Albemarle County Planning Commission
Work Session and Regular Meeting
Draft Minutes June 25, 2024

The Albemarle County Planning Commission held a public hearing on Tuesday, June 25, 2024, at 4:00 p.m.

Members attending were Fred Missel, Chair; Karen Firehock; Julian Bivins; Lonnie Murray; and Nathan Moore.

Members absent: Luis Carrazana, Vice-Chair. Corey Clayborne.

Other officials present were Jodi Filardo; Lea Brumfield; Kevin McDermott; Rebecca Ragsdale; Michael Barnes, Director of Planning; Andy Herrick, County Attorney's Office; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

Other Matters Not Listed on the Agenda from the Public

There were none.

Work Session.

ZTA202200002 Zoning Modernization Phase 1 Wrap-Up

Lea Brumfield, Senior Planner II, said that Rebecca Cobb, Deputy Director of Planning for the Berkeley Group, was present at the meeting as well. She said that they would be examining the articles created during Phase 1 of the Zoning Modernization Project, as these documents had already been reviewed by the Commission earlier.

Rebecca Cobb, Deputy Director of Planning for the Berkeley Group, said that the agenda began with an overview of the project goals and their work on this phase of the zoning modernization project to date. She said that they will then move into an article review by highlighting some general edits conducted throughout all of Phase 1 articles. She said that they will discuss significant changes proposed for each article. She said that following that, they will talk about stakeholder input from the drafted articles and finally discuss the next steps in Phase 1, briefly mention Phase 2 of the project, and answer any questions the Commission may have.

Ms. Cobb said that this project started in August 2022. She said that the goals of the zoning ordinance modernization project are to provide streamlined and user-friendly regulations, incorporate best practices and Code of Virginia requirements, address goals and strategies from the Comprehensive Plan, and consider community needs and issues. She said that a graphic depiction of their Phase 1 work showed that they began in the fall of 2022 with their investigation work.

Ms. Cobb said that they conducted interviews with staff, each Planning Commission member, and local development and building partners. She said that they presented their findings from those interviews and their diagnostic of the ordinance text in December 2022. She said that the first two articles, Articles 1 and 2, were presented to the Commission in March 2023. She said that they continued with refinement of those two articles and drafting of Articles 3 and 10. She said that in March 2024, the Commission reviewed and provided feedback for Articles 3 and 10. She said that they were in the investigation phase of the final draft of the ordinance text.

Ms. Cobb said that they have conducted stakeholder interviews and edited the text based on all feedback, which included the stakeholders, staff, and Commission. She said that while the graphic says final revisions, this should be interpreted as final revisions during this phase. She said that this is a multi-phase project, and the last phase included a collective look and modification of all text as needed prior to public hearings.

Ms. Cobb said that they conducted three work sessions during Phase 1. She said that they completed three external engagement sessions with the general public and identified stakeholders. She said that during the work session, they would focus on a second review of the drafted articles for Phase 1. She said that after this session, the drafted articles would be presented to the Board of Supervisors. She said that the feedback they wanted to obtain included whether the articles were logical and whether the points were clear.

Ms. Cobb said that as they talked about the different articles, they would use article numbers for the new proposed ordinance. She said that for example, Article 3 in the current ordinance was definitions, but Article 3 of the proposed ordinance covered applications and permits. She said that each of the proposed articles was included in attachments 1A through 1D. She said that additionally, a crosswalk was provided in attachment 1E, which outlined each section of the existing ordinance with its new proposed location.

Ms. Cobb said that if commissioners wanted to compare regulations in the existing ordinance to the proposed regulations, the crosswalk would illustrate where the text was. She said that as an example, Article 2 Section 6 of the current ordinance contained regulations for nonconformities, and if a commissioner wanted to compare 6.2, which was nonconforming uses, they would follow that row across to the column that said new draft section number and see it was now located in section 10.2.1. She said that they had supplied a note that said they had streamlined the text because it was directed from Virginia Code and did not need to be repeated within the proposed ordinance.

Mr. Missel asked whether the crosswalk would be available to potential applicants and included in the final version, or if it was intended for only their review.

Ms. Cobb said that it was intended for their internal use to help them monitor changes over time and keep track of where things were located. She said that while they might consider making it available as an additional resource, at present, these plans were exclusively for internal purposes.

Mr. Missel said that if individuals were accustomed to handling the code or working with the code and the ordinance, it might be helpful to include a simplified version of a crosswalk in the final edition that they could refer to.

Ms. Brumfield said that regarding the actual ordinance draft text, Phase 1 of the zoning modernization project had covered the four articles consisting mostly of foundational and procedural ordinance text. She said that these four articles had all been reviewed by the Commission previously and discussed in work sessions.

Ms. Brumfield said that following those work sessions, staff from the Berkeley group incorporated specific feedback and focused on general guidelines received. She said that they avoided jargon, wrote a more concise code, and removed unnecessary state code from the ordinance text. She said that staff subject matter experts and the County Attorney reviewed drafts to ensure accuracy, user-friendliness, and Virginia code compliance.

Ms. Brumfield said that Article 1 established the legal foundation for the ordinance, and it included references to enabling legislation for the creation of the ordinance and the zoning map, as well as describing the overall purpose and goals of the zoning ordinance. She said that the section was also Section 1 of the current ordinance. She said that most changes from the old language were clarifications and shortening, removing unnecessary legalistic language, and replacing quotations of Virginia code with references to Virginia code.

Ms. Brumfield said that as the County did not have the authority to change state law, it cannot alter state code objectives or stipulations, so having state code copied in the ordinance did not serve any additional purpose. She said that instead, the new draft quotes only the foundational ideas and referenced Virginia code.

Ms. Brumfield said that in terms of Article 2, it was a very fundamental section. She said that it covered instructions for interpreting the ordinance, enabled the zoning administrator to interpret and enforce the ordinance, and created the allowances of the Board of Zoning Appeals. She said that it enacted references to the ARB and references Chapter Two, where the overall goals and duties of the Planning Commission were outlined.

Ms. Brumfield said that the majority of the changes in this article were removing quoted state code and providing direct links to the state code sections. She said that all of those references would be live links within Municode. She said that the agent's powers and duties were those of the zoning administrator, which was clarified in the update. She said that they clarified and codified some of the ARB's powers and duties, which had previously been inaccurately worded and confusing.

Ms. Brumfield said that the current text for the powers and duties for the ARB included promulgating design guidelines, which was confusing and not accurate for the ARB's role in creating design guidelines. She said that the ARB's actual role was to recommend guidelines for the Board of Supervisors to adopt, as shown in the proposed language. She said that they had worked with ARB staff to provide a full role of the ARB, where they reviewed applications for site plans or any legislative applications within the entrance corridor, regardless of whether certificate appropriateness was required. She said that the ARB gave general recommendations for those and did not issue a certificate of appropriateness.

Ms. Brumfield said that they had worked very closely with ARB staff on these descriptions and with the subject matter staff for each of these kinds of sections, in the roles that these boards and commissions play in the ordinance and in the County. She said that staff was pleased that the new draft captured a much clearer picture of the full role and actually codified the things happening on the ground right now.

Ms. Brumfield said that moving to Article 3, they went beyond the foundation and began to outline processes. She said that they aimed to create a more user-friendly and descriptive picture of the medley of applications and permits that they processed. She said that currently, the ordinance language describing these processes was either scattered throughout various sections of the ordinance or omitted entirely.

Ms. Brumfield said that notable changes included renaming zoning clearances as zoning permits. She said that where the ordinance currently referred to zoning permits, it only referred to setback permits, where a building may or may not require a building permit when its use did not need review. She said that it still may need setbacks. She said that two primary examples of this were farm buildings and large sheds. She said that they had widened the umbrella of zoning permits to encompass all zoning clearances they process, including setback-only permits, commercial zoning clearances, home occupations, homestays, and other actual zoning permits.

Ms. Brumfield said that in addition to these clarifications, there was an overall reduction in verbosity, removal of Virginia State Code quotations, and collaboration with ARB staff to remove unnecessary language regarding certificates of appropriateness. She said that one substantive change was removing the default approval of a certificate of appropriateness after a set period of inaction by the ARB.

Ms. Brumfield said that the current procedure was for either staff or the ARB to conduct a full review of an application for a certificate of appropriateness, usually within 30 days after submission and sometimes up to 60. She said that if the application was not reviewed and no action was sent to the applicant within 60 days, the applicant may request a final decision, and if they did not receive a decision within an additional 21 days, the certificate of appropriateness was automatically approved. She said that in discussions with ARB staff, staff discovered this provision was obsolete and had not been enacted in living memory.

Ms. Brumfield said that on the County Attorney's advice to not impose unnecessary constraints on County bodies or staff, they removed that provision. She said that it was not specifically required by the Virginia Code, unlike the Planning Commission's automatic recommendation of approval. She said that in another section, staff codified the practice of declaring inactive applications withdrawn. She said that they aimed to remove stale applications from review timelines and keep applications moving so that applications were processed under the guidelines that applied at the time they were being built.

Ms. Brumfield said that as long as an application was progressing, with changes, drafts, and communication, it will not be deemed voluntarily withdrawn. She said that under the proposed draft ordinance, if staff reached out to an applicant for additional clarifications, an additional agency approval, or if they requested changes and heard nothing for six months, the application was deemed voluntarily withdrawn.

Ms. Brumfield said that this change will greatly aid staff in moving applications through the process. She said that it would avoid submissions being sent in that were placeholders because the applicant was not ready for review but wanted it to be marked as submitted on the record. She said that those types of applications used up a lot of staff time and County resources that was not productive or beneficial to the community.

Ms. Brumfield said that it was a best practice to move non-mandatory requirements out of the ordinance into forms and documents. She said that they were moving these requirements from the ordinance to checklists and the enterprise permitting and licensing system. She said that their new community development system, Enterprise Permitting and Licensing (EPL), replaced County View. She said that the applicant portal guided users through submitting an application, ensuring completeness. She said that the same items would be required, but they would be enumerated in the portal. She said that items not wholly mandatory or subject to change should live outside of the ordinance, providing flexibility. She said that necessary requirements would not disappear; they would just move from the ordinance to outside of it.

Ms. Brumfield said that process diagrams were included in the application process. She said that in Article 3 of the draft ordinance, the illustrations guided applicants through applying for and following a review of each application type. She said that the visual language made the ordinance easier to follow, more user-friendly, and simpler to administer.

Ms. Brumfield said that Article 10 covered nonconformities. She said that they replaced language quoting Virginia Code with references to the actual Virginia Code sections. She said that they made updates to the language regarding the expansion of nonconforming quarries and cemeteries. She said that the expansion of nonconforming quarries and cemeteries was frozen on the date the ordinance was previously adopted, June 14, 2000. She said that any parcels expanded must be under identical ownership as of that date.

Ms. Brumfield said that after completing the first full drafts, they presented them to the Charlottesville Area Development Roundtable, the Blue Ridge Home Builders Association, Cadre and BRHBA. She said that they provided very positive feedback. She said that they primarily expressed interest in further simplifying language and made a few regulation-specific requests to be considered later during the community design guidelines and supplementary regulations phase. She said that a feedback link had been added on the engage website for community members to provide input throughout the process.

Ms. Brumfield said that in this phase, they will address any comments received at the work session and present drafted articles to the Board of Supervisors at their second meeting in August. She said that the Board will not adopt the ordinance until the entire ordinance was drafted. She said that as changes were made in one section, implications for other sections may arise.

Ms. Brumfield said that community feedback will be crucial in future phases. She said that they were working with the AC44 team to share all community input and collaborate on goals and action steps that will go into the comprehensive plan. She said that their goal was to create a zoning ordinance that reflected the comprehensive plan's vision for the community. She said that updates from AC44 will be incorporated into phase two, and they will determine which phase moves forward alongside the comprehensive plan team. She said that the Planning Commission will be updated on this progress in the next two months.

Ms. Brumfield said that they welcomed feedback on the two questions mentioned at the beginning of the presentation: 1) Is the framework and organization of the draft logical and comprehensible; and 2) Are any ordinance points, requirements, or regulations unclear.

Mr. Missel asked how Articles 4 through 9 related to the work they were doing and whether they would be reviewed in the future.

Ms. Cobb said that future phases would include the review of Articles 4 through 9, which focused on districts and their uses. She said that to address these topics, they relied on comprehensive plan information. She said that they began with the current Articles to facilitate the development of the comprehensive plan. She said that they will then proceed to tackle them in smaller sections as well.

Mr. Bivins said that he sent comments to staff, so he did not need to review those. Mr. Bivins said that the larger font used in the documents was a wonderful feature after having dealt with the Virginia code's small print. He said that he appreciated the formatting of the documents. He said that the connection between zoning and AC44 was helpful. He said that it would be helpful for the public to hear that discussion.

Mr. Missel said he was considering how they could illustrate a timeline of the ordinance and the comprehensive plan development.

Ms. Brumfield said that they had discussed mapping the comprehensive plan sections for internal use. She said that as staff members, they had considered how the different parts of the comprehensive plan translated into the ordinance. She said that some sections of the comprehensive plan might not be included in the ordinance because they were future goals or visionary in nature. She said that this mapping process might be useful during the adoption phase, particularly for helping people understand the connection between the plan and the ordinance.

Ms. Brumfield said that they found this process helpful when working with the comprehensive plan team to ensure that they did not suggest anything not legally possible according to Virginia law. She said that this allowed them to push the zoning ordinance towards their vision and attempt to achieve some of the goals they had set out. She said that their aim was for both big and achievable goals, striving for a perfect balance between the two pieces of ordinance.

Mr. Moore said he appreciated the consolidated information in the ordinance. He asked what would happen in the next phases of the review process.

Ms. Brumfield said that they were currently in phase one of the process. She said that there were five phases in total: four drafting phases and one adoption phase. She said that the specific order of progression through these phases had not yet been determined. She said that the other phases would involve different aspects such as districts, uses, and their guidelines. She said that these included things which regulate uses, require approvals from state agencies, and implemented community guidelines.

Mr. Moore asked if there were any forthcoming stages that involved modifying the zoning maps in order to match them with certain overlay districts concerning density and other issues.

Ms. Brumfield said that this would be a significant issue. She said that if it occurred, it would take place during the district's phase. She said that the outcome remained unclear, but it might happen. She said that the degree of district rewriting will influence its likelihood.

Mr. Moore said he was thinking about that as they considered modernization. He said that regarding modernizing zoning to address today's issues rather than those from 1980, he was not entirely convinced that they achieved that goal. He said that he would like them to examine the substance of this matter during future phases.

Mr. Bivins said that during this period, there had been zoning text amendments and zoning map amendments. He asked whether the GIS map was corrected or modified when these changes occurred. He said that as they considered the needs of rural areas in the County, there should be a more specific breakdown to accommodate different types of commerce and businesses that might require a distinct zoning approach.

Mr. Murray said that the existing uses in their area were already varied. He said that it was not about adding or changing uses but rather acknowledging and representing the differences and qualities of rural areas as they currently existed. He said that, for example, there were large forest blocks with high-quality habitats, which were home to diverse species. He said that these areas should be recognized on the maps. He said that agricultural lands situated in prime soils needed to be highlighted too. He said that their current comprehensive plan designations did not accurately depict the heterogeneity of rural areas.

Mr. Murray said that regarding removing items from checklists and forms, he generally supported this idea. He said that when they had rezoning cases or other projects before the Planning Commission, a significant concern from the public was about understanding the design guidelines and finer details. He said that increasing public engagement with these checklists would be beneficial for both them and the community. He said that he would suggest finding ways to make these checklists more visible as they were revised, so that by the time the public attended hearings, they understood the requirements and supported them.

Ms. Cobb said that there are a few points to consider. She said that firstly, they will be participating in an initial meeting with staff members who will provide them with a checklist. She said that secondly, they will access an online platform to complete and submit their application. She said that the online system necessitated the submission of X, Y, and Z items before proceeding further. She said that it was not possible for applicants to skip items or bypass requirements. She said that they would be well-informed about the necessary prerequisites prior to presenting them to the Commission.

Mr. Murray said that he was not referring to the applicant himself. He said that it was crucial for the applicant to comprehend the guidelines and checklists related to the project. He said that it was essential for neighbors living near the project and those attending meetings to support or oppose it to understand these requirements as well. He said that placing the checklists in an obscure location could have excluded the public from a vital aspect of the process.

Mr. Barnes said that the purpose was to develop an effective application section which collected basic data about applicants and their objectives. He said that on the other side, all prerequisites would be clearly stated. He said that for the applicants, this information could easily be found, while for the general public, the application itself served as a comprehensive source of details. He said that as a result, there was no need to look elsewhere if questions were raised about accessibility.

Mr. Murray asked about the revision process when changes were made to the checklist. He asked if public hearings would still occur and how the public would participate when the requirements changed.

Mr. Barnes said that the benefit of this approach was its adaptability for staff members, enabling them to implement such a modification.

Mr. Bivins said that he was not hearing staff say they would change the requirements. He said that staff were stating that requirements would be crafted and presented in a manner that the applicant could know what the requirements were as they went through the process. He said that staff were not altering the context of what was required of them. He said that those elements that needed to either be removed or added would require Board approval.

Mr. Bivins said that this change to the built environment and requirements during formation would involve approval of the Board, enabling the community to weigh in on differences. He said that application software consolidated these various elements into the application process but did not modify them.

Mr. Murray said that he was unsure if that was true. He said that based on his understanding of the discussion, if they removed certain items from the code and placed them in separate documents, then the staff would recommend that public hearings would not be necessary when making changes to some of these elements. He said that this implied that there would be no public hearings or engagement on those requirements.

Ms. Brumfield said that the requirements listed were not necessarily items that should have ever been for public hearing. She said that these included things like street tree distribution. She said that a public hearing on how many street trees needed to be on a block was unnecessary, as experts and staff should work together to ensure it was both buildable and met community goals. She said that for instance, potential future requirements such as electric charging in all parking spaces did not require a public hearing because they were more site plan related rather than legislative. She said that staff wanted flexibility by removing them from the ordinance so adjustments could be made as needed.

Ms. Brumfield said that the sections currently on the back of each pre-application checklist would change when necessary. She said that any changes were intended to be staff decisions, such as determining if additional floodplain review or water protection plans were required for a large playground addition. She said that grass-built playground areas with completely permeable surfaces would not need extra reviews. She said that these modifications were site plan level adjustments and required staff judgment calls. She said that as a community, they aimed to reflect the goals stated in the ordinance and comprehensive plan while ensuring applications met those standards.

Ms. Firehock said that Mr. Murray wanted a place where the public can see the requirements for applicants. She said that the new portal would have the applicant go through steps and view lists of items. She said that a website section could display what applicants are being judged against, as they often receive questions about evaluation criteria and requirements. She said that she understood removing some elements from the code, as it was best practice. She said that specifying the number of street trees per block may be useful in the code, but listing tree species would not because new cultivars could become available, and some previously successful trees may not fare well in certain locations.

Ms. Firehock said that there may be some concerns, such as with the stream buffer ordinance incident, where it was changed and weakened without clear knowledge of how or when. She said that this seemed to contribute to the hesitation. She said that the challenge will be determining what belongs in the code and what is better left as a flexible list. She said that if everything were in the code, any changes would require a public hearing, Board approval, and potentially eight months before implementation. She said that providing staff with this flexibility was important, but

providing a list of requirements for the public would clear up confusion.

Mr. Murray said that since there would not be public hearings, many of the items mentioned could have been suitable for citizen advisory groups to provide input on. He said that it was important to incorporate this into their process if they had a relevant group, such as a tree commission or Natural Heritage Committee, for topics like trees or native plant lists. He said that for landscape-related matters, he suggested forming a team of citizen experts who could offer their expertise. He said that this way, the community engagement would be maintained even without public hearings, as their community was rich in subject matter experts.

Mr. Missel asked if the applicant portal would be used by an applicant to submit applications.

Ms. Brumfield said that Enterprise Permitting and Licensing was the portal an applicant should use for any application. She said that within this portal, users can review the process, receive reviews, and address any necessary comments or feedback from staff. She said that the portal featured automated alerts and emails to make it easier for applicants.

Mr. Missel said that the portal would replace the various checklists currently provided to applicants. He said that the checklists would then be subject to change by staff.

Ms. Brumfield said that the checklists were currently subject to change. She said that the editable checklists on the back of the pre-application process reflected the contents of the ordinance but had been edited for clarity and specificity. She said that they did not match the verbatim checklist in the ordinance today.

Mr. Missel said that arranging the order of items in Article 3 was confusing, with Certificate of Appropriateness first and Zoning Text Amendment last. He said that he was considering starting with Zoning Text Amendments, followed by Site Plans, then Certificates of Appropriateness, and finally Administrative and Enforcement. He said that this progression seemed to make sense as it went from general to more specific and actionable items.

Mr. Missel said that this was specifically Article 3, Sections 30, 31, 32, and 33. He said that he would have reordered them to be in the order of Section 33, Section 32, Section 31, and Section 30.

Ms. Brumfield said that she did not have a Section 30.

Mr. Missel said that he was reviewing the memo for Work Session Number Four and the outline found on page four out of five.

Ms. Brumfield said that this is where they pulled that section from. She said that in the current ordinance, Certificates of Appropriateness was located in Section 30, which covered overlay districts. She said that Section 31 addressed the current administration and enforcement, while Section 32 dealt with site plans. She said that those were in the current ordinance, and they were being moved into Article 3.

Ms. Cobb said that currently, in Article 3, it outlined general housekeeping items that applied to all permits. She said that it then covered zoning text amendments, zoning map amendments, conditional zoning and proffers, as well as special use permits. She said that this structure followed a logical progression. She said that there was a hierarchical order in place for these

topics.

Ms. Firehock said she appreciated the infographics. She said she would suggest improvements to the two infographics located on page 8, Article 3 Section 3.3.3, and page 12, Article 3 Section 3.5.3. She said that these diagrams illustrated the process for an applicant coming forward, staff reviewing the application, a community meeting taking place, revisions and resubmittal, and finally, consideration by the Commission. She asked how the public would be incorporated into the diagram. She said that there should be a part in the infographic that showed where the public could provide input beyond just the community meeting, such as at public hearings or direct comments to staff.

Ms. Brumfield said that primarily, in that situation, she would inform the public about the purpose of the public hearing, which was to address their concerns. She said that those were the main opportunities for public engagement.

Mr. Missel said that perhaps there could be a way to incorporate a note indicating "public input welcomed during the process."

Ms. Firehock said that she understood that some people could not attend the public hearing because of their age. She said that it would be beneficial to show that comments could come from outside the public hearing process. She said that there would be a point when the Board of Supervisors would no longer accept comments.

Ms. Brumfield said that they would attempt to clarify that and work it out. She said that the flowcharts presented were mainly designed for usage by the applicants.

Ms. Firehock said that it is essential for the applicant to know this, too. She said that throughout her experience, she had received numerous questions from applicants who wanted to know whether they will be provided with copies of the feedback submitted to staff.

Mr. Missel said that there were also opportunities for public input, such as where the adjoining property owners were notified via letter. He said that according to the infographic, it seemed to be only a community meeting, and other methods of public notification were not displayed.

Ms. Firehock said that she would suggest placing an asterisk indicating additional opportunities for public input.

Ms. Brumfield said that there was an earlier draft which included all the public notification procedures, but it amounted to 20 steps.

Ms. Firehock said that she had obtained a previous diagram of the planning process from County staff members so she could share it with her students. She said that the illustration appeared as an intricate flowchart and seemed overly complicated for her students to understand. She said she did not end up showing it to them.

Ms. Brumfield said that the chart was accurate. She said that the included flowchart was a simplified version.

Mr. Bivins said that in Article 1 Section 1.2.1.5, on page 2, the text stated that proffers could become effective once they were submitted. He said that later in the section, it clarified that

proffers operated alongside or in tandem with the existing code. He said that he wanted to clarify that the proffers operated in tandem with the code, and they did not override it.

Ms. Brumfield said that it depended on what the proffer was. She said that the district regulations may allow a car wash, but a proffer could prevent a car wash use. She said that in those situations, the proffer trumped the ordinance.

Mr. Barnes said that uses could not be added via proffers.

Mr. Herrick said that Section 1.2.1, Subsection 5 of the proposed ordinance stated that any condition imposed or proffer accepted prevails over the general provisions of the ordinance. He said that conditions and proffers work in tandem with the general provisions but, if approved, conditions and proffers become the parcel-specific zoning of a property and override the general provisions.

Mr. Bivins said that he understood the parcel-specific issue but clarified that it was not what he was arguing. He said that he was addressing whether or not at any point someone would argue that a proffer superseded the code, which he did not believe it had the ability to do based on his reading of Section 3.4.3.E. He said that page 10 stated proffers apply in addition to all applicable zoning regulations. He said that it did not say that they prevail over them, and there was a difference between the terms "prevails over" and "in addition to."

Mr. Bivins said that he preferred using "in addition to" instead of "prevails over" for clarity. He said that if he were a mischievous developer, he might try to stretch the interpretation. He said that the County's intent was clear: the proffered conditions apply in addition to existing zoning regulations.

Mr. Herrick said that he believed both statements were accurate; however, he stated that staff could review the specific wording to confirm its accuracy and ensure that it was as intended.

Mr. Bivins said that his primary concern was ensuring that the County retained its jurisdiction over matters. He said that he knew that some developers may attempt to stretch the limits and claim that their projects fell within the allowed scope.

Mr. Missel said that regarding Article 1 Section 1.2.1 Subsection 5, conditions imposed, or proffers accepted was stated a couple of times. He asked if it was supposed to be "and/or proffers accepted". He said that there could be a situation where conditions were imposed, and proffers were accepted.

Mr. Herrick said that conditions are for special use permits, and proffers are for zoning map amendments. He said that the conditions on a ZMA are referred to as proffers, which are also known as conditional zoning.

Mr. Moore said he would suggest a companion document for smaller scale projects, such as granny cottages. He asked if they had anything on the County websites that guided people through how to begin, like a step-by-step guide.

Ms. Brumfield said that would be an excellent idea and had observed similar guides on the websites of other communities. She said that would be an internal user guide which could be integrated into their own website.

Mr. Bivins said that there were some documents in the downstairs lobby which outlined the process for some projects.

Mr. Missel said that regarding Article 1 Section 1.15, Conformity Required, he found that parts were too wordy, such as the section, "Approval: All land, building structures, and premises within the County may be used, occupied, erected, constructed, moved, and altered in any conformity with this ordinance."

Ms. Brumfield said that they could review it. She said she believed it came from the state code, but she was not certain. She said that the language was almost a direct copy from the current ordinance.

Mr. Missel said that in Section 1.3.1.b, the zoning map includes symbols representing the existence of conditions, including proffers, attaching to the zoning of a parcel on the zoning map. He asked for clarification about the language.

Ms. Brumfield said that was the conditional zoning. She said that a proffer was a type of condition. She said that in the zoning map, the only conditions were proffers except for voluntarily joining an agricultural forestal district, which was an additional condition.

Mr. Missel said that Section 1.3.3 discussed lot lines on the zoning map which were intended to follow the centerlines of streets or alleys as they existed on December 10, 1980, and any amendments; however, where a district boundary did not follow any lot line or centerline and was not depicted on an approved subdivision plat or site plan or described by dimensions in other ways, the district boundary must be determined by measurement using a scale. He asked for clarification.

Ms. Brumfield said that it may seem antiquated with GIS systems, but the maps from December 10, 1980, were hand drawn. She said that they primarily used their GIS for mapping and analysis. She said that when there was doubt caused by the limitations of computer pixels, they would turn to surveys as an alternative method. She said that these surveys were usually measured using a scale.

Mr. Missel said that regarding Section 1.4.2, violations continue, any violation of the previous zoning ordinance would continue to be a violation of the ordinance unless or until the subject use, structure, or sign complies with the express terms of the ordinance. He asked if those were the only three subject to violations.

Ms. Brumfield said yes. She said that the parcel could not be regarded as a violation.

Mr. Missel said that Section 3.1.4.C discussed community meetings. He said that this section served as a catch-all phrase for waivers, where the Agent could waive a required community meeting if they determined that certain conditions were met. He said that factors could be based on sound planning and zoning principles, which could render a community meeting unnecessary. He asked if this opened up a level of vagueness to the applicant.

Ms. Brumfield said that there may certainly be arguments regarding the zoning ordinance. She said that anyone could argue anything in the zoning ordinance. She said that as described in Article 2, the Zoning Administrator administered the ordinance and made that determination. She said that, for example, adding a playground to a concept plan for an already approved special use

permit did not necessarily require a community meeting because it was not a change in use or impact. She said that in such situations, one would have to go through the approval steps to get the special use permit amendment approved; however, based on sound principles, it was not something that they should waste staff time.

Mr. Missel said that regarding Section 3.3.3, there were no timeframes included for staff actions, such as providing staff comments within 45 days and going back and forth between parties. He asked how an applicant could determine the timeline for staff reviews and when staff comments would be provided. He asked if they had considered adding goals or target timelines to the diagram.

Ms. Brumfield said that they had considered it at the beginning, which quickly became complicated. She said that if they put a number on a diagram, that would be the assumption. She said that 45 days was the timeframe only if they received changes back from the applicant. She said that was stipulated in the text of the ordinance, and it would be communicated during the pre-application meeting.

Mr. Missel said that the way he understood it, if the applicant provided revisions based on staff comments, then the application would start from the beginning of the process once more. He asked if there was a benefit from already being in the system to speed up the system.

Ms. Brumfield said that might be something requiring clarification. She said that every time an applicant sent back a changed application, that was technically considered a resubmittal. She said that it did not follow the exact same process; however, it was officially recognized as a resubmittal according to Virginia Code for starting timelines and similar matters.

Mr. Bivins said that the code was very specific. He said that when he read the code, it appeared generous to the applicant, as every time they needed to add a semicolon; they received more time. He said that if there were no substantial changes, then the timelines should not reset.

Ms. Firehock said that they also received feedback from the public regarding this issue. She said that they often asked why there was not another community meeting after the applicant made significant changes following the initial gathering. She said that the community felt that these alterations made the application quite distinct and warranted a new meeting to discuss it further.

Mr. Missel said that he had experienced situations as a developer with the Planning Commission and Board of Supervisors requesting significant changes in site plans. He said that for instance, they have moved parking from the north side to the south side, which affected a different community without their input. He said that regarding Article 3 and the certificate of occupancy default approval, according to his understanding, the default approval after 60 days of ARB inaction would be removed.

Ms. Brumfield said yes.

Mr. Missel asked how an applicant would view this.

Ms. Brumfield said that the 60-day default approval was not used currently because staff responded within 60 days. She said that it was a point in the ordinance which had never been used in staff's living memory.

Mr. Missel said that applications would be automatically withdrawn after six months of inaction. He said that applicants would have to keep track of this.

Ms. Brumfield said that the EPL system guaranteed that during the six months, applicants will receive notification about comments they need to address. She said that this was done to ensure they were aware of feedback provided using their contact information. She said that it was not an attempt to deceive; rather, it kept processes moving and aligned approvals with current County objectives, not outdated ones.

Ms. Brumfield said that they should be able to present the feedback and draft to the Board of Supervisors on August 17.

Recess

Call to Order and Establish Quorum

Mr. Missel established a quorum.

Other Matters Not Listed on the Agenda from the Public

Janie Holbrook, Whitehall, said she had spoken to the Commission in April about the demise of the Eastern Avenue connector to Route 250 in Crozet. She said that since then, she discovered Project Heron, a clandestine public-private partnership between the County and Riverbend aimed at extending Eastern Avenue. She said that Riverbend was responsible for over 500 existing homes in East Crozet's center and the proposed Oak Bluff development.

Ms. Holbrook said that she was skeptical about Project Heron, because it seemed too good to be true. She said she believed that it might have been tabled due to some legal and procedural issues but was confident that it would resurface in a new form to justify maximum density at Oak Bluff. She said that her neighbors in East Crozet were suspicious of the plan because the proposal involved constructing a road and bridge at only 43% of last year's VDOT estimate.

Ms. Holbrook said that plans had not been approved by VDOT or FEMA, and environmental concerns remained unaddressed. She said that the term sheet lacked provisions for cost overruns, imposed no penalties for delays or project failure, and demanded no cash, bond, or other security from Riverbend. She said that it capped the County's contribution at $17 million.

Ms. Holbrook said that in the past year, the exit 107 park and ride cost had increased by 43%, while the 250-240 roundabout cost had risen by 32%. She said that there was something suspicious about the $17 million allocated for Project Heron, as it seemed insufficient for years to come. She said that if she had approved such a deal in her previous finance job, she would have been fired due to its numerous holes and unmitigated risks without any known due diligence. She said that for Project Heron, the residents of Crozet East bore 100% of the risk.

Ms. Holbrook said that this shaky foundation was being used as a basis for approving maximum density development. She said that it would take green space from West Hall, Liberty Hall and Cery Farm, and it would destroy half of the entrance to West Lake Hills, allowing a new access road while an emergency-only road was approved for over twice as many homes at Granger. She said that it would ignore pressing safety and traffic concerns in the area. She said that the only gain from Project Heron's increased density was six units per acre instead of four.

Ms. Holbrook said that a lower density would address all of the neighborhood issues. She said that there was an existing 20% to 40% cushion in approved and pipeline units needed by 2040, so she questioned the necessity of secrecy for Project Heron. She said that the community had several questions about the project, and she hoped the Commission would also ask those questions.

Consent Agenda

There was none.

Public Hearing

SP202400011 The Gray

Rebecca Ragsdale, Planning Manager, said that the item was for a special use permit application for a restaurant situated inside an existing commercial structure measuring approximately 2,100 square feet. She said that the site was located at the intersection of Route 250 and Louisa Road. She said that the building was developed alongside the American Legion. She said that the existing commercial space and surrounding properties consisted of a mix of non-residential uses, including religious assembly, another gas station, a convenience store, the Clifton Inn nearby, Stone Robinson, and Luckstone.

Ms. Ragsdale said that no changes to the site were proposed, and it was determined that the existing parking and entrance were adequate for accommodating a restaurant within an existing wine and specialty shop. She said that for context, this was a C-1 zone parcel located next to another C-1 zone parcel and surrounded by rural areas. She said that certain uses required a special use permit, and in this case, restaurants specifically needed one if not served by public water.

Ms. Ragsdale said that water was not the only factor considered when reviewing this; it was subject to all of the usual special use permit criteria. She said that given the size and scale of this use, there would be no change in the existing buildings or parking, and no concerns were identified during their assessment. She said that C-1 was not consistent with the comprehensive plan but emphasized that there were no negative impacts on other goals within the comprehensive plan.

Ms. Ragsdale said that staff recommended approval with one condition: limiting the gross floor area of the restaurant. She said that the proposal included a specific business plan, and they were comfortable given the size and information provided about water usage. She said that a 2,100 square foot restaurant may have more food service, or if there was more food service added in the future, they were satisfied with just the one condition that did not limit it further.

Mr. Missel opened the hearing for comments from the applicant.

Noelle Gray, 868 Campbell Road, representing the applicant, said that she had a wine and retail shop and considered adding limited food service to provide extended tastings of both beer and wine. She said that as her business was located in Monticello's heart, she believed in promoting agritourism and supporting local brewers, winemakers, mead makers, and cider makers. She said

that her food service offering would not conflict with existing businesses as it filled a niche that was not fast food to go or high-end dining cuisine. She said that she would offer simple fare featuring local meats and cheeses that paired well with wine, beer, mead, and cider.

Ms. Firehock asked if classes would be offered for drink pairings.

Ms. Gray said that her background was in fermentation science, and she taught commercial craft brewing at Piedmont Virginia Community College. She said that this included not just wine but also beer and other fermented products. She said that education played a significant role in her plans. She said that serving food would enable her to conduct more extensive tastings that could truly capture the essence of regions like Rioja. She said she would be able to offer extended classes.

Mr. Bivins asked for clarification regarding the relocation of the Eliewood Avenue use. He asked if it would move or if there would be two locations.

Ms. Gray said she would have two locations.

Mr. Bivins said that in the application, it discussed simple food that paired well with wine and beer. He said that in the next paragraph, it explained how increased flexibility would allow the business to focus on promoting wine and beer education. He said that the restaurant use would not have a full kitchen to be a full-service dining establishment.

Ms. Gray said that in-person dining and consumption of food were required for ABC regulation. She said that as a result, there would be meat and cheese boards, along with toasted sandwiches. She said that the kitchen was restricted because of the lack of a hood vent, which she did not intend to install.

Mr. Bivins said that he wanted to make it clear that this was not about establishing a sit-down restaurant with daily special dishes.

Ms. Gray said that they would not prepare complex meals consisting of multiple courses. She said that instead, they planned to offer smaller dishes or light snacks. She said that they would have seating.

Mr. Bivins said that the Legion had a line across the parking lot to deter traffic. He asked for clarification about the restriction.

Ms. Gray said that it was actually to deter tractor-trailers from going through there because everyone used that parking lot, and it took a lot of abuse.

Mr. Missel opened the hearing for comments from the public. He said that there were none, so he closed the public hearing and brough the matter back before the Commission.

Mr. Murray said that he would like to mention one point regarding the previous discussion about legacy commercial areas within the rural region. He said that they should aim to bring the commercial areas into better compliance with the comprehensive plan. He said that this application aligned with the spirit of the comprehensive plan and supported local agriculture and food production. He said that he thought it should be a by-right activity in the rural area.

Mr. Moore said that it seemed logical to provide food while serving alcoholic beverages.

Ms. Firehock said that she had studied viticultural regions in the United States and found other places where food pairings were common, enabling one to appreciate the wine's taste differently. She said that at most wineries in those areas, people only tasted wine without food, which did not allow them to understand the palate fully. She said that she supported this proposal because it had a low impact, was located within an existing building, and helped support local industries such as beer, wine, and mead production.

Mr. Murray said that he had reviewed the water consumption data and found out that an average family of five individuals, or possibly three or four people, would use a considerably larger amount of water compared to this use.

Mr. Bivins said that he expressed his support for the proposal as it would diversify the food choices in that region. He said that directly adjacent to this location, there were already good, albeit typical, dishes provided by the same owners of Crozet Whitehall's Legacy Market. He said that moving in one direction, they could indulge in upscale dining at Clifton. He said that heading in another direction would lead them to Keswick Hall. He said that these establishments offered a pleasant variety for the area's culinary scene.

Mr. Missel said that a couple of years ago, they discussed examining aquifer capacities. He said that perhaps there was a way to study these further or not, as these proposals came in individually and appeared beneficial; however, when combined with numerous others, they should consider having a better understanding of their impact.

Mr. Bivins said that all surrounding activities were not constant. He said that across the street, a church held services on Sundays and Wednesdays. He said that the American Legion held bingo events on Sundays. He said that there may be uses, but they would not be operating 24 hours a day. He said that this could raise concerns about the aquifer on both sides of I-64. He said that there were capacity and time issues at play, but these did not seem to apply to the applicant.

Mr. Missel said that another point to consider regarding rural areas while discussing such developments was that these developments could be by right, meeting specific criteria. He said that it was essential to understand the aquifer and water conditions in that particular area when these types of projects occurred.

Mr. Murray said they should also consider septic uses. He said that he would like to know, when they have situations such as this, if they required the Department of Health to conduct an inspection to ensure that the septic system was functioning properly.

Ms. Ragsdale said that the Health Department was a member of the review team for this project. She said that there was an established retail store, and they would return through the process if the special use permit was approved. She said that the applicant may already possess a license with the health department. She said that they were part of the process for the special use permit, building permits, and zoning clearances.

Mr. Murray said that a good metric staff could use is to think about the average water use if a family lived there. He said that they could consider how many people could live there by right, and how much water they would consume. He said that this provided a rational basis for comparing water usage on site and determining whether it was too high, potentially requiring additional

review. He said that this application was in the spirit of the rural areas.

Mr. Missel motioned the Commission to recommend approval of SP202400011 The Gray for the reasons stated in the staff report and with recommended condition, which was seconded by Mr. Bivins. The motion passed unanimously (5-0). (Commissioners Carrazana and Clayborne were absent).

SP202400008 Crown Orchard Solar

Rebecca Ragsdale, Planning Manager, said that there was a proposed one-and-a-half-acre solar facility at an existing orchard operation, which was part of Crown Orchards' overall operations and properties. She said that since the definition of a solar facility states it as being over half an acre, even though it will not be utility scale and solely supports the orchard, the special use permit was still required. She said that the location of this solar facility was at the end of Crown Orchard Road, off Plank Road, in the Craigs Store area of the County. She said that the solar panels would be situated on a hillside near the cold storage and other orchard operations, accessed by existing farm orchard access.

Ms. Ragsdale said that upon reviewing it, staff took into account the topography and the limited area they would occupy, finding no concerns regarding visibility. She said that the application had been reviewed by their rural area planners, engineering, and their usual project team for any concerns related to impacts on adjacent properties or consistency with the comprehensive plan. She said that although it supported an orchard operation, they ensured to consider all other portions of the plan.

Ms. Ragsdale said that they acknowledged it was in the mountain overlay protection area, but based on how it was sited and the limited area, there were no concerns with impacts to that. She said that staff recommended approving this special use permit, subject to a number of conditions. She said that the conditions included development in general accord with the plan, increased setbacks, protection of wooded areas, provision for decommissioning, and standard conditions regarding site and training for Fire Rescue and all of those typical things.

Ms. Firehock said that they were approving the use of solar at the location. She asked if there was anything in the conditions or application that specified a restriction on the number of panels. She asked whether it was possible for the solar arrays to spread beyond and go outside of the small cluster they saw.

Ms. Ragsdale said that they must be within that cluster, which was specified in the conditions.

Ms. Firehock said that she wanted to clarify that because she saw they were considering the location but not the extent of the installation.

Ms. Ragsdale said that staff would ensure that aspect was covered if it was not already. She said that in Condition 1A, location of the solar development envelope, made a reference to the plan that regulated that.

Ms. Firehock said that it should be specific to the location and the extent.

Ms. Ragsdale said that they would ensure that was clarified when the item appeared before the

Board of Supervisors for consideration.

Mr. Missel opened the public hearing. He asked if the applicant had a report for the Planning Commission.

Andrew Jenner stated that he resided in Harrisonburg and served as the branch manager for Paradise Energy Solutions, the contractor for this project. He said that they were the solar company proposing to construct this solar installation for Crown Orchard. He said that the Commission had received all the materials related to their special use permit application, which included electrical drawings, a project narrative, and other items. He said that he would provide a brief overview of the project. He said that the system was designed to be 491-kilowatts in size, intended to offset the usage of 16 meters at Crown Orchard Company.

Mr. Jenner said that regarding expanding the array in the future, one limiting factor was that it was net metering, not utility scale solar. He said that therefore, the size of the array was limited by what the utility allowed. He said that it was not a power plant feeding solar onto the grid, which was more typical where they could theoretically want to come back and do more later. He said that this usage was as large as the utility would allow in this specific circumstance based on the usage of these meters owned by Crown Orchard Company. He said that the installation was located near an existing cold storage facility.

Mr. Jenner said that they were planning to cover about 1.5 acres, which consisted mainly of solar panels and the steel structure to hold them. He said that the panels were quite low to the ground. He said that people had likely seen similar installations before, as they were not very tall. He said that the tallest thing would be a new utility pole. He said that once built, it would not cause any noise, dust, or traffic problems. He said that environmental benefits were one of the major things this project provided, as it produced a significant amount of renewable electricity for decades to come.

Mr. Jenner said that the points made in the staff report and their narrative highlighted several goals of the zoning ordinance and the comprehensive plan that they felt were supported by this project. He said that their company, a turnkey solar PV company, specialized in commercial, residential, and agricultural work. He said that established about 15 years ago in Pennsylvania, their branch had been in Virginia out of Harrisonburg since 2017. He said that they had completed a few projects in Albemarle County; however, none had been large enough to bring them before the Commission and Board until now.

Mr. Jenner said that the most recent one was in Spring Valley Orchard, owned by the same Crown Orchard Company and located near Nelson County, southwest of here. He said that it began operating earlier this month after being built in the spring. He said that the project was about a third of this size, supporting agricultural operations only. He said that included was a picture to demonstrate its modest scale. He said that another project for the same customer was in Campbell County at another orchard they owned. He said that the proposed project was about three times the size of that one; however, by modern standards of large-scale solar, it remained fairly modest.

Mr. Bivins asked if this solar installation would be solely used by the orchard and no other residential structures.

Mr. Jenner said that the installation was designed to offset for the 16-meter area owned by the Crown Orchard Company. He said that he was uncertain about the specific details, but there were multiple residences located there.

Mr. Bivins asked if it could be used by both commercial and residential.

Mr. Jenner said that it was possible, and this arrangement was quite unusual in comparison to how things usually worked. He said that typically, the method used for net metering allowed only one meter to be involved, which offset its usage. He said that in certain circumstances, some utilities permitted meter aggregation; however, this was not technically meter aggregation but behaved similarly. He said that they would be interconnected at a new electrical service, but the size of the array and the projected production were based on 16 total meters owned by Crown Orchard and located contiguously. He said that he was unsure about the nature of all those 16 meters; it could be that some of them were used for farm worker housing, as there were many such structures in the area.

Mr. Bivins said that he would suggest that they determine whether the use was being used for only commercial or for residential use as well before this application was presented to the Board of Supervisors.

Mr. Missel asked if viewsheds had been considered as part of this proposal.

Mr. Jenner said that this was a question that staff had raised early on, and he believed Mr. Ragsdale met his colleague there to examine it in person. He said that the terrain, with the south-facing slope and the road coming into the property, made it quite hidden. He said that it was difficult to see until one was right at the dead end of the public road, which ended at the cold storage facility.

Ms. Firehock asked if it was possible if the restrictions or guidelines that limited the solar panels for this specific location could be changed in the future.

Mr. Jenner said that it was possible. He said that those regulations were established by the State Corporation Commission and the legislature.

Ms. Firehock asked if those regulations were referring to the size or usage of the facility.

Mr. Jenner said that it was based on usage. He said that in a rural co-op, they could size at 100% of the past 12 months' usage. He said that for instance, if he used 100,000 kilowatt hours, he could build an array that would produce up to 100,000 kilowatt hours. He said that in Dominion and Appalachian Power Territory, it allowed up to 150% of one meter's usage. He said that meter aggregation could change this a bit more. He said that while there were nuances, it was based it on electricity consumption. He said that in this case, it was referring to the total of those 16 meters.

Ms. Firehock asked if the regulations were designed to right-size the project for its use.

Mr. Jenner said yes. He said that regarding the size of the array, which was directly related to the production amount, if there was a condition restricting them to what had been proposed currently, then if the owner in the future experienced increased usage or faced a policy change allowing more production, they would need to seek a new special use permit or an amendment to this one.

Mr. Missel asked if there were any comments from the public. Seeing none, he asked the Clerk if there were any speakers signed up online.

Ms. Shaffer said that there were none.

Mr. Missel closed the public hearing and the matter rested with the Commission.

Mr. Murray requested that staff include stream buffers on the maps even when they were not affected by the proposed development.

Ms. Firehock motioned that the Planning Commission recommend approval of SP202400008 Crown Orchard Solar for the reasons stated in the staff report and with the staff-recommended conditions, which was seconded by Mr. Moore. The motion passed unanimously (5:0). (Commissioners Carrazana and Clayborne were absent)

Committee Reports

Mr. Murray said that the Crozet Community Advisory Committee met recently and received a report from the Albemarle County Police Department regarding crime statistics. He said that they had extensive discussion about how many crimes were caused by the same people committing crimes repeatedly as they were repeatedly released from jail. He said that they had some interesting discussions about how to prevent people from committing the same crimes over and over again.

Ms. Firehock said that the 5th and Avon Community Advisory Committee met recently, and the bulk of the meeting was receiving a presentation from the Rivanna Water and Sewer Authority about their stewardship of water resources. She said that they also got to see some scary images of their original dam at Ragged Mountain that was insufficient. She said that there was a combination of technical information regarding water supply and waste treatment, as well as the community's origin story in achieving such success.

Ms. Firehock said that PFAs, or forever chemicals, were also discussed, with staff commending the community for demanding activated carbon filtration in the past. She said that water authorities were now required to report on PFAS levels in the water. She said that the Granular Activated Carbon filtration system was crucial for treating PFAs, and other communities without it were struggling to meet treatment rules. She said that they fortunately did not have significant PFA levels detected in the water supply.

Ms. Firehock said that it was nice to know that all the time and money put towards achieving their water quality had helped them avoid this imminent health threat. She said that the Historic Preservation Committee met as well. She said that they had delayed the comprehensive plan work due to a slowdown in staff organization with actions. She said that this pause allowed them to focus on other tasks, such as determining the location and subject for one additional historic marker funded by the County budget. She said that they were also working towards a more robust historic marker program with a clear process for suggesting and vetting markers.

Ms. Firehock said that this program would be held off until comprehensive plan goals were established. She said that additionally, they planned to create educational materials on their website in the form of interactive slide shows and topics about historic resources. She said that furthermore, an award program for preservation efforts was being considered, but it too must wait

for the completion of the comprehensive plan process. She said that despite challenges, they aimed to showcase the positive work being done by highlighting renovations, stories, and everyday historic resources on their website in a more modern and interactive manner.

Review of Board of Supervisors Meeting

Mr. Barnes said that on June 12, 2024, the Board of Supervisors received a presentation of the final draft for the Broadway Blueprint project, which incorporated the Commission's comments. He said that the staff was expected to make minor adjustments to it before adding it to their consent agenda for approval. He said that they also had a brief presentation about the current status of Smart Scale projects nearing completion, stating that applications would be submitted by the end of July. He said that during the public hearing, they heard about an interesting topic: electric charging stations outside the building now had fees, which were still reasonable compared to others in town. He said that the other item before the Board was the Rivanna Futures rezoning and special use permit, which passed unanimously.

Mr. Bivins asked if Mr. Barnes had details about the Broadway Blueprint update.

Mr. Barnes said that Broadway was still considered an industrial area, and they faced real estate market pressures to push it in that direction. He said that there was a discussion about changing residential zoning for old houses near the train tracks and behind Woolen Mills. He said that another aspect they brought up was maintaining commercial areas on the street. He said that they discussed two other points: first, the interface with the City needed improvement along Franklin Street, particularly the bluff. He said that secondly, the service authority was replacing a sewer line and resurfaced the road, which allowed them to stripe the road, demarcate travel lanes, provide more parking space, and give some room for pedestrians. He said that the Board had not many comments on this topic.

AC44 Update

Mr. Barnes said that they were almost finished with the PowerPoint presentation and would bring it to their July 9, 2024, meeting.

Ms. Firehock asked if it would be an update or a work session.

Mr. Barnes said that it would be an update. He said that their intention was to create a comprehensive draft based on the outline they would present at their next meeting. He said that they would then return with a solid first draft of the document and work through it, providing more context. He said that they would get a chance to see where they were with the sections the Commission had reviewed.

New Business

There was none

Old Business

There was none.

Items for follow-up

Mr. Missel said that they had exhausted their look-ahead schedule for May and June, so he would appreciate it if the Commissioners could receive a new one for July and August.

Adjournment

At 8:14 p.m., the Commission adjourned to Tuesday, July 9, 2024, Albemarle County Planning Commission meeting, 6:00 p.m. in Lane Auditorium.

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Michael Barnes, Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards; transcribed by Golden Transcription Services)

Approved by Planning Commission
Date:
Initials: