



# Clarke County Planning Commission

MINUTES – Policy & Transportation Committee Meeting

Tuesday, January 31, 2023 – 2:00PM

Berryville/Clarke County Government Center – A/B Meeting Room

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

\* Chair Ohrstrom served as alternate for this meeting.

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

**CALL TO ORDER:** By Mr. Stidham at 2:04PM.

### 1. Approval of Agenda

Committee members approved the meeting agenda by consensus.

### 2. Approval of Minutes – January 6, 2023 Meeting

A motion to approve the January 6, 2023 meeting minutes as presented by Staff was approved 3-0-2.

Motion to approve January 6, 2023 meeting minutes as presented by Staff:			
Dunning	ABSENT	Malone	AYE (seconded)
Glover	AYE	Ohrstrom	AYE (moved)
Kreider	ABSENT		

### 3. Continued Discussion, Campground Regulations

Mr. Stidham reviewed the staff memo for this discussion item.

Regarding the summer camp use, Commissioner Glover asked whether the limitation on when during the year a summer camp may operate is a State requirement. Mr. Stidham replied yes and that it comes from the State’s definition of summer camp. Mr. Camp added that the early approvals for the Northern Virginia Lions Youth Camp note that they operate primarily between Memorial Day and Labor Day as their peak season but do operate year-round. Chair Ohrstrom asked about the 12 persons under the age of 18 limit for a summer camp and asked what the use would be if there were 11 or fewer persons. Mr. Stidham replied that it would not be considered a summer camp. Commissioner Glover asked whether this also comes from the State’s definition. Mr. Stidham replied yes and noted that in the past, the county has used definitions from State sources such as this example. Commissioner Glover asked about all of the listed purposes for a summer camp and Mr. Stidham said that the definition is attempting to describe most types of youth summer camps that can be operated. Commissioner Glover asked if we can

change the definition and Mr. Stidham replied yes. Regarding the Lions Youth Camp, Mr. Stidham noted that this facility has been in operation since the 1950s and is most likely nonconforming. He also noted that it appears staff's interpretation over the years is that the entire property is considered to be nonconforming for the youth camp and that they can add buildings at will. Commissioner Malone asked if they are required to get a permit and Mr. Stidham replied that they have to get zoning permits for each new building.

Mr. Stidham asked Committee members how they want to address the issue of summer camps as it related to the campground regulations issue. He also noted that no one has proposed a new summer camp in many years and if the use were removed from the Zoning Ordinance, the Lions Youth Camp would remain nonconforming. Commissioner Glover asked about the Fraternal Order of Police facility discussed at the last meeting and whether this is an overnight camp. Mr. Stidham replied that this facility is used for recreation and he is not aware of it ever being used as a campground or a summer camp. He also noted that classes advertised for children during the summer as "art camps" or similar day events are not considered to be summer camps because there are no overnight stays. Commissioner Malone asked for confirmation that in order for a facility to be a summer camp, it must have overnight stays. Mr. Stidham replied yes and that it must be for 12 or more youths. Commissioner Malone asked what a day camp would be. Mr. Stidham replied that it would likely be a recreational facility or community services facility which requires a special use permit. He also said that the use may also fit under the home occupation regulations depending on the scope. Mr. Camp asked what an adult day camp would be and Mr. Stidham said it would probably be the same thing.

Commissioner Glover asked if staff is looking for direction on whether to leave the summer camp use in the ordinance or to take it out, and Mr. Stidham replied yes. Chair Ohrstrom said if the use is taken out, then a local church would not be allowed to host a youth camp. Mr. Stidham said that it depends on what they are doing and he suggested putting a pin in the discussion of this topic and moving on to public/non-profit campgrounds where church camps are addressed. Chair Ohrstrom said he has more of a problem with campgrounds operated as a business and would have less concern with a church camp as some people find these activities quite valuable. Mr. Stidham said that he has some experience with church camps and noted one type in which the church owns the land and hosts overnight camping a few times per year for their membership as a low-impact activity. He described a second type in which one church owns land containing a summer camp facility and allows other churches to use it throughout the year.

Chair Ohrstrom asked what campgrounds for over 12 people do for bathrooms. Mr. Stidham replied that the Virginia Department of Health would regulate bathroom facilities depending upon whether the facility is a temporary or permanent campground under their regulations.

Mr. Camp asked if a church camp would be considered a private campground under the current text amendment draft. Mr. Stidham said that a private campground is for the use of the property owner and their friends and family. He added that they are not held out as the permanent location for an organization's camping activities. He noted that there may be an issue in which a property owner frequently allows outside groups such as scouts to camp on their property but does not identify the property as that organization's campground. Mr. Camp asked how we

would treat the organization's collection of fees to cover the cost of the camping event being hosted on private property. He added that he did not think that money exchanging hands would be the best metric to use. Mr. Stidham said that a private camping event in which people are bringing food or supplies or contributing money to buy food/supplies for the camping group would not be considered a commercial campground. He added that someone holding out their property as a place that you can camp for a fee would be a commercial campground.

Mr. Stidham reviewed the public/non-profit campground issue outlined in the staff memo. Chair Ohrstrom stated that a key point for the Committee to resolve is whether they want to allow public/non-profit camping on a temporary and limited basis, which he thinks that the Committee wants to do. Commissioner Glover agreed but noted that we should define what permanent camping is. Mr. Stidham noted new recommended text amendment language to prohibit non-profit camping offered in excess of 14 days in any 60-day period which is VDH's threshold for requiring a permanent campground permit versus a temporary campground permit. He added that under this language, non-profit camping up to 14 days in a 60-day period would be considered private camping. Chair Ohrstrom asked for confirmation that we would be prohibiting permanent camping and Mr. Stidham replied yes. Commissioner Glover said that this appears to be conflicting with river lot camping. Mr. Camp suggested that a camping activity could be moved between two lots to avoid exceeding 14 days in a 60-day period. Commissioner Glover added that river camping typically does not occur for more than four days in a row but is often frequent enough to exceed 14 days in a 60-day period. Regarding Mr. Camp's comment, Mr. Stidham said that a "campground" would be defined as a lot or lots under common ownership, so a camping activity moving between two lots under common ownership would be treated as one campground.

Chair Ohrstrom said that he could support the 14 days in a 60-day period metric but added that the issue is still very confusing. Commissioner Glover asked about the differences between VDH's temporary and permanent campground requirements. Mr. Stidham said that the temporary campground permit is really designed to address special event camping. Commissioner Glover said that in his experience with camping, 14 days is not unusual but he has not heard of camping 14 days in a 60-day period. Mr. Stidham said long-term camping becomes a problem when people are staying in one campsite for so long that they might be living there. He added that this problem can be compounded when permanent improvements are constructed around the camper such as decks or porches.

Mr. Stidham reviewed the spreadsheet at the end of the meeting packet to better depict the current and proposed regulations. He said it sounds like the Committee is in favor of eliminating the summer camp use and folding the public/non-profit campground use into the prohibition of commercial campgrounds with the added language to allow camping up to 14 days in a 60-day period. He asked the Committee if they were comfortable with treating cabin camping as a short-term residential rental and members said yes. Chair Ohrstrom added that if these changes are adopted, they can always be revisited if a future applicant proposes something that was not contemplated and makes sense. He also asked if it is illegal to build cabins on your property. Mr. Stidham replied that it depends on how the cabins would be used, noting that cabins for overnight stays would be regulated as dwellings and require use of a dwelling unit right or minor

dwelling approval. He added that you can build multiple accessory buildings on your property but they cannot be used as residences or for overnight stays unless permitted as a dwelling.

Mr. Stidham said that he will provide an updated text amendment draft and chart for the next meeting and will contact members later regarding the meeting date.

**4. Transportation Update**

Mr. Stidham noted that he would like to begin discussing the Transportation Plan Update at the next meeting.

Chair Ohrstrom asked about the Route 7 pedestrian bridge project and Mr. Stidham replied that he did not have any new information. Regarding the county's Smart Scale application for improvements to the Route 7 and Route 601 intersection, Mr. Stidham said that the project scored next to last and will not be advancing to the funding stage. Commissioner Glover asked if he thought the project would have scored better with VDOT's R-CUT design and Mr. Stidham replied yes because it would have scored points for innovative intersection design.

**5. Other Business**

~ None.

**ADJOURN:** Meeting was adjourned by consensus at 2:39PM.



Brandon Stidham, Clerk