



**COUNTY OF ALBEMARLE
STAFF REPORT**

Project Name: AFD202400013 Buck's Elbow Mountain District Review	Staff: James Van Vranken, Planner
Agricultural and Forestal District Advisory Committee Meeting: January 23, 2025	
Planning Commission Public Hearing: February 11, 2025	Board of Supervisors Public Hearing: April 2, 2025
Proposal: Periodic review of the Buck's Elbow Mountain AF District.	Comprehensive Plan Designation: Rural Areas

Periodic Review of Agricultural and Forestal Districts

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

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

When a district is reviewed, land within the district may be withdrawn at the owner's discretion by filing a written notice with the Board at any time before the Board acts to continue, modify, or terminate the district.

New Policy for District Reviews

In October 2016, the Board updated Section 3-201 of the County Code to clarify that AFD parcels without development rights should no longer be accepted into the districts.

District review standards require the County to use the criteria in 3-201 when conducting a review. This includes subsection (F)(7), which states that it is County policy not to include parcels without development rights in the districts. Based on this policy, all parcels without development rights will be recommended not to continue in the districts during review.

In November 2018, to avoid subjecting owners of such parcels to rollback taxes without warning, the Board directed staff to implement a plan to:

- Renew districts for a five-year period, rather than for 10 years (one time).
- Notify landowners of parcels in reviewed districts that are enrolled in open-space use valuation but that have no development rights that:
 - Their parcels may be removed at the end of the five-year review period; and that
 - They have the option to withdraw from the open-space use valuation now to avoid rollback taxation and fees when the parcels are removed.

Some districts are now reaching the end of their five-year review period. Staff will therefore make five-year or ten-year renewal recommendations based on whether there are parcels in the district that are enrolled in open-space use valuation, have no development rights, and whose owners have not previously been notified that they will not remain in the district. If there are, staff will recommend a five-year review period and issue warnings; if there are not, staff will recommend the standard ten-year review period.

AFD 202400013 BUCK’S ELBOW MOUNTAIN DISTRICT REVIEW

The Albemarle County Code currently contains this description of the Buck’s Elbow Mountain District:

Sec. 3-210 Buck’s Elbow Mountain Agricultural and Forestal District.

The district known as the "Buck's Elbow Mountain Agricultural and Forestal District" was created and continues as follows:

A. Date created. The district was created on December 2, 2009.

B. Lands within the district. The district is composed of the following described lands, identified by parcel identification number:

1. Tax map 25: parcel 1.

2. Tax map 38: parcels 4, 7, 8, 10, 20.

3. Tax map 39: parcels 1, 1D, 1F, 1F1, 1G, 2B, 8, 10A, 21Q, 21R, 21Z.

C. Review. The district is reviewed once every five years and will next be reviewed prior to December 18, 2024.

The District is located northwest of Crozet, off Jarman's Gap Road (see Attachment A), and includes 17 parcels totaling 3,210 acres. No withdrawal requests have so far been received.

Agricultural and Forestal District Significance: Of the 3,210 acres in the Buck’s Elbow Mountain District, 3,189 acres have soils listed as particularly important for forestry in the Comprehensive Plan.

Land Use other than Agriculture and Forestry: In addition to agricultural and forestal uses, the Buck’s Elbow Mountain District includes approximately 17 addressable structures. (The majority of these structures are dwellings, but any barns or other large structures with addresses may be included.)

Local Development Patterns: The District consists predominantly of forested uplands. There are no parcels in the District that are under conservation easement. A total of 3,102 acres in the District are in the County’s use-value taxation program, indicating that they are in agricultural, forestal, horticultural, or open-space use.

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

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

Withdrawal: Landowners may withdraw their parcels from districts by right during a renewal at any time before the Board of Supervisors takes final action to continue, modify, or terminate the district. Landowners were notified of the renewal by mail on January 7, 2025.

We have so far received no withdrawal requests.

Development Potential: The District includes nine parcels, totaling 169 acres, that have no remaining small-lot development rights.

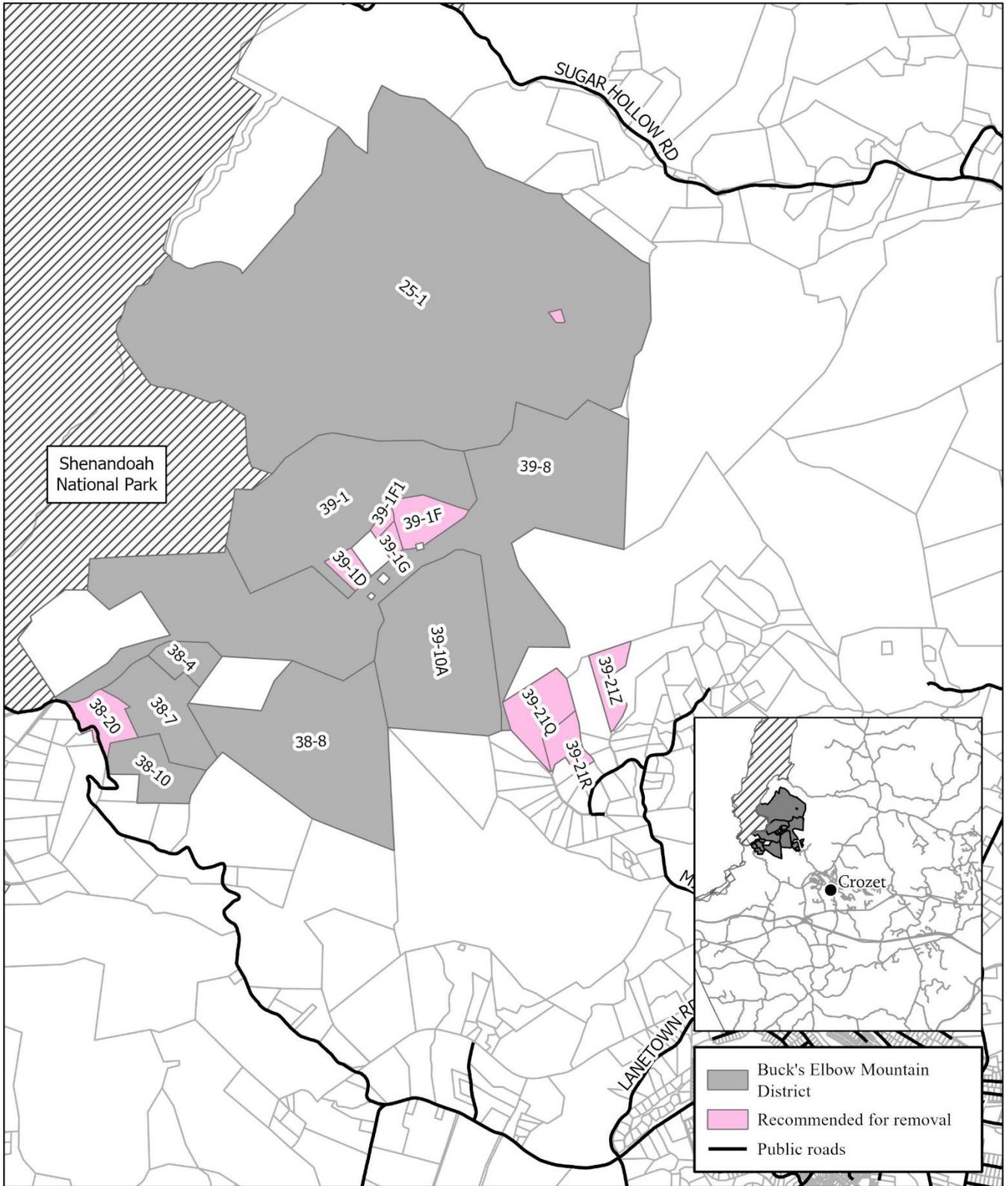
Parcel	Landowner	Acreage	Tax Status
03800000002000	CONNELLY, JULIA E, TRS	28.17	Forestry
039000000001D0	ANDREWS, WILLIAM L S & MARJORIE H ANDREWS TRS	11.52	Regular taxable
039000000001F0	SKYLINE CREST LLC	31.69	Agriculture & Forestry
039000000001F1	O'NEILL, MARIA NYSTROM	5.00	Regular taxable
039000000001G0	DANIEL ROSSER O'NEILL & DEBRA LYNN NYSTROM	6.25	Regular taxable
039000000002B0	MMF HOLDINGS LLC	2.00	Regular taxable
039000000021Q0	BEUTLER, WILLIAM W & ASHIRA B BEUTLER-GREENE	42.03	Regular taxable
039000000021R0	DUGAN, JAMES E OR JOANNE B	21.00	Regular taxable
039000000021Z0	DAY, BRIAN A OR JOAN T	21.00	Regular taxable

None of the parcels listed in the table are in Open Space taxation, so all nine are recommended not to continue in the District.

Remaining Parcels: After the recommended removals, the District would contain eight parcels totaling 3,041 acres.

Recommendation: Staff recommended that the Agricultural-Forestral Districts Advisory Committee recommend renewal of the Buck's Elbow Mountain District, with the above-noted removals, for a 10-year period.

At its meeting on January 23, the Advisory Committee voted to recommend renewal of the District for 5 years, with any requested withdrawals but without the staff-recommended removals, for the purpose of allowing the Committee time to bring an alternative proposal that is consistent with the purposes of AFDs and balances the County's broader needs.



AFD202400013 Buck's Elbow Mountain District Review

