

COUNTY OF ALBEMARLE
TRANSMITTAL TO THE BOARD OF SUPERVISORS
SUMMARY OF PLANNING COMMISSION ACTION

AGENDA TITLE: SP202400022 and SE202400031 Living Earth School	AGENDA DATE: June 4, 2025
SUBJECT/PROPOSAL/REQUEST: Special use permit (SP) for a boarding camp on approximately 287.13 acres for up to 250 individuals and special events up to 12 times per year with up to 500 individuals. <u>SE202400004:</u> Special exception (SE) to disturb approximately 2,674 square feet of critical slopes under Chapter 18, sec. 4.2.5(a) of the County Code.	STAFF CONTACT(S): Filardo, Herrick, Tevendale, Barnes, McDermott, Ragsdale, Clark PRESENTER (S): Scott Clark, Conservation Program Manager
SCHOOL DISTRICT: Red Hill Elementary, Walton Middle, Monticello High	

BACKGROUND:

At its meeting on March 11, 2025, the Planning Commission (PC) voted 6:0 to recommend approval of SP202400022 with the conditions stated in the staff report, with the following amendments:

- Removing Conditions 3b and 3c, which were inadvertently included by staff in the draft
- Changing Condition 5 from requiring that all attendees for events of up to 500 persons access the site by shuttle buses/vans, to requiring that attendees in excess of 200 access by shuttle buses/vans.
- Amending Condition 11 to allow amplified sound at the proposed "Welcome Center" on the site between 9 a.m. and 9 p.m.

Attachments A, B, and C are the PC staff report, action letter, and meeting minutes.

DISCUSSION:

SP202400022:

At its public hearing, the PC discussed the proposed attendance numbers at various times of year, streams on the site, and emergency-vehicle access. Seven residents spoke in support of the application. One adjacent landowner raised concerns with forest-fire safety given the applicant's plans to have outdoor fires as part of the camp use.

Following the PC public hearing, Community Development and Fire-Rescue staff revised the recommended conditions. Specifically, these revisions address (1) safe site access for emergency vehicles (Condition 6) and (2) design and management of outdoor fire rings to address concerns about forest fires (Condition 12). Below are the revised conditions for SP202400022, which reflect amendments discussed at the PC and those added to address fire safety concerns:

- 1) Development and use must be in general accord (as determined by the Director of Planning and the Zoning Administrator) with the conceptual plan prepared by Shimp Engineering, PC, titled "Living Earth Sanctuary," revised 27 February 2025 (hereinafter "Concept Plan"). To be in general accord with the Concept Plan, development and use must reflect the following major elements as shown on the Concept Plan:
 - a) General location of structures, camping areas, and activity areas as shown on Sheet 2 of the Concept Plan;
 - b) Access-road cross section as shown on Sheet 5 of the Concept Plan

Minor modifications, with the approval of the Zoning Administrator and the Director of Planning, to the Concept Plan that do not otherwise conflict with the elements listed above, may be made to ensure compliance with all applicable laws.

- 2) Vegetated forest cover on the site must be managed in general accord with sheet 6 of the Concept Plan.
- 3) For up to eight weeks each year, an overnight Summer Camp is permitted on the site during June, July, and August ("Summer Camp Season"). Summer Camp attendance must not exceed 250 campers on the site at any one time.
- 4) Outside of the Summer Camp season, camp attendance must not exceed 100 participants (excluding staff) on the site at any one time. Overnight camping is permitted only as part of a scheduled program run by the operators of the camp. The site must not be used as a commercial campground.
- 5) Programs or events on the site for up to 200 participants (excluding staff or contractors) must occur no more than 12 times per calendar year. Events on the site for more than 200 participants must occur no more than six times per calendar year, and the maximum number of attendees (excluding staff or contractors) for those events is 500 persons. For any event with more than 200 attendees, all attendees in excess of 200 must arrive and depart the site in shuttle vans or buses rather than individual vehicles.
- 6) The existing crossing of White Oak Creek must be removed. The replacement crossing must span the stream bed. **The vehicle weight capacity of the crossing requires County approval prior to approval of a final site development plan.**
- 7) Existing stone walls and foundations on the site must not be removed or dismantled during development of the site or operation of the camp use.
- 8) Health Department approval is required for all well and septic facilities prior to issuance of a Zoning Clearance.
- 9) Fire/Rescue approval of an emergency-access plan for the site is required prior to issuance of a Zoning Clearance.
- 10) Outdoor lighting is limited to full cut-off fixtures, shielded to reflect light away from all abutting properties.
- 11) Outdoor sound amplification is permitted only in the Main Camp Area and Welcome Area shown on the Conceptual Plan. In the Welcome Area, outdoor sound amplification is not permitted between the hours of 9 p.m. and 9 a.m.
- 12) **Campfires on the site must only occur in constructed fire rings whose location has been approved by the County.**
 - a) **All fires must be attended by camp staff from lighting until complete extinguishment.**
 - b) **A fire extinguisher must be maintained at the site of each active fire.**
 - c) **Fire rings must have a clear zone without trees within 50 feet of the edge of the fire ring.**

SE202400031:

A special exception is proposed to disturb approximately 2,647 square feet (0.06 acre) of critical slopes on the property adjacent to the entrance. The disturbance would be to improve sight distance at the entrance for departing vehicles. A detailed staff analysis is provided in Attachment A. The Commission was not required to act on SE202400031 and did not do so.

Staff recommends approval of the special exception to disturb critical slopes, provided that the area of land disturbance on critical slopes not exceed the disturbed slopes shown on the "Living Earth School Critical Slopes Exhibit" prepared by Shimp Engineering, P.C.

RECOMMENDATIONS:

Staff recommends that the Board adopt the attached resolutions (Attachment D and E) to approve SP202400022 and SE202400031 The Living Earth School.

PROPOSED MOTIONS:

To approve SP202400022:

I move to adopt the resolution attached to the staff report as Attachment E.

To approve SE202400031:

I move to adopt the resolution attached to the staff report as Attachment F.

ATTACHMENTS:

- A – March 11, 2025 Planning Commission Staff Report
 - A1: Site Map
 - A2: Application Narrative
 - A3: Concept Plan
 - A4: SE202400031 Special Exception Request
- B – March 11, 2025 Planning Commission Action Letter
- C – March 11, 2025 Planning Commission Minutes
- D – Public Comment
- E – SP202400022 Resolution
- F – SE202400031 Resolution