Albemarle County Planning Commission
November 20, 2018

The Albemarle County Planning Commission held a public hearing on Tuesday, November 20, 2018, at 6:00 p.m., at the County Office Building, Lane Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

Members attending were Tim Keller, Chair, Pam Riley, Vice Chair, Daphne Spain, Bruce Dotson, Jennie More, Karen Firehock and Julian Bivins. Absent was Luis Carrazana, UVA representative.

Other officials present were Andrew Gast-Bray, Assistant Director of Community Development/Director of Planning; David Hannah, Natural Resource Manager; Sharon Taylor, Clerk to the Planning Commission; and Andy Herrick, Deputy County Attorney.

Call to Order and Establish Quorum

Mr. Keller called the meeting to order at 6:00 p.m. and established a quorum.

The meeting moved to the next agenda item.

From the Public: Matters Not Listed for Public Hearing on the Agenda

Mr. Keller invited comment from the public on other matters not listed on the agenda. Hearing none, the meeting moved to the next item.

Consent Agenda

Approval of Minutes: September 25, 2018
Mr. Keller asked if any members wished to pull an item.

Ms. Firehock said she was not present at that meeting and would abstain from the vote.

Mr. Bivins moved, Ms. Spain seconded to approve the consent agenda, which was approved by a vote of 6:0 (Ms. Firehock abstained).

Work Session

CPA-2018-00007 Natural Resource Chapter updates (Biodiversity)

Mr. Keller asked for the staff report.

Mr. David Hannah, Natural Resources Manager for Albemarle County, presented and stated that this was a potential amendment to the Comprehensive Plan for components of biodiversity. He summarized his report agenda: brief review of actions taken to date, process moving forward, discussion of structured format to amend the Comprehensive Plan, and discussion and Commission input on proposed amendments. He noted that Ms. Firehock had posed some questions about proposed new strategies, which he said he would address, as needed. He reminded the Commission that Objective 4 of

the current Comprehensive Plan stated that they should protect the biological diversity and ecological integrity of the rural and development areas of the County as well as an action plan for biodiversity to protect significant areas of biological importance. He noted that once completed, the plan would be presented to the Board of Supervisors for adoption to the Comprehensive Plan.

Mr. Hannah recognized that staff had worked with the Natural Heritage Committee and completed the Biodiversity Action Plan in June, with a presentation of the plan to the Planning Commission on June 19, followed by Board of Supervisors endorsement at its July 5 meeting. He reminded the Commission that on September 4, it had adopted a resolution of intent to amend the Comprehensive Plan and a proposed timeline. He presented a slide with the proposed timeline, noting that it was in Attachment B:

Proposed Timeline for Comprehensive Plan Amendment Process to Incorporate Key Aspects of the Biodiversity Action Plan

DATES	ACTION
August - September 2018	Planning Commission adopts a Resolution of Intent to amend the Comprehensive Plan
September - October 2018	Staff preparation of specific language for consideration
October 2018	Process to engage public, receive input
November 2018 - January 2019	Work sessions with Planning Commission
March 2019	Public Hearing with Planning Commission
April - May 2019	Work sessions with Board of Supervisors
June 2019	Public Hearing with Board of Supervisors

Mr. Hannah reported that the public engagement process would begin in October and they had been on schedule, and a public meeting was scheduled for November 29 at 5:30 p.m. in the County Office Building. He informed commissioners of an online survey to enable citizens to express their opinions about the 13 individual strategies and said there had already been 25 respondents.

Mr., Hannah mentioned that he had participated in an interview on radio station WINA yesterday and that the station also had links to the plan on its website, which he hoped would draw some traffic and attention. He said he would like to conduct work sessions with the Planning Commission and Board of Supervisors in early 2019 to finalize intent, wording and structure, followed by public hearings. He said he expected to provide an update on the public engagement process to the Commission in January and hoped to have the work completed before June 2019.

Mr. Hannah next reviewed the format to amend the Comprehensive Plan. He recommended that the materials of the Biodiversity Action Plan, including the report, executive summary, appendices and maps, be included in the reference documents section of the Comprehensive Plan and therefore not be

a part of the Comprehensive Plan. He recommended that revisions and text be made to the body of the Natural Resources Chapter, Objective 4. He asked commissioners for their thoughts.

Mr. Keller commented that it seemed to him they would want to institutionalize the new format for the annual report that had measures, as this was a sub-part of an annual update and an example of how the Comprehensive Plan was working. He suggested that they add a third bullet that applied to this.

Ms. Spain remarked that she thought this was Strategy 4M, Develop Indicators and Monitor Data, but said it was worth calling out separately.

Ms. More asked for clarification of Strategy 4E, Revise the Criteria for ACE and ACEA. She asked if this works in conjunction with these groups for the criteria and the way they assess properties.

Mr. Hannah replied that this was very much the case, and the committees would have to approve anything they proposed.

Ms. More recognized that they were doing deed revisions for ACEA and asked if this would be more of how properties would score and receive considerations and benefits added to the screening process.

Mr. Hannah confirmed this, pointing out that one single criterion tried to address biodiversity but was inadequate.

Ms. Firehock pointed out that the Biodiversity Action Plan was more extensively mapped, whereas before there were just sites that the committee had visited – but with the use of modeling, they had now modeled many more significant areas of the County. She said that there was now more of a countywide approach to the analysis, whereas this tool or data was not available before.

Mr. Hannah noted that the current criteria did not include natural heritage sites – only DCR natural heritage sites. He said it was very limited and that properties rarely got points for biodiversity values.

Mr. Herrick interjected that the purpose was twofold: to expand opportunities for properties to receive biodiversity points, and to provide more specificity. He said the current language in the County Code to give points for biodiversity was fairly limited and the thought was to make a new proposal that would expand that, which would require an ordinance amendment to be approved by the Board of Supervisors.

Mr. Hannah surveyed the Commission for consensus on the format for revising the Comprehensive Plan and reference documents. He recognized their agreement.

Mr. Hannah invited comments, questions and feedback.

Mr. Dotson suggested that they include ACEA on the schedule slide as one of the groups to be engaged during the process.

Mr. Hannah noted that they had already had a meeting with the ACE Committee to set that motion in place and can reach out to ACEA as well.

Mr. Keller suggested that they also add agricultural and forestal districts.

Ms. Firehock addressed Strategy 4L: Retain a Staff Member with Conservation Biology Specialties. She asked if this person was Rep.

Mr. Hannah replied that it was himself. He said Rep was with the Department of Facilities and Environmental Services, inspected stormwater facilities, had a keen interest in non-native plants, and had branched out beyond his job duties.

Ms. Firehock asked Mr. Hannah if he was involved in site review.

Mr. Hannah replied that he was involved on a very limited basis. He said they had a flag layer so that if a project came through that required legislative action, the County's important sites, riparian buffers, steep slopes adjacent to streams in the rural areas, possible wetlands, and a few other things. He said they conducted a weekly GIS comparison so that any ZMAs or special uses that overlapped one of those special sites in the flag layer would be noted, and he would work with those conducting the project review – as well as applicants, if needed, to make them aware of available resources and conflicts.

Ms. Firehock noted that these were not specifically biodiversity or habitat issues.

Mr. Hannah replied that they often were because the important sites the County's Natural Heritage Committee had identified overlapped with DCR natural heritage sites and were part of the flag layer. He continued that if they knew of sites that were important for habitat or biodiversity, they were in that flag layer.

Ms. Spain stated that it would seem to her that there was a much more expanded map of habitat cores that were in addition to the sites the committee had visited, and the flag layer would be expanded to include all of that.

Mr. Gast-Bray replied that he was not sure of the timing of that because it had to be endorsed as part of that and was part of the process.

Ms. Spain remarked that this was not necessarily a legislative act but a question of when Mr. Hannah was asked to weigh in.

Mr. Gast-Bray confirmed this.

Mr. Hannah remarked that they hadn't discussed this, but they certainly had to.

Ms. Spain remarked that when she worked with the committee as a liaison, it was her understanding that this was what they were heading towards. She said that the reason why they were working on modeling the County was because they didn't have 50 biologists to fan out and cover every inch, so they modeled those landscapes most likely to support high biodiversity. She stated that this work had been done and was in the report. She emphasized that this should be part of the flag layer, not simply whether there was a wetland or stream, and said she was not sure what it took administratively to make sure this was happening.

Mr. Gast-Bray responded that it would be basically to get that endorsed in this process.

Ms. Spain replied that she endorsed it. She said they were all concerned with how these ideas and goals were going to be implemented, which was the most important part of the process.

Mr. Hannah remarked that the flag review process was put in place before he was hired. He said that some of the important sites that the County Natural Heritage Committee had identified were not part of that flag layer, as they were deemed to not be important enough to be flagged. He noted that the Southern Albemarle Mountains site was a large site of 21,000+ acres, and a judgment was made to not include this as part of the flag layer because it would be meaningless in terms of project review.

Ms. Firehock commented that it was a large area and they were trying to preserve that corridor and had a development plan that needed to be reviewed by the Planning Commission, and it blocked wildlife passage, but with some manipulation it could be laid out such that the corridor was maintained – and those were the opportunities they want to start realizing; otherwise, they would continue to map fragmentation. She added that the education of landowners was part of what the plan did.

Mr. Gast-Bray replied that it was the education process and public outreach by which it was embraced and endorsed. He invited the County Attorney's Office to weigh in.

Ms. Firehock added that it's really just saying, "Let's pay attention to this." She recalled that when she first sat down with Elaine Echols, they talked about the idea of connectivity and she pulled out several master plans and remarked that she was sure they connected. Ms. Firehock said that plan after plan had green space trapped in the middle or the corner, and something quite significant was lopped off because the site plan didn't realize it was actually a key corridor running through the site. She stated that the effort to get this mapped was to get them to the point where they didn't make these mistakes because of not seeing the bigger picture.

Mr. Gast-Bray agreed. He emphasized that she could always ask if something came forward and was flagged, even if they hadn't officially adopted a particular map to say they shouldn't develop there.

Ms. Firehock remarked that she had taught master naturalists and had heard a classic comment such as, "You're saying I shouldn't drive my road deep into the middle of my parcel and clear a big area in the middle; if I brought my development a bit forward, I can conserve this intact corridor." She said her response had been to confirm this and said this was an example of landowners changing the development plan with education rather than regulation. She commented that this was the kind of thing they were seeking.

Mr. Gast-Bray agreed.

Ms. Riley asked for more explanation on Strategy 4C and how they would prioritize the identification of the present biodiversity and what practices they would change.

Mr. Hannah replied that he didn't want to get really prescriptive in the Comprehensive Plan but wanted to use some examples that dealt with treating the landscape differently, such as having a more natural landscape that was not mowed or highly maintained. He said this would save money, hopefully support biodiversity, and that any County lands would be open to this – including schools, parks, and

miscellaneous parcels. He said the parks could be a great opportunity if they could come up with park management plans that did simple things like finding areas where mowing should not be done. He described prescribed burning as a great management tool that was very labor and resource intensive, but once instituted could help biodiversity and present an opportunity to educate the public. He provided the example of native plants and the combating of non-native plants, which he described as a huge problem across the landscape and with biodiversity. He said there were other examples, but he did not want to get into too much detail in the Comprehensive Plan.

Ms. Riley remarked that it made sense to include biodiversity as a criterion and asked if they should encourage biodiversity for the land use valuation program. She emphasized that some activity or productivity must be demonstrated to obtain a tax break and asked about promoting pine plantations or mowing of areas where it didn't need to be. She asked if this was like ACE, where the criteria might change.

Mr. Hannah responded that they looked at it in general and there were many different opinions on the land use program. He remarked that agriculture was an income-based measure to determine if land qualified for agricultural use, and forest land use required that timber be harvested at some point in time, which constrained management for biodiversity. He said there may be some fertility under the open space category and they required 20 acres to qualify, with very general criteria and some potential to lower the acreage threshold. He said that developing specific and measurable criteria that people could qualify for would contribute to open space and protect natural resources but not require a lot of staff time to enforce or monitor. He said it could tie into existing programs and encourage people to develop pollinator habitat, forest for water quality or biodiversity, and savannas or grasslands. He cautioned that if they went down this path, they needed tight conditions and measurable parameters.

Mr. Herrick added that this program was set by state law and administered by the local tax assessor, and it was primarily a tax program and not a conservation program. He said that localities didn't have much latitude to deviate from state standards and it probably was not something that could be done in terms of making it a criterion for qualification. He emphasized that for those already in the open space category, this may be an opportunity to encourage the development of biodiversity.

Mr. Hannah added that land use programs in agricultural-forestal districts had a 10-year time limit, and those that qualified for open space land use often did so under an open space land use agreement that ran 4-10 years. He remarked that other County programs were not really viewed as conservation programs; they restricted development but did not actively promote natural resource protection.

Mr. Keller remarked that without countering state regulations, the County had the ability through an education process to look at those areas. He said that given the Supervisors' concern about the open space category, which was one the County elected to do under state authority, the educational component for encouraging biodiversity on those parcels was one of interest, and they could look at the acceptance criteria for that.

Mr. Herrick clarified that state law specified how one qualified for open space use and that biodiversity was not one of the criteria. He said it could either be a permanent conservation easement, through an open space use agreement that lasted from 4 to 10 years, or by enrollment in an agricultural-forestal district.

Mr. Keller asked for confirmation that there was nothing that said what the County had just elected to do, and that small parcels of 21 acres and smaller that didn't have a development right was a criterion the County had elected to make.

Mr. Herrick replied that one way of doing that would be to add an additional qualification before the Board of Supervisors elected to accept agreements. He said the Board had a very open, liberal policy in terms of the parcels over which it would accept agreements administratively. He said this policy could be made stricter wherein the Board didn't just accept any property for an open space use agreement that met acreage requirements, but it would also have to meet certain other requirements.

Mr. Keller commented that this was his intended direction – not to try to supersede the state enabling legislation.

Mr. Herrick pointed out that there was nothing that said the Board had to accept every applicant for an open space agreement but just that the County had impact.

Mr. Keller added that the same was true for agricultural and forestal, where the decision had been made on the open space with no development rights not to allow those to be placed into the agricultural and forestal district. He noted that he and Ms. Firehock had challenged that philosophy, as they didn't like the patchwork but the idea of "as much as possible," so that would be a criterion that could conceivably allow for smaller parcels to have open space and be brought into ag/forestal in the smaller category.

Ms. Firehock said the state criteria had natural habitat and biological diversity as a criterion for the tax credit.

Mr. Keller reiterated that this was back to the public education component and how they would take advantage of that in the process, as well as which entities would review it on a regular basis when new people were purchasing the properties under these categories or asking to include things.

Mr. Dotson asked if they were still going with categories, and if more remained in the presentation or they were jumping into the heart of it now.

Mr. Keller replied that they were in the heart of it.

Mr. Bivins addressed Objective 4 and expressed understanding that they start off with a broad statement that covered the entire objective, but he said he never came away with a reason why they should do that until the rationale gave him pause. He said the reason was that they consumed products of natural systems like wood, though he didn't feel this was why they should be doing this. He noted that he was looking at the edited line version of Attachment C.

Mr. Bivins stated that consumption of wood products from a forest was not a good enough excuse or rationale for this but was a reason why they should protect a commercial interest, which didn't seem like what they were doing here. He read an excerpt as follows: "Greatly attribute to the quality of life of the City and County residents." He asked that they strike the word "City" because they were talking about a County policy. He said he was trying to understand why they did this and asked that they consider a different example that didn't sound like an assumption of products and that had something a little bit different than a commercial value, which the consumption of wood products sounded like.

Mr. Bivins said it had dawned on him that this was really about education, and he would like it to be more inviting to those who lived in the developed area, as he felt like what he was reading was pitched to rural area residents, while those who resided on the fringe or the urban ring were not being invited to the conversation about the importance of biodiversity. He referred to the part of Strategy 4C, second paragraph, where Ms. Riley was speaking, and suggested that they replace the word "can" with the word "should," in terms of the role the County parks played in conserving biodiversity. He said that the use of the word "can" makes it sound as if they were requesting permission – and if they really wanted to bring people in, they should use the word "should," as it was aspirational and not a permission seeking piece.

Addressing Strategy 4M, Mr. Bivins suggested that they be inclusive and invite people who were not purely in the rural area into the conversation. He suggested that they pivot away from rural area to all of Albemarle in its blendedness. He concluded, stating that this not be pitched completely to the rural area and asked that they have something that spoke to why biodiversity was important at large and not just for consumption pieces.

Ms. Spain remarked that she saw it as an educational tool and something for the development community. She said that when developers did their due diligence and read the Comprehensive Plan to understand what they were trying to do, this was going to be part of that in a way that it wasn´t before. She said it was educational for developers in the growth areas and for those who would build by right, outside the growth area.

Ms. Firehock proposed a strategy that addressed the urban forest within the development area, as the plan gave the impression that nature was in the rural area and they would develop the development area without a livable ecology for people and wildlife. She referred to Strategy 4N: Map and Promote Conservation and Planting of a Diverse, Urban Forest Within the County's Development Area to Create Healthful Landscapes. She said she had provided her with academic citations for every claim made, adding that she was trying to get to the notion of protecting clusters of trees whenever they could. She noted that tree canopy significantly improved air quality, as evidenced by reduced hospital visits for respiratory distress, and it was well-documented in the literature and needed to be explained as such.

Mr. Gast-Bray agreed and mentioned the heat island effect and stormwater management.

Ms. Firehock added shade and energy savings as additional benefits. She said she didn't want the urban ring to become like Crystal City.

Mr. Hannah commented that he really liked the concept and said they were not trying to ignore or downplay the importance of development areas. He said that in presentations and in the Biodiversity Action Plan, they greatly emphasized that every square inch of the County was important, identifying the three focus areas, five key ecosystems, and DCR sites. He pointed out that the rural area represented 95% of the County, which was why a lot of the attention and resources for biodiversity were in the rural areas.

Ms. Firehock remarked that the County needed to improve its requirements for how trees were bonded and how long they were managed and protected. She pointed out that the tops of the trees at Stonefield died, the tops were cut off so that one couldn't tell, and they were in severe stress and would

not survive long. She pointed out that the trees were monoculture and that the planting of the same trees all over was not good for biodiversity, pollinators, or survivability. She said that people would want to continue following their strategy as long as it remained a pleasant place to live with greenery, views, and places one can walk and feel shaded and safe. She stated that if it became hotter, starker, and less walkable and safe, then the trend of urban ring development would reverse, and they would lose the gains they had made.

Mr. Gast-Bray noted that they had talked a lot about that in the Rio/29 process and wanted to address not only tree canopy but the key connection corridor. He said they backed off and became vaguer until they had a really good strategy that balanced things out to get the best performance. He said this was separate from the Biodiversity Action Plan, which also had its priorities. He encouraged commissioners to suggest strategies for urban development.

Ms. Firehock replied that she had a host of recommendations. She said they were creating a circular city around Charlottesville and needed to adopt things that a rural county would not necessarily have in place. She noted that she asked why Piedmont prairies were called out, as they were only found in disturbed landscape and were an artifact of human intervention.

Mr. Hannah remarked that the existing prairie systems in Virginia were semi-natural military bases, and frequent fire maintained the grassland system – though this did not mean that they were not here historically. He said there were smaller examples of these across the landscape, with some powerline right of ways being an example of diverse grasses and plant communities. He continued that those in place in central Virginia were semi-natural, as the natural disturbances such as fire and herbivores, and that existed thousands of years ago such as bison and mastodons, helped keep woodlands, savannas, and grasslands in place. He said he had spoken informally with some members of the DCR Natural Heritage Committee and learned that they support the maintaining of prairies and grasslands on smaller scales, with the use of fire to help maintain them. He noted that it was a place where pollinator habitat could be created and maintained. He said that much of the closed canopy forest would be open forest if they had fire on the landscape.

Ms. Firehock suggested that he add a footnote and explanation in the document about this. She remarked that they were having the same debate about Big Meadows on the Blue Ridge, and the Institute for Environmental Negotiation was hired to mediate a dispute as to whether to let it go natural, which would revert to forest, or burn it to keep it open as Native Americans had done for a hunting ground. She added that a giant fire had burned half of it.

Ms. Firehock asked if there was a difference between locally native and native species and if locally native distinguished species native to the County versus Virginia as a whole.

Mr. Hannah confirmed her interpretation of native species.

Ms. Firehock suggested that they clarify species that were native to the Piedmont.

Mr. Hannah noted that some plants were native at the County level, and they didn't have the data for all plants but should strive for this distinction. He agreed to provide an explanation in the document.

Ms. Firehock asked Mr. Hannah if he had actually seen the question mark butterfly in the County, noting that it was not showing up on DCR's website.

Mr. Hannah replied that he had not but others had.

Mr. Dotson remarked that people had addressed pitching to different geographic areas and audiences in the County. He said it seemed to him that people understood pollination of crops – so he would make it a poster child in a side bar, and the County should undertake education on that so people would realize that the logic applied more broadly. He remarked that growth area neighborhood residents were increasingly concerned about deer and bears, and if the Commission said it wanted corridors linking rural to urban, residents would link these. He said this should be addressed by Mr. Hannah rather than mounted as a criticism by them.

Mr. Dotson stated that he didn't recall that silviculture was addressed and noted that this was an activity that took place in the rural area, allowed as normal agriculture under easements, and it would be wise to head off any potential criticism. He referred to Strategy 4AE, Attachment C, which encouraged the use of locally native plants. He suggested they add the wording: "…when these (locally native plants) can satisfy project goals equally or better than other varieties." He said he did not think they were at a point where they were able to say 80% for County projects, as this sounded heavy handed. He added that the percentage depended on what the project goals were and he'd like to see the wording as: "…when these can satisfy project goals equally or better than other varieties."

Mr. Hannah remarked that six strategies were retained, and this was one of them that was not changed at all from the existing Comprehensive Plan. He noted that the Biodiversity Action Plan was very large, he was trying to keep the Comprehensive Plan changes and revisions as streamlined as possible, and the Biodiversity Action Plan could be the reference for some of the information. He agreed that they could and should beef up as they needed to, but he would like to try to keep things as streamlined as possible.

Mr. Gast-Bray emphasized that they were not rewriting the entire chapter and asked where they would stop this infusion of a connection to the Biodiversity Action Plan versus when contemplating revision of the entire part of the chapter. He said that it would be helpful if he had suggestions as to how to balance that as they move forward.

Mr. Dotson corrected himself and said he was referring to 4GE, not 4AE. He remarked that they were adding significant language to the strategy and inserting "locally native," and he suggested that they add the language he had mentioned earlier.

Ms. Firehock remarked that it had a very passive voice. She recounted how she had recently visited some area nurseries and asked to see native plants, but the representatives were not able to answer this question. She compared this to nurseries on the eastern shore where native plants had tags designating them as such, with an eastern shore native campaign and one for the entire state. She noted that they were behind in the Piedmont, it was hard to do what he was suggesting, and they had used the verbiage of "striving to plant" rather than "planting."

Mr. Dotson agreed and posed an example of someone who wanted to establish a rose garden, and they wouldn't be found in the book of Piedmont native plants. He said they were not saying that rose gardens were out but were asking them to look at their project goals, and there could perhaps be some

things that could work equally well or even better. He said that to omit this sounded more like a litmus test than they intended.

Ms. Firehock noted that a lot of the language talked about County projects rather than everyone's projects.

Mr. Hannah agreed that this strategy said County-owned land and projects.

Mr. Dotson agreed and said it also talked about site development, which would be private property.

Ms. Firehock remarked that if one were planting street trees, a tree non-native to the County might be chosen for reasons of survivability, as a native tree might not be adapted to survive in a tiny space.

Mr. Keller asked if any members of the public wished to speak.

Mr. Sean Tubbs of the Piedmont Environmental Council addressed the Commission. He said his organization generally supported the attention given to this important topic. Addressing Mr. Bivins' question about the "why," he noted that the Board of Supervisors had created a strategic priority on addressing climate change, with part of this to involve finding ways to support a changing habitat for existing species and those that might migrate north. He acknowledged that the devil was going to be in the details, including how to prevent fragmentation and specific tools to use.

Mr. Tubbs stated that the PEC supports continued investment in the ACE program, including efforts to prioritize easement selection based on habitat protection and other biodiversity issues. He noted that Strategy 4B referred to the transfer of development rights. He urged caution of the use of the word "should" in the Comprehensive Plan, as much of this work had already been done, though he said it would be great to have some of the data in the plan updated and offered to provide this data.

Mr. Tubbs recognized that commissioners had stressed the importance of education and said he supported the use of County parkland as a model for some techniques. He said that the education component of proposed Strategy 4J to increase the community's awareness as to why this was important led him to think about his kids and what they would leave to them. He emphasized that there were future educational opportunities and that the School Board was working to come up with internships for the plan. He said there would be many management proposals and much opportunity there, as the school system sought to increase skill-building internships.

Mr. Keller asked for clarification that in the final one there was no reference to transfer of development rights.

Mr. Hannah replied that in Section 4B, there was wording that the County should investigate it. He added that there were strategies in other chapters of the Comprehensive Plan that dealt with the transfer of development rights and that this was consistent with Strategies 1A and 2G in the rural area chapter. He emphasized that they were not saying to implement this or go out and do this, but to research and investigate if it was a good tool applicable to Albemarle County.

Dr. Manuel Lerdau, University of Virginia Department of Environmental Science, addressed the Commission. He said he had served on the Natural Heritage Committee for several years and stepped off

just before it began work on the Biodiversity Action Plan. He said he had read through the plan and suggestions, and everything seemed strong on the whole. Dr. Lerdau said that several comments made by commissioners tonight were thoughts that he also had, and he would like to refer to three things. Addressing the notion of prairies and noting that he works on ecosystem diversity, he said this was a really important system of which there was a growing awareness of its historical importance and potential current value, particularly in Piedmont systems. He said that if further explanation were necessary because it was not well known, it was worth doing as these were really important. He noted that Albemarle had some spots with great potential to be of value both locally and nationally.

Addressing "locally native" and the idea of bringing in plants that were native to Virginia but not to this region, he recognized that as species ranges shifted and move northward or upward in elevation, it was an important concept to include in the plan and explain. He addressed Mr. Dotson's point and said he worried about this and believed it needed to be carefully finessed. He remarked that if the problem to be addressed was erosion control, then the best remedy was to plant kudzu – at least in the eastern part of the County. He said he would hesitate to use a phrase as broad as "project goals."

Mr. Bivins addressed a statement about the County's limited resources of information under Strategy 4K. He stated that this contradicted a statement under Strategy 4F about the County's work to identify sites with specific plant communities that indicated a lot of information had been collected and work had been completed.

Ms. Firehock expressed agreement and said it should be updated to reflect the Biodiversity Action Plan.

Mr. Keller remarked that it seemed to him there was a tension about productivity of forest lands, by state regulation. He said that his understanding from foresters was that there were those who were trying to bring back the eastern deciduous forest, and prairie zones and concentrations of other tree types could be a component within this – depending on the topography, elevation, and soils in different parts of the County. He speculated that those within the Department of Forestry who supported this might agree that it was a 150-year harvest, as opposed to a 15 to 20-year harvest of pines. He said these were large acreages within the rural part of the County and he didn't see anything that specifically addressed this.

Mr. Keller characterized this ecosystem of pines as unhealthy, unhappy, and troubled by elements brought by humans from other parts of the world, stating that it had been damaged by climate change, which was greatly affecting tree types. He said this was an interesting point for research and thus an interesting point for education. He added that many were keeping pine but there was not much return for it, there was a lower land taxation value because of what they were doing, and he would support a return to what was present historically.

Mr. Keller addressed the policy for the development areas and recognized Mr. Gast-Bray's comments about getting this through another mechanism. He said this was through stormwater management areas and areas likely to be canopied as a result of a form-based code requirement, which he speculated could be privately owned but also become a part of dedicated park land. He said that arborists were looking for the general good as the County became denser and more populated, and he believed that that fit within this and asked Mr. Gast-Bray for his view.

Mr. Gast-Bray replied that if they can't include it because of his mandate to have his five major objectives, they still wanted it for all the reasons Ms. Firehock and others had mentioned. He continued that there were so many other reasons to do this in the developed area to make it a better, more connected place, reducing the heat island effect and for other reasons.

Mr. Keller asked Mr. Hannah if he had gotten what he wanted out of this meeting.

Mr. Hannah replied that he felt that he had, though he offered to reach out to commissioners individually to refine some of their thoughts. He said he wanted to move the process forward and would relisten to the podcast. He said he had obtained some good ideas from this discussion, though he was not sure how some of them would fit in with further revision.

Ms. Firehock remarked that maybe they needed to better understand the process, as it was her understanding that the Planning Commission adopted the Comprehensive Plan and amendments to it. She asked if the document would come back to the Planning Commission after public input, at which point they could still amend it.

Mr. Hannah confirmed this.

Ms. Firehock asked Mr. Hannah if he was concerned that he wouldn't have enough time to make the requested changes before the upcoming public meetings.

Mr. Hannah replied that he did not intend to make changes before the meeting on the 29th but wanted to gather input, relisten to some of the points made tonight, and incorporate them as they moved forward. He expressed that it was not clear to him as to the point in the process where they would make the changes.

Mr. Gast-Bray said they were already touching the statements that were mentioned tonight but didn't want to imply that they had thought through all the rest of the chapter, and when they were trying to integrate things, this one was the challenge. He said that all of the points expressed made sense to him and they were already touching those paragraphs.

Review of Board of Supervisors Meeting – November 14, 2018.

Mr. Gast-Bray reviewed the Board of Supervisors actions taken on November 14, 2018. He said the Peabody School applicant offered an alternative that was not accepted. He reported that both Avon Street Extended sidewalk projects that had been approved by the Planning Commission with conditions, were approved. He said the art studio which had been approved by the Planning Commission was approved.

Committee Reports

Mr. Keller invited committee reports.

Commissioner More reported:

The Crozet CAC met the previous week with Mr. Hannah presentation about the Water Quality and Stream Health Improvement Strategies in the Development Area and Captain Darrel Byers presentation on the geo-policing and the satellite office in Old Trail.

Commissioner Dotson reported:

Mr. Dotson reported on the School Division's Long-Range Planning Advisory Committee meeting. He presented a map of the County with dots, which he said reflected the origin points for students that rode County buses. He said he had maps from 2008, 2013, and 2018 and had concluded that, as a result of the County's growth management policies, the percentage of students living within the urban area had increased from 51% to 61% over the 10-year period, while over the same time period the percentage of students in the rural area had declined from 49% to 39%. He said this had allowed for the consolidation of some routes and the ability to accommodate more students with the same transportation apparatus they had 10 years ago.

Mr. Dotson reported on the CIP Oversight Committee meeting held earlier that day, which Mr. Gast-Bray had also attended. He said they had discussed process improvements for CIP development and review, and the idea of looking long range and then working backwards to assess the need for public facility and infrastructure components seemed to receive support from Supervisor Rick Randolph, School Board Chair Kate Acuff, and School Chief Operating Officer Rosalyn Schmidt. He said it was exciting that there was interest in this idea, though he acknowledged there hadn't been a decision and there was not a mechanism for how this should be examined.

Commissioner Riley reported:

Ms. Riley reported on the previous week's 5th and Avon CAC meeting. She said they reviewed the proposal on recommended stream buffer regulations.

Commissioner Spain reported:

Ms. Spain reported on the previous week's Crozet CAC meeting. She said Mr. Hannah had presented on water quality and stream health improvement strategy in the development area. She said that Captain Daryl Byers presented on crime, the geo-policing strategy, and the satellite police office in Crozet. She learned that the police department had volunteers who, upon request, would come by and check on your house if you were out of town and would also provide a free security assessment.

Ms. Spain reported that Places 29 North had met the previous week and heard a report about the NIFI project coming to fruition at Baker-Butler School that would extend the path system to make a more complete circuit around the school grounds.

Ms. Spain reported that the Pantops CAC had met the previous night and was in the final stages of Master Plan approval, and they had discussed transportation and implementation issues. She remarked that attendance was lower than usual, though they had a full contingent of CAC members.

Commissioner Bivins reported:

Mr. Bivins provided an update on the University Master Plan Group meeting. He said this included an update on plans for Fontaine, for which Mr. Carrazana had already updated the Commission. He said they had discussed development enhancements at Brandon Avenue to create a very sophisticated student area. He said this would include a wellness center instead of a student health center, reflecting a proactive preventive approach to student health. He noted that the site was next to the Lee family cemetery, which the University was being respectful of.

Mr. Bivins reported that they had discussed the swath of land at Emmet Street and Ivy Road, at the request of the new University president. He said that one of the considerations was how to connect

that to the athletic grounds. He stated that they were considering the construction of connector bridges over the railroad tracks from the athletic grounds to the middle of the space, as opposed to using Alderman, to integrate those precincts. He noted that the women's softball field would be relocated from behind the JAG School to the corner of Alderman and Massie Roads and it was an important property – so he believed that this was an important statement.

Mr. Bivins stated that they would take down University Hall and radically change the area, with a potential to replace surface parking with structured parking and to increase green space. He said these plans seemed to have been accepted by the Board of Visitors and remarked that the work of the current University architect would probably change the surface of the University of Virginia in more ways than even the founder. He added that they would also add student housing, which would take off pressure from the rental market. With no further committee reports, the meeting moved to the next item.

Old Business.

Mr. Keller invited old business. Hearing none, the meeting moved to the next item.

New Business.

Mr. Keller invited new business.

a. **2019 Planning Commission meeting schedule**

Mr. Gast-Bray presented draft schedule and requested feedback from individual Commissioners on dates absent.

Ms. Firehock noted that April 30 was not on the schedule, and Mr. Gast-Bray noted that it was an unscheduled meeting date.

Ms. Firehock noted that she would be absent on March 5 due to a conference.

Mr. Dotson suggested checking the dates in November and June for elections.

Ms. Firehock noted that her business card had the wrong phone number and Mr. Gast-Bray suggested that she contact Stephanie Banton.

The meeting moved to the next item.

Chair Keller announced:

- The next meeting would be on Tuesday, December 4, 2018 in the Auditorium at 6:00 p.m.
- There would be no meeting on Tuesday, November 27, 2018.

Hearing no further new business, the meeting moved to the next item.

Items for Follow-up

Mr. Keller invited items for follow-up. Hearing none, the meeting moved to adjournment.

Adjournment

There being no further business, the meeting adjourned at 7:33 p.m. to the Planning Commission meeting on Tuesday, December 4, 2018 at 6:00 p.m. in the COB-McIntire, Auditorium, Second Floor, 401 McIntire Road, Charlottesville, Virginia.

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Andrew Gast-Bray, Secretary

(Recorded and transcribed by Sharon C. Taylor, Clerk to Planning Commission & Planning Boards)

Approved by Planning Commission
Date: 3-5-2019
Initials: SLB