

# COUNTY OF ALBEMARLE

## TRANSMITTAL TO THE BOARD OF SUPERVISORS

### SUMMARY OF PLANNING COMMISSION ACTION

<b>AGENDA TITLE:</b> ZMA202300017, SP202300020, and SE202300041 Chestnut Grove Manufactured Home Park Community	<b>AGENDA DATE:</b> March 5, 2025
<b>SUBJECT/PROPOSAL/REQUEST:</b> ZMA202300017 - Rezoning from RA to R4. SP202300020 - Special use permit for a 50-unit manufactured home park. SE202300047 - Request to modify the manufactured home park supplementary regulations.	<b>STAFF CONTACT(S):</b> Filardo, Herrick, Svoboda, Barnes, McDermott,  <b>PRESENTER (S):</b> Kevin McDermott, Deputy Director of Planning
<b>SCHOOL DISTRICT:</b> Scottsville ES, Walton MS, and Monticello HS	

#### BACKGROUND:

At its meeting on December 10, 2024, the Planning Commission (PC) voted 3:1 (Commissioner Moore voted in the minority, Commissioners Clayborne, Bivens, and Carrazana absent) to recommend denial of both ZMA202300017 and SP202300020 for the reasons listed in the staff report. The PC asked a few clarifying questions on the affordability of mobile homes, water availability, and resource impacts. Approximately 15 members of the public spoke at the Planning Commission Meeting, most in opposition to the proposal. The PC's original staff report (with a minor edit), action memo, and minutes are attached (Attachments A, B, and C).

#### DISCUSSION:

The PC agreed with the staff's recommendation of denial for both the ZMA and the SP. No changes to the applications have occurred since the PC recommendation for denial.

Section 5.1 of the Zoning Ordinance provides that any requirement of Section 5 may be modified or waived in an individual case as provided herein:

- a. The Board of Supervisors may modify or waive any such requirement upon a finding that such requirement would not forward the purposes of this chapter or otherwise serve the public health, safety, or welfare or that a modified regulation would satisfy the purposes of this chapter to at least an equivalent degree as the specified requirement; and upon making any finding expressly required for the modification or waiver of a specific requirement; except that, in no case, shall such action constitute a modification or waiver of any applicable general regulation set forth in [section 4](#) or any district regulation. In granting a modification or waiver, the commission may impose conditions as it deems necessary to protect the public health, safety, or welfare.

Manufactured home parks are subject to the supplementary regulations in Section 5.3 of the Zoning Ordinance. The Applicant has requested a special exception to modify or waive six specific regulations as described in the Application Narrative (Attachment A1). Staff's analysis of each special exception is provided below.

- [Sec. 5.3.4(B)] *Each manufactured home shall front on an internal street.*
  - Staff sees no reason to reduce the standards to allow travelways to replace internal streets. **Staff recommends denial of this Special Exception.**
- [Sec. 5.3.7(C)] *Outdoor living and storage areas. An outdoor living area shall be provided on each*

*manufactured home lot. At least 100 square feet shall be hard surfaced. Storage buildings not to exceed 150 square feet shall be permitted in a designated area on each lot. Additional storage facilities may be provided in common areas.*

- Staff sees no reason to grant this Special Exception. The requirement is for a 100 square foot hard surfaced area and a 150 square foot area designated for a storage building to be located on each lot. The applicant claims that "modern manufactured homes may include an outdoor deck or patio area". However, staff does not believe this is sufficient reasoning to waive this requirement. **Staff recommends denial of this Special Exception.**
- [Sec. 5.3.8(A)] *Off-street parking. Off-street parking for manufactured homes, recreational uses, and service areas shall be provided in accordance with section 4.12 of this ordinance.*
  - Staff sees no reason waive the requirement for standard street sections. **Staff recommends denial of this Special Exception.**
- [Sec. 5.3.8(B)] *Internal street. A minimum of right-of-way width of 40 feet shall be established on internal private streets for the purpose of measuring setbacks. The right-of-way shall be maintained clear of all obstructions.*  
*Internal private streets shall be constructed to the following minimum standards:*
  1. *Minimum typical street section for lot frontages of 85 feet or greater*
  3. *General Design Notes:*
    - b. *Pavement shall be prime and double seal bituminous surface treatment. Base shall be six inches of 2IA or 2IB aggregate base.*
      - Staff recommends that the development meet the street design standards that apply to manufactured homes including paved private streets. Unpaved streets may result in maintenance issues for residents. **Staff recommends denial of this Special Exception.**
- [Sec. 5.3.8(C)] *Recreation requirements. See section 4.16.*
  - Because of the distance to any park or playground facilities, staff believes that typical recreation requirements should apply to this development. **Staff recommends denial of this Special Exception.**
- [Sec. 5.3.8(D)] *Pedestrian access. The requirements of section 32.7.2.3 shall be met.*
  - There are no sidewalks in the vicinity of this site and these low-volume streets would not have opportunities for future extensions or connections to adjacent parcels. In keeping with the rural character, staff supports waiving the requirement for sidewalks. The proposed primitive trails support pedestrian activity throughout the site. **If the Board approves the ZMA and SP, staff would support this Special Exception.**

The PC recommended denial of the SP and the ZMA and therefore had no comments on the proposed Special Exception.

#### **RECOMMENDATIONS:**

The PC recommends that the Board adopt the attached Resolution to disapprove ZMA202300017 Chestnut Grove Manufactured Home Park Community (Attachment D).

The PC recommends that the Board adopt the attached Resolution to disapprove SP202300020 Chestnut Grove Manufactured Home Park Community (Attachment E).

Staff Recommends that the Board adopt the attached Resolution to disapprove SE202300041 (Attachment F)

#### **ATTACHMENTS:**

A – SP202400002 Planning Commission Staff Report  
A1: Application Narrative Location Map  
A2: Concept Plan  
A3: Proposed Proffers

A4: Community Feedback

- B – December 10, 2024 Planning Commission Action Memo
- C – December 10, 2024 Planning Commission Minutes
- D – Resolution to Disapprove ZMA202300017
- E – Resolution to Disapprove SP202300020
- F – Resolution to Disapprove SE202300041