

# Clarke County

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## PLANNING COMMISSION BRIEFING MEETING MINUTES TUESDAY, JANUARY 3, 2017

A briefing meeting of the Planning Commission of Clarke County, Virginia, was held at the Berryville/Clarke County Government Center, Berryville, Virginia, on Tuesday, January 3, 2017.

### ATTENDANCE

**Present:** Robina Bouffault; Randy Buckley; Anne Caldwell; Mary Daniel; Scott Kreider; Douglas Kruhm; Frank Lee; Gwendolyn Malone; Cliff Nelson; George L. Ohrstrom, II (arrived late); and Jon Turkel.

**Absent:** None

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

### CALLED TO ORDER

Mr. Stidham called the meeting to order at 3:02PM.

### AGENDA

The members approved the agenda by consensus as presented.

### REVIEW OF AGENDA ITEMS FOR JANUARY 6, 2017 MEETING

Mr. Stidham began with a review of the Organizational Meeting agenda items. He stated that the committees have been reorganized per discussion at the November briefing meeting and noted that members would have to decide which committees they want to serve on for 2017. Following a brief discussion of the committee functions, each member indicated their desire to serve on one or more of the committees. Mr. Stidham reviewed the proposed committee lineup and indicated that he would have a revised list printed for Friday's meeting. He also reviewed the proposed meeting schedule noting one deviation to avoid the July 4 holiday, and also reviewed the current By-Laws. Members had no concerns with the meeting schedule or with the By-Laws.

Mr. Stidham reviewed the draft list of Project Priorities for 2017 stating that the Commission needs to discuss the order of projects #3 through #7 in light of Staff's workload. He said that project #3 – updating the Zoning and Subdivision Ordinances – is a labor-intensive project and would likely limit the amount of Staff work that can be done on the projects to review the Historic Resources, Water Resources, and Mountain Land Plans and to develop the new Village Component Plan. He noted that the projects that are prioritized for later completion may get pushed out beyond 2018 as the five-year reviews of the Comprehensive Plan, Transportation Plan, and Economic Development Strategic Plan

are scheduled to begin that year. He said that Staff could potentially work on the Water Resources Plan in the coming year with Ms. Teetor working as the lead on that project. Mr. Ohrstrom said that the review of the Historic Resources Plan may not require a lot of work and Ms. Daniel added that review of both the Water and Historic Resources Plans may not take a substantial amount of time to complete. Mr. Ohrstrom noted that significant changes were made to the Mountain Land Plan during its last review and Mr. Stidham stated that this Plan is almost fully implemented. Mr. Stidham added that future work on the Mountain Land Plan may result in developing a completely different format. Ms. Caldwell replied that she did not think that the Commission needs to work on this Plan in the near future. Mr. Stidham noted that the Commission does have the option of recommending no changes to plans at their five-year review time. Mr. Ohrstrom said that this could be a good option if the plan is still viable. Ms. Daniel noted that developing the Village Plan would be very time consuming. Ms. Caldwell said that the Zoning and Subdivision Ordinance project should be the top priority because the Ordinances require a lot of work. Mr. Stidham said that if this is the highest priority, the Ordinances committee should begin meeting to develop a work plan as early as April. He added that he was hearing from the members that they want to keep the prioritization as recommended by Staff with the Ordinance update project as the top priority, to evaluate the Historic and Water Resources Plans to determine what needs to be updated, and to push out the start of the Mountain Land Plan and Village Plan projects. He said that he would provide an updated priority list at Friday's meeting.

Mr. Stidham reviewed the Public Hearing for the Revised 2016 Agricultural Land Plan and noted that draft motions are provided for the Commission's use. Mr. Ohrstrom asked if any comments have been received to date and Mr. Stidham said that the couple who attended the December 6 Commission meeting expressed support for the Plan's recommendations on controlling non-agricultural business activities. Mr. Stidham noted that he deleted use of the term "horticulture" in specific locations per the Commission's request to better correlate with how "horticulture" is addressed in the agricultural business uses text amendment that is under development.

Mr. Fincham gave an overview of the boundary line adjustment proposed by Auggie LTD Partnership. He noted that the applicant proposes an administrative land division immediately followed by a boundary line adjustment. Per recent text amendment, such boundary line adjustments are required to be acted on by the Commission. He said that Staff could have approved the administrative land division but the applicant's surveyor requested that the Commission view both transactions. Members had no questions about the proposed boundary line adjustment. Mr. Stidham noted that this item only requires a formal motion from the Commission as there is no public hearing required.

## **OLD BUSINESS ITEMS**

### **Continued Discussion, Agricultural Business Uses in the AOC District**

Mr. Stidham reviewed the changes to the draft text amendment requested by the Commission in December as well as new changes recommended by the County Attorney and Staff. Regarding farm machinery sales and service/farm supplies sales, he stated that the Building Official indicated that these types of businesses are required to have sprinkler systems installed for buildings 12,000 square feet or larger. He noted that this should be evaluated in determining maximum floor area requirements since these businesses would not be served by public water in the AOC District and would likely need to have a water storage tank for the sprinkler system. Mr. Stidham also talked

about the potential adverse impact of the prohibition of “waterworks” for uses in the AOC District. Ms. Bouffault said that these issues would be moot if the businesses are served by public water, noting that the Highway Commercial District might be the more appropriate place for the larger businesses. Mr. Stidham asked whether the 15,000 square foot threshold that is currently proposed for a special use permit should be lowered to 12,000 square feet. Members agreed and Mr. Ohrstrom noted that using a number that correlates to the building code requirement for sprinkler systems is a better metric to use.

Mr. Stidham reviewed the County Attorney’s recommended change to the definition of “agriculture,” noting that the current definition does not describe the components of agriculture and instead focuses on whether agricultural products are produced inside or outside of the County. He added that the recommended definition has been adapted from a version used by Fauquier County, which also includes a list of items that are not considered to be agriculture. Ms. Bouffault commented that the proposed definition appears to be straightforward. Ms. Caldwell asked what types of things the Fauquier definition excludes from agriculture. Mr. Stidham noted that the intensive greenhouse/nursery operation mentioned by Mr. Kruhm at the previous meeting was one of the things not included in Fauquier’s definition. Mr. Ohrstrom asked about activities that do not involve tilling of the soil such as hydroponics and Ms. Daniel noted that tilling of the soil and growing of crops are separate activities, the latter of which could include growing of crops without tilling of soil. Mr. Stidham also noted that the two uses currently listed under “agriculture” in the text amendment would be moved to the list of accessory uses in the AOC District.

Mr. Stidham asked if the members wanted to advance this item to Public Hearing or continue working on it. Ms. Daniel asked whether changes could be made after the Public Hearing and whether it is based on making the amendment more or less restrictive. Mr. Stidham replied that it is different with this kind of amendment because it is topical in nature. He recommended that if any substantive changes are proposed, the Public Hearing should be re-advertised. Mr. Ohrstrom suggested that everyone review the text amendment again carefully and bring any additional concerns to the meeting on Friday.

#### **Update, Telecommunications Infrastructure & Broadband Study**

Mr. Stidham reported that the Board of Supervisors took action to formally accept the Telecommunications Infrastructure & Broadband Study at their December 20 meeting. As part of the motion to accept the study, they also requested the Commission to use the study as the basis for future recommendations that are advanced to the Board and in reviewing future tower applications. He noted that the Subcommittee will be meeting at 4:00PM following the Briefing Meeting.

#### **OTHER BUSINESS**

Ms. Caldwell noted the possibility of snow that could impact Friday’s meeting and asked what the contingency plan will be. Mr. Stidham said that if the meeting has to be cancelled, the default date for a rescheduled meeting is the following Friday. Members indicated that they did not want to use Schools closing as a metric for cancelling the Commission meeting, and Ms. Daniel noted that the following Friday is a holiday and could not be used as an alternative meeting date. Mr. Ohrstrom suggested postponing the meeting to 1:00PM if possible and the members agreed that this would be a good option. Members asked about telephonic participation and Mr. Ohrstrom said that members

could participate via phone but not vote. Mr. Nelson asked how members would be notified of a meeting date or time change. Mr. Stidham said he would email the members by 8:00AM and would call any member that prefers a phone call.

The meeting was adjourned by consensus at 3:47PM.



George L. Ohrstrom, II (Chair)



Brandon Stidham, Planning Director