

An adjourned meeting of the Board of Supervisors of Albemarle County, Virginia, was held on February 10, 2015, at 5:00 p.m., Lane Auditorium, County Office Building, McIntire Road, Charlottesville, Virginia. The meeting was adjourned from February 18, 2015.

PRESENT: Mr. Kenneth C. Boyd, Ms. Jane D. Dittmar, Ms. Ann Mallek, Ms. Diantha H. McKeel, Ms. Liz A. Palmer and Mr. Brad L. Sheffield.

ABSENT: None.

OFFICERS PRESENT: County Executive, Thomas C. Foley, County Attorney, Larry W. Davis, Clerk, Ella W. Jordan, and Senior Deputy Clerk, Travis O. Morris, Wayne Cilimberg, Director of Planning and Elaine Echols, Principal Planner.

Agenda Item No. 1. The meeting was called to order at 5:00 p.m. by Chair, Ms. Dittmar.

---

Agenda Item No. 2. Work Session: CPA-2013-01 Comprehensive Plan Update/Amendment.

Ms. Elaine Echols, Principal Planner, stated that there were several topics to cover at this meeting. She stated that the first topic would be the text of the Implementation chapter, along with the recommendations from the Planning Commission on several topics that the Board had asked it to review: Woolen Mills, resident artist communities, livability in existing neighborhoods, and the redlines of the first seven chapters of the plan. As part of the review of each chapter, she said the Board would be looking at priority strategies, specifically the Board could decide which it felt were the most important to work on first. She stated that the normal process has been to take public comment at the very beginning of the work session, and then again at 7:00 p.m.

The Chair opened the public comment period.

Mr. Greg Smith addressed the Board, stating that he is the petitioner for the artist communities zoning text amendment. Mr. Smith stated that he is a resident of the Scottsville District, but was before the Board as Executive Director of the Virginia Center for Creative Arts (VCCA), which was founded in Albemarle County 44 years ago but has been located in Amherst for the past 35 years. He said, last fall, the VCCA applied for a zoning text amendment which would add a provision in the code to allow an artists' community to locate in Albemarle County and, since then, discussions with both County staff and the Planning Commission have been both beneficial and challenging. Mr. Smith stated that the primary reason for the latter is that VCCA is the only artists' community in the Commonwealth of Virginia and, therefore, there are no current County zoning provisions to provide for these types of organizations. He stated that the VCCA was currently located on property zoned Agricultural/Residential District A-1 in Amherst County, and is likely to be the only applicant under this section of the code. Mr. Smith said VCCA agrees with 95% or so of the statements incorporated in Attachment B as part of the Board's packets, but there are some differences, most notably the section which states, "New construction for residence halls is not appropriate as it would prevent reversion to by-right use in the rural area." He stated that this was based on the view that a structure for artists with bedrooms and bathrooms was, by necessity, of "limited reversibility options." Mr. Smith said the VCCA contests this view as it ignores the ability to design and build the structure which could be gutted to become usable as a barn or agricultural use in the future. He stated that the VCC has suggested that such convertibility could be required by the County as a way to protect a rural area property in an application under this possible section. Mr. Smith said the VCCA would like to ask the Board to approve the inclusion of the "artists' communities" section in the zoning code, but without the prohibition of new construction for residential spaces.

Mr. Pete Caramanis addressed the Board, stating that he was representing Woolen Mills, LLC, and the contract purchaser of the Woolen Mills property which is slated for redevelopment by developer Brian Roy. Mr. Caramanis stated that they filed a comprehensive plan amendment seeking to change the designation of the property to transitional, which was an outgoing designation. He said the reason they chose that designation is because it allowed for the greatest flexibility. He said what is proposed for the site is a mixed-use development which would include commercial, light industrial and residential, and that flexibility is important from a development perspective, i.e., for financial feasibility, and also the fact that historic buildings were more conducive to be restored in a historically responsible manner and then used as residential rather than industrial. Mr. Caramanis said he met with Ms. Echols and staff to work through some of these details and, eventually, came through with the determination that they could move forward without a Comp Plan change for this property as long as the residential component would not exceed 50% of the use on the property. He stated that this was the bare minimum to make it a feasible project and, when the Planning Commission addressed this the previous week, Commissioners were unanimously in support of more flexibility to allow a greater percentage of residential, and is the recommendation coming forward to the Board. Mr. Caramanis said they wanted, from the beginning, to allow that kind of flexibility, so the property could come to fruition and again be a vibrant property that was attracting people to it once again. He stated that he and the developer were asking the Board to accept the Planning Commission's recommendation and allow the flexibility to go beyond the 50% residential while still contemplating a mixed-use development.

Mr. Brian Roy addressed the Board, stating that he is the contract purchaser of the old Woolen Mills site at the end of East Market Street. Mr. Roy stated that the property is a historical building over 100 years old. He noted that the site itself predates the Civil War with a tremendous history which has been somewhat locked up because it had been owned for the past 60+ years by the same family. He said he is hoping to redevelop it and bring back some of its historical charm. He said their goal was to

make this not only an attractive residential property, but also a semi-public site which would help engage the river and allow for connection of a trail that currently does not exist. Mr. Roy said other cities around the state and country make the river a significant part of its downtown urban redevelopment, and this is an opportunity that has not really existed in the County, i.e. to engage the river and allow for public access, and potentially allow for outdoor recreation. He stated that the true charm of the buildings themselves are that they look 100 years old, with the historic charm and industrial nature still present and, to the benefit of the current owners, it has not been damaged. Mr. Roy said a lot of the real pieces of history that stand out are the ones developers would want to keep in this property, are already there and ones that lend itself very well to historic preservation. He stated that he planned to use the Historic Tax Credit program, which was very much regulated in terms of what someone can do to a building and how one can engage the current reuse yet still preserve the historical aspects. Mr. Roy said there would most likely be more discussions about this property as it comes to a full rezoning, and he expressed his appreciation for all of staff's efforts. He stated that this would be a tremendous economic undertaking, as the site does not necessarily lend itself to having Light Industrial type businesses in a building similar to the original inhabitants.

Mr. Tom Olivier of the Samuel Miller District addressed the Board, stating that he was speaking on behalf of Advocates for a Sustainable Albemarle Population (ASAP). Mr. Olivier said ASAP saw many good features in the new draft Comp Plan, but also sees one glaring omission: beginning with the vision statement, the current draft fails to identify the "right size" for the community it aims to be, and does not acknowledge the impacts that projected population growth would have on the County's ability to accomplish goals which are stated in the draft. For example, he said the newly proposed growth management goal statement in Attachment C implies that, by directing growth to development areas, the rural areas would be preserved; however, Figure 2 in the Rural Areas chapter indicates that, in recent decades, about half of the new housing starts were in the rural areas. Mr. Olivier said the Weldon Cooper Center projected a population size for Albemarle County of 155,000 by 2040, an increase of about 50,000 people, and asked if there was anyone who seriously believed the County could add even 25,000 people to the rural areas without harming the natural resources it contains. He stated that studies by ASAP a few years ago, funded in part by Albemarle County and the City of Charlottesville, showed that all human population growth destroys vital ecosystem services; stream water quality fall sharply as human population density increases in our rural area; and the local landscape cannot presently provide the biological products needed to sustain our current population, and noted that we are living off of open spaces of other places already. Mr. Olivier stated that the ASAP studies were not cited in the Comp Plan, and ASAP feels those studies should be. As a larger endeavor, he said ASAP continues to ask the City and County to start a joint public process to identify a finite, right-size for the community that would be considered in planning processes. Mr. Olivier stated that ASAP seeks a right size that protects the environment and supports a high quality of human life. He said the Weldon Cooper Center recently estimated that Albemarle County grew 4.8% between 2010 and 2014, and Charlottesville grew 9.9% in this brief period. He stated that these numbers make even more urgent the need to actively discuss Albemarle County's right size.

There were no other comments from the public at this time.

Ms. Echols reported that staff provided the Board the first six pages of the Implementation Chapter, which address how plans are implemented. She noted that there were voluntary measures and regulatory measures, and there was also an emphasis on consistent application of policy to help make the County's vision become a reality. She said funding and the Capital Improvements Program (CIP) were also important pieces which would help make the vision a reality. She noted that what is shown on the maps also helps with implementation, as does the adopted work program for each department in the County. She stated that staff would like to know from the Board whether there were things in the implementation text that it felt needed changing, or if Supervisors were OK with things as stated.

Mr. Boyd said, in the past, implementation has always been driven by the financial part of it and whether or not the County had any money to make changes, which has always been the biggest deterrent to any implementation.

Ms. Mallek said this was essentially the dream list which was put out there in hopes that someday the County would be able to fund at least the highest priority things.

Ms. Palmer stated she thinks of it as a perpetual to-do list.

Ms. Echols said staff would get to the list later in the meeting and stated that, if the Board was OK with the implementation text, staff would move onto the Planning Commission's recommendations. She stated that Lee Catlin and Susan Stimart would provide assistance in answering questions on the economic development impacts of the Woolen Mills proposal and also the recommendations of the Planning Commission. She said, as Mr. Caramanis and Mr. Roy had mentioned, they came before the Board with a request that consideration be given during this Comp Plan update to changing the designation of the Woolen Mills property which is located at the end of Market Street and at the end of Broadway Street. She stated that this site is in the Southern and Western neighborhoods master plan, shown as a center, and she noted the presence of Office/R&D/Flex-Light Industrial, as well as Neighborhood Density Residential, and Parks & Green Systems. She said the map also depicts the floodplain situation. She stated that the applicant has asked the Federal Emergency Management Agency (FEMA) to look at the floodplain elevations, and has also submitted a floodplain study, making the case that the elevations were based on old topography. Ms. Echols said they provided the most current topography for the floodplain elevations and asked FEMA if it would update it, and the preliminary information received indicates that FEMA is in favor of it, but it was not all finished yet. She stated that

there were still things happening with the City Engineer, the County Engineer, FEMA and the applicant's engineer, to find out whether or not this was going to happen. She stated that, assuming that the floodplain boundary would change, it would enable the owner of the properties to apply for a special use permit for fill in the floodplain. Ms. Echols said fill in the floodplain would enable the basements to be filled, which would effectively bring the buildings out of the floodplain so that the buildings could be used for residential use.

Ms. Echols stated that the buildings are currently zoned Light Industrial and could be used for that purpose, but the owner would like to do something that is more mixed use, which is what the Neighborhood Model recommends, but with a larger residential component. Ms. Echols said the applicant made application to the County for a change in land use, and staff worked extensively with Ms. Stimart and Ms. Catlin, with the applicants, and the Zoning Department to determine if there was any way the applicant's proposal could come into conformity with the land use designation and staff thought they might be able to do that. She stated that staff put together some modifications to the Southern and Western Neighborhoods Master Plan description of this particular area, which addressed the fill in the floodplain aspect. Ms. Echols said the applicant told the Planning Commission that he thought he could use the existing designation, but he really liked the residential component for making the large mill building into loft apartments, and felt that would be a good way to preserve the historic resource. She stated that staff was looking at the categories of use for Office/R&D/Flex-Light Industrial, and she presented text from the section which dealt with that category, noting that "secondary uses are allowed where those are deemed compatible with nearby adjoining uses." Ms. Echols said residential use is allowed in this category, but was supposed to be the exception and not the rule. She stated that, in discussing with the applicant how much residential they could have under this category, staff indicated that secondary would mean it would have to be less than half. Ms. Echols said they were trying to get some clarity on that and recommended in the language for the Southern and Western Neighborhoods Master Plan that "less than half" would be used for residential.

Ms. Echols stated that the Planning Commission wanted to provide more options, and indicated it could support all of the other language except the piece in the recommendation that no more than half of the land would be used residentially and indicated that it had to be removed from the description. She said this meant that, if there was a desire on the part of the Board for more residential use, this category would no longer be the appropriate one and there would need to be a different category brought to the Board as an alternative. Ms. Echols said it is important for the Board to know that staff tried very hard to preserve the Office/R&D/Flex-Light Industrial designation with the Light Industrial ideas, because of the Board's commitment to employment uses, and is really a question for the Board about how important it thought the employment category and employment uses were at that particular location. She stated that it should also be noted that there are not many places like this in Albemarle County, although there are a few historic buildings in the floodplain in Scottsville. She noted that, in cities like Richmond and other areas with floodplain, it is more common. Ms. Echols emphasized that, if staff was bringing a different designation to the Board, it was probably going to be a unique designation for this particular area, because nothing else fits cleanly, and no other land use category cleanly applies to this particular situation. She said it was a bit like downtown Crozet, i.e., a specific location that had specific recommendations which do not exist anywhere else and, if the Board wanted to consider an alternate land use category, it would be discussing the Development Areas in March, and this could possibly fit into that discussion.

Ms. Dittmar said this discussion was similar to the temporary indoor soccer facility discussion, when there was a lot of pushback from staff who expressed concern about using valuable LI area for that purpose. She stated that Supervisors decided to allow for the temporary reuse because it was temporary, and the Board was very eager for it to be available for LI. In her research about this project, she said her only concern was that there not be an explosion of residential in an industrial area, as this small corner of the County could be really rich for jobs.

Ms. Palmer said she appreciated staff trying to keep this zoned LI, and understands how much that land is needed. She stated that she talked with three Planning Commissioners about it, and they explained how unique this property was and how difficult it would be to get LI to work there, so she came out of those discussions thinking that the applicant needed more flexibility to make the area work. Ms. Palmer said she was not sure how much flexibility the Board should grant, because she did not want people to come back and say they did not want to have businesses there.

Ms. Mallek said 49% of that square footage was a lot of residential housing, and noted that this was similar to the discussion happening in downtown Crozet with a very strong contingent saying that employment is what the County should be doing. She said filling up space even halfway with houses would change how the rest of it would unfold because of the presence of residential. She stated that the top floors of the mill would be a cool place for very expensive lofts, but to have hundreds of apartments in there would be counter to what she envisioned with high ceiling spaces and those kinds of amenities. Ms. Mallek said she was very reluctant to throw in the towel this early adding that unique was one thing, but shortly, the Board would probably have an argument from someone saying the County does not have enough light industrial spaces and the Board needed to rezone something else, or add onto the growth area to achieve more LI. She stated that she appreciated the effort it was going to take, and that it would be difficult and challenging to do, but she has not yet been convinced that the Board needs to change its rules for where it belongs.

Mr. Sheffield commented that this is such a unique part of the County because the property is tucked away into the City's infrastructure. He said he did not have a problem with the residential

component because he envisioned commercial and industrial growth happening in other places but not there.

Ms. Mallek said the property is within a mile of the interstate interchange and has great transportation, so it has a lot of the business attributes that other spaces do not have.

Mr. Sheffield said the City tries really hard to keep a lot of traffic off East Market Street.

Ms. Mallek said someone would come in on Broadway off of I-64 to access this property.

Ms. Palmer noted that the slope would be very challenging.

Ms. McKeel said she agreed with Ms. Mallek, adding that she was hesitant to do anything that would change the parameters, and felt that staff should look at more options and bring those back to the Board. She stated that she looked at this area as providing some interesting opportunities for jobs, and anytime there was just one particular place that was so different, it was hard to deal with that area. She added that Supervisors would need to be pretty careful.

Mr. Sheffield asked if this property had been slated for redevelopment in the past.

Mr. Cilimberg said the historically significant buildings – the mill and other properties – have been the focus of what developers were hoping to turn into residential, but there have never been any proposals for use. He stated that staff has anticipated that residential would go into those older buildings because tax credits could be used while preserving the buildings. He said employment-generating kinds of uses would be more industrial in nature and would probably be in a newer building or buildings that would be onsite but not necessarily combined with these buildings. Mr. Cilimberg said staff would want to have more than 50% of the site's development devoted to that type of use.

Ms. Echols said the applicant has a very creative proposal, and staff felt there were many wonderful opportunities with this project, with the sticking point being the residential. She stated that the larger building would be for residential units, with two smaller buildings that could potentially be used in different ways. Ms. Echols suggested the Board hear from Ms. Catlin, as her office has been working on the different kinds of possibilities which might exist and on flexible options that might be available.

Ms. Catlin stated that she echoed Ms. Echols' and Mr. Cilimberg's commendations about the applicants, their flexibility and hard work, and agreed that this was a unique opportunity both in terms of location, the historic nature, and the context of the project. She said staff worked very hard to find that balance, and where they landed was to make residential possible but still be the secondary use in order to retain the character of what they thought it was intended to be. Ms. Catlin stated that LI was not the old-fashioned "smokestack" kind of LI, but was instead the research and development kind of operation. She stated that what Woolen Mills provided that the County did not have in many other places was a "cool factor" – a neat location that was close to the City, that had other things going on and offered the "millennial flavor" that is not found in very many other places in the County. Ms. Catlin said, with the addition of the river, it becomes an attractive place for the kinds of businesses that are the emerging part of the economy – high tech, research and technology, biotech, and even food and beer processing.

Ms. Palmer asked what kind of flexibility the applicant was actually asking for and the percentage of residential being sought.

Ms. Catlin stated that it had been hard to land on a number, but the closest they could get was the rationale that it should still be predominantly LI focused, which put the residential at 49%, however, that was not a magic number and, basically, just fostered the majority of LI use.

Ms. Boyd said he was thinking back to a site long ago that the Board converted from LI to commercial, and, because of that, the County will have a Wegman's here, which a lot of people are very glad about. He stated that the Comprehensive Plan needs to be in conjunction with private ownership of property, so the Board needs to make sure it works with people who have ideas for it. Mr. Boyd said this was a very unique and unusual site, and he was very willing to work with the owners of the property in terms of what they can do to feasibly develop it. He said he would not be opposed to considering what the applicant has brought forward. He stated that, if the Board puts barriers around that, it takes away the creativity the owners need to develop what the economy of the project affords, and he sees an opportunity here for development of an unusual place in the County. Mr. Boyd stated that he agreed with the assessment that this property was ideal for millennials who would be able to work and play near the river area.

Ms. Palmer said she totally agreed with Mr. Boyd.

Ms. McKeel said she also agreed.

Ms. Dittmar said she was reticent to change anything before the new economic development director arrived, adding that she has had to explain to constituents in the Avon Street extended corridor why the County must retain LI in that area. She stated that flexibility could be a good thing but, if the Board was interested in moving away from this designation, she would suggest making no decisions and wait until it sees what "flexibility" means for a specific area. Ms. Dittmar said she wanted to make sure the area was there for jobs and, if a project came forward with residential that was 60% or more, that would not be her vision for what the future of that area would be.

Ms. Palmer said she would like Ms. Echols to come back after working with the applicant to see what that actually means, to see if the County can be more flexible but still stay within its intent to keep a major portion of LI there.

Mr. Boyd said Ms. Echols had noted that Supervisors would be taking up that chapter of the Comp Plan in the future, so perhaps the best solution would be to deal with it at that time.

Ms. Echols said what staff could do would be to talk about what the ideal proportionate share of different uses would be and bring that back to the Board. She stated that the Board was aware of the desire to have a large residential component, so staff should be able to show on the ground what that would mean, come up with some options for Supervisors to consider, and that could be done as soon as the March meeting.

Mr. Boyd stated that, when people came forth regarding the soccer location, they expressed how delightful it was to get to the Downtown Mall and restaurants, and this area would likely be similar to that.

Ms. Mallek said those same people wanted to keep the business neighborhood and felt a great synergy from one business to another. She asked Ms. Echols to clarify the process involved, as the applicant had applied for a Comp Plan Amendment.

Ms. Echols said the Board is addressing it as it goes along.

Mr. Wayne Cilimberg, Director of Planning, stated that staff had rolled this into the Board's Comp Plan review and, ideally, staff would like to get this established as part of the Board's approval of the Comp Plan.

Mr. Caraminis said this discussion of percentages was kind of what he had been doing all along with Ms. Echols, and part of the reason they were coming forward to the Board now was to try to get some guidance from the Board as to what would be acceptable. He stated that the 51%-49% was pretty much stretching what they thought was feasible from a financial and historic preservation perspective. He noted that a maximum residential percentage was not discussed, however, the Planning Commission supported a higher level. Mr. Caraminis said, if they were going to have to go back and talk to staff about an ideal percentage, it may be helpful to have more guidance from the Board.

Ms. Palmer asked what his ideal percentage would be. Mr. Caraminis said the existing old buildings were better suited, from a redevelopment and historic preservation perspective, to be outfitted for residential and the Light Industrial uses would be in a newly constructed building on the side that faced the Service Authority. He said, since this property started out as transitional zoning, it actually would transition from the residential use on one side of the property, then to residential on the property itself, and then within the property changing over to a mix with light industrial, and then completely over to light industrial. Mr. Caraminis said the mill building itself would be used for commercial uses, perhaps a brewery with a restaurant affiliated with it, but their investigation of Light Industrial users has shown that they typically want to spend less per square foot and, when someone is talking about "cool spaces," those generally are not cheap. He stated that a lot of LI users are not interested in spending the kind of money needed to be in this type of building, especially after developing the site in a way that preserves the historical tax credits. Mr. Caraminis said this is currently an LI property and has been for a long time and, if it was so inviting to those LI users, there would be a lot of people interested in trying to do this but, from what he has heard, there really are not.

Ms. Mallek said it has been an active furniture storage space for a long time, and has been a viable business.

Ms. Dittmar said this makes the argument for having the economic development director on board, because it takes someone working full-time to establish what the best and highest use is, and how it fits into the model of job creation. She stated that she did not want to hold the applicant up for another month. She noted that the only thing the Board was deciding now was whether it wanted to change the Comp Plan category for this. She said she would like to see what a special designation might look like before turning down any change.

Ms. Palmer asked if Mr. Roy knew the percentage of square footage when looking at the new building versus the old. Mr. Roy responded that, in talking about a 51%/49% split, they were trying to conform businesses into a new building and seeing if they could add 2,000 square feet here or breaking it up into the existing buildings. He also said there was a question as to whether an outdoor recreational business would count into the overall ratio and staff said no, so there were a lot of moving pieces but he felt they could get to a point that might be workable.

Ms. Mallek said the mill probably feels huge, and asked if it was about four stories tall. Mr. Roy said it was about 100,000 square feet total, with 25,000 square feet between the saw tooth and another 75,000 square feet of stories.

Ms. Mallek said this would be a whole bunch of residential, with a new 42,000 square foot building to the west. Mr. Roy said the saw tooth would have components of both as a live/work studio space, with perhaps something like a photography space because of the high ceilings. He said the question would be how to designate commercial versus residential.

Ms. McKeel asked if they were saying that they had some financial parameters in order to make this work. She said she was trying to get an idea of what the residential percentage would need to be.

Mr. Roy said there absolutely is a tipping point and, by putting too much residential and business in the same building, it creates significant problems for banks and financing, particularly when there are historical tax credits, which can almost be a deal breaker. He stated that the more layers that are put on top of it, the more difficult it is, and a primary LI-flex use encroaches more into the residential portion which makes the project harder to work. Mr. Roy noted that, in the four-story mill building on the first floor, he has designated about 10,000 square feet for a non-residential use in addition to the saw tooth building use and the outdoor use.

Ms. Echols said this is where they were before they went to the Planning Commission, making it look close enough to fit in the designation but, in getting down to the rezoning and the list of uses that would be allowed and how much, that is where the rubber hits the road. She stated that there were several options, including using the existing category of Office R&D/Flex/Light Industrial and then, when the applicant comes in for their rezoning, the Board looks for conformity as close as possible to that, with any flexibility it feels it may have. She said the other option would give more flexibility and describes the site in more detail which is a bit different from the usual Comp Plan approach with a maximum number of units, minimum amount of square footage in non-residential, etc. Ms. Echols said the question for the Board was which way it wanted to go, adding that staff could work a bit more to get what the categories might be.

Mr. Boyd asked if it would be possible for the Comp Plan to have a plus or a minus included, because he was sympathetic to the applicants as they would not know what kind of tenants they would have until they got into their project. He noted that the applicants are simply trying to limit their risk as much as possible.

Ms. Mallek stated that one of the problems all along has been the rigidity that is perceived.

Mr. Boyd asked if it would be possible to have a type of LI or residential zoning that would allow for plus or minus 10%, depending on the build-out. Ms. Echols said staff would have to look at what that unique district would say.

Ms. Mallek stated that the first category described appealed to her much more than the second one which sounded like a code of development for a Neighborhood Model that would cause lots of headaches. She said, regarding the first one, if staff could figure out a sentence that described the challenges because of the historic building and bringing together all of the different players, it would help her accept the lack of adherence to 50%, as there might be some way to address flexibility within the building. Ms. Mallek said it occurred to her, in visiting the building, what an appealing site it was and she would like to have enough information to feel that the Board was not giving away the ranch and helping the applicants get to where they want to be.

Ms. Dittmar suggested keeping options open for one more month, and asked Ms. Echols what she might be able to do as far as creativity for this specific area.

Mr. Caraminis asked if the Board wanted him to meet with Ms. Echols and come up with a more specific percentage of residential use. He added that he would love to share the details of the plan with Supervisors which obviously would happen at the rezoning phase. He offered to bring that forward now, as the Planning Commission was able to see that level of detail.

Mr. Boyd said, quite often, developers contact the Board and meet with Supervisors in groups of two, in a format that did not constitute an official meeting, and he offered to do that with the applicant.

Mr. Caraminis said he would try to do that between now and when they come before the Board in March.

Ms. Echols said staff would also be working with Ms. Catlin and Ms. Stimart on those categories, as this was a comprehensive process with all the involved parties.

Ms. Echols reported that another recommendation the Board had asked of the Planning Commission was to further explore the "artists' community" designation and what that might entail, so staff tried to provide a bit more description in "residents artists' community," because that makes it more like an artist-in-residence situation. She said, in June 2014, an applicant – Mr. Smith – made a zoning text change request to allow for this use by special use permit in the Rural Area district. Ms. Echols stated that the Board had talked about it at the end of the summer, and directed the Planning Commission to study it as a concept for Comp Plan recommendation for the rural area use. She said the Commission met three times on that issue, including in December when it tried to sort through the parameters if it could be allowed in the rural area and, in January, the Commission provided specific language as a recommendation, which the Board had in its staff report. Ms. Echols said the applicant had asked to add the SP to the zoning ordinance, and put out some ideas for discussion: up to 30 resident artists, construction of a new facility or use of existing buildings in the rural area, and up to 40,000 square feet in one building or more. She stated that those were the pieces staff was considering, and looking at in terms of how this would play out on a property in the rural area.

Ms. Echols said the Planning Commission looked at this in detail and determined that it was not really a rural area use but could be used to help preserve historic resources, and said that it would be

possible to make additions to historic buildings or even construct new buildings. She said the Commission established that it was really important that any new buildings preserve the integrity of the historic site and not be problematic in terms of damaging the architecture or the value of the site and its historic resources; they needed to be complementary. She stated that convertibility was essential, and did not want that to ultimately turn out to be a facility that was no longer used for the resident artists' community, as that might put pressure on the County to approve commercial lodging, therefore, it could not realistically convert to by-right use. Ms. Echols said Mr. Smith took exception to that point, as expressed in his earlier conversation with the Board. She stated that the Planning Commission said the Board should consider amending the zoning ordinance to allow for these resident artist communities, and that rural historic compatibility would be essential. Ms. Echols said the Commission talked about the importance of a rural design, and recommended that any new buildings should be clustered together, so there would be more of a resource preservation advantage. She stated that Commissioners initially thought about location in or near crossroads communities was important so there could be some interaction between those communities and the artists, however, in the last recommendation, it indicated that a large property of significant acreage could also be considered.

Ms. Echols said the sticking point was that new construction of residence halls would not allow for the reversion, so the Commission did not feel new construction should be allowed by zoning and has made those recommendations. She noted that the applicant was requesting the Board re-look at whether that issue was important, possibly removing that sentence from the Commission's recommendations. She stated that the residence hall was essential for this particular applicant and, if they were not able to construct it, they may not be able to find a facility which would allow them to do what they were looking for in Albemarle County. Ms. Echols said that was an important piece of it but, if the applicants were the only ones that would ever do that here and could not do it here, staff wonders whether the Board wanted to keep the recommendation in the Plan. She stated that there are some tricky aspects to this, but trusts that the Board can figure out the right solution to the problem and make a decision.

Ms. Palmer said she really liked what staff provided as recommendations and asked Ms. Echols to reiterate her last point.

Ms. Echols said, in the recommended language, the very last paragraph indicates that new construction for residence halls was not appropriate as it would prevent reversion to a by-right use in the rural area. She stated that this was the sticking point for the applicant and, if the applicant does not believe they could use this particular provision with that statement in the Comp Plan, perhaps the whole section could be eliminated from the Plan. Ms. Echols explained that, if this applicant was the only one who could make use of this provision and needed to have a residence hall but the Board was saying it could not have it, the Board may not want to add this particular strategy to the Comp Plan.

Ms. Mallek said the reverse could also be applied and, if the Board felt there should be a way to work with this, it could remove the one sentence that says the restriction is not appropriate.

Ms. McKeel stated that she tried to envision different proposals like this that might come before the Board, adding that she did not think the County would be overwhelmed with this type of proposal. She stated that the Board ought to be able to work with this group without changing the Comp Plan. She said the Planning Commission was trying to figure out all of the possible scenarios, and she would like to see the County work with the applicant as this seemed like a great idea however, she did not see the need to change the entire Comp Plan for it.

Ms. Mallek said, in spirit, she agreed entirely, adding that she had visited Casa Maria site and realized what a beautiful site it would be for them but, on the other hand, she was very opposed to the Board making things up as it went along, and to put staff in a position where they were being expected to make policy. She added that she hoped the Board would keep its attention focused long enough to figure out a way to make this work. She noted five other uses that could potentially move in if VCCA stopped being there: farm worker housing, a private school, a group home such as Innisfree, boarding camp, and a Monastery, adding that there has never been a problem for the one in White Hall. Ms. Mallek said the restrictions are in the Comp Plan now so that, when a special permit came forward, the applicant would have to be in compliance, so whatever they built had to be convertible to an agricultural/rural use.

Ms. Palmer said one of her problems with this was where to draw the line between a hotel in the rural area and a residence hall, and it seemed to her that it was also the Planning Commission's idea. She noted that this was the reason she had a very hard time with the residence hall concept in the rural areas, and asked staff to comment on what they found out about hotels.

Ms. Echols responded that, when staff did their research on these kinds of facilities in other localities, they were called "retreats" and/or "retreat centers," which was something in discussions on the Rural Areas chapter of the Comp Plan of which the Board was not in favor. Further, she said, in the context of commercial lodging, the Board felt that bed and breakfast regulations were sufficient. Ms. Echols said, going on those recommendations, staff felt this could set up a situation in which other people would be saying "it's just like that," and asking why they could not have it. She stated that, if the Board wanted to do that in the future, that was a different direction. Ms. Echols said, in this particular application, they want individual bedrooms and bathrooms for each artist and, if they should not be able to continue with their program, it would open the property up for other uses. She stated that this was why staff had leaned toward an arrangement whereby there were other structures on the property that could be used, and perhaps there was a way to make it work without the residence hall being built.

Ms. Mallek said one delineating factor for her was the length of time people would spend there and, if they were there for 21 days or more, for example, it was not the same kind of thing as traffic coming in and out every day or for the weekend. She said this was how they currently addressed rentals of rural properties, as they were not supposed to have short-term rentals happening.

Ms. Palmer asked if they would want to have an art show or something to raise money, because they would need to raise money at some point.

Ms. Echols responded that the applicant was asking for the ability to have a quarterly open house so, depending on how many people they expect, there would need to be a determination of whether or not they needed a special use permit for events.

Ms. Dittmar stated that she was very interested in preventing the same things that has happened in Fluvanna County, which was crumbling historic buildings because the people who owned them could not find financial viability in them. She added that she did not have any big answers as to how to help people with those types of buildings while still protecting the rural area. She stated that her goal was always to keep consistency, and the guidelines being looked at concern uses rather than users, so the attractiveness of this particular user should be abandoned in the Board's final decision about whether the guidelines need provision for studying or allowance, since it is not at a crossroads location.

Ms. Palmer said she would like to stick with what staff brought forward, and felt that Ms. Dittmar had made an excellent point about it being a use, and not a user.

Ms. Mallek noted that this pertained to historic properties only, as crafted by the Planning Commission, so that was already a limitation.

Ms. Palmer said the applicant could build a new residence hall.

Ms. Mallek clarified that the first threshold that had to be crossed would need to be the historic designation.

Ms. Echols explained that the definition currently in the Comp Plan was, "A historic resource was a place where architectural and other remains present are in districts or buildings and structures, have integrity of location, design, setting, materials, workmanship and feeling an association, and they are associated with one of these historical or cultural things: the significant contribution, lives of someone there, embodiment of the distinct characteristics or information which is important to prehistory or has the potential to yield this information." She stated that there are National Register properties, State Landmark Register properties, and other properties that have been surveyed but not yet designated. She noted that there is no local historic district ordinance.

Mr. Sheffield commented that he liked the work staff had done.

Ms. Mallek said she was trying to clarify whether the Board wanted no new construction or whether that construction had to be convertible.

Ms. Palmer stated that her preference was no new construction.

Mr. Davis said this was guidance for what would be proposed as a zoning text amendment, so those details of the ZTA could be worked on further, but staff's recommendation was to follow the guidance provided in the Comp Plan. He said, if there was wiggle room here, there would be wiggle room in the ZTA which might be even more difficult to define.

Ms. Dittmar asked if Supervisors were in favor of 5.C. in staff's strategies.

Mr. Cilimberg said 5.C. was summarized as presented on the screen before the Board, and stated that staff was trying to ascertain whether the Board concurred or wanted to make changes.

Mr. Sheffield said he felt it would be difficult to regulate new construction under the idea that it would be able to revert back to some other kind of use, as that was getting into a level that Community Development might not be able to handle because the County then gets into the particulars about the intent of the construction and what the future intent might be.

Ms. Palmer agreed with what staff had brought forth.

Mr. Boyd said he was also OK with that approach.

Ms. Echols confirmed that Supervisors were in favor of what the Planning Commission had recommended.

Ms. Echols stated that she had planned to report to the Board on the new objective for existing neighborhoods. She said the Commission had tried to work on that, had all of the action memo information from that meeting and was looking for the Board's changes but she only gave Commissions the new objective, which made it very difficult for it to follow. Ms. Echols said she had been working on the new Development Area chapter to get it ready for Commissioners, and that should be online tomorrow, which would reflect the Board's requested changes and the new objective. She noted that staff

would report back to the Board in March as to what the Commission said, and confirmed that the Commission would meet the following week.

---

**Recess.** The Board recessed their meeting at 6:28 p.m. and reconvened at 7:06 p.m.

---

Agenda Item No. 3. Continuation of Work Session.

Ms. Echols stated that, at this juncture in the meeting, the Board is ready to look at the redlines and priorities for the first seven chapters of the Plan. She noted that the meeting would once again begin with public comment.

The Chair opened the public comment period.

There were no speakers, and the Chair closed the public comment period.

Ms. Echols reported that she had received some comments from the Board, and that Ms. Mallek had also provided a good review with some typos discovered which will be corrected before the public hearing. She said she provided the Background chapter to the Board, but did not hear back as to whether it was suitable, so she would assume everything was acceptable. Ms. Echols stated that, in 2013 when the Comp Plan review began, the Board talked about the Livability Project in the chapter. She said staff provided the Board with a two-page foldout that described the recommendations from the joint Planning Commissions for the Livability Project, which was the recommendations for the City and the County. She said those recommendations were considered a historic record of the work that was done on the Livability Project, but the Planning Commission wanted to make sure this was reflected in the goals, strategies and activities for the future. Ms. Echols said, in every chapter in the very first objective, on the right-hand side, those recommendations from the Livability Project are noted, and all of those recommendations are part of the strategy statements in the Plan. She emphasized that these statements make it a commitment, rather than just a record in the Background chapter so, if Board members are not comfortable with it being a recommendation in terms of a commitment in conjunction with the City, it was important for staff to hear that. Ms. Echols said Supervisors have seen all of the recommendations in the Plan and have gone over them so, unless there were changes to the strategies, everyone could agree to all of the noted items, however, if Supervisors did not want to do that, staff should know that now, as it would affect what is put in the final Plan.

Ms. Dittmar asked if Board members wanted to have more discussion on this section and chapter.

Mr. Boyd said he was objecting to references to the Livability Project even being in there, and recalled that, at the time the grant came forward, the Board was not interested in participating in the project. He said staff assured the Board that they were going to be part of it, but it would only be applied to what the Board was working on and what pertained directly to the County. He stated that he had an objection to including it even as a historical reference, and definitely did not want it included as a commitment.

Ms. Palmer said, as she read through it, she did not see anything that was not in the Comp Plan in some form or fashion.

Ms. Mallek said it has historically been in the County's Comp Plan for decades in terms of the individual items. She said she really likes having it organized that way as a record of the fact that the greater community talked about these things.

Mr. Boyd stated that there were a lot of people who participated who felt they were never heard or listened to, adding that there was a predetermined outcome with that process. He said the group surveyed residents in non-statistically sound instances on what was important and what was not important.

Ms. McKeel asked if Mr. Boyd objected to clean water and clean air, because all of that is what was being suggested in the Livability Project.

Mr. Boyd said, in reading the 1998 Livability Project, it talks about controlling population, controlling the economics of the community, including a lot of things that people objected to and was carried over into that document.

Ms. Mallek said a few did object. She noted that all of the living members of the original sustainability group, which reflected a wide political spectrum and various points of view, came to talk about how they had found the middle and felt that the middle of the road recommendations would provide a place where their grandchildren would be able to live. She emphasized that it was a historical document.

Mr. Boyd said Ms. Echols' slide talked about making a commitment.

Ms. Echols explained that there was a place in the Plan where the Board had asked that the Sustainability Accords be added, and noted that those were still aspirational principles. She said, after the Planning Commission finished its work, this became a historical document, with consideration of goals

which were now incorporated into the Background chapter in the sidebars. Ms. Echols stated that the text now implies that “Charlottesville and Albemarle will do these things.” She said staff could make the change to state that this was what both Planning Commissions said, but the Board could also retain it ‘as is’ to convey it as a Board directive.

Mr. Cilimberg said it was important to distinguish between the Sustainability Accords, which were carried over from the 1990s and are in the introduction, and the Livability Project goals, which were the result of the work that took place in the City and County during its respective updates of the Comp Plans over the two or so years of that grant and was completed in 2013. He emphasized that the documents are different things. He explained that the Livability Project results were the joint work of the City and County under the grant, and the Sustainability Accords were the aspirational principles from back in the 1990s which have been carried over in this document.

Ms. McKeel said the language says, “Protect drinking water supplies, watersheds, reduce emissions, encourage industries to be clean and environmentally responsible,” and she would absolutely support all of those things and keep that statement where they are in the text.

Ms. Echols asked the Board for any further suggested changes.

None were provided.

Regarding the Growth Management goal, Ms. Echols said what was in the version the Board saw and what was in what staff put forth has to do with the existing goal: by directing growth to the development areas, the County will preserve the rural areas for future generations. She said, when the Board talked about the development areas, it talked about how important it was that the development areas in their own right are good places, so there are good development areas and good rural areas, and that the growth management policy helps the County achieve both of those things. Mr. Echols said that was why she reworded the goal, and asked if it was acceptable to the Board. She said, if the new wording is not acceptable, she asked Supervisors to indicate how it would like to change it.

Ms. Mallek said she liked the fact it was a positive statement about the growth areas, which was what Supervisors were trying to address with growth management.

Ms. McKeel said it took the development area and framed it as a positive rather than in an apologetic tone, because the Board wanted people to choose to live in growth areas.

Ms. Dittmar asked if the words “current generation” referred to her generation, or those who were older, or younger.

Ms. Mallek said she thought it meant “living and future.”

Mr. Cilimberg said staff could change the wording to “all generations.”

Ms. Mallek suggested “present and future generations.”

The Board agreed to include “present.”

Ms. Echols reported that there were three strategies which were mostly policies that dealt with continuing to fund the CIP, with umbrella recommendations in the individual chapters. She said the Planning Commission did not include any priorities in this chapter because it seemed like it was overkill so those were found elsewhere in the document. Ms. Echols stated that she did not recommend that the Board get into prioritization of this particular chapter.

Regarding the Natural Resources chapter, Ms. Echols said the only question outstanding related to the status was of well reporting or mapping, as it had been somewhat sporadic over the years. She said, when the County lost its Groundwater Specialist position, staff also stopped doing any analysis of the well-drillers reports, all of which come from the Department of Health. She said, for a while, the County was receiving a lot of them and mapping them online, but then staff stopped getting the well-drillers reports from the Department of Health so those are no longer at their GIS web location. Ms. Echols said applicants for properties of less than 21 acres for subdivisions get a report from the County which shows where the other groundwater resources are and where the other wells are. She noted that, as the Department of Health gives the well location information, the County puts that on maps but, since that was not happening, there was no additional mapping being done. She stated that the other issue pertained to the test wells, noting that the County had four test wells it was monitoring but is no longer doing that so, in answer to Ms. Mallek’s question regarding the discontinuation of the program, a lot of those activities are no longer taking place.

Ms. Mallek said having the discussion underlined was very important because it provides Supervisors the option of going back to determine where resources are available. She stated that the whole point of this effort was to know where the water was available so the County would not be approving huge water draws in places where people were already encountering serious problems such as Blenheim, where people have to drill multiple wells at great depths in order to get anything.

Ms. Echols responded that it was proposed as part of the overall water resources plan, and got folded into the list of items which need to be looked at and how the County will want to deal with this matter in the future.

Ms. Palmer said, under Air Quality, staff may want to provide a link to where and how many of the air monitors are.

Ms. Echols said staff could definitely include a link, adding that she was only aware of one but would check into it and record that information.

Ms. McKeel asked if this was the chapter in which climate change for the area was addressed. Ms. Echols said the Plan does not cover climate change very much, although it had been mentioned a few times in a few places, but not to any large extent. She noted that it was mentioned in the solid waste section.

Ms. Palmer noted that it was included in the Livability Project goals. Ms. Echols stated that it had not come up throughout the development of the Plan, however, if the Board felt it should be included more than it is now, the Board should let her know.

Ms. Palmer recalled that staff was going to recommend the best places to include it.

Ms. McKeel said she would like to see the language strengthened and put somewhere.

Ms. Mallek asked if the LCAP project report, which represented a collaborative City, County and University effort and was adopted in 2010 or 2011, was included in the reference documents. Ms. Echols responded that staff had not included it in the reference documents, but it would be easy enough to add. She said the natural resources information in the reference section included the watershed biodiversity report, mountain protection, stream degradation, and Rivanna River Basin Commission's recommendations.

Mr. Cilimberg said the LCAP plan covered those bases pretty well, and referencing it in a paragraph as to what it focused on would be sufficient.

Ms. Palmer noted that multi-modal transportation was also referenced as part of reducing emissions. She said it did not work its way very easily into the Natural Resources section because it was mostly an efficiency and a reduction.

Ms. Mallek said there was another section which talked about community services.

Ms. Echols said Community Facilities had references to that, and suggested that staff figure out where it makes sense to include it, then have a hyperlink to get back to the main topic.

Ms. Echols stated that the Planning Commission reviewed the list of priorities in the Natural Resources section and designated which priorities were aligned with it. She noted those items which were enhancements and new programs for natural resources. Ms. Echols reported that the enhancements were development of the biodiversity action plan, repeating the land cover work, encouraging native plant use, increasing biodiversity education, and providing more information to potential subdividers on habitat protection. She stated that the new programs were the watershed implementation plan, which was mandatory due to state TMDL regulations, and the water resources plan; increasing education on water resources and adding money for water resource programs; providing information to property owners with mineral resources on their properties; and increasing awareness of the properties where there was potential debris flow. Ms. Echols noted that there was information on each of those initiatives in the Board's packets.

Ms. Palmer asked if the biodiversity piece was being handled primarily by the committee, and wondered about the money commitment for that.

Ms. Mallek said staff's GIS component was what the committee needed to go to the next level.

Ms. Echols mentioned that there is staff support provided to the committee, and staff is doing some of the work along with the committee. She clarified that the land cover work was an expensive project when it was done three years earlier, and the costs have come down on that, so it is a matter of keeping the information up to date.

Ms. Mallek said it was her understanding that the state was planning to do that work for the entire Commonwealth and that was according to Water Resources Manager, Greg Harper, so that would provide help locally.

Ms. Palmer suggested that Ms. Echols bring back a status report on that item. She said she had some concerns about Strategy 1F – "allow and manage recreational use of drinking water reservoirs on adjacent public lands only as incidental uses to primary function as a public water supply, and in a manner as to prevent cumulative impacts that may impair that primary function." Ms. Palmer said it might be important to footnote that item, adding that she and Ms. Mallek had a meeting on Thursday about this.

Ms. Mallek explained that this pertained to places like Sugar Hollow, where the County does not own the land but does work with the City on that. She suggested that it might be included as an enhancement category.

Ms. Palmer stated that it is a policy now, and she completely agreed with it, but the County is not really following through with it. She asked if it should require an asterisk and an enhancement if the County were to follow through with the policy.

Ms. Echols said the Board is actually applying the policy in ways that have happened in the past. She said, some years ago, there was a special use permit request for someone to have a private rowing club in addition to UVA's program on the reservoir. She stated that every time someone wanted to have access to the reservoir, the Board would look at it for its impacts. She emphasized that, if the Board wanted to do more with it, staff could make it a strategy.

Ms. Palmer stated that people think Sugar Hollow trails at the North and South Fork are part of a park. She said she read a post from an individual on a trail blog recently that said, "Sugar Hollow is the best park in Albemarle – it's the only one where the County allows swimming." She said, in the summertime, it looks like Crozet Pool, so the County is not really applying its management to that area. She said, at the upcoming meeting on Thursday, the group would be talking to the park service, the City, and the Rivanna Water and Sewer Authority (RWSA) so, if the Board decided to do something different with that, then it could.

Mr. Cilimberg said, when that column of the policy items were checked, it meant there was an assumption the County was already doing it.

Ms. Mallek said, for Albemarle County properties, that is definitely being done, however, with Sugar Hollow, it is not County property which is why staff cannot control it.

Mr. Foley said it establishes what the Board wants to do, and the Comp Plan provides the foundation for all of the work that will be done to try to make sure that this was adhered to on a broader level. He stated that it does not keep the County from being able to do anything, and also does not require that the Board put everything it was doing into the Comp Plan. Mr. Foley stated that this is an emerging issue, and would probably end up moving from a Comp Plan principle into some actions within strategic plans, the budget, and so forth.

Ms. Mallek noted that the parks representatives from both the City and the County would be at the meeting, and perhaps she and Ms. Palmer could come back with a few sentences to consider, or the Board could simply go with what it already had.

Ms. Echols asked if Supervisors wanted to spend any time on prioritizing or wait until everything was done.

Ms. Mallek suggested Supervisors take the pages home and prioritize. She noted that she was not prepared to debate the order of priorities.

Ms. McKeel asked if it was really necessary for Supervisors to prioritize at all.

Ms. Mallek said staff probably needed some kind of direction as to where to start.

Mr. Cilimberg suggested the Board get through this meeting and the next month and see what it considers to be the priority strategies. He said staff would then ask the Board to identify the things staff would need to focus on in the next five years, before the update of the plan again, and that was where Supervisors might want to establish action items.

Ms. Palmer said it would be helpful to have all of these priorities together to understand what money was attached to them.

Ms. Mallek noted that this was the vision, and the money is addressed elsewhere.

Mr. Foley said the Comp Plan sets the broadest vision for what the County does, and that then needs to work its way to something more actionable. He said, in the Strategic Plan, the Board identified natural resources as one of its priority eight or nine goals. He stated that everything under that particular goal right now is to finish the Comp Plan, because staff has no direction until that is done. Mr. Foley said this would at least give some direction to the strategic plan being amended for that two to three-year period, and it surely would not get lost because the Board had already identified it as a strategic priority.

Ms. Echols said, regarding Chapter Four – Historical, Cultural and Scenic Resources – the only information she received was from a Board member who wondered whether or not they could add a statement about Monticello in the section related to Monticello. She said the reason why this was not quite an edit in the document was because of the amount of time the Planning Commission spent on this particular paragraph. She stated that Commissioners wordsmithed the paragraph quite a lot, and she did not feel comfortable making that change.

The Board agreed.

Ms. Mallek said Page 5.15 in the redline alluded to the fact that the County used to have scenic road zoning regulations that had setbacks, but those seemed to be washed away when the Entrance Corridor came in and where the setback was urban. She noted that the County used to have a 150-foot setback in the rural area for rural scenic roads. She stated that she had asked Ms. Echols what had happened, and how to get back to where those regulations were before. Ms. Mallek said the EC

regulations supposedly replaced the scenic road ones for the four main roads but, for all the other scenic roads in the County, there is no protection beyond 15 feet.

Ms. Echols clarified that, on Page 5.14, objective 7, there is a recommendation to pursue additional scenic road designations to promote tourism and maintain the visual quality of the scenic roads. She said the County had scenic road regulations which were replaced by the Entrance Corridor, and the state still has the scenic road and byway designations, noting that not all the roads that are state scenic byways or something else are in the Entrance Corridor. Ms. Echols said what Ms. Mallek was referring to are the roads that would not qualify as Entrance Corridor roads and wondering whether or not those roads should receive some level of protection. She stated that, in terms of the effectiveness of the EC guidelines on the roads that are in the corridor and are also scenic, there was a recommendation to look at that and see if those guidelines were effective enough, but what Ms. Mallek was talking about were the roads that did not qualify as ECs. Ms. Echols noted that strategies 7a and 8a recommend "reviewing the EC guidelines for effectiveness and protecting the integrity of exceptionally scenic EC road corridors such as Route 250 East, Route 250 West, and Route 22/231."

Ms. Palmer asked what the downside would be to look at other roads.

Ms. Mallek said it was more of a policy decision as opposed to individual roads to be considered. She said what raised her concerns was the text on page 5.8, which states, "EC regulations do not specify a setback, whereas scenic highway zoning regulations require a 150-foot setback. In this regard, EC regulations provide more flexibility, but may overlook an important technique for visual protection."

Ms. Echols suggested either add a strategy which says 'study whether or not this is needed' or add it one of the other strategies.

Ms. Dittmar said she mentioned earlier that she was very interested in not making any decisions or trying to introduce any policy about this, but she wanted to make sure the Comp Plan allowed the Board to look at how it might help historic structures have some financial viability without opening up a huge problem. She wondered if it might be possible to keep something in there, study it, and allow for the possibility for future investigation.

Ms. Mallek said the VCCA discussion seemed to already cover that, which was an example of a very limited approach that could be done to provide uses for these kinds of things.

Ms. Dittmar asked if there was some way to address this issue without a major Comp Plan revision, and asked if there was some way to provide an avenue to simply look at it.

Ms. Echols noted that this was addressed in the historic preservation plan, where there was a lot more detail and, while it was not a specific strategy, it was in the discussion of things that needed to happen for historic resources.

Ms. Dittmar said she was talking about the Comp Plan, not something else that needed referencing.

Ms. Echols said, if the Board wanted to move it up in terms of visibility, staff could do that with alternative uses. She stated that there are some references in the Rural Area chapter which speaks about historic resources and their viability. She said it is also reflected in the historic preservation chapter. Ms. Echols said it seemed that Ms. Dittmar's question related to what uses would be appropriate.

Ms. Dittmar explained that the Comp Plan only looks at the crossroads communities, but there are a lot of historic structures which could be falling down.

Ms. Mallek said, as Ms. Echols mentioned, there was good discussion in the historic preservation plan, and suggested pulling a paragraph out of that.

Ms. Dittmar asked if staff could possibly pull out some language that would be usable. Ms. Echols explained that the crossroads section was really about what uses were appropriate in historic structures, but the historic preservation plan is part of the Comp Plan and is in the appendix, however, if the Board wanted to elevate it, staff could pull it out of the historic preservation plan and put it in the Comp Plan. She said there was work being done on how to preserve those resources, much of which was being done by the Historic Preservation Committee and one of its strategies is for more work to be done to document buildings prior to demolition, along with outreach to landowners to educate them about opportunities.

Ms. Dittmar said she would like to ask staff to help her with this language because she did not have enough background. She added that she did not want to lose the opportunity for five years and possibly miss an opportunity to study this further or have creative ideas brought forward.

Mr. Cilimberg asked if Ms. Dittmar was referring to methods to enhance or achieve economic viability and historic structures options/possibilities which ensure their preservation. He said, if the Board wanted to focus on that as part of the Comp Plan, it would also signal the Historic Preservation Committee that this was something it should look at, perhaps ahead of some of the other things that were in its overall plan.

Ms. Mallek stated that the focus is to provide information to the owner, especially new owners who end up with a property, and to give them all the resources available to help with funding, tax credits, and other benefits for preservation.

Ms. Dittmar asked if applicants were encouraged to talk to Monticello when they were coming before the Board with a project in the viewshed, and whether that would be reported back to the Board.

Ms. Mallek said the Board talked about that in great detail, and directed staff to explain to applicants that there should be correspondence with Monticello.

Ms. Echols said strategy 5c asks that applicants consider impacts on the viewshed and encourages them to pursue mitigation measures that are in keeping with the Comp Plan, but the only way to know if they have done anything is to ask Monticello about it. She stated that staff has been directed to report on how it meets the goals, objectives and strategies of the Comp Plan, and how it affects the Monticello viewshed with those impacts being part of the staff reports provided to the Commission and the Board.

Ms. Echols reviewed the strategies for the Chapter, stating that enhanced activities would include additional assistance with documentation of buildings prior to demolition, which was being done by the Historic Preservation Committee; more outreach to landowners; giving education programs to the public; collaborating with the City and UVA and anyone else doing heritage tourism; and pursuing additional measures to reduce light pollution. She stated that new things would be to rehire a historic preservation planner; considering whether to adopt local historic district regulations; developing an education program; partnering with the City on development of a single map, which came out of the Livability Project as being really important; getting the Monticello viewshed on the County's GIS web application; supporting legislation for scenic tourist enhancement overlay; coordinating with the City and UVA on how Entrance Corridors could be enhanced, including ways to improve consistency of guidelines for users; pursuing the scenic road designations; and updating the EC guidelines, with development of corridor-specific guidelines and consideration of designating more Entrance Corridors.

Ms. McKeel said the Entrance Corridors and guidelines would be a great topic for the Planning and Coordination Council (PACC) meetings with the City and UVA.

Mr. Foley said this was a great example of how the Comp Plan ends up moving to a place where there are some actionable things. He stated that the PACC-TECH Committee usually starts looking at some of these things, develops them a little bit and then, by the time it gets to PACC, it has good information around it. Mr. Foley noted that, at the May PACC meeting, they would talk about topics for the future.

Ms. Echols said other new initiatives include reviewing scenic stream regulations, which are not in synch with the Water Protection Ordinance; looking at additional ways to protect more scenic views; dark skies initiatives; and education.

Ms. Echols stated that, regarding the Economic Development chapter, the only topic that came from Board members was whether or not industries and businesses that supported recycling should be added as targeted industries. She said, currently, economic development staff supports sustainability in a number of different ways and, if the Board wanted to do anything dramatically different for recycling businesses, staff would add a strategy. She said, if it rose to the level of wanting to be a target industry, staff's recommendation would be to go back and look at the Target Industry Study and see if it met some of the goals for target industries, along with what else the Board might want to do. Ms. Echols said it also might be a discussion to have with the new Economic Development Director.

Ms. Palmer said she had brought that up, but never with the expectation of it being a target industry, because the County is not anywhere near that level.

Mr. Foley responded that target industries were usually very broad rather than very specific, done through an assessment of strengths and weaknesses of the community and, while this probably does not rise to that level, it was something worth noting in the Plan.

Ms. Echols stated that it might be possible to include some things related to sustainability in terms of promoting businesses in the community but, if there was something more specific about how to provide support to recycling businesses, economic developers would need to know.

Ms. Palmer said, in brainstorming things that could happen here, there was some discussion about the wine industry and wine-bottle making from recycled glass. She said she hoped the Board would not lose those possibilities but staff's wording seemed to focus more on things like helping businesses to do recycling.

Ms. Echols said staff could look to see if there was some place to include how the County is supportive of those businesses and industries.

Ms. Echols stated that other initiatives in Economic Development included hiring an Economic Development Director, which is already being done; monitoring the strategic plan to make sure that workforce needs were being addressed; assessing land availability and needs while looking into proactively rezoning lands; and increasing workforce readiness. Ms. Echols stated that the only new

program was something that came out of the old Comp Plan, and that was the rural support program, which was also in the Rural Area chapter recommendations.

Ms. Echols began the discussion of the Rural Areas chapter, and said the only issue coming from the Board on the rural areas had to do with whether or not there was a need to increase the bar for conservation easement acceptance with the Public Recreation Facilities Authority (PFRA).

Ms. Mallek said this issue came up on one property where people have an easement and decided they wanted to take on a big commercial operation, which would need to be discussed by the Board as a whole so as to give direction on how those easements should be maintained. She said there has been a lot of discussion in the state over the last several years regarding the Chesapeake Bay and the watershed implementation plans. She noted that all of those high performance bars would help the County as a whole if it was doing the best it could with each individual easement site it had influence over. Ms. Mallek said, if the Board were to discuss anything, it should be considering having BMP requirements for participation in easements.

Ms. Palmer asked if the County currently does not disallow large industrial operations.

Ms. Mallek responded that apparently it does not. She said the whole point with the farm wineries is that they grow the grand majority of materials they need for the production onsite and, when there is no possibility of that, it did not seem they should qualify for a processing business. She said staff could check with the PRFA to see whether this has been resolved as it was very riled up about it for a while.

Ms. Echols said staff could include a sentence which suggests that, if there were issues or problems with the standards for accepting conservation easements, further research should be done.

Ms. Mallek said the statement could possibly state that staff should investigate the current status of performance bars to determine whether that was sufficient. She said laying down the ground rules ahead of time rather than waiting for a complaint would be to the County's advantage.

Ms. Echols said another suggestion from Ms. Mallek talked about the consideration of new uses in the rural area, and what staff tried to do was to emphasize that new uses would not interfere with agricultural and forestal type activities. She explained that Ms. Mallek wanted to add "or residents' quality of life," but staff had hesitation about that because the County was trying to ensure that rural areas were not residential zones and were not intended primarily for residential use, although there were existing residents there.

Ms. Mallek said her focus was consideration of the people who lived on the farms and were operating them, not people living in rural subdivisions, so she would remove her suggestion as she agreed the County did not want to detract from the primary function of rural areas being agriculture and forestry.

Ms. Echols said the recommended enhancements for this chapter were more funding or a more stable, dedicated funding source for Acquisition of Conservation Easements (ACE); promoting the reuse of historic buildings to support rural area uses; rural design standards; new projects such as the rural support program; ways to support the horse industry; changes to the zoning ordinance for distribution facilities for local agricultural processes; amending the zoning ordinance to be clear on what is a home occupation and what is not a home occupation in the rural area; studying whether or not to allow landscape materials and services in the rural area; studying transfer of development rights (TDR) options; considering changing the zoning ordinance for residential uses and modifying it to see if the County could have fewer residential uses without reducing development rights. She stated that, for crossroads communities which are in the existing Comp Plan, the first step was to identify those communities, then meet with them to discuss the most appropriate uses, before changing the zoning ordinance. She said other additions were considering the zoning ordinance changes for community centers, restaurants and churches to by-right in crossroads communities. Ms. Echols said the Board had already discussed changing the zoning ordinance to allow for resident artist communities, and additional recommendations were to review the zoning regulations for recreational use updates, looking to Shadwell for appropriate levels of operations, and developing an informational campaign for rural area property owners, realtors and prospective buyers about the County's expectations for the rural area.

Ms. McKeel asked if the County had identified appropriate home occupations for the development areas, since it was mentioned here for rural areas. She said she would be interested in adding that because she has received many calls from constituents who felt that some home occupations were not appropriate in older neighborhoods.

Ms. Mallek said those activities must be within the building, and the big problem in the urban districts has been that people have been doing their home occupations in their yards.

Ms. McKeel said her concern has to do with what is on the books now and if it is still appropriate for the development areas.

Ms. Echols made a note of that for the Development Area chapter.

Ms. Palmer said she did not remember where the Board had left off on the restaurant discussion, however, she recalled that Supervisors were only considering restaurants in crossroads communities for existing buildings.

Mr. Cilimberg said that was correct.

Mr. Boyd said, if TDRs were going to be referenced in the Comp Plan, staff should reference the extensive report on TDRs which was recently done.

Ms. Echols stated that she would be working to get all of the chapters updated by the Board's March meeting. She said she would provide Supervisors with a staff report on this as well as working on the Woolen Mills item.

The Board thanked her for her work, and complimented her on the redline versions along the way.

---

Agenda Item. No. 4. From the Board: Matters not Listed on the Agenda.

Mr. Boyd said he wanted to mention the Places 29 item which would be on the agenda for the following night. He noted that he was not aware that Mr. Sheffield would not be present.

Mr. Sheffield said he understood the urgency, as Mr. Boyd's discussion was being driven by the upcoming February 18 meeting of the Commonwealth Transportation Board (CTB).

Ms. Dittmar apologized for putting this item on the February 11 agenda.

Mr. Sheffield asked Mr. Boyd if he had any clarity on what his motion would be.

Mr. Boyd said his hope was to be able to direct the Metropolitan Policy Organization (MPO) ahead of the CTB meeting, and the intent was to allow the MPO time to do a small area plan of that particular intersection before building a grade-separated interchange. He said his intent now was more to indicate to the MPO that the Board would like it to be re-sequenced, and to buy them time to do that. He noted that the CTB was approving a six-year plan and, in looking at the calendar of projects, it could be rearranged. Mr. Boyd said he found it interesting that \$42 million of the bypass expenditures were in years 2018, 2019 and 2020, and he would reach out to Mr. DeNunzio for an answer on that.

Mr. Sheffield said he was disappointed that he would not be able to attend the meeting, but he would accept it along with other criticisms dealing with this project.

Ms. Mallek said, while the Board talked about this item the previous week, there was no motion to put it on the agenda, and asked how it could be added to the agenda.

Ms. Dittmar said she thought it did not make it into the tentative agenda, so it would need to be added when the Board adopted the final agenda on Wednesday. She explained that she was told by staff that, since the Board asked by consensus for it to be added, it would go on there.

Mr. Foley suggested that Mr. Davis clarify the Board's rules on this.

Mr. Davis said his understanding was that the item was on the February 4 agenda, and the Board deferred it to the February 11 meeting, so it was added to the agenda by agreement of the Board to bring any action on that item. He said, as part of the Board's procedures, Supervisors adopt the final agenda at the beginning of its meeting and, by a majority vote, any matter could be taken off or any matter could be added if there was appropriate notice given or unanimous consent.

Ms. McKeel said Mr. Boyd's motion on February 4 was about a small area plan, which she saw in an email to the Board. She pointed out that a motion should not change two or three times without the Board knowing what it would be voting on.

Mr. Boyd said he did not propose a specific motion.

Ms. McKeel said his email contained a motion, and stated that it had to be that same motion, or there was not proper notice given. She commented that it seemed the Board was constantly adapting and adjusting its guidelines.

Ms. Dittmar said Mr. Boyd could not single-handedly adjust procedures. She stated that this is part of the problem she had with the whole idea that Supervisors had not followed its own process. She said she did not recall a specific motion, but was aware that Mr. Boyd wanted to make a motion about a small area plan.

Mr. Davis stated that the matter added to the agenda was an action item regarding the small area plan relating to the Route 29 grade-separated interchange. He said his interpretation of the rules is that, once an item is added as an action item, the Board is not constrained as to what action it can take so, as long as it was germane to the action item, it was properly before the Board. He added that, if Mr. Boyd had offered a motion and it had failed, another Board member could have offered another motion germane to that topic so the Board could have taken action on that item. Mr. Davis said he did not

believe the Board wanted to get so constrained that they could not do business. He added that, currently, the rules of procedure allow for some flexibility.

Mr. Boyd said his motion would be to allow time to conduct a small area plan, and recommended a particular method by which to do that plan.

Ms. Mallek asked if he meant the resequencing. Mr. Boyd responded that he did.

Ms. Mallek said that was not mentioned at all in his January 29 email.

Ms. Dittmar asked Mr. Boyd to bring his motion.

Mr. Sheffield said he would provide the Chair with some of his thoughts, and did not want anyone to think he was dodging the issue. He stated that he thought this was going to be added to the next meeting agenda which would have been today's meeting but apparently, to everyone else, that meant the February 11 meeting.

Mr. Boyd said it sounded as though there were communications problems all around.

Mr. Sheffield said he would try to tune into the meeting that evening on his iPhone, so that he could at least listen.

---

Ms. Mallek announced that on, September 19-27, 2015, the World Road Race International Championships would be held in Richmond, and she has been asking the Charlottesville/Albemarle Convention and Visitors' Bureau (CACVB) representatives for 18 months with no response about it. She said she would like to have the Board consider expressing to the County's CACVB representatives that they need to take affirmative steps to help the community welcome people. Ms. Mallek said there would likely be three Virginians on the U.S. team, other communities around the Commonwealth are getting involved with this event by hosting all kinds of activities, and it was making her quite angry that Albemarle was not yet organized for visitors.

Ms. Dittmar clarified that Ms. Catlin was the Board's designee on the CACVB Board.

Ms. Mallek emphasized that there were several other appointees on that Board as well.

Mr. Foley said he could not speak for the others, but he knows that Ms. Catlin is watching this event very closely.

Ms. Mallek said Ms. Catlin was one of 11 members, and she was already working extremely hard, so the CACVB must somehow break this stalemate.

Mr. Foley said Ms. Catlin would bring this up at the next Board meeting.

Ms. Mallek said she would like some feedback on what the CACVB is already doing, because it is a question she has been asking for months.

Mr. Foley stated that Ms. Catlin could provide an update at the February 11 meeting.

Ms. Mallek said the County had 20 years to prepare for the Civil War Sesquicentennial and, to her knowledge, nothing had been done on that either.

Ms. Dittmar said Scottsville had some planned events for that.

---

Ms. McKeel announced that she would be holding a town hall meeting at the Meadows Presbyterian Church on Angus Road on February 12, for anyone in the community who was interested in the Best Buy Ramp. She noted that, at 7:30 p.m., there would be a presentation from VDOT on the project and that police and fire representatives would also be on hand to answer questions.

---

Mr. Sheffield said he would like to remind the Board to adjourn to February 18, which was the CTB meeting. He noted that more than two Board members would likely attend that meeting.

Mr. Foley said he had agendas to share with the Board for the CTB meeting on February 18 and, on February 17, the Route 29 update would be given by Philip Shucet, which is the work session part of CTB, usually spanning a two-day period.

---

Agenda Item. No. 5. From the County Executive: Report on Matters not Listed on the Agenda.

Mr. Foley said the Board had talked about the reassessment notices which were changed this year. He stated that the manner in which the state prescribed how the County do this led to some confusion, and noted that staff probably could have done a better job in the cover letter of explaining this. He stated that the way the County tried to express the change on the notice was as a percentage and, unfortunately, the computer system would not convert to a percent, so it made it a decimal. Mr. Foley

said Supervisors have only seen five or ten emails thus far, but could see more. He noted that staff created something that was fairly foolproof with graphic elements which explain how the state laid out the notices and what those mean, along with corrections that were controllable on the County's end. He suggested the Board forward messages to County Assessor, Bob Willingham, with a copy to Bill Letteri, however, if Supervisors would rather reply directly to constituents, they could certainly do that with cc's to both as well.

Ms. Dittmar reported that her Village of Rivanna Citizens Advisory Committee meeting had been rescheduled in order to get a larger room, because there were a lot of residents who had tax questions. She said Mr. Willingham was scheduled to attend to help answer those questions.

Mr. Foley said staff would monitor the situation to see if there was need for a newspaper ad with additional information. He added that information has already been added to the website to help explain it to the public, although it may need to be highlighted more on the home page.

Mr. Foley reminded the Board to adjourn its February 11 meeting to the CTB meeting but, rather than adjourn to the budget meeting the following day, it might be easier to schedule a special meeting.

Mr. Davis said, since February 19 was just the budget presentation hearing with no additional business scheduled, it was fairly easy to do a special meeting notice.

Board members agreed.

---

Agenda Item. No. 6. Adjourn.

At 8:44 p.m., Mr. Boyd **moved** to adjourn the Board meeting to February 11, 2015 at 4:45 p.m. Ms. Mallek **seconded** the motion.

Roll was called and the motion passed by the following recorded vote:

AYES: Ms. Dittmar, Ms. Mallek, Ms. McKeel, Ms. Palmer, Mr. Sheffield and Mr. Boyd.

NAYS: None.

---

Chairman

Approved by Board
Date: 07/01/2015
Initials: EWJ