

2013 ANNUAL REPORT – DEPARTMENT OF PLANNING

1. Introduction

The Department of Planning provides professional planning, code enforcement, project management, and technical services to support Clarke County's planning and land use objectives. Staffing consists of four full-time employees (Director, Zoning Administrator, Natural Resources Planner, and Administrative Assistant). The Department previously had a full-time code enforcement officer but that position was eliminated in conjunction with the FY2012 budget. The total appropriated budget for the Department (FY2013-2014) is \$476,431.

Department Functions and Responsibilities:

- Ordinance enforcement (Zoning, Subdivision, and various County Code provisions such as the Septic and Well Ordinance)
- Provide day to day customer service to citizens, appointed and elected officials, developers, and other stakeholders
- Process, present, and make recommendations on zoning map amendments (rezonings) and special use permits
- Draft, present, and make recommendations on text amendments to the Zoning, Subdivision, and other County ordinances
- Long-range planning activities including management of the County's Comprehensive Plan and implementing component plans
- Natural resource planning activities including water resource protection and water quality improvement projects
- Manage continuing activities to support the Spout Run TMDL implementation plan
- Manage the County's conservation easement program
- Maintain the County's database of dwelling unit rights (DURs)
- Manage the County's historic preservation program
- Coordinate County economic development activities
- Oversee the County's energy management program
- Oversee the County's biosolids monitoring program
- Conduct commercial site plan reviews
- Review and process subdivision plats and boundary line adjustments
- Administer the stormwater ordinance and erosion and sediment control ordinances in conjunction with the Building Department
- Zoning review of all County building permits
- Zoning review of all County business licenses
- Apply for and manage grants to support County projects
- Provide planning and zoning technical assistance to the Town of Boyce
- Staff support to numerous boards and committees including:
 - Planning Commission
 - Berryville Area Development Authority
 - Conservation Easement Authority
 - Historic Preservation Commission
 - Board of Zoning Appeals
 - Board of Septic and Well Appeals

- Industrial Development Authority
- Economic Development Advisory Committee
- Litter Committee
- Provide support to the County’s geographic information system (GIS) program and staff.
- Represent the County on various regional committees through the Northern Shenandoah Valley Regional Commission (NSVRC)
- Coordinate/manage projects community development projects and other special projects as assigned by the County Administrator or Board of Supervisors
- Administrative functions including managing the Department website and developing/presenting the Department’s annual report to the Board of Supervisors

Departmental Goals

1. Deliver professional-level technical guidance in the following subject areas:
 - a. Land use planning
 - b. Zoning and subdivision ordinance development and application
 - c. Environmental and natural resource planning
 - d. Land conservation
 - e. Historic preservation
 - f. Energy management
 - g. Economic development
 - h. Transportation
 - i. State legislative items
 - j. Capital outlay planning
2. Conduct effective enforcement of County ordinances
3. Provide quality customer service across numerous platforms
4. Maximize finite County resources

2. Summary of Activities

In calendar year 2013, the Department managed two significant planning projects – the update of the County’s Comprehensive Plan and the drafting of the County’s new Economic Development Strategic Plan. Both projects involved extensive work with the Planning Commission and public outreach to gather information and solicit feedback on the plan development process. At the direction of the Board of Supervisors, the Department provided staff support to the County’s Fire & Emergency Services (EMS) workgroup that was formed to address staffing concerns from the volunteer fire and EMS companies. These projects are discussed in greater detail below.

A summary of the land use requests and special projects conducted in 2013 is included below.

A. Zoning Map Amendments

No new rezoning applications were filed for review in 2013. The Board of Supervisors approved two rezoning requests in 2013 that were originally filed in 2012:

- RZ-12-01, Mahlon A. Jones (D&B Management Services, Inc.). Request to conditionally re-zone 5.74 acres in two parcels from Agricultural-Open Space-Conservation (AOC) to Highway Commercial (CH) with proffered conditions. Approved by the Board of Supervisors on March 19, 2013.
- RZ-12-02, Daniel & Kristine Hamilton. Request to re-zone 4,965 square feet of a 20,252 parcel from AOC to Rural Residential (RR). The rezoning was requested to reconcile a boundary line adjustment between two properties of unlike zoning in Shenandoah Retreat. Approved by the Board of Supervisors on January 15, 2013.

B. Special Use Permits

Two special use permit (SUP) requests were filed in 2013:

- SUP-13-01, Blue Ridge Wildlife Center. Request approval of a Special Use and Site Plan for Veterinarian Services and Community Services (Educational) per §3-A-1-a-3(g) and (u) of the Zoning Ordinance. The property is identified as Tax Map 31-A-3, located at 930 Tilthammer Mill Road in the Millwood Election District, and is zoned Agricultural Open-Space Conservation (AOC). Approved by the Board of Supervisors on September 18, 2013.
- SUP-13-02, Gina Schaecher (Happy Tails Development, LLC). Request approval of a Special Use Permit (SUP) and Site Plan to construct a commercial boarding kennel and animal shelter per §3-A-1-a-3(u) of the Zoning Ordinance. The property is located at the 300 block of Bellevue Lane, Tax Map #20-2-9, in the White Post Election District, and is zoned Agricultural-Open Space-Conservation (AOC). The Board of Supervisors ultimately denied the request on April 15, 2014.

C. Text Amendments

One Zoning Ordinance text amendment was processed by the Department in 2013. No Subdivision Ordinance text amendments were proposed during the year.

- TA-13-01, Maximum Lot Size Exception. Proposed text amendment to amend section, §3-A-1-b-(3), Maximum Lot Size Exception Criteria of the Clarke County Zoning Ordinance. This section of the ordinance provides for a maximum lot size exception if the parcel has been placed in conservation easement. The purpose of the text amendment is to require a property owner to retire at least one (1) dwelling unit right (DUR) if the property is being placed in easement in order to qualify for a maximum lot size exception. The amendment was adopted by the Board of Supervisors on November 19, 2013.

D. Site Plans

There were ten site plans reviewed in 2013. Seven plans were minor and approved administratively. One site plan amendment was approved by the Planning Commission. Two site plans were reviewed by the Board of Supervisors in conjunction with the two special use permit applications referenced above.

- SP-13-01, Shentel Communications. Administrative approval of a Site Plan amendment to exchange or install additional equipment and/or antennas to an existing wireless telecommunications facility identified as Tax Map #23-A-8B, located at 1531 Springsbury Road, Buckmarsh Electoral District, zoned Agricultural Open-Space Conservation (AOC). Approved by Staff on January 9, 2013.
- SP-13-02, AT&T Mobility (Town of Berryville, property owner). Administrative approval of a Site Plan amendment to install an unmanned wireless communications facility consisting of the installation of (1) new equipment cabinet within an existing 15'-0" x 10'-6" AT&T equipment shelter and associated appurtenances within an existing 80'-0" x 70'-0" fenced compound identified as Tax Map #14-A-6 located at 201 Tom Whitacre Circle, Russell Election District, zoned Agricultural Open-Space Conservation (AOC). Approved by Staff on January 23, 2013.
- SP-13-03, AT&T Mobility (Clarke County Sanitary Authority, property owner) requests administrative approval of a Site Plan amendment to install and repair coaxial cable, modifications and upgrades to antenna systems and the installation of cabinets and data transmission circuits on the existing telecommunications facility identified as Tax Map #21A1-A-13 located at 4 South Greenway Avenue in the Town of Boyce, zoned Business (B). Approved by Staff on April 8, 2013.
- SP-13-04, AT&T Mobility (Shenandoah Valley Tower Properties, property owner) requests administrative approval of a Site Plan amendment to install antennas on existing guyed tower with equipment placed on existing concrete pad on the property identified as Tax Map #23-A-8B located at 1531 Springsbury Road, Buckmarsh Electoral District, zoned Agricultural Open-Space Conservation (AOC). Approved by Staff on April 8, 2013.
- SP-13-05, Shentel Communications, (Richard & Mary Dimmel, property owners) request administrative approval of a Site Plan amendment to upgrade an existing telecommunications site on the property identified as Tax Map #29-A-18A located at 4 Rose Airy Lane, White Post Electoral District, zoned Agricultural Open-Space Conservation (AOC). Approved by Staff on March 18, 2013.
- SP-13-06, Clarke County Public Schools. Request approval of a Site Plan Amendment to construct additions to the former High School. The property is identified as Tax Map #13-A-61, located at 388 Westwood Road in the Russell Election District zoned Agricultural Open-Space Conservation (AOC). Approved by the Planning Commission on June 7, 2013.
- SP-13-07, Blue Ridge Wildlife Center. Request approval of a Special Use and Site Plan for Veterinarian Services and Community Services (Educational) per §3-A-1-a-3(g) and (u) of the Zoning Ordinance. The property is identified as Tax Map 31-A-3, located at 930 Tilthammer Mill Road in the Millwood Election District, and is zoned Agricultural

Open-Space Conservation (AOC). Approved by the Board of Supervisors on September 18, 2013.

- SP-13-08, Gina Schaecher (Happy Tails Development, LLC). Request approval of a Special Use Permit (SUP) and Site Plan to construct a commercial boarding kennel and animal shelter per §3-A-1-a-3(u) of the Zoning Ordinance. The property is located at the 300 block of Bellevue Lane, Tax Map #20-2-9, in the White Post Election District, and is zoned Agricultural-Open Space-Conservation (AOC). The Board of Supervisors ultimately denied the request on April 15, 2014.
- SP-13-09, Shentel Personal Communications. Request administrative approval of a Site Plan amendment to replace 2 existing cabinets with 2 new cabinets; install one new cabinet and replace 6 existing antennas with 6 new antennas and install 1 new fiber distribution box on H-frame to existing concrete pad on the property identified as Tax Map #25-A-8A located at 131 Retreat Road, Buckmarsh Election District, zoned Forestal Open-Space-Conservation (FOC). Approved by Staff on October 9, 2013.
- SP-13-10, Shentel Personal Communications. Request administrative approval of a Site Plan amendment to replace 2 existing cabinets; install one new cabinet; install one new fiber distribution box of H-frame; and replace 3 existing antennas with six new antennas on the property identified as Tax Map #16-A-33 located at 426 Quarry Road, Buckmarsh Election District, zoned Agricultural Open-Space Conservation (AOC). Approved by Staff on November 27, 2013.

E. Subdivisions

1. Major Subdivisions. There were no major subdivisions filed for review in 2013.
2. Minor Subdivisions. There were two minor subdivisions with maximum lot size exception requests filed for review in 2013.
 - MS-13-01, John and Mary Rutherford. Request approval of a two lot Minor Subdivision and Maximum Lot Size Exception for the property identified as Tax Map #3-10-3, located at 22 Swimley Road in the Russell Election District zoned Agricultural Open-Space Conservation. Approved by the Planning Commission on April 5, 2013.
 - MS-13-02, Richard and Mary Dimmel. Request approval of a two lot Minor Subdivision and Maximum Lot Size Exception for the property identified as Tax Map #29-A-18A, located at 6004 John Mosby Highway (White Post Election District) zoned Agricultural Open-Space Conservation. Approved by the Planning Commission on July 12, 2013.

F. Board of Zoning Appeals

No variance applications were filed in 2013 but one appeal of the zoning administrator's determination was filed:

- BZA-13-01, James J. Corbalis, III is appealing the Zoning Administrator's determination that an exemption (dwelling) did not exist on the property as of October 17, 1980, and identified as Tax Map parcel #23-1-3E located at 1531 Springsbury Road, Buckmarsh Election District, zoned Agricultural Open-Space Conservation (AOC). The Zoning Administrator's determination was upheld by the BZA on July 30, 2013.

G. Board of Septic Appeals

Three requests for variances to the Clarke County Septic Ordinance were reviewed in 2013.

- BSA-13-01, Carolyn Mellen. Requests a variance from the Clarke County Well Ordinance in order to locate a proposed addition closer to an existing well than is allowed by the Ordinance. The parcel is identified as Clarke County Tax Map 6-((3))-2 located at 1410 Pierce Road, Longmarsh Magisterial District, zoned Agricultural-Open Space-Conservation (AOC). Approved on May 30, 2013.
- BSA-13-02, George L. Ohrstrom, II. Requests a variance from the Clarke County Septic Ordinance to locate a proposed house more than 400 feet from a drainfield. The parcel is identified as Clarke County Tax Map 12-((A))-42 located in the 400 block of Sunny Canyon Lane, White Post Election District, zoned Agricultural-Open Space-Conservation (AOC). Approved on October 2, 2013.
- BSA-13-03, Hunter Associates, LLC (Tom Kelleher, Agent). Requests a variance from the Clarke County Septic Ordinance in order to locate a proposed house more than 400 feet from a drainfield. The parcel is identified as Clarke County Tax Map 26-((A))-107 located at 475 Ebenezer Road, Buckmarsh Election District, zoned Forestal Open Space-Conservation (FOC). Approved on October 2, 2013.

H. Town of Boyce Activities

No land use requests or text amendments were processed for review by the Town of Boyce in 2013.

I. Other Administrative Reviews

Planning Department Staff reviewed and approved 11 boundary line adjustments and 6 administrative subdivisions (divisions consisting of lots 100 acres or larger) in 2013.

J. Special Projects

Several special projects were undertaken by the Department during the year:

- (1) Planning projects. The following projects were undertaken by the Department as staff support to the County Planning Commission:
 - 2013 Comprehensive Plan Update. The Planning Commission and Staff completed their work on the revised 2013 Comprehensive Plan with the Commission's formal recommendation to adopt the revised Plan on October 17, 2013. Development of the revised Plan included completion of the initial draft and informal public comment sessions in the spring. Development of the final

draft took place over the summer as the Commission worked to fine tune the initial draft and to incorporate comments received during the public comment sessions. The Board of Supervisors ultimately adopted the 2013 Plan on March 18, 2014.

- 2013 Transportation Component Plan. In order to comply with recently adopted State code requirements, the Commission and Staff worked to revise the County's Transportation Component Plan as a standalone document consistent with the other component plans. The previous version (adopted in 2007) was incorporated into the 2007 Comprehensive Plan as a section of Chapter III. Other changes required by State law included provision of a detailed road inventory based on functional classification, planning-level cost estimates of the priority projects, and an explanation of how the County's transportation and land use philosophies are coordinated. Following receipt of notice by the Virginia Department of Transportation, the Commission voted to recommend adoption of the revised Transportation Plan on October 17, 2013. The Plan was ultimately adopted by the Board on March 18, 2014.
- Economic Development Strategic Plan. Conducted as a parallel process to the Comprehensive Plan update, Staff worked with consultant Herd Planning on the County's first Economic Development Strategic Plan in 2013. The majority of the plan development activities involved research including soliciting feedback from the public and key stakeholders. An economic development visioning meeting was held on February 13 to identify the County's strengths and weaknesses, and was followed up in April with a series of targeted roundtable discussions involving members of specific business and industry sectors. In November, a subcommittee composed of members of the Planning Commission and Economic Development Advisory Committee was formed to work with Herd Planning and Staff to develop the draft strategic plan.
- Berryville Area Plan Update. The Berryville Area Development Authority (BADA) continued work on the rewriting of the Berryville Area Plan that began in 2012. The BADA conducted a mapping exercise in February that involved a detailed review of each sub-area, their current land use, and projected uses and build-out in the future. The purpose of the exercise was to determine if any changes need to be proposed to any of the sub-areas. Due to workload issues, Town and County Planning Staffs were not able to complete additional tasks towards the development of a revised draft Plan in 2013.

(2) Economic development projects.

- Waterloo availability fee subsidy program. Beginning in 2012, Planning Staff worked in conjunction with the Industrial Development Authority (IDA) and Clarke County Sanitary Authority to develop an economic development incentive program aimed at subsidizing availability fees for new public utility hookups in the Waterloo growth area. This project was completed in 2013 with the

refinement of project details and the adoption of the program by the Board of Supervisors, IDA, and Sanitary Authority in June 2013.

(3) Other projects:

- Fire & EMS Workgroup. In response to concerns about volunteer staffing needs raised in a letter to the County and Town of Berryville from Chief Harold Rohde (John H. Enders Volunteer Fire and Rescue Company), the Board of Supervisors appointed a Fire & EMS Workgroup to evaluate the issues and provide a detailed report containing their recommendations. The Planning Director was assigned to staff this Workgroup and to assist with the development of the report. A kickoff meeting was held on September 11 and several meetings were conducted through early December. The Workgroup wrapped up its assignment and provided a report to the Board of Supervisors in January 2014.
- Stormwater Ordinance. Staff worked cooperatively in 2013 with the Northern Shenandoah Valley Regional Commission (NSVRC) in response to the 2012 state mandate that all localities adopt a compliant Virginia Stormwater Management Program by July 2014. Work towards this project included submission of a package in March to the Department of Conservation & Recreation (DCR) containing our stormwater ordinance and design manual, a staffing plan, and a funding plan with the formal request that our program be evaluated for compliance with State regulations. Staff attended several meetings at NSVRC with our regional counterparts to continuously evaluate the evolving program requirements as stormwater oversight passed from DCR to the Department of Environmental Quality (DEQ), and to develop outreach methods to inform the development community of the upcoming changes.

3. Building Permits

A. Residential Permits. Residential construction increased in 2013 from previous year with a total of 28 permits for new dwelling units issued. A total of 21 permits were issued for parcels located outside of the towns, 6 permits were issued in the Town of Berryville, and 1 permit was issued in Boyce. The 28 permits issued were the highest annual total since 2008 when 43 permits were issued.

Residential Building Permits Issued, 2000-2013

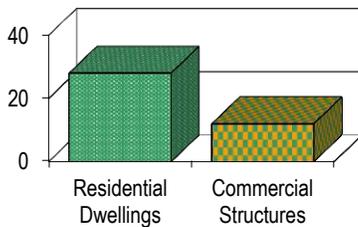
	County	Berryville	Boyce	TOTAL
2013	21	6	1	28
2012	16	4	0	20
2011	16	1	0	17
2010	10	4	9	23
2009	11	1	12	24
2008	20	0	23	43
2007	39	6	12	57
2006	41	25	14	80
2005	65	141	15	221
2004	81	45	4	130
2003	72	53	2	127
2002	78	49	2	129
2001	86	50	2	138
2000	68	33	0	101

B. Total Permits -- Valuation

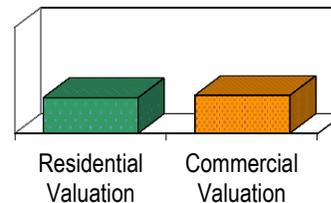
Building permit valuation, all use types for permits issued in 2013

Permits	Number of Structures/Permits	Valuation
Residential Structures	28	\$ 6,713,000
Commercial/Institutional Structures	12	\$ 7,148,000
Miscellaneous Permits Issued ¹	729	\$ 3,387,600
Total		\$17,248,600

NUMBER ISSUED



VALUATION



¹ Miscellaneous permits include all other building permits issued excluding residential dwellings and commercial buildings

BUILDING PERMITS

Residential, Commercial, Institutional and Miscellaneous Structures

Year	Res/Com/ Institutional Structures	Valuation	Miscellaneous Permits	Valuation
2013	40	\$13,861,000	729	\$ 3,387,600
2012	26	\$ 7,111,000	739	\$ 6,604,350
2011	17	\$ 5,769,000	733	\$ 6,612,624
2010	24	\$28,726,000 ²	761	\$ 8,604,700
2009	27	\$ 7,277,000	837	\$ 6,059,200
2008	48	\$12,912,975	1144	\$ 8,326,400
2007	60	\$15,191,130	1384	\$10,529,175
2006	91	\$14,425,000	1652	\$10,813,187
2005	224	\$47,305,833	2541	\$55,290,268
2004	132	\$23,423,005	2031	\$30,588,005
2003	133	\$24,642,470	1840	\$34,050,768
2002	135	\$30,716,883	1955	\$38,470,828
2001	145	\$24,534,731	1732	\$31,735,432
2000	103	\$16,161,845	1862	\$22,859,869

4. Subdivisions

The following statistics describe the subdivisions approved by the Planning Commission in 2013 for the unincorporated areas of the County, with the previous years for which records were compiled. Figures in Town Residential column include land in the Berryville Town Limits and Annexation Area, as well as the Town of Boyce through 2001.

Year	Lots/Acres	County	Berryville	Boyce
		Total	Total	Total
2000	Lots	25	5	
	Acres	2125	72	
2001	Lots	72	3	6
	Acres	535	0	1
2002	Lots	40	100	3
	Acres	281	81	1
2003	Lots	34	70	43
	Acres	412	54	21
2004	Lots	30	71	5
	Acres	325	72	2
2005	Lots	31	99	71
	Acres	370	60	15
2006	Lots	36	10	1
	Acres	799	32	<1

² Includes \$22,318,000 for new high school (2010)

2007	Lots	25	1	2
	Acres	179	2	2
2008	Lots	25	0	0
	Acres	708	0	0
2009	Lots	6	0	1
	Acres	2	0	<1
2010	Lots	5	0	0
	Acres	191	0	0
2011	Lots	8	0	0
	Acres	98	0	0
2012	Lots	6	0	0
	Acres	67	0	0
2013	Lots	4	0	0
	Acres	144	0	0

DWELLING UNIT RIGHTS

Dwelling Unit Rights (DURs) Used and Remaining by Election District

Election District	DURs Allocated	DURs Remaining	% Remaining
Berryville	23	18	78.3%
Buckmarsh	1,056	601	56.9%
Millwood	1,932	1,067	55.2%
Russell	1,573	706	44.9%
White Post	1,966	1,307	66.5%
TOTAL	6,550	3,699	56.6%

5. Conservation Easements

Conservation Easements Added/Dwelling Units Retired, 1974-2013

	VOF, OTHERS (acres)	COUNTY (acres)	DURs RETIRED *
1974	72	0	n/a
1975	4	0	n/a
1976	195	0	n/a
1977	119	0	n/a
1978	667	0	n/a
1979	1,037	0	n/a
1980	166	0	n/a
1981	0	0	n/a
1982	100	0	n/a
1983	0	0	n/a
1984	0	0	n/a
1985	0	0	n/a
1986	0	0	n/a
1987	0	0	n/a
1988	807	0	n/a
1989	1,540	0	n/a
1990	2,503	0	n/a
1991	846	0	n/a
1992	64	0	n/a

	VOF, OTHERS (acres)	COUNTY (acres)	DURs RETIRE D*
1993	328	0	n/a
1994	2	0	n/a
1995	95	0	n/a
1996	42	0	n/a
1997	336	0	n/a
1998	485	0	n/a
1999	951	0	n/a
2000	1,453	0	n/a
2001	764	0	n/a
2002	1,180	0	n/a
2003	133	145	3
2004	957	35	1
2005	943	314	5
2006	425	579	18
2007	285	1,261	45
2008	0	250	12
2009	230	484	13
2010	0	473	21
2011	210	582	18
2012	0	709	26
2013	1,120	612	15*
SUBTOTAL	18,059	5,472	
TOTAL		23,531	190

Conservation Easement Purchase Summary, 2003-2013

CLARKE COUNTY CONSERVATION EASEMENT AUTHORITY EASEMENT PURCHASE SUMMARY									
YEAR	ACRES	DUR'S TERMINATED		APPRAISED VALUE	DUR PURCHASE VALUE	OWNER SHARE	COUNTY SHARE *	GRANT SHARE	GRANT SOURCE
2003	139.7	3		\$251,000		\$26,000	\$225,000		
2003	4.9	0		\$0		\$0	\$0		
2005	39.6	2		\$198,100		\$123,100	\$75,000		
2005	32	2		\$200,000		\$125,000	\$50,000	\$25,000	SRDCD
2006	99.93	3		\$131,500		\$445,133	\$133,267		
2006	74	3		\$508,800		\$166,575	\$114,075	\$228,150	VOF
2007	216	5		\$648,500		\$162,125	\$8,062	\$478,313	FRPP, VLCF, VDACS
2008	46.82	3		\$346,551		\$86,638	\$86,638	\$173,275	FRPP
2008	30	2		\$180,000		\$53,100	\$42,300	\$84,600	FRPP
2008	204	5		\$716,500		\$179,125	\$27,750	\$509,625	FRPP, VLCF, VDACS
2008	43	1		\$131,500		\$32,875	\$16,437	\$82,188	FRPP, VDACS
2010	11.48	1			\$25,000		\$12,500	\$12,500	VDACS
2010	19.8	2			\$80,000		\$40,000	\$40,000	VDACS
2010	10.5	1			\$28,000		\$14,000	\$14,000	VDACS
2010	133	6			\$240,000		\$120,000	\$120,000	VDACS
2010	145	5			\$140,000		\$70,000	\$70,000	VDACS
2010	38.1	2			\$80,000		\$40,000	\$40,000	VDACS
2010	47.6	2			\$60,800		\$30,400	\$30,400	VDACS
2010	15.18	1			\$30,400		\$15,200	\$15,200	VDACS
2011	60.00	2		\$240,500		\$60,125	\$30,063	\$150,312	FRPP, VDACS
2011	13.02	1			\$13,000		\$6,500	\$6,500	VDACS
2011	16.69	2			\$25,000		\$12,500	\$12,500	VDACS
2011	134.00	2			\$80,000		\$40,000	\$40,000	VDACS
2012	76.7	2			\$80,000		\$40,000	\$40,000	VDACS
2013	80.86	4		\$303,000		\$75,750	\$5,488	\$221,762	FRPP, VDACS, PEC, VLCF
2013	217.34	4		\$542,500		\$135,625	\$32,813	\$374,062	FRPP, VDACS, PEC, VLCF
2013	68.02	3		\$255,000		\$63,750	\$5,625	\$185,625	FRPP, VDACS, PEC, VLCF
2013	140	4		\$560,000		\$140,000	\$97,500	\$322,500	VDACS, PEC, VLCF
	1767.11	60			Total	\$1,874,921	\$1,391,118	\$3,276,512	
					% of Total	28.7	21.3	50.1	

* Represents County funds used to purchase conservation easements; program began in 2003

Grant Sources

VDACS = Virginia Department of Agriculture and Consumer Services (State)

VLCF = Virginia Land Conservation Fund (State)

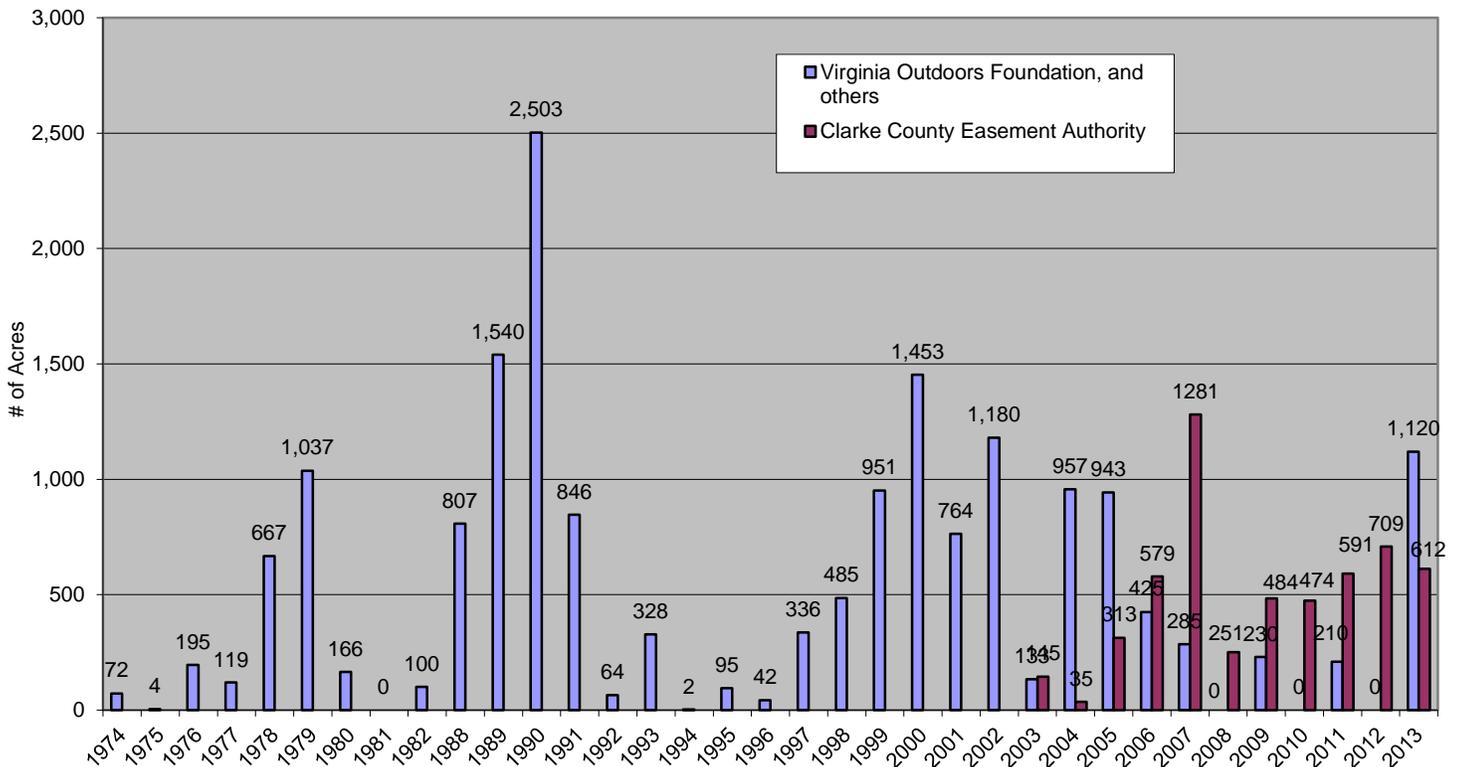
FRPP = Farm & Ranchland Protection Program (Federal)

SRDCD = Shenandoah Resource Conservation and Development Council (State)

VOF = Virginia Outdoors Foundation (State)

PEC = Piedmont Environmental Council

Conservation Easements – Virginia Outdoors Foundation, Virginia Department of Historic Resources & Clarke County Conservation Easement Authority



Note: No easements recorded 1983 through 1987

6. Biosolids Applications

On July 15, 1997 the Board of Supervisors approved the adoption of a text amendment establishing standards for the land application of bio-solids.

Beginning in 1998, two companies, Bio Gro and Recyc Systems applied biosolids in the County. Currently Synagro (formally Bio-Gro) and Wright Trucking spread on area farms. The following table summarizes the acreages applied each year.

In 2004, State law repealed Counties ability to regulate biosolid application beyond testing and monitoring. The change permits Counties to request reimbursement for expenses relating to monitoring and testing but eliminates increased setback standards that Clarke County had adopted to protect ground and surface water resources in sensitive karst areas.

Beginning January 1, 2008 the Virginia Department of Environmental Quality (DEQ) assumed regulatory oversight of all land application of treated sewage sludge, commonly referred to as biosolids. This action, which moves oversight of the Biosolids Use Regulations from the Virginia Department of Health to DEQ,

was at the direction of the 2007 General Assembly, which voted to consolidate the regulatory programs so that all persons land applying biosolids would be subject to uniform requirements, and to take advantage of the existing compliance and enforcement structure at DEQ.

Biosolids Applications

Year	Acres	# Farms
1998	180	2
1999	625	3
2000	0	0
2001	1830	11
2002	1145	11
2003	350	3
2004	150	4
2005	263	3
2006	950	9
2007	1,063	10
2008	1,307	13
2009	1,287	13
2010	1,989	21
2011	1,800	18
2012	1,539	18
2013	838	8
15 Year Total	15,316	

DEQ has established an Office of Land Application Programs within the Water Quality Division to manage the biosolids program, as well as land application of industrial sludges, septage, livestock and poultry waste, and water reclamation and reuse. The Virginia Department of Health will continue to consult with DEQ and advise the public on health issues related to biosolids applications.

All applications have been closely monitored by County and State representatives and have been in compliance with all requirements. In accordance with State Regulations, Counties may be reimbursed for the testing and monitoring expenses; in 2013 the County was reimbursed \$10,201.58.

The total number of acres permitted for biosolids application in the County is 11,125, proportionately more biosolids than many other Counties in the area, averaging 18,000 wet tons per year. The biosolids contain about 5-8 pounds of nitrogen per ton of biosolids. There is interest and concern about the effect of biosolids application on the quality of ground water in Clarke County. In order to address this concern, the County applied for and received

2 grants totaling \$16,000 to monitor 10 springs in northern Shenandoah Valley for discharge, TN, TP, ammonia, ortho phosphate, nitrate-nitrite, E. coli, flow, general water chemistry. Springs are in located in karst areas. Purpose is to identify contribution of contamination from springs to surface waters to assist in 1) determining appropriate BMP's on agricultural lands and 2) impact of biosolids applications on water quality as compared to other fertilizer sources. A report detailing the study is available from the Planning Department.

7. Historic Preservation Commission Activities

During 2013, the Historic Preservation Commission (HPC) worked on updating the County's historic driving tour brochure to include additional sites throughout the County and new routes for tours. They discussed ways to better educate owners of historic structures on "mothballing" and planned to hold a workshop on the topic in the near future. The HPC also held their annual awards luncheon at the Battletown Inn in May.

No Certificates of Appropriateness were processed in 2013.

8. Cash Proffers

No new cash proffer funds were paid to the County in 2013.

PROFFER CONTRIBUTIONS to Schools or Emergency Services

Year	Amount	Location	# of Lots
1993	\$6,590	Battlefield Estates – Lots 67A & 68A	2
1994	\$6,640	Battlefield Estates – Lots 61A & 66A	2
1995	\$10,290	Battlefield Estates – Lots 50A, 52A, 59A	3
1996	\$6,860	Battlefield Estates – Lots 41A & 54A	2
1997	\$0		0
1998	\$3,700	Battlefield Estates – Lot 26A	1
1999	\$7,460	Battlefield Estates – Lot 186A & 194A	2
2000	\$7,720	Battlefield Estates – Lots 102A & 196A	2
2001	\$0		0
2002	\$16,308	Battlefield Estates – Lots 90A, 101A, 76A, & 87A	4
2003	\$0		0
2004	\$8,387	Battlefield Estates – Lots 107A, 112A	2
2005	\$3,000	Darbybrook Lot 32	1
2006	\$18,000	Darbybrook Lots 2-6 and 31	6
2007	\$0		0
2008	\$0		0
2009	\$0		0
2010	\$0		0
2011	\$0		0
2012	\$0		0
2013	\$0		0
TOTAL	\$94,955		

- Ketocin Land Co. (Battlefield Estates) has paid \$73,955 in school capital proffers for 20 houses out of the 40 additional houses allowed by the 1992 rezoning of a portion of Battlefield Estates.
- Brookfield Homes (Darbybrook) has paid \$21,000 (\$14,000 schools and \$7,000 emergency services) in capital proffers for 7 out of the 7 additional houses allowed by the 2005 rezoning of a portion of Darbybrook.

APPENDIX A – Miscellaneous Activity Tables

1. Minor Subdivisions

File #	Name	Description	Tax Map #	Zoning/Election District	Action
MS-13-01	John & Mary Rutherford	2-lot	3-10-3	AOC/Russell Election District	Approved 4/8/13
MS-13-02 (See MLSE-13-01)	Richard & Mary Dimmel	2-lot (The Moorings)	29-A-18A	AOC/White Post Election District	Approved 7/12/13

2. Boundary Line Adjustments

File #	Name	District	Tax Map #	Zoning	Action
BLA-13-01	Michael Hoffman	CH/LM	12-A-37D	AOC	Approved 2/12/13
BLA-13-02	James (Joe) Lambert	LM/Russell Election District	6-4-2 & 6-4-3	AOC	Approved 2/12/13
BLA-13-03	Lucy & Stephen Dorick, Wm. Byrd & Richard Byrd	LM/Millwood Election District	13-A-31C & 14-A-11	AOC	Approved 6/19/13
BLA-13-04	James & Bonnie McCarty	GW/White Post Election District	29-A-9 & 10	AOC	Approved 8/12/13
BLA-13-05	Robert W. Claytor	GW/White Post Election District	28-A-20F & 20G	AOC	Approved 8/27/13
BLA-13-06	Stacy Finch (Runyon Est.) Phase 2	CH/Millwood Election District	12-A-33; 12-A- 33D, 12-A-33E	AOC	Pending
BLA-13-07	Stacy Finch (Runyon Est.) Phase 4	CH/Millwood Election District	12-A-33, 12-A- 33C, 12-A-33F	AOC	Pending
BLA-13-08	Stacy Finch (Runyon Est.) Phase 6	CH/Millwood Election District	12-A-33, 12-A- 33B	AOC	Pending
BLA-13-09	Stacy Finch (Runyon Est.) Phase 8	CH/Millwood Election District	12-A-33, 12-A- 33G	AOC	Pending
BLA-13-10	Stacy Finch (Runyon Est.) Phase 10	CH/Millwood Election District	12-A-33, 12-A- 33H	AOC	Pending
BLA-13-11	Stacy Finch (Runyon Est.) Phase 12	CH/Millwood Election District	12A-33, 33G, 33H & 33J 12-A-31	AOC	Pending

3. Home Occupation Permits

Name	Address	Tax Map #	Date	Business type
Almond, Wayne	1830 Senseny Road Berryville, VA 22611	13-A-47A	6/4/13	Almond's Tree Service
Anderson, William Todd	19414 Blue Ridge Mountain Rd Bluemont, VA 20135	34A-4-4	9/6/13	Anderson's Electrical Service
Arzola, Jose G. Soto	156 Quarry Road Berryville, VA 22611	16-A-35	9/23/13	Joel Flooring, LLC (residential & commercial carpeting & flooring)
Berry, John E.	3365 Papermill Road Winchester, VA 22602		10/10/13	General Contracting
Blaine, Abigail Hart	3582 Shepherds Mill Road Berryville, VA 22611	10-A-4	1/15/13	Monster Plumbing LLC (Plumbing)

Breeden, James W.	1324 Wadesville Road Berryville, VA 22611	3A-1-5	8/2/13	Integrated Automotive (automotive repair)
Bridge, Theresa	184 W. Crescent St. Boyce, VA (Town of Boyce)	21A1-A-37	4/3/13	Craft shows, sell crafts on line
Brown, Adze	2379 Morgans Mill Road Bluemont, VA 20135	32-A-65C	4/1/13	Bluemont Construction Services
Cather, Rebecca	337 Cather Road Berryville, VA 22611	7-A-7F	11/14/13	Custom Design Creations
Dunmire, Daniel A., Jr.	737 Lockes Mill road Berryville, VA 22611	23-A-43	6/18/13	Blue Ridge Painting Plus
Graham, Stacey	319 Barker Lane Bluemont, VA 20135	33-4-10	9/20/13	SIG Services (virtual assistant)
Hagen, William A.	273 Redbud Lane Bluemont, VA 20135	17A4-27- 20-23	9/3/13	William Hagen Estate Services, LLC (handyman repair & maintenance)
King, Robin	877 Chilly Hollow Road Berryville, VA 22611	24-A-57	7/18/13	Three Crows Gallery- Artist
Lobo, Ian	220 Lafayette Lane Paris, VA 20139	40A-2-28	1/8/13	Financial Consulting/Tax Preparing
McCauley, Mark A.	132 Soldiers Lane Berryville, VA 22611	4-A-8E	1/22/13	Equipped, Inc. (Mobile Tool Sales)
Mason, Crystal	76 Chapel Lane Boyce, VA 22620	22-1-20	4/15/13	Brass Dynasty
Nalls, David Adam Coleman	207 Chilly Hollow Road Berryville, VA 22611	15-A-18	10/24/13	Mobile Repair of Equipment
Neumann, Knut	325 Berry's Ferry Road White Post, VA 22663	28A-A-18	2/6/13	KN Painting (painting, dry walling & wallpaper)
Nunn, Regina	451 Linaburg Lane Berryville, VA 22611	3-A-43B	1/13/13	Designs by Regina (Interior design/decoration/grooms)
Olsen, Leif R., Jr.	1959 Millwood Road Millwood, VA 22646	30A-A-71	9/30/13	Labor, Construction
Pierce, Gerald W., Jr.	P.O. Box 521 Berryville, VA 22611	24-A-51	4/3/13	GWP Power Solutions, LLC (mobile generator repair)
Rinehart, William	295 Evergreen Lane Bluemont, VA 20135	17A2-11-28	1/8/13	RineCo Clean (Roof Cleaning)
Ruszczyk, Cathy	2291 Lockes Mill Road Berryville, VA 22611	23A-2-17	10/21/13	Cleaning Business
Skinner, Andrew H.	175 Tadpole Lane Bluemont, VA 20135	32-8-13	6/14/13	Bluewater Kitchen, LLC
Stephens, E.T.	525 Randalston Lane Bluemont, VA 20135		12/30/13	Horse boarding & animal ambulatory vet services
Updegraff, Ronald	P.O. Box 499 Boyce, VA 22620	32-A-65A	4/12/13	Grayson Construction
Upperman, James	114 Summer Spring Lane Paris, VA 20130	39-13-3	4/29/13	Jimmy's Handyman
Yost, Tracy	982 Noble Lane Berryville, VA	3-14-4	2/14/13	Yost Contracting (plaster & drywall)

4. Land Disturbance Permits

a. Major

None in 2013

b. Minor

Owner/Applicant	Address	Tax Map #	Date	Purpose
Omps, Aaron & Misty	224 Bluebird Drive Stephens City, VA 22655	37A4-2-50	2/19/13	Driveway
Hitchen, Peter O.	497 Locke's Mill Rd. Berryville, VA 22611	30-A-65	3/4/13	Driveway
Tranchitela, Chris/ Tranco Farms, Inc.	19004 Harmony Church Rd. Leesburg, VA 20175	9-A-60D	8/27/13	Grain bins

5. Maximum Lot Size Exceptions

File #	Name	Tax Map #	Zoning/Election District	Status
MLSE-13-01 (See MS-13-02)	Richard & Mary Dimmel	29-A-18A	White Post Election District/AOC	Approved 7/12/13

6. Sign Permits

Applicant	Address	Date	Tax Map #	Sign Information
340 Depot	3355 Lord Fairfax Highway Berryville, VA 22611	10/24/13	8-1-2	340 Fuel Depot
Adams, Lisa	864 Shepherds Mill Road Berryville, VA 22611	10/2/13	16-A-21B	612 Vineyard
Battletown Animal Clinic	3823 Lord Fairfax Highway Berryville, VA 22611	7/8/13	14-1-1A	Battletown Animal Clinic
Fisher Auto Parts	40 Kimble Rd., Ste. A Berryville, VA 22611	9/25/13	7-A-71	Federated Auto parts logo & Fisher Auto Parts Name
Jacobson, Leroy	3340 Crums Church Road Berryville, VA 22611	7/22/13	3-14-1B	Jacobson Christmas Tree Farm
LaRock, Dave	P.O. Box 6 Hamilton, VA 20159	4/18/13	On private property throughout Clarke Cty	Dave LaRock for Delegate

7. Zoning Permits-under 200 sf and/or agricultural use only

Applicant	Address	Tax Map #	Date	Purpose
Anderson, Kevin	127 Concert Lane Berryville, VA 22611	7-6-4	4/24/13	Vegetable greenhouse
Brock, Betty	6 South Greenway Ave Boyce, VA 22620	21A1-A-19	7/17/13	Outside Storage
Carter, Richard	2161 Allen Road Berryville, VA 22611	4-A-10C	4/27/13	Barn
Faraday, Martha	1793 Swimley Road Berryville, VA 22611	3-A-8A	7/3/13	Barn & Indoor Arena
Gibson, Michael	4772 Senseny Road Berryville, VA 22611	12-A-1F	12/10/13	Ag/Horse
Gonzales, Abel & Rosario	711 Crums Church Road Berryville, VA 22611	7-7-1	8/12/13	Storage Shed

Graf, Melanie	735 Chestnut Lane Berryville, VA 22611	10-1-2	6/28/13	Farm equipment & hay storage
Lamont, Stephen	4740 John Mosby Hwy Boyce, VA 22620	30-A-23	7/31/13	Storage Shed
Lanham, James	P.O. Box 252 Buckeystown, MD 21717	12-A-37C	10/1/13	Equipment & Animal working area
Lacey, Peter	15436 Lord Fairfax Highway White Post, VA 22663	28-3-7	11/26/13	Farm equipment building
Loe, Steve	936 Gun Barrel Road White Post, VA 22636	28-4-1	5/15/13	Enlarge existing barn
Mackay-Smith, Alexander & Leigh	262 Meadows Lane White post, VA 22663	35-A-3B	8/30/13	Stable
Myers, William	7276 Lord Fairfax Hwy Berryville, VA 22611	22-A-22	4/8/13	Above ground pool
Phelan, Robert	2683 Mount Carmel Rd Bluemont, VA 20135	32-A-29	8/8/13	Auxillary bldg/ storage use only
Posthumus, Wm-Mary Larson	812 Westwood Rd Berryville, VA 22611	13-A-55	6/14/13	Pole Barn
Profundus (Audley Farm)	P.O. Box 510 Berryville, VA 22611	15-A-4	12/17/13	Machine Shed
Tranchitella, Chris	(Tranco Farms, Inc.) Oakland Farm	9-A-60D	1/8/13	Pole Barn

APPENDIX B – Adopted Text Amendments (changes shown in bold italics with strikethroughs where necessary)

**ZONING ORDINANCE TEXT AMENDMENT (TA-13-01)
Maximum Lot Size Exception – Conservation Easement
As Adopted by the Board of Supervisors November 19, 2013**

Amendment Text (new or amended language in *bold italics*):

3-A-1-b Lot Requirements

1. For Single Family Detached Dwellings:

a. The maximum lot size is four acres. The maximum average lot size is three acres. The minimum lot size is two acres; provided, however, the minimum lot size is one acre for lots created from the subdivision of parcels existing on 20 March 2001 that contain less than four acres. The minimum lot width is 150 feet. The calculation of the maximum average lot size in a subdivision shall not include parcels with a maximum average lot size exception or a single residual parcel remaining from the subdivision of lots meeting the maximum average lot size requirements. A lot or lots may qualify for a maximum average lot size exception by meeting one of the following four criteria:

(3) the entire tract of land being divided, including, without limitation, any residual parcel(s) irrespective of area, has been placed under an easement granted to the Clarke County Conservation Easement Authority, the Virginia Board of Historic Resources, the Virginia Outdoor Foundation, and/or any other entity authorized to hold an open-space easement pursuant to the Virginia Open-Space Land Act (§10.21-1700, Code of Virginia) and approved by the Clarke County Board of Supervisors, and that all the parcels of land in the division are located in a manner consistent with the physiographic and/or historic characteristics of the property. *As to requests for a maximum lot size exception based upon the land having been placed in an easement held or co-held by the Clarke County Conservation Easement Authority (recorded after November 19, 2013), said easement must have included the termination of at least one (1) dwelling unit right in order for the property to qualify for a maximum lot size exception under this paragraph.*