

ACTIONS		
Board of Supervisors Meeting of October 4, 2006		
		October 11, 2006
	8:30 a.m. Tour of the Auditorium. All BOS members were present with the exception of David Slutzky. Also present were Larry Davis, Bob Tucker, and Meagan Hoy.	
1.	<p>Call to Order:</p> <ul style="list-style-type: none"> Meeting was called to order at 9:02 by the Chairman, Mr. Rooker. All BOS members were present. Also present were Bob Tucker, Larry Davis, and Meagan Hoy. 	
4.	<p>From the Public: Matters Not Listed on the Agenda</p> <ul style="list-style-type: none"> <u>Michael Higgins</u>, of Franklin Subdivision, expressed concern over land being cleared, and the problem of a road which has been constructed next to his property. Mr. Tucker advised that staff could look at the issue, but noted that the operation is exempt under state law as a farming operation. <u>John Martin</u> expressed reservations about a proposal put forth by Mr. Slutzky concerning the creation of new boundaries for the growth areas and transfer of development rights. <u>Barbara Cruickshank</u>, representing the Piedmont Group of the Sierra Club, presented a petition containing 405 signatures asking the Board to sign the U.S. Mayor's Climate Agreement. <u>Tom Loach</u> said that funding the ACE program is a better alternative to Mr. Slutzky's proposal. <u>Rex Linville</u>, from the Piedmont Environmental Council, spoke to the Board concerning State Tax Code Amendments in relation to conservation easements. <u>Paul Grady</u> spoke about the proposal for Birchwood Place (consent agenda Item #6.2). <u>Jack Marshall</u> commended staff for the "Guidelines for Growth in Development Areas" (Agenda Item #11). 	
5.	<p>Recognitions.</p> <ul style="list-style-type: none"> The Chairman read a proclamation declaring October 2006, as Domestic Violence Awareness Month. 	<u>Clerk</u> : Mail Resolution to Becky Gildersleeve. (Attachment 1)
6.2	<p>SP-2006-009-Birchwood Place (Sign #10)</p> <ul style="list-style-type: none"> APPROVED SP-2006-009, by a vote of 6:0, for four drive-through lanes to serve the proposed bank with the three conditions recommended by the Planning Commission and the two listed in the staff report of October 3, 2006. 	<u>Clerk</u> : Set out conditions of approval. (Attachment 3)
6.3	<p>Request to increase the net worth and income limits of the Tax Relief for the Elderly and Disabled program.</p> <ul style="list-style-type: none"> APPROVED the revised income and net worth matrix to determine the relief percentages and DIRECTED staff to advertise for a public hearing on the implementing ordinance for November 1, 	<u>Clerk</u> : Advertise for a public hearing on the implementing ordinance for November 1, 2006.

	2006.	
6.4	Request for public hearing to amend the Jurisdictional Area Boundary to provide water and sewer service to Cascadia development <ul style="list-style-type: none"> Set public hearing for December 6, 2006 to consider amending the ASCA jurisdictional area to designate Tax Map 62, Parcels 25, 25A, 25B, 25C/C1, and Tax Map 78, Parcels 59 and 59A, for water and sewer service. 	<u>Clerk:</u> Advertise for a public hearing on December 6, 2006.
6.5	Resolution to Authorize the County Executive to Accept Easements Necessary for Groundwater Monitoring Wells. <ul style="list-style-type: none"> ADOPTED resolution authorizing the County Executive to accept deeds of easement and to enter into license agreements on behalf of the County necessary for the monitoring of groundwater conditions, provided the deeds and license agreements are approved as to form and content by the County Attorney. 	<u>Clerk:</u> Forward resolution to David Benish and David Swales. (Attachment 2)
6.6	Turkey Sag Road (Route 640)- Resident Proposal to Pave a Public Road. <ul style="list-style-type: none"> APPROVED notifying property owners along the segment of Turkey Sag Road proposed for paving that the project is being considered so they have an opportunity to provide comments to County staff who will then evaluate the comments and report their findings to the Board. If no opposition to the paving project is received, staff recommends that the project move forward to construction. 	<u>Juan Wade/David Benish:</u> Proceed as approved.
6.7	Authorize public hearing to amend County Code Section 15-1601, Property exempt from taxation by classification, to amend classification regarding nonprofit hospitals. <ul style="list-style-type: none"> AUTHORIZED the proposed ordinance be advertised for a public hearing to be held on November 1, 2006. 	<u>Clerk:</u> Advertise public hearing for November 1, 2006.
6.8	Charlottesville-Albemarle Regional Transit Authority, Draft Transit Vision (as drafted by the MPO) <ul style="list-style-type: none"> APPROVED. 	<u>Clerk:</u> Forward letter to MPO.
7a.	2006 Primary Road Improvement Priorities <ul style="list-style-type: none"> DEFERRED to the October 11 consent agenda to allow staff time to make recommended changes. 	<u>Clerk:</u> Schedule on October 11 Consent Agenda.
7b.	VDoT Monthly Report <ul style="list-style-type: none"> RECEIVED. 	
7c.	Transportation: Matters not listed on the Agenda <u>Allan Sumpter, new Charlottesville Residency Administrator, was present:</u> <ul style="list-style-type: none"> Route 631 is shown as McIntire Road, but will be changed to read Meadow Creek Parkway on future reports. White Mountain Road will be coordinated with the Rural Rustic Program this fall. Owensville Road has undergone brush cutting. 	<u>Clerk:</u> Forward comments to Mr. Sumpter.

	<p>Some property owners have objected to giving right of entry to do more extensive tree cutting.</p> <ul style="list-style-type: none"> • Meadow Creek Right of Way plans have been signed by the Commissioner. • Dawson Lane was not found. Mr. Dorrier clarified that it is across from Yancey School and New Hope Church next to Simpson Park in Esmont. • Stony Point Pass does not qualify as a Rural Rustic Road, due to sight distances, curve alignments and the one lane bridge. <p><u>David Wyant</u></p> <ul style="list-style-type: none"> • Asked if the completion date for Route 691, Jarmans Gap Road, has been moved back, and was told that it depends on Meadow Creek Parkway. Meadow Creek Parkway is first on the list, and Jarmans Gap would follow that project. • In the Claymont Subdivision, he asked that VDoT check for drains at address 395. <p><u>Sally Thomas</u></p> <ul style="list-style-type: none"> • She spoke with a school bus driver, and was informed that they are occasionally held responsible for scratches on the buses. They are interested in where the brush should be cleared back. She would like to see the line of communication open with the school bus drivers, as they get the effects of the overgrowth. <p><u>Ken Boyd</u></p> <ul style="list-style-type: none"> • Asked about the Rocky Hollow Road Project, and asked why they can't move forward. Darin Simpson advised that there is a funding issue. • He presented a petition, signed by Polo Grounds Road motorists, asking to have a traffic signal installed at the railroad underpass. Mr. Sumpter advised that VDoT's policy is to put signals only at intersections, and the railroad underpass does not warrant a signal. Mr. Rooker commented that he believes this is an unsafe location. A lady that lives near the underpass advised that trucks get to the underpass, realize they can't get under the bridge, and they turn around in her driveway. In the process, they hit and damage her mailbox. She asked that the sign be moved so that the truckers could see it, and avoid using her driveway as a turn around point. <p><u>David Slutzky</u></p> <ul style="list-style-type: none"> • Again mentioned the corner of Hydraulic Road and Route 29, and was informed that the traffic engineer is still looking at that issue. Mr. Sumpter said he will alert the Board once the study is completed. 	
8.	<p>Downtown Scottsville Streetscape Plan Request</p> <ul style="list-style-type: none"> • MOTION to approve the request and appropriate \$502,130.26 from the Reserve Fund of the CIP FAILED by a vote of 3:3. 	

	The Board took a recess at 11:35 a.m., and reconvened at 11:50 a.m.	
9.	<p>2007 Thomas Jefferson Planning District Commission Legislative Program</p> <ul style="list-style-type: none"> • APPROVED the draft 2007 TJPDC Legislative Program, with the understanding that suggested changes from the Board will be reflected in the final version of the program. 	<u>Clerk</u> : Notify David Blount of approval.
10.	<p>EMS Revenue Recovery Program</p> <ul style="list-style-type: none"> • DIRECTED staff to develop an implementation plan for further review during upcoming strategic planning sessions or during budget work sessions on the next fiscal year's budget sessions for possible implementation during FY07/08 to offset long term capital and operational needs. 	<u>Tom Foley/Dan Eggeson</u> : Proceed as directed.
11.	<p>Discussion: Guidelines for Growth in the Development Areas.</p> <ul style="list-style-type: none"> • HELD. Agreed that Davis Slutzky could make a presentation to the Board in November. 	<u>Clerk</u> : Schedule discussion for November.
12.	<p>Closed Session. Personal and Legal Matters.</p> <ul style="list-style-type: none"> • At 12:30 p.m., the Board went into closed session to consider appointments to boards, committees and commissions, to discuss the acquisition of property necessary for access to a County park, and to consult with legal counsel regarding probable litigation concerning a claim asserted against property owned by the County in the nature of a boundary line dispute. 	
13.	<p>Certify Closed Session.</p> <ul style="list-style-type: none"> • At 2:01 p.m., the Board reconvened into open session in Meeting Room 241 and certified the closed session. 	
14.	<p>Boards and Commissions: Appointments.</p> <ul style="list-style-type: none"> • APPOINTED Jean Lorber to the Acquisition of Conservation Easements Committee, with same term to expire August 1, 2009. • APPOINTED Nelson Shaw to the Agricultural & Forestal District Advisory Committee. • APPOINTED Jacqueline Rice to the Jefferson Madison Regional Library Board, to fill the unexpired term of Robert Mellow, which expires June 30, 2007. • REAPPOINTED Charles Lebo and Paul Wright to the Architectural Review Board, with said terms to expire November 14, 2010. • REAPPOINTED Raymond Gaines to the Board of Building Code Appeals, with said term to expire November 21, 2011. • REAPPOINTED Brian Bills, as the youth representative, to the Commission on Children and Families, with said term to expire June 30, 2007. • REAPPOINTED Raymond Gaines to the Fire 	<u>Clerk</u> : Prepare appointment letters, update Boards and Commissions book, website, and notify appropriate persons.

	<p>Prevention Code of Appeals Board, with said term to expire November 21, 2011.</p> <ul style="list-style-type: none"> • REAPPOINTED Mark Reisler to the Jefferson Area Board for Aging, with said term to expire October 20, 2008. • REAPPOINTED Kurt Goodwin, as the joint City/County appointee, to the Charlottesville/Albemarle Airport Authority, subject to concurrence by City Council, with said term to expire December 1, 2009. • REAPPOINTED William Dirickson to the Joint Airport Commission, with said term to expire December 1, 2009. • REAPPOINTED Kurt Goodwin as the joint City/County appointee, to the Joint Airport Commission, subject to concurrence by City Council, with said term to expire December 1, 2009. • REAPPOINTED Michael Gaffney, as the joint City/County appointee, to the Rivanna Solid Waste Authority, subject to concurrence by City Council, with said term to expire December 31, 2008. • REAPPOINTED Michael Gaffney, as the joint City/County appointee, to the Rivanna Water & Sewer Authority, with said term to expire December 31, 2008. 	
15.	<p>Preliminary Financial Report for the Fiscal Year Ended June 30, 2006</p> <ul style="list-style-type: none"> • ACCEPTED the Preliminary June 30, 2006 End-of-Year Financial Report. 	
16.	<p>FY 2006 Budget Amendment</p> <ul style="list-style-type: none"> • APPROVED amendment in the amount of \$1,452,929.61 as advertised, and approved Appropriations 2007-014, 015, 017, 018, 019, 020, 022, 023, 024 and 025. 	<p><u>Clerk:</u> Forward signed appropriation forms to OMB, Finance, and appropriate individuals.</p>
17.	<p>FY 2007 Budget Amendment</p> <ul style="list-style-type: none"> • APPROVED amendment in the amount of \$45,376,092.99 as advertised, and approved Appropriations 2006-094, 095 and 096. 	<p><u>Clerk:</u> Forward signed appropriation forms to OMB, Finance, and appropriate individuals.</p>
18.	<p>SP-2006-016. Mountain View Full Gospel Church-Expansion (Sign # 76).</p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, subject to the nine conditions recommended by the Planning Commission. 	<p>(Attachment 3)</p> <p><u>Clerk:</u> Set out conditions of approval.</p>
19.	<p>SP-2006-017. Floral Images (Sign #55)</p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, subject to the seven conditions recommended by the Planning Commission. 	<p>(Attachment 3)</p> <p><u>Clerk:</u> Set out conditions of approval.</p>
20.	<p>SP-2006-019. Bionic Innovations, LLC (Sign #62)</p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, subject to the five conditions recommended by the Planning Commission. 	<p>(Attachment 3)</p> <p><u>Clerk:</u> Set out conditions of approval.</p>
21.	<p>SP-2006-022 Northridge Community Church of the</p>	<p>(Attachment 3)</p>

	<p>Nazarene: Northridge Preschool (sign #79)</p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, subject to the seven conditions recommended by the Planning Commission. 	<p><u>Clerk</u>: Set out conditions of approval.</p>
22.	<p>SP-2006-23. Luck Stone Quarry Flood Control Berm (Sign #50)</p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, subject to the five conditions recommended by the Planning Commission. 	<p>(Attachment 3)</p> <p><u>Clerk</u>: Set out conditions of approval.</p>
23.	<p>SP-2005-026. Luck Stone Asphalt Plant Relocation (Sign #50)</p> <ul style="list-style-type: none"> • APPROVED, by a vote of 6:0, subject to the fourteen conditions recommended by the Planning Commission, but amending Condition No. 3 as recommended by Planning Staff this date. 	<p>(Attachment 3)</p> <p><u>Clerk</u>: Set out conditions of approval.</p>
24.	<p>AFD-2006-001, South Garden Agricultural and Forestal District</p> <ul style="list-style-type: none"> • ADOPTED, by a vote of 6:0, ordinance as advertised. 	<p>(Attachment 4)</p> <p><u>Clerk</u>: Forward Ordinance to appropriate persons and send letter to individuals in district.</p>
25.	<p>Resolution Endorsing the Intent of the Resolution Adopted by the U.S. Conference of Mayors Regarding the U.S. Mayors Climate Protection Agreement.</p> <ul style="list-style-type: none"> • ADOPTED resolution. 	<p>(Attachment 5)</p> <p><u>Clerk</u>: Forward Resolution to Mark Graham.</p>
25a.	<p>Voting Credentials for VACo Annual Business Meeting.</p> <ul style="list-style-type: none"> • APPOINTED Mr. Rooker as the voting representative, and Ms. Thomas and Mr. Dorrier as alternatives. 	<p><u>Clerk</u>: Forward form to VACo</p>
26.	<p>From the Board: Committee Reports and Matters not Listed on the Agenda</p> <p><u>Sally Thomas</u></p> <ul style="list-style-type: none"> • The West Leigh Homeowners' Association has approached her with a request that the County help them with repair of the dam in West Leigh. She asked if staff could provide an answer. Mr. Davis commented that the roads in West Leigh are private. • Reported on her recent attendance at the Governor's Leadership Summit. • Reported that the EPA is looking at the Chesapeake Bay program. <p><u>Ken Boyd</u></p> <ul style="list-style-type: none"> • The Stony Point Fire Department has expressed concerns about the weight limit of the new bridge on Profitt Road. He asked if there was anything the County could do to help them. <p><u>David Slutzky</u></p> <ul style="list-style-type: none"> • He brought up his strategy for protecting the rural areas, and informed the Board that the idea was far more complicated than the versions that have been put out so far. He asked if he could work with staff, and come back in November with a description of what he was proposing. 	

	<p><u>Dennis Rooker</u></p> <ul style="list-style-type: none"> • Asked about the status of the Biscuit Run proposal. He suggested having a general concept presentation of the traffic study. • Discussed the Meadow Creek Parkway. He said the Board needs to decide how to deal with the deficit, and make sure funds are identified. • There are a group of individuals who would like to change the name of Seminole Trail to Cavalier Way. Mr. Davis said this Board does not have the authority to name primary roads. However, the Commonwealth Transportation Board requires that before they consider changing a name, they must have a resolution from the local governing body with a recommendation of support. He believes that without the support of this Board, they would not rename it. 	
27.	<p>Adjourn to October 11, 2006, at 2:30 p.m.</p> <ul style="list-style-type: none"> • At 6:30 p.m., the meeting was adjourned to October 11, 2006, 2:30 p.m. 	

/mrh

- Attachment 1 – Proclamation: Domestic Violence Awareness Month
- Attachment 2 – Resolution: Groundwater Monitoring Wells
- Attachment 3 – Conditions of Approval for Planning items
- Attachment 4 – Ordinance: South Garden A/F District
- Attachment 5 – Resolution: Mayors Climate

Domestic Violence Awareness Month

Whereas, *violence against women, children, and men continues to become more prevalent as a social problem in our society; and*

Whereas, *in 2005 in the Commonwealth of Virginia, domestic violence programs offered 208,708 safe nights of shelter to women, children and men; 24-hour intervention and referrals in response to 72,134 hotline calls; and 106,995 hours of counseling and advocacy to families; and*

Whereas, *in 2005, the Shelter for Help in Emergency offered 4,514 safe nights of shelter to women, children and men; 24-hour intervention and referrals in response to 1,080 hotline calls; and 2,528 hours of counseling and advocacy to families; and*

Whereas, *the problems of domestic violence are not confined to any group or groups of people but cross all economic, racial and societal barriers, and are supported by societal indifference; and*

Whereas, *the crime of domestic violence violates an individual's privacy, dignity, security, and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse, with the impact of this crime being wide-ranging; and*

Whereas, *in our quest to impose sanctions on those who break the law by perpetrating violence, we must also meet the needs of victims of domestic violence who often suffer grave physical, psychological and financial losses; and*

Whereas, *it is victims of domestic violence themselves who have been in the forefront of efforts to bring peace and equality to the home; and*

Whereas, *the Shelter for Help in Emergency commemorates its 27th year of providing unparalleled services to women, children and men who have been victimized by domestic violence;*

Now, Therefore, Be It Resolved, *that in recognition of the important work being done by the Shelter for Help in Emergency, I, Dennis S. Rooker, Chairman of the Albemarle County Board of Supervisors, do hereby proclaim the month of October 2006 as **DOMESTIC VIOLENCE AWARENESS MONTH** and urge all citizens to actively participate in the scheduled activities and programs sponsored by the Shelter for Help in Emergency, and to work toward the elimination of personal and institutional violence against women, children, and men.*

**RESOLUTION TO AUTHORIZE THE COUNTY EXECUTIVE TO ACCEPT
DEEDS OF EASEMENT AND TO ENTER INTO LICENSE AGREEMENTS TO ALLOW
THE COUNTY TO ESTABLISH AND MAINTAIN GROUNDWATER
MONITORING WELLS AND ASSOCIATED EQUIPMENT**

WHEREAS, the County of Albemarle has established a groundwater monitoring well program in order to obtain data that will provide a greater understanding of the County's groundwater resources; and

WHEREAS, in order for the County to establish and maintain groundwater monitoring wells and associated equipment on privately owned lands, the County may acquire interests through Deeds conveying easements or may obtain permission to use such lands through License Agreements; and

WHEREAS, such Deeds and License Agreements set forth the rights and responsibilities of the landowner and the County, including the County's rights and obligations to establish and maintain the wells and to use the associated equipment within the easement or licensed area; and

WHEREAS, the efficiency of government is improved by delegating the authority to the County Executive to accept such Deeds and to enter into such License Agreements on behalf of the County.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors authorizes the County Executive, on behalf of the County, to accept Deeds conveying to the County an easement, and to enter into License Agreements granting permission for the County to use a licensed area, for the purpose of establishing and maintaining groundwater monitoring wells and using associated equipment, provided that such Deeds and License Agreements are approved as to form and content by the County Attorney.

CONDITIONS OF APPROVAL FOR PLANNING ITEMS

SP-2006-009 Birchwood Place (Sign #10) - PROPOSED: One three-story office building totaling 19,500 square feet and a one-story bank of 3,090 square feet on 3.66 acres. ZONING CATEGORY/GENERAL USAGE: C-1 Commercial - administrative, professional office and financial institution; EC Entrance Corridor overlay. SECTION: 22.2.2(10) Special Use Permit, which allows for drive-in windows serving or associated with permitted uses. COMPREHENSIVE PLAN LAND USE: Crozet Community - CT-6, Urban Core and CT-1, Development Area Preserve. LOCATION: Tax Map Parcel 56A2-1-30, located on Three Notch'd Road (Rte. 240) approximately 0.17 miles east of its intersection with Crozet Avenue (Rte. 810). MAGISTERIAL DISTRICT: Whitehall. CONCURRENT APPLICATION: SDP 2006-00029.

1. Architectural Review Board issuance of a Certificate of Appropriateness prior to final site plan approval;
2. Virginia Department of Transportation approval of entrance design and frontage improvements as well as any associated road plans and/or drainage plans;
3. Approval of site plan by County Engineer;
4. Provide a row of evergreen shrubs along the eastern boundary line, from the southeast corner of the property behind the sign for a distance of one hundred twenty (120) feet along the eastern property line, to form a hedge that will screen views of the drive-through use. Planting height shall be thirty (30) inches. Mature height shall be a minimum of four (4) feet; and
5. Provide three and one-half inch (3 ½") caliper large shade trees, thirty-five (35) feet on center, parallel to the EC street. Remove the water easement from the planting strip along the EC or guarantee that street trees will remain. If utilities conflict with the EC trees, increase the depth of the planting area to avoid conflicts.

SP-2006-016. Mountain View Full Gospel Church – Expansion (Sign #76): PROPOSED: Amend SP 1981-13; church expansion. ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre). SECTION: 31.2.4.1; 10.2.2 (35). COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre). ENTRANCE CORRIDOR: No. LOCATION: 1005 Smith Road (Route 758), Afton; south of Route 637. TAX MAP/PARCEL: TM 69, Parcel 37. MAGISTERIAL DISTRICT: White Hall.

1. The site plan amendment shall be developed in general accord with the concept plan received August 24, 2006, prepared by Glenda Atkins, and titled "Mountain View Full Gospel Church Concept Plan" (Attachment A.1 and 2); and
2. The sanctuary area shall be limited to one hundred ninety two (192) fixed seats;
3. A tree conservation plan in accord with Section 32.7.9.4b is required to be submitted, reviewed and approved prior to approval of a building permit for any structure shown on this concept plan;
4. Tree removal shall be limited to five (5) feet beyond all parking areas;
5. A twenty (20) foot (minimum) width of existing woodland along the southern property boundary shall remain undisturbed;
6. Five (5) large oak trees located off of the northwest corner of the existing church building shall be included on the tree conservation plan;
7. VDOT approval of the entrance including the sight distance requirements is required to be granted prior to building permit issuance;
8. This use shall commence within five (5) years of the date of approval rather than the twenty-four (24) months stated in Section 31.2.4.4.; and

9. There shall be no day care center or private school on site without the approval of a separate Special Use Permit.

SP-2006-017. Floral Images (Sign #55): PROPOSED: floral arrangement business; includes constructing new workshop; no employees. ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre). SECTION: 10.2.2.(31); 5.2 Home Occupation Class B. COMPREHENSIVE PLAN LAND USE/DENSITY: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre). ENTRANCE CORRIDOR: No. LOCATION: 262 Yancey Mill Lane (State Route 825), Crozet; adjacent Interstate Route 64. TAX MAP/PARCEL: TM 55 Parcel 99. MAGISTERIAL DISTRICT: White Hall.

1. Special Use Permit 2006-17, Floral Images, shall be developed in general accord with the concept plan dated August 24, 2006, prepared by W. R. Strickler, and titled "Floral Images" (Attachment A.);
2. One (1) vehicular entrance from Yancey Mill Lane shall serve as the only driveway for this parcel. It shall be required to be surfaced with gravel;
3. No walk-in sales shall be permitted on the premises;
4. A maximum of seven (7) client visits per week shall be permitted on the premises;
5. The total area of the workshop shall be limited to one thousand two hundred (1,200) square feet.
6. This use shall commence within three (3) years of the date of approval rather than the twenty-four (24) months stated in section 31.2.4.4; and
7. Hours of operation are required to be limited to 8:00 am to 4:00 pm Monday through Saturday.

SP-2006-019. Bionic Innovations, LLC (Sign #62): PROPOSED: Home Occupation, Class B for an orthotics crafting shop in a detached garage. ZONING CATEGORY/GENERAL USAGE: PRD, Planned Residential District, with Proffers: residential (3 - 34 units/acre) with limited commercial uses. SECTION: 19.3.2 Home Occupations, Class B. COMPREHENSIVE PLAN LAND USE/DENSITY: Crozet Master Plan Neighborhood Edge CT3 - predominantly residential uses (net 3.5 -4.5 units per acre, 6.5 units per acre if accessory apartments added for 50% of the residential stock) in Neighborhood 7. ENTRANCE CORRIDOR: No. LOCATION: 1886 Clay Drive, Crozet, VA 22932, in the Waylands Grant subdivision, off of Jarman's Gap Road (RT 691), approx. 700 ft from the intersection of Crozet Ave (Rt 810). TAX MAP/PARCEL: 55D-18. MAGISTERIAL DISTRICT: White Hall.

1. Special Use Permit 2006-19 shall be developed in general accord with the concept plan dated August 14, 2006, prepared by Kevin and Melissa King, and titled "Bionic Innovations, LLC" (Attachment B.) Important elements of the concept plan include the location of the garage with an indication of which parts of the garage will be used for the Home Occupation;
2. The home occupation may not use both the basement and the garage facilities at the same time;
3. There will be no employees other than members of the immediate family living on the premises;
4. There will be no onsite sales or fittings of orthotic products; and
5. There shall be no more than seven (7) vehicle deliveries per week.

SP-2006-022 Northridge Community Church of the Nazarene; Northridge Preschool (Sign #79): PROPOSED: Day Care/Pre-school; existing church; no exterior building changes proposed; SP amendment. ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre); Entrance Corridor Overlay. SECTION: 10.2.2.(7); 5.1.06 Day care, childcare or nursery facility. COMPREHENSIVE PLAN LAND USE/DENSITY: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre). ENTRANCE CORRIDOR: Yes. LOCATION: 5100 Dickerson Road, Charlottesville; near Route 29 North. TAX MAP/PARCEL: TM21, Parcel 11A. MAGISTERIAL DISTRICT: White Hall.

1. Special Use Permit 2006-22 shall be developed in general accord with the interior concept plan received May 30, 2006, and titled "Northridge Preschool" (Attachment A);
2. Hours of operation shall be limited to 7:30 am to 1:30 pm Monday through Friday;
3. Enrollment shall not exceed eighty (80) children;
4. The church building must be approved for day care use by the Building Official;
5. Licensure by the Virginia Department of Social Services is required;
6. Health Department approval is required before the commencement of the use; and
7. The existing woodland shall remain undisturbed with one exception: the woodland may be disturbed within ten (10) feet of the highest water level in the storm water facility. In no case shall the site be disturbed within thirty-five (35) feet of the western boundary of this parcel. (Reference Attachment E).

SP-2006-23. Luck Stone Quarry Flood Control Berm (Sign #50): PROPOSED: Request for fill in the floodway fringe to allow for a flood control berm on a 127.797 acre parcel. ZONING CATEGORY/ GENERAL USAGE: RA Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre); FH Flood Hazard - Overlay to provide safety and protection from flooding; NR Natural Resource - overlay to allow natural resource extraction; EC Entrance Corridor - overlay to protect properties of historic, architectural or cultural significance from visual impacts of development along routes of tourist access. SECTION: 30.3.05.2.2(1); 30.3.05.2.1(1). COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre); Parks and Greenways - parks; greenways; playgrounds; pedestrian and bicycle paths. ENTRANCE CORRIDOR: Yes. LOCATION: One (1) mile East of the US Route 250 / I-64 Interchange (Shadwell Exit 124) on Route 250 (2611 and 2905 Richmond Road, Charlottesville). TAX MAP/PARCEL: 79-7. MAGISTERIAL DISTRICT: Scottsville.

1. County Engineer approval of a grading and an erosion and sediment control plan prior to the issuance of a grading permit for activity in the area of the flood control berm;
2. Natural Resources Manager and Design Planner approval of a mitigation plan for the restoration/enhancement of the stream buffer prior to the issuance of a grading permit for activity in the area of the flood control berm;
3. Applicant shall obtain a Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA) and copy the County Engineer on all correspondence;
4. County Engineer approval of as-built drawings for the completed flood control berm, including geotechnical engineer certification of the adequate compaction of the fill; and
5. Upon completion of the flood control berm the applicant will comply with the conditions identified in the CLOMR issued by FEMA and will copy the County Engineer on all correspondence related to this matter.

SP-2005-026. Luck Stone Asphalt Plant Relocation (Sign #50): PROPOSED: Relocate existing asphalt mixing plant site on the 127 ac. Luck Stone quarry property to a 4.1 ac. area on the southwest corner of the property, north of the railroad. ZONING CATEGORY/GENERAL USAGE: RA -- Rural Areas: agricultural, forestal, and fishery uses; residential density (0.5 unit/acre); NR Natural Resource - Overlay to allow natural resource extraction; EC Entrance Corridor - Overlay to protect properties of historic, architectural or cultural significance from visual impacts of development along routes of tourist access; FH Flood Hazard - Overlay to provide safety and protection from flooding. SECTIONS: 18-30.4.02(2) asphalt mixing plants; 18-30.4 natural resource; 18-30.6 entrance corridor overlay; 18-30.3 flood hazard. COMPREHENSIVE PLAN LAND USE/DENSITY: Rural Areas - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (.5 unit/ acre); Parks and Greenways - parks; greenways; playgrounds; pedestrian and bicycle paths. ENTRANCE CORRIDOR: Yes. LOCATION: 2528 Richmond Road (Rt. 250), appx. 1-mi. east of I-64 intersection. TAX MAP/PARCEL: TMP 79-7, 7B. MAGISTERIAL DISTRICT: Scottsville.

1. Special Use Permit 2005-26 shall be developed in general accord with the concept plan, titled

- "Luck Stone Corporation Special Use Permit Asphalt Plant Relocation Conceptual Plan", dated August 1, 2006, and Cross Sections (Line of Sight) Plans for Auburn Hill dated 10/27/05 and for Monticello dated 11/22/05 (Attachment A). However, the Zoning Administrator may approve revisions to the concept plan to allow compliance with the Zoning Ordinance;
2. The existing asphalt plant shall be demolished and removed from the property no later than two (2) months following the start of operation of the new plant;
 3. Use of the asphalt plant authorized by this special use permit shall expire when the adjacent quarry is no longer in operation. The hours of operation shall be between 7:00 a.m. and 10:00 p.m., Monday through Saturday; provided that for not more than sixty (60) days per year, the hours of operation may be between 7:00 a.m. and 12:00 a.m., Monday through Saturday;
 4. Sound/noise barriers and attenuation measures, as described in the ASTEC, Inc. Certified Engineers Report (Attachment C), will be provided as necessary to comply with the County "noise" requirements (Code 18-4.18). The applicant shall identify these measures on the site development plan and the asphalt plant building permit plans;
 5. Plant site lighting will comply with County "outdoor lighting" requirements (Code 18-4.17);
 6. A copy of the Virginia Department of Environmental Quality "construction permit" shall be submitted to the county engineer prior to approval of a final site plan for the asphalt plant;
 7. A special use permit for fill within the flood hazard overlay district shall be obtained, to allow the raising of the ground elevation adjacent to Barn Branch and creation of a levee to protect the quarry and its operations from the one hundred (100)-year flood, prior to approval of a site plan for the asphalt plant;
 8. A Conditional Letter of Map Revision (CLOMR) is required to be obtained by the applicant from the Federal Emergency Management Agency (FEMA) and a copy provided to the county engineer prior to the issuance of a building permit for the asphalt plant;
 9. Prior to County issuance of a zoning clearance and certificate of occupancy for the plant, the applicant shall:
 - Submit and obtain county engineer approval of as-built drawings for the completed and stabilized levee (including geotechnical engineer certification of the adequate compaction of the fill);
 - Provide the county engineer with documentation demonstrating that the information necessary to address the conditions of the CLOMR has been submitted to FEMA.
 11. The buffer area along Route 250 shall be maintained to provide a visual barrier between the operations on the site and Route 250;
 12. The asphalt plant shall be designed in a manner to provide forward circulation for trucks as they enter, load, and exit the area, as depicted on the plan titled "Luck Stone Corporation, Charlottesville Plant Site Map Asphalt Plant Relocation" and dated August 8, 2006 (Attachment B);
 13. No direct conveyance of storm water from the asphalt plant area to Barn Branch shall be permitted;
 14. The natural landscape area between the CSX Railroad south of the proposed site and the Rivanna River on TMP 79-7B shall be maintained in its current natural state, as shown on Attachment D, with the exception of allowing for a greenway trail, should a greenway trail be installed in the future; and
 15. The maximum height of any portion of the asphalt plant shall not exceed eighty-three (83) feet, as measured from the finished site grade.

ORDINANCE NO. 06-03(1)

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 3, AGRICULTURAL AND FORESTAL DISTRICTS, ARTICLE II, DISTRICTS OF STATEWIDE SIGNIFICANCE, DIVISION 2, DISTRICTS, OF THE CODE OF THE COUNTY OF ALBEMARLE, VIRGINIA.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that Chapter 3, Agricultural and Forestal Districts, Article II, Districts of Statewide Significance, Division 2, Districts, of the Code of the County of Albemarle, Virginia, is hereby amended and reordained as follows:

By Amending:

Section 3-225.1 South Garden Agricultural and Forestal District

Chapter 3. Agricultural and Forestal Districts

Article II. Districts of Statewide Significance

Division 2. Districts

Sec. 3-225.5 South Garden Agricultural and Forestal District.

The district known as the "South Garden Agricultural and Forestal District" consists of the following described properties: Tax map 110, parcels 18, 27. This district, created on October 6, 1999 for not more than 7 years, since amended at its last review on October 4, 2006 to continue for not more than 10 years, shall next be reviewed prior to October 4, 2016.

(Ord. 99-3(5), 10-6-99; Ord. 06-3(1), 10-04-06)

**RESOLUTION ENDORSING THE INTENT OF
THE RESOLUTION ADOPTED BY THE U.S. CONFERENCE OF MAYORS
REGARDING THE U.S. MAYORS CLIMATE PROTECTION AGREEMENT**

WHEREAS, the U.S. Conference of Mayors has adopted a Resolution endorsing the U.S. Mayors Climate Protection Agreement, as amended at the 73rd annual U.S. Conference of Mayors meeting, which urges mayors of cities from around the nation to join the effort to take actions to reduce global warming pollution; and

WHEREAS, the County of Albemarle acknowledges the importance of this initiative and supports the intent of this Resolution and the need to explore reasonable implementation of policies and practices to support this initiative.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Albemarle County, Virginia hereby endorses the intent of the Resolution adopted by the U.S. Conference of Mayors titled "Endorsing the U.S. Mayors Climate Protection Agreement" incorporated herein by reference.