



COUNTY OF ALBEMARLE PLANNING
STAFF REPORT SUMMARY

Proposal: SP202200006 Crown Orchard Farm Worker Housing	Staff: Scott Clark, Senior Planner II
Planning Commission Public Hearing: October 11, 2022	Board of Supervisors Hearing: TBA
Owner: Crown Orchard Company LP, LLP	Applicant: Crown Orchard Company LP, LLP
Acreage: 32.37	Special Use Permit/Zoning Map Amendment for: Farm worker housing, Class B (more than ten occupants or more than two sleeping structures) under section 10.2.2(51) of the Zoning Ordinance, on one parcel of land of 32.37 acres. No dwelling units proposed.
TMPs: 10900-00-00-007A0 Location: West side of Monacan Trail Road (US 29), approximately 0.35 miles south of the intersection with Henderson Lane (Route 805)	Zoning/by-right use: RA Rural Area, which allows agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)
Magisterial District: Samuel Miller	Conditions: Yes EC: Yes
School Districts: Red Hill Elementary – Walton Middle – Monticello High School	
Proposal: Farm worker housing facility for 50 workers and one on-site manager, with one dormitory structure and one kitchen/dining structure.	Requested # of Dwelling Units: No dwelling units, but the applicants have proposed to have a manager in the farmworker housing facility year-round for security purposes.
DA: RA: X	Comp. Plan Designation: RA Rural Area, which allows agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)
Character of Property: Largely open land, with fields in the front portion and recently clearcut forest at the rear; solar panels that provide electricity to the fruit packing facility (under same ownership, but on a separate parcel)	Use of Surrounding Properties: Surrounding properties include the Crown Orchard fruit packing plant, several residential parcels, and large wooded parcels
Factors Favorable: 1. The facility would support agricultural land uses in the County, as recommended in the Comprehensive Plan. 2. The site raises no significant public safety issues.	Factors Unfavorable: 1. The site is directly adjacent to the Covesville Historic District. However, screening, setbacks, and exterior color control would reduce visual impacts on that District. It is also worth noting that much of the history of the Covesville District is based on the orchard industry that this use would support.
RECOMMENDATIONS: Staff recommends approval of SP202200006 Crown Orchard Farm Worker Housing with conditions.	

STAFF CONTACT:
PLANNING COMMISSION:
BOARD OF SUPERVISORS:

Scott Clark, Senior Planner II
October 11, 2022
TBA

PETITION

PROJECT: SP202200006 Crown Orchard Farm Worker Housing

MAGISTERIAL DISTRICT(S): Samuel Miller

TAX MAP/PARCEL(S): 10900-00-00-007A0

LOCATION: West side of Monacan Trail Road (US 29), approximately 0.35 miles south of the intersection with Henderson Lane (Route 805)

PROPOSAL: Farm worker housing facility for 50 workers and one on-site manager, with one dormitory structure and one kitchen/dining structure.

PETITION: Farm worker housing, Class B (more than ten occupants or more than two sleeping structures) under section 10.2.2(51) of the Zoning Ordinance, on one parcel of land of 32.37 acres. No dwelling units proposed.

ZONING: RA Rural Area, which allows agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)

ENTRANCE CORRIDOR: Yes

OVERLAY DISTRICT(S): Entrance Corridor Overlay, Steep Slopes Overlay

COMPREHENSIVE PLAN: Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources; residential (0.5 unit/ acre in development lots).

CHARACTER OF SURROUNDING AREA

The surrounding area includes the applicant's existing fruit-packing plant, residential lots, and larger wooded properties. This property and many nearby are in the Entrance Corridor overlay zoning district (US 29).

The property abuts the northern edge of the Coveseville Historic District, which recognizes a historic community that grew up around the area's orchard industry in the mid- to late 19th century.

PLANNING AND ZONING HISTORY

None.

DETAILS OF THE PROPOSAL

The applicants are proposing a Class B farm worker housing facility, meaning that it is designed for more than 10 residents, or includes more than three structures. In this case, the facility is proposed to accommodate 50 workers and one on-site manager in two structures. Those structures include a dormitory structure of approximately 4,865 square feet (139 feet by 35 feet) and kitchen/dining structure of approximately 1,400 square feet (40 feet by 35 feet). (These structures are separate because County regulations require that farm worker housing facilities not include all of the elements of a dwelling unit within one structure.) The closest point of the structures to US 29 would be approximately 790 feet from the Entrance Corridor, and located behind an existing tree line that would remain. An augmented screening area would also be added to the existing property-line hedgerow to the south of the proposed facility. (See Attachment 3 for the conceptual plan.) Although the use is exempt, as an agricultural use, from

the requirement for a site development plan, it will be subject to County review and approval for erosion and sediment control and for stormwater management.



Fig. 1: Aerial view of current state of property

COMMUNITY MEETING

A virtual community meeting was held on April 5, 2022. Attendees expressed concerns about matters including visibility of the facility, including general visibility and the view from the historic district to the south; upkeep of the site; the reasons for locating the facility in Coveseville rather than in another community; noise; and traffic.

ANALYSIS OF THE SPECIAL USE PERMIT REQUEST

This special use permit, and all special use permits, are evaluated for compliance with the provisions of Chapter 18, Section 33.40b of the Code of Albemarle. Each provision of that section is addressed below.

No substantial detriment. The proposed special use will not be a substantial detriment to adjacent lots.

The seasonal operation of a residential facility is not expected to impact the viability of the adjacent parcels for the existing residential, commercial, or forest-management uses.

The facility would be subject to the County's existing noise ordinance, so any noise impacts from residents on the site could be investigated and regulated. The applicants have not proposed any outdoor amplified sound systems.

Character of the nearby area is unchanged. Whether the character of the adjacent parcels and the nearby area will be changed by the proposed special use.

The proposed use would be located in an area with a mix of residential uses and agricultural properties. The area, including the existing fruit packing facility, has a longstanding tie to the orchard industry. Given the historic and existing agricultural uses in the area, staff does not expect that a seasonal facility for orchard workers would change the character of the area.

To reduce visual impacts on the Covesville Historic District to the south, the applicants have proposed an area of augmented vegetative screening between the proposed facility and that district, adding depth to the existing hedgerow along the property boundary. Staff has recommended a condition of approval setting standards for the vegetation to be used in this augmented planting area. To reduce visual impacts on the US 29 Entrance Corridor and residential uses on the east side of US 29, the applicants have proposed to retain an existing wooded area located between US 29 and the proposed facilities. Please see Attachment 3 for the locations of these vegetated areas.

Harmony. Whether the proposed special use will be in harmony with the purpose and intent of this chapter,

This district (hereafter referred to as RA) is hereby created and may hereafter be established by amendment of the zoning map for the following purposes:

Preservation of agricultural and forestal lands and activities;

This proposed use would support agricultural activities by providing a local residential facility during periods when local orchards have increased seasonal maintenance and/or harvest needs.

Water supply protection;

The site for the proposed facility is not located in a Water Supply Protection Area, so no impacts to public water supplies are expected.

Limited service delivery to the rural areas; and

No water or sewer services are being requested for this use. During seasonal periods of occupancy, occasional needs for fire or rescue services may occur. Section 5.1.44(g)(2)(c) requires that the applicants provide written confirmation of fire marshal approval of emergency-vehicle access to the facility as part of the zoning clearance process before commencement of the use.

Conservation of natural, scenic, and historic resources.

The proposed use would use a significant setback (approximately 790 feet from US 29) and both existing and enhanced vegetative screening to reduce the visual impacts of the use on scenic resources.

To further limit visual impacts, staff has proposed a condition of approval requiring full-cutoff lighting fixtures, and a condition requiring the use of muted earth-tone colors in exterior building materials.

Harmony. ...with the uses permitted by right in the district

The proposed use directly supports by-right agriculture, and would not impede forest management in the area. Any potential conflicts with nearby residential uses would be mitigated by the setbacks and screening features of the use, and by the limits on traffic impacts imposed by the applicants' proposed use of shuttle buses rather than individual vehicles for the resident workers.

Harmony. ...with the regulations provided in section 5 as applicable,

Each farm worker housing facility shall be subject to the following:

a. Concept plan to be submitted with application for farm worker housing. Before applying for the first building permit for a farm worker housing, Class A, facility, or in addition to any other information required to be submitted for a farm worker housing, Class B, special use permit, the applicant shall submit a concept plan meeting the requirements of section 5.1.44(b).

b. Contents of concept plan. The concept plan shall show the following: (i) the boundary lines of the farm (may be shown on an inset map if necessary); (ii) the location and general layout of the proposed structures at a scale of not more than one inch equals 40 feet; (iii) vehicular access, travelways and parking for the facility; (iv) topography (with a contour interval of no greater than ten feet); (v) critical slopes; (vi) streams, stream buffers and floodplains; (vii) source(s) of water for fire suppression; (viii) building setback lines as provided in subsection 5.1.44(g) below; and (ix) outdoor lighting. The concept plan also shall include a written description of each structure's construction and materials used, and the number of persons to be housed in the farm worker housing facility.

The proposal has met the general requirements of this subsection. A separate source of water for fire suppression is not shown, as there is no pond on the site proposed for such use. Fire suppression water would be supplied by Fire/Rescue vehicles as normal.

c. Notice of receipt of concept plan to abutting owners. The zoning administrator shall send notice of the receipt of a concept plan as follows.....:

This proposal has met the requirements of subsection (c) through the special use permit notification process, as required in (c)(2).

d. Review and action on concept plan. A concept plan shall be reviewed and acted upon as follows:

1. Farm worker housing, Class A, facility....

This section does not apply to this proposal, which would be a Class B facility.

2. Farm worker housing, Class B, facility. For a farm worker housing, Class B, facility, the concept plan shall be reviewed and acted upon in conjunction with the special use permit.

If the proposal is approved by the Board of Supervisors, that action would satisfy this requirement.

e. Farm worker housing facilities; permissible structures. Farm worker housing facilities shall not use motor vehicles or major recreational equipment, as that term is defined in section 4.12.3(b)(1) of this chapter, to provide for sleeping, eating, food preparation, or sanitation (bathing and/or toilets).

No such vehicles are proposed for use at this facility.

f. Minimum yards. Notwithstanding any other provision of this chapter, the minimum front yard shall be 75 feet. The minimum side and rear yards shall be 50 feet. All yards shall be measured from the farm worker housing structures.

The proposed facility layout would meet this requirement.

g. Zoning clearance. The owner shall obtain a zoning clearance from the zoning administrator as provided in section 31.5 of this chapter before a farm worker housing facility is occupied, subject to the following additional requirements:

The requirements of subsection (g) apply to the establishment and operation of the use, rather than to the review of a special use permit proposal. If the Board of Supervisors approves this special use permit and the applicants proceed with establishing the use, then the applicants must apply for a zoning clearance before commencing the use.

Harmony. ...and with the public health, safety and general welfare.

Public health concerns would be addressed through the Virginia Department of Health's (VDH) requirements for water-supply wells and septic-treatment facilities. Section 5.1.44(g)(2)(a) requires that the applicants show VDH approval of the migrant-labor facility, including well and septic components, as part of the building permit and zoning clearance process before commencement of the use.

The Virginia Department of Transportation (VDOT) expressed no objections to the proposed use, and stated that the existing entrance was sufficient. Section 5.1.44(g)(2)(b) requires that the applicant show VDOT approval of the site entrance as part of the zoning clearance process before commencement of the use.

Section 5.1.44(g)(2)(b) requires that the applicant show written approval of the adequacy of site access for emergency vehicles as part of the zoning clearance process before commencement of the use.

Consistency with the Comprehensive Plan. The use will be consistent with the Comprehensive Plan.

Objective 1 of the Rural Area chapter of the Comprehensive Plan states that the County should “[s]upport a strong agricultural and forestal economy.” The proposed facility would support this objective by providing a home for workers needed to meet the peak seasonal labor needs of orchards in the County.

Objective 4 of that chapter states that the County should “promote rural and historic landscapes that enhance visitors’ experience and give historic sites as authentic a setting as possible.” The proposed use would facilitate orchard uses that are traditional to this area while protecting the visual character of the surrounding historic areas through the use of vegetative screening and setbacks. Staff has also recommended a condition of approval that would limit the exterior materials to be used on the facility to muted earth-tone colors, which would further reduce visual impacts.

SUMMARY

Staff finds the following factors favorable to this request:

1. The facility would support agricultural land uses in the County, as recommended in the Comprehensive Plan.
2. The site raises no significant public safety issues.

Staff finds the following factors unfavorable to this request:

1. The site is directly adjacent to the Covesville Historic District. However, screening, setbacks, and exterior color control would reduce visual impacts on that District. It is also worth noting that much of the history of the Covesville District is based on the orchard industry that this use would support.

RECOMMENDED ACTION:

Staff recommends approval of SP202200006 with the following conditions:

1. Development of the use must be in general accord (as determined by the Director of Community Development, or the Director’s designee) with the conceptual plan entitled “Crown Orchard Covesville Seasonal Housing,” prepared by Coleman-Adams Construction, Inc., and last revised 07/22/22. To be in general accord with the plan, development must reflect the following major elements:
 - a. Location of the farm-worker housing facility, access road, and parking area shown on the plan, and
 - b. The “Wooded Area To Remain” and “Area for Augmented Screen Plantings” shown on Sheet A102.Minor modifications to the plan that do not conflict with that essential element may be made to ensure compliance with the Zoning Ordinance.
2. Any new outdoor lighting must be only full cut-off fixtures and shielded to reflect light away from all abutting properties.
3. Colors of exterior building materials on the structures must be muted earth tones that

blend with the landscape and are subject to County approval. Application of paint or installation of these materials must not begin before the colors are approved.

4. The area designated as “Area for Augmented Screen Plantings” on Sheet A102 of the conceptual plan must be planted with a mix of native deciduous and evergreen tree and shrub species in a naturalistic pattern. A planting plan must be submitted with a Zoning Clearance for County approval. After issuance of the first building permit for the structures, the plantings must be in place per the plan before the first Certificate of Occupancy for the structures, or a performance bond may be posted to guarantee that the plantings will be planted by the next available planting season. Plant species to be used must be listed in the brochure “Native Plants for Conservation, Restoration & Landscaping: Virginia Piedmont Region,” published by the Virginia Department of Conservation & Recreation. Planting densities must be a minimum of 3 large trees, 6 medium trees, and 7 shrubs per 100 linear feet of buffer. Large tree species must be a minimum of six feet in height above ground at the time of planting.
5. Other than the resident manager and his/her immediate family, residents must use shared transportation when accessing the site by motor vehicle.

ATTACHMENTS

1. Location Map
2. Project Narrative
3. Conceptual Plan