

COUNTY OF ALBEMARLE

EXECUTIVE SUMMARY

<p>AGENDA TITLE: SP202100005 Haupt Property</p> <p>SUBJECT/PROPOSAL/REQUEST: Agricultural-Forestal Districts Advisory Committee review of a special use permit for a day camp on property located in the Batesville District. The requested day camp would be for 50 participants (children and staff) to attend daily sessions for up to 45 days per year, during the summer months, with hours of operation from 9am to 4pm.</p> <p>STAFF CONTACT: Andy Reitelbach, Senior Planner</p>	<p>AGENDA DATE: March 16, 2021</p> <p>ATTACHMENTS: Yes</p>
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BACKGROUND:

The subject property (Tax Map 85 Parcels 3A and 3A1) consists of two parcels totaling 103.56 acres. These two parcels are located on Batesville Road and are within the Batesville Agricultural/Forestal Districts (see Attachment A – Location Map). In addition, one of the parcels (TMP 85-3A) is under a conservation easement held by The Nature Conservancy. The adjacent parcel TMP 85-3 is also within the Batesville District.

The special use permit application requests an amendment to an existing special use permit to allow an expansion of a day camp for up to 50 day campers (children and staff) to attend daily sessions for up to 45 days per year during the summer months, with hours of operation from 9am to 4pm (see Attachment B – Project Narrative and Attachment C – Concept Plan). Day camps in the Rural Areas zoning district require the approval of a special use permit by the Board of Supervisors.

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.*

In addition, Section 3-202(D) of the Albemarle County Code reads as follows:

- D. *Consideration of district in taking certain actions. The county shall consider the existence of a district and the purposes of this chapter and Chapter 43 of Title 15.2 of the Virginia Code in its comprehensive plan, ordinances, land use planning decisions, administrative decisions, and procedures affecting parcels of land adjacent to the district.*

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.

The Committee's role is to assist the Board of Supervisors by commenting on any possible impacts to the Batesville District from the proposed use. The Committee's review should directly address District impacts. Other aspects of the review, such as transportation impacts, will be addressed in staff's report to the Planning Commission and the Board of Supervisors.

The Committee's recommendation will be 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.

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:

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 impacts likely created by a day camp use would include an increase in traffic and the potential for an increase in unamplified sound from the additional participants at the camp. However, unlike industrial and commercial uses that can create chemical or water-quality impacts, a day camp would not directly impede the District's ability to produce food or 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.

The proposal would use existing roads and structures on the property and would not require land-cover changes other than potential driveway and entrance improvements in order to meet VDOT and Engineering standards. Open spaces within the District would not be impacted. Minimal clearing of land is proposed. The only new construction proposed at this time is for a potential future pavilion to be located on TMP 85-3A1 for camp activities.

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

Increases in traffic on the narrow roads of the Batesville area could theoretically impede farm-related traffic near the proposed day camp property. However, as the day camp use is proposed to operate for a maximum of 45 days per year, the impacts would be infrequent. In addition, this increase in traffic would likely occur only twice a day, in the mornings and late afternoons, as participants arrive at and depart the property, based on the proposed hours of operation from 9am to 4pm.

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.

One of the subject parcels is already protected from fragmentation by a conservation easement, and the proposed use would not intrude between District properties. No significant construction activities or vegetation changes are proposed that would have an impact on landscape connectivity.

RECOMMENDATION:

Physical impacts of the proposed use will be limited across both parcels located within the District and are not expected to have an impact on agricultural or forestal resources on land in the District. Traffic impacts could impede farm uses, but they would be infrequent and likely limited to certain times of the day and year.

Therefore, staff recommends that the Committee advise the Board and the Planning Commission that the proposed use does not conflict with the purposes of the District.

ATTACHMENTS:

Attach. A – [Location Map](#)

Attach. B – [Project Narrative](#)

Attach. C – [Concept Plan](#)