



Clarke County Planning Commission

MINUTES – Policy & Transportation Committee Meeting

Wednesday, March 22, 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)	✓*E
Scott Kreider (Buckmarsh)	✓		

*E Chair Ohrstrom served as alternate for this meeting and participated electronically for medical reasons.

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

CALL TO ORDER: By Mr. Stidham at 2:00PM.

1. Approval of Agenda

Committee members approved the meeting agenda by consensus.

2. Approval of Minutes – February 15, 2023 Meeting

A motion to approve the February 15, 2023 meeting minutes as presented by Staff was approved 3-0-2.

Motion to approve February 15, 2023 meeting minutes as presented by Staff:			
Dunning	ABSENT	Malone	AYE (seconded)
Glover	AYE	Ohrstrom	AYE (moved)
Kreider	ABSTAINED		

3. Continued Discussion, Campground Regulations

Mr. Stidham reviewed the Staff memo describing the revised and simplified camping text amendment.

Regarding river lot camping, Chair Ohrstrom asked Commissioner Glover if the proposed text amendment would be an overreach on our part and would change how river lot camping has traditionally operated. Commissioner Glover replied not really. Commissioner Glover asked whether a 90-day period should be used instead of a 60-day period to cover an entire summer seasons, and also what defines a 60-day period. Chair Ohrstrom said that he does not want to write regulations that would interrupt a significant source of income for people who have been doing this for a number of years. Commissioner Glover said they will get the same amount because the lots are rented out for the year. Chair Ohrstrom said that Mr. Stidham said there has always been a time limit on campgrounds and he was not aware of this. Commissioner Glover said we are trying to create rules to keep camping from getting out of hand. He also said that 30

days in a 60 day period is fine but would prefer 90 days to cover the summer season. Mr. Stidham said that he could have used the Virginia Department of Health's (VDH) threshold for a temporary campground permit, which is 15 days in a 60 days period and 3 campsites, but thought it would be too restrictive. He added that VDH may interpret some river lot camping situations as requiring a permanent campground permit and that the draft regulations should make it clear that there should be no new permanent campgrounds established. He also said that these timeframes will prevent people from having their campers on the lot all summer long whether they are there or not, and from building permanent improvements such as decks and porches around the campers. Commissioner Glover said that there will still be some people camping past the time limits and the new rules will help address complaints about obnoxious situations. He added that the problem of constructing improvements is another issue of concern. Mr. Stidham noted that property owners could be allowed to construct ramps or docks if they follow the rules but would not be allowed to build decks around their RVs or a lean-to in the flood plain. Commissioner Kreider said that most people use river lots on the weekends and may stay for a full week, and he knew a few people that would stay all summer.

Commissioner Glover asked again about whether the camping duration should be a 90-day interval instead of 60 days. Mr. Stidham explained that if a complaint is received pertaining to camping duration, Staff would need evidence from the complainant on the days that camping took place and would also ask to see the terms of the camping lease. He added that this ordinance could be used by property owners to prove that the camping activity conforms to the rules. Mr. Camp noted that if a violation is found, the property owner would be issued a 30-day notice to come into compliance which could theoretically allow camping to continue for an additional 30 days. Commissioner Glover said that he thinks the rule may be perceived as too restrictive because it is based on 60 days rather than 90 days that would cover the summer season. Mr. Stidham replied that camping would still be allowed 15 days per month but if you want to provide more flexibility, you would change the number of days per month instead of the period in which the time is measured. He added that the 60-day limit is not a per calendar year metric, it is the interval of time used for measurement in any 60 day period. Commissioner Glover said that he thought it was a 60 days in a calendar year based on the way it is written. Mr. Stidham said we are not attempting to limit the total number of camping days in a year, we are limiting the number of camping days within a 60-day time period. Commissioner Glover said the wording should be "60-day consecutive period." Mr. Stidham suggested adding language to the Guidance Manual chapter to clarify that the rules would ultimately allow camping up to 180 days in a calendar year. He added that he thinks the ordinance language is clear and Commissioner Glover said he respectfully disagreed. Commissioner Kreider noted that at first reading he thought the language meant 60 days in a calendar year. Mr. Stidham suggested changing the wording in use regulation 1 to read "any 60-day period" rather than "a 60-day period." Commissioner Glover said that would resolve the issue.

Mr. Stidham explained the changes to address public/non-profit camping, noting how large events where fees are likely to be charged would be prohibited but not small groups invited by the property owner free of charge. Chair Ohrstrom said that he agrees with the changes and noted that we will probably need to test the new rules over time and can make future changes if they do not work.

Mr. Stidham explained the new rules that would prohibit RVs from using onsite utilities. Mr. Camp noted that this could be a problem where river lot owners have already installed electrical hookups for this purpose. Mr. Stidham asked if there are any setups like that along the river. Commissioner Glover replied that he did not know of any on the east side of the river.

Regarding temporary event camping, Chair Ohrstrom asked Mr. Camp if he would require an emergency egress plan to be included in the camping plan for a temporary event. Mr. Camp replied that he would if he thought it was an issue, particularly if the event was being held in the floodplain. He added that this would make sense to do on a larger event. Mr. Stidham added that emergency egress would be vetted in the event permit process – either for agritourism activity events or special events.

Mr. Camp noted that in use regulation 5 it does not specifically state that short-term lease of a lot for camping is prohibited and that it may be a good idea to include this. Mr. Stidham said that he could add language to the end of subsection A to say short-term lease of less than 30 days is prohibited. He also noted that the definition of “camping” specifically prohibits camping for a fee unless the provisions of use regulation 5 are met.

Mr. Stidham said that it occurred to him that camping regulations may be more appropriately located in Section 5.4, Temporary Uses in order to emphasize that camping is not a permanent use of land. Members said they thought this would be a good idea.

Mr. Stidham asked if members were comfortable with forwarding this to the full Commission for review in April. The Committee agreed and voted 3-0-1.

Motion to forward the text amendment to the full Commission in April:			
Dunning	ABSENT	Malone	AYE (seconded)
Glover	AYE	Ohrstrom	AYE
Kreider	AYE (moved)		

Mr. Stidham said he will place the matter on the Commission’s April work session agenda.

4. Transportation Plan Update

Mr. Stidham said he included a copy of the Town-County Bicycle and Pedestrian Plan for the Committee’s consideration as they begin work on the Transportation Plan update. He added that he plans to bring some initial text to the Committee to review in late April or early May.

5. Other Business

Mr. Stidham provided a brief update on the status of the Carter Hall special use permit and site development plan application. Chair Ohrstrom noted that Commissioner Staelin had submitted a series of questions about the application to Staff and asked whether the county attorney should review them as well. Mr. Stidham replied that he did not think the county attorney needs to review and comment on them at this point. He then briefly explained how it appears that there are four limited liability companies that are registered to operate on this property and said that

Staff plans to discuss the matter with the applicant in more detail. Commissioner Kreider asked if the applicant would be allowed to come back in the future to request commercial events and Mr. Camp replied that they could not be prohibited from filing an application. Commissioner Kreider asked if the ordinance could be amended to remove commercial events as an accessory use to a country inn. Mr. Stidham said yes and that would require an applicant to apply for a separate special use permit.

ADJOURN: Meeting was adjourned by consensus at 2:38PM.

A handwritten signature in black ink, appearing to read 'B. Stidham', with a long horizontal flourish extending to the right.

Brandon Stidham, Clerk