

Staff comment on each of the uses that may permit recreational activity:

10.2.1 BY RIGHT The following uses shall be permitted by right in the RA district, subject to the applicable requirements of this chapter:

4. Game preserves, wildlife sanctuaries and fishery uses.

The ordinance contains no definition for “game preserves” and no official determination has ever been made by the Zoning Administrator. The use may or may not be considered a recreation use because it may be interpreted as either an area where animals are protected or an area where they are hunted in a controlled manner. Staff opinion is that hunting is a uniquely rural activity and should be a permitted use in the Rural Areas. Staff recommends that a definition be developed to define “game preserves” as an area for controlled and managed hunting.

10.2.2 BY SPECIAL USE PERMIT The following uses shall be permitted by special use permit in the RA district, subject to the applicable requirements of this chapter:

1. Community center (reference 5.1.04).

This use provides unrestricted types of recreational activities. Staff recommends that it would be appropriate to remove recreation from the definition of “community center”. If this is done community centers would still be by special use permit and if they had associated recreation that would be permitted by a different provision.

2. Clubs and lodges (reference 5.1.02).

Clubs are permitted by special use permit in the Rural Areas zoning district and all the residential districts as a special use. In the residential districts the use is “Clubs, lodges, civic, fraternal, patriotic”. Clubs and lodges are permitted by-right in commercial districts (gun clubs and shooting ranges are by special use permit in all districts). Because clubs are a use in so many districts any change in the definition would have to distinguish between rural areas zoning and other districts. Clubs permit a wide range of recreational activities and may include dining facilities.

Clubs by definition are nonprofit organizations. Commercial recreation is permitted under the “swim, golf, tennis or similar athletic facilities”. Staff opinion is that the impacts from nonprofit and for profit recreational facilities can be similar. For example, the size, water consumption, fertilizer use, pesticide use for a golf course is going to be similar if it is a nonprofit or for profit course. It is possible that nonprofit facilities may have less traffic than for profit facilities. This could be considered during any review process.

Staff seeks guidance from the Board on the concept of removing “clubs and lodges” as a use in the Rural Areas and replacing it with a use that allows recreation and the creation of supplemental regulations.

4. Swim, golf, tennis or similar athletic facilities (reference 5.1.16)

This category has been used to permit golf courses, swimming facilities, tennis facilities, baseball fields, soccer facilities, running trails, biking trails and rowing facilities. The supplemental regulations that apply to this category are largely focused on the impacts generated by a pool. This use may include the serving of food and entertainment.

Staff opinion is that this grouping of uses is antiquated and does not reflect current or future recreational activities. This ordinance provision was included in the original adoption of the ordinance in 1980. No one at that time envisioned that people would want to have running courses, bike trails, rope courses, or zip lines. Likewise we cannot predict what types of recreational uses may be desired in the future. Staff recommends that a use permitting recreation by special use be established. At the same time supplemental regulations could be established to evaluate any request. The regulations could include such items as: (This list is not meant to be exhaustive. It merely represents the types of issues of that could be included in an ordinance.)

- Preservation of agricultural and forestal lands and activities;
- Water supply protection;
- Water consumption and impact on ground and surface water supplies;
- Conservation of natural, scenic or historic resources;
- Reversibility
- Transportation impacts on rural roads;
- Need for fire, rescue and police services;

- Need for a rural location to be successful;

These review criteria would be in addition to the review criteria for all special use permits contained in Section 33 of the Code of Albemarle.

20. Day camp, boarding camp (reference 5.1.05).

This category has been used primarily but not exclusively for camps that cater to children. However, it has also been used for a ropes course. This use does not permit golf courses, driving ranges or mechanical amusement devices. By definition this use is seasonal.

Day/Boarding Camps allows children and others to be exposed to the Rural Areas and enjoy the amenities offered. The recreational and experiential character of this use takes advantage of the rural area. When appropriately located and operated they can have limited impact and fit within the rural environment. The Comprehensive Plan cites day camps as a use that needs a rural location to thrive. Staff does not recommend any changes to this use.