Albemarle County Planning Commission
Work Session and Regular Meeting
Draft Minutes December 10, 2024

The Albemarle County Planning Commission held a public hearing on Tuesday, December 10, 2024.

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

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

Other officials present were Michael Barnes, Director of Planning; Andy Herrick, County Attorney's Office; Tori Kanellopoulos, Principal Planner; Scott Clark, Conservation Program Manager; Kevin McDermott, Deputy Director of Planning; Syd Shoaf, Senior Planner; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

Work Session

CPA202100002 AC44 RA Land Use Actions

Tori Kanellopoulos, Principal Planner on the Long-Range Planning Team, said that she was joined today by her colleagues on the Long-Range Planning Team and by Scott Clark, Rural Area expert. She said that reviewing today's agenda, they would begin with a brief summary of the most recent Board of Supervisors work session, where they discussed development areas, and staff would share their thoughts with the Commission.

Ms. Kanellopoulos said that they would then move on to a recap of the Planning Commission work session on Rural Areas, which took place on November 19, 2024. She said that they would briefly outline the objectives for this chapter and then discuss the actions which were the focus of today's discussion topics, which are outlined in the accompanying memo. She said that these topics include tools to reduce parcel fragmentation and conserve land, additional guidance for rural communities, addressing any other missing information, and wrapping up with the upcoming schedule.

Ms. Kanellopoulos said that the Board of Supervisors work session on November 20, the Board discussed Development Areas Land Use Actions. She said that the Board supported the proposal to reduce parking requirements, particularly for commercial uses in the County and all uses in activity centers, while pairing this reduction with multimodal transportation options. She said that the Board also supported the aim to achieve higher density in activity centers and explored potential public-private partnerships for structured parking and improved permit review times for developments in those centers.

Ms. Kanellopoulos said that the Board considered the importance of tree coverage, including selecting tree species that can thrive in their climate, and requiring appropriate trees that would

not damage infrastructure or become maintenance issues. She said that the Board also suggested broadening the fourth objective in this chapter to cover green infrastructure more broadly, not just tree coverage, and prioritized safety in lighting requirements for Development Areas.

Mr. Missel asked if the Board's suggestion about pairing parking reductions with multimodal transportation options meant that the reductions would be dependent on providing the multimodal transportation.

Ms. Kanellopoulos said that it was referring to reducing parking requirements but also making sure they were providing transportation options, so people had other options besides driving.

Mr. Missel said that this meant they would be reducing parking without having multimodal transportation options in place.

Ms. Kanellopoulos said that during the Planning Commission work session on Rural Areas Land Use Policies, the Commission discussed residential development and identified potential locations for housing within rural areas, while discouraging subdivisions and considering the impacts on natural resources and connected habitats. She said that they also supported industrial uses that benefit agriculture and forestry, while evaluating potential impacts on surrounding areas. She said that for the Rural Area Plan with Action 1.1, they were looking at data and layers, including prime soil for agriculture, existing forests, parks and trails, layers from the Biodiversity Action Plan, and environmental features.

Ms. Kanellopoulos said that the Commission also talked about tourism in rural areas, addressing potential impacts such as noise and traffic. She said that the Commission's discussion of rural communities was a key topic for today, for which they previously expressed a desire to hear more about specific uses and criteria or guardrails for uses in these communities. She said that today's focus will be on the goal objectives and actions, which are closely tied to the policies in the other section of the chapter. She said that she would appreciate feedback on other sections as well.

Ms. Kanellopoulos said that similar to the memo received by the Commission, they emphasized protecting Rural Area land for agriculture, forestry, and conservation, while reducing conversion to residential development and limiting parcel fragmentation. She said that two potential strategies for achieving this are implementing maximum lot sizes for development in rural areas to reduce the amount of land used for residential lots, and using conservation easements.

Ms. Kanellopoulos said that the Commission also sought to clarify area planning for rural communities, considering additional criteria such as specific recommended land uses, impacts to consider, and prioritizing specific communities if necessary. She said that overall, the summary of the goal for this chapter aims to reflect community input and was similar in the priorities of the 2015 Comprehensive Plan. She said that the objectives focused on agriculture and forestry, land conservation, rural communities, especially adaptive reuse, and protecting natural, historic, scenic, and cultural resources. She said that the seven objectives of the chapter support agriculture and forestry, land conservation, and rural communities, with a focus on adaptive reuse and managing non-residential land uses and existing development in rural areas, including rural interstate interchanges.

Ms. Kanellopoulos said that staff had provided a summary of the changes made to this chapter from the 2015 Comprehensive Plan from a policy standpoint. She said that there was a new

recommendation for a rural area land use plan, updates to guidance for the rural area zoning district, included on page 3 of the chapter, as well as recommendations for community resilience hubs, which build on the 2015 Comp Plan and community input from AC44. She said that the current Comprehensive Plan recommends potential land uses for crossroads communities, including country stores, offices, daycare centers, doctor and dentist offices, community centers, and public institutional uses such as post offices.

Ms. Kanellopoulos said that similarly, rural interstate interchanges build upon these current comp plan recommendations, which suggest studying the Shadwell interchange, particularly for uses that support agriculture and forestry. She said that the AC44 comp plan update also recommended studying the Yancey Mills interchange and considering potential land uses, while prioritizing agriculture, forestry, processing, and distribution. She said that when updating land use recommendations for rural communities and interstate interchanges, the plan aimed to maintain a close alignment with the 2015 Comprehensive Plan, excluding actions that had already been completed or currently required, and noting that relevant actions could be found in other plan chapters, including environmental stewardship, transportation, and resilient community.

Ms. Kanellopoulos said that after accounting for land that had already been developed and land that was protected, approximately half of the rural area remained undeveloped but unprotected. She said that nationally and in Virginia, agricultural land was increasingly being converted to non-farm uses, such as low-density residential development. She said that for example, a study by the Virginia Office of Farmland Preservation found that between 2001 and 2016, approximately 273,000 acres of farmland in Virginia were converted to low-density residential development. She said that a key aspect of the County's rural area policies was preserving large, unfragmented parcels to support land conservation, connected habitats, and agriculture and forestry.

Ms. Firehock said that she had a question regarding the classification of non-rural uses. She asked if a house was a rural use because it could be placed anywhere. She said that a farm was a rural use. She asked what someone’s two-acre lot in the rural area considered in this statistic.

Ms. Kanellopoulos said that her understanding was that it was part of the developed land.

Ms. Firehock asked if it was non-rural because it was not dependent on the rural area.

Ms. Kanellopoulos said yes.

Ms. Kanellopoulos said that a couple of tools they could use for large and unfragmented parcels were Action 2.1, which involved setting a maximum lot size for lots with development rights. She said that currently, when subdividing these lots, the average size was approximately 6.2 acres, with a minimum lot size of 2 acres. She said that this land was large for residential use but small for agriculture or forestry. She said that updating these requirements would leave more land available for preferred rural area land uses.

Ms. Kanellopoulos said that provided was an example of what that could look like from the current comprehensive plan. She said that on the left, they had typical by-right development with development rights, and on the right, an example of what would happen if there were a maximum lot size of 4 acres, leaving more land available for uses other than residential. She said that conservation easements were another tool, which were voluntary and permanent agreements to protect land and natural and cultural resources. She said that about 25% of the rural area was protected in these permanent conservation easements, which limited subdivision and

development and sometimes focused on specific resources such as stream buffers, agriculture, historic sites, or habitats.

Ms. Kanellopoulos said that staff also wanted to highlight the importance of supporting industrial uses, particularly those related to agriculture and forestry. She said that Actions 4.2 and 7.3 identified industrial uses that supported agriculture and forestry, especially at interstate interchanges. She said that staff suggested updating the language in Action 7.6 to prioritize land use and zoning opportunities to support agriculture, silviculture, and related supporting industries, and include that language in the other actions.

Ms. Kanellopoulos said that to clarify, it was not all industrial uses, but rather industrial uses specific to agriculture and forestry, and only at specific locations. She said that for rural communities, these were referred to as crossroads communities in the current comprehensive plan. She said that they were intended to provide access to essential public services and basic service needs for rural residents and could include community resilience hubs. She said that the focus was on equitable service provision for rural area residents without encouraging additional residential development.

Ms. Kanellopoulos said that the updated comprehensive plan recommended future engagement and area planning efforts in these communities to identify desired land use changes specific to individual communities. She said that development should primarily occur through adaptive reuse of existing structures or, if structures needed to be replaced, having a similar building footprint. She said that the majority of non-residential uses would still be subject to the special use permit review process, which could include conditions to mitigate impacts.

Ms. Kanellopoulos said that there are several actions relevant to rural communities. She said that these actions include allowing small-scale professional offices in existing structures, prioritizing the adaptive reuse of historic structures, and identifying options for adaptive reuse for other uses such as country stores. She said that they also include providing spaces in existing structures and public facilities for small-scale uses, such as community resilience hubs. She said that having the area planning process would allow them to study communities at an individual level.

Ms. Kanellopoulos said that provided is a snapshot of the near-term upcoming schedule. She said that the first Planning Commission work session for the rural area took place last month, and today's work session is underway. She said that the Board will review the entire chapter on January 8, 2025. She said that they also had an upcoming Lunch and Learn on December 12, 2024, which will be virtual and focused on the rural area.

Ms. Kanellopoulos said that as a quick note about community engagement, their website, engage.albemarle.org, posts all Planning Commission and Board meetings, as well as opportunities for input, including the Lunch and Learns, which will be held for every chapter. She said that they anticipate quarterly in-person meetings as well. She said that they also have a newsletter that can be signed up for, which will be sent out regularly with updates on meetings and engagement opportunities.

Ms. Kanellopoulos said that the chapters are also being posted to the Phase 3 page of the AC44 website, including Development Areas, Land Use, and Rural Area Land Use, and Environmental Stewardship will be posted next. She said that there are opportunities to comment on the chapter and actions on the Phase 3 page as well. She said that for Environmental Stewardship, the

Planning Commission work session is scheduled for next week, and the Board work session will take place on January 22.

Michael Barnes, Director of Planning, said that he would like to add something regarding their agenda. He said that in January, they would be meeting on January 14 and January 28 to cover Parks and Recreation, as well as open space. He said that he would like to clarify that they would not be having three meetings in January as he had mentioned earlier; instead, they would be holding their regular meeting on January 14 and January 28.

Mr. Missel said that was a great report, and he appreciated the effort that went into compiling the material. He said that he also wanted to thank staff for the recap on how the community could engage in this process. He said that he was aware that they had received several emails and questions regarding public engagement and tracking changes, and he appreciated the update on the opportunities available. He said that he thought that was a great way to keep the public informed. He said that before they dove into the discussion points outlined in the memo, he would like to ask if there were any high-level questions of staff regarding the material they had reviewed.

Mr. Moore asked if staff could provide a bit more clarification on how the maximum lot size would help preserve larger parcels. He said that the map had helped him understand the concept a bit better, but he was still wondering how often this issue of fragmentation had arisen in real-life scenarios over the past decade or two.

Scott Clark, Conservation Program Manager, asked if Mr. Moore could repeat his question.

Mr. Moore said that he was requesting more information regarding how this example might lead to larger parcels remaining after by-right development divisions occurred. He said that in other words, he was wondering how often this fragmentation was happening in real life and how a 4-acre maximum limit would impact that.

Mr. Missel said that before the answer was given, he would like to clarify a point for everyone present tonight who may not see the information before the Commission. He said that Objective 2 stated that one of the goals was to reduce and mitigate the impacts on natural systems and cultural resources from development. He said that specifically, Action 2.1 stated that they should implement a maximum lot size for development right lots in the rural area zoning district to significantly reduce the acreage used for residential lots compared to the current 31-acre maximum for five lots to 6.2-acre average lot size.

Mr. Clark said that before he delved into the history of this issue, he wanted to clarify that the 4 acres in question were merely an example. He said that they were not set on a specific number, and this situation was not unique. He said that in fact, it happened constantly. He said that since the 1980 Zoning Ordinance, divisions using these rights had occurred numerous times each year. He said that on average, they had seen a range of 100 to 250 new single-family dwellings in the rural area annually over that time period. He said that while it may not have happened often in a given year, the cumulative effect over time was significant. He said that this pattern had become the dominant residential development model in their rural areas, established by the 1980 Zoning Ordinance.

Mr. Moore said that the one on the left had some pretty big lots and some small ones, and then they end up with a very carved out version of the parcel that was there before.

Mr. Clark said that it varied a lot depending on the original parcel. He said that the number of lots that could be created varied significantly depending on the original parcel. He said that it was a relatively straightforward mathematical exercise to determine how many lots could be created and whether larger lots could be created by making smaller small lots. He said that as a result, people may try to push for larger lots, even if it meant creating more smaller ones. He said that for example, two 20-acre lots and two 28-acre lots may not have had a significant sale price difference, but the latter could accommodate an additional small lot, resulting in a substantial increase in income from the sale. He said that every situation was unique.

Mr. Moore said that his main question was how big of a problem this felt like.

Mr. Murray said that he may be able to characterize some of that. He said that in many places of the rural area, and regarding the concern of affordable housing, there was a lot of legacy affordable housing in the rural areas on small lots. He said that he suspected that many of those existing affordable housing units in rural areas were built before the County's downzoning policies, the current development pattern, and the increased demand for property in Albemarle County. He said that in larger areas of the County, they now had farm estates with large 21-acre lots.

Mr. Murray said that one of the Board of Supervisors at the time had noted that 21-acre lots would never be used for lawns, but they had seen neighborhoods with 21-acre lawns. He said that he would not name them specifically, but it did not take much research on the County GIS system to find them. He said that the problem with these lots was that they did not conserve natural resources effectively, and additionally, they were much less likely to be affordable. He said that he was not saying with certainty that the 4-acre lot would be affordable, but he believed that smaller lot sizes offered a better chance at achieving both affordability and sustainability.

Ms. Firehock said that she had a different opinion.

Mr. Murray said that the 21-acre lots did not necessarily need to be clustered in the way that is. He said that it depended on the resources on the site. He said that with 21-acre lots, it was possible to create as many individual 21-acre lots as desired once the development rights had been used up. He said that the issue with 21-acre lots was that they must be at least 21 acres in size; smaller parcels were not permitted unless they were specifically designated as a rural preservation development.

Mr. Clark said that was right. He said that the only way to use those 21-acre division rights as a smaller lot was through an RPD, plus third subdivision. He said that generally speaking, properties with 21-acre base zoning would develop into a pattern of 21-acre or larger lots, and they often were somewhat larger.

Mr. Murray said that he viewed the 21-acre lot as a significant problem, if not more so, than the other 4-acre lots. He said that in comparison, the second 21-acre lot shown in the picture had 32 acres. He said that he would prefer to have an additional 4-acre lot right there instead of the 21-acre lot. He said that currently, they did not allow for that type of development unless it was specifically designated as a rural preservation development. He said that therefore, he believed they may want to consider this pattern option.

Mr. Missel said that to clarify, this was hypothetical. He said that it was one example where they had four 4-acre lots, but it could just as well be five 4-acre lots, in which case the benefit would be less.

Mr. Clark said the image on the left was not hypothetical; that was their current system and captured the 31-acre cumulative maximum for the five. He said that the right side was one example of many possibilities, except that there was a lower limit somewhere. He said that it was currently two acres because the lots in the rural areas that did not have water or sewer service must have enough room for wells, septic fields, and backup septic fields. He said that it was difficult to accommodate those utilities with less than 2 acres.

Ms. Firehock said that from a different perspective, smaller lots are indeed more affordable, and she agreed with that. She said that however, smaller lots are also more likely to develop. She said that for example, she had seen an old, large estate in her area where the owner divided it into 21-acre lots, however, only one lot had sold in the last 20 years due to the price. She said that if they had made a bunch of little, small ones instead, they probably would have all sold. She said that if the goal was to have less development in the rural area, and they made the lots much smaller and more affordable, they would help affordable housing in more far-flung areas, but they would drive development in the rural area. She said that when she looked at risk of development, she looked at the lot size: the smaller the lot size, the greater the development risk.

Ms. Firehock said that additionally, while having large lots may seem to preserve more nature, it was not necessarily the case; people may be able to afford to maintain their expansive lawns with riding mowers. She said that she wanted to caution against making such a change. She said that for example, they did not have the rural area plan. She said that they had been saying that after the comprehensive plan, they would have the rural area plan, but she would rather be more specific about where the smaller lot sizes might be appropriate, such as near access for fire and rescue services or other essential amenities.

Ms. Firehock said that this would allow them to be more intentional about where development occurred, rather than simply applying a blanket policy to the entire rural area. She said that if they let the entire rural area have these smaller lots, they would see a peppering of sales occurring because they made it affordable. She said that there was a reason why the County had set it up this way in the past. She said that it was not because they did not understand that smaller lots are affordable. She said that she wanted to clarify that her intention was not to promote unaffordable housing.

Ms. Firehock said that she lived on a 2-acre lot in the rural area, in a small community where everyone walked to each other's houses and were very tight-knit. She said that she did not know if she would want to have 2-acre lots all over the place. She said that she had heard from one of her colleagues another criticism of these 21-acre lots, which was that they were too large to mow and too small to farm. She said that however, there were a lot of truck farms, which could be successful on smaller plots of 10 acres or less depending on the crop. She said that she wanted to bring this caution to the discussion.

Mr. Murray said that Ms. Firehock had raised some valid points, and he agreed that this was just one potential example. He said that when the National Heritage Committee discussed this issue, one point they all agreed upon was that large lot subdivisions were a problem in rural areas. He said that they were currently seeing a proliferation of these subdivisions, and they were having a destructive impact.

Ms. Firehock said that this was because there were enough people with means to buy a bunch of 21-acre lots and put their big house on them.

Mr. Murray said that these were large houses, worth millions of dollars, so undoubtedly unaffordable for most. He said that however, they must consider whether this was the right solution to address the large lots of divisions. He said that he was not sure, but he thought it was worth discussing. He said that he believed there were other issues that they had raised in the National Heritage Committee, such as "barcoding," where developers aimed to maximize development rights by creating long, skinny, narrow lots, avoiding the steep slopes and streams.

Mr. Murray said that for example, in the valley, where a fire was occurring, these long, skinny lots made it difficult to conduct controlled burns or manage the forest effectively. He said that if they were considering climate change and its impact on their rural areas, they could not effectively manage these lots. He said that his point was that they may need to look beyond just this solution and consider a range of policies to address the development pattern in rural areas in conjunction with the rural area plan.

Mr. Missel said that he thought it would come later.

Ms. Firehock said that she wanted to make one additional point. She said that another topic they had discussed in previous meetings was the concept of farming, particularly with regards to large estates. She said that if Mr. Bivins were present, he would likely start discussing this issue and whether or not they constituted “real farms.” She said that this was the idea that someone with a large estate could lease some of the land to someone to house cattle and claim it as a farm.

Ms. Firehock said that she recalled asking one of her neighbors about their "petting zoo," because while they had cattle, they did not actually sell the milk; it was too much work for them. She said that while the property may appear rustic with the cattle, it was clear that the primary purpose was not farming. She said that the concept of landowners selling hay to each other, with the bales stored in a corner, was a clever way to create a perceived farm, but it was not a genuine agricultural operation. She said that the agricultural use value taxation program was intended to support farming by giving them lower tax rates, but she believed some estates were taking advantage of it, creating what she would call "faux farms."

Mr. Murray said that these farm estates served as perfect examples of the issue. He said that one could drive through some of these areas with large mansions, and someone comes by to pay the whole neighborhood once per year when the assessor was due to come by. He said that he believed the other concern with the current development pattern was that there were numerous areas where development rights could be maximized, yet the land use remained intact due to the 21 acres.

Mr. Murray said that if a cap were placed at 5 acres, maximizing development rights would result in the land use being dropped. He said that they paid a penalty to the City of Charlottesville in the form of funding for schools and in revenue sharing for each property in land use.

Ms. Firehock said that they could not examine these policies in a vacuum.

Mr. Moore said that he knew several successful farmers in the County, some of whom he was good friends with. He said that however, in terms of the farm economy of Albemarle County, everything they had done since the 1970s had been failing. He said that the average annual income for farms in Albemarle County was a negative $16,000. He said that if that was the state of their farm economy, it was clear that their current approach was not effective. He said that he

was not suggesting they abandon their efforts to support a thriving farm economy, but rather that they needed to take a more comprehensive approach.

Mr. Moore said that trimming around the edges with 4-acre or 5-acre subdivision rights would not do much one way or another. He said that they should consider new initiatives such as producer co-ops, training programs, high-value crops and products, and on-site processing. He said that they should also explore subsidized financing options for young producers to enter the market. He said that these types of efforts had been lacking in their discussions, and he believed they were essential if they truly wanted to create a vibrant farm economy.

Mr. Missel said that this had all been helpful; however, he wanted to make sure the Commission was answering the questions staff had asked for today's work session. He said that from his perspective, there were two channels: one was development, and one was preservation, so they had to balance those. He said that the other consideration was if there was a developer who was going to come into the rural area, such as in the Bundoran area, and bought a large tract of land.

Mr. Missel asked if by creating the scenario on the right, were they limiting the ability to accommodate or address natural features on the land that may be accommodated by a smaller lot somewhere or a larger lot somewhere else, like the scheme on the left. He said that in other words, 11.2 acres might actually have a development site of only 2 acres in size, with the rest being critical slopes and forested land.

Ms. Firehock said that she lived on a 2-acre lot, but most of it was undevelopable.

Mr. Missel said that looking at the right side, they were limiting the development possibilities, making it more homogenous. He said that by doing so, they were restricting the ability to consider the land's topography and design lot sizes that took into account the layout, making it both affordable and developable. He said that he was wondering if this should be considered as a counter-thought. He asked if there were any potential trade-offs in terms of flexibility that they would be giving up by adopting this maximum lot size.

Mr. Murray said that he believed that the fact that was chosen for its relatively small cumulative acres was important. He said that for instance, if they were considering a property of 500 acres, they would have more flexibility with smaller lots. He said that in fact, it would be possible to replicate the approach taken by Bundoran, where smaller lots were placed in less sensitive areas, leaving larger residual farm tracts.

Mr. Missel said that they would not have the ability to achieve diversity. He said that it would only be the maximum lot size, and with a maximum lot size of 4 acres, they would only have giant parcels of land and 4-acre lots tossed in. He said that in reality, they had a mix of 21-acre lots, 11-acre lots, and smaller 2-acre lots.

Mr. Murray said that as he said earlier, when they had these long, skinny lots, such as the 11.25-acre lot, it was a challenging situation to manage, and it was hard to determine where one was on their own property unless they had flagged the entire area. He said that to perform tasks like controlled burns or selective timber cutting, it became nearly impossible.

Ms. Firehock said that they would have the same problem if they were a bunch of 2-acre lots.

Mr. Murray said that it was true for 2-acre lots; however, there would be a larger area that was more manageable.

Ms. Firehock said that it was theoretically possible. She said that she was coming down on this idea because when saying that it applied to the rural area, she had significant concerns without a comprehensive rural area plan. She said that she would prefer to be more intentional. She said that she would rather pause this idea and ask, for which specific areas would this be appropriate in the rural area? She said that in northwestern Albemarle, there were steep land areas where large lots were necessary to find a suitable building site for a house. She said that creating smaller 2-acre lots would be impractical in such cases.

Ms. Firehock said that she was just uncomfortable with the idea of driving more development in the rural area with smaller lots without any notion of where they would be most appropriate. She said that she would rather pause this discussion until they had a rural area plan in place, allowing them to be more intentional about where these smaller lots would be most beneficial. She said that promoting development risked exacerbating the issue of limited response times for emergency services, such as fire and rescue, which were already a significant challenge in her area, with response times exceeding 45 minutes and hospital arrival time taking up to two hours from the time of injury. She said that she would hate to see more 2-acre lots in those areas because they were already not making it.

Mr. Missel said that he was coming from Ms. Firehock's line of thought as well, and perhaps others were too. He asked who determined the maximum lot size.

Mr. Clark said that the minimums and maximums were set in the zoning ordinance. He said that the 31-acre maximum for the five development rights assigned to a lot in 1980 was a limit that was established in the 1990s and had remained in place ever since in the zoning ordinance. He said that the two-acre minimum requirement was also codified in the ordinance, which meant that there was no flexibility to adjust this minimum. He said that what they were discussing here was a maximum limit, without any intention of revising the minimum of 2 acres.

Mr. Missel asked if, regarding the scenario on the right, they could go up to 4, but not less, so whatever the maximum lot size was.

Mr. Clark said that was true for the smaller development right lots.

Mr. Missel asked how they determined the maximum lot size.

Mr. Clark said that right now, if someone used all five at once, it was obvious they could use 31. He said that if someone used them one at a time, they must track how big every lot was when created over the years, which was tracked in the subdivision plats. He said that the number of rights remaining, and the number of acres used in previous divisions was always tracked. He said that when someone came back and said they wanted to make a fourth lot, staff could review and determine they had 7.3 acres left, so it was not a free-for-all.

Mr. Missel asked if Mr. Clark was not suggesting that in a subdivision of 100 acres, they had the ability to go as small as 2 acres on five lots but could not go any bigger than 6 acres or 8 acres.

Mr. Clark said that it averaged out to a little over 6, but as they had demonstrated in the example, as long as the total was 31, they could do four 2-acre lots and an 18 and still be under 31. He said that it was confusing.

Ms. Firehock said that the 31 was confusing to her. She said that she thought she was tracking until that last page.

Mr. Murray said that he did. He said that this whole policy is convoluted. He said that he hoped they could revisit this entire policy when they did the rural area plan.

Mr. Missel asked if the 31 acres was the maximum lot size.

Mr. Clark said that it was a maximum for the five lots, cumulatively.

Mr. Missel asked if implementing a maximum lot size was referring to the five lots.

Mr. Clark said that it was for the five small lots.

Ms. Firehock said that it was a five-lot division where however they divide it, as long as none of them were less than 2 acres.

Mr. Clark said that it did not change the overall density in the rural areas. He said that it was an adjustment but not a major change to the permitted pattern and did not affect the density overall. He said that it was trying to limit the impact of smaller lots.

Mr. Missel asked if, referring to the right side of the slide, they may say to the landowner or as part of the rural area plan that they would limit the maximum lot size to 4 acres.

Mr. Clark said that instead of a range from 2 to something, it would be a range of 2 to 4.

Mr. Missel asked who set that maximum to 4.

Mr. Clark said that it was established in the zoning ordinance.

Mr. Missel asked if it would be determined by parcel or for everyone in the rural area.

Mr. Clark said that it would be for everyone in the rural area.

Mr. Missel asked if it would be a blanket zoning ordinance.

Mr. Clark said yes.

Mr. Missel asked if the County established that maximum number.

Mr. Clark said that was right.

Mr. Missel said that they did not know what that number was yet.

Mr. Clark said that the Planning Commission and the Board would have to decide what was an appropriate number, with staff guiding and assisting in that process.

Mr. Missel asked if that was something that they would be better suited to take up during the rural area plan process because of the detail required.

Mr. Clark said that the intention of this particular action in the draft chapter was not that 4 acres was the answer. He said that yes, it was an issue they needed to address in concert with the other action about the land use plan.

Mr. Missel asked if they would be giving feedback on was, in concept, whether they were conceptually in agreement that setting a maximum lot size was okay.

Mr. Clark said that they were determining that specifically for the rural areas. He said that whereas, if they felt it was a terrible idea and would be useless or make things worse, then they would determine the next steps.

Mr. Missel asked if it would be a blanket determination for the entire rural area and not specific to certain parcels.

Mr. Clark said that was correct.

Mr. Moore said that he had a broad question, and he was not sure if the exact number was available, but he was wondering if they knew how many development split-off rights still existed that had not been split off since 1980. He said that at some point, they would either be utilized or not.

Ms. Firehock said that a long time ago, the Thomas Jefferson Planning District Commission (TJPDC) created a map of all the lots, detailing what they would look like if they were all developed. She said that the community was initially upset, and someone later dismissed the map, saying it would never actually happen that way. She said that their reason was that certain areas lacked sufficient water supply or limited road access to be fully developed. She said that this map is indeed available, and the County is aware of the lots and their corresponding plats, which are publicly available on the website.

Mr. Moore said that he was not sure if they had done the arithmetic on that.

Mr. Missel said that keeping an eye on time, he wanted to let everyone know they were about halfway through the work session. He asked if they were at a point where they were supportive of Action 2.1, with the caveat that the maximum would be determined during the rural area planning process.

Mr. Murray said that he would suggest one change to that action item, which would be to add “and other means of addressing large lot subdivisions.” He said that this would give them some flexibility in how they address the action item.

Ms. Firehock said that she agreed. She said that to answer Mr. Missel’s question, all she could say was maybe. She said that it all depended on what got developed. She said that if they just said it right now, that tonight it was going into the comprehensive plan, then she would assume that they were accepting they wanted more growth in the rural area. She said that it would appear that this was what the County wanted, but it seemed counterintuitive. She said that to play devil’s advocate, because she worked on a lot of land management with her job, saying that 31 acres

would be a conservation parcel was not a solid argument. She said that they could not assume that; the landowner could be clearing all the land or installing a solar farm. She said that they did not have enough information to make such a claim.

Mr. Missel said that the statement, as written here, was implementing a maximum lot size for development rights in the rural areas zoning district to significantly reduce the acreage used for residential lots, compared to the 31-acre maximum for five lots, with an average size of 6.2 acres.

Ms. Firehock said that it was making an assumption that if one had more land, it would be used for crops or forest conservation, or something similar. She said that however, they would be able to clear the entire parcel. She said that in her opinion, it would have been better if the lots had been smaller at Bundoran. She said that many people had placed their homes on the hill, and she had the opportunity to visit Bundoran before it was developed. She said that she had toured it multiple times, and then they put the house at the top of the hill and cleared all the woods so they could have a specific view. She said that in other words, the impact was very high.

Mr. Missel said that without wordsmithing, he wondered if they could get the point across in Action 2.1 with considering the implementation of a maximum lot size for development rights, or other way to manage that, in concert with a future rural area planning process.

Ms. Firehock said that she could support that so long as it was in the context of actually looking specifically at the rural area, rather than as a giant homogenous zone. She said that different parts of the County were quite different from each other.

Mr. Missel said that moving onto bullet two, it asked if the Commission supports other tools to reduce partial fragmentation such as conservation easements.

Mr. Murray said yes, but he had some criteria to add to that. He said that there was a lack of acknowledgement in the plan regarding the protection of these areas. He said that the plan simply stated that acres were protected, but it did not account for the varying levels of protection afforded to areas under conservation easement. He said that as he had previously mentioned, open space easements could allow the land to be cleared and converted into intensive agriculture, which was not the same level of protection intended for tree conservation or habitat preservation.

Ms. Firehock said that the easement did not necessarily mean landscape conservation.

Mr. Murray said that that was correct. He said that the kind of conservation easements they needed were specifically reviving the ACE Program, but with more protection for natural resources.

Mr. Missel said that he believed that was in the document.

Ms. Firehock said yes, it talked about ACE. She said that she had made a note in the email she sent around regarding the ACE Committee before it was disbanded. She said that the ACE Committee had actually developed a criterion for using the Biodiversity Action Plan maps to award extra points for purchase of conservation rights to the ACE Program. She said that this would enable them to achieve more than just open space and only considering factors such as agricultural soils, for example.

Mr. Murray said that that was correct. He said that he also believed that when they accepted an easement, they should require that the easement holder had stream buffers in place. He said that he thought it would be beneficial to establish minimum conservation standards on those properties they were acquiring easements for.

Ms. Firehock said that she thought that was good.

Mr. missel said that regarding Action 3.1, it seemed to align with what they had been talking about, including completing the scoring system piece.

Ms. Firehock said yes.

Mr. Moore said that he wanted to raise a question regarding their long-term vision for the amount of land they wanted to dedicate to conservation easements. He said that they already had a notable statistic that 25% of the land was in conservation easements currently, but he wondered how far they wanted to take that. He said that he was curious about the impact of the land use tax deferral program on their tax revenue.

Mr. Murray said that it was interesting to note that every time a property went under conservation easement, its actual value dropped to the land use value. He said that the benefit of this was that they no longer paid a penalty to the City of Charlottesville, which meant they saved money every year for every property under conservation easement. He said that this translated to more money for schools, roads, and other infrastructure. He said that this was an important feature. He said that regarding the statistic about the lands under conservation, he had an issue with the action item that suggested a cap on the number of lands under conservation or implied such a cap.

Mr. Missel asked if Mr. Murray was referring to 1.1, the fifth bullet, which included an overall acreage or percentage target for land under conservation in the County.

Mr. Murray said that was correct. He said that making the goal more general would be beneficial. He said that for instance, they could say that they aimed to conserve a certain percentage of Albemarle County as forested land, or increase their stream buffers by a specific amount, or preserving a certain amount of agriculture. He said that assuming a conservation easement automatically achieved the desired conservation outcomes was not accurate. He asked what kind of conservation were they truly aiming to achieve?

Mr. Moore said that was a fair question. He said that he approached this issue from a different perspective, particularly in the urban area where he lived. He said that he also considered these issues County-wide, thinking about what they wanted to preserve and protect, rather than allowing for the organic dynamic changes that naturally occurred in a community. He said that for example, in Albemarle County's past, they had built housing on small acreage in rural areas, often near quarries or workplaces, as was the case in Esmont. He said that today, they had strict regulations that prevented such developments. He said that he was wondering if they wanted to ensure that they could never again allow for such development.

Mr. Murray said that he believed that whatever happened, there would still be some of that. He said that even when they get an easement, development lots were still left behind. He said that they were not erasing all development rights off the property. He said that also, part of the rural area planning process that they need would be identifying resources they want to protect.

Mr. Missel said that that point was included in bullet four, “a geographic analysis of conservation needs in the rural area and identifies an approach for designing, designating, and protecting focused areas across the rural area.”

Ms. Firehock said that she believed the concept of a percentage target was flawed, as it did not accurately reflect how to effectively acquire more conservation easements. She said that for context, their County had the highest number of conservation easements, largely due to the presence of dedicated land conservation groups and an informed citizenry. She said that instead of stating a specific percentage and the goal percentage, it was more intelligent to focus on specific goals, like securing conservation easements for sensitive drinking water watersheds or major habitat corridors identified in the biodiversity action plan.

Ms. Firehock said that then, they could actively seek out landowners and work with them, as well as make their easement more conservation-minded, rather than conserving a bunch of lawns that asserted their historic view. She said that this approach would be more strategic and effective in achieving conservation goals, which could be identified with based on the data they currently had.

Mr. Moore said that he appreciated that distinction very much. He said that protecting their water was a key priority for everyone, among other things.

Mr. Murray said that there were also landowners who had come back and said that when they initially received their easement, it was not very protective, simply designating an open space easement. He said that they had since worked with non-profits or the County to rewrite the language of the easement to be more protective. He said that this was not just about acquiring more lands under conservation easement, but also about working with people to revise existing easements. He said that it was broader.

Mr. Missel said that, focusing on the bullet point, if the Commission supports using other tools to reduce parcel fragmentation, he assumed that was a blanket yes. He said that the follow-up question was whether there were other tools that they might suggest to help reduce parcel fragmentation. He asked if staff was asking the Commission provide those suggestions at this time.

Ms. Kanellopoulos said that that was helpful. She said that she believed they were seeking clarification, which they now had with the two tools included under that section today. She said that if there were other tools that the Commissioners all felt were missing or needed further clarification or emphasis from the chapter, they should address those as well.

Mr. Missel said that they were referring to the tools identified in Action 1.1, which was part of the Rural Areas Land Use Plan. He said that they had discussed a few, but he would ask the Commission if there were any other specific methodologies they would suggest to reduce parcel fragmentation in the rural aeras.

Mr. Murray said yes. He said that he had mentioned one, which was that they needed to deal with narrow, unmanageable lots. He said that there were some lot configurations where they may need to establish standards.

Ms. Firehock said that a minimum frontage would deal with the skinny problem.

Mr. Missel said that that was a good suggestion.

Mr. Murray said that a standard length-to-width ratio, such as the ratio should not exceed X amount, would be an improvement.

Ms. Firehock said that the County currently discourages pipe stem lots, such as ridiculously long ribbon driveways with a weird, unconnected section at the end. She said that there was probably enough in there, but there were other things they could talk about to encourage the rural economy that could be more effective. She said that for instance, some communities had rural business incubators that provided resources and support for small-scale farmers.

Ms. Firehock said that these incubators might offer kit kitchens, where farmers could process and package their products, such as jam or vinegar, for the farmer's market. She said that these programs were often supported by grants and had a relatively small footprint. She said that by exploring these options, smaller farms became more economically viable. She said that the County's use value assessment program could also be reevaluated to determine what qualified as a farm, potentially leading to more targeted support for rural agriculture.

Mr. Murray said that they had looked at this topic so far in terms of what was allowed. He said that Mr. Moore's point about the need to promote agriculture and rural preservation was well-taken. He said that if they truly wanted to preserve land, they must provide for uses that were sustainable and profitable over time. He said that in other words, if they wanted to see more agriculture in Albemarle County, they needed to encourage the things they wanted to see, not just prohibit the things they did not want.

Mr. Missel said that that was right. He said that he thought that would be part of the rural area plan process as well. He said that regarding the third bullet, for the area planning process for rural communities, what additional considerations or criteria, if any, should be added, such as specific recommended land uses along with those already listed, which could refer to the new uses criteria outlined on page three and/or listing specific locations. He said that he would bring up a potential addition one of the absent Commissioners had talked about with him yesterday, which was artisanal uses.

Ms. Firehock said that she had the same comment. She said that art studios likely would be within the footprint of existing structures.

Mr. Missel said that another that likely needed more definition was restaurants and wineries as an accessory use.

Mr. Murray said that those certain things could go too far in some cases. He said that that could be a big, long, conversation.

Mr. Missel asked what they thought about if they were to have the ability to review them on a case-by-case basis.

Ms. Firehock said that that would be a special use permit (SUP) where they could decide whether or not it was appropriate. She said that right now, people could bring their picnic to a winery, but in other places she had been, they had food available, so it was not just drinking.

Mr. Murray said that if the food being provided was local food, it changed the situation for him, but he did not think they could code that as a regulation. He said that something he would like to

say was that they had a lot of historic locations in Albemarle County that used to be taverns. He said that from his perspective, if it used to be a historic tavern, they should provide conditions without a special use permit regarding water usage, septic, and so forth, and allow them to be a tavern again.

Ms. Firehock said that she did not know if they should permit every old tavern to operate as a tavern again. She said that it could be a consideration for someone who comes in for an SUP and asks for that. She said that it would be nice if they could have some of those types of things. She said that she had a tavern site in her house, but it was not open to the public.

Mr. Missel said that he had another question, which he believed was related to the same topic. He said that this was not one of the locations staff had mentioned in the document, so if it was not applicable, please let him know. He said that he would like to bring to their attention Objective 4.5, revise the regulations for special events so they were only possible on registered historic properties or landmark properties with property ingress and egress onto public roads under VDOT supervision. He said that to him, this provision appeared to be very specific.

Ms. Firehock said that she did not know if staff already had that idea from before, but she had made a comment at a previous meeting that right now, one could take any outbuilding on one's property and operate it as a special event center. She said that the idea was to try and narrow it down, because they had had some with public opposition come forward, but right now it was very unregulated. She said that by saying it had to be an actual historic property with adequate road access, it was an attempt to get at that issue.

Mr. Missel said that it was just a very specific regulation. He asked what the situation would be if someone were to come in after purchasing a large piece of property and go through the process of having special events on that property, without an event space, but decided they wanted to build an event space on the property.

Ms. Firehock said that they could if they had a winery, brewery, or distillery.

Mr. Missel asked if it would apply to a historic property.

Ms. Firehock said that the County had already established a provision that allowed historic houses with five rooms to be converted into boutique hotels with special permission. She said that this was done to encourage adaptive reuse of historic buildings and to make it more affordable for property owners to preserve their properties. She said that in her opinion, if she had the authority, she would eliminate the whole thing allowing one to apply for special events just because they had a rural property. She said that it seemed unusual to her that this was currently part of their code. She said that it did not necessarily mean that one would receive permission, but it appeared to be non-zoning, meaning that any land with an old shed could potentially be used for special events.

Mr. Missel said that he only highlighted it because of the specificity of the language.

Ms. Firehock said that it seemed that they were trying to reign it in, but she would prefer to eliminate it entirely. She said that there should be no applying for event spaces just because it was rural land.

Mr. Moore said that he had been to concerts at farms where there were 150 people, and it was a fun event.

Ms. Firehock said that it was likely they had obtained a permit for an event. She said that at the Howardsville Boat Landing, people towed in their boats, camped out, and had a large party. She said that they did not have an event permit every weekend to have 150 people camping there. She said that it happened once per year, which was fine.

Mr. Missel said that that was how a special event was defined. He said that what Objective 4.5 said was to revise regulations for special events.

Ms. Firehock said that it was saying they could only do them on a historic property or landmark property. She said that Mr. Moore wanted parties everywhere, but she did not want people to have parties everywhere.

Mr. Moore said that he did not want to codify an ordinance that they should not ever.

Mr. Missel asked if staff had anything to add to this discussion.

Mr. Clark said that the event use story had changed a lot over the years. He said that the special events category was first introduced in the early 2000s rural area comprehensive plan, initially proposed as a way to allow one more commercial use in rural areas, specifically events at historic sites. He said that this was done to generate income to cover maintenance costs for those rural historic sites, which were very expensive. He said that the idea was initially well-received, and as a result, the special events category was now allowed by special use permit with up to 200 people, up to 10 times a year, or more, on any rural area property, for any reason. He said that at that time, that was all there was, along with the temporary rural area events such as horse shows, which was a different thing.

Mr. Clark said that since that time, the state's enabling legislation had undergone substantial changes for other types of events. He said that for instance, brewery, distillery, and winery events were now classified as agricultural activities under state law, and their local zoning ordinance permitted these events up to certain sizes by right and by special use permit. He said that they had also added agricultural events, allowing farm operations to host events, such as apple or pumpkin harvests, up to a certain size by right.

Mr. Clark said that since the early 2000s, they had established specific regulations regarding the types of uses that actively supported rural activities, such as growing grapes for wine production, raising cattle, or cultivating pumpkins. He said that however, they still had a leftover provision for special events, which was quite vague. He said that it was essentially a special use permit for events that did not have a connection to historic preservation or agriculture, simply a use.

Ms. Firehock said that it was certainly a problem. She asked if a wedding event was tied to agriculture if they were not eating or drinking products from the farm. She said that in her view, it was not.

Mr. Clark said that was right, it was just an event use. He said that they had had 10 or so applications, some approved and some not. He said that for most of them, there was no particular tie to rural activity or conservation value; it was just some events.

Mr. Moore asked over what time period the 10 applications had been received.

Mr. Clark said that it was over 15 or 20 years.

Ms. Firehock said that there had been others who had not come forward because of the neighbors' objections. She said that while Mr. Moore might have found it relaxing from his side, she did not find it relaxing to receive hundreds of angry emails about the situation. She said that the County was not responsible for allowing this to happen; it was a decision made by a landowner who chose to convert their horse stables into a wedding venue. She said that the entire situation should have been avoided from the outset.

Mr. Moore said that it sounded like they were not applying for special event permits, they were just doing it.

Ms. Firehock said that they were. She said that they had not done it; just the act of saying they were thinking they would like to do this event, then holding a community meeting and meeting with County staff, over the year or two, a lot of angry people got themselves all twisted up until the person decided to move forward with the event or not. She said that Mr. Clark was talking about the events that had come all the way through the process. She said that she was saying that there were more things bubbling around, and they had become one of the top wedding destinations in the world. She said that she had no issue with weddings, but the special event allowances were too loose in the County right now. She said that as it got more popular, they might see more of these things coming.

Mr. Missel asked what the process would be for a landowner who wished to hold a special event at a venue that was not historic or a landmark property. He asked if it was allowed.

Mr. Clark said that it was allowed only by special use permit.

Mr. Missel asked if they could still do that by special use permit, even if this was written into the comprehensive plan.

Mr. Clark said that at the moment, yes, because that was what the zoning ordinance said.

Mr. Missel asked if they added this objective in there, it would become the new requirement.

Mr. Clark said that if this stayed in the plan and they acted on it, the wording of the zoning ordinance would change. He said that at that point, new applications from that point forward would be limited to certain kinds of properties.

Mr. Missel asked if the wording regarding registered historic properties was referring to properties registered with the Department of Historic Resources.

Mr. Clark said that he believed it was referring to the National Register of Historic Places.

Mr. Missel said that that was a landowner’s prerogative; they did not have to register their property.

Mr. Clark said that it was a voluntary process to apply, register, and be accepted by the appropriate agency.

Mr. Missel said that certain conditions could result in a property being taken off of the registry as well.

Mr. Clark said that he was unsure of the specifics.

Mr. Missel said that it seemed that they would not reach a solution regarding Objective 4.5 tonight, but it was something to keep in mind.

Mr. Clark said that staff would follow up further regarding the Commission's questions.

Mr. Missel asked if the Commission had any further points of discussion for the work session.

Ms. Firehock said she had been thinking about the needs of people in rural areas who were engaged in agriculture. She said that one potential use that she had considered for inclusion was small engine repair. She said that for instance, if she needed to have her tractor or generators serviced, it was often difficult to find a suitable location to do so, and this was something that came up frequently.

Mr. Missel said that he had thought of that same idea, although not as specific. He said that the other issue he wanted to bring up was regarding their current crossroads communities, such as Crossroads, which had a variety of uses, including health services, restaurants, a fire station, and a community center.

Mr. Murray said that the zoning at Crossroads was a legacy zoning situation. He said that that specific location required a considerable amount of parking and was an intensive use for a site. He said that while it was a great feature, he did not know if he would want a lot more places at that level of intensity.

Ms. Firehock said that it would likely benefit from more bounding on design criteria, scale, or additional standards to evaluate. She said that this would help mitigate the intensity.

Mr. Murray said that they definitely needed to take scale into account. He said that the word "restaurant" would be problematic. He said that in situations like the Batesville Store which served food, there were small-scale, country stores that functioned similarly to restaurants in some ways.

Ms. Firehock said that while the Batesville Store had seating there, it was not a lot of seating, so they could write a code that limited seating and parking, but did allow for a small boutique eatery with no more than eight tables, or something similar. She said that it was likely they could codify that type of use.

Mr. Missel said that they were still looking at this from a high level in terms of the comprehensive plan. He said that in an appropriate location, at an appropriate scale, which could be figured out in the zoning process, it would be appropriate.

Mr. Murray said that going back to the rural area planning, he believed it was also important to consider that not every use was suitable for every area. He said that in Action 4.2, staff proposed updating regulations to allow rural light industrial and commercial uses that supported local processing and retail sales on properties with agriculture and silvicultural uses. He said that he found the phrasing of this language to be concerning.

Mr. Murray said that he had previously pointed out that he thought that they needed more than just identifying specific areas. He said that he agreed with the intent behind the proposal, that they should identify and permit agricultural uses that were being misclassified as industrial or light industrial. He said that he agreed with this approach, but he also thought that they needed to reconsider that classification itself, as some of the uses they were currently categorizing as industrial or light industrial may require a narrower definition.

Ms. Firehock said that they could define small-scale support facilities or something. She said that within the physical floor space of this dais, they could fit a commercial kitchen that could serve individuals who signed up to use it. She said that for example, it could be used for canning or preserving food, like jams or jellies. She said that this would not require a large footprint and would be relatively unobtrusive, as people would only be visiting for a specific day to complete their tasks. She said that the facility would support small-scale agriculture in the rural area, providing a convenient and accessible option for local farmers.

Mr. Murray said that in addition, one of the other considerations was that water, septic, and parking usage should be significant factors in evaluating these types of uses. He said that if a large parking lot was necessary, it would not be suitable for the rural area.

Ms. Firehock said that they should consider the visitation level.

Mr. Missel said that access and VDOT approval were all factors that would come later. He said that the Commission should be addressing staff's final question, which was if there was anything missing from the proposed actions.

Ms. Firehock said that she had a question. She said that she had mentioned a scenario before, where they had old churches in rural areas that were built so long ago, requiring horse or donkey rides to attend services. She said that these churches often lacked parking or the space to create parking, making it impossible to reopen them as places of worship. She said that they had discussed the concept of resilience hubs, which could utilize existing buildings like in Batesville. She said that she was thinking of specific locations where it was not feasible to reopen a historic church due to the lack of parking.

Ms. Firehock said that she wondered if there was a way to repurpose these historic buildings, perhaps under their zoning ordinance, to allow for community centers or other uses that did not require parking. She said that for example, a neighborhood might want to rehab a building as a community center, but they would all walk to it. She said that she could think of specific buildings that came to mind, but they were currently being neglected due to the lack of parking. She said that however, with some creative solutions, such as pedestrian or cycling access, these buildings could be well-used, like a mini yoga studio or community space. She said that she was curious to know if there was a potential solution for these types of historic spaces that could not accommodate traditional parking or public transit stops.

Mr. Moore said that they had discussed this with resilience hubs.

Ms. Firehock said that she was referring to buildings that did not operate as resilience hubs for Albemarle County. She said that however, there were church buildings or old schoolhouses where people used to walk or ride a donkey to school, but with no modern parking, the building would

just rot. She said that she was trying to think of ways to facilitate adaptive reuse of some of those historic structures by not requiring everyone to drive and park there.

Mr. Murray said that they had previously discussed reducing parking requirements in the development areas. He said that it sounded like Ms. Firehock was asking for a reduction in parking requirements altogether. He said that the same concept applied in the rural area; if the parking was not needed then it should not be required.

Ms. Firehock said that if little communities such as Batesville or Howardsville, where a lot of people walked, they should have that ability.

Mr. Missel said that under 7.2, provide spaces in existing structures and public facilities in rural communities for small-scale uses, serving surrounding community members, where proposed expansion of these structures includes community input on possible new structures and uses.

Ms. Firehock said that that was acceptable, but right now they would not be allowed to do so in the buildings she was thinking of due to the lack of parking. She said that their parking requirements prevented it, or they would otherwise need to pave a parking lot for something that did not require an entire lot for the community members it would serve.

Mr. Moore asked if they could add something to 7.2 in order to accommodate flexibility in parking.

Ms. Firehock said that if there was a place where people could walk to within a one-mile radius and a known population had expressed a desire to use it, they should do something to address those specific structures.

Mr. Missel asked if there was anything else missing from the actions.

Ms. Firehock said that everything she thought was missing she had found in the stewardship chapter. She said that she was glad to have that in advance.

Mr. Murray said that regarding Action 7.5, he thought it would be beneficial if it was a bit more specific. He said that he needed to check the stewardship chapter to make sure it was not already in there, but he wanted to ensure they disallowed something from being included in the natural resource extraction layer if it had important ecosystems, historic resources, or other significant factors.

Ms. Firehock said that existing housing was another factor to consider. She said that they encountered this issue in the southwestern part of Albemarle County, abutting Schuyler, which they struggled with it during the last round of the comprehensive plan. She said that specifically, there was a proposal to place a resource extraction overlay in that area, but the residents had unknowingly sold the mineral rights under their homes in the past.

Ms. Firehock said that this meant that quarrying or digging under their homes was allowed, but the current residents were not aware that they no longer owned the mineral rights because a previous owner had sold them. She said that as a result, this created a major conflict where people who did not want extraction going on underneath their structures had no control over the situation because their grandfather had sold the rights in 1920. She said that they had situations like that in the County, which many people did not realize. She said that they should not make it more of a problem by making it a resource extraction area unless it was clear of existing housing.

Mr. Murray said that that was correct. He said that there were areas where everything stands in their own place. He said that he did not need to elaborate further. He said that regarding their discussions about interchanges, he believed the same points they had been discussing recently about the industrial and light industrial uses in those areas, or legacy commercial zones, the question was not how they could permit things in those areas, but it was how they could be more specific about what was already permitted in those areas. He said that they should more narrowly define what those industrial uses were, before they ended up with something they really did not want.

Ms. Firehock said that there might be a quarry or sawmill, but they did not want all of the things in that category.

Mr. Moore said that he did not think anything else was missing. He said that he had alluded to some of his questions before, but he did believe they should look at the costs and benefits of things such as revising and restoring the Albemarle Conservation Easements (ACE) ordinance. He said that he did not know the costs and benefits of it, although he had read some information and heard estimates of the costs and savings. He said that it would be worth having a more thorough conversation about whether it was worth it.

Mr. Missel asked if there was anything staff wanted them to discuss that they had not already.

Ms. Kanellopoulos said that the Commission had covered it all very well.

Mr. Missel said that he had a couple of thoughts to add. He asked if they should specifically discuss biosolids.

Andy Herrick, Interim County Attorney, said that as he had previously indicated, local regulation of biosolids was largely precluded or preempted by state law, which meant that there was a very limited role for County monitoring of state regulations. He said that the regulations themselves were set by the state.

Mr. Murray said that recently, he met with some citizens who provided more detailed information on the issue and also shared their experiences with other localities. He said that he believed a monitoring program could be beneficial and thought it would be a good fit for the environmental stewardship chapter. He said that perhaps they could have a discussion on this topic with that chapter.

Mr. Missel said that sounded good. He said that another point he wanted to bring up was in 1.2, which said to develop location standards for renewable energy projects in the rural area that make those projects possible while protecting forests and other important landscapes. He said that he was unsure about the level of detail they wanted to include, but he was aware that people had discussed historic considerations, such as viewsheds, which could be factors in evaluating these landscapes. He said that they could potentially include examples, but he was unsure if it was necessary to be that specific.

Ms. Firehock said that along those lines, they did have the biodiversity action plan. She said that this would be a suitable opportunity to mention that that plan’s specifically identified landscapes were what they had already prioritized as important and sensitive ecologically. She said that just saying "forest" was too broad.

Mr. Missel said that regarding Action 3.5, supporting partner organizations who are operating conservation easement programs in the County, it made him wonder how they would take action on that. He asked how they were supporting them.

Mr. Clark said that the way they currently supported them was primarily through information sharing. He said that this advantage came from their organization's unique position, which included both conservation programs and development permitting. He said that they had the ability to know whenever a building permit, subdivision application, or event center permit was submitted for a property that was protected in an agricultural forestal district or under a conservation easement.

Mr. Clark said that it was particularly challenging for outside non-profits and state agencies to keep up with the constant flow of applications. He said that to help, the County shared this information with them, utilizing an automated system to alert them when a permit was submitted for a protected property. He said that they then shared this information with other holders, enabling them to get on top of potential enforcement situations and work with the landowner to resolve issues before they escalated into physical violations of the easements.

Mr. Missel said that regarding 4.3, to increase opportunities for by-right farm work or housing, he wrote down “scale, definition, etcetera.” He said that he assumed those specifics would come at a later stage.

Ms. Firehock said that they could write “unless appropriately scaled,” so they could make a notion that it was not just generally. She said that the zoning code would then address what was an appropriate scale.

Mr. Clark said that this was another matter where things had changed over the years. He said that 20-some years ago, they had adopted a regulation in the County to permit farm worker housing in a form that was clearly not a dwelling. He said that this type of housing consisted of structures that were essentially bunk houses and a separate kitchen house, which functioned to accommodate farm workers, often on a seasonal basis. He said that however, this type of housing could easily be converted into a full dwelling.

Mr. Clark said that a significant factor contributing to this issue was the evolution of state regulations and design standards. He said that as a result, the County was still requiring a special use permit for facilities that were directly supportive of agriculture, despite their efforts to transition towards more agricultural-friendly uses by right. He said that the state had adopted design standards that differed from theirs.

Mr. Clark said that the County required a separate structure to be used as a kitchen so that the structures could not be a full dwelling year-round, and that did not fit with the state standards anymore. He said that they created a difficulty for farms to meet the County’s and the state’s standards at the same time. He said that by making these uses available by right, they could better support agriculture, and by adjusting their standards to align with the state's, they could reduce the complexity and catch-22 situation faced by those attempting to build these facilities.

Ms. Firehock said that she wanted to briefly address that topic. She said that when it came to zoning clearances, it was essential to consider the placement of such facilities, similar to what they did for bed and breakfasts or short-term rentals like Airbnb or homestays. She said that the

location of the dormitory on the farm could significantly impact its impact on neighboring residents, either positively or negatively.

Ms. Firehock said that for instance, if it was placed in a secluded area, it was less likely to disturb the neighbors, whereas a location that was easily visible could lead to complaints. She said that she did not want to simply place it anywhere on the farm property without careful consideration of its potential impact. She said that with the zoning clearance, they carefully considered parking options and located the facility in a way that avoided sensitive areas.

Mr. Clark said that right, that would be consistent with the way they had done agricultural event uses, for example, and many other uses that were by right with clearances.

Mr. Missel said that his final comment related to Actions 7.3 and 7.6, which looked to be related to each other. He said that he was unsure if they were independent or if there was a logical connection between them. He said that from an efficiency standpoint, he was wondering if they could be combined or if it would be beneficial to do so.

Recess/Reconvene

The Commission recessed at 5:30 p.m. and reconvened at 6:00 p.m.

Establish Quorum

Ms. Shaffer called the roll. She said that Mr. Bivins, Mr. Carrazana, and Mr. Clayborne were absent from tonight's meeting.

Mr. Missel established a quorum.

Public Comment on matters pending before the Commission, but not listed for a Public Hearing on this agenda

Neil Williamson said that he was representing the Free Enterprise Forum. He said that in what has become somewhat of a holiday tradition, the Free Enterprise Forum annually presented a holiday poem or carol to the Albemarle County Planning Commission as a gift. He said that previous iterations had included Rudolph the Form-Based Code, Rio the Small Plan, a Coronavirus Carol, and the original An Albemarle Planning Christmas. He said that with apologies to Christina Rossetti, tonight they presented In the Bleak Mid-Comp Plan.

Mr. Williamson read: "in the bleak mid-comp plan, ten chapters made me moan. Existing density stood hard as iron, frozen like a stone. Public comment had fallen, row on row, row on row. In the bleak mid-comp plan, not so long ago. Housing needs the map does not answer, nor affordability sustain; middle class families shall flee away when the map comes to reign. In the bleak mid-comp plan, bold action was required. Politically challenging, action must be inspired. Enough of the NIMBY reactions. Worship night and day. A few new colors on the map could give folks homes to stay.

"Enough for teachers, firefighters, and police who make their community thrive; the waiters and the clerks to live among us, rather than drive. Houses and townhouses may have gathered there; two-over-ones and ADUs the neighborhood could share. But only the comp plan map and its binary rural development divide prevented such density, with a simple PowerPoint slide.

Development Area expansion may not solve all woes. Creating multi-layered lasagna, let's see how that goes. How can we fix it halfway through this flap? If I were a cartographer, I would bring a new map. If I were a wise man, I would do a new density chart. Yet how can we fix it? Show a little heart." He wished them all happy holidays.

Consent Agenda

Ms. Firehock motioned that the Commission approve the Consent Agenda as presented. Mr. Murray seconded the motion, which passed unanimously (4-0). (Mr. Bivins, Mr. Carrazana, and Mr. Clayborne were absent.)

Public Hearing

ZMA202300017 & SP202300020 Chestnut Grove Manufactured Home Park Community

Kevin McDermott, Deputy Director of Planning, said that he would be providing staff's presentation for the Chestnut Grove Manufactured Home Park rezoning and special use permit with the special exceptions. He said that first, he would identify the property in question. He said that this property is located in southern Albemarle County, approximately 15 minutes from Scottsville. He said that it is situated on the south side of Chestnut Grove Road, approximately one mile west of the Chestnut Grove Road and James River Road intersection.

Mr. McDermott said that the existing conditions of the site included that the property was approximately 50 acres, heavily forested, and featured a Water Protection Ordinance (WPO) buffer and areas of critical slopes throughout the property. He said that provided was an aerial view of the site, which shows the property's layout looking from the north towards the south. He said that the property was generally in this location along Chestnut Grove Road, and the surrounding areas exhibited a rural character with various rural uses, including low-density single-family residential, forests, open space, and agricultural uses.

Mr. McDermott said that the zoning for this property was rural area, which permitted single-family homes at 0.5 acres per unit and agriculture and farm wineries, country stores, and by special use permit, would allow community centers, private schools, and daycare facilities. He said that the Comprehensive Plan designation was Rural Areas, the purpose of which is to preserve and protect agricultural, forestal, open space, and natural historic scenic resources with low-density residential.

Mr. McDermott said that the applicant's proposal was to rezone the property from Rural Area to R-4 and request a special use permit to allow a manufactured home park. He said that R-4 was the lowest-density residential zoning that allowed manufactured home parks with a special use permit. He said that the proposed concept plan was on the screen, which showed the proposed layout. He said that the property would be served by two entrances on Chestnut Grove Road, and the proposed mobile home or manufactured home units would be located along this road.

Mr. McDermott said that the applicant had identified potential well locations and drain fields, and there was a primitive trail system that circled around the property. He said that although the trail system generally avoided the WPO buffer, the lot development did intersect with the buffer in certain areas, which had been acknowledged by staff. He said that the applicant had proposed on-site well and septic systems, which would require approval from the Board. He said that the gross density overall was one dwelling unit per acre.

Mr. McDermott said that the applicant had also submitted a draft proffer sheet, which included restrictions on the uses and density of the property and provisions for affordability. He said that the proffers also addressed staff concerns regarding the special use permit, and no additional conditions were recommended as part of that special use permit. He said that the voluntary proffers included restricting permitted uses, removing some that were typically allowed by right and R4, such as higher density residential, and those allowed by special use that removed assisted living facilities, hospitals, and standalone parking. He said that these restrictions could be seen in the attachment to the draft proffer statement.

Mr. McDermott said that it also limited the density if manufactured homes were constructed, allowing a maximum of 50 units. He said that if those manufactured homes were not built under the R-4 proposal, the maximum was six units, which was what was allowed by right on these 50 acres. He said that the affordability proffers included that 33% of the affordable land-leased units would be at 50% Area Median Income (AMI), and the remainder of the land uses would be land-leased units at 100% AMI. He said that the units not land-leased would be affordable rental units at 60% AMI.

Mr. McDermott said that the applicant had requested some special exceptions to modify or waive regulations related to manufactured home parts. He said that staff had not fully evaluated all of these exceptions because they were recommending denial of the rezoning and special use permit. He said that if the Planning Commission decided to vote to recommend approval of the rezoning, any comments on the special exception requests would be included in the staff analysis and presented to the Board. He said that the list of special exceptions could be found on pages 12 and 13 of the staff report.

Mr. McDermott said that staff concerns regarding the rezoning and special use permit included that the proposal was inconsistent with the Rural Area Goals, Objectives, and Strategies found in the Comprehensive Plan, the proposal was inconsistent with the County's Growth Management Plan because it proposed residential densities above that recommended in the Rural Area, and staff believed there were inadequate services and facilities and infrastructure to support the development in this proposed location. He said that primarily because of how far away it was from any services that residents might need, including fire and rescue services, schools, and other daily needs.

Mr. McDermott said that he wanted to point out a typo related to this number three on page 11 of the staff report under the assessment of the special use permit. He said that it should be noted that they believed that fire and rescue and police services for the existing community members were also impacted by the additional residential density, as this new development would further strain those existing resources. He said that to clarify, this information was cut off in the staff report.

Mr. McDermott said that additionally, there was inadequate information to determine whether the proposal could be supported by the central water and sewer service facility. He said that the Virginia Department of Health (VDH) had not received enough information to review the proposed wells, soils, and drain field locations. He said that the stream buffer had not been field surveyed, and therefore, there was potential for conflicts existing with some of the home sites. He said that the County Code required that the buffer be incorporated into the design of the development by keeping stream buffers in open or natural spaces and out of residential lots or areas of active use to the fullest extent possible.

Mr. McDermott said that the positives that staff had identified related to the affordability that they had discussed, which provided an option for affordability that was not typically available in Albemarle County and helped to address their affordability concerns. He said that staff was recommending that the denial of the rezoning Zoning Map Amendment (ZMA) 202300017 and also recommending denial of the special use permit for Chestnut Grove. He said that with that, he would take any questions.

Mr. Missel opened the public hearing. He asked if the applicant had a presentation.

Justin Shimp said that he was the engineer of this project, and he was joined by Paulina from his office and Jason Moss, who would be the primary owner and operator of the mobile home park. He said that he was also an investor in this project. He said that as they moved through this presentation, he would try to cover the key points quickly. He said that the site they had selected was unique in that it was located in a rural area with a lot of forest surrounding it. He said that the land was rolling, fairly level, and had adequate soils for drain fields, making it suitable for this type of development. He said that this was a key factor in their site selection criteria.

Mr. Shimp said that what this really was, was a community. He said that it was a 50-unit mobile home park with 120 residents who could live there long-term. He said that they would have their own yards, access to amenities, and the ability to save money compared to renting. He said that one of the main benefits of this development was that it provided affordable housing options in a rural area, where such rentals were scarce. He said that they were proposing a unique model, with 50.6 acres of land in total and 72% of it would be set aside as open space. He said that their density was approximately one unit per acre, which was higher than typical rural area density. He said that it should be noted that these were small units, about a third of the size of the average house currently in the rural area.

Mr. Shimp said that the units would be income-restricted, with 33% leased to individuals making 50% or less of the area median income. He said that some units would be owned by the park, rented at 60% of the County-established rent levels, and the remaining would be land-leased to individuals making less than 100% of the area median income. He said that this model was designed to be self-sufficient and did not require government subsidies, because they were able to use land well-suited for this type of development without requiring subsidies to meet the target affordability.

Mr. Shimp said that the zoning regulations in Albemarle and surrounding areas had been in place for a long time and were generally well-intentioned. He said that he had had the opportunity to visit this area with his friend Vito Chetta on several occasions, who had consistently praised the Albemarle County Comprehensive Plan, and he agreed that it had been very good. He said that over the past 40 years, the communities created here had been of high quality, well-designed, and implemented with the help of the County.

Mr. Shimp said that however, the County had nearly doubled in size since 1970 when the 5% growth area was established, leading to a squeeze in available land. He said that as someone in the business of this, he could attest that it was becoming increasingly difficult to find a place to build a single-family house. He said that the cost of building on scarce land was prohibitively expensive, with prices ranging up from $900,000 for a new house. He said that the good land had already been developed, leaving limited options in the 5% growth area.

Mr. Shimp said that to address this need, they were exploring alternatives that allowed for affordable housing options, and this project aimed to provide a solution for those who wanted to own a home with a yard but could not afford a single-family house. He said that the open space overlay provided the idea of the area, which included cleared trees for drain fields, leaving the area as essentially green space afterward. He said that zooming in, one would see street trees in a neighborhood setting and wooded 50-foot buffers between the development and Chestnut Grove Road.

Mr. Shimp said that there was an issue in the site plan, with the house too close to the stream buffer. He said that the lots were approximately the size of a Belmont lot in Charlottesville, approximately 50 feet by 120 feet. He said that this allowed for flexibility in terms of yard space, extra storage, and even the possibility of owning a dog, which were things one could not get with renting an apartment. He said that a point of concern were the impacts of this development, such as traffic and the strain on services. He said that this area was interesting, as it had seen relatively little activity in a long time.

Mr. Shimp said that current traffic conditions could be seen by looking at Route 6, Irish Road, which connected to Scottsville. He said that there were a current 1,300 average daily trips (ADT) on that road. He said that for comparison, rural area roads such as Union Mills or Buck Mountain experienced 5,000 to 6,000 trips per day. He said that this was not to say they wanted to replicate that level of traffic, but it illustrated that people were traveling through Albemarle County's rural areas to get into Charlottesville, but it had not happened in this area like it had in the more northern parts of the County.

Mr. Shimp said that 2001 traffic counts for Irish Road was 5.8% lower than today, so it was clear this was an area that had not experienced much change in traffic over the past 20 years. He said that the small amount of development in this area did not push the traffic substantially. He said that it is unlikely that this area could support 10 of these projects, but one would result in a minimal change in traffic conditions.

Mr. Shimp said that another important graph he had was a 2022 survey using census data, which showed that 44% of renters in Albemarle County are cost burdened, paying more than 30% of their income on rent. He said that this is a growing problem, and part of it is the lack of affordable housing options. He said that for example, in the Avon Road neighborhood, south of Charlottesville, a two-bedroom apartment can be rented for $1,930 per month, which translates to $23,000 per year. He said that to afford this, an individual would need an income of $77,000 or more.

Mr. Shimp said that this aligns with prior housing studies in the County, which have identified up to 10,000 households as severely cost burdened. He said that the reason this mobile home park is a good solution is that if one leases the land and buys their home, it significantly protects them from further cost increases associated with housing. He said that for example, if one rents the land for $500 a month for a lot and purchase a $100,000 home with a mortgage of $86,600, plus repairs, taxes, they end up paying $17,000 a year, compared to renting for $23,000 a year, which is a $6,000 difference.

Mr. Shimp said that although living closer to town might offset some of that, the cost of their home remains fixed over time, whereas historically, rents increase by 3% to 4% per year. He said that over 30 years, the difference in cost between buying and renting is $620,000. He said that when multiplying that by 50 units, the total difference is $31 million. He said that to make this mobile

home park affordable for residents, the annual cost would be approximately $1 million. He said that this is why this type of housing is important and something they need to make work.

Mr. Shimp said that he would like to touch on a few points before they run out of time. He said that one of the staff analyses of rural area priorities suggested that any development in the rural area was generally not feasible. He said that this project was unique because it required minimal infrastructure investment and could be easily reverted back to forest in 50 years if the community's housing needs changed. He said that the reversibility was an important consideration.

Mr. Shimp said that he would like to respond to a few of the other staff concerns. He said that regarding the growth management policy, if they could not build a community where people could afford to live and have a yard, he wondered if the growth policy was a good thing. He asked if they should consider revising this policy to address the issue. He said that the site-specific challenges, such as water and sewer, and the stream buffer, were site plan issues.

Mr. Shimp said that the water and sewer in this case was a non-consumptive use. He said that for those concerned about the use of water, it was domestic, so they pulled water out of the ground from wells, put it into a drain field, and it goes back in. He said that in the agricultural business, watering crops and watering cows was a water use that did not come back into the ground. He said that a winery used water and did not put it back.

Mr. Shimp said that those uses were more damaging to the water. He said that he would leave them with this chart as a reminder of the project's goals: to provide affordable housing options for rural living, without requiring government support. He said that they believed it was a good project, and he hoped the Commission would support it.

Mr. Missel asked if there were any questions from the Commission for the applicant.

Mr. Murray said that he would like to understand the reasoning behind the number 50. He said that currently, they could build six homes on the site by right. He said that he would like to know how the applicant arrived at the number 50 from six.

Mr. Shimp said that it was because of a couple of things. He said that the one unit per acre standard provided a comfortable margin to ensure that septic and well systems could be installed without overtaxing the land. He said that there was a specific number that needed to be reached to justify development over simply placing six single-family lots on the site and moving on. He said that in essence, this approach elevated the site to a higher and better use versus this quantity of affordable housing.

Mr. Murray asked if rezoning was the only way to accomplish this sort of project, or if this could have been done by special use permit. He asked if the number of units would require a rezoning.

Mr. McDermott said that a mobile home park was only allowed by special use permit in R-4 districts or above.

Mr. Moore said that if, in some future case this were built and the County or landowner wanted to revert it back to a more rural area use, he was interested in the steps necessary to undo this type of development.

Mr. Shimp said that what was in the ground was primarily water lines, sewer lines, and electric infrastructure. He said that these could be abandoned, disconnected, and left in place. He said that the grading required for a basic road was minimal. He said that it was similar to what was done when building a farm, where a wider road was created to accommodate driving. He said that they had seen this happen in places, where mobile home parks had closed down, often due to neglect or lack of maintenance on the part of the owner, rather than a lack of demand.

Mr. Shimp said that if, 50 years from now, they were living on Mars, there may be no need for this type of housing due to advancements in technology and societal preferences. He said that in such cases, people would simply move out, and the owner would reassess the land's use. He said that once the park dwindled down to only a few people left, the owner would likely choose to plant some pine trees, as it became the highest and best use of the land. He said that the homes would be removed, which only had dirt underneath them, the pipes would be capped, and they would plant some trees to grow and harvest.

Ms. Firehock asked if the land lease per month was $500.

Mr. Shimp said that yes, it was $500.

Ms. Firehock asked if Mr. Shimp was constructing the trailers and the residents would purchase them, or if they were bringing a mobile home for construction themselves.

Mr. Shimp said that if this were approved, they would go to a company such as Clayton Homes, where people went all the time to buy a house, and asked for a place to put it. He said that there were a few parks that had expanded or had capacity, so when someone picked out their home, the home seller would usually connect them with the location. He said that they would call Mr. Moss up to sign a contract for $500 per month. He said that then, the home is delivered and set up by the home provider.

Mr. Shimp said that an advantage to this setup was that someone could buy a used home for $30,000 in reasonable condition, so with $30,000 in capital, they could buy a home, move it there, and pay $500 per month. He said that for folks who lacked credit, this was an option. He said that it could be through a private market or a new home dealer, and usually those folks would set it up. He said that Mr. Moss was familiar with setting up homes, so he could move the home to the park for somebody if they wanted.

Ms. Firehock asked what the approximate cost for a new home was. She asked if it was $70,000.

Mr. Shimp said that they used to be $70,000, but the retail price now was around $100,000. He said that if he went to a place and wanted to buy five homes for his park, he could likely get them for $60,000 or $70,000 a piece. He said that they could be available for under $100,000, but including setup costs and other expenses, it was likely over $100,000. He said that five years ago, it was well less than that.

Ms. Firehock said that she was supportive of mobile home parks as a general affordability option. She said that although they called them mobile home parks, they were not that mobile. She said that they were set on foundations, and after 20 years, the house was not easily transportable or stable. She said that she was curious about that issue. She asked if they assumed people would be living there for 20 years and then picking up their house to move to a different location.

Mr. Shimp said that it was more likely they would sell their home to someone else.

Ms. Firehock asked if they assumed they would sell it and not try to move the house.

Mr. Shimp said yes, because it would be easier. He said that it depended on where they were trying to move to. He said that they worked on the Crozet mobile home park, and there were some residents in that park who had lived there for 40 years, with multigenerational families. He said that some of those mobile homes were from the 1950s and 1960s, which were not of great quality back then. He said that the new homes built and bought were higher standard and likely would survive 20 or 30 years and could be relocated easily. He said that older ones could not. He said that basically, someone would buy their home, pay off the mortgage in 20 or 30 years, and it would still have life in it so they could sell it for $20,000 to someone, who would then move in and live in the park.

Ms. Firehock said that they talked about people being able to store their equipment on this property if they had a lawn care business. She said that she did not understand, however, whether the application mentioned they were including additional storage areas. She asked if they were talking about someone who had a lot in the mobile home park and then constructed a shed on their property.

Mr. Shimp said yes.

Ms. Firehock said that to clarify, in their application they were not providing additional storage area.

Mr. Shimp said that no, they were not, but they would have the right to put a landscaping trailer or something like that on their lot, due to the available space.

Ms. Firehock asked if they could put up a shed to store their riding mower, trailer, or other business equipment.

Mr. Shimp said that that was correct.

Mr. Moore said that regarding the water service, the County staff had not conducted a deep analysis. He asked if the applicant could discuss their knowledge of the water table and availability. He said that there was some concern that 50 units was a large number compared to the surrounding density.

Mr. Shimp said that he did not have the numbers with him. He said that before they bought the property, they conducted a FOIA request from the Health Department about all the well records of the immediate area. He said that there were some areas that were not great around there, but there were probably 20 gallon, 7-minute-per-gallon wells in that vicinity, so that gave them enough confidence to purchase the property. He said that how they would proceed was that they would hire a geologist to conduct a study where they lay out electrical wires in the ground to spot the prime water locations, then drill the wells. He said that they were required to have a 0.5-gallon-per-minute rate per unit.

Mr. Shimp said that during the site plan phase, they would drill the wells and get them permitted as part of the site planning process. He said that for some reason if they were short on water, then they may not be able to build all the units. He said that the data they had seen did not indicate

any significant challenges with the water supply. He said that the use, based on United States Geographical Survey (USGS) definitions, was non-consumptive because they were not taking water from the ground and dispersing it somewhere else. He said that it was returning it to the source.

Mr. Missel said that he had the same question about the watershed. He said that even if there was capacity, the 50 dwelling units caused concern regarding the water usage. He asked how many gallons per day were estimated to be pulled on average.

Mr. Shimp said that a new unit would likely consume approximately 100 to 120 gallons of water per day. He said that therefore, the total daily water usage would be around 7,000 gallons in total for the site.

Mr. Missel said that Mr. Shimp had mentioned earlier that approximately 72% percent of the parcel would remain as open space. He said that this percentage did not account for areas such as septic fields, wells, utilities, and other features that would require clearing. He asked if Mr. Shimp could provide the Commission with a more detailed estimate of the percentage of the parcel that would need to be cleared, taking into consideration factors such as drain fields, ponds, dry hydrant locations, well sites, and stormwater management areas.

Mr. Shimp said that it was approximately 14 acres. He said that the green area on the map represented everything except the 14 acres. He said that they had some drain fields and ponds, which accounted for around four or five acres of open space that was impacted by the development. He said that this would bring the total disturbed area to around 20 acres; however, five acres of that area would be converted back into a pond, and the drain field would be repurposed as a grass lawn, allowing residents to use it for recreational activities.

Mr. Missel said that that was helpful. He said that it had appeared more than that to him. He said that he understood they were dealing with slopes, as he saw the critical slopes referred to with the shaded areas on the map. He asked if there were three drain fields, indicated by the darker green on the map.

Mr. Shimp said that that was right.

Mr. Missel said that there was a drain field on a pretty significant slope, where it said force main. He asked if they had put those drain fields in those locations based on what they expected the topography that would be necessary to support those.

Mr. Shimp said that they were. He said that they had soil tests in all of those locations from soil scientists to lay out the area for those.

Mr. Missel said that shifting the topic to traffic, he would like to know the vehicle trips per day generated by this project.

Mr. Shimp said that it was 356 trips.

Mr. Missel asked what they were applying as a number for each unit.

Mr. Shimp said that it was around seven trips per day per household. He said that these households were generally smaller, consisting of older individuals living on a fixed income, who

tended to stay at home and were not frequently traveling. He said that this type of housing was also preferred by some families due to its affordability, although the units were typically two bedrooms, limiting the size of families that could reside there.

Mr. Missel asked if there were any comments from VDOT on this project yet.

Mr. McDermott said that they did not get any comments other than that they would need a land use permit for the entrances.

Mr. Missel asked if the applicant was planning any off-site improvements to the roads.

Mr. Shimp said no.

Mr. Missel said that regarding the visibility from the road, there was a 50-foot setback.

Mr. Shimp said that that was correct. He said that on both sides of the road was a 50-foot landscape buffer. He said that those were existing trees they would leave in place.

Mr. Missel asked if any members of the public would like to speak on this item.

Barbara Lowe said that she lived on the corner of James River Road and Chestnut Grove Road, on a property she had owned since 1995. She said that she was very aware of the changes in the Chestnut Grove community because she has been an integral part of the community. She said that she would like to thank the staff for attending the meetings. She said that over 100 people attended the two community meetings, and everyone expressed strong opposition to the proposal. She said that it was important to note that she had attended the Planning Commission meeting at 4:00 p.m. because she was interested in understanding their approach to community input in rural areas land use on AC44.

Ms. Lowe said that not much of this proposal aligned with the discussions they had at that meeting. She said that someone had mentioned during that meeting that recommended land uses should be tailored to each community, and that there should be engagement with individual rural communities. She said that there was engagement regarding this project, and this community had very specific facts and concerns, and in staff's recommendation they noted some of those things.

Ms. Lowe said that one of the key points mentioned was the traffic. She said that the engineer had discussed Route 6, but this site was not accessed by Route 6. She said that it can be accessed by going down Route 20 from Charlottesville, then turning onto Langhorne Road, across Route 6, down James River Road, onto Chestnut Grove Road. She said that James River Road is a critical artery connecting Buckingham and Nelson, and it is the only way to access Route 20. She said that as a result, there was a significant amount of traffic on this road.

Ms. Lowe said that she had requested a study on this road, but none was conducted. She said that one day, she counted 850 trips in 12 hours, but she did not count individual cars. She said that the applicant wanted to add 365 more cars to this road. She said that this road has three one-lane bridges, two places where it constricts down to two cars, and many tight curves. She said that these issues were previously discussed and addressed, and she would ask that they note it again. She said that Chestnut Grove Road is not a true one-lane road, but rather a one-and-a-half-lane road.

Ms. Lowe said that she would like to emphasize the importance of emergency services. She said that several people spoke about this issue at the community meetings, and her own family experienced it firsthand. She said that they waited 52 minutes for an ambulance to arrive while her mother-in-law had a seizure, and it took an hour and a half for the police to respond to a break-in at their home two months ago. She said that the police officer told them that they only ran one person south of Wegmans because that was the way it was termed. She said that now that was just a fact, they did not mind that, but they could not increase the call on that when they had limited resources.

Ms. Lowe said that affordability was clearly the touted feature here, but she noted that regarding the figures, she called Clayton Homes to verify them. She said that he called the mortgage $700, but for the lowest model, it cost $80,000, then they had to pay $70,000 for them to bring it and set it up, connecting HVAC and the trailer. She said that her husband had inquired about financing, and there were only two banks in Virginia that offered it.

Ms. Lowe said that to qualify, one would need to put down 15% of the purchase price, which was $30,000 to buy one and set it up. She said that additionally, paying personal property tax and other costs meant that overall, this was not an affordable option. She said that she finally would like to note the environmental impact of this project, particularly regarding the wells. She said that they did not know if they would be able to achieve the amount, so she questioned what the effects would be on the neighbors' wells.

Kevin Fletcher said that he lived at 7814 Chestnut Grove Road. He said that to talk about the traffic, if they chose not to take James River Road, they would take Chestnut Grove Road to Route 6. He said that regarding the idea that there were just 150 trips per day on this road, it was 150 trips in the morning because it was the shortest way to get to Route 6. He said that even in the applicant's comments, he talked about going from Buckingham to Plank Road. He said that to get from there, they would have to drive through Esmont, which was 25 miles per hour, or Porter's Road, which was very densely populated and 35 miles per hour.

Mr. Fletcher said that by adding all this extra traffic through there, it was not feasible for the neighborhood. He said that secondly, preserving their rural areas was a priority. He said that looking at the conservation easement map for southern Albemarle County, there were thousands of acres set aside by citizens in the area; it was one of the largest contiguous conservation easement blocks in the entire County. He said that the private citizens were doing their part, so the idea that the County would thwart their efforts was a bad one. He said that again, thousands of acres had been set aside.

Jennifer Gaines said that she resides at 9237, the closest house across the street, down around and about 0.25 miles away, which spoke to the density of the neighborhood. She said that she and her husband have lived in their house since 2007. She said that she was here to discuss their rescue response, which was a well-known issue. She said that when they chose their house, she was aware of this problem. She said that as a nurse with nearly 30 years of experience, she worked bedside at Martha Jefferson Hospital for 20 years and currently teaches at the School of Medicine and School of Nursing at UVA. She said that in chaotic medical emergencies, she remains calm.

Ms. Gaines said that last summer, her teenage nephew suffered a severe asthma attack, and it took 15 minutes for a volunteer firefighter familiar with their name and address to arrive with oxygen, followed by an additional 30 to 45 minutes for the single ambulance to reach their house.

She said that this was a situation where he had an aunt who was skilled to calm him and love him, as well as a firefighter with lifesaving resources. She said that she was concerned about the impact on infants and the elderly when they experience this kind of increase.

Ms. Gaines said that with estimated 120 people needing rescue services at 50 houses, but if the residents were parents with children, it would be at least 200 individuals. She said that families were the ones who were low-income and needed affordable housing in their area. She said that if this was the case, it would double the population of their 6-mile Chestnut Grove Road neighborhood. She said that they understand the rescue time, and she was 100% behind affordable housing, but she could not support further stressing their already-stressed resources with doubling the population and no access for these residents.

David Roadcap said that he owned land along Chestnut Grove Road, directly opposite from the land of the proposed development. He said that he would like to take his time to express his strong opposition to the development, which he believed ran counter to the County's development plan, both the current plan and the draft version of AC44 that was discussed by the Commission earlier today. He said that the plan's core guiding principles included directing growth to development areas and maintaining the character of rural areas of the County.

Mr. Roadcap said that the plan laid out essential factors that need to be met when running counter to those core goals, and he would like to highlight a few of those. He said one factor was that any proposed development should be of size and scale that complements the character of the area, but this project would essentially double the residents on Chestnut Grove Road, with a density of housing seven times greater than what would be allowed under the division by right. He said that it was 50 homes on less than 10 acres, which was not consistent with the surrounding area.

Mr. Roadcap said that secondly, the development should not result in a significant change to the traffic pattern, but Mr. Shimp's numbers indicated that it would triple the amount of traffic on Chestnut Grove Road from 150 trips to over 500 trips. He said that this was tripling the risk of collisions on a twisting, narrow road with little to no shoulders, and triple the risk of collisions on the nearby one-lane bridges. He said that this was an unacceptable risk to the residents of the region. He said that he would like to address the issue of groundwater, which had been mentioned earlier.

Mr. Roadcap disagreed with the water data presented by Mr. Shimp, and he had heard stories from well drillers and residents about the difficulty in getting adequate flow from wells in this region. He said that the daily usage of 5,000 to 7,000 gallons was terrifying; it would have a significant impact on the ability of other residents to access adequate water to their homes. He said that he believed this should weigh heavily against this development. He said that there were other factors as well, but the general theme was that the size and scale of this proposed development made it fundamentally unsuited for the Chestnut Grove Road area. He said that he could not think of a worse place to put a development like this in the County.

Alan Herndon said that he was able to buy a piece of property on Chestnut Grove, located between the Gaines's and Ms. Lowe. He said that he had been on that property up around where Mr. Shimp bought his property for about 30 years, hunting. He said that he had been on every inch of that place, and all the elevations there were disproportioned to what Mr. Shimp had stated. He said that the area was very steep, and he would only be using the section along the road. He said that as a general contractor with 40 years of experience, he could not imagine how Mr. Shimp would avoid tearing the trees to pieces. He said that the trailers would be sitting with one 3-foot

block on one end and a 10-foot block on the other end unless he cuts the ground down to be level.

Mr. Herndon said that regarding the water, they called that area Dry Creek. He said that Dry Creek goes down to Mr. Roadcap's side of the road, and he had walked along it for 30 years. He said that the other side of the road was Mr. Shimp's property, which dried up every summer. He said that Travis Hazel had recently built a house on the other side of Chestnut Grove Church, which required 380 feet of drilling and three wells. He said that Kenny Matheny drilled for wells every day in Albemarle County and could not find any water for that man, right on the other side of the subject property.

Mr. Herndon said that regarding Mr. Shimp's proposed use of the land, he himself was raised in a trailer, so he was not opposed to that, but this was not the right place for it. He said that it was totally wrong. He said that the roads shown in the plan had one road on the left-hand side, which was the flattest spot he had; however, it fell off hard to the right the farther it went in there. He said that the 50-foot buffer was actually a power line right now, which went all through the front of the property. He said that he would have to tear down the trees at the top of the hill to get all these trailers in there; it was as simple as that.

Mr. Herndon said that regarding the impact on the road, he had sat around for a long time listening while hunting, and he had heard traffic coming in most mornings. He said that everyone was exactly right; the traffic was mostly going back to James River Road. He said that anybody going to Chestnut Grove Church would go towards Route 6, and anyone on Pocket Lane was doing the same thing. He thanked the Planning Commission for their help, but they did not want any of that up there.

Adelaide O'Brien said that she resides on Hatton Ferry Road. She said that she would like to address the misnomer that mobile homes are affordable housing. She said that mobile and manufactured homes can be affordable housing if the homeowner owns the land beneath the home. She said that this proposal for Chestnut Grove is not affordable housing, as the homeowner will not own the land that the mobile home sits on. She said that unless the mobile or manufactured home's owner owned the land, then it was real property, and they typically could only get a personal property loan for the mobile home, such as a car loan, which often come with higher interest rates than for those who owned the land and their mobile home.

Ms. O'Brien said that the mobile home parks are known as a predatory industry, with minimal financial risk for the mobile park owner and significant financial risk for the mobile homeowner. She said that when mobile homeowners do not own the land, they are vulnerable to rent spikes for the lot. She said that mobile homes depreciate over time, unlike traditional site-built homes and even manufactured homes. She said that while mobile homes are mobile, the cost to move them from their initial placement can be prohibitively expensive for most tenants.

Ms. O'Brien said that she would like to quote from a New York Times article from March 2022, titled "Investors Are Buying Mobile Home Parks, Residents Are Paying the Price." She said that the article states that "industry leaders are blunt about the business model. According to materials for a boot camp for aspiring mobile home park investors prepared by Mobile Home University, which is run by two of the largest mobile home park owners in the country, the fact that tenants cannot afford the $5,000 it costs to move a mobile home keeps revenue stable and makes it easy to raise rents without losing occupancy."

Ms. O'Brien said that she requested the Commission not to consider the rezoning of this property nor provide a special use permit, as approval would primarily benefit the property owners, who would gain a stable revenue stream at the expense of mobile home buyers and the community at large. She said that the community would bear the costs of additional infrastructure, such as reopening Yancey School, increased fire and rescue support, and excessive traffic on their rural roads.

Isabel Ziluca said that she wanted to speak about the lack of well water in the area. She said that recently, she had purchased 25 acres, which consisted of two parcels, in keeping with the rural aspect of the area. She said that during the building process, she had had to drill a well first for a permit, which initially exceeded 400 feet and yielded inadequate water. She said that she subsequently drilled another well, reaching 450 feet, and while it provided sufficient water, she anticipated needing to drill additional wells if she were to build a residence; she was currently building a barn with an apartment. She said that she believed that addressing the issue of water was a concern for everyone, particularly given the scale of consumption being discussed in the application, which was far beyond what this rural area could sustain. She said that she hoped that the Commission would address this issue.

Casey Chisolm said that she was supportive of the proposal. She said that she did not live in the area yet, but she did not want to come up here and act like she knew anything about the zoning or the well or anything but wanted to state her opinions. She said that it sounded like an established community that did not want change, which completely understood as someone coming from an area where her parents were fighting against a solar farm being built near them. She said that she totally understood, but as a single mom with two kids, one in college at Penn State and another planning to go to college next year, hearing of a potential place to plant her feet and be able to afford it along with student loans was exciting.

Ms. Chisholm said that she would not want to stay there forever, but it would be a good opportunity to get her bearings, save money, and establish a sense of stability. She said that she was aware that affordable housing in Charlottesville with income restrictions was available, but they all knew it was not the safest option. She said that somewhere where they were somewhat established in the Monticello High School district would be safer and she would feel more comfortable for her kids to be there. She said that she heard a lot of complaining about the location, but she was an employee of a police department, so she knew that the entire County had that problem, and the real problem was getting officers and other public employees to want to take the job.

Theresa Warren said that she was also supportive of the proposal. She said that she was introduced to the project through Ms. Chisolm. She said that she resided in Scottsville, specifically on the Fluvanna side. She said that when she was married, she divorced and had to find a new place to live. She said that she was fortunate to find a suitable location, but she would like to have a place of her own. She said that the option presented by this project offered single mothers or new families the chance to start their lives in a place that was truly their own.

Ms. Warren said that although they may not stay there permanently, it provided an opportunity for them to have their own homes and a sense of stability. She said that there were restrictions with everything, and there probably would be some in place to maintain the property and ensure the land's beauty. She said that the fact that this project existed was significant, especially for single mothers with children in college, as it offered a chance to have a home that was theirs to call their own.

Edward Brooks said that he was the program manager for the BF Yancey School Community Center. He said that he was a native of Esmont, had lived there his whole life, attended Yancey School, and was very familiar with the Chestnut Grove area. He said that their emphasis was that they were striving to build an equitable community within Albemarle County, and he had heard the comments both for and against this particular project. He said that they had their fourth annual retreat meeting this upcoming Friday, and they would look at the data for Albemarle County regarding disparities in income, wealth, and education.

Mr. Brooks said that they were modeling towards closing those gaps; however, that does not address the issues of people who did not have income to meet the average house in Albemarle County. He said that what they were doing for the next generation was to preach and teach what it would take to live here. He said that it would be a long-term process, because the County was inequitable in a lot of these basic, core areas. He said that however, they did have people in the community, himself included, whose parents did direct them towards getting a professional career. He said that there were people sitting in the audience here who lived in Chestnut Grove and in Esmont who had done that.

Mr. Brooks said that not everyone had, but some had, and that was what they were teaching and striving for with the next generation. He said that Mr. Shimp did not even take the time to investigate if there was a community center or community model because he did not have to; the system was not set up to go through them. He said that a lot of the things that could have been explained and shared did not honor the community as it existed right now, and they had heard those comments. He said that they were present under the County premises and auspices to make change, but Mr. Shimp started this project a year ago and went around it and did not involve it, so here they were.

Ms. Shaffer said that there were two speakers signed up online.

Ren Dawson-Olivier said that she resides on Green Creek Road in southern Albemarle. She said that she was speaking to oppose this project. She said that there were many reasons to do so, as noted in the Planning staff report. She said that she would like to focus on two key concerns. She said that the first was the need to reduce greenhouse gas emissions in the atmosphere. She said that climate change, driven by greenhouse gas emissions, was here now, as evidenced by extreme weather events, droughts, heavy rainfalls, flooding, and heat waves. She said that the leaders of many nations had committed to achieving zero net greenhouse emissions by 2050, and Albemarle County had also adopted this goal.

Ms. Dawson-Olivier said that however, according to the County's climate program staff, they were behind schedule in meeting this goal, and they must take immediate action to achieve carbon neutrality. She said that protecting their rural areas, where significant carbon sequestration occurred, was vital. She said that according to the Piedmont Environmental Council (PEC), rural and urban forest and tree cover sequestered approximately 900,000 metric tons of carbon per year from 2008 to 2016, accounting for roughly 60% of Albemarle County's greenhouse gas emissions during those three years. She said that it was essential that they prevent the destruction of their countryside through large-scale development like this proposal.

Ms. Dawson-Olivier said that additionally, they must take steps to reduce greenhouse gas emissions into the atmosphere. She said that the proposed Chestnut Grove development was very far from commercial areas, which meant that residents would need to make new, long vehicle trips to shop for necessities, thereby adding to the County's already significant transportation

sector greenhouse gas emissions. She said that secondly, they must maintain open spaces to provide habitat for biodiversity and ecosystems. She said that the natural systems of their rural areas not only sequestered carbon but also provided vital ecosystem services and contributed to their quality of life. She said that she supported low-income housing development, but it should be located in commercial areas near existing amenities.

Erin Root said that she spoke as a property owner, a mom, and a landscape architect who studied water quality as a graduate student and postdoctoral fellow at UVA. She said that she would like to discuss her concerns regarding the watershed and the two different scales this development would impact, the regional scale and the local scale. She said that she had sent two images ahead of time, which she hoped they had received. She said that the first diagram illustrated the watershed from the site of the proposed development. She said that all surface runoff from the 50 acres of the site flowed directly into the on-site flashing creek.

Ms. Root said that the second diagram showed the creek moving through five other properties, including her own, and then into the James River. She said that the creek that originated from the proposed development flowed 1.9 miles to the James River. She said that her first concern was the regional scale. She said that the health of the James River and, by extension, the Chesapeake Bay, was highly susceptible to fluctuations in how they treated the riparian zones within the watershed.

Ms. Root said that a large-scale manufactured home development like this could significantly impact the larger James River and Chesapeake Bay watersheds by increasing impervious surfaces, leading to increased stormwater runoff, potential pollution from wastewater discharge, and impact water quality due to improper management of septic systems. She said that these factors could result in issues such as erosion, altered stream flows, and degradation of aquatic habitat.

Ms. Root said that her second concern was the local scale. She said that the creek that started on this property collected runoff from all 50 acres of the site. She said that this creek ran through her property, and she, like many other residents, had taken steps to ensure the creek remained clean. She said that they had done this for the benefit of their family and the overall health of their waterways.

Ms. Root said that living on a rural farm provided them with the privilege of peace of mind, knowing that their children could play in the dirt or stream without worrying about contamination. She said that as their older children played in the creek and caught minnows and tadpoles, they never worried about the quality of the water, knowing it came from a clean source. She said that as their children grew older, they hoped they would do the same.

Mr. Missel asked if the applicant would like to respond to any of the comments from the public.

Mr. Shimp said that regarding the Yancey meeting, he took exception to the comment made, as they had attempted to schedule an original neighborhood meeting there, but unfortunately, it was not available at the time. He said that they had to meet at the Scottsville Library instead. He said that folks came out and said that they had to go to Yancey. He said that they were not required to have a second meeting, but they did anyway. He said that during this process, they had engaged with those folks, and had tried to start there, and while he was unsure why it did not happen, they were happy to engage with anyone in the community about these issues, even if they did not agree on them.

Mr. Shimp said that regarding the fire and rescue service, he spoke with the folks involved in the process review and they had added a new shift to the local fire rescue station, which they believed met the criteria for this area. He said that this station met their 17-minute response time requirement. He said that while it may not be as convenient as having a station on Rio Road or in the heart of Albemarle County near Charlottesville, the County felt it was sufficient. He said that this was something they could potentially address at the Board level.

Mr. Shimp said that the environmental questions that arose were complex. He said that when looking at the picture, it was clear that the neighboring land was a pine forest that had been clear-cut and regrown. He said that this had its own set of impacts. If they were to clear all 50 acres and put cattle there, the cattle could potentially run into the stream, as there was no WPO buffer zone in place for cattle farmers. He said that this was not to say that these were inherently bad things, but they needed to recognize the potential environmental impacts of such land use.

Mr. Shimp said that on the other hand, if one was a developer, they were subject to stormwater management regulations, which were not applicable to agricultural uses. He said that there were some protections in place to deal with development issues that were not applicable to other rural area uses. He said that there was a question about the total water usage. He said that to provide some perspective, the County ordinance considered 400 gallons per site acre per day to be the upper threshold for commercial uses in rural areas. He said that over 50 acres, this would translate to 20,000 gallons, which was the benchmark used by the County.

Mr. Shimp said that it had been an ordinance in place for quite some time, which is why when they evaluated the site, the one unit per acre standard was a consideration for them, given their understanding of sustainable yields in groundwater, which allowed them to stay below the threshold, so it was taken into account. He said that engineering septic systems like this were monitored, requiring a licensed installer and a licensed maintenance individual to inspect it, unlike a private drain field, where there was none. He said that these were issues that were addressed by virtue of other regulations.

Mr. Shimp said that likewise, they could clear two acres per 6-acre lot and put six houses on it, which would be an activity that no one would question. He said that he had to ask himself how that compared to 50 units that were affordable and meaningful to people in those rural communities. He said that furthermore, he would like to address a couple of words that he had heard, specifically "equitable" and "privilege." He said that as someone from a rural area himself, he appreciated the sentiment of how great it was to play in the creek. He said that he wanted to emphasize that the families who lived on this property would appreciate that just as much, because that was an option they currently lacked.

Mr. Shimp said that this was a creek and a small pond. He said that if one lived here instead of an apartment complex, their child could run down and play in the stream, which was not insignificant. He said that he believed they needed to consider these privileges when thinking about rural housing like this, as they should not be confined to the privileged. He said that he took some exception to that statement. He said that he was not faulting anyone for it, but it did not mean they should not consider the families who would have new opportunities in these communities.

Mr. Shimp said that looking at the equity of housing again, they would say no problem if they cleared this land and put six $700,000 houses here, and it was seen as normal for the land to be

used for that purpose. He said that however, because it was on the wrong side of the line, it could not be used for affordable housing. He thought this was also something that struck him as inequitable, and they needed to consider it. He said that he understood these were big-picture issues, but this project had brought them to the forefront. He said that he believed it was a good project and should be approved. He said that he looked forward to the Commission's discussions on these things.

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

Mr. Missel said that he wanted to acknowledge Dr. Stacy Pethia, Assistant Director of Housing for Albemarle County, who was in the audience tonight. He said that if there were any specific questions regarding affordable housing, that was her specialty.

Mr. Moore said that he had a question in terms of the proffers of how the mobile home park would be managed and the measures in place to ensure affordability so that it was at the level of affordability listed on the bullet point.

Stacy Pethia, Assistant Director of Housing, said that she was not entirely certain how to respond to the question, but she could provide some numbers. She said that when talking about area median income, the area median income for the Charlottesville-Albemarle region was $124,200 annually. She said that 50% of that, for a household of four, was approximately $62,000 per year. She said that with that salary, an affordable housing cost was around $1,550 per month, which would need to include lot rent, mortgage payments, and utilities.

Dr. Pethia said that while transportation costs were not typically included in this calculation, there was a separate measure of housing costs plus transportation, which would be slightly higher than 30% but not excessive. She said that however, the location of this property was quite far from shopping and other amenities and job opportunities, which would increase the cost of housing.

Mr. Moore said that it basically gave them a ballpark estimate of the monthly cost for the percentage of units guaranteed at 50% AMI.

Mr. Murray asked what the size of the lots were for each trailer.

Ms. Firehock said that it was 55 feet by 120 feet.

Mr. Murray said that they recently heard from staff regarding ways to more effectively use the rural area and prevent development that they would not go below 2 acres for lot sizes. He said that here, the proposed development was giving each resident significantly less than 2 acres. He said that it seemed to him a very big discrepancy. He asked if staff knew the last time they had an R-4 rezoning in the rural area of Albemarle County. He asked if any had happened in the past 20 years.

Mr. McDermott said that he was unaware of the last time it had happened.

Mr. Missel said that no one remembered.

Mr. Murray said that to do so would be pretty nontypical. He said that right or wrong, currently the way development rights are determined in the rural area was not using the system of development rights per acre; they used a system of development rights. He said that effectively, this proposal

would be inventing out of thin air a significant number of development rights that do not currently exist. He said that from a perspective of fairness, if he was a neighbor of this project, he would question why this landowner suddenly got development rights that they did not get. He said that it was striking to him. He said that also regarding reversibility, he wondered if this were to go belly-up and they decided to move the trailer homes, it would still be zoned as R-4. He said that he wondered what that looked like with the future R-4 property when the trailers were deemed not viable. He said that he had a lot of questions about the potential future issues.

Ms. Firehock said that the entire property would be zoned R-4, so they could put a different development plan with four units per acre.

Mr. Murray said that it was clear that it would not revert exactly back to what it was before.

Ms. Firehock said no. She said that also on that topic, regarding the notion that it could just be reverted, she wondered what happened when they had a gravel road traveled daily. She said that Mr. Shimp knew the term “effective imperviousness,” which meant that with enough compaction, it acted like a paved surface. She said that even when attempting to remove the gravel, the impacts left by years of compaction remained on the land. She said that they could not just magically pull up the gravel and have it return to the forested state.

Mr. Murray said that he could see a proposal where it would be acceptable to have a mobile home park in the rural area if there was a system part of a rural preservation development, even with bonus density. He said that it was true that the impact of one of these was less than a large home on two acres, so for example six development rights could translate to 12 mobile homes being constructed instead.

Ms. Firehock said that they had a cluster ordinance now that allowed a landowner to take the development rights across the lots and compress them to take up a much smaller footprint, thereby allowing conservation of the rural areas. She said that this request was to change the zoning from RA to R-4.

Mr. Murray said that they were trying to apply growth area zoning to the rural area.

Mr. Missel said that the Commission should keep in mind that they were proposing proffers as well.

Ms. Firehock said that they were proffering out some of the uses.

Mr. Missel said that higher density residential was proffered out and they were proffering affordability. He said that it was not as if in the future it would be just an R-4 with no restrictions.

Mr. Murray said that if the zoning was changed to R-4, all it would take was requesting the Board of Supervisors to amend the past proffers.

Mr. Moore said that he did believe they could use better emergency services in southern Albemarle County. He said that hearing about some of the response times was shocking, although he lived off of Rio Road. He said that it was still something he thought their Emergency Services directors should consider.

Ms. Firehock said that they had added an additional shift.

Mr. Moore said that he thought about homes in the rural area that were more affordable for people who worked for wages. He said that they had a long history of building those kinds of homes in the County, such as Quality Row and some of the more tightly packed affordable housing in Esmont Porter's and other parts of the County as well. He said that sometime he would like to see their existing available inventory of affordable homes in Albemarle's rural areas.

Mr. Moore said that he assumed it was shockingly low. He said that at the same time, they were seeing people who worked in the area being priced out of the County. He said that it was not new news; they had talked about it for months. He said that they did not have redlining anymore, which had been illegal for some time. He said that sometimes when it comes to their rural areas, they had replaced redlining with greenlining, and economic class rather than race, at least explicitly. He said that he did think there was a lot to be said about providing 50 affordable homes at this time for severely cost-burden households.

Mr. Moore said that the idea that lower-income folks would also like to be in nature while saving money was something he would like to support. He said that some of the concerns about water usage were fair, but as mentioned, it was not water being used for crops; it was water that went back into the same water table. He said that regarding the much higher traffic counts for Chestnut Grove and the added vehicle traffic, it was still below 2,000 trips per day, which was considered low by VDOT. He said that these were factors to consider, but the opportunity for people who were not here yet, because the affordable units had not been built, was significant.

Ms. Firehock said that she was in favor of affordable housing, as they had discussed before. She said that she had benefited from the program she was younger. She said that however, approving this project solely because it was affordable did not seem sufficient to her. She said that for instance, they had recently voted to expand a mobile home park in the Crozet area, which made sense given its location in their growth area and close access to services like fire and rescue. She said that she hoped that response times would improve, but they had experienced delays of two hours for an ambulance to arrive and take someone to the hospital, and 45 minutes for a volunteer fireman to respond.

Ms. Firehock said that it was a real problem, despite the County's efforts to add another shift. She said that what she found concerning was that this was essentially a subdivision in the rural area. She said that this raised questions about how it differed from other low-income housing subdivisions that were not trailer parks. She said that their County had chosen to provide development in growth areas to ensure better services, but this also meant that if one was low-income, they may face challenges like limited access to repair services in rural areas.

Ms. Firehock said that for example, she had had to constantly air up her tire because there was nowhere to get it fixed locally. She said that however, without that car, she was severely limited in her ability to get around because she lived in the rural area. She said that given this, she questioned what the possible justification could be for allowing a new subdivision in the rural area. She asked, why not allow subdivisions anywhere in the rural area as long as it was affordable? She said that that would essentially be saying that they were open to subdivisions anywhere in the rural area. She said that this was what they would basically be saying with the approval of a proposal such as this one.

Ms. Firehock said that she thought they should have more trailer parks and that they could be a useful tool, but she was skeptical about their affordability due to the fact that they could not easily

move them once they were in place. She said that they were taxed as personal property, not as a home, and they did not receive the same tax benefits as a home. She said that ultimately, her concern was that their comprehensive plan did not support this development in this location. She said that if they approved it tonight, they would essentially be saying that everything with affordable housing should be allowed anywhere in the rural area.

Mr. Moore said that he believed he had more flexibility in terms of where they might want to build these types of developments.

Ms. Firehock said that this was down in one of the farthest southern reaches of the County, where it was difficult for residents to get to schools, jobs, and even basic necessities like milk. She said that it was a really inconvenient place to put something like this. She said that from VDOT's perspective, traffic counts were low, with hardly any cars on the road now, so the potential added trips were not significant. She said that however, it would be a real change for someone living on a quiet road like Chestnut Grove, which she used to have to drive daily, as their road collapsed and required months of repair. She said that a substantial increase in car trips on that road would have a profound impact on the community's quality of life.

Ms. Firehock said that it would not be as big of a difference on roads like Route 6, Route 20, Rio Road, or Route 29, but it would be a huge impact on the quietude and enjoyment of that community with that volume, and even though VDOT's stance may be that the road could handle it, they did not live there. She said that in her opinion, this project did not align with the comprehensive plan elements that guided development in rural areas, and this should not be shoehorned in solely for the purpose of affordable housing. She said that affordable housing was a worthy goal, but she was unwilling to support this project in this location unless they revised the comprehensive plan, which was currently in the process of being updated. She said that however, they were still bound by the existing comprehensive plan.

Mr. Missel said that he agreed with Ms. Firehock's comments. He said that he wanted to add one thing, which was that the Commission's primary role was to serve as the advisory body to the Board to promote orderly development of the County and its environs to accomplish the planning, zoning, and land subdivision objectives set forth in state law and Albemarle County Code. He said that this was their role. He said that he struggled sometimes with affordable housing, because it was a missional goal that they all wanted and knew they needed. He said that it was important and there was no question about that.

Mr. Missel said that his view tended to be more about the land use-related pieces of it, and he hoped they could accommodate and add space for affordable housing where appropriate, but getting back to the idea of this location, he supported the mission, and then the site and location considerations and adequacy of services. He said that it quickly turned towards how they could be approving this, to use Ms. Firehock's term, this subdivision in the rural area. He said that he probably would not use language that would presume approval of this application meant that they would approve every other subdivision in the rural area; they were not setting precedent.

Ms. Firehock said that they were not, but they had a hard time arguing against doing it if their only reason was affordable housing.

Mr. Missel said that he thought that was right. He said that he did not want to take the time to restate a lot of what had already been said, but things like clearing the land, the watershed, and the traffic, he understood what the applicant said about watersheds, while also hearing the reality

of what was likely there. He said that regarding transportation, they talked about affordable housing so much in the context of how to make transportation work, and they were essential. He said that without repeating everything that had already been said, he would state that he would not be in support of this proposal. He said that from an administrative standpoint, they had three items in front of them, the rezoning, the special use permit, both of which required motions from the Commission, and the special exception, which did not require a motion.

Ms. Firehock motioned the Planning Commission recommend denial of ZMA202300017 Chestnut Grove Manufactured Home Park, for the reasons stated in the staff report. Mr. Murray seconded the motion, which passed (3-1). (Mr. Moore voted no; Mr. Bivins, Mr. Carrazana, and Mr. Clayborne were absent.)

Ms. Firehock motioned to the Planning Commission recommend denial of SP202300020 Chestnut Grove Manufactured Home Park, for the reasons stated in the staff report. Mr. Murray seconded the motion, which passed (3-1). (Mr. Moore voted no; Mr. Bivins, Mr. Carrazana, and Mr. Clayborne were absent).

Mr. Missel said that the Commission did not need to vote on the special exception.

Mr. Missel called for a four-minute recess.

Recess

The Commission recessed at 7:36 p.m. and reconvened at 7:40 p.m.

SP202400012 City Church Multi-Use Space Addition

Syd Shoaf, Senior Planner, said that he would be providing staff's presentation for Special Use Permit SP202400012 City Church Multi-Use Space Addition. He said that this special use permit would amend the previously approved SP202200012 to construct a multi-use building and a parking lot expansion. He said that the subject property, located on the northwest border of the City of Charlottesville and the Albemarle County jurisdictional line at 1010 Rio Road East, is 4.23 acres, zoned R-4 Residential, and designated as Urban Density Residential in the Comprehensive Plan.

Mr. Shoaf said that to the west lies the City of Charlottesville, with primarily residential uses; to the northeast and south are institutional uses, such as the Charlottesville Albemarle Technical Education Center (CATEC) and other churches; and to the west, single-family residential were the primary uses. He said that the site currently features an existing church building, two parking areas, and a Tier 2 personal wireless service facility. He said that there are 74 existing parking spaces between the two lots. He said that a shared use parking agreement between the City Church and CATEC allows them to use their parking lot for church services.

Mr. Shoaf said that the first proposal, SP202400012, seeks to amend the previously approved SP202200012 to allow a 13,100 square foot multi-use building and a parking lot expansion for up to 87 additional spaces on site. He said that the second proposal is a special exception, for which the Commission does not need to make a recommendation but can provide comments, which will be included in the transmittal summary to the Board. He said that he would be happy to discuss the special exception at the end of his presentation if the Commission is interested.

Mr. Shoaf said that provided was the proposed concept plan if the special use permit and the special exception were to be approved by the Board. He said that the applicant proposes constructing a 13,100 square foot multi-use building, circled in purple, and two parking lot areas, shown in red on the plan. He said that the previously approved special use permit, approved in May 2023, approved a 10,600 square foot multi-use space building and a parking lot expansion for 43 parking spaces. He said that the new building, in purple, and parking lot expansions, in red, are located in the same general area as the previously approved project.

Mr. Shoaf said that the applicant would provide further detail regarding their proposal during their presentation. He said that the special use permit application was reviewed under the factors for consideration as outlined in the zoning ordinance. He said that staff believed that the proposed special use permit would not be detrimental to adjacent parcels, would not change the character of the nearby area, would continue to be in harmony with the R-4 Residential Zoning District, and was consistent with the Comprehensive Plan.

Mr. Shoaf said that there were five conditions for this application, with most carried over from the previously approved SUP. He said that the first condition required the development to be in general accord with the provided concept plan, which included the location of the proposed building, location of parking, a 20-foot buffer along the western property line, and for the wooded areas to remain. He said that the second condition was in response to the larger parking area along the entrance corridor, going above the minimum requirements for landscaping.

Mr. Shoaf said that conditions three, four, and five carried over from the previously approved SP. He said that condition number five, which was bolded, specified that it must be implemented five years after approval by the Board of Supervisors. He said that in summary, there were two positive aspects for this application: it was consistent with the review criteria for special use permits in the zoning ordinance and was consistent with the Places 29 Master Plan. He said that one concern was the expansion of the parking lot to 161 spaces, which would result in a larger parking area along the entrance corridor. He said that staff recommended approval with the conditions as recommended in the staff report, and he was happy to answer any questions or provide further information on the special exception if needed.

Ms. Firehock said that the applicant was requesting to extend beyond the maximum number of parking spaces allowed. She asked if the County had a cap, or if it was a specific limit to this site.

Mr. Shoaf said that Ms. Firehock's question was a great segue to discuss the details of the special exception, SE202400018, a request to modify the limitation on the maximum number of parking spaces. He said that the code allowed for this modification of the limitation as provided by the minimum requirement for this use. He said that the subsection states, "the number of parking spaces in a parking area may not exceed the number of spaces required by this section by more than 20%." He said that the proposal breakdown was shown in the top left of the slide.

Mr. Shoaf said that there were 74 parking spaces existing on site, and the code required a minimum of 107 parking spaces on this site. He said that applying the 20% maximum would result in 128 maximum parking spaces for this site. He said that with the special exception, the applicant was requesting a total of 161 parking spaces, approximately 50% above the minimum requirement.

Mr. Missel asked if Mr. Shoaf could discuss any involvement the Architectural Review Board had in this process.

Mr. Shoaf said that they distributed special use permits to their partners, and one of their partners was the ARB staff. He said that the ARB staff reviewed this and provided the information he mentioned earlier regarding landscaping. He said that they required the minimum standards to be met, but also suggested that, given the site's size and its proximity to the entrance corridor, it would be beneficial to exceed those minimum requirements. He said that if this were to be approved, it would be subject to a site plan, which would then be reviewed by the ARB staff.

Mr. Missel said that he did not see any additional accessible spaces. He asked if he should ask the applicant about that.

Mr. Shoaf said that the applicant could provide more information. He said that those would be determined at the site plan stage, but he believed they were on the south side of the existing building. He said that if they got to the site plan stage, staff would ensure all American Disabilities Act (ADA)-required parking spaces were in compliance.

Mr. Missel opened the public hearing. He asked if the applicant had a presentation.

Chris Becker said that he was the Operations Pastor at City Church. He said that he was joined by Thomas Ruff from the Timmons Group to help answer questions. He said that they previously held a meeting at Charlottesville High School before the COVID-19 pandemic. He said that when COVID-19 arrived, they had to relocate back to their main site, the church. He said that they had initially moved to Charlottesville High School because they had outgrown the church. He said that as they began growing again and people started returning to church, they encountered an issue with having too many kids for their downstairs space.

Mr. Becker said that they had a good working relationship with the church across the street, so Harvest Church kindly offered them their gymnasium, which they use regularly each week. He said that they utilize that space for their first and fifth graders. He said that at the same time, they have limited adult space on Sundays, so they also use the Center at Belvedere, approximately 0.5 miles away, for adult space. He said that they have a parking agreement with CATEC, but when CATEC was sold to the City, they lost the indefinite agreement. He said that when that relationship ended, they felt compelled to pursue a second special use permit to ensure they had sufficient parking on their site to accommodate their needs.

Mr. Becker said that they currently use four sites on Sundays: CATEC, their site, Harvest Church, and the Center. He said that they would like to consolidate these uses onto their own property, eliminating the need for people to travel to various locations. He said that he was aware that staff discussed parking, and that they have worked to accommodate their service schedules. He said that in the spring, they had three morning services, which typically drew around 500 adults and 70 kids. He said that they transitioned to two Sunday morning services and one evening service in the fall, so they are attempting to optimize their parking space.

Mr. Becker said that it had separated the attendance into a better ratio for services, but they would like to utilize their building to its full capacity, which as one of the reasons they will need to continue providing parking in the future. He said that they recently mentioned carpooling to their congregation as something to consider, but they have a diverse group of people, including families with kids and college students, who use their facility on both Sunday mornings and throughout the week. He said that this proposal would enable them to establish a more permanent presence in the community.

Thomas Ruff said that he was with Timmons Group. He said that he had a few slides to share with the Commission. He said that the two slides provided a brief overview of the site and added some context regarding Mr. Becker's previous comments. He said that the 2023 rezoning application had been shown here, and he had also included a site plan to illustrate the differences. He said that the previous proposal was for a 10,600 square foot multi-purpose building with 40 additional parking spaces.

Mr. Ruff said that although it had been approved, it was never constructed, and there were no additional seats in the sanctuary building. He said that the main difference between the two proposals was the addition of a mezzanine level, which increased the building's square footage from 10,600 to 13,000. He said that the actual footprint of the building remained the same, but the number of parking spaces increased to 161.

Mr. Ruff said that the site was familiar to everyone, but he would show how the parking area had been expanded and slightly reconfigured. He said that they had worked with the church to shift some services, and their counts had shown that they were consistently in the 150s during peak hours when considering all of their services. He said that the proposed parking lot would fit the maximum capacity without needing to expand onto the adjacent property or other locations.

Mr. Ruff said that there was sufficient space along the Rio corridor to implement landscaping and buffering changes. He said that they had looked at it a bit closer and there were a lot of opportunities to work with the ARB to improve the buffering and landscaping. He said that behind the proposed addition included a stormwater management facility, which addressed concerns about runoff. He said that they were not treating off-site runoff, but they were treating the runoff from the impervious surfaces on their site with an appropriate stormwater management facility as they worked through the site design process.

Mr. Missel asked if the Commission had any questions for the applicant.

Mr. Murray said that he understood they were not in the site design process yet, but because there was concern about impervious surface and because they were going over the maximum for parking spaces, he wondered if they had considered alternatives for enhancing stormwater treatment on the site. He said that for example, they could use pervious pavement or having biofilters instead of a retention basin, as ways to increase treatment on the site.

Mr. Ruff said absolutely. He said that with the amount in the layout, there was more opportunity in the northern corner where there was space between the parking lot spaces to build in landscaping to break up the amount of impervious surface on that north side. He said that they were looking into some different materials and methods to ensure they treated everything onsite to the best of their ability. He said that however, it was not fully designed at this point.

Mr. Murray said that a retention basin was not really good for anything; it was wasted space on the site that could otherwise be an attractive biofilter feature that could add value to the site.

Ms. Firehock said that they were asking for something greater than what was allowed by the County, so in order to grant that, she hoped to see more progressive stormwater management techniques than simply a stormwater pond. She said that if they decided to use permeable parking spaces, they could still have a regular travel way. She said that she was certain they had older parishioners, and those types of treatments did not freeze in the winter because the water went

all the way through and did not sit on the surface. She said that therefore, people getting out of cars would not trip and fall like they would on traditional pavement.

Ms. Firehock said that another aspect was that with a biofilter, they could meet landscaping requirements while also treating stormwater. She said that they would appease the ARB with the plant palette and also create a stormwater facility. She said that they could even promote the fact they were conserving the Earth in accordance with God's mission. She said that she would definitely prefer to see better environmental stewardship for this proposal before they presented it to the Board of Supervisors.

Mr. Ruff said absolutely. He said that the parking lot, as designed, was meant to fit the 161, so they had already thought about how to shape that and make more room.

Ms. Firehock asked if the applicant had talked to the new landlords of CATEC in order to work with the City on an agreement.

Mr. Becker said that they had talked with them in the past, but not since the sale.

Ms. Firehock said that it would be more compelling for the applicant's argument if they had tried to talk with the City and they were rebuffed.

Mr. Becker said that he understood, and they definitely would do that. He said that however, he could see how it would be a challenge for them to say yes to that indefinitely.

Ms. Firehock said that she understood, but they were also hoping to construct that new building, so they had the demand. She said that she understood they had asked people to carpool more, but coming from different places and having different schedules made it difficult to coordinate in an effective way. She said that perhaps they could get a couple of church buses.

Mr. Missel aid that related to the parking, he was curious to know if they had considered the proposed building's location at any point, with the intention of creating an L-shape with the existing building and bifurcating the parking to avoid having two 60-foot parking lots together. He said that he just realized that the building was about 60 feet wide and roughly the same length as the second bay of parking. He said that if possible, breaking up the building in this way could have achieved a more desirable parking layout.

Mr. Ruff said that when they were grading, they were trying to keep it level, but there was already some existing mis-leveling between the existing building and the proposed building. He said that this had created a challenge on the site there, so if they were to shift the parking area to accommodate vehicles and address the ADA requirements, it would become a more complex issue. He said that however, it may be worth exploring this option further.

Mr. Missel said that it struck him that the facility was a flat, 60-foot-wide area that was roughly the same size as the existing 60-foot-wide parking area.

Ms. Firehock said that the contour lines were very close in one area versus the other.

Mr. Missel said that it was still relatively flat. He said that the second thing that came to mind was the old adage about building parking for Easter Sunday, where they loaded it up based on maximum need. He said that in the past, the applicant had done a great job of sharing parking.

He said that if the County agreed to this special exception, he would encourage them to explore ways to share parking when it was not needed with others around. He said that this could potentially reduce parking requirements for other businesses.

Mr. Becker said that when CATEC requested that they use their parking lot when needed, he was more than happy to accommodate them. He said that he believed it was reasonable for staff to use the lot when they needed it, or when CATEC had large events. He said that they served as CATEC's bomb shelter at this point, so they had a good working relationship, but the concern when it got sold triggered this issue.

Mr. Missel said that it might save the church money if they were able to work through that process. He said that his final question was whether they had thought about phasing the parking in, or if they planned to do all the work simultaneously.

Mr. Ruff said that from a cost perspective, doing everything at once was the best option for the church. He said that although had planned on creating a single construction plan, they also had talked about how to integrate the funding with the staff's and parishioners' efforts as the project progressed. He said that as the funding became available, they would need to work out the numbers to ensure they were not overbuilding. He said that Mr. Becker had been keeping track of this, and they shifted their services around to spread out the peak attendance of 300 people. He said that they had tried to minimize the impact and keep it as non-invasive as possible.

Mr. Missel said that they were seeking a special exception to go up to 161 spaces, from 20% more to 50% more. He said that this was outside of their current discussion, but he suggested that, in the future, if they encountered funding issues, they should not tie that to the approval of their site plan. He said that in that case, they would not be required to go to the 50% increase, and instead, they could just do the 20% increase and phase in the second part.

Mr. Missel asked if any members of the public wished to speak on this item. Seeing none, he closed the public hearing, and the matter rested with the Commission.

Ms. Firehock said that she thought it was a good problem that their church has become so successful. She said that it sounded like they had tried really hard to work on the scheduling. She said that she had already made all her comments about her hope that they fulfilled God's mission of protecting the environment.

Mr. Moore said that he lived just up the road, so he had seen the traffic management coming in and out of the site on Sundays, which was well done.

Mr. Moore motioned the Planning Commission recommend approval of SP202400012 City Church Multi-Use Space Addition, with the conditions stated in the staff report. Mr. Murray seconded the motion, which carried unanimously (4-0). (Mr. Bivins, Mr. Carrazana, and Mr. Clayborne were absent.)

Mr. Missel asked if the Commission had any recommendations or comments regarding the special exception, which they did not require a vote on.

Ms. Firehock said that the minutes should reflect the discussion about how the applicant should use low-impact development and green infrastructure techniques, such as pervious pavement, bioswales, and efforts to make the site more attractive, safer, resilient.

Committee Reports

Mr. Moore said that the Rio 29 Community Advisory Committee (CAC) met last week. He said that they received reports from staff about a few topics, one of which was MicroCAT. He said that of the 20 or so micro transit peers in the state, they were the fastest-growing micro transit service. He said that they had had 50,000 rides since the launch, about 10,000 rides per month. He said that it was really working. He said that the top locations were Albemarle High School, Fashion Square, Walmart, Mallside, and the DMV. He said that the service map had to expand to include Albemarle High because so many students wanted to use it for that.

Mr. Missel asked if the service had added vehicles yet.

Mr. Moore said that he believed it was still five, plus one for Pantops, but they swapped around. He said that he did not think they had expanded that number. He said that it was very successful, with some peak times. He said that now it was a matter of budgeting for it.

Mr. Murray asked if there was data shared regarding the citizen support for the service.

Mr. Moore said that he did not ask for their star-rating, but it was widely lauded, and people really enjoyed it. He said that the most common complaint was from City people who wanted to go into the City, so trying to coordinate with the City of Charlottesville was something to consider as well. He said that there was question as to whether the City would want to do something similar, because there was definitely demand.

Mr. Missel said that they had considered joint City-County Planning Commission meetings, and joint transportation was a topic that had been brought up in the past. He said that it would be an interesting sub-agenda item to talk about.

Mr. Moore said that the CAC also received a nice report from staff on affordable housing. He said that they covered some statistics, and one of the key takeaways, to quote a former New York City mayoral candidate, was “the rent is too damn high.” He said that other than that, he had not realized previously that there was a new affordable dwelling unit interest list that had been compiled. He said that they were starting a pilot with public workers who were income-qualified, where landlords and developers could market units directly to them. He said that it began a few months ago and would open up to all qualified people sometime next year.

Ms. Firehock asked if they would be opening it up to businesses to take advantage of. She said that she had spent a long time looking for affordable housing for her employees because her company grew from six people to 20. She said that it would be great if small businesses and nonprofits could be included.

Mr. Moore said that he did not know the answer, but he would assume Dr. Pethia may be able to help. He said that the last topic about housing was regarding the different housing voucher programs in the County. He said that about 500 people in the County took advantage of housing vouchers. He said that one thing to note in this political climate was that all vouchers were ultimately funded by the Department of Housing and Urban Development (HUD), so while there had been reserve in the past, HUD had taken it away due to the housing price spikes across the country. He said that they would see if any political decisions would make those housing vouchers tenuous.

Ms. Firehock said that the Historic Preservation Committee had met and discussed the comprehensive plan goals and objectives. She said that she may have previously reported on this. She said that staff had made the edits that the committee had requested, so now they were trying to refine them. She said that she believed these would be presented to the Commission in February.

Mr. Murray said that while it was not an official committee of the Planning Commission, the Natural Heritage Committee recently met. He said that they had reviewed the Water Protection Ordinance and the Rural Areas Plan. He said that he believed they had all received a letter from the Natural Heritage Committee that summarized their comments.

Review of Board of Supervisors Meeting: December 4, 2024

Michael Barnes, Director of Planning, said that at the December 4 meeting, the Board heard the Midway-Martin's Store Powerline Upgrade in the southeast portion of the County, which passed without much comment. He said that this was the Central Virginia Electric Co-Op upgrade to existing powerlines, transitioning from wooden H-poles to single metal monopoles. He said that the Board also had a special meeting on December 6, 2024, to discuss their legislative priorities with the delegation. He said that tomorrow night, they would be reviewing an item to pass an ordinance to support a Regional Transit Authority (RTA).

AC44 Update

There was no update.

New Business

Ms. Firehock asked if any of their upcoming meetings would be starting at 4:00 p.m.

Mr. Barnes said that the general preference was to begin at 6:00 p.m. He said that the January 14 meeting would have a public hearing on the solar ordinance and a private item. He said that the meeting on January 28 only had one private sector agenda item, and then they would discuss Parks and Recreation. He said that if he scheduled the public hearing first, they could hear the presentation on Parks and Recreation afterwards if it was more convenient for them to meet at 6:00 p.m. He said that he understood he had been asking for a lot of the Commissioners' time recently.

Ms. Firehock said that it was difficult for her to leave work early at 3:30 p.m.

Mr. Missel said that if it was not a particularly heavy night for public hearings, they could combine them and start at 6:00 p.m.

Mr. Barnes said that the other item was Berkmar Flats, which he believed the Commission had reviewed before. He said that however, he was not entirely certain about the details. He said that he appreciated the Commissioners' input, and his intent was to limit the number of times they would begin their work sessions at 4:00 p.m.

Mr. Moore said that unfortunately, he had a work trip during the time of the January 14 meeting. He said that while they could achieve a quorum without him, it may be an issue for committee sign-ups. He said that he might have to email his committee preferences ahead of time.

Mr. Missel said that would be great.

Old Business

There was none.

Items for follow-up

There were none.

Adjournment

At 8:15 p.m., the Commission adjourned to Tuesday, December 17, 2024, Albemarle County Planning Commission meeting, 4:00 p.m.

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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: