

**RESOLUTION TO APPROVE SP202400025
LIVING EARTH SCHOOL**

WHEREAS, upon consideration of the staff report prepared for SP202400025 Living Earth School, the recommendation of the Planning Commission and the information presented at the public hearing on March 11, 2025, any comments received, and all of the relevant factors in Albemarle County Code §§ 18-10.2.2(20), 18-5.1.05, and 18-33.8(A), the Albemarle County Board of Supervisors hereby finds that the proposed special use would:

- 1. not be a substantial detriment to adjacent parcels;
- 2. not change the character of the adjacent parcels and the nearby area;
- 3. be in harmony with the purpose and intent of the Zoning Ordinance, with the uses permitted by right in the zoning district, with the applicable provisions of Albemarle County Code § 18-5.1.05, and with the public health, safety, and general welfare (including equity); and
- 4. be consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the Albemarle County Board of Supervisors hereby approves SP202400025 Living Earth School, subject to the conditions attached hereto.

* * *

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on June 4, 2025.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Andrews	_____	_____
Mr. Gallaway	_____	_____
Ms. LaPisto-Kirtley	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Mr. Pruitt	_____	_____

SP202400025 LIVING EARTH SCHOOL- Conditions

Staff recommends approval with the following conditions:

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 occur only 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.