

Supervisors to discuss land use revalidation in April
written by Newspark Team | March 25, 2008

Since 1975, Albemarle County has given

reduced real estate assessments to landowners who use their property for agriculture, open space or forestry

. In 2005 alone, taxpayers avoided paying \$13 million property taxes and that figure is projected to keep increasing.

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Supporters say the program helps farmers stay in business, because they cannot afford to pay the taxes based on their land's market value. However, opponents say the program is a boon to wealthy landowners who are misrepresenting how their land is being used. The County might redirect some of those tax revenues, if collected, towards community infrastructure needs and the purchase of development rights.



In 2007, Charlottesville Tomorrow asked County voters about their support of the land use taxation program. 58.4% of respondents indicated they strongly or somewhat supported the land use program

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See Charlottesville Tomorrow's Survey 2007 for details.

Glenmore resident Paul Accad addressed the issue when he spoke before the Board at their meeting on March 19, 2008. After listening to a podcast where Chairman

Ken Boyd

(Rivanna) said the County

should revisit its revenue-sharing agreement with the City of Charlottesville

. Accad said he was surprised at a statement made by Supervisor Dennis Rooker (Jack Jouett) that the County pays more to the City in revenue-sharing than it collects in real estate taxes if the property is in land use. Revenue sharing will cost the County over \$17 million in Fiscal Year 2010. Accad suggested

the Board should set up a committee similar to the Development Review Task Force to study both land use and revenue sharing

"The job of this task force would be very, very simple," Accad said. "It would be to produce a document that would educate the average citizen on these two programs," and would tell the history and justification for the programs. Accad also said the task force should suggest ways in which the two programs could be modified.

"These programs have grown too big to be left on auto-pilot, and they're too big not to at least review," Accad concluded.

Supervisor

Sally Thomas

(Samuel Miller) said the Board for has continuously asked for a thorough study of the issue, which is called for in the Comprehensive Plan's section on rural areas. She said 62% of the County's land was enrolled in land use.

After Accad's presentation,

Rooker

(Jack Jouett) asked staff to come back with information on how a committee would be set up.

County Attorney Larry Davis said staff was already preparing a "revalidation discussion" for an April Board meeting, as well as a summer briefing on the land use program. Revalidation means that anyone who currently receives a land use tax break would have to resubmit proof that they qualify. Currently the County does not have a revalidation plan.

Wayne Cilimberg, the County's Director of Planning, said the current work on land use being prepared by the Community Development Department was being pursued for financial reasons. He asked the Board if they agreed with that approach, or if they thought the program should be used as a tool to promote conservation.

Boyd said he disagreed with revisiting land use if the purpose was to raise more money, and Supervisor

Ann Mallek

(White Hall) agreed. Supervisor

David Slutzky

(Rio) said he wanted more information because he thought land use assessments can be a tool for both purposes.

"There are others [on the Board] who have questions about what the program's purpose is, whether or

not its purpose is being fulfilled, and whether or not it's the best use of the County's revenue?" Slutzky said.

But Thomas said Cilimberg was right to remind the Board that it is a key tool to help conserve rural land from development, and said she understood the reason for the delay.

"We have, as you know, left our Community Development Department sorely underfunded and there may not be a person to do that right away," Thomas said. Currently the County has a frozen position for Rural Areas Planner, the person who would likely be responsible for a study. Slutzky said he thought the review process could begin much faster.

Rooker called the land use tax break "a huge fiscal issue" that should be revisited. He said it was a good policy, but questioned whether it was cost-effective.

"We need to understand what are the permutations of the plan that are legally possible? Could you require land to be in an agricultural-forest district in order to qualify? Could you require land to be in conservation easement to qualify?" Rooker asked.

Supervisor

Lindsay Dorrier

(Scottsville) said he did not think the issue should be opened up because it would hurt farmers. While reluctant to use it as a tool for additional revenue, Boyd said he supported discussing the revalidation process.

"But I don't have any mindset that tells me want to take away this important aspect of keeping some of our rural farmers in business out there," Boyd said.

Thomas said the Board would have the chance to give further direction to staff after the revalidation discussion in April. Cilimberg said the Board would also be able to give direction to staff in May when Community Development Director Mark Graham will ask the Board to prioritize his department's goals.

The topic was also an election year issue during last year's race for the White Hall, Scottsville and Rivanna magisterial events. The candidates were asked a question on land use during

the Farm Bureau's debate last August

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Sean Tubbs