the text in the staff report is roughly what is in the actual draft ordinance, which is that we specify not the consumption level but the type of cooling system that it must be closed loop or recycled water correctly correct i i talked earlier about the the technology

[05:20:35] ground moving under our feet and as someone who has run a closed loop water system before in a marine environment i can tell you that my closed loop water system consumed water as in it was it used water as a heat sink, a separate source of water, right? You can create a closed loop water source that, or a closed loop water cooling system that consumes water from another source, just from not inside the closed loop. You can also create non-consumptive, you can create non-water consumptive cooling systems that do not have a closed loop or recycled water. They could have

[05:21:15] a non-water source of cooling. They could be entirely air-cooled. They could have a freon loop that would not be water. I raise this all because I wonder if we have accidentally created a thing that people are going to constantly be seeking special exceptions for because it cabins the technology without getting at what we're asking.

[05:21:33] And I wonder if it might be prudent to change this to reflect a non-water consumption standard rather than a technology-specific standard. So the limitation is if they're using a water cooling system, it needs to be closed-loop. If they're not using a water cooling system, then obviously that regulation doesn't apply, and there's no requirement that they use a water cooling system.

[05:21:54] It simply has it that if you use a water cooling system, that it be closed loop. We also included this language because it was the best available that we have at this time, and we're going to keep looking at the other alternatives for the cooling systems. I don't think this is going to be a particularly onerous thing, but I just want to flag this as it might not be actually skinning the cat we want to.

[05:22:18] Okay. Okay. And, Bill, I just want to address any of the other comments that you heard from the two speakers, either one of you all, or thoughts.

[05:22:38] I just want to make sure that. I think we've addressed them, but if you have specific things you want us to. Well, I just want to make sure if you have the opportunity, if you heard something that you want to address. I don't think I have anything to add. Okay. The concerns from the speakers.

[05:22:55] I think those concerns were brought up at the Planning Commission meeting, and I think I've addressed them already. But if you have more you'd like me to comment on, I'd be happy to do what I can. I'd like you all to have an opportunity if you want. I think we've addressed all except perhaps specifically downtown Crozet District.

[05:23:14] That is a unique commercial district and a very unique character in its setting. So I completely understand the concern about even allowing that use by special use permit there.

[05:23:31] I don't know. You'll be looking at all of that and coming back to us with some recommendations. And you've heard the concern. And we expect to hear more. Oh, yeah. Okay, that's all I

have. I will close the public hearing because we need to do that.

[05:23:49] We can still ask questions and have a discussion about this further. But if I don't hear questions, I'll just look to the board one by one to additional comments, sort of summary. Supervisor Malik?

[05:24:04] Thank you. My comments earlier about the Cressey District is because of the focus of the community for trying to have places for jobs. And that's why that comparison of the big building with four jobs as opposed to buildings with more places for people to work is appropriate.

[05:24:27] I'm still uncertain about the standalone business somewhere in the staff report, I can't find it right now, was it may be more expedient for the data center to be in some other building or other parcel.

[05:24:44] I guess that's what it was. That was even more alarming, actually, an adjacent parcel or financially more feasible. And so if there's any others who had that concern, or I can keep looking while somebody else is speaking to see if I can find it. It seems as though, well, what is your intention in the draft?

[05:25:05] Is it to have it on the same parcel? Are you talking about an accessory data center? I'm talking about it was called a standalone data center, or I guess accessory to the big business on one parcel, but they didn't want to do it on that parcel.

[05:25:21] they wanted to put it. It must be on the same parcel. Okay. Both by the definition of primary and accessory use in the zoning ordinance and by what we've written under the performance standard 5165A1. Is it numerate? Andy always knows the right word for that. It says the data center is on the same site as the primary use. And this is one of the three things that cannot be modified

[05:25:50] by special exception okay that's the one i was missing no i see waiver okay um and you may not be ready to answer this but is there a timeline for coming back around or beginning some of these meetings or whatever because tomorrow we should could get a whole bunch of applications so i'm just always thinking about that and what's coming down the pike we can't give you a timeline tonight

[05:26:23] We are meeting next week with county executive staff, economic development staff, I believe county attorney, community development staff. We're going to talk about the scope, the process, the engagement needed and plan for phase two.

[05:26:42] And I think once we get that kind of in hand, then we'll have a better idea of how much time it's going to take. And I think it may take coming back to the board and work session and maybe doing some of that scoping plan with the board, because this could take much longer.

[05:27:05] A lot of localities are trying to do, I think I told you in the original staff report, there were six localities working on their regs, and now there are nine or 10 out of the list of 16. so it can take a long time if it's very extensive we want to want to right size the size one or right size the process and the schedule to get this done in a reasonable timeline thank you and as i said before i really appreciate that you're studying so hard on where others are so we can

[05:27:39] benefit from what their work is and fine-tune it to suit us better that's all for now thank you And I want to thank you because what you're doing is very, very important work because they're important decisions that we have to make because I think this is an economic driver, I think, for our county and tax diversification also.

[05:28:03] I think this is something that would help us. But the way you're going about it is what I like because of the fact that you're seeming to be very thoughtful about the process, about what we can do in the industrial area, in the commercial area only, so we're protecting our county, our residents, but also opening up for new possibilities because this is something new that we're entering upon, and I think you're doing it very judiciously, so I appreciate that.

[05:28:37] Thank you. No other questions. Thank you. Thank you, Supervisor Galloway. Yeah, you just made a comment in response to Supervisor Matlick, but you said three things that cannot be modified. What are those three things? The public water and sewer. There are three things under the accessory data center. That may be on what she was referring to. Has to be on the same side as the primary use, has to serve the primary user, and is limited to 25%. All right, you weren't talking in general about all of them. So the only one in the big picture that cannot is this public water and sewer. Right, and it has to be on public water and sewer. Thank you for

[05:29:15] that um i i think as a as a way to stop gap some of the free-for-all that did exist putting the like you said well people could just rush in here tomorrow well i hope so because it's a good thing they didn't rush in here today um they would have had more ability to to do what we're concerned about um so i appreciate that this is a good phase one i have in phase two i think i can just call out some things that i'll be thinking about more and maybe questioning more i'm not a big fan of all in no exceptions i i just feel like there are times when we have things that can come in front

[05:29:55] of us that an exception may be warranted now others may disagree with me on that but i'm speaking specifically i mean the big one is the public water and sewer i get it because it's a water consumption so and i wouldn't imagine i'd have much interest in making that a special exception anyway but the two this uniform 200 foot setback piece if the sound we've just deal with this in other areas where it's so site specific it could be in a site where it could allow and are we also then just basically through the setback similarly what do we do sometimes to residential is disallowing it from existing because of the setback in places that it would

[05:30:34] be appropriate to be so that's got me a little concerned so I think that's something I'm just flagging as a conversation for phase two that I want to get deeper into obviously I think the impacts seem to be addressed and i'll be interested in more about the sound mitigation specifically as it relates to the setback but with the with the way it was described in this report seems that we're mitigating that particular one and frankly i i would for similar reason i think it's a fair compromise in my mind to allow i guess in a commercial zone it has to be

[05:31:11] by SPU. But I almost wonder if there is a buy right size that could be allowed in a commercial district, especially with a lot of the other things that we're putting in place. I don't know that 40,000 would be right, because that seems, based on the size, might not be appropriate. But I think under some smaller circumstances, there could be a buy right amount that could exist. But I don't know if you've encountered that or had a chance to study that. I mean, you've probably been focused on the much bigger sites and things and trying not to scale up but if there were smaller places that could satisfy some needs that would be of interest to me and i think we should

[05:31:50] not because those smaller ones if you're not concerned about the impacts of a 40 000 square foot facility or at least comfortable enough with them then a 20 000 square foot or a 15 000 square foot facility i don't know if those exist but if they do then they should even have a smaller impact then why

should we regulate getting in their way of putting those in place if everything else is appropriate to mitigate what the concerns are?

[05:32:14] So I'm just throwing out thoughts for down the road, but I'll support this draft that's come forward today. Supervisor Proett? I continue to be, I think, less bullish. I appreciate what we're doing here. We're tamping down a really urgent hole that needs to be plugged while we do our due diligence.

[05:32:32] But, I mean, to the notion that we are concerned with impacts rather than optics on this, I must confess, you know, like, Bill, maybe you have done this research. I have not, right? Like, I don't know where the tipping point of different generator sizes, where the tipping point of different cooling systems, oral impacts on the public are going to be.

[05:32:54] I have not done that research. And also the public doesn't know that research. And in the meantime, we are talking about what is a very predatory industry, right? the returns from these centers are not first to the public. It is being captured by three corporations that are increasingly gathering up places where land is cheap and using them as little vassals, right? In a boom-bust industry that is going to bust at some point. So I would much rather see a more conservative approach while we solicit feedback from the public.

[05:33:31] I think it would not be a generous interpretation, but it is something that a member of the public could say after a vote today, if we vote for it as drafted, that Albemarle Board of Supervisors allows hyperscale data centers by right without public feedback. That's not a generous way to phrase it, but I think that is a fair, that would not be an entirely inaccurate statement.

[05:33:56] It would be ungenerous, but it would not be inaccurate. I would like, and I've mentioned them i'll say them again there are three distinct things i would like to have either an informal counting of noses or maybe a voice vote on and that is the the size of the by right and industrial uses in industrial um zones right um both supervisor and malik and i have talked about we would appreciate a smaller size um because i picture that data center at that size we're thinking and i can see the public getting upset about that being by right um the presence in

[05:34:32] crozet um and the possibility of a cap um on accessory uses that is in addition to the percent and an absolute cap that would track to whatever we agree the industrial buy right cap should be um i would like to actually count votes on that whether or not we do that formally or we commit people to a yay and that is what i hope to do but i'd like to just go through an order to give everybody a chance to express themselves and then we'll see what we can go ahead yeah so the The operative word you just said was where the land is cheap.

[05:35:08] There is no cheap land in Elmar County. That's true. So that sort of rules out a lot right there, Mike, just to say. I really am very supportive of what staff has brought to us. I really appreciate the work, and I know there are going to be changes coming forward.

[05:35:25] This is the first phase. And I think the characterization that the press could use, sure, they can say anything they want. I don't think that's an accurate characterization, but having said that, I think we are doing due diligence. I really appreciate the speed with which staff brought to us a really solid first step.

[05:35:49] And I agree with Ned about maintaining some flexibility depending on the site. I just made a couple of notes. We really have, and I guess I'm looking at Amelia because she's sitting there, we have a lot of data centers in this community.

[05:36:09] We were talking about small data centers. We have a lot that people don't even know are here. We could list data centers like this. And I think we're all fearful of the ones we read about and hear about that are taking acres and acres of land.

[05:36:27] That's not going to happen in Albemarle County. That's pretty clear. We're not interested. Staff is not going to. So I feel very comfortable with waiting to see what you all bring back in Phase 2, and then we can make adjustments as we need. I don't want to say anything or decide on anything tonight that would stop us from maybe some good recommendations from you all in Phase 2.

[05:36:50] I am supportive of the ordinance that's been proposed. I would be happy to see a \$40,000 limit on the 25% just because it would be consistent.

[05:37:05] but I don't see it as impactful in a major way. But other than that, I think the rest is special use permit, and I'm willing to go with what we have. So counting around, I guess we have...

[05:37:23] I'll make a proposal and see if anybody else thinks it's reasonable whenever you're ready for that. Well, I think we just had four people who said they're for the staff's proposal. They don't want to change it. Which change are you recommending?

[05:37:39] To propose that for the accessories, 25% of the host business and not larger than 40,000 square feet. I thought I had heard other people say that they thought that was okay during the project. Not larger than the 40,000 square feet. In other words, the my right use is 40,000, I mean, yeah, up to 40,000 in the industrial districts.

[05:37:57] The accessory use, 25%, up to 40,000. I would support that. I've said that. So I would support that. Make a motion. I just did, but anyway, that's fine.

[05:38:13] I'll read it again. I move that we propose a change for the size of the accessory center to be 25% of the host center and not larger than 40,000 square feet. Seconded. And we have a motion from Supervisor Malik and a second from Supervisor Pruitt.

[05:38:31] Is that the motion for the whole thing, or is that just to make that one change? Okay. Without objection, if the clerk could call the roll. Ms. Malik? Yes. Ms. McKeel? No. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway?

[05:38:46] No. Ms. LaPesa, currently? No. Okay. Then we are open for another motion. Do we have a motion on that? Oh, did you all work on that? Were there other little motions? I mean, I didn't mean to say little. Yeah. But are there other motions?

[05:39:05] Because otherwise, I'm prepared to make a motion on the draft. Can we have a motion on the screen? Actually, I'll make one more. Attachment D. That would be great. Here it comes. If there's still time before we make the final motion, I would like to propose that the DCD not have standalone data centers at this time.

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District District District District District The Downtown Crozane. Downtown Crozane. Second. Okay, we have a motion from Supervisor Malick and a second from Supervisor Pruitt. Without objection, if the clerk will call the roll. Ms. Malick? Yes. Ms. McKeel? No. Mr. Pruitt? Aye. Mr. Andrews?

[05:39:42] Yes. Mr. Galloway? No. Ms. LaPista-Kirtley? No. I think it's time for us to move the form of ordinance and attachment D. I move to adopt the ordinance included as attachment D. Second. We have a motion from Supervisor Galloway, a second from Supervisor McKeel.

[05:40:01] Without objection, we'll call the roll. Ms. Malik? Yes. Ms. McKeel? Yes. Mr. Pruitt? Aye. Mr. Andrews? Yes. Mr. Galloway? Yes. Ms. Lupista-Kirtley? Aye. Okay. Took a few votes, but we got there.

[05:40:17] And for the record, hyperscale data centers in the J-LARC study are said to be purpose-built facilities designed to serve the world's major technology companies, Amazon, Google, Meta, Microsoft, often known as hyperscalers. So if anybody suggests, is that what we preferred tonight? That's right. I'm not saying that that's generous. That's wrong. That's not factual. I would suggest that hyperscale is, as we discussed, not something that has a fixed definition.

[05:40:44] I can tell you I popped through the first four Google results and they drew the line at 10,000. It is an arbitrary thing. I'm going to go with what the state studied and what they defined hyperscale as. Because living in this commonwealth, they're saying they are with the largest operational capacity and power requirements and why they defined them there.

[05:41:05] They've got co-location data centers and enterprise data centers also in there. So I think there's a vocabulary there that I trust, and I disagree that that would be something, if anybody said that, okay, but I'm going to push back on them. And, you know, I say that hoping that we'll get reported properly as I look into the camera, that these weren't hyperscale data centers this size.

[05:41:27] That's right. But since we're stating our opinions, I thought I'd state mine. Okay. With that, I think we're on item 20, which is committee reports and matters not listed on the agenda. Supervisor Malik? Just one quick report.

[05:41:43] Oops, I've lost it. From the, come on, where are you? The Historic Preservation Committee had a great discussion about historic markers.

[05:42:01] The one for Yancey School, his text has been approved, and so it's entering the production phase. And there were several others suggested to get into the work program, which are, so I don't misspeak, I'm going to get to the end here.

[05:42:24] Recognizing the location to the entryway for Old Browns Gap Turnpike walking path over the mountain to grottos. That was a revolutionary era roadway, and part of it is still state maintained. the

location and story of colored school number eight which was on the site of longwood farm in early still and also the original site of mickey tavern uh separately the original site of mickey tavern in early still as three historic markers that are being considered by the historic preservation committee thank you very much thank you supervisor lapista kerman i just wanted to extend a thank

[05:43:02] you to the staff for the Pantop CAC meeting. What a wonderful job that they did in presenting the budget to the CAC members that were there. We had a good turnout, and also Supervisor Pruitt and myself both attended and spoke. Had a lot. Had a fun time. We did have fun. Supervisor Galloway, I have nothing to report. Supervisor Pruitt. The Regional Transit Authority has adopted its bylaws exciting since our last meeting. So I wanted to share that. I don't remember if there

[05:43:38] was other interesting business out of that to share. I don't think so. That was the main thing. Supervisor McHugh. I'm nothing to share. I'm fine. And I have nothing to share to the county executive. Is there anything further to see? Okay. Well, with that then, board, we will adjourn to our next meeting, which is a budget work session on Monday, April 7th at 3 p.m. in room 241 of this building. 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. Good evening.



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