

COUNTY OF ALBEMARLE

TRANSMITTAL TO THE BOARD OF SUPERVISORS

SUMMARY OF PLANNING COMMISSION ACTION

AGENDA TITLE: TA-2026-00001 Fill Regulations	AGENDA DATE: November 4, 2026
SUBJECT/PROPOSAL/REQUEST: Amendment to the fill regulations	STAFF CONTACT(S): Richardson, Wall, Svoboda, Herrick, Tevendale, Fritz
SCHOOL DISTRICTS: N/A	PRESENTER (S): Bill Fritz

BACKGROUND:

The Board of Supervisors adopted the current fill regulations in September 2020. In November 2023 the Board of Supervisors adopted a resolution of intent to amend the regulations. The Planning Commission held a public hearing on October 13, 2026, and by a vote of 7:0 recommended approval of the proposed amendments with the addition of an exemption for federal and state approved conservation projects.

DISCUSSION:

The proposed amendments have been prepared to align with the Code of Virginia and the Virginia Administrative Code. The revisions clarify that activity associated with agriculture is not subject to regulation and align inert fill with state regulations. The proposed amendments create a new short duration fill activity. This activity is subject to fewer regulations but is limited in duration and requires a zoning clearance. A proposed amendment to County Code Chapter 1 is included with the proposed zoning amendment, to establish the zoning clearance for short duration fill with no charge. Truck traffic is regulated based on the category of road accessed.

The Planning Commission noted the potential negative impacts of using asphalt, glass and concrete as inert fill. However, they did not recommend removing them as permitted material. The Commission commented that use of these materials as a substitute for conventional aggregate was a form of recycling and reduced the need for quarried material.

Public comments included concerns about compliance with state regulations, negative impact on agriculture, long review times, increase in the number of special use permits, and a lack of limits on what may be approved by special exception or special use permit.

RECOMMENDATIONS:

Staff recommends the adoption of the attached ordinances.

ATTACHMENTS:

Attachment A – Staff report for the October 13, 2026 Planning Commission Hearing
Attachment B – Action Letter for the October 13, 2026 Planning Commission Hearing
Attachment C – Minutes for the October 13, 2026 Planning Commission Hearing
Attachment D – Public comments received after preparation of Planning Commission packet
Attachment E – Chapter 1, Fee Schedule Ordinance for Fill Amendment
Attachment F – Chapter 18, Fill Ordinance