

COUNTY OF ALBEMARLE

EXECUTIVE SUMMARY

AGENDA TITLE: SP202100014 Reclaimed Hope Initiative	AGENDA DATE: September 22, 2021
SUBJECT/PROPOSAL/REQUEST: Agricultural-Forestal Districts Advisory Committee review of a special use permit for day camp and boarding camp uses on property located in the Hardware Agricultural-Forestal District.	ATTACHMENTS: Yes
STAFF CONTACT: Mariah Gleason, Senior Planner II	

BACKGROUND:

The subject property (Tax Map 88 Parcels 23 and 23E) consists of two parcels totaling 54 acres. The parcels are the only properties accessed by Mooreland Lane, which intersects Route 29/Monacan Trail Rd. The properties are within the Hardware Agricultural-Forestal District (see Attachment A – Location Map). Their position within the District is the at the southern end of a grouping of seven contiguous properties along Route 29/Monacan Trail Rd.

The applicant has submitted a special use permit (SP202100014) to request day camp and boarding camp uses on the subject property. As part of the application, the applicant is proposing approximately 13,715 square feet of additional development on the subject property to support the proposed uses. This additional development includes an addition to the existing residential structure on TMP 88-23E, amenity and gathering buildings, camp cabins, and a groundskeeper house (see Attachment B – Project Narrative and Attachment C – Proposed Conceptual Plan).

County staff and partner agencies reviewed the application and provided comments to the applicant on August 11, 2021. The applicant plans to revise their proposal to integrate comments from staff, feedback from surrounding community members, and the Committee. All project materials related to this application can be accessed via the link below:

<https://lfweb.albemarle.org/weblink/search.aspx?dbid=3&searchcommand=%7b%5bCDD-Planning%5d:%5bApplicationNumber%5d=%22SP202100014%22%7d>

A recording from the community meeting held on September 7, 2021 is available via the link below:

<https://www.youtube.com/watch?v=IsS2IIBCmu4>

COMMITTEE REVIEW GUIDELINES:

Section 3-202(A)3(k) of the Albemarle County Code reads as follows:

- A. *Prohibition to develop to a more intensive use.* As a condition to creating a district, any parcel within the district shall not be developed to a more intensive use than that existing on the date the district was created, subject to the following:
 3. *Non-residential uses and other actions deemed not to be development to a more intensive use.* The following non-residential uses and other actions are deemed not to be developed to a more intensive use:
 - k. *Special uses and structures allowed in the Rural Areas zoning district.* Any proposed use or structure allowed by special use permit in the Rural Areas zoning district, provided that the Board

of Supervisors determines that the use or structure allowed by the special use permit is consistent with the purposes of this chapter.

The County's practice has been to consult with the Committee on any special use permit request that is located on land within or adjacent to an existing District.

Those purposes of the Agricultural-Forestal Districts chapter of the County Code are listed in Section 3-100, "Purpose and Intent":

The purpose and intent of this chapter are as follows:

A. It is the policy of county to conserve and protect, and to encourage the development and improvement of, its agricultural and forestal lands for the production of food and other agricultural or forestal products. It is also the policy of the county to conserve and protect agricultural and forestal lands as valued natural and ecological resources which provide essential open spaces for clean airsheds, watershed protection, wildlife habitat, and for aesthetic purposes.

B. It is the purpose and intent of this chapter to provide means by which agricultural and forestal lands of either statewide or local significance may be protected and enhanced as a viable segment of state and local economies, and as important economic and environmental resources.

DISCUSSION:

Section 3-101 of the County Code further explains the County policies that the Districts should promote. Staff will address this proposal's impacts on each policy below.

Staff does not believe that the proposal, as initially submitted, was consistent with the goals and intent of the Agricultural and Forestal Districts. Staff therefore provided the applicants with comments and draft conditions that could reduce the impacts on important resources and preserve the largest possible area of the property for potential future agricultural and/or forestry uses. Those recommended changes are discussed below.

A. Production of food and other agricultural and forestal products. It is the policy of the State and the County to conserve and protect and to encourage the development and improvement of the Commonwealth's agricultural and forestal lands for the production of food and other agricultural and forestal products.

The property is not currently in agricultural use, and the proposal is not agricultural in character. Therefore, staff has focused its review on the degree to which the proposed use would support or prevent future agricultural or silvicultural use of the property.

The development of the proposed day camp and boarding camp uses on the site would place new and additional facilities in existing cleared areas. The initial plan put forward by the applicant would distribute structures across the open areas of the property. Staff recommends the following changes to limit the impacts of this construction on future agricultural uses of the property:

- Concentrate new development outside of Prime and Locally Important soils areas (see soils map attached).
- Prohibit land clearing other than that needed (as determined by the site planning process) to provide necessary access.

Concentrating structures and other site development away from important soils would limit the impacts of the use on future agricultural viability. Limiting the permitted clearing would ensure that existed wooded areas remained available for forestry. However, areas impacted by new structures would still be difficult to return to agricultural use.

Due to the configuration of the subject property and direct entrance from Rt 29/Monacan Trail Rd, the proposed use would not impede the ability for other lands in the District to produce food and other agricultural and forestal products.

B. Provide essential open spaces. It is also the policy of the State and the County to conserve and protect agricultural and forestal lands as valued natural and ecological resources which provide essential open spaces for clean air sheds, watershed protection, wildlife habitat, as well as for aesthetic purposes.

In its current state, the property helps in the provision of essential open spaces, especially outside the areas impacted by the existing residences. The staff recommendations above, as well as a recommendation to relocate the proposed parking to an area less visible to US 29 (an Entrance Corridor) would reduce the impacts of the proposed facilities, but not remove them entirely.

C. Strong agricultural and forestal economy. It is the policy of the County to support a strong agricultural and forestal economy.

The property is currently in residential use, and is not used for agriculture or commercial forestry. By-right agricultural and forestal activities would still be allowed to occur on the subject property in the future concurrently with the proposed use. However, the total area of land available for agriculture and forestry would be somewhat reduced with the development of the proposed use on the subject property.

The following use limitations (to be applied by conditions on the special use permit) recommended by staff would serve to limit the extent and intensity of the proposed use on the property:

- Prohibit additional land clearing activities for this use, other than those needed (as determined by the site planning process) to provide necessary access.
- Prohibit weddings, family reunions, or homestay rentals (aka Airbnb) on the property.
- With the exception of staff, owners, and their respective families, limit overnight utilization of the program's facilities to children attending the day camp/boarding camp program and accompanying adult(s). No transient stays would be permissible.
- Limit events associated with the day camp/boarding camp uses to four (4) events per year with no more than 150 attendees each.
- Maximum occupancy during camp months (June – August) cannot exceed 65 people (including children, adults, and staff).
- Limit maximum occupancy during non-camp months (September – May) cannot exceed six (6) households or 40 people (including children, adults, and staff), whichever is less.
- No overnight stays of day camp or boarding camp participants are permitted June-August.

The properties included in the proposal are accessed directly from Rt 29/Monacan Trail Rd., a major Federal highway. Therefore, ingress and egress to the subject properties would likely have little or no impact on farm-related traffic on local roads.

D. Protect and preserve natural resources and retain continuous and unfragmented land. It is the policy of the County to protect and preserve natural resources, which include mountains, hills, valleys, rivers, streams, groundwater, and retain continuous and unfragmented land for agriculture, forestry, biodiversity, and natural resource protection.

New development is proposed within existing cleared areas, and wooded areas are to be protected and retained. The staff recommendations discussed above would limit the extent of the proposed use.

The existing cleared areas on the property constitute approximately 20% of the property. The majority of the property would be retained as continuous, unfragmented, and undeveloped land.

RECOMMENDATION:

Staff is seeking guidance from the Agricultural-Forestal District Advisory Committee (AFDAC) on whether the Committee:

- A. Finds that the proposal would be consistent with the purposes of the Districts, provided that staff's recommendations were incorporated into the final proposal;
- B. Finds that the proposal would be consistent with the purposes of the Districts, provided that staff's recommendations, as well as other specific changes articulated by the Committee, were incorporated into the final proposal; or
- C. Finds this proposal cannot be made consistent with the purposes of the Districts.

Staff therefore requests that the Committee vote to make an advisory finding based on options A, B, or C listed above.

The Committee's recommendation will be relayed to the applicant and included in staff's reports to the Planning Commission and the Board of Supervisors when public hearings are held for this item. These public hearings have not been scheduled at this time.

ATTACHMENTS:

- A – [Location Map](#)
- B – [Project Narrative](#)
- C – [Proposed Conceptual Plan](#)
- D – [Soils Map](#)