

**AGENDA DATE:** 04/15/2020

**TITLE:** Resolution of Intent for Rural Areas Landscape Contractor Services

**SUBJECT/PROPOSAL/REQUEST:** Proposed resolution of intent to amend Albemarle County Code Chapter 18, Zoning Ordinance, to allow landscape contractor services in the Rural Areas zoning district.

**ITEM TYPE:** Consent Action Item

**STAFF CONTACT(S):** Richardson, Walker, Kamptner, Herrick, McCulley, MacCall, McCollum

**PRESENTER (S):** n/a

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Jeffrey B. Richardson

**BACKGROUND:** The Board of Supervisors endorsed the Community Development 2020 Work Program on March 4, 2020. This included the “nimble” project to development a zoning text amendment to allow landscape contractors as a use by special use permit in the Rural Areas zoning district. The “nimble” projects are so named because their focused scope and streamlined process allow us to move more quickly with limited staff resources. Staff noted that the identified nimble projects could be completed without detracting from more substantive work program projects.

Objective 1 of the Rural Area section of the Comprehensive Plan is to “Support a strong agricultural and forestal economy.” Strategy 1j to achieve Objective 1 is “to consider amending the Zoning Ordinance to allow landscape services and storage of landscape materials in the Rural Areas zoning district.” (Attachment B) For the purposes of moving forward with a “nimble” project, the Board provided guidance to prioritize the provision of landscape services as a use in the Rural Areas district. Implementation of provisions for commercial nurseries or the storage of landscape materials are more involved and will occur through a separate ordinance amendment to be prioritized at a later date.

**STRATEGIC PLAN:** Rural Area Character: Preserve the character of rural life with thriving farms and forests, traditional crossroad communities, and protected scenic areas, historic sites, and biodiversity.

**DISCUSSION:** The Rural Area section of the Comprehensive Plan notes that “Policy and Zoning Ordinance changes are recommended to promote the County’s preferred uses for the Rural Area” with the common goal of helping to keep the Rural Area rural (page 7.4). It goes further to recommend criteria for the review of new uses and the provision of performance standards. The Board endorsed staff recommendation that we initially implement landscape contractors as a use by special use permit. This approach is similar to what was done for the ordinance amendment to allow solar energy systems (utility scale) by special use permit. It allows us to utilize the experience of several applications prior to writing performance standards and determining if it can be allowed as a use by-right.

Staff addresses public engagement as we bring forward resolutions of intent to amend ordinances. As proposed, any Rural Area landscape contractor will be subject to a special use permit and the associated public hearings and legislative review criteria. We recommend that we utilize the County website and Rural Areas A-mail to provide information about the proposed amendment. In addition, we can contact relevant local professional organizations representing arborists and landscape contractor businesses, such as the Virginia Society of Landscape Designers.

**BUDGET IMPACT:** There is no identified budget impact. This ordinance amendment will establish an application that will be subject to a fee.

**RECOMMENDATION:** Staff recommends that the Board adopt the attached Resolution of Intent (Attachment A).

**ATTACHMENTS:**

Attachment A - Resolution of Intent

Attachment B – Albemarle County Comprehensive Plan