

COUNTY OF ALBEMARLE STAFF REPORT

Project Name: AFD2016-00004 South Garden District Review	Staff: Scott Clark
Agricultural and Forestal District Advisory Committee Meeting: July 18, 2016	
Planning Commission Public Hearing: TBA	Board of Supervisors Public Hearing: TBA
Proposal: Periodic review of the South Garden AF District.	Comprehensive Plan Designation: Rural Areas

Periodic Review of Agricultural and Forestal Districts

As established in the Code of Virginia, a district may continue indefinitely, but it must be reviewed by the County not more than every 10 years to determine whether the district should be continued. Before being considered by the Board of Supervisors, a district is reviewed by the County's Agricultural and Forestal District Advisory Committee and the Planning Commission. Both the Advisory Committee and the Planning Commission provide recommendations to the Board as to whether the district should be terminated, modified or continued.

Once it has received the recommendations of the Advisory Committee and the Planning Commission, the Board conducts a public hearing. After the public hearing, the Board may terminate, modify or continue the district. If the Board continues the district, it may impose conditions on the district different from those imposed on the district when it was created or last reviewed. Landowners within a district receive notice of this process, including notice of any proposed different conditions.

When a district is reviewed, land within the district may be withdrawn at the owner's discretion by filing a written notice with the Board at any time before the Board acts to continue, modify, or terminate the district.

AFD 2016-04 SOUTH GARDEN DISTRICT REVIEW

The Albemarle County Code currently contains this description of the South Garden District:

Sec. 3-225.5 South Garden Agricultural and Forestal District.

The district known as the "South Garden Agricultural and Forestal District" consists of the following described properties: Tax map 99, parcels 35, 102; tax map 109, parcel 70; tax map 110, parcels 8, 10, 18, 18E, 27; tax map 119, parcel 2. This district, created on October 6, 1999 for not more than 7 years, since amended at its last review on October 4, 2006 to continue for not more than 10 years, shall next be reviewed prior to October 4, 2016.

The District is located in the vicinity of South Garden and to the south toward Fan Mountain (see Attachment A), and includes 2,202 acres.

District History:

- The district was created in 1999 with a total of 5 parcels and 2,033 acres.
- In 2006, three parcels totaling 178.03 acres were withdrawn from the district during a review.

- In 2009, the three parcels previously withdrawn re-joined the district, and another parcel of 130 acres was added.
- In 2010, two parcels totaling 38.6 acres were added to the district.

Agricultural and Forestal District Significance: Of the 2,202 acres in the South Garden District, 951 acres have soils listed as particularly important for agriculture in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the South Garden District includes approximately seven dwellings. (This count includes all addressable structures in the District, and so may include any barns or other large structures with addresses.)

Local Development Patterns: The District primarily consists of forest and open pasture. There are three parcels (one is split into two distinct pieces) in the District, totaling 1,855 acres, that are under conservation easements. A total of 346 acres in the District are in the County's use-value taxation program, indicating that they are in agricultural, forestal, or open-space use. (The remaining 1,855 acres are in conservation easements and taxed accordingly.)

Comprehensive Plan Designation and Zoning Districts: The District is entirely designated as Rural Areas in the Comprehensive Plan, and the parcels included in the District are zoned RA Rural Areas.

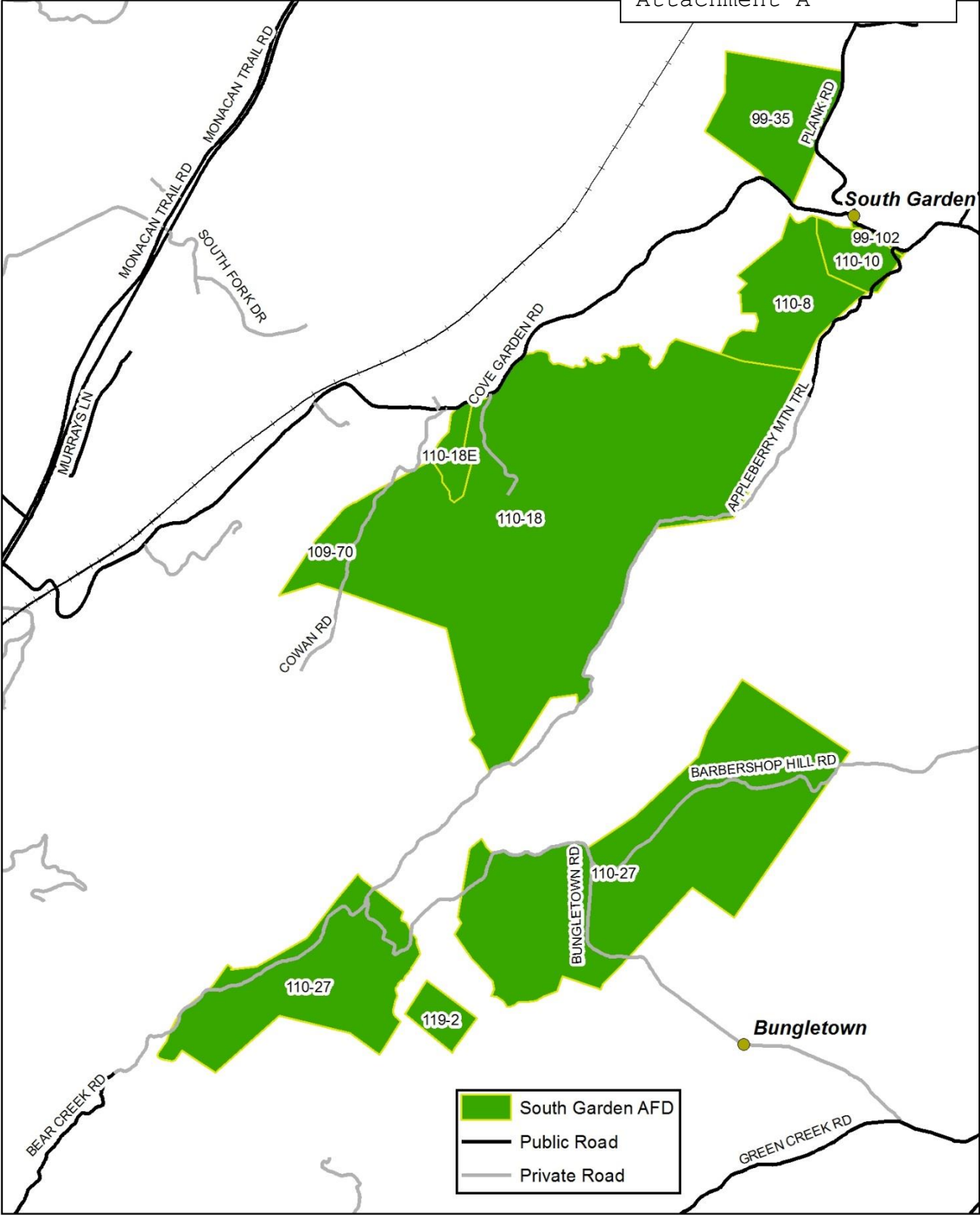
Environmental Benefits: Conservation of this area will help maintain the environmental integrity of the County and aids in the protection of ground and surface water, agricultural soils, mountain resources, critical slopes, and wildlife habitat.

Withdrawal: Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal (and of the opportunity to attend the Committee meeting) by certified mail on May 17, 2016. No withdrawal requests have yet been received.

Recommendation: On July 18, 2016, the Agricultural-Forestal Districts Advisory Committee voted 7:0 to recommend renewal of the South Garden District for another 10-year period.

Attachments:

A. South Garden AF District Map



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