



**County of Albemarle**  
**Community Development Department - Planning Division**

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To: Albemarle Conservation Easement Authority  
From: James Van Vranken, Natural Resources Planner  
Re: Draft ACEA Building Envelope Policy  
Date: September 3, 2025

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**Background:** The IRS now requires that landowners who wish to seek a tax deduction from a conservation easement must specify one or more building envelopes within the deed of easement. A building envelope is an area of the property within which structures must be placed; sometimes they apply only to dwellings, other times to all permitted structures.

The ACEA does not require building envelopes. Previously, permitted structures could be built anywhere except for specified "avoidance areas" (riparian buffers, setback zones, etc.), which were defined to protect all identified conservation values.

Now that landowners and their representatives are requesting building envelopes to be specified, Directors have expressed a desire to review those envelopes as part of the donation proposal.

**Discussion:** An adopted policy would help staff provide clarity to potential easement donors. An example policy, which staff requests the Authority discuss and respond to, is attached (Attachment A).

Such a policy could also include a requirement that all donations to the Authority must include building envelopes, should the Directors wish.

**Recommendation:** Staff recommends the Authority discuss the draft Building Envelope Policy and provide guidance to staff. A final draft will be provided for the next meeting.

**Attachments:**

Attachment A – Draft Building Envelope Policy

Albemarle Conservation Easement Authority: Building Envelopes Policy

It is the policy of the Authority that any conservation easement donation that will include building envelopes must have those envelopes reviewed and approved by the Authority. Such review shall take into consideration the potential impact of buildings or structures on the conservation values of the Property.

Where building envelopes have been reviewed and approved by the Authority, the Chair shall have the authority to approve minor changes thereto before the easement is recorded.

*Adopted XXXX*