



Clarke County Planning Commission
MINUTES – Policy & Transportation Committee Meeting
Friday, January 6, 2023 – 9:30AM or immediately following Planning
Commission Business Meeting
Berryville/Clarke County Government Center – A/B Meeting Room

ATTENDANCE:			
Buster Dunning (White Post)	✓	Gwendolyn Malone (Berryville)	✓
Bob Glover (Millwood)	✓	George L. Ohrstrom, II (Ex Officio)	✓
Scott Kreider (Buckmarsh)	✓		

STAFF PRESENT: Brandon Stidham (Director of Planning), Jeremy Camp (Senior Planner/Zoning Administrator)

CALL TO ORDER: By Mr. Stidham at 10:14AM.

1. Approval of Agenda

Committee members approved the meeting agenda by consensus.

2. Approval of Minutes – October 26, 2022 Meeting

Mr. Stidham noted a correction to be made. On page 5 of 13, second paragraph, third line, Commissioner Dunning made this comment. The Commissioner’s last name was inadvertently omitted from the draft minutes. A motion to approve the October 26, 2022 meeting minutes as presented by Staff with the referenced correction was approved unanimously.

Motion to approve October 26, 2022 meeting minutes as presented by Staff:			
Dunning	AYE	Kreider	AYE (seconded)
Glover	AYE	Malone	AYE (moved)

3. Continued Discussion, Campground Regulations

Mr. Stidham reviewed the Staff memo outlining the initial draft text amendment for campground regulations. He noted that Staff developed the text amendment using guidance provided by the members at the October 26 meeting.

Mr. Stidham stated that the proposed text amendment would prohibit commercial campgrounds and any legally approved campgrounds in the County would become nonconforming. Chair Ohrstrom asked if this means they could continue to function and Mr. Stidham replied yes but with limited ability to expand. Chair Ohrstrom asked if a change of ownership of a nonconforming campground would trigger anything. Mr. Stidham replied no and noted that the nonconforming status would be lost if the campground use were to be discontinued for two or more years.

Mr. Stidham outlined two new policy questions regarding how the members wanted to regulate public/non-profit campgrounds and summer camps. Commissioner Glover noted that the Northern Virginia Lions Youth Camp is a summer camp that is also rented out to church groups,

scouts, and other groups throughout the year. He also noted that they operate a waterworks there and Mr. Stidham added that they have a waterworks permit from the Virginia Department of Health (VDH).

Mr. Stidham asked for the members' thoughts on the draft text amendment and the two new policy questions. Chair Ohrstrom asked if the Lions Youth Camp is the only summer camp in the county and Mr. Stidham replied yes. Mr. Stidham added that if Staff was asked to make a zoning determination on the use of the Lions Youth Camp and they are operating year round, they could be considered a commercial campground and not a summer camp. Commissioner Dunning asked if a day camp would be considered a campground. Mr. Stidham replied that he is not certain whether it would fall under summer camp or be a use that is not listed in the ordinance. He also said it could be considered a recreational park if there is no overnight camping. He added that there is a connotation that a campground has overnight stays. Commissioner Dunning noted that all of the issues associated with a campground can occur in a 10-hour period with a children's day camp. Chair Ohrstrom said there are some residents that hold day camps on their property for a fee such as art camps and in some cases the county provides transportation for kids to attend the camps. He added that it is more of a daytime educational activity than a camping activity. Mr. Stidham said you can have a property owner that allows scouts to spend a weekend camping on their land which would fall more under a public/non-profit campground. Commissioner Glover noted that the Boy Scouts have gotten stricter with camping requirements including running water and toilet facilities.

Mr. Stidham suggested revisiting the question from the previous meeting regarding prohibiting commercial campgrounds. He asked the members if they still felt as though commercial campgrounds will have compatibility issues regardless of where they are located in the county. All members replied yes. Mr. Stidham then noted that public/non-profit campgrounds would have the same impacts as commercial campgrounds but the camping activity is usually for a good cause. Chair Ohrstrom and Commissioner Dunning asked if there is a time or usage limit for public/non-profit campgrounds. Mr. Stidham replied that if the members wanted to allow this type of campground, they could create use regulations for it. Commissioner Dunning replied that he did not think that would be a good look to allow public/non-profit campgrounds and prohibit commercial campgrounds. Chair Ohrstrom asked how they differ from summer camps. Mr. Stidham replied that you might be able to treat public/non-profit campgrounds like leased lot camping in which you do not allow amenities to be constructed. He added that he did not think that the leased lot camping regulations would fit with a large non-profit camping activity such as a church or scout camp. Commissioner Kreider noted that most scout camping takes place at established campgrounds. Mr. Stidham said that if you allow this activity, you will likely need more stringent use regulations than what is proposed for leased lot camping to address impacts on surrounding properties. Chair Ohrstrom agreed and said he did not know whether they should be totally prohibited.

Mr. Stidham said that the benefit to removing the use from the ordinance is that it saves potential applicants time and money if they are going to face heavy opposition from neighbors in nearly all cases. Commissioner Kreider said that if you get rid of private campgrounds, are you also prohibiting someone from allowing their friends to stay in a camper on their property or limiting the activity to weekends only. Mr. Stidham replied that there will be a fine line between

someone allowing an outside group such as a scout troop to camp on their property on a weekend versus someone allowing 50-100 scouts to camp on their property multiple times a year. Chair Ohrstrom said that this would have a big effect and you might want to cap the number of people allowed to camp. Commissioner Glover said private camping is similar to current river lot camping, adding that leased lot camping does not say that it is not open to the public and maybe should say "for the property owner and guests." He said technically all of the river lot lessees are guests of the property owner.

Mr. Stidham reviewed the draft definition of "public, for-profit, or non-profit campground" starting at the bottom of page 10 of 13. He noted the Fraternal Order of Police property off Wright's Mill Road as an example of a recreational property owned by a non-profit entity which may have had member camping in the past. He said that under the draft definition, this type of activity would be prohibited. Commissioner Glover said that there is a hunt club near his home that might be another example. Mr. Stidham said that if the camping is operated by a non-profit or similar organization, it would not be allowed under the draft definition. He added that if a property owner allowed scouts to camp on their property regardless of size or frequency, it could be considered private camping as the scouts would be their guests and the property owner is not a non-profit entity. Chair Ohrstrom agreed but said that if the activity takes place 52 weekends out of the year with 50 kids, then that would be pretty substantial. Mr. Stidham noted that there is a fine line between that type of camping and someone that has friends over as guests to camp at the same frequency and numbers. Mr. Camp said that you could specify in the definition that the camping has to be accessory to the primary use of the property such as a single-family dwelling. Mr. Stidham replied it would be subjective to determine when such camping activity becomes more intensive than the primary use and that an impacted neighbor may have a stricter viewpoint than staff. He added that he did not think we should regulate private camping because we do not regulate private parties.

Mr. Stidham asked the members what they wanted to do with this topic and noted that they can definitely take more time with it. Chair Ohrstrom said that he does not know what the right answer is. Commissioner Dunning said he does not think private camping is not an issue right now. Mr. Camp said that he receives a frequent complaint about private camping on a river lot where parties are taking place, adding that loud parties at night often trigger complaints. Commissioner Kreider said that this is more of a noise complaint and law enforcement issue than a camping issue. Commissioner Glover said that this happens with some river lots, adding that tenants who generate too many complaints do not get their leases renewed the next year. Mr. Stidham said that noise is the number one issue followed by traffic. He noted that there have been complaints about RV traffic on Chilly Hollow Road since Watermelon Park Campground eliminated tent camping in favor of RV camping.

Chair Ohrstrom said that it sounds like members support the current draft ordinance but still need to decide what to do with church camps. Mr. Stidham noted that they need to decide what to do with summer camps. Chair Ohrstrom asked if they are the same thing and Mr. Stidham replied that a summer camp is a separate delineated use in the ordinance. Commissioner Glover said that summer camps can be changed to reference the proposed campground amendments. He added that there are existing summer camps that have numerous impacts but that our regulations should mitigate most of them if a new summer camp were developed here. Mr. Stidham noted

that the current summer camp use allows camping in buildings such as cabins and that the proposed text amendment only allows camping in tents and RVs. He added that cabin camping would fall under the short-term residential rental regulations. Commissioner Kreider said that he did not have a problem with the proposed text amendment language.

Mr. Stidham asked the members if they wanted to incorporate the new proposed language that would prohibit public and non-profit campgrounds in addition to commercial campgrounds. Chair Ohrstrom said he is still confused as to the difference between a public/non-profit campground and a summer camp. He also asked if summer camps would be prohibited if they prohibited public/non-profit campgrounds. Mr. Stidham replied no because summer camps are a separately delineated use but that language can be added to clarify that a prohibition on public/non-profit campground does not extend to summer camps. He asked members if there is a consensus to keep summer camps as an allowable use. Chair Ohrstrom asked if they have historically been a problem. Mr. Stidham said that there is only one in the county and it has not been a problem. Chair Ohrstrom noted the Fraternal Order of Police example and Mr. Stidham noted that this would not be a summer camp as summer camps are only for children. Chair Ohrstrom asked if we would be prohibiting camps like the Fraternal Order of Police and Mr. Stidham replied yes.

Mr. Stidham suggested drafting up some information to discuss at the next meeting in order to help members work through this issue. He added that he can develop a chart similar to the one developed for work on the short-term residential rental issue and members agreed that this would be helpful.

Mr. Stidham suggested the next meeting date for after the Commission's February Business Meeting. Chair Ohrstrom noted that the February Business Meeting will likely be rather long and suggested at 2PM before the Work Session. Members agreed with Tuesday, January 31 at 2PM as the next meeting date.

4. Transportation Update


Mr. Stidham reported that the consultant working with the Virginia Department of Transportation (VDOT) on the Route 7 Appalachian Trail pedestrian bridge project has completed their study and the draft has been distributed to stakeholders for comment. He noted that they are recommending the least obtrusive design and some short-term safety improvements. Commissioner Malone asked how much the proposed bridge would cost to construct and Mr. Stidham replied between \$3.1 million and \$5.4 million. Chair Ohrstrom asked if the pedestrian bridge would be for bicycles and members noted that bikes are not allowed on the Appalachian Trail.

Mr. Stidham also noted that the Committee will be working on the Transportation Plan update this year.

5. Other Business

~ None.

ADJOURN: Meeting was adjourned by consensus at 10:58AM.

A handwritten signature in black ink, appearing to read 'B. Stidham', written over a horizontal line.

Brandon Stidham, Clerk