Clarke County Planning Commission

AGENDA – Regular Meeting
Friday, May 1, 2015 – 9:00AM
BERRYVILLE/CLARKE COUNTY Government Center – Main Meeting Room

1. Approval of Agenda

2. Approval of Minutes:
- **a. March 31, 2015 Briefing Meeting**
- **b. April 3, 2015 Regular Meeting**

Public Hearing Items

3. TA-15-01, Monopole Regulations. Proposed text amendment to amend §3-C-2-u, Monopoles for Telecommunication Antennae (Supplementary Regulations); and §6-H-12, Monopoles for Telecommunication Antennae (Design Standards) of the Zoning Ordinance. The purpose of the amendment is to add new language regarding co-location of antennas on existing monopoles in order to comply with recent changes to Federal law. The amendment would also add new and clarify existing requirements for special use permit and site plan applications for the siting of new monopoles.

4. TA-15-02, Farm Breweries and Farm Wineries Regulations. Proposed text amendment to amend §3-A-1, Agricultural-Open Space-Conservation District (AOC); §3-A-2, Forestal-Open Space Conservation District (FOC); §3-C, Supplementary Regulations; and §9-B, Definitions, of the Zoning Ordinance. The purpose of the amendment is to create a new permitted use, "farm breweries," in the AOC and FOC Districts, and to establish supplementary regulations for the new permitted use. The text amendment also adds language to require zoning approval and issuance of a business license prior to operating a farm brewery or farm winery including provision of approved private well and onsite septic system permits issued by the Virginia Department of Health. Wineries, breweries, cideries, and distilleries would be specifically excluded from the special use, "Processing of Agricultural Products not totally produced in Clarke County," in the AOC and FOC Districts.

5. Recreation Component Plan.
The Recreation Plan is a new implementing component plan recommended by the 2013 Comprehensive Plan and is the County's first Plan that focuses on recreation resources. The purpose of the Plan is to address the recreational needs of the community and describe existing resources, how they will be protected and promoted, and the steps that should be taken to insure the continued viability and enhancement of these resources for present and future generations. The Plan establishes specific functional strategies and recommendations to protect, promote, grow, and enhance the County's active and passive recreational resources.

Set Public Hearing Items

6. Site Plan Amendment – SP-15-03
Alain Borel (L'Auberge Provencale) requests approval of a Site Plan Amendment to construct a 725 square foot lounge/bar and a 54 square foot entrance to the existing structure on the property identified as Tax Map #28-A-12.

Board/Committee Reports

7. Board of Supervisors (John Staelin)
8. Sanitary Authority (John Staelin)
9. Board of Septic & Well Appeals (John Staelin)
10. Board of Zoning Appeals (Anne Caldwell)
11. Historic Preservation Commission (Doug Kruhm)
12. Conservation Easement Authority (George Ohrstrom, II)

Other Business

Adjourn

Upcoming Meetings:

- Briefing Meeting – Tuesday, June 2, 2015 (3:00PM, Government Center A/B Meeting Room)
- Regular Meeting – Friday, June 5, 2015 (9:00AM, Government Center Main Meeting Room)

Clarke County

Planning Commission
***DRAFT* Regular Meeting Minutes**
April 3, 2015

The regular meeting of the Planning Commission of Clarke County, Virginia, was held at the Berryville/Clarke County Government Center, Berryville, Virginia, on Friday, April 3, 2015.

ATTENDANCE
George L. Ohrstrom, II, Chair; Anne Caldwell, Vice Chair; Robina Bouffault; Randy Buckley; Scott Kreider; Doug Kruhm; Frank Lee; and Gwendolyn Malone.

ABSENT: Cliff Nelson, John Staelin and Jon Turkel

STAFF
Brandon Stidham, Planning Director; Ryan Fincham, Senior Planner/Zoning Administrator; and Debbie Bean, Recording Secretary.

CALLED TO ORDER
Chair Ohrstrom called the meeting to order at 9:00 a.m.

APPROVAL OF AGENDA
The Commission voted to approve the revised Agenda as presented.
Yes: Bouffault (moved), Buckley, Caldwell, Kreider, Kruhm, Lee (seconded), Malone and Ohrstrom
No: No one
Absent: Nelson, Staelin and Turkel

APPROVAL OF MINUTES
The Commission voted to approve the regular meeting minutes of January 9, 2015 as amended.
Yes: Bouffault (moved), Buckley, Caldwell, Kreider, Kruhm, Lee (seconded), Malone, Ohrstrom and
No: No one
Absent: Nelson, Staelin and Turkel

The Commission voted to approve the briefing meeting minutes of February 3, 2015.
Yes: Bouffault (moved), Buckley, Caldwell (seconded), Kreider, Kruhm, Lee, Malone and Ohrstrom
No: No one
Absent: Nelson, Staelin and Turkel

The Commission voted to approve the briefing meeting minutes of March 3, 2015 as amended.
Yes: Bouffault (moved), Buckley, Caldwell, Kreider (seconded), Kruhm, Lee, Malone and Ohrstrom
No: No one
Absent: Nelson, Staelin and Turkel

Presentation of Resolution of Appreciation to Jesse Russell
Chair Ohrstrom recognized Jesse Russell for his years of service as the Clarke County Zoning Administrator. Chair Ohrstrom read a Resolution of Appreciation for Mr. Russell and thanked him for his hard work and dedication to Clarke County during his tenure as the Zoning Administrator.

Set Public Hearing Items

TA-15-01, Monopole Regulations. Proposed text amendment to amend §3-C-2-u, Monopoles for Telecommunication Antennae (Supplementary Regulations); and §6-H-12, Monopoles for Telecommunication Antennae (Design Standards) of the Zoning Ordinance. The purpose of the amendment is to add new language regarding co-location of antennas on existing monopoles in order to comply with recent changes to Federal law. The amendment would also add new and clarify existing requirements for special use permit and site plan applications for the siting of new monopoles.

Mr. Stidham explained this request. He said the purpose of this text amendment is to add new language regarding co-location of antennas on existing monopoles in order to comply with recent changes to Federal law. After discussion with Staff and the Commission, Chair Ohrstrom called for a motion.

The Commission voted to set public hearing on this proposed text amendment for the next regular meeting of the Commission on May 1, 2015.
Yes: Bouffault (seconded), Buckley, Caldwell (moved), Kreider, Kruhm, Lee, Malone, Ohrstrom and
No: No one
Absent: Nelson, Staelin and Turkel

Recreation Component Plan
Mr. Stidham stated that the Planning Commission appointed a subcommittee to prepare a draft recreation plan an implementing component of the Comprehensive Plan. He said that the Plan outlines a series of strategies to implement the Plan goals. After discussion with Staff and the Commission, Chair called for a motion.

The Commission voted to set public hearing on the proposed Recreation Component Plan for the next meeting of the Commission on May 1, 2015.
Yes: Bouffault (moved), Buckley, Caldwell (seconded), Kreider, Kruhm, Lee, Malone and Ohrstrom
No: No one
Absent: Nelson, Staelin and Turkel

TA-15-02, Farm Breweries and Farm Wineries Regulations. Proposed text amendment to amend §3-A-1, Agricultural-Open Space-Conservation District (AOC); §3-A-2, Forestal-Open Space Conservation District (FOC); §3-C, Supplementary Regulations; and §9-B, Definitions, of the Zoning Ordinance. The purpose of the amendment is to create a new permitted use, "farm breweries," in the AOC and FOC Districts, and to establish supplementary regulations for the new permitted use. The text amendment also adds language to require zoning approval and issuance of a business license prior to operating a farm brewery or farm winery including provision of approved private well and onsite septic system permits issued by the Virginia Department of Health. Wineries, breweries, cideries, and

distilleries would be specifically excluded from the special use, "Processing of Agricultural Products not totally produced in Clarke County," in the AOC and FOC Districts.

Mr. Stidham explained this proposed text amendment. He stated that the purpose of this amendment is to create a new permitted use, "farm breweries" in the AOC and FOC Districts and to establish supplementary regulations for the new permitted use. He said this proposed text amendment will also include language to require zoning approval and issuance of a business license prior to operating a farm brewery or farm winery including a provision of approved private well and on-site septic system permits issued by the Virginia Department of Health. After discussion with Staff and the Commission, Chair Ohrstrom called for a motion.

The Commission voted to set public hearing for this proposed text amendment for the next regular meeting of the Planning Commission on May 1, 2015.
Yes: Bouffault, Buckley, Caldwell (moved), Kreider (seconded), Kruhm, Lee, Malone and Ohrstrom
No: No one
Absent: Nelson, Staelin and Turkel

Board/Committee Reports

Board of Supervisors (John Staelin)
No report.

Sanitary Authority (John Staelin)
No report.

Board of Septic & Well Appeals (John Staelin)
Chair Ohrstrom stated an application was submitted by Giel Millner, Agent for BellRinger Farm, LLC, requesting a variance from the Septic Ordinance.

Board of Zoning Appeals (Anne Caldwell)
No report.

Historic Preservation Commission (Doug Kruhm)
Commissioner Kruhm stated that this fall the HPC may be getting a student from the High School to attend the HPC meetings. He said initially it will be a non-voting, one year appointment.

Conservation Easement Authority (George Ohrstrom, II)
Chair Ohrstrom stated that the CEA has established an award for conservation activity in Clarke County. He said the inaugural award went to Wingate Mackay-Smith who has been an incredible force for conservation in Clarke County and the entire region for the last forty years. He stated that the award has been named the Wingate Mackay-Smith Clarke County Conservation Award and this award will be given annually to an individual for their outstanding activity in conservation.

Other Business

Mr. Stidham said it might be necessary to have the telecommunications committee meet again.

He said the members for that committee were Richard Thuss and Jon Turkel. He stated that he will need a replacement for Richard Thuss and Commissioner Kruhm volunteered to replace him.

Adjourn

There being no further business to come before the Commission the meeting was adjourned at 9:25 a.m.

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George L. Ohrstrom, II, Chair Brandon Stidham, Director of Planning

Minutes prepared by Debbie Bean, Recording Secretary

Clarke County

PLANNING COMMISSION
DRAFT BRIEFING MEETING MINUTES
TUESDAY, MARCH 31, 2015

A briefing meeting of the Planning Commission of Clarke County, Virginia, was held at the Berryville/Clarke County Government Center, Berryville, Virginia, on Tuesday, March 31, 2015.

ATTENDANCE
Anne Caldwell (Vice-Chair), Robina Bouffault, Randy Buckley, Scott Kreider, Doug Kruhm, Frank Lee, Gwendolyn Malone, and John Staelin

Absent: George L. Ohrstrom, II; Cliff Nelson; and Jon Turkel

Staff Present: Brandon Stidham, Planning Director; and Ryan Fincham, Senior Planner/Zoning Administrator

Others Present: None

CALLED TO ORDER
Vice-Chair Caldwell called the meeting to order at 3:01PM.

Review of April 3 Regular Meeting Items
Mr. Stidham reviewed the agenda items for the April 3 regular meeting, noting that many of the items were deferred from the March 6 regular meeting that was cancelled due to inclement weather. He stated that there would be three sets of minutes to act on dating back to the January 9 regular meeting, and reminded the members of the resolution of appreciation for Jesse Russell. He concluded the overview by noting the two items for the Commission to schedule public hearing – TA-15-01 regarding changes to the monopole regulations and the draft Recreation Component Plan. Members had no additional questions on the regular meeting items.

Old Business Items
Mr. Stidham provided an update on the Commission's review of the Business Park District uses. He stated that the Commission's recommendations from the March 3 briefing meeting were forwarded to the Berryville Planning Commission. The Berryville Commission reviewed the recommendations at their meeting on March 11 and by consensus agreed that a comprehensive review of the entire district would be more appropriate. They questioned why plastic manufacturing uses were recommended for removal but not other use types that utilize plastic components. They also requested additional information on the specific uses recommended for removal as well as recommendations for replacing those with at least 15 other uses.

Mr. Stidham recommended that since the issue was originally raised by Mr. Turkel and he could not attend the briefing meeting, this item should be deferred until the May briefing meeting. The

members agreed by consensus to defer further discussion of next steps until the May briefing meeting to be held on April 28.

New Business Items

Mr. Stidham presented the final report from the Brewery Regulations Subcommittee which included a recommended text amendment that would establish "farm breweries" as a new permitted use with a scope that parallels the recently adopted State code provisions for limited breweries and the County's current regulations for farm wineries. The proposed text amendment would also require both farm breweries and farm wineries to have a County business license and Virginia Department of Health-approved private water and onsite septic system permits prior to commencing operations. Additionally, language would be added to ensure that farm wineries, farm breweries, cideries, and distilleries could not be approved under the current special use for "processing of farm products not entirely produced in Clarke County."

Following a brief discussion of the final report, it was the consensus of the members to add the Subcommittee's text amendment to the April 3 agenda to set public hearing for the May 1 meeting. Mr. Stidham indicated that he would revise the agenda to reflect this new action item.

Mr. Stidham also presented the final report on the Capital Improvement Plan (CIP) Pilot Program. He stated that the Policy/CIP Committee reviewed the final report on March 3 and found that it would be difficult to evaluate many of the projects because they do not bear a direct relationship to the Comprehensive Plan. Members also expressed concerns that they would not be able to provide recommendations without evaluating the financial implications for the projects, which they agreed would be outside of the Commission's purview and duplicative of the Board of Supervisors' budget work. Members noted that there might be individual projects that may have Comprehensive Plan implications for which the Board may want to solicit the Commission's recommendations.
It was the consensus of the Committee to recommend that the Planning Commission should not be involved in the annual review of the CIP. The Committee offered no additional recommendations on the function or process of the CIP Pilot Program.

The Commission briefly discussed the Committee's recommendation and agreed by consensus that the Commission should not be involved in reviewing the CIP, but that they would be happy to review and comment on projects at the Board's request on a case by case basis. Mr. Stidham stated that he would report this to the Board's Finance Committee at their April 13 meeting.

Other Business

Mr. Stidham noted that Staff was expecting a new site plan to be filed for the Commission's review and stated that a Site Plan Committee meeting should be scheduled to discuss the site plan before the May 1 meeting. Members agreed to meet on Thursday, April 23 at 10:30AM.

Mr. Stidham also provided the Commission with a brief update on the Berryville Area Plan update process including a summary of the BADA's activities at their special worksession on March 30.

There being no further business to come before the Commission, the meeting was adjourned at 3:44PM.

Anne Caldwell, Vice Chair

Brandon Stidham, Planning Director

ZONING ORDINANCE TEXT AMENDMENT (TA-15-01)
Monopole Regulations
May 1, 2015 Planning Commission Meeting –PUBLIC HEARING
STAFF REPORT – Department of Planning

The purpose of this staff report is to provide information to the Planning Commission and Board of Supervisors to assist them in reviewing this proposed ordinance amendment. It may be useful to members of the general public interested in this proposed amendment.

Description:
Proposed text amendment to amend §3-C-2-u, Monopoles for Telecommunication Antennae (Supplementary Regulations); and §6-H-12, Monopoles for Telecommunication Antennae (Design Standards) of the Zoning Ordinance. The purpose of the amendment is to add new language regarding co-location of antennas on existing monopoles in order to comply with recent changes to Federal law. The amendment would also add new and clarify existing requirements for special use permit and site plan applications for the siting of new monopoles.

Requested Action:
Provide recommended action to the Board of Supervisors. The proposed text amendment has been advertised for Public Hearing at the Planning Commission's May 1, 2015 meeting.

Staff Discussion/Analysis:
The draft text amendment was developed by Staff to bring the Zoning Ordinance into compliance with recent changes to Federal law regarding co-location of antennas on existing telecommunication towers, and to clarify and strengthen certain aspects of the review of monopole applications. These issues are addressed separately below:

Compliance with Federal regulations pertaining to co-location
In October 2014, Staff was contacted by an attorney with Verizon Wireless who is currently working with Fauquier County to bring their zoning ordinance into compliance with new Federal regulations dealing with co-location of antennas and equipment on existing towers. He wanted to make us aware of the new regulations and how they would impact co-locations on Clarke County monopoles. Staff worked in conjunction with County Attorney Bob Mitchell to study this issue and determine whether it is necessary to amend our current zoning regulations.

The Federal regulations were adopted as part of the Middle Class Tax Relief and Job Creation Act of 2012 and provides that a state or local government "may not deny, and shall approve" any request for co-location, removal, or replacement of transmission equipment on an existing tower provided that the action does not substantially change the physical dimensions of the tower. The FCC Public Notice document includes an interpretation of what would constitute a substantial increase in the size of an existing tower:

1. The co-location would increase the existing height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest exiting antenna, not to exceed 20 feet, whichever is greater, except to avoid interference with existing antennas; or

2. The co-location would involve installing more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter; or

3. The co-location would involve installing an appurtenance to the tower body that would protrude from the edge of the tower more than 20 feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater, except to shelter the antenna from inclement weather or to connect the antenna to the tower via cable; or

4. The co-location would involve excavation outside the current tower site defined as the current boundaries of the leased or owned property surrounding the tower and any current access or utility easements serving the site.

Staff has modeled the proposed text amendment language after the FCC Public Notice interpretations and draft language currently being developed by Fauquier County. This proposed language would be added as a new section 3-C-2-u-7, and would require administrative approval of a site plan amendment by Staff for a co-location of new antennas on an existing monopole according to the following criteria:

(a) **The co-location and equipment installation shall not result in the monopole falling out of compliance with §6-H-12-b requiring placement of the monopole in a wooded area of dense tree coverage within a 120 foot radius of the clearing area for the monopole compound.** Staff included this section to ensure that the co-location would not result in the removal of any existing trees within the prescribed buffer area (also see change to 6-H-12-b below).

In addition, co-location and equipment installation shall not result in the monopole failing to comply with §6-H-12-e regarding required setbacks. This section was included to help ensure that monopoles are designed with setbacks that contemplate future height extensions from co-locations, as setbacks are based upon the height of the monopole. Any co-location that would result in a setback encroachment would not be approved.

(b) **The co-location cannot increase the height of the tower by more than 10% of the original approved height or by the height needed to provide 20 feet of separation from the closest antenna array location on the monopole, whichever is greater, unless these limits must be exceeded to avoid interference with existing equipment. If an applicant seeks to exceed height limits on interference grounds, a report from a licensed engineer must be provided to justify the request and the applicant will bear the cost of having the County's engineering consultant evaluate the report.** This section reflects the FCC interpretation of the Federal regulation. The impact of adopting this language would be the potential for the height of existing monopoles to be increased by a maximum of 20 feet to accommodate a new co-location. The Federal regulation also allows these limits to be exceeded in order to avoid interference with existing equipment. In these cases, a co-location applicant would be required to provide

an engineering report to justify this exception which would be evaluated by the County's engineering consultant with all costs to be paid by the co-location applicant.

(c) **The co-location would not involve installing more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter.** This section references the equipment cabinets and shelters that are constructed at the base of the monopole for each provider. The language reflects the FCC interpretation of the Federal regulation.

(d) **The co-location would not involve installing an appurtenance to the monopole structure that would protrude from the edge of the monopole more than 20 feet, or more than the width of the monopole structure at the level of the appurtenance, whichever is less, except to shelter the antenna from inclement weather or to connect the antenna to the monopole via cable.** This section references the width of antennas and supporting equipment attached to the monopole and the degree of protrusion that must be allowed with a co-location. This section reflects the FCC interpretation of the Federal regulation.

(e) **The co-location would not involve excavation outside the boundaries of the monopole site as depicted on the original approved site development plan.** This section reflects the FCC interpretation of the Federal regulation.

Language to strengthen monopole application submission requirements
In conjunction with the amendments to comply with the new Federal regulations, Staff recommends the following amendments to the monopole site plan submission requirements found in §6-H-12 of the Zoning Ordinance to strengthen and clarify the review process:

- 6-H-12-a-2. New language to require applications for new monopole special use permit and site plan approval to be signed by the owner(s) of the property on which the monopole is to be constructed and by the telecommunications provider or developer of the site. Staff has required both signatures on past applications as a practice – the new language will clarify that this is a requirement.

- 6-H-12-a-3-a. New language that clarifies all of the required elements that must be included on a site plan for a new monopole by listing them in a single section. These elements include:

    - Scaled plan, scaled elevation view, and other supporting drawings, calculations, and other documentation, signed and sealed by a licensed professional engineer showing the location and dimensions of all improvements including topography
    - Existing zoning
    - Existing tree coverage and vegetation
    - Proposed tree plantings and landscaping
    - Height requirements
    - Setbacks from adjoining property lines
    - Access drives

- Fencing
- Distances to adjacent uses and buildings (new requirement)
- General location of all residences and structures within 2,000 feet of the proposed monopole (new requirement)

- 6-H-12-a-3-b. New language requiring a statement of need to be provided by a licensed telecommunications provider. This can be provided directly by the applicant if they are a provider, or with a letter of intent from a licensed telecommunications provider to operate on the monopole upon its completion. The purpose of this requirement is to ensure that the need for all new monopoles is evaluated from the perspective of a specific telecommunications provider. This will help to prevent "speculative" applications from being filed by tower developers or others without any verifiable commitment from a specific telecommunications provider or providers.

- 6-H-12-a-3-c. New language requiring the provision of radio frequency coverage maps (or propagation maps) for the proposed monopole facility and all nearby facilities. These maps will help to graphically depict coverage gaps to be filled by a proposed monopole and the degree to which the coverage would be improved. This section would require maps to be provided in three signal intensities, which are commonly depicted as in-building coverage, in-car coverage, and out of building coverage. Staff has requested and received propagation maps on past applications but the new language would require the maps to be provided according to the listed requirements.

- 6-H-12-a-3-d. New language requiring at least two photo-simulations of the proposed monopole at locations requested by the zoning administrator, who would also have the discretion to require additional photo-simulations. This section would require a balloon test demonstrating the monopole height to be conducted and would also require the applicant to provide 48-hour notice of the balloon test to adjoining property owners. Photo-simulations and balloon tests have been requested and provided in past monopole cases – the new language would codify both as application requirements.

- 6-H-12-a-3-e. New language allowing the zoning administrator to request other information deemed necessary to assess compliance with this ordinance. Examples could include additional photo-simulations, balloon tests, exhibits, or technical/engineering reports.

- 6-H-12-a-4. Clarifies existing language by stating that the applicant must document that they have considered at least two alternative sites and why they have chosen the proposed site in conjunction with the special use permit and site plan applications. Current language does not reference the special use permit application which could be confusing for applicants.

- 6-H-12-b. Increases the minimum required depth of dense tree coverage radius around the perimeter of the area to be cleared for a monopole from 100 feet to 120 feet. The purpose of the change is to account for the potential increase in monopole height due to

co-location in accordance with the new Federal regulations.

- 6-H-12-c. New language that removes the requirement that all antennas shall be flush-mounted and leaves it to the discretion of the Board of Supervisors as a means of reducing visibility from adjoining properties on a case by case basis. This requirement has not been enforced on recent monopole applications due to a desire to maximize the effectiveness of the new monopoles and the lack of a need for flush-mounting due to well-screened locations.

- 6-H-12-f. New section added to require all monopoles, antennas, and equipment to maintain a flat, non-glossy, non-reflective galvanized steel finish or be painted a neutral color to reduce visual obtrusiveness. This element would be evaluated and approved in conjunction with the monopole site plan review and would be required to be maintained throughout the life of the monopole.

- 6-H-12-g. New section added to ensure that monopoles are designed and maintained in compliance with building codes and regulations pertaining to structural integrity and wind load capacity.

Staff Recommendation:
Staff has no outstanding concerns with the adoption of the text amendment. County Attorney Bob Mitchell has also reviewed the proposed amendment and has no outstanding concerns with its adoption.

History:

April 3, 2015.	**Planning Commission voted to set Public Hearing for the May 1, 2015 meeting.**
May 1, 2015.	**Placed on the Commission's regular meeting agenda and advertised for Public Hearing.**

Zoning Ordinance Amendment Text (proposed changes in bold italics with strikethroughs where necessary):

3-C-2-u Monopoles for Telecommunication Antennae:

1. A site plan, in accord with Section 6 of this ordinance, shall be submitted for Monopoles for Telecommunication Antennae (note: Section 6-H-12, Standards for Monopoles for Telecommunication Antennae, contains additional specific regulations). A monopole is a self-supporting single shaft structure. It does not have guy wires and is not a lattice tower with multiple legs and cross-bracing structure.

2. Verifiable evidence shall be provided in writing showing the lack of antenna space on existing towers, buildings, or other structures suitable for antenna location, or evidence of the unsuitability of existing tower locations for co-location.

3. Compliance with all Federal Aviation Administration and Federal Communication Commission requirements, including review by the Virginia Department of Historic Resources of properties eligible for listing and listed on the National Register of Historic Places in accord with Section 106 procedures, shall be demonstrated in writing.

4. Height
   a. A monopole shall be the minimum height necessary to provide adequate service, based on the best available technology, and environmental and topographical constraints. However, in no instance shall the maximum height of a monopole exceed 100 feet ***with the exception of co-location of antennas in accordance with Federal law as set forth in Subsection 7 below***;
   b. In addition, a monopole and its attachments shall not be more than 15 feet taller than the average height of the tree canopy within 100 feet of the perimeter of the area to be cleared for the monopole (see Section 6-H-12);
   c. The height of the monopole shall be reduced if the average height of trees within 100 feet of the perimeter of the area to be cleared for the monopole is reduced as a result of natural or man-made circumstances; and
   d. Determination of monopole height shall include any attachments to the monopole.

5. A monopole shall not trigger a requirement, public or private, that it be lighted nor shall it be lighted on a voluntary basis.

6. The owner of the monopole shall dismantle the monopole and all associated structures, if no functioning privately owned telecommunication antenna is attached to the monopole for 12 consecutive months, and restore the site as nearly as possible to preexisting site conditions. A bond must be posted at the time of monopole approval, in the event the County must remove the monopole upon abandonment. This bond shall be equal to the cost to remove the monopole, all monopole and fence footers, underground cables, and support buildings, plus 25% for surety. The bond shall be renewed every five years for the life of the monopole.

7. ***Notwithstanding any provision of this Ordinance related to special use permit requirements and procedures on any specific special use condition placed on an approved monopole, the Zoning Administrator shall administratively approve an amendment to the previously approved site development plan for a monopole to allow collocation, removal, or replacement of transmission equipment, as required by Federal law, that meets all of the following standards:***

   a. ***The collocation, removal, or replacement of equipment does not result in the monopole failing to meet the requirements of §6-H-12-b and §6-H-12-e of this Ordinance.***

   b. ***Installation of the proposed equipment does not increase the height of the monopole by more than 10% of the original approved height or by the height needed to provide 20 feet of separation from the closest antenna array location on the monopole, whichever is greater, except that the mounting of the proposed equipment may exceed these limits if necessary to avoid interference with equipment existing on the monopole. For any request to exceed height limits to avoid interference with existing equipment on the monopole, the applicant shall provide a report by a licensed engineer to justify the request. Such report shall be evaluated by the County's engineering consultant and the applicant shall be responsible for reimbursing the County for all costs associated with the consultant's review.***

   c. ***Installation of the proposed equipment would not involve the installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter. New equipment shelters and cabinets shall be located within the existing approved compound.***

   d. ***Installation of the proposed equipment would not involve the adding of any appurtenance that would protrude from the edge of the monopole more than 20 feet or protrude more than the width of the largest existing appurtenance, whichever is less. Mounting of the proposed equipment may exceed the foregoing size limits if necessary to provide shelter from inclement weather or to connect the equipment to the monopole via cable.***

   e. ***Installation of the proposed equipment would not involve excavation outside the boundaries of the monopole site depicted on the original approved site development plan.***

6-H-12 Monopoles for Telecommunication Antennae

6-H-12-a

(1) The visual impact of a monopole and any associated facilities (including attachments, security fencing, utilities, and equipment shelters) shall blend with the natural and built environment of the surrounding area using mitigation measures such as: architecture, color, innovative design, landscaping, setbacks greater than the minimum required, materials, siting, topography, and visual screening. The number of existing monopoles in an area shall also be considered when determining visual impact of a new monopole. Monopoles shall not be located along ridge lines, but down slope from the top of ridge lines.

(2) An application for a monopole special use permit and site plan application shall be signed by the owner(s) of the property on which the monopole is to be sited and by the telecommunications provider or developer of the monopole site.

(3) Applicants requesting a special use permit to construct a new monopole shall submit the following information:

a. A site development plan consisting of a scaled plan and a scaled elevation view and other supporting drawings, calculations, and other documentation, signed and sealed by a licensed professional engineer, showing the location and dimensions of all improvements, including topography; existing zoning; existing tree coverage and vegetation; proposed tree plantings and landscaping; height requirements; setbacks from property lines; access drives; fencing; distances to adjacent uses and adjacent buildings, and the general location of all residences and structures within two thousand (2,000) feet of the proposed monopole.

b. A statement justifying the need for the project by a licensed telecommunications provider. In the event that none of the applicants are a telecommunications provider, a letter of intent from a licensed telecommunications provider to operate on the proposed monopole upon its completion shall be provided.

c. A figure depicting the radio frequency coverage (or propagation map) of the proposed facility and all nearby facilities. Propagation maps shall show a minimum of three (3) signal intensities in milliwatts.

d. At least 2 (two) actual photographs of the site that include simulated photographic images of the proposed monopole. The photographs with the simulated image shall illustrate how the facility will look from adjacent roadways, nearby residential areas, or public buildings such as a school, church, etc. The zoning administrator reserves the right to select the location for the photographic images and require additional

images. The applicant at the zoning administrator's request shall conduct a balloon test to demonstrate the height of a proposed monopole and provide adjoining property owners with a 48-hour notice of the test.

e. The zoning administrator may require other information deemed necessary to assess compliance with this ordinance.

(4) At time of submission of a monopole ***special use permit and*** site plan application, the applicant shall document that it considered at least two alternative sites, and set forth its reasons for selecting the site proposed. After a public hearing on an application, an applicant may be requested to consider alternate sites that in the opinion of the reviewing body will better comply with the regulations and standards for monopoles.

6-H-12-b The monopole shall be located in a wooded area of dense tree cover. This dense tree cover shall have a minimum depth of ~~***100***~~ ***120*** feet as a radius around the perimeter of the area to be cleared for the monopole. All trees within ~~***100***~~ ***120*** feet of the perimeter of the area to be cleared for the monopole must be retained, unless specifically approved for removal on the site plan.

6-H-12-c The monopole shall have the minimum diameter necessary to support the proposed attachments. Attachments to the monopole shall be the same color as the monopole. Attachments to the monopole shall ~~***be flush mounted and***~~ have the minimum dimensions and protrusion for the monopole based on the best available technology or shall be enclosed within the pole. A lightening rod may be mounted as an extension of a monopole and shall be included in determining the height of the monopole. ***The Board of Supervisors may require attachments to the monopole to be flush-mounted as a means of reducing visibility of the monopole from surrounding properties.***

6-H-12-d The area to be cleared for the compound containing the monopole and support facilities shall be the minimum necessary to accommodate the facilities and shall not exceed 2,500 square feet. The driveways accessing the compound shall be gated.

6-H-12-e A monopole shall be set back a distance equal to at least its height from any property line. A monopole shall be set back a distance equal to at least twice its height from any public right of way (except as noted below). A monopole shall not be located on and shall be set back a distance equal to at least four times its height from:

1. parcels comprising the Appalachian National Scenic Trail corridor,
2. parcels under permanent open space easement,
3. the State Arboretum of Virginia portion of the University of Virginia's Blandy Farm,
4. state designated Scenic Byways,

5. the Shenandoah River (a state designated scenic river), and
6. State Parks and Wildlife Management Areas.

6-H-12-f ***Monopoles, antennas, and equipment mounted to or located at the base of the monopole shall either maintain a flat, non-glossy, non-reflective galvanized steel finish or be painted a neutral color so as to reduce visual obtrusiveness.***

6-H-12-g ***To ensure the structural integrity and wind load capacity of monopoles, the monopole owner shall ensure that it is designed and maintained in compliance with standards contained in applicable building codes and regulations.***

ZONING ORDINANCE TEXT AMENDMENT (TA-15-02)
Farm Breweries and Farm Wineries Regulations
May 1, 2015 Planning Commission Meeting – PUBLIC HEARING
STAFF REPORT – Department of Planning

The purpose of this staff report is to provide information to the Planning Commission and Board of Supervisors to assist them in reviewing this proposed ordinance amendment. It may be useful to members of the general public interested in this proposed amendment.

Description:

Proposed text amendment to amend §3-A-1, Agricultural-Open Space-Conservation District (AOC); §3-A-2, Forestal-Open Space Conservation District (FOC); §3-C, Supplementary Regulations; and §9-B, Definitions, of the Zoning Ordinance. The purpose of the amendment is to create a new permitted use, "farm breweries," in the AOC and FOC Districts, and to establish supplementary regulations for the new permitted use. The text amendment also adds language to require zoning approval and issuance of a business license prior to operating a farm brewery or farm winery including provision of approved private well and onsite septic system permits issued by the Virginia Department of Health. Wineries, breweries, cideries, and distilleries would be specifically excluded from the special use, "Processing of Agricultural Products not totally produced in Clarke County," in the AOC and FOC Districts.

Requested Action:

Provide recommended action to the Board of Supervisors. The proposed text amendment has been advertised for Public Hearing at the Planning Commission's May 1, 2015 meeting.

Staff Discussion/Analysis:

The development of a text amendment to allow farm breweries was originally brought to the Planning Commission for consideration in November 2014 in response to recently adopted changes to the Code of Virginia. Similar to legislation adopted in recent years regarding farm wineries, the General Assembly created an exemption from certain aspects of local government regulation for holders of a "limited brewery license" issued by the Commonwealth. Such licensees are allowed to brew up to 15,000 barrels of beer per calendar year provided that: (1) the brewery is located on a farm in the Commonwealth on land zoned agricultural and owned or leased by such brewery or its owner; and (2) agricultural products, including barley, other grains, hops, or fruit, used by such brewery in the manufacture of its beer are grown on the farm. Localities are not permitted to regulate the following activities of limited breweries under the new regulations:

1. The production and harvesting of barley, other grains, hops, fruit, or other agricultural products and the manufacturing of beer;

2. The on-premises sale, tasting, or consumption of beer during regular business hours within the normal course of business of such licensed brewery;

3. The direct sale and shipment of beer in accordance with Title 4.1 and regulations of the Alcoholic Beverage Control Board;

4. The sale and shipment of beer to licensed wholesalers and out-of-state purchasers in accordance with Title 4.1, regulations of the Alcoholic Beverage Control Board, and federal law;

5. The storage and warehousing of beer in accordance with Title 4.1, regulations of the Alcoholic Beverage Control Board, and federal law; or

6. The sale of beer-related items that are incidental to the sale of beer.

Staff recommended that the Commission review these new state regulations and consider amending the Zoning Ordinance to establish provisions for farm breweries in the AOC and FOC Districts. Staff noted that in addition to coordinating the Ordinance with state law, establishing clear regulations for farm breweries would potentially aid the County's economic development efforts given the recent establishment of other breweries in the region. Staff also recommended the Commission to define the scope of breweries including potential use of a special use permit to allow accessory uses such as food service and events on a larger scale on a case by case basis, and also recommended that the Commission evaluate inclusion of distilleries as an allowable use.

The Commission formed a Subcommittee to review this issue and following a series of meetings, the Subcommittee recommended the referenced text amendment for the full Commission's consideration. The Subcommittee's amendment reflects Staff's recommendation to treat farm breweries and farm wineries as similarly as possible. The Subcommittee also chose not to address distilleries with this text amendment as they are not included in the new State regulations regarding farm breweries. For reference, cideries are regulated under the State regulations for farm wineries and would be treated as such under the Zoning Ordinance.

The text amendment accomplishes the following:

- Defines a "farm brewery" as an establishment that is licensed as a limited brewery by the Commonwealth.

- Establishes farm breweries as permitted uses in the AOC and FOC Districts.

- Creates supplementary regulations for farm breweries that mirror the activities listed in the Code of Virginia that localities cannot regulate. As noted above, this would include:

    - Manufacture of beer up to a maximum of 15,000 barrels per calendar year, and production of agricultural products used in the making of beer.
    - Onsite sale, tasting and consumption of beer.
    - Direct sale and shipment of beer in accordance with state and federal laws.
    - Storing/warehousing of beer.
    - Sale of beer-related items incidental to the sale of beer.

- Requires zoning approval and issuance of a County business license prior to commencing operations of a farm brewery. As a condition of zoning approval, approved onsite private well and septic system permits issued by the Virginia Department of Health must be

provided for both domestic and process operations. The text amendment also extends this requirement to new farm wineries.

- Clarifies that the scope of both farm breweries and farm wineries cannot be expanded by applying for a special use permit under the current category, "Processing of Agricultural

  Products not totally produced in Clarke County." Language is also added to indicate that cideries and distilleries are not considered part of this special use category. This special use is broadly written and could be construed as a means of allowing a farm winery or farm brewery to expand with a special use permit, or to allow a distillery with a special use permit.

- Notes that farm breweries must obtain special event permits for any events that meet the requirement for such permit as defined in the County Code. This mirrors a current provision included in the farm winery regulations.

The Subcommittee began deliberations by conducting a site visit to a brewery in Warren County to discuss the scope of operations and zoning process with the owner and the Warren County Planning Director. The Subcommittee also evaluated current ordinances for breweries used by Warren and Loudoun Counties and a draft ordinance being developed by Frederick County. Some particular items of concern discussed by the Subcommittee included:

- **Use of private wells and onsite septic systems for domestic and process uses.** Staff's discussion with the Subcommittee led to the determination that the County's current limitation on the size and type of onsite septic system would effectively cap the maximum amount of beer that could be produced well below 15,000 barrels per year. This limitation would also extend to the amount of water that could be used from an onsite well.

- **Sale of food at farm breweries.** Any food served at a farm brewery in conjunction with a tasting room would have to be limited and incidental to the consumption of beer. This could include small snacks or pre-packaged foods but could not include a restaurant-type operation as restaurants are not permitted in the AOC and FOC Districts. The Subcommittee did not recommend attempting to define this limitation and instead chose to leave it up to Staff to interpret on a case-by-case basis.

The Subcommittee agreed by consensus at their March 26, 2015 meeting to recommend the text amendment to the full Planning Commission for consideration.

Staff Recommendation:
Staff has no outstanding concerns with the adoption of the text amendment.

<u>History</u>:

December 2, 2014.	**Issue of developing regulations to allow farm breweries and distilleries is forwarded to a Planning Commission Subcommittee for study.**
March 26, 2015.	**Subcommittee recommends a proposed text amendment to establish regulations for farm breweries, modifications to farm winery regulations, and modifications to prevent expansion of farm breweries and farm wineries through special use permit.**
April 3, 2015.	**Planning Commission voted to set Public Hearing for the May 1, 2015 meeting.**
May 1, 2015.	**Placed on the Commission's regular meeting agenda and advertised for Public Hearing.**

Zoning Ordinance Amendment Text (proposed changes in bold italics with strikethroughs where necessary):

3-A-1 Agricultural-Open Space-Conservation District -- AOC

3-A-1-a Permitted Uses and Structures

1. Principal Uses and Structures
   - f. Wineries, Farm
   - ***g. Breweries, Farm***

3. Special Uses and Structures (AOC District)
   - m. Processing of Agricultural Products not totally produced in Clarke County ***(excluding wineries, breweries, cideries, and distilleries)***

3-A-2 Forestal-Open Space-Conservation District -- FOC

3-A-2-a Permitted Uses and Structures (FOC District)

1. Principal Uses and Structures
   - f. Wineries, Farm
   - ***g. Breweries, Farm***

3. Special Uses and Structures (FOC District)
   - k. Processing of Agricultural Products not totally produced in Clarke County ***(excluding wineries, breweries, cideries, and distilleries)***

3-C Supplementary Regulations

3-C-2-b Breweries, Farm

1. <u>Permitted Activities</u>. A Farm Brewery may include the following activities:

a. The production and harvesting of barley, other grains, hops, fruit, or other agricultural products and the manufacturing of beer;

b. The on-premises sale, tasting, or consumption of beer during regular business hours within the normal course of business of such licensed brewery;

c. The direct sale and shipment of beer in accordance with Title 4.1 and regulations of the Alcoholic Beverage Control Board;

d. The sale and shipment of beer to licensed wholesalers and out-of-state purchasers in accordance with Title 4.1, regulations of the Alcoholic Beverage Control Board, and federal law;

e. The storage and warehousing of beer in accordance with Title 4.1, regulations of the Alcoholic Beverage Control Board, and federal law; or

f. The sale of beer-related items that are incidental to the sale of beer.

2. <u>Zoning Approval for Farm Breweries</u>. Prior to commencing operations, the owner of a farm brewery shall obtain zoning approval from the Department of Planning and a business license from the Commissioner of Revenue. As a prerequisite for zoning approval, the owner shall provide copies of approved private well and onsite septic system permits issued by the Virginia Department of Health for both domestic and process operations.

3. <u>Special Events Conducted at Farm Breweries</u>. The owner or occupant of the property shall obtain such permit as required by Clarke County Code Chapter 57 (unless exempt under the provisions of §57.3.2) for an activity/event that is not primarily the on-premises sale, tasting, or consumption of beer during regular business hours within the normal course of business of the farm brewery, but which constitutes a Special Event as defined in §57.2.

3-C-2-nn Wineries, Farm

1. ***<u>Permitted Activities</u>.*** A Farm Winery may include the following activities:

a. the production and harvesting of fruit and other agricultural products and the manufacturing of wine;

b. the on-premises sale, tasting, or consumption of wine during regular business hours within the normal course of business of the licensed farm winery;

c. the direct sale and shipment of wine by common carrier to consumers;

d. the sale and shipment of wine to the Alcoholic Beverage Control Board, licensed wholesalers, and out-of-state purchasers;

e. the storage, warehousing, and wholesaling of wine;

f. the sale of wine-related items that are incidental to the sale of wine;

2. ***Zoning Approval for Farm Wineries. Prior to commencing operations, the owner of a farm winery shall obtain zoning approval from the Department of Planning and a business license from the Commissioner of Revenue. As a prerequisite for zoning approval, the owner shall provide copies of approved private well and onsite septic system permits issued by the Virginia Department of Health for both domestic and process operations.***

~~2~~ 3. ***Special Events Conducted at Farm Wineries.*** The owner or occupant of the property shall obtain such permit as required by Clarke County Code Chapter 57 (unless exempt under the provisions of §57.3.2) for an activity/event that is not primarily the on-premises sale, tasting, or consumption of wine during regular business hours within the normal course of business of the farm winery, but which constitutes a Special Event as defined in §57.2.

9-B Definitions

9-B-24 ***BREWERY, FARM: An establishment that is licensed as a limited brewery by the Commonwealth of Virginia.***

Recreation Component Plan

For Clarke County, Virginia

An Implementing Component of the 2013 Comprehensive Plan

May 1, 2015

Prepared by Recreation Component Subcommittee, in conjunction with the Clarke County Planning Staff, Parks and Recreation Staff and Town of Berryville Planning Staff

Recreation Component Plan

For Clarke County, Virginia

An Implementing Component of the 2013 Comprehensive Plan

Public Hearing Draft - May 1, 2015

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RECREATION COMPONENT PLAN

I. Executive Summary

Clarke County has numerous natural resources, indoor, and outdoor recreational opportunities. The purpose of this plan is to address the recreational needs of the community and describe existing resources, how they will be protected and promoted, and the steps that should be taken to insure the continued viability and enhancement of these resources for present and future generations.

This plan establishes specific functional strategies and recommendations to protect, promote, grow and enhance the County's active and passive recreational resources. This plan will place particular emphasis on passive recreation opportunities as active recreation needs are primarily addressed by the Parks and Recreation Department at Chet Hobert Park.

The Planning Commission appointed a subcommittee consisting of Jon Turkel (Planning Commission liaison), Pete Engel (citizen), Daniel Sheetz (Chair Parks and Recreation Board), Lee Sheaffer (citizen), Tom McFillen (citizen); and staff persons Alison Teetor (Natural Resources Planner), Lisa Cooke (Parks & Recreation Director), Brandon Stidham (Planning Director) and Christy Dunkle (Berryville Assistant Town Manager). The subcommittee met monthly to prepare the draft plan for approval by the Planning Commission and Board of Supervisors. In addition to the Plan, a map (Map 1) detailing the recreation resources and an inventory list were developed.

II. Summary of Plan Goals

The Recreation Component Plan identifies the following overarching goals:

1) Meet the recreation needs of the community
2) Increase awareness of all recreational activities
3) Assist in maximizing the recreation value of existing assets
4) Promote connectivity among the County's active and passive recreation resources
5) Update the Recreation Plan on a 5 year cycle

III. Strategies to meet Goals

The following specific strategies are recommended in order to implement the Plan Goals:

1) Meet recreation needs of the community

a. **Conduct formal Needs Assessment.** Under the direction of the Parks and Recreation Department a community needs assessment should be undertaken that incorporates all components of community, including both users and non-users of county Parks and Recreation programs and amenities. The needs assessment should accomplish the following:

i. Identify demand levels of existing facilities and programs

ii. Identify demand for new or expanded facilities and programs

iii. Evaluate the County's ability to meet this demand over a ten year period

iv. Establish level of service needs based on above data

b. **Evaluate the County's recreation needs on a regular basis.** This Recreation Plan should be evaluated every 5 years or as new needs are identified and prioritized for consideration. County facility needs should be evaluated annually by the Parks & Recreation Board in conjunction with the annual budget process.

c. **Make changes to the Park Master Plan to meet new needs.** The Parks & Recreation Board shall continue its efforts to maintain an updated master plan of County park facilities, and shall strive to communicate any new or changing needs in a timely fashion to the Board of Supervisors. The County shall support the efforts of the Parks & Recreation Board to update the Park Master Plan.

d. **Program capital improvements based on need/level of service and incorporate in the annual capital improvement program (CIP) process**. In conjunction with updating the park master plan, the Parks & Recreation Board shall use level of service criteria to help justify the need for future new or expanded facilities. The Board of Supervisors shall utilize the criteria to include future park projects into the CIP process in an effort to implement master plan recommendations in a fiscally-responsible manner.

e. **Develop master plan for the Janet Kohn Memorial Park property (Kohn property).** The Parks & Recreation Board shall work to develop a new master plan for the future development of the Kohn property as a County passive recreation facility. The master plan shall identify initial amenities to meet the current needs of County residents, potential funding sources, and future improvements based on level of service criteria. The County shall support the

efforts of the Parks & Recreation Board to create this new master plan.

f. **Encourage partnerships to expand active and passive recreational opportunities.** As an ongoing effort, the County shall seek opportunities to partner with public and private sector agencies and organizations in an effort to implement the recommendations of this Component Plan and the Parks & Recreation Board's master plans. Such opportunities may include co-sponsorship of recreation programs, recreation-related events, or partnering in the development of a new or expansion of an existing recreation facility.

g. **Enhance role of Parks and Recreation Board.** The Board serves as the advisory body to the Clarke County Board of Supervisors. As the liaison among the Parks and Recreation Director, the Board of Supervisors and the citizens of the community, they are tasked with consulting and advising the County Administrator, the Parks and Recreation Director and the Board of Supervisors in matters affecting recreation policies, programs, personnel, finances, and the acquisition and disposal of lands and properties related to the total community recreation program and to its long-range, projected program for recreation. The Board's role can be enhanced by empowering them to implement Park Master Plan recommendations as supported by data developed via needs assessments and community surveys. This will help to insure that the Board can address actual needs and avoid pressures from special interests.

2) Increase awareness of all recreational activities

a. **Provide updated website.** The County shall continue to maintain an updated website to support and promote recreational facilities, activities, and opportunities within the County. The County shall pursue partnerships with public and private-sector owners of recreational facilities to ensure that the website is current, user friendly, and contains reciprocal webpage links.

b. **Pursue partnerships with non-county and private recreation facilities to coordinate awareness of recreational opportunities in the County.** The County shall utilize partnerships with public and private-sector recreation facility owners to share and coordinate awareness of all recreation opportunities available in the County. Such collaboration could include coordination of recreation events or programs as well as creation of new or expanded programs and opportunities.

3) Assist in maximizing the recreation value of existing assets

a. **Support the development of Chet Hobert Park in accordance with the Park Master Plan.** Chet Hobert Park serves as the County's primary indoor and outdoor active and passive recreational asset. Centrally located adjacent to the Town of Berryville, the Park is ideally located to serve the daily recreational

needs of the County's residents. The Park property also contains an undeveloped area for future expansion consistent with the park master plan. The County shall continue to develop the Park according to the Park Master Plan and shall explore partnerships with public and private-sector entities to enhance and expand programming opportunities.

b. Facilitate more effective public use of the Shenandoah River while simultaneously protecting it as a critical natural and environmental resource. The Shenandoah River is a national treasure that attracts thousands of visitors annually for fishing, kayaking, boating, or simply enjoying its natural beauty. Promoting use of this unique recreational resource must be balanced with the critical need to protect it from pollution, erosion, and corruption of its scenic value.

The County shall explore opportunities with State and Federal agencies and private landowners to improve public access, parking, and amenities. Such improvements, however, should ensure that the integrity of the River is not compromised and that the rights of landowners along the River are not adversely affected. The County shall continue to maintain land use controls to protect the River and should explore adoption of new controls to further protect this asset. Partnerships with other public and private entities can also be sought to promote and to protect the River. Efforts should be undertaken to better identify the specific roles that the County may take in this endeavor and to address specific challenges that may be faced.

c. Facilitate more effective public use of the Appalachian Trail while simultaneously protecting it as a critical resource. The Appalachian Trail (A.T.) is a world-renowned recreational resource that is enjoyed by thousands of hikers, camping enthusiasts and outdoor lovers annually. Promotion of the A.T. must include protecting it from corruption of its scenic and recreational value.

The County shall explore opportunities with State and Federal agencies and private landowners to improve public access, parking, and amenities. Such improvements, however, should ensure that the integrity of the A.T. is not compromised and that the rights of landowners along the A.T. are not adversely affected. The County shall continue to maintain land use controls to protect the A.T. and should explore adoption of new controls to further protect this asset. Partnerships with other public and private entities can also be sought to promote and protect the A.T. Efforts should be undertaken to better identify the specific roles that the County may take in this endeavor and to address specific challenges that may be faced. The Town of Berryville and Clarke County were accepted as an Appalachian Trail Community in 2014. This designation recognizes communities that promote and protect the A.T. In addition, the County should continue to pursue acquiring conservation easements along the A.T. corridor as a preservation measure.

d. **Facilitate more effective public use of the Bear's Den Hostel and property while simultaneously protecting it as a critical resource.** The County should also explore partnership efforts with the Appalachian Trail Conservancy and the Potomac Appalachian Trail Club to promote awareness of Bear's Den as a related recreational asset. Bear's Den is a well-known scenic location along the Appalachian Trail containing the only formal lodging and camping facilities along the County's section of the A.T. as well as providing public access points, scenic view access, internal trail network, programming and events for day users as well as through hikers. Such partnership efforts could include coordination of events and promotion as well as exploring ways to protect the resource and expand its amenities.

e. **Support the efforts of Shenandoah University to develop and maintain its River Campus as a conservation, educational, and passive recreation resource.** Shenandoah University received the former Virginia National Golf Course property along the Shenandoah River in 2013 as a gift from the Civil War Trust with the goal of developing the property as a satellite campus for historic, conservation and environmental education. In furtherance of this goal, the University has opened the campus to the public for passive recreation opportunities during daylight hours. The County should work with the University in furtherance of these goals and should seek opportunities to promote the Campus as a passive recreation facility. The County should also consider support of ongoing improvements proposed by the University provided they are context-sensitive and do not compromise the aforementioned goals.

f. **Support the efforts of the University of Virginia to maintain Blandy Experimental Farm/State Arboretum of Virginia ("Blandy") as a conservation, educational, and passive recreation resource.** Blandy is operated by the University of Virginia as an educational and research facility with a goal of increasing public outreach and awareness of environmental issues and the natural world. The Farm is open to the public and is used by many as a passive recreational facility for walking, jogging, or simply enjoying the unique environment that the University has created. The County should work with the University in any available capacities to help further the stated goals of the Farm and to promote it as a passive recreation facility. The County should also consider support of any future improvements that are consistent with the aforementioned goals, and should continue to support the Farm's existing mission.

g. **Support the efforts of the Virginia Department of Historic Resources and The Clermont Foundation to develop and maintain Clermont Farm as conservation, educational and passive recreation resource.** Clermont Farm, a working 360-acre farm just east of Berryville, was surveyed by George Washington in 1750 and has mid-18th, 19th, and 20th century buildings and important archaeological sites. The bequest of the site to the Virginia Department

of Historic Resources and the creation of The Clermont Foundation (a non-profit with a local board of trustees) were gifts of Elizabeth Rust Williams, a local lawyer and judge whose family had owned Clermont for 185 years. The bequest at her death in 2004 was intended to benefit not only all citizens of the Commonwealth, but specifically also citizens of Clarke County. Clermont is now a research and training site in history, historic preservation and agriculture, with partnerships with Virginia Tech in agriculture and James Madison University in archaeology, and with the Clarke County Public Schools in agricultural education. Clermont is currently open by appointment to researchers, teachers, and students. It is open to the public only for specific scheduled events, such as the annual Clermont Farm Day. The County should consider support of future improvements which might extend use of the farm for passive recreational and educational (historic and agricultural) opportunities which would benefit local citizens as well as draw heritage and agro-tourism. The County should also consider support of any future improvements that are consistent with the Department's and Foundation's existing mission for the farm, with the County's Economic Development Plan, and with the goals of the Clarke County Historic Preservation Commission.

h. Promote the development, maintenance, and promotion of Driving Tours. Driving tours are an effective way to raise residents and visitors awareness of the County's active and passive recreational resources and to promote their ongoing use. These tours can also help promote linkages among recreational, historic, and tourism assets. The County's scenic byway designations and State Birding and Wildlife Trail designations also serve as attractors to County recreational assets.

The County's Historic Preservation Commission (HPC) has developed a series of driving tour maps that are centered around the County's current historic districts. The County should promote driving tours using these maps as well as electronic media and the County website. Owners/operators of public and private recreational facilities should be made aware of driving tours and their benefits of increasing usage and visitation.

i. Coordinate cross-promotion of adjacent recreational assets. The County should consider establishing partnerships with adjacent or nearby recreational resources for co-promotion and public awareness. Building a solid network of public and private recreational assets within the County is critical, but including related facilities adjacent or close to the County's borders will make citizens and visitors more aware of the wealth of resources available to them. This would ultimately help increase tourism and potentially decrease demand for the County to provide new or similar amenities.

Publically accessible facilities immediately adjacent to the County borders include Sky Meadows State Park (Fauquier County) and Lake Frederick (Frederick County). Other regional facilities are listed in Appendix B.

j. **Work with Public Schools to identify policies for use of school facilities for passive outdoor recreation.** All public school facilities have large expanses of open land that are informally used for passive recreation by nearby residents. Other facilities that are routinely used are the track at Johnson Williams Middle School, and playground facilities at Berryville Primary, Boyce Elementary and Cooley Elementary Schools. Working with public school administration to consider development of passive recreational use policy for school grounds may strengthen the access for the public and reduce safety concerns for the school system.

4) Promote connectivity among the County's active and passive recreation resources

a. **Support the use of the 2014 Town of Berryville and Clarke County Bicycle & Pedestrian Plan and implementation of its recommendations.** In September 2014, the Board of Supervisors accepted the 2014 Town of Berryville and Clarke County Bicycle & Pedestrian for use as a guidance document by the Planning Commission in updating the Comprehensive Plan and relevant implementing component plans. This Plan was developed by the Northern Shenandoah Valley Regional Commission in a cooperative effort with the Town and County. The Plan provides recommendations for bicycle and pedestrian enhancements to better serve transportation, recreation, and economic development objectives.

The Plan's recommendations should be evaluated in developing any bicycling-related strategies in this Recreation Plan.

b. **Develop and promote hiking, biking, and vehicular connectivity among active and passive resources.** As noted in some of the previous strategies, helping citizens and visitors connect the County's active and passive resources is an important strategy. Connectivity helps to build a County-wide recreational network in lieu of separate recreational assets accessible only by motor vehicle. Connectivity also promotes awareness of all recreational assets which boosts tourism and potentially reduces urgent demand for new or expanded County recreational resources.

Connectivity should be promoted through asset awareness such as cross-promotion of facilities via electronic media. Physical connectivity options should also be evaluated including shuttle service for Appalachian Trail hikers to reach retail and dining options in the Town of Berryville, and for boaters and floaters on the Shenandoah River to reach put-in sites. Multi-modal connectivity should be promoted for bicycling using the recommendations of the Bicycle & Pedestrian Plan, hiking via awareness and promotion of trails, and vehicular transportation via driving tours.

5) Update Recreation Plan on a 5-year cycle

In order to ensure that this component plan is kept up to date, it should be evaluated for changes at a minimum on a 5-year cycle. This will enable careful evaluation of the Plan's recommendations against current demographics and the County's fiscal condition.

IV. Resource Inventory

The Plan is divided into two main components, (1) active and (2) passive recreation, a secondary component describes facilities immediately adjacent to and accessed from Clarke County but not in the County. As defined, active recreation involves organized activities that require infrastructure such as playgrounds and ballfields. Passive recreation or "low intensity recreation" is that which emphasizes the open-space aspect of a park and allows for the preservation of natural habitat. It usually involves a low level of development, such as rustic picnic areas, benches and trails. Special use is categorization that includes nature centers, golf courses, historic sites, and linear features such as bike paths. In addition sub categories describing the availability of facilities includes full access, limited access, and restricted access. Each resource is described in Table 1. A complete list of website links is detailed in Appendix A.

1) Active Recreation

The Clarke County Parks and Recreation Department offers a host of recreational activities and programs for all ages. The Department manages the 102 acre Chet Hobert Park, which houses an outdoor swimming pool, lighted outdoor tennis courts, 6 ball fields, numerous soccer fields, a Recreation Center, 4 picnic shelters, 2 playgrounds and a fitness trail. (full public access)

The Clarke County Public Schools also have a number of active recreation facilities including a football/soccer stadium, baseball/softball fields, track, playgrounds, and indoor/outdoor basketball (limited access).

The Town of Berryville owns and maintains the three-acre Rose Hill Park in the heart of downtown Berryville. Rose Hill Park provides a great place for families to relax and enjoy a peaceful outing. Park facilities include a playground designed for our younger citizens, basketball courts, and a gazebo.

2) Passive Recreation

Clarke County has an abundance of passive recreational activities available. Resources include the Shenandoah River, which is a state designated scenic river throughout its 22 mile length in Clarke County. Public access to the river is maintained by the Virginia Department of Game and Island Fisheries (VDGIF) at 3 boat landings. The boat landings are located at the Route 50 bridge, Lockes Landing off of Route 621, and the Route 7 bridge. Additional private access is located on private property or maintained by home owners associations such as River Park, Shenandoah Farms, and Calmes Neck. The Shenandoah River follows along the foot of the Blue Ridge Mountains and provides both great scenic views and an up close experience with nature. The American Bald Eagle, Blue Herons, Deer, Red Tail Hawks and Osprey are just a few examples of wildlife found in this special landscape. Kayaking, canoeing, tubing, fishing and

camping are all part of the experience. There are also fish weirs constructed by native American Indians that extend from shore to shore can still be clearly seen in several parts of the river today, nearly 400 years later. Canoe, kayaks and tubes can be rented at Watermelon Park campground (private) and other private facilities

The Appalachian Trail crosses through the entirety of Clarke County from north to south. The Appalachian Trail Conservancy states, "This is one of the best places on the Appalachian Trail for spring break hikes." Primitive shelters can be found along the trail for overnight stays. More formal lodging may be found at the Bear's Den Hostel located in an old stone house with castle like features and magnificent views of the Shenandoah Valley (full public access). In addition to the Hostel, the Bear's Den property offers picnicking, primitive camping, and a nature trail.

The Blandy Experimental Farm and State Arboretum of Virginia (Blandy) is located on Route 50 in Clarke County and provides passive recreation and educational. The primary purpose of Blandy is to increase understanding of the natural environment through research and education. Blandy exists to promote this understanding through education and research on plants, plant biology, ecology, evolution, the environmental sciences, and the manner in which all of these are used and affected by humans. The three principal programs designed to achieve this mission include: 1) University research and education; 2) Outreach and environmental education; and 3) The Orland E. White Arboretum (also known as the State Arboretum of Virginia). Walking and horseback trails are open to the public (full public access).

The Shenandoah University River Campus was established in 2013 on the site of the former Virginia National Golf Course. The property is located north of Route 7 and has nearly 2 miles of frontage on the Shenandoah River. In 2012, the Civil War Trust acquired the 195-acre property as it played a crucial role in the July 18, 1864, Battle of Cool Spring. Once purchased, the Trust placed it in permanent Conservation Easement with the Department of Historic Resources before gifting it to the University. This property is similar to Blandy in that it is open to the public but used by the University as an experiential learning campus for academic programs in the fields of outdoor leadership and education, environmental studies and history. The property has a paved shared use trail open to walkers and bicycles with interpretive signage highlighting the historic and natural resources. This facility is currently under development and it is anticipated that future plans will include additional passive recreational opportunities (full public access).

A currently undeveloped site that was gifted to the County is the Kohn property located on the mountain off Ebenezer Rd. This property consists of 50 acres that was placed in Conservation Easement with the County by the owner. The deed of easement specifies the intended use for environmental education, passive recreation, and bird/wildlife watching. As a county facility, the Parks and Recreation Department and Advisory Board is tasked with developing a master plan for this facility.

3) Special Use

A. **Long Branch Plantation** is working to become the most accessible and cutting-edge historic home in America. The historic site, with its breathtaking views of the Blue Ridge Mountains, preserves an over 200-year-old home and 400 acres of

rural Virginian farmland. George Washington helped survey this rolling hill estate that was formerly part of the vast land holdings of Lord Fairfax. In 1808 Robert Carter Burwell began construction on a unique and spectacular mansion with unrivaled panoramic views of the Blue Ridge Mountains and surrounding hillsides. The old manor house contains some of our country's finest examples of 18th and 19th century furniture. House tours are open to the general public. In addition to house tours, Long Branch holds many different events and festivals for the public (full public access).

B. **Clermont Farm** is owned by the Virginia Department of Historic Resources and managed and funded by The Clermont Foundation, and it is a research and training site in history, historic preservation, and agriculture. The farm includes the oldest extant house in Clarke County, a timber-frame structure built in 1755-56, plus 18th and 19th century additions, with a suite of plantation service buildings which supported what was one of the highest-producing wheat farms in Clarke County for almost 200 years. The land has an occupancy record reaching at least 10,000 years and a number of archaeological sites. Access for researchers, teachers, and students is by appointment. Access for the public is scheduled on the website for 5-8 days per year, including Clermont Farm Day and Smithsonian National Museum Day. (limited public access)

C. **The Burwell Morgan Mill** is a fully restored and operable grain mill has been milling wheat since 1785 in the center of historic Millwood. In addition to the Mill being open for tours, the area's largest Art Shows are held here annually. The mill was owned by Lt. Col. Nathaniel Burwell and operated in partnership with one of the American Revolutionary War's most notable patriots, Gen. Daniel Morgan. The grounds surrounding the mill have picnic tables and the property is adjacent to Spout Run. (full public access)

D. **Bicycling** - The Town of Berryville & Clarke County Bicycle and Pedestrian Plan was prepared in response to a joint-request from the Town of Berryville and Clarke County under the Northern Shenandoah Valley Regional Commission (NSVRC) Rural Transportation Work Program. The plan provides a comprehensive overview of the existing transportation network and outlines recommendations for bicycle and pedestrian enhancements in each locality to better serve transportation, recreation and economic development objectives. Appendix A and the Bike/Ped Plan list several cycling organizations that have established bike routes in the County.

E. **Historic Driving Tour** - The Historic Preservation Commission is tasked with educating, promoting, and protecting the County's historic resources. An updated driving tour brochure is currently available at the County Planning Department, Clarke County Historical Association office, and other locations throughout the

County. The brochure describes significant historic structures throughout the County.

F. Virginia Birding and Wildlife Trail - Within Virginia's 43,000 square miles of diverse natural habitat, you can find some 400 species of birds, 250 species of fish, 150 species of terrestrial and marine mammals, 150 species of amphibians and reptiles, and a wide variety of aquatic and terrestrial invertebrates. The Virginia Birding and Wildlife Trail celebrates this diversity. It is the first statewide program of its kind in the United States. In Virginia, three phases of the trail link wildlife viewing sites throughout the state. Clarke County has portions of the Mountain Trail within its borders included on the Route are:

1) Snickers Gap Hawk Watch

Snicker's Gap is at its best from mid-August through the end of October when thousands of migrating birds of prey stream past overhead. The area was established as a "hawk-watching" site in 1990 and counts have taken place every fall since. The most widespread species seen is the broad-winged hawk, which, depending on the weather, may occur in the 1000s or 10,000s. Other species frequenting the lookout include red-tailed, sharp-shinned and Cooper's hawks, northern harrier, osprey, bald eagle, American kestrel, merlin and peregrine falcon. Each fall supports the opportunity to spy a few true rarities, especially later in the season. Golden eagle and northern goshawk have appeared annually, but rough-legged and Swainson's hawks are more particular about gracing birders with their presence. Numerous other species use the ridge top as a migration corridor, including migrant passerines such as warblers, vireos, thrushes and tanagers and, occasionally, migrant waterfowl. Monarch butterflies and dragonflies also migrate along the ridge, providing food for the migrating American kestrels and broad-winged hawks. (full public access)

2) Smithfield Farm

Smithfield Farm supports an historic bed and breakfast, set amongst the rolling hills of a working farm. The brick manor house was built in 1824 and is listed on the National Register of Historic Places. The farm is the product of seven generations of cattle farmers and, in recent years, has branched out to support other livestock, including goats, pigs and chickens, all of which are now reared organically. These rolling acres provide an excellent spot to relax overnight so you can search for the area's wildlife. The combination of woodland, orchards, fields and riparian belts support a diversity of species. Birds to look for include red-tailed hawk, mourning dove, ruby-throated hummingbird, red-bellied and downy woodpeckers, eastern wood-pewee, great crested flycatcher, eastern kingbird, tree and barn swallows, and purple martin. The moist areas and fields of wildflowers that line the stream are an excellent place to search for butterflies and dragonflies. The results of pesticide-free farming practices are seen clearly in the clouds of pearl crescents, eastern tailed blues, and common checkered skippers that line the stream banks. A walk through the fields should produce eastern tiger, black, spicebush and pipevine swallowtails, as well as the occasional monarch.

Dragon- and damselflies are represented by the ebony jewelwing that reside along the shadier stretches of stream and by the brash common whitetail that may appear anywhere along your walk. (full public access)

3) Blandy Experimental Farm and State Arboretum of Virginia

The Blandy Experimental Farm is a field station operated by the University of Virginia. Its 700 acres are a good representation of the habitats found in the Shenandoah Valley, making it an excellent spot to watch birds and other wildlife. The Orland E. White Arboretum sits at the center of the property, providing an excellent opportunity for visitors to familiarize themselves with the local flora. The Virginia Native Plant Trail is not to be missed during spring and early summer when the wildflowers are vibrantly in bloom. The numerous wildflowers on the property attract a high diversity of butterflies, while the various ponds and marshes attract a variety of dragon- and damselflies. Birds to search for in the woods and meadows of the farm include red-tailed hawk and American kestrel as they patrol the open fields and Cooper's hawk darting through the woods. Woodpeckers on the farm include red-headed, red-bellied, downy and pileated, as well as northern flicker. The farm's extensive undisturbed meadowlands provide nesting habitat for several of Virginia's waning species, which are declining or have disappeared elsewhere in the state. These species include northern bobwhite, loggerhead shrike, dickcissel, and grasshopper and vesper sparrows. Winter on the farm is the best time to search for sparrows and hawks. Even short-eared owl has been reported on the farm. (full public access)

4) Limited Access Facilities

Active Recreation

A. Public Schools

Includes D.G. Cooley Elementary School, upper and lower campuses, Boyce Elementary School, Johnson Williams Middle School, and the Clarke County High School. Table 1 lists the resources available at each school. The schools have a written policy and fees for using active recreation facilities such as the indoor gym, fields or track. Passive recreation of outdoor facilities is permitted without fee on playground equipment and grounds.

Passive Recreation

A. Powhatan School

Powhatan is a private school that believes in and is committed to community use of its facilities. Facility use is by appointment only. Uses include indoor basketball, summer camps, cross country runs, and conservation fairs. Additional outdoor recreation opportunities may exist in the future on the Crocker Conservancy. The Crocker Conservancy is a 48 acre property held in permanent conservation easement by the County Easement Authority, which is being

developed to enhance environmental education and includes trails and bird & wildlife watching areas. (limited access)

B. Private campsite rentals

1. **Watermelon Park** – Campground, Recreation & Event Venue along the beautiful Shenandoah River on Lockes Mill Road (Route 621) in Clarke County Virginia. Family owned and operated since 1939, the Park offers Kayak, canoe, tube rentals, tent and RV camping, and a store.

2. **Family Campground** – a small privately owned campground with river front lots rented seasonally. This facility is located on the north side of Chilly Hollow Road at its intersection with the Shenandoah River.

3. **Mountain Lake Campground --** a quiet family owned campground located near the head of the Shenandoah Valley. The facility contains two small lakes, each about half an acre in size, a campground for tents, and RV parking. The campground is located on the west side of Mount Carmel Road (Route 606) approximately ½ mile north of John Mosby Highway (Route 50).

Special Use

A. Holy Cross Abbey

Holy Cross Abbey Monastery is located at the foot of the Blue Ridge Mountains bordered by the Shenandoah River on over 1,000 acres of fertile and scenic farmland. The monastery belongs to the Cistercian Order that was first founded in France in 1098. The monastery makes its own food products. The Abbey also has a retreat house on the property open to guests that wish to spend time in silence and prayer. The peaceful surroundings and spiritual energy here is a far cry from two hot summer days in July 1864. On those two fateful days the Battle of Cool Spring was fought between General Early of the Confederacy and General Crook of the Union. The old manor house on the monastery property remains and is a central part of the monastery structures. The entire property was placed in Conservation Easement with the Department of Historic Resources in order to protect the Battlefield. The Conservation Easement provides for signage, walking trails or footpaths to aid in the historical interpretation of the Property as a Civil War Battlefield. The Property shall also be made accessible to the public for 2 days per year for the purpose of touring the Battlefield. (limited public access)

5) Adjacent Facilities

Passive Recreation

A. Sky Meadows State Park

Rich in history, this 1,864-acre park has scenic views, woodlands and the rolling pastures of a historic farm that captures the colonial through post-Civil War life of Mount Bleak House. Nature and history programs are offered year-round. Hiking,

picnicking, fishing and primitive hike-in camping for families and groups are favorite activities in this peaceful getaway on the eastern side of the Blue Ridge Mountains. The park has 9.5 miles of bridle trails, 19 miles of hiking trails, 8 miles of bike trials and Appalachian Trail access.

Located in Fauquier County, on the east side of the mountain, the Park is accessible from Clarke County by foot via the Appalachian Trail south of Route 50 or by vehicle via Rt. 17 south. (full public access)

B. Lake Frederick

Located south of Double Tollgate on U.S. 522, Lake Frederick is a 117-acre impoundment owned by the Virginia Department of Game and Inland Fisheries and includes a 100 foot buffer around the entire shoreline. Lake Frederick has a paved entrance road, gravel parking lot, paved boat launch with courtesy dock, and a handicapped accessible fishing pier. (full public access)

There is adequate bank fishing access along the breast of the dam and around the lower end of the lake. Boats and boat anglers are welcome, but gasoline motors are prohibited. Only electric trolling motors are allowed.

A privately operated concessions, "Lake Frederick Bait and Tackle", offers rest room facilities, snacks/drinks, bait, tackle, and boat rentals. Contact Lake Frederick Bait and Tackle: at (540) 333-1344 for store hours and lake conditions.

V. Conclusion

In focusing on recreation in Clarke County, this plan strives to address the existing and potential recreation needs of the community. The Plan establishes specific functional strategies and recommendations to protect, promote, grow and enhance the County's active and passive recreational resources. This plan will place particular emphasis on passive recreation opportunities. The Recreation Component Plan identifies the following overarching goals:

1) Meet the recreation needs of the community

2) Increase awareness of all recreational activities

3) Assist in maximizing the recreation value of existing assets

4) Promote connectivity among the County's active and passive recreation resources

5) Update the Recreation Plan on a 5 year cycle

Assessing the recreation needs of the community is essential to insure that future recreational facilities are available. Protecting and promoting these resources is the purpose of the plan,

working with private and public partners to enhance recreational opportunities a valuable tool to insure success. The Recreation Plan committee, who developed this plan, will be maintained and will continue to meet to implement the goals and strategies outlined. Development of park master plans and conducting surveys will primarily be the responsibility of the Parks and Recreation Advisory Board with support and guidance from the local governing bodies.

Map 1. Recreational Resources

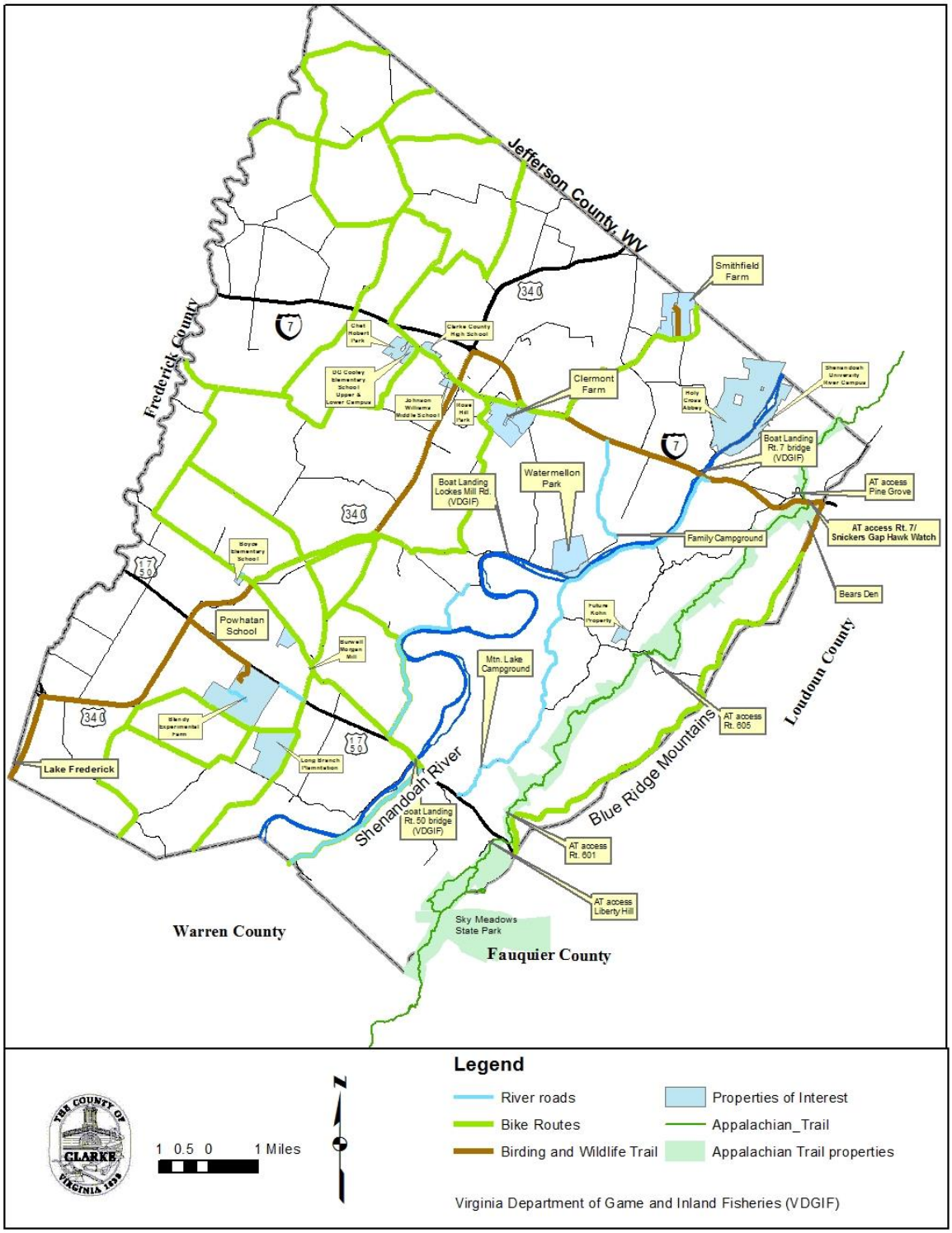


Table 1. Existing Recreation Resources Inventory

Table 1. Existing Recreation Resources Inventory

	Playground Equipment	Shelter	Rest Rooms	Concession Stand	Football Field	Baseball Diamond	Basketball Court	Tennis Court	Soccer Field	Dog Park	Recreation Center	Swimming Pool	Gazebo	Outdoor Grills	Picknicking	Nature Trails	Fishing	Bicycling	Arboreteum	Water Access	Camping	Horseback Riding	Hiking/Backpacking	kayaking\canooing	Bird Watching	Trails	Historic	Swimming
Full Access Facilities																												
Active Recreation																												
Chet Hobert Park	x	x	x	x		x	x	x	x	x	x	x		x	x			x								x		x
Rose Hill Park	x						x						x		x													
Passive Recreation																												
Blandy		x	x											x	x	x		x	x			x			x	x		
Shenandoah University River Campus															x			x							x	x	x	
Shenandoah River																	x							x	x			x
Applachian Trail		x												x	x	x					x		x		x	x	x	
Bear's Den Trail Center		x	x											x	x	x					x		x		x	x	x	
Kohn property		o													o	o				o					o	o		
Snickers Gap																									x			
Smithfield Farm																x									x		x	
																									x			
Special Use																												
Long Branch			x												x												x	
Burwell Morgan Mill			x												x												x	
Bicycle Routes																		x										
Historic Driving Tour																		x									x	
Virginia Birding and Wildlife Trail																		x							x		x	
Scenic byways																		x									x	
Limited Access Facilities																												
Active Recreation																												
Berryville Primary School	x																											
Upper DG Cooley Elementary School	x						x																					
Lower DG Cooley Elementary School	x				x		x																					
Boyce Elementary School	x						x																					
Johnson Williams Middle School			x	x	x				x																			
Clarke County High School					x	x	x		x																			
Passive Recreation																												
Powhatan School	x						x		x							x				x					x	x		
Watermelon Park	x	x	x	x										x	x		x			x	x				x			x
Family Campground																				x	x							x
Mountain Lake Campground															x					x	x			x				x
Special Use																												
Holy Cross Abbey																									x		x	
Adjacent Facilites																												
Passive Recreation																												
Lake Frederick			x	x													x			x					x	x		
Sky Meadows State Park		x												x	x	x	x	x		x	x	x	x		x	x	x	

x - existing use
o- anticipated use

Appendix A. Web links

Chet Hobert Park - http://clarkecounty.gov/
Rose Hill Park - http://www.berryvilleva.gov/
Clarke County Public Schools - http://www.clarke.k12.va.us/pages/Clarke_County_Public_Schools
Shenandoah River (access/fishing) - www.dgif.virginia.gov/
Watermelon Park Campground - www.**watermelonpark**.com/
Appalachian Trail - http://www.appalachiantrail.org/
Bear's Den - http://www.bearsdencenter.org/

Long Branch - http://www.visitlongbranch.org/
Blandy – http://blandy.virginia.edu/
Clermont Farm - www.clermontfarm.org
Shenandoah University River Campus - http://www.su.edu/venue/cool-spring/, http://www.su.edu/blog/cool-spring-protecting-land-for-future-generations/
Burwell-Morgan Mill - http://www.burwellmorganmill.org/
Bicycle/Pedestrian Plan – Town of Berryville & Clarke County – www.clarkecounty.gov
Historic Driving Tour – www.clarkecounty.gov
Virginia Birding and Wildlife Trail - http://www.dgif.virginia.gov/
Mountain Lake Campground - http://www.virginia.org/Listings/PlacesToStay/MountainLakeCampground/
Powhatan School - http://powhatanschool.org/, http://thecrockerconservancy.blogspot.com/
Holy Cross Abbey - https://www.virginiatrappists.org/
Sky Meadows - http://www.dcr.virginia.gov/state-parks/sky-meadows.shtml#general_information
Lake Frederick - http://www.dgif.virginia.gov/fishing/waterbodies/display.asp?id=53
Historic Resources in Clarke County - http://www.clarkehistory.org/
Bicycle Routes
- Winchester Wheelmen- http://www.winchesterwheelmen.org/ride.php
- Potomac Peddlers – Backcountry Century Ride - http://www.potomacpedalers.org/
- Panhandlers Peddlers - http://www.panhandlepedalers.com/

Hiking - http://www.hikingupward.com/
www.patc.net

Appendix B. Regional Facilities

Refer to the Virginia Outdoors Plan for a complete list and map of regional recreation facilities http://www.dcr.virginia.gov/recreational_planning/vop.shtml

Appendix C. Resources

a. Virginia Outdoors Plan
b. County Park Master Plan
c. County Comprehensive Plan
d. Potomac Appalachian Trail Club
e. Berryville Area Plan
f. Berryville Comprehensive Plan
g. Town of Berryville and Clarke County Bicycle and Pedestrian Plan
h. Shenandoah River Use Plan - NSVRC

SITE PLAN AMENDMENT REVIEW (SP-15-03)
Alain Boral (L'Auberge Provencale)
May 1, 2015 Planning Commission Meeting – SET PUBLIC HEARING
STAFF REPORT – Department of Planning

The purpose of this staff report is to provide information to the Planning Commission and Board of Supervisors to assist them in reviewing this proposed site plan amendment. It may be useful to members of the general public interested in this proposed amendment.

Case Summary

Applicant(s):
Alain Borel (L'Auberge Provencale)

Location:
- 13630 Lord Fairfax Highway
- White Post Election District (Bouffault, Buckley – Planning Commission; McKay - Board of Supervisors)

Parcel Size/:
8.520 acres

Zoning:
Agricultural Open-Space Conservation (AOC)

Request:
Approval of a Site Plan Amendment to construct a 725 square foot lounge/bar and a 54 square foot entrance to the existing structure on the property identified as Tax Map #28-A-12.

Staff Discussion/Analysis:
The original site plan for L'Auberge Provencale was approved in conjunction with a special use permit (SUP) that was approved on March 17, 1981 (SUP-81-01). The approval was for a Country Inn which is currently defined as, "An Establishment offering for compensation to the public guestrooms for transient lodging or sleeping accommodations. As accessory uses to a Country Inn, meal service and/or permanent place(s) of public assembly may be provided." The site plan was amended several times following the original approval including minor amendments in 1983, 1985, and 1986; shop/office addition in 2003; addition of 4 bathrooms and 2 sitting rooms in 2005; and an addition to an existing office in 2007.

The owner, Alain Borel, approached staff in January 2015 about potential renovations involving a kitchen expansion and the addition of a bar/lounge area. The kitchen expansion would not impact existing site features, but the bar/lounge addition would likely impact existing parking, possibly septic components, or other site features. It was recommended that the two projects be split into two separate phases. Phase one involving a kitchen expansion was reviewed by Staff and the Health Department, and then administratively approved on February 10, 2015. The current proposed site plan addresses the proposed bar/lounge addition.

Site Plan:
The current proposal (Phase 2) will involve an addition (725 sq. ft.) to the facility for a bar/lounge area and new entry way (54 sq. ft.). According to the applicant, most of the clients utilizing this area will be at the facility already for dining and/or transient lodging, but there will presumably be an increase in seating none the less. The proposal has been reviewed for site plan requirements by staff, and comments sent to John Lewis, project engineer, and a revised site plan was received April 13, 2015. Review by the County engineering consultant is not needed at this time due to the small project scope.

Location and Access:
The subject property is located at 13630 Lord Fairfax Highway. The ingress/egress for the facility will remain the same. VDOT will require an asphalt overlay of the existing entrance to tie-in to the existing white edge line elevation providing a smooth transition prior to certificate of occupancy for the addition. The VDOT review comment letter is attached.

Erosion, Sediment and Stormwater:
This proposal will not require an erosion and sediment control (E&S) plan, the stormwater plan requirement is waived because land disturbance is less than 10,000 square feet.

Water and Septic:
The water for the facility is supplied by a public well regulated by the Virginia Department of Health Office of Drinking Water. The facility has four onsite sewage disposal systems on the property. The onsite sewage disposal system for the kitchen area is an existing conventional septic system; however there is an active health department permit to convert this system into a pre-treated alternative system, which would require an operation and maintenance plan after construction. The active permit shows no increase in sewage flows. The Clarke County Health Department review comment letter is attached. No comment was made by the local health department concerning the water supply.

Karst Plan:
Since the minor addition to the existing structure requires no addition to the onsite sewage disposal systems except a treatment tank, the Karst plan requirement is waived.

Lighting and Signage:
According to the site plan comments, no additional outdoor lighting is proposed except for the addition of building mounted lights at the kitchen entrance. There were no specifications provided.

Parking:
No additional parking is required for the proposal.

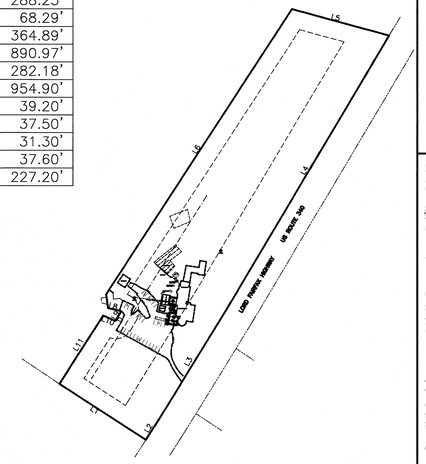
Landscaping:
No new landscaping is required for the proposal.

Site Plan Committee Meeting 4/23/15:
The site plan committee met on April 23, 2015 to discuss the proposed amendment. The committee made the following comments:

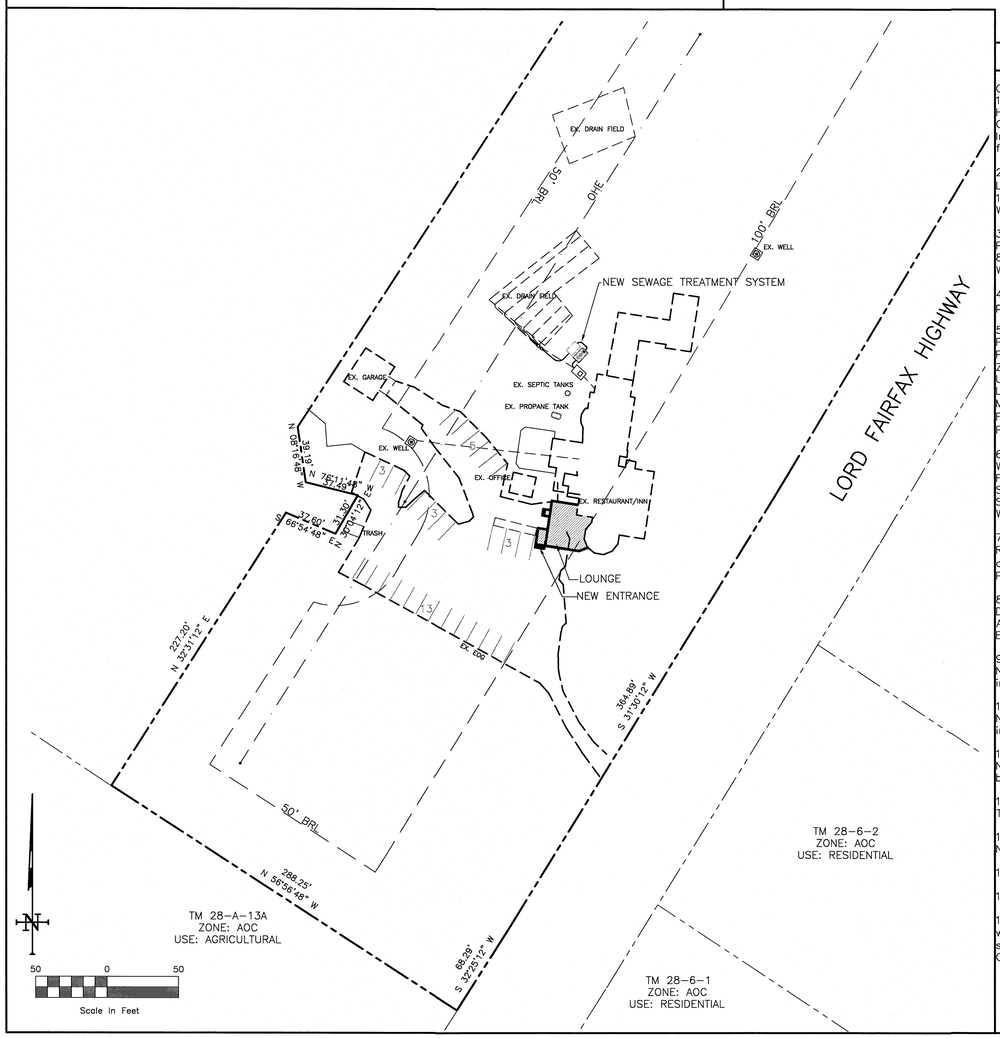
1) All septic systems and wells on the property must be shown on the site plan, and indicate what portions of the establishment are served by each system and water supply. If existing wells are present and not used, that should be noted on the site plan also.
2) Please indicate if additional restrooms are proposed in the construction.
3) The health department has indicated that Phase 1 was contingent upon the conventional septic system being converted into an alternative system (as shown on the site plan), therefore add a signature block for the Health Department on the site plan.
4) The site plan notes that only "building mounted lights at the kitchen entrance" will be added therefore show the compliance with the Lighting Ordinance (full cut off specification).
5) Please contact agent/applicant and verify that they will comply with the health department request for written assurance of no sewage flow increases, and VDOT's request for entrance improvements.

Recommendation
Recommend the Planning Commission set public hearing on the site plan amendment for the June 5, 2015 meeting.

LINE	BEARING	DISTANCE
L1	S 56°56'48" E	288.25'
L2	N 32°25'12" E	68.29'
L3	S 31°30'12" W	364.89'
L4	S 30°35'12" W	890.97'
L5	S 74°44'48" E	282.18'
L6	N 32°58'12" E	954.90'
L7	S 08°16'48" E	39.20'
L8	S 76°11'48" E	37.50'
L9	S 30°04'12" W	31.30'
L10	N 66°54'48" W	37.60'
L11	N 32°31'12" E	227.20'



SITE OVERVIEW Scale:1"=200'



GENERAL NOTES:

GENERAL NOTES

1. The property delineated on this plan is located along Lord Fairfax Highway, State Rt. 340 about one mile south of Route 50 in Clarke County, Virginia. The property is the location of an existing Country Inn. The proposed improvements will expand the restaurant support facilities.

2. Property Owner/Developer: Contact: Mr. Alain Borel
L'Auberge Provencal Deed Book145, Page 577
13630 Lord Fairfax Highway
White Post, VA 22663 Telephone: 540-837-1375

3. Engineer: Contact: Mr. John Lewis
PAINTER-LEWIS, P.L.C.
817 Cedar Creek Grade, Suite 120
Winchester, Virginia 22601 Telephone: (540) 662-5792

4. Property boundary and topographic information shown on these plans was collected by Marsh & Legge Land Surveyors, P.L.C.

5. Site Data:
Parcel Area: 8.51± Acres
PIN: TM# 28-A-12
Zoning: AOC-Agricultural Open Space Conservation
Use: Country Inn
Lot Area Required: 2 acres
Max. Building Height: 35'
Front Yard Setback: 100' from right of way of primary highway
Property Line Setback: 50'

6. Environmental Features:
Wetlands - No wetlands have been identified on this site.
Flood plains - No Flood plains exist on this site
Sinkholes - No sinkholes have been identified on this site.
Steep Slopes - No steep slopes have been identified on this site.
Woodlands - No woodlands have been identified on this site.

7. Parking Space Requirements:
Required: 1 spaces per 4 people, 50 seats/4=13 spaces, 7 additional seats in lounge addition, 7/4=2. Total required=20
Provided: 27 spaces

8. Building Improvements:
Demolition: 120 sf
Addition: 725 sf
Entry Addition: 54 sf

9. Traffic Impact:
No additional traffic will be generated as a result of the proposed improvements.

10. Sewage Impact:
No additional sewage will be generated as a result of the proposed improvements.

11. Lighting:
No additional outdoor lighting is proposed except for the addition of building mounted lights at the kitchen entrance.

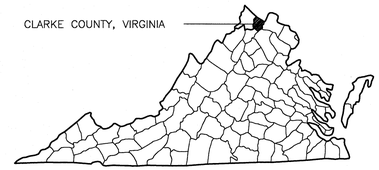
12. Height:
The proposed structure will be lower than the existing structure.

13. Landscaping:
No additional landscaping is proposed.

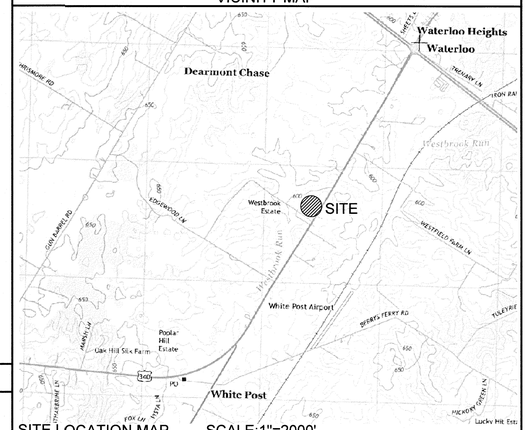
14. Anticipated daily peak water and sewer demand: 750 gpd

15. Maximum number of full time employees anticipated: 12

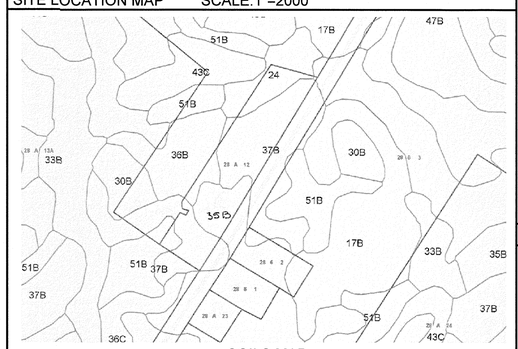
16. Erosion and sediment control measures will be in accordance with the Virginia Erosion and Sediment Control Handbook's minimum standards and the Clarke County Erosion and Sediment Control Ordinance.



VICINITY MAP



SITE LOCATION MAP SCALE:1"=2000'



SOILS MAP

Soils
According to the Soil Survey of Clarke County, the soils on the parcel are:

35B-Poplimento silt loam: HSG-C, 3-8 percent slope; Ksat=0.2-0.57 in/hr, soil depth=58"-73", depth to water table=>80", residum weathered from limestone and shale.

37B-Poplimento-Rock outcrop complex: 3-15 percent: HSG-C, Ksat=0.2-0.57 in/hr, soil depth=58"-73", depth to water table=>80", residum weathered from limestone and shale.

ASSY.	ASSEMBLY
B.F.	BASEMENT FLOOR
BLK.	BLOCK
BC	BOTTOM OF CURB
BML	BUILDING MOUNTED LIGHT
BP	BREAK POINT
CG-2	VDOT CURB
CG-6	VDOT CURB & GUTTER
CIP	CAST IN PLACE CONCRETE
CL	CLASS
CMF	CONCRETE MONUMENT FOUND
CPP	CORRUGATED POLYETHYLENE PIPE
CMP	CORRUGATED METAL PIPE
CMPA	CORRUGATED METAL PIPE ARCH
CO	CLEAN OUT
DIA.	DIAMETER
DS	DOWNSPOUT
EOP	EDGE OF PAVEMENT
EOG	EDGE OF GRAVEL
ESMT.	EASEMENT
EX.	EXISTING
F.F.	FIRST FLOOR
F.F.E.	FINISHED FLOOR ELEVATION
FDC	FIRE DEPARTMENT CONNECTION
FH	FIRE HYDRANT
F.L.S.	FIRE LANE SIGN
F.L.T.	FLOOD LIGHT
Ga.	GAUGE
GM	GAS METER
GV	GAS VALVE or GATE VALVE
HCR	HANDICAP RAMP
HB	HOSE BIB
HDR CURB	6" HEADER CURB
HP	HIGH POINT
INC	INCREASER
INV	INVERT
IPF	IRON PIPE FOUND
IPS	IRON PIPE SET
LP	LOW POINT
LT.	LIGHT
MLP	METAL LIGHT POLE
MPD	MULTI-PRODUCT DISPENSER
MP	METAL POST
MH	MANHOLE
NDC	NOSE DOWN CURB
N.P.S.	NO PARKING SIGN
NLT	NO LEFT TURN
NRT	NO RIGHT TURN
N.T.S.	NOT TO SCALE
OHE	OVERHEAD ELECTRIC
OHT	OVERHEAD TELEPHONE
PIV	POST INDICATOR VALVE
PL	PROPERTY LINE
PP	POWER POLE
PROP.	PROPOSED
PVMT	PAVEMENT
RCP	REINFORCED CONCRETE PIPE
R.D.	ROOF DRAIN
RED.	REDUCER
R.O.	ROCK OUTCROP
SAN.	SANITARY
SEW.	SEWER
STD.	STANDARD
T.B.D.	TO BE DEMOLISHED
T.B.R.	TO BE REMOVED
T.B.P.	TO BE PRESERVED or PROTECTED
TB or T.B.	THRUST BLOCK
TC	TOP OF CURB
TEL.	TELEPHONE
TRB	TELEPHONE RISER BOX
TVRB	TELEVISION RISER BOX
TYP or TYP.	TYPICAL
UGE	UNDERGROUND ELECTRIC
UGG	UNDERGROUND GAS
UG CATV	UNDERGROUND CABLE T.V.
UGT	UNDERGROUND TELEPHONE
XFMR	ELECTRIC TRANSFORMER
WL	WATERLINE
WM	WATER METER
WPP	WOOD POWER POLE
WTP	WOOD TELEPHONE POLE
WV	WATER VALVE
25'R	RADIUS IN FEET
+00.00	PROPOSED SPOT ELEVATION
x(00.00)	EXISTING SPOT ELEVATION
	HATCHING INDICATES REVERSED PITCH IN THE GUTTER PAN: PITCH TO BE 1/2" PER FOOT. TRANSITION THE GUTTER OVER A 10' LENGTH (TYP).

LIST OF DRAWINGS:

SHEET 1/1: NOTES AND SITE PLAN

COMMONWEALTH OF VIRGINIA
4-9-2015
JOHN C. LEWIS
Lic. No. 02921
PROFESSIONAL ENGINEER

COUNTRY INN LOUNGE ADDITION
SITE PLAN
L'AUBERGE PROVENCAL
CLARKE COUNTY, VIRGINIA

PLANNING COMMISSION DATE

OWNER DATE

ZONING ADMINISTRATOR DATE
CLARKE COUNTY, VIRGINIA

SITE PLAN EXPIRES FIVE (5) YEARS FROM DATE OF APPROVAL

CONSULTING ENGINEERS

PAINTER-LEWIS, P.L.C.
817 Cedar Creek Grade, Suite 120
Winchester, Virginia 22601
Telephone (540) 662-5792
Facsimile (540) 662-5793
Email: office@painterlewis.com

JOB NO.: 1402017
March 11, 2015
Latest Revision Date: April 9, 2015

SHEET: 1

Clarke County **rfincham@clarkecounty.gov**

Clarke County - US Route 340 - L'Auberge Provencal Site Plan

From : Arthur Boyce (VDOT) <Bobby.Boyce@VDOT.Virginia.gov> Wed, Apr 22, 2015 03:19 PM
Subject : Clarke County - US Route 340 - L'Auberge Provencal Site Plan 1 attachment
To : rfincham@clarkecounty.gov
Cc : Rhonda Funkhouser (VDOT) <Rhonda.Funkhouser@VDOT.Virginia.gov>,
Matthew Smith, P.E. (VDOT) <Matthew.Smith@vdot.virginia.gov>

DEPARTMENT OF TRANSPORTATION
Staunton/Edinburg Land Development
14031 Old Valley Pike
Edinburg, VA 22824

Dear Mr. Fincham:

We have reviewed the above referenced site plan dated March 11, 2015 by Painter-Lewis, P.L.C. for impacts to the transportation system. Our comments are as follows:

- The existing entrance does not meet current VDOT Standards, but if overlaid with asphalt should be adequate for the proposed use. US Route 340 has been overlaid multiple times since the existing entrance was installed. Therefore, the owner will need to tie-in to the existing white edgeline elevation and provide a smooth transition back to the right-of-way/property line. This work will need to be completed prior to the Certificate of Occupancy for the addition.
- A Land Use Permit shall be obtained before any work is performed on the State's right-of-way. A tie-in joint will need to be milled near the white edgeline, the existing surface tacked, and overlaid with a 2" minimum SM-9.5AL asphalt surface mix. The permit is issued by this office and will require an application fee and surety coverage. Once satisfactory application has been made, a permit will normally take 10-20 days to process and issue.

We appreciate the County's efforts to include VDOT in the early planning stages for development and the opportunity to provide comments on this site plan. We ask that you include a copy of this official public record in file for the site plan. If you have any questions, would like to meet in the field and discuss or need further information, please do not hesitate to give me a call at (540) 984-5631.

Sincerely,

Arthur R. Boyce, III
Arthur R. Boyce, III
Land Development Engineer
Clarke, Frederick, Shenandoah, & Warren Counties
14031 Old Valley Pike
Edinburg, VA 22824
(540)984-5631

Picture (Device Independent Bitmap) 1.jpg
633 B

Lord Fairfax Health District
Clarke County Health Department
100 North Buckmarsh Street
Berryville, Virginia 22611
Tel. (540) 955-1033 ~ Fax (540) 955-4094
www.vdh.virginia.gov

April 16, 2015

Ryan Fincham,
Senior Planner/Zoning Administrator
101 Chalmers Court
Berryville, VA 22611

RE: Request for Comments – Site Plan Review
Property Owner: Alain Borel
L'Auberge Provencale – Lounge Addition
13630 Lord Fairfax Hwy, White Post, VA

Ryan:

I've reviewed the subject site plan and offer the following comments:

1) Records on file with this Department indicate that there are four separate sewage drainfield footprints installed on the property. A site plan was prepared by the firm Higgins & Krivicich, Architects & Landscape Architects, in 1996 for a different addition project. The Higgins & Krivicich site plan appears to depict the locations of said sewage systems. Based upon review of this additional information in our file, the location of the proposed lounge addition does not appear to impact existing, buried sewage infrastructure.
2) The existing, full service restaurant is permitted by this Department for a maximum capacity of 50 seats. The owner indicates 50 indoor seats on the most current application for a Department of Health Food Establishment Permit (14-Dec-2015).
3) The site plan notes indicate that the proposed addition of 7 seats in the lounge area will not result in additional sewage flows. The owner indicated in a previous office conversation that the proposed lounge area is intended as a gathering area for overnight guests of the country inn. As a pre-condition of site plan approval, this agency is recommending the owner/agent provide written assurance that the proposed addition is not an expansion of restaurant/table-service seating capacity.

Should you have any questions or need additional information regarding these comments, please feel free to contact this office at 955-1033.

Best regards,

Todd W. Lam

Todd W. Lam,
Environmental Health Specialist, Sr.

Pc: Alain Borel, owner
John Lewis, PE, Painter-Lewis, PLC
CCHD file

Clarke County Board of Supervisors
Regular Meeting Agenda

Main Meeting Room Berryville / Clarke County Government Center
101 Chalmers Court, 2nd Floor, Berryville, Virginia

Item	**April 21, 2015**	Packet Page

Afternoon Session 1:00 PM

1. Call To Order 4
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3. Citizen's Comment Period 6
4. VDOT Update 7
5. Approval of Minutes
   - March 17, 2015 Regular Meeting 8
   - April 7, 2015 FY2016 Budget and Tax Rate Public Hearing 24
   - April 14, 2015 FY2016 Budget Work Session 32
6. Board of Supervisors Personnel Committee 46
   A. Expiration of Term for appointments expiring through June 2015. **Action: Approve Personnel Committee recommendation:** 47
      - Reappoint Jason Burns to serve on the Lord Fairfax Emergency Medical Services Council for a term expiring June 30, 2018

   B. Personnel Policy Review Update. Action: Information Only 46
7. Board of Supervisors Work Session 55
   A. Special Education Update by Chuyen Kochinsky. Action: Information Only 58
   B. FY2015 Salary Increase 1% Distribution Social Services. Action: Information Only – action taken at the Work Session. 55
   C. Closed Session §2.2-3711-A7 Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. §2.2-3711-A29 Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. Action: Information Only 55
8. Board of Supervisors Finance Items 78
   1. FY 15 Budget Adjustments for Salary increases. Supplemental Appropriation Request. The Sheriff will present a supplemental appropriation request related to replacement staffing for an employee out on Workers Compensation leave. **Action: Approve Finance Committee recommendation *"Be it resolved that Communications FY 15*** 78

Note: The order in which Agenda items are considered may be changed to assure that public hearings are started as close as possible to the scheduled time

budgeted expenditure, and appropriations be increased $5,928, and that revenue from VaCorp Workers Compensation be recognized in the same amount."

2. Support for Salary Increase. The Sheriff will speak in support of staff salary increases. Action: Information – staff follow up required. 78
3. Bills and Claims. **Action: Approve March Bills and Claims** 80
4. Standing Reports
   - Reconciliation of Appropriations 100
   - General Fund Balance 101
   - Expenditure Summary 102
   - Government Capital Projects 117

9. Joint Administrative Services Update 118
10. Government Projects Update 124
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12. Summary Of Required Action 126
13. Board Member Committee Status Reports 127
14. Closed Session [*as necessary*] 128
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No Evening Session

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2. Commissioner of the Revenue [February and March Reports] 139