



Clarke County Planning Commission

AGENDA – Work Session/Annual Organizational Meeting

Tuesday, January 2, 2024 – 3:00PM

Berryville/Clarke County Government Center – Main Meeting Room

For more information on this public meeting, please contact the Clarke County Department of Planning at (540) 955-5132 or visit the Clarke County website at www.clarkecounty.gov.

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	Adjourn	



Clarke County Planning Department

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TO: Planning Commission members

FROM: Brandon Stidham, Planning Director

RE: 2024 Organizational Meeting

DATE: December 26, 2023

The Commission's Annual Organizational Meeting will be held at the Planning Commission Work Session scheduled for **Tuesday, January 2 at 3:00PM**. Items for the Organizational Meeting include:

- **Election of Chair and Vice-Chair for 2024 (ACTION ITEM)**
As with previous organizational meetings, Staff will begin the meeting with the election of Chair for 2023. Once the Chair is elected, Staff will turn the meeting over to the Chair-Elect who will conduct the election for Vice-Chair.
- **2024 Committee Assignments**
Please review the enclosed Committee Assignments list and determine whether you want to continue with your current committee(s) or switch to a different committee or committees. The By-Laws state that committee appointments are made by the Chair so formal action to adopt the Committee Assignments is not required. If you are interested in changing committee assignments, please let me know in advance of the Organizational Meeting.
- **Review and Adoption of 2024 Meeting Schedule (ACTION ITEM)**
Formal action is required in order to adopt the enclosed draft meeting schedule for 2024. Per the Commission's direction, the dates for the July and January 2025 meetings have been moved ahead one week to avoid holiday conflicts.
- **Review and Adoption of 2024 By-Laws (ACTION ITEM)**
Formal action is required in order to adopt the By-Laws for 2024. No changes are recommended by Staff however commissioners are welcome to recommend any additional changes to the By-Laws for discussion at the Organizational Meeting.
- **Review and Adoption of 2024 Project Priorities (ACTION ITEM)**
Enclosed you will find a revised list of project priorities for 2024 which will require formal action in order to adopt. As you will note, the major projects to be completed for 2024 include:

- Transportation Plan Update
- Rural Lands Plan Development
- Campground regulations (ongoing work)

Commissioners are welcome to suggest additional projects or modify any proposed projects on this list.

If you have questions in advance of the Organizational Meeting, please do not hesitate to contact me.

**CLARKE COUNTY PLANNING COMMISSION
2023 COMMITTEE ASSIGNMENTS (as of 11/13/2023)**

Permanent Committee Descriptions

- **Policy and Transportation.** Charged with focused study of general planning-related policy issues and matters affecting the County’s transportation network.
- **Plans Review.** Charged with review and comment on the following:
 - Site plan applications for Commission review (including those filed in conjunction with rezoning and special use permit applications)
 - Major subdivisions
 - Other administrative site plan, minor subdivision, or other land development applications on which Staff requests input from the Committee.
- **Comprehensive Plan.** Charged with initial management of the five-year review process for the Comprehensive Plan and implementing component plans.
- **Ordinances.** This Committee was created initially to serve as the steering committee for the project to review and update the Zoning and Subdivision Ordinances. Following completion of the project, the Ordinances Committee could also be charged with work on future proposed text amendments.

Permanent Committees

Policy & Transportation	Buster Dunning	Bob Glover	VACANT	Gwendolyn Malone
Plans Review	Ron King	Pearce Hunt	VACANT	Frank Lee
Comprehensive Plan	Terri Catlett	Randy Buckley	John Staelin	Bob Glover
Ordinances	Randy Buckley	Ron King	Frank Lee	Gwendolyn Malone

NOTE: The Commission Chair is ex-officio member of all committees, but will chair no committee.

Other Committee Assignments

Berryville Area Development Authority (BADA) -- Appointed by the Board of Supervisors (Planning Commission representative is not required)	George L. Ohrstrom, II
Board of Septic and Well Appeals -- Commissioner as voting member, two commissioners as alternates per County Code	George L. Ohrstrom, II Randy Buckley (Alternate to Commission member) John Staelin (Alternate to citizen member)

<p>Board of Zoning Appeals (BZA) -- Appointed by the Board of Supervisors (Planning Commission representative is not required)</p>	<p>John Staelin</p>
<p>Broadband Implementation Committee -- Two commissioners appointed by the Board of Supervisors</p>	<p>Buster Dunning VACANT</p>
<p>Conservation Easement Authority (CCEA) -- One commissioner appointed by the Board of Supervisors per County Code</p>	<p>George L. Ohrstrom, II</p>
<p>Historic Preservation Commission (HPC) -- Appointed by the Board of Supervisors upon recommendation by the Planning Commission per Zoning Ordinance</p>	<p>Bob Glover</p>

2024 PLANNING COMMISSION MEETING SCHEDULE

Work Sessions

Work Sessions are held monthly (except August) on the Tuesday before the Planning Commission’s Business Meeting at 3:00PM in the Berryville-Clarke County Government Center, 101 Chalmers Court, 2nd Floor (unless otherwise scheduled). The purpose of the Work Session is to review agenda items for the upcoming Business Meeting and to discuss projects and issues in a workshop setting. Formal actions may be taken at Work Sessions but are limited to the annual organizational meeting items and those items specifically deferred from a previous Business Meeting. Work Sessions are open to the public.

Business Meetings

Business Meetings are held monthly on the first Friday of every month (except August) at 9:00AM in the Berryville-Clarke County Government Center Main Meeting Room, 101 Chalmers Court, 2nd Floor (unless otherwise scheduled). The Commission conducts official business at these meetings including taking formal action on pending land use applications and text amendments, conducting required public hearings, and receiving reports from committee and board representatives. Business Meetings are open to the public.

Work Session Meeting Dates	Business Meeting Dates
Tuesday, January 30	Friday, February 2
Tuesday, February 27	Friday, March 1
Tuesday, April 2	Friday, April 5
Tuesday, April 30	Friday, May 3
Tuesday, June 4	Friday, June 7
Tuesday, July 9*	Friday, July 12*
No meeting in August	No meeting in August
Tuesday, September 3	Friday, September 6
Tuesday, October 1	Friday, October 4
Tuesday, October 29	Friday, November 1
Tuesday, December 3	Friday, December 6
Tuesday, January 7, 2025**	Friday, January 10, 2025**

* -- July meetings moved ahead one week to avoid July 4 holiday.

** -- January 2025 meetings moved ahead one week to avoid New Year’s Day holiday.

Standing Committee and Special Subcommittee Meetings

Meetings of Planning Commission committees and special subcommittees are scheduled on an as-needed basis, often immediately following Work Sessions and Business Meetings. Dates, times, and locations for committee and subcommittee meetings are posted to the meeting calendar on the County website (www.clarkecounty.gov).

Inclement Weather and Other Schedule Deviations

In the event that a meeting is impacted by inclement weather, efforts will be made either to postpone the meeting to a later time on the same day or to reschedule the meeting within one week of the original meeting date. If this cannot be accomplished, the agenda items will be forwarded to the next Work Session or Business meeting date. Deviations in the meeting schedule may be made to account for conflicts with holidays, government meetings, or other events of significance.

BY-LAWS OF THE CLARKE COUNTY PLANNING COMMISSION

Article 1 – Purposes, Duties, and Authority

The Clarke County Planning Commission is created and organized pursuant to Code of Virginia §15.2-2210, et seq., and shall have the purposes, duties, and authority set forth therein. Meetings shall be held in accordance with Code of Virginia §15.2-2214. Provisions regarding conflicts of interest are set forth in Code of Virginia §2.2-3100 et. seq.

Provisions regarding Commission membership, terms of office, required oath of office, quorum, and officers are located in Section 2.2.3 of the Clarke County Zoning Ordinance (Code of Clarke County Chapter 200, Article I).

Article 2 – Election of Officers

- A. Selection of Chair and Vice-Chair. As required by Section 2.2.3 of the Clarke County Zoning Ordinance, the Commission shall elect from its membership a Chair and a Vice-Chair to serve a one year term. Election of officers shall be held at the Commission’s annual organizational meeting.
- B. Election procedure. The Director of Planning or other Staff designee shall open the floor for nominations for Chair. Once all nominations are made, the floor shall be closed to nominations and opened for discussion of the nominees. Once discussion is complete and floor closed, the Director of Planning or Staff designee shall call for a vote on each candidate in the order of their nomination. The candidate receiving a majority vote of the members present shall be declared elected and shall assume office immediately. The Chair-Elect shall repeat the process above for election of the Vice-Chair.
- C. Vacancies. Any vacancies in office shall be filled at the next regular Commission meeting by the election procedure outlined in Section B above. Vacancies shall be filled for the unexpired term.

Article 3 – Duties of Officers

- A. Duties of the Chair. The Chair shall preside at all meetings, appoint standing and special committees, rule on all procedural questions subject to a reversal by 2/3 majority vote of the members present, coordinate the work of the Commission staff through close and continuing cooperation with the County Administrator, and carry out other duties as assigned by the Commission.
- B. Duties of the Vice-Chair. The Vice-Chair shall act in the absence or inability of the Chair, have the power to function in the same capacity as the Chair whenever so authorized by the Chair, and carry out other duties as assigned by the Chair.

Article 4 – Committees and Liaison Members

- A. The Chair shall appoint such standing and special committees as the Commission shall direct and may designate the member who shall chair each committee. The Chair is an ex-officio member of all committees and shall not vote on committee matters. In the absence of a committee member, the Chair may serve as an alternate member and is authorized to vote on committee matters at that meeting.
- B. Membership on committees shall be limited to members of the Commission provided, however, that nonvoting advisory persons may be appointed by the Commission Chair from outside the Commission membership. Each committee shall determine its own policies as to attendance at meetings by advisory persons.
- C. The Chair shall confirm or revise the membership and chairmanship of all standing committees annually at the Commission’s organizational meeting.
- D. The Chair may designate Commission members to serve as liaisons to other public organizations. The designated liaison member shall be responsible for maintaining continuing communication and cooperation between the Commission and the organization to which the member is designated.

Article 5 – Meetings

- A. All meetings and public hearings shall be open to the public and conducted in accordance with Code of Virginia §15.2-2200 et. seq. and the Virginia Freedom of Information Act (§2.2-3700 et. seq.). Meetings shall be subject to the additional requirements included in this Article.
- B. Scheduling and Purpose of Meetings. The Commission shall schedule, on a monthly basis, a work session and a business meeting as described below. No work session or business meeting shall be scheduled for the month of August, however special meetings and committee meetings may be scheduled. The Commission shall establish the meeting schedule for the upcoming year at the Commission’s annual organizational meeting according to the dates described below. Deviations in this schedule may be made to account for conflicts with holidays, government meetings, inclement weather, or other events of significance.
 - 1. Business meetings. The purpose of the business meeting is to conduct scheduled Public Hearings; to take formal action on zoning and subdivision applications, ordinance or plan amendments, or other planning matters; and to discuss other matters pertinent to the Commission’s responsibilities. Business meetings shall be scheduled for the first Friday of each month.
 - 2. Work sessions. Formerly known as briefing meetings, the purpose of the work session is to receive information on the agenda items for the upcoming business meeting and to discuss projects and issues pertinent to the Commission’s

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NO CHANGES PROPOSED

responsibilities in a workshop setting. Formal actions taken at work sessions shall be limited to the annual organizational meeting action items and those items specifically deferred from a business meeting to a work session. Work sessions shall be scheduled for the Tuesday prior to the Friday business meeting.

3. Committee meetings. Meetings of the Commission’s standing and special committees may be scheduled on an as-needed basis at the discretion of Planning Staff or at the request of the Chair or Vice-Chair.
4. Special meetings. Special meetings of the Commission may be scheduled on an as-needed basis at the request of the Chair or Vice-Chair. Formal actions taken at special meetings shall be limited to those items specifically deferred from a business meeting to a special meeting.
5. Annual organizational meeting. The annual organizational meeting shall be conducted as the first item of business at the first Commission meeting of the calendar year. The annual organizational meeting shall consist, at a minimum, of:
 - a. Election of Chair and Vice-Chair;
 - b. Member assignments to committees;
 - c. Review and adoption of the meeting schedule for the year;
 - d. Review and adoption of the By-Laws; and
 - e. Review and adoption of the Commission’s project priorities for the year.

C. Agendas. Planning Staff, under the direction of the Chair, shall be responsible for preparing the Commission’s meeting agendas.

1. The regular meeting agenda shall include, at a minimum, the following items:
 - a. Call to order and determination of quorum
 - b. Approval of the agenda
 - c. Approval of minutes
 - d. Public hearing items
 - e. Technical reviews (e.g., site plans, subdivisions)
 - f. Board and Committee reports from designated liaisons
 - g. Other business items
2. The contents of work session agendas shall be prepared at the Planning Staff’s discretion. The contents of special meeting agendas shall be prepared by Planning Staff at the Chair’s or Vice-Chair’s direction.
3. The order and content of the agenda may be changed by a majority vote of the members present at the meeting.

D. Parliamentary procedure in Commission meetings shall be governed by the most current edition of Robert’s Rules of Order as modified by any applicable provisions of these By-Laws.

Article 6 – Meeting Decorum

- A. The purpose of this article is to establish rules for public participation and conduct during Planning Commission meetings. The general conduct of the public must be civil in manner, directed to the business at hand, and must conform to the rules listed in this article.

- B. Public Hearings.
 - 1. Members of the public are encouraged to provide comments on matters before the Commission during the scheduled public hearings. At the Chair’s discretion, speakers may be required to fill out a sign-in sheet prior to commencement of the public hearing.
 - 2. Speakers shall state their name and address for the record prior to addressing the Commission.
 - 3. Speakers shall have a maximum of 3 minutes to address the Commission or 10 minutes if the speaker is identified as representing a recognized group or if they are speaking on behalf of a group of citizens present at the public hearing. The time limit may be extended or waived at the Chair’s discretion.
 - 4. Speakers shall be civil in tone and demeanor and shall not make personal, impertinent, slanderous, or profane remarks, or any threatening or intimidating gestures, to any member of the Board, the staff, or the general public.
 - 5. Speakers shall address the Commission and shall not address the audience, answer questions from the audience, or engage in debate with anyone in the audience.

- C. Conduct of Meeting Attendees
 - 1. Meeting attendees are to be respectful of the opinions of others and shall refrain from shouting, booing, hissing, stomping, clapping, holding side conversations, or any other disruptive behaviors which impede the orderly conduct of Commission meetings.
 - 2. Any meeting attendee that participates in unacceptable behavior shall be ruled out-of-order by the Chair and, if necessary, be asked to leave the premises.

Article 7 – Removal of Commission Member

- A. Whenever a commission member has been absent from three (3) consecutive regular meetings, or absent from four (4) or more regular meetings in any twelve (12) month period, the Board of Supervisors shall inquire of the Commission Chair if there has been any mitigating circumstance that indicates the member’s attendance will improve in the future. In the absences of such an indication, the Board, in its discretion, may request the

resignation of the member or may remove the member in accordance with Code of Virginia §15.2-2212.

- B. A commission member may be removed by the Board of Supervisors for malfeasance of office in accordance with Code of Virginia §15.2-2212.

Article 8 – Electronic Meeting Participation

- A. Pursuant to Code of Virginia §2.2-3708.3, the following procedures are established for members of the Clarke County Planning Commission (the “Commission”) to participate electronically in Commission meetings, and in meetings of the Commission’s standing and special committees, from remote locations for reasons specified as follows:

- 1. Such member is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the member’s physical attendance.
- 2. Such member has a family member with a medical condition that requires the member to provide care which prevents the member’s physical attendance.
- 3. Such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. Participation by a member pursuant to this subsection is limited each calendar year to two meetings, or 25% of the Commission’s meetings held that calendar year rounded up to the next whole number, whichever is greater. The 25% shall be determined based on the total number of meetings held as of the date that the member requests to participate electronically for personal reasons. Electronic meeting participation for personal reasons shall be calculated separately for the Commission’s committees.

- B. Procedures for authorizing electronic participation in a meeting.

- 1. Electronic participation in a meeting shall only be permitted if a quorum of the Commission, or a quorum of the standing or special committee, is physically assembled at the designated meeting location.
- 2. Commission meetings. Any member requesting to participate electronically in a Commission meeting shall notify the Chair of the Commission of the reason for electronic participation as specified in Subsection 1 above, on or before the day of the meeting. The Chair of the Commission shall determine whether the request for electronic participation complies with the provisions of Subsection 1 above and shall either approve or disapprove the request.
- 3. Standing or special committee meetings. Any member requesting to participate electronically in a standing or special committee meeting shall notify the committee chair of the reason for electronic participation as specified in

Subsection 1 above, on or before the day of the meeting. The committee chair shall determine whether the request for electronic participation complies with the provisions of Subsection 1 above and shall either approve or disapprove the request. In the event that the standing or special committee does not have a chair, the Chair of the Commission shall be notified of the request and shall determine whether to approve or disapprove the request.

4. If electronic participation is approved, the Clerk of the Commission shall record in the meeting minutes the remote location from which the member participated. The meeting minutes shall also indicate the reason for the member's electronic participation as described in Subsection 1 above.
5. If electronic participation is disapproved, the reason for such disapproval shall be recorded in the minutes with specificity.
6. For any electronic participation, arrangements shall be made to ensure that the voice of the member participating electronically may be heard by all persons in the designated meeting location.

Article 9 – Operating Policies

A. Conditional Approval Policy

The Planning Commission may, at its sole discretion, grant or recommend conditional approval of an application due to unresolved administrative issues provided that the following items are met:

1. The issue has been informally resolved and only requires final written submission by the applicant and confirmation by Planning Staff and/or the applicable review agency.
2. The issue is reasonably expected to be resolved fully within the next 21 days or finalizing of the Planning Commission's next meeting agenda, whichever is sooner.
3. The issue is not one that, in the Commission's opinion, warrants continuance of a public hearing (if applicable).

An administrative issue is one that requires verification of compliance with a technical requirement or requirements and involves no subjective interpretation by Planning Staff or the review agency.

B. Conflicts of Interest Process

The following process is established for commissioners who may have a conflict of interest per the Code of Virginia on a matter coming before the Commission or any of its committees.

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NO CHANGES PROPOSED

1. A commissioner shall notify the Director of Planning as soon as a conflict of interest in a matter coming before the Commission is suspected. The Director will advise the commissioner whether there is an actual conflict of interest and may consult the County Attorney if necessary.
2. If there is a conflict of interest, a statement of disqualification will be prepared for the commissioner to read at the Commission's first public meeting at which the matter will be considered. The commissioner shall also notify the Chair of the conflict prior to the meeting at which the statement of disqualification is read.
3. Once the commissioner has read the statement of disqualification, they are prohibited from participating in all deliberations of the case. The commissioner may remain seated with the Commission or may choose to sit in the audience at their discretion during deliberations.

2024 PROJECT PRIORITIES – PLANNING COMMISSION

The list is intended to aid the Commission and Staff to ensure that work on critical projects is prioritized and completed in a timely fashion. Project start dates and priorities may be affected by the Commission’s zoning case load (e.g., special use permit applications, rezoning, site plans, subdivisions), text amendments, or other special projects requested by the Board of Supervisors.

Comprehensive Plan/Component Plans

Review of the Comprehensive Plan and implementing component plans typically are assigned to the Comprehensive Plan Committee for initial development before presentation to the full Planning Commission.

Updates:

1. Five-Year Review and Update of Transportation Plan

STATUS – UNDERWAY. Work completed or in progress:

- Final draft completed, VDOT statutory review completed and approved December 2023.

GOALS FOR 2024:

- Review final draft, make any necessary changes.
- Conduct public hearing and recommend adoption to the Board of Supervisors.

2. Development of New Rural Lands Plan – Agricultural Land Plan, Mountain Land Plan, Village Plan

STATUS – UNDERWAY. Work completed or in progress:

- Five-year review resolution for Agricultural Land Plan was adopted by the Commission on February 21, 2022.
- Assigned to Comprehensive Plan Committee – initial work began in May 2023.

GOALS FOR 2024:

- Committee work tasks:
 - Finalize issue identification lists for the villages (Millwood and White Post), valley/AOC areas, and mountain/FOC areas.
 - Develop format for outreach workshops in Millwood and White Post, schedule for spring 2024. Refine issues lists based on feedback.
 - Finalize plan layout and goals/objectives/strategies.
- Staff to develop initial draft for Committee review in summer 2024 with goal of presenting final Committee draft to full Commission in fall 2024.
- Commission to finalize draft and conduct public hearing by end of 2024.

Five-Year Review Resolutions Due – None for 2024

Zoning and Subdivision Ordinance – Potential Text Amendments

Issues that may be developed into Zoning and Subdivision Ordinance text amendments are assigned either to the Policy & Transportation Committee (for substantive policy issues) or to the Ordinances Committee (for technical issues). These Committees are charged with discussing the issues and developing them into draft text amendments for the full Commission’s review.

1. TA-23-01, Campground Regulations

STATUS – UNDERWAY. Work completed or in progress:

- Commission developed text amendment, conducted public hearing, and recommended adoption to the Board of Supervisors on September 1, 2023.
- Board requested Commission to evaluate allowing small-scale primitive campgrounds subject to specific use regulations.

GOALS FOR 2024:

- Complete work requested by the Board and provide recommendations.
- If text amended is remanded to the Commission to include changes, conduct new public hearing and provide recommendation to the Board on the revised draft.

2. Remove assembly activities accessory use from the “country inn” use (Zoning Ordinance)

STATUS – NOT STARTED. To be reviewed by Planning Commission in late winter/early spring 2024. Recommend assignment to the Ordinances Committee.

3. Application reviews impacted by text amendments (Zoning and Subdivision Ordinances)

STATUS – NOT STARTED. To be reviewed by Planning Commission in late winter/early spring 2024. Recommend assignment to the Ordinances Committee.

4. Require replacement of cesspools and similar nonconforming septic systems in conjunction with subdivisions (Subdivision Ordinance)

STATUS – NOT STARTED. To be reviewed by Planning Commission in late winter/early spring 2024. Recommend assignment to the Ordinances Committee.

5. Require deed of easement and road maintenance agreement for shared access easements (Subdivision Ordinance)

STATUS – NOT STARTED. To be reviewed by Planning Commission in late winter/early spring 2024. Recommend assignment to the Ordinances Committee.

Other Projects

- **Five-Year Review and Update of the Berryville Area Plan.** Work to be conducted by the Berryville Area Development Authority (BADA) supported by County and Town Planning Staffs. BADA initiated review of the Area Plan on May 26, 2021 and began work in summer 2023. Current Area Plan was adopted in May 2016.



Clarke County Planning Department

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TO: Planning Commission members

FROM: Brandon Stidham, Planning Director

RE: TA-23-01, Campground Regulations – Request from Board of Supervisors

DATE: December 19, 2023

Item #4 on the work session agenda is discussion of a request from the Board of Supervisors for additional work on the campground regulations text amendment (TA-23-01). Specifically, the Commission is requested to develop regulations to allow permanent campgrounds on a limited scale by special use permit and subject to stringent use regulations.

The Board conducted a public hearing on October 17 and continued their deliberations at the November 6 and December 11 work sessions (copies of the meeting minutes and work session summaries are enclosed). Copies of campground ordinances from Frederick, Warren, Page, Loudoun, and Fauquier Counties were provided for the Board's review (also enclosed for your review). The Board agreed by consensus at the December 11 work session to ask the Commission to develop permanent campground regulations that would be incorporated into the proposed text amendment. Suggested parameters for these new regulations include:

- Allowed by special use permit (AOC and FOC Districts).
- Tent camping only – recreational vehicles (RVs) would not be allowed.
- Establish a maximum number of campsites (20 was mentioned).
- Require forested buffer areas of a certain width.
- A minimum lot size should be proposed that is more stringent than the referenced counties:
 - Frederick – 5 acres
 - Warren and Page – 10 acres
 - Loudoun – 40 acres (up to 50 campsites), 80 acres (51-100 campsites), 160 acres (101-150 campsites), special exception required for over 150 campsites
 - Fauquier – 20 acres
- Requirement that the property owner or resident manager live onsite and be present while campers are on the property if the campground is of a certain size. It was also suggested that campsites be located in close proximity to the owner's residence as opposed to near the property boundaries.
- Require compliance with all Virginia Department of Health (VDH) regulations for campgrounds.

Other issues such as the scope of campground amenities and allowing recreational access to natural resources such as the Shenandoah River were discussed but no consensus was reached.

From a process standpoint, the Board requests the Commission to provide a recommendation for their review at a future work session before any public hearing is held. Staff recommends that the Commission discuss whether to work on this request as a committee of the whole or to assign the task to the Policy & Transportation or Ordinances Committees. The Board did not set a time limit for the Commission to provide a recommendation. A copy of the October 17 staff report for the text amendment is enclosed for your reference.

If you have any questions in advance of the work session, please do not hesitate to contact me.

Chairman Weiss

- Offered compliments on the teamwork and efforts of all involved. The Board does not take this lightly and it is a big action for Clarke. The Double Tollgate plan was developed intentionally and with established boundaries that this Board has no intention of changing. The Board feels it has systematically created the right atmosphere and appropriate legal boundaries for this change, which is a keystone for economic development in that area.

Supervisor McKay moved to approve conditional zoning application CZ23-01 (Rappahannock Electric Cooperative/Virginia Port Authority) to re-zone the property identified as Tax Map #27-A-10C from Agricultural-Open Space-Conservation (AOC) to Highway Commercial (CH) and Highway Access Corridor Overlay District (HAC) subject to the applicant’s proffered conditions dated October 4, 2023. The motion carried by the following vote:

Matthew E. Bass	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye

22) Public Hearing: Campground Regulations Text Amendment (PH2023-12: TA23-01)

Brandon Stidham, Director of Planning, presented the following:

TA-23-01, Campground Regulations

- Proposed text amendment to add a new temporary use, “camping,” to Zoning Ordinance Section 5.4 (Uses, Definitions, and Use Regulations – Temporary Uses) and to delete the current uses “campground” and “summer camp” from Section 5.2D (Recreation/Education/Assembly Uses).
- **Purpose:**
 - Prohibit new permanent campgrounds including those operated as a business, as a non-profit, or as a summer camp.
 - Establish new regulations for the duration of camping activities, the long-term lease of a lot for camping, and temporary event camping.
 - Prohibit temporary or permanent onsite connections for recreation vehicles.

Proposed Text Amendment

- "Camping" would be re-defined as a temporary activity listed as a new temporary use in Section 5.4.
- Current zoning uses "campground" and "summer camp" would be removed from the Zoning Ordinance.
- Development of new permanent campgrounds both as businesses and as year-round facilities for groups and organizations would be prohibited.
- Any existing campgrounds and summer camps previously approved by the County would become non-conforming and would have limited capability to expand.

Proposed Text Amendment (cont.)

- The new temporary use, "camping," would limit all camping activities to:
 - A total of 30 days in any 60-day period
 - A maximum of 14 consecutive days
- Allows 180 days of camping in a calendar year and establishes a reasonable limit on the duration of a continuous camping activity.
- Applies to all camping activities being conducted on a lot of record (e.g., time limit would apply to three separate groups camping separately on a lot as a whole, not separate time limits for each group).
- Property owners can have friends and family camp including groups (e.g., church groups, scouts); new regulations would prevent group camping activities from becoming permanent.
- Would help to better distinguish between a legitimate camping activity and persons residing on a lot in a camping structure or RV.

Proposed Text Amendment (cont.)

- New regulations to emphasize temporary nature of camping:
 - Limited to recreational vehicles and temporary structures such as tents or yurts or similar forms of temporary shelter not permitted for permanent residential use.
 - Use of cabins or residential structures for a fee would be regulated as a short-term residential rental.
 - Temporary or permanent onsite connections for recreational vehicles to water, sewage disposal, electric power, or other utilities are prohibited.
 - Does not apply to generators, propane tanks, satellite dishes, and other portable utilities brought to a site on board an RV.

Proposed Text Amendment (cont.)

- Camping activities cannot be publicized as being open to the public or as being the permanent campground for a non-profit or similar organization.
- Temporary campground approval from the Virginia Department of Health (VDH) shall be obtained if required and maintained in good standing.

Proposed Text Amendment (cont.)

- **Long-term lease of a lot (e.g., “river lot camping”):**
 - Must have a written agreement between the property owner and each lessee for a minimum term of 30 days.
 - Limited to two campsites per lot of record.
 - “Campsite” – Area designated in a lease for camping by a specified lessee.
 - Each campsite is limited to no more than one RV including travel trailers, fifth-wheel campers, motor homes, pickup campers, and similar vehicles.
 - Time limitations apply – one lessee with a 4-month lease could:
 - Camp for consecutive three-day weekends throughout the lease period
 - Camp for 14 days in a row and still have 16 camping days to use over the remaining 46 days in the 60-day period
 - Use the campsite during the day without staying overnight without having the day count towards the total number of camping days used
 - Two lessees camping at separate times would count against the total time limitation for the lot of record

Proposed Text Amendment (cont.)

- **Temporary event camping in conjunction with a special event permit or agritourism activity zoning permit:**
 - Requires a zoning permit unless approved in conjunction with an agritourism activity zoning permit
 - Temporary campground approval from VDH is required and must be maintained in good standing throughout the event.
 - Duration is limited to the duration of the event.
 - Camping plan is required with the zoning permit application including:
 - Areas reserved for campsites
 - All facilities required by VDH temporary campground permit
 - Any other pertinent information required by the zoning administrator

Citizen Comments

- **Planning Commission held public hearing on June 2**
- **Speaker Lowell Smith – text amendment should take into account the possible future need for camping facilities along the Appalachian Trail (AT)**
- **Proposed that new camping facilities be allowed, either by-right or by special use permit, on lots that meet the following requirements:**
 - Adjacent to AT corridor land owned by the National Park Service
 - Are owned or operated by an IRS-qualified charitable organization with the principle mission being the maintenance and protection of the AT
 - Organization must have an established record of serving the public interest in providing access to and maintenance of the AT including its campground operations

Citizen Comments (cont.)

- Commission deferred discussion of the text amendment to the July 5 Work Session and continued the public hearing to the September 1 Business Meeting
- Commission requested no changes to the text amendment following discussion on July 5

Planning Commission Recommendation

- Continued public hearing was held on September 1
- Commission voted unanimously to recommend adoption of the proposed text amendment

Staff Recommendation

- Staff has no outstanding concerns with the adoption of this text amendment.

Supervisor Bass

- Asked, and Brandon Stidham affirmed, if Watermelon Park would be grandfathered as an existing business.

Chairman Weiss opened the public hearing at 8:23pm.

Diane Harrison of Berryville

This is very complicated. Too complicated, actually. How is enforcement of it going to happen? Eliminating campgrounds from our potential economic development or tourism at this point is crazy, to be honest. If you want a campground, we can put in requirements so you don't have big RVs going down roads. You can look at the state and the national parks regulations for theirs and adopt those into the county. I camp, I do mostly state and national parks. We have some creative capabilities for some of our properties that are just getting auctioned off over the last few months. We could have a camp, we could have ag-camps, where people actually want to come and be participating in those types of things. We have to be creative in what we're doing and this shuts it down. So, I ask that this not happen.

Amy Keeler of Frederick County

We have an adjoining property owner who is a Clarke County resident and who is currently operating a hipcamp business. Our property lines are now being impacted. According to what we've been told he is only allowed two campsites but right now he is operating six campsites. Five are in use pretty regularly. The reason we are

here tonight is that we are experiencing a lot of adverse impacts because of this hipcamp operation. We have had one of the camper’s dogs come across the creek and try to bite, which we have on video. If this amendment were to pass, our adjacent property owner would not be able to expand his operation and would not be legally allowed to operate five campsites, as he is doing. He would be limited to just two.

John Levi of Berryville

I have a question on the prohibition for utility hookups. I understand why you would want that. If existing lot owners that have one or two campsites have electrical power already there, are they going to be forced to pull it out or just secure it so it’s not usable by campers?

- Brandon Stidham clarified that installing utility hookups would not be permitted.

Supervisor Bass

- Opined that it feels counter-intuitive for county with the Shenandoah River and Appalachian Trail running through it to restrict camping and suggested the matter warrants further discussion.

Vice Chair Catlett

- Shared, and Supervisor McKay agreed, that the county needs to find a balance because it is important to minimize the impacts to neighbors.

Supervisor Lawrence

- Asked if someone could establish a campground through a special use permit process.
 - Mr. Stidham advised that the proposed text amendment would eliminate that option.

Chairman Weiss closed the public hearing at 8:39 pm.

Supervisor Bass moved to defer action on the proposed text amendment to the December 19 regular meeting and to discuss the matter at the November 6 work session. The motion carried by the following vote:

Matthew E. Bass	-	Aye
Terri T. Catlett	-	Aye
Doug M. Lawrence	-	Aye
Beverly B. McKay	-	Aye
David S. Weiss	-	Aye



Board of Supervisors Work Session Items
Berryville/Clarke County Government Center, 2nd Floor
101 Chalmers Court, Berryville, Virginia 22611

November 6, 2023, 10:00 AM, Meeting Room AB

Board Members Present: David S. Weiss, Matthew E. Bass, Terri T. Catlett,
Beverly B. McKay, Doug M. Lawrence

Board Members Absent: None

Officer / Staff Present: Chris Boies, Catherine Marsten, Cathy Kuehner, Brandon
Stidham

Others Present: None

Press Present: Mickey Powell, The Winchester Star

2023-11-06 Summary: At 10:02 am, Chairman Weiss called the meeting to order.

- A. Budget Priorities: The Board reviewed budget priorities from last year and decided that the two most important priorities are employee recruitment/retention and equalizing the real estate tax rate after the reassessment is completed.
- B. Capital Improvements Plan: Staff went through the entire Capital Improvements Plan included in the packet. There was discussion about removing the pedestrian bridge because the Transportation Plan of the Comprehensive Plan has not yet been adopted and there was also discussion about moving the project out one more year. By consensus, the Board agreed to forward the Plan for consideration at the regular meeting in November.
- C. Campground Regulations Text Amendment (PH2023-12: TA23-01): The Board continued discussion from the October 17 regular meeting on the proposed text amendment. Some members of the Board felt there were no viable places for commercial campgrounds in the county, while others advocated to keep commercial campgrounds in the ordinance as a special use permit, possibly with additional regulations and criteria. After a lengthy discussion, it was decided that each Board member would reach out to their respective Planning Commissioners about this topic. By consensus, the Board decided to continue discussion of the text amendment at the December work session. The Board requested that staff provide examples of related ordinances from other localities.

At 11:27 am, Chairman Weiss adjourned the meeting.



Board of Supervisors Work Session Items
Berryville/Clarke County Government Center, 2nd Floor
101 Chalmers Court, Berryville, Virginia 22611

December 11, 2023, 10:00 AM, Meeting Room AB

Board Members Present: David S. Weiss, Matthew E. Bass, Terri T. Catlett,
Beverly B. McKay, Doug M. Lawrence

Board Members Absent: None

Officer / Staff Present: Chris Boies, Cathy Kuehner, Brandon Stidham

Others Present: None

Press Present: Mickey Powell, The Winchester Star

2023-12-11 Summary: At 10:04 am, Chairman Weiss called the meeting to order.

- A. **Continued Discussion: Campground Regulations Text Amendment (PH2023-12: TA23-01)**: Planning Director Brandon Stidham reviewed campground ordinances in place in other surrounding localities. Each Board member expressed his or her thoughts on campgrounds. There was consensus to ask the Planning Commission to develop significant use regulations for campgrounds instead of removing campgrounds completely from the ordinance. The Board generally agreed that new campgrounds proposed should require a Special Use Permit, should not allow RV's, should not contain more than a certain number of campsites (a limit of 20 was mentioned), that there should be some requirement for the property owner to live on-site if the campground exceeded a certain size, and that regulations from other localities (and in some cases more stringent regulations) be incorporated into our ordinance. The Planning Commission's work would be reviewed by the Board in a work session before the Planning Commission schedules a public hearing on any proposed text amendments. There was also discussion on how to handle existing campsites on the river that may not meet current or proposed regulations, but there was no consensus on how to handle these circumstances.

At 10:51 am, Chairman Weiss adjourned the meeting.



Clarke County Planning Department

101 Chalmers Court, Suite B

Berryville, Virginia 22611

(540) 955-5132

www.clarkecounty.gov

TO: Board of Supervisors

FROM: Brandon Stidham, Planning Director

RE: Campground Regulations from Other Counties

DATE: November 21, 2023

As a follow-up to the Board's November 6 discussion of the campground regulations text amendment (TA-23-01), attached are examples of regulations from other counties that allow commercial/permanent campground uses. Items of note for each set of regulations are summarized below. All of the counties referenced require either special use permit, conditional use permit, or special exception approval and in most cases site development plan approval.

Frederick County

- Minimum lot size – 5 acres
- Maximum density – 10 campsites or cabins per acre
- Setback – Perimeter setback of 100 feet from campground boundary for all structures and campsites.
- Maximum of one residence is allowed in a campground to be occupied by the campground owner, manager, or an employee.
- Buffers and screening required based on adjacent zoning district.
- Must meet all Virginia Department of Health (VDH) requirements.

Warren County

- Minimum lot size – 10 contiguous acres (implies that a campground can cover multiple lots of record)
- Maximum density:
 - 100 unit spaces with minimum size of 1800 square feet
 - Maximum 15 spaces per gross park area
 - Maximum 20 RV unit sites per acre
 - Minimum of 10 unit spaces
- Minimum separation of 20 feet between each unit site.
- Condition of soil, groundwater level, drainage, or topography of site shall not create hazards to the property nor to the health or safety of the occupants.
- RV unit sites to be well-drained and shall not be exposed to objectionable smoke, noise, odors, subsidence, erosion, or other adverse conditions.
- Use of motor/trail bikes, motorcycles, ATVs, and similar vehicles are prohibited unless approved in conjunction with the conditional use permit.

- Dust control -- Internal roads shall be constructed with a dust-free surface as approved by the BOS. Exposed ground surfaces shall be paved or covered with crushed stone/gravel or protected with vegetative growth to prevent erosion and dust.
- Minimum 75% of unit spaces shall be sufficiently wooded to provide adequate shade and camouflage from public view.
- Sites for commercial convenience centers (e.g., camp stores) shall be no larger than 10% of the campground area or one acre, whichever is less.
- Trash receptacles shall be provided within 150 feet of all RV sites and shall be emptied twice per week with trash to be removed from the campground and disposed of in accordance with state and county laws.
- Sanitary stations (dump stations for RV holding tanks) shall be provided in accordance with the Warren County building code and state law. Minimum of one station per 100 unit spaces. Sanitary stations shall be screened from view by solid fences or walls and shall be at least 50 feet from any unit space.
- Portable toilets are prohibited.
- Service buildings (bath houses with bathroom facilities) shall be provided in accordance with the county building code and state law.

Page County

- Minimum lot size – 10 contiguous acres
- Maximum density:
 - 20 campsites per acre
 - Minimum 1600 square feet and 25 foot width for each campsite
- Minimum 20% of tract area shall be open space and/or recreation area of which no more than 50% shall be a body of water. Does not include campsites, service buildings, roads, or greenbelt.
- Setback – Minimum of 50 feet from property lines and a greenbelt shall be included within the setback area.
- Dust control -- Exposed ground surfaces shall be paved or covered with crushed stone/gravel or protected with vegetative growth to prevent erosion and dust.
- Lighting is required to be downcast.
- Outdoor fires shall be enclosed by a fire ring. All fire rings shall be enclosed by a durable, nonflammable material at least 8 inches in height. Firewood must originate in Page County and remain in Page County (potentially impossible to enforce).
- If perimeter fencing is not provided, the campground perimeter shall be blazed every 25 feet and a sign posted every 50 feet which states “NO CAMPERS BEYOND THIS POINT” in a minimum size of two-inch letters.
- Special use permit review shall be determined on a case-by-case basis for the following:
 - Quiet hours (includes use of generators)
 - Fireworks
 - Use of off-road vehicles
 - Additional buffer requirements adjacent to existing dwellings and areas of potential growth
 - Impact of traffic on nearby residences and mitigation thereof
- Health and sanitation requirements in accordance with VDH campground regulations.

- At least one service building (“A structure or portion thereof that is used to house sanitary facilities, such as water closets or lavatories. It may include other facilities for the convenience of the campground guests”) shall be provided and shall be constructed of cleanable, nonabsorbent materials and be maintained in good repair and in a clean and sanitary condition and meeting VDH and building code requirements.
- Campgrounds shall have direct access to a VDOT public street with appropriate frontage to accommodate entrances and exits. No entrance/exit shall be permitted through a residential zone. Campgrounds accessed via private roads shall have a 50 foot right of way and road condition, maintenance responsibilities, and servient tenant rights shall be considered in the special use permit review.
- Entrances and exits to meet VDOT requirements.
- Interior roads and accesses to individual sites shall consist at a minimum of an all-weather gravel surface. Interior roads shall be a minimum width of 10 feet for one-way traffic and 20 feet for two-way traffic. No campsite shall have direct access to a public street.
- If an onsite operator is not provided, a point of contact for the campground shall be designated and emergency contact information provided and posted conspicuously at the campground.

Loudoun County

- Minimum lot size:
 - Up to 50 campsites – 40 acres (Level I small scale)
 - 51-100 campsites – 80 acres (Level II medium scale)
 - 101-150 campsites – 160 acres (Level III large scale)
 - 151 or more campsites – Special exception required
- Camping sites shall be a minimum of 1,250 square feet with a minimum width of 25 feet.
- Maximum structure size (excluding tent platforms):
 - Up to 50 campsites – 8,000 square feet
 - 51-100 campsites – 16,000 square feet
 - 101-150 campsites – 32,000 square feet
 - 151 or more campsites – Special exception required
- Setbacks:
 - Up to 50 campsites – 150 feet
 - 51-100 campsites – 200 feet
 - 101-150 campsites – 250 feet
 - Note – no setback listed for campgrounds with over 150 campsites
- Campgrounds shall not be used as permanent residences except for the owner or manager and permanent maintenance personnel.
- Minimum recreational area of 100 square feet per campsite shall be provided.
- One public telephone per 50 campsites shall be provided.
- Streets and walks shall be lighted every 400 feet.
- Service buildings with restroom and other facilities shall be provided in accordance with Loudoun County Health Department requirements.
- Dust control – All areas shall have sufficient ground cover to prevent erosion and blowing dust.

- Buffers and parking areas required according to county regulations. Lighting and noise to be consistent with county regulations.
- Access points to public road:
 - Up to 50 campsites – Maximum of one access point
 - All other sizes – Maximum of two access points exclusive of emergency-only access points.

Fauquier County – Has separate uses for “tent campground” and “recreational vehicle park”

Tent Campground

- Minimum lot size – 20 acres
- Maximum density – 1 campsite per acre
- Travel trailers and RVs are prohibited
- Only residential structure allowed shall be for the resident owner or manager.
- Direct access with a minimum width of 20 feet to a VDOT public road is required.
- 100 foot setback from property lines for structures and campsites.
- Parking and loading areas to be effectively screened.

Recreational Vehicle Park

- Minimum lot size – 20 acres
- Maximum density – 10 campsites per acre, minimum area of 1,600 square feet per campsite
- 100 foot setback from property lines for structures and campsites.
- Camping cabins are allowed but shall not exceed 10% of the total permitted campsites and each cabin shall not exceed 600 square feet.
- Electrical outlets shall be provided at each campsite.
- Central sanitary stations for disposal of effluent shall be provided along with central toilet and shower facilities for the sole use of park patrons.
- Direct access to and with a minimum 300 feet of frontage on a VDOT public road designated as a principal arterial or higher shall be required unless the BOS finds that the type and amount of traffic generated by the facility will not cause an undue impact on the neighbors or adversely affect traffic safety.
- Accessory commercial uses are permitted solely for park patrons including laundry, convenience store, and entertainment.
- Only residential structure allowed shall be for the resident owner or manager
- No patron shall reside in the park for more than 60 days.
- Public water or a central water system designed to public standards is required.
- Screening according to specified standards is required if park abuts residential uses or properties planned for residential use in the Comprehensive Plan.
- Mobile homes and inoperable/junk vehicles are prohibited.
- Park shall be located within a service district or adjacent to a service district on property under the same use as the property within the service district. No portion of the park located outside of the service district shall be connected to public sewer.

If you have any questions, please do not hesitate to contact me.

*Frederick County, VA
Monday, November 20, 2023*

Chapter 165. Zoning

ARTICLE II. Supplementary Use Regulations; Parking; Buffers; and Regulations for Specific Uses

Part 204. Additional Regulations for Specific Uses

§ 165-204.03. Campgrounds and tourist camps.

Where allowed, all campgrounds shall meet the following requirements:

- A. Minimum size. The minimum lot size for a campground shall be five acres.
- B. Density. The maximum allowed density for a campground shall be 10 campsites or cabins per acre.
- C. Perimeter setbacks. The perimeter setback from the boundary of the campground for all structures and campsites shall be 100 feet.
- D. Residences. No more than one permanent residence shall be allowed in a campground, which shall only be occupied by the owner, manager or an employee.
- E. Buffers and screens. Where campgrounds are allowed, zoning district separation buffers and screens, Category C as described by this chapter, shall be provided in relation to surrounding properties containing residential uses.
- F. Campgrounds shall meet all requirements of the Virginia Department of Health.

§ 180-41. Commercial campgrounds.

- A. Intent. These provisions are intended to ensure that recreational vehicles and tents within parks are operated in a safe and healthful manner.
- B. Status/requirements.
 - (1) Commercial campgrounds are subject to conditional uses permitted only in specifically named zoning districts. Except as otherwise provided in this chapter, a recreational vehicle used for dwelling purposes outside of a legally established and operated recreational vehicle park shall constitute a violation of this chapter.
 - (2) In addition to conditional use requirements, recreational vehicle parks are subject to the site plan requirements of this chapter. Notwithstanding other site plan requirements of this chapter, site plans for commercial campgrounds shall be drawn to a scale of not less than one inch equals 20 feet, shall be sufficient for the Zoning Administrator to determine that regulations of this chapter can and will be satisfied and shall include information describing surrounding land use, zoning, topography and vegetation. Site plans shall indicate all proposed streets, utilities and structures with specifications to indicate compliance with the provisions of these regulations.
- C. Standards.
 - (1) Density standards.
 - (a) No commercial campground shall contain more than 100 nor fewer than 10 unit spaces. The minimum unit space area shall be 1,800 square feet. The density of spaces provided for units shall not exceed 15 spaces per gross park acre and no one acre shall exceed 20 RV unit sites.
 - (b) The minimum area required for application and institution of a commercial campground shall be 10 contiguous acres.
 - (2) Proximity standards. Units shall be separated from each other and from other structures by a minimum of at least 20 feet. For purposes of this separation requirement, any accessory structure such as attached awnings, carports or individual storage facilities shall be considered a part of the unit.
- D. General requirements.
 - (1) Hazardous conditions.
 - (a) Condition of soil, groundwater level, drainage or topography shall not create hazards to the property nor to the health or safety of the occupants.
 - (b) RV unit sites shall be well drained and shall not be exposed to objectionable smoke, noise, odors, subsidence, erosion or other adverse conditions.

- (2) Other vehicles. The recreational use of motor bikes, trail bikes, motorcycles, all-terrain vehicles and similar vehicles within a commercial campground is hereby prohibited, unless permission has been specifically granted in conjunction with the conditional use permit approval.
- (3) Internal roads. Roads shall be constructed of a dust-free surface which is adequate for the types of vehicles to be accommodated and shall be approved by the Board of Supervisors.

E. Design standards.

- (1) Trees. At least 75% of the developed unit spaces shall be within areas sufficiently wooded to provide adequate shade for the unit space and camouflage from public view.
- (2) Buffer. In designing the campground, the applicant shall provide a minimum of 50 feet of undeveloped land along the total perimeter of the proposed site.
- (3) Dust control. Exposed ground surfaces in all parts of commercial campgrounds shall be paved or covered with crushed stone or gravel or protected with a vegetative growth that is capable of preventing soil erosion and eliminating objectionable dust.
- (4) Commercial sites. Sites for structures which will serve as commercial convenience centers shall be no larger than 10% of the total commercial campground or one acre whichever is the lesser.
- (5) Refuse disposal. Refuse collection receptacles shall be provided at locations within 150 feet of all recreational vehicle sites. Such receptacles shall be emptied at least twice weekly and all refuse shall be transported from the campground and disposed of in accordance with all applicable state and County laws and regulations.

F. Sanitary stations.

- (1) Stations required. Each commercial campground shall provide sanitary station(s) for the adequate and safe disposal of sewage from RV holding tanks. Such stations shall be constructed in accordance with the adopted Building Code¹ for Warren County and applicable state regulations. A minimum of one station shall be provided for each 100 unit spaces.
- (2) Screening. Sanitary stations shall be screened from other activities by visual barriers such as solid fences or walls and shall be separated from any unit space by a distance of at least 50 feet.
- (3) Portable toilets. In no case shall portable toilets be permitted within a commercial campground.

G. Service buildings. Each commercial campground shall be provided with one or

1. Editor's Note: See Chapter 76, Building Construction.

more service buildings which contain an adequate number of toilet and sanitary facilities. Such service buildings shall be constructed in accordance with the adopted Building Code² for Warren County and applicable state regulations governing campgrounds.

2. Editor's Note: See Chapter 76, Building Construction.

Chapter 128

CAMPGROUNDS

§ 128-1.	Purpose.	§ 128-6.	Health and sanitation requirements.
§ 128-2.	Adoption of statutory provisions.	§ 128-7.	Design of access to campground.
§ 128-3.	Definitions.	§ 128-8.	Yards and setbacks.
§ 128-4.	Enforcement; zoning; site plan requirements.	§ 128-9.	On-site operator.
§ 128-5.	Standards.	§ 128-10.	Violations and penalties.
		§ 128-11.	Conflicts.

[HISTORY: Adopted by the Board of Supervisors of the County of Page 5-11-1999; amended in its entirety 4-16-2013. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Trailers — See Ch. 109.

Vehicles and traffic — See Ch. 118.

Abandoned vehicles — See Ch. 115.

Zoning — See Ch. 125.

§ 128-1. Purpose.

The purpose of this chapter shall be to provide rules, regulations and standards for development of campgrounds in the County of Page, ensuring that the public health, safety and general welfare are protected; that orderly growth and development together with the conservation, protection and proper use of land shall be ensured; that proper provisions for all public facilities shall be made; and that Page County government is given appropriate control over the zoning and location of campgrounds in Page County.

§ 128-2. Adoption of statutory provisions.

All of the provisions and requirements of the laws of the State of Virginia contained in Title 35.1 pertaining to campgrounds and all of the provisions of Virginia's Department of Health Rules and Regulations Governing Campgrounds, known as 12 VAC 5-450-10 through 12 VAC 5-450-230, as amended, except those provisions and requirements which, by their very nature, can have no application to or within the County of Page, are hereby adopted and incorporated in this chapter by reference and made applicable within the County. Such provisions and requirements are hereby adopted mutatis mutandis, and made a part of this chapter as fully as if set forth at length herein, and it shall be unlawful for any person within the County to violate or fail, neglect or refuse to comply with any provision of Title 35.1 of the Code of Virginia, as amended, and the provisions of Virginia's Department of Health Rules and Regulations Governing Campgrounds, known as 12 VAC 5-450-10 through 12 VAC 5-450-230, as amended, which are adopted by this section, provided that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a

similar offense under the Code of Virginia. This incorporation is for the purpose of ensuring uniformity between the Code of the County of Page and state laws.

§ 128-3. Definitions.

As used in this chapter, unless the context requires otherwise or it is otherwise provided, the following terms shall have the meanings indicated:

ACCESSORY USES — Offices, recreational facilities, convenience stores, gift shops, service buildings, restrooms, dumping stations, showers, laundry facilities, storage units and other uses and structures customarily a part of the campground operation for the use of occupants.

AUTHORITY HAVING JURISDICTION — The organization, office or individual responsible for approving equipment, equipment installation, a permit or a procedure.

CABIN/CAMPING — A hard-sided shelter less than 400 square feet in area.

CAMPERS — Persons participating in camping.

CAMPGROUND — Includes, but is not limited to, a travel trailer camp, recreation camp, family campground, camping resort, camping community, or any other area, place, parcel, or tract of land, by whatever name called, on which three or more campsites are occupied or intended for occupancy, or facilities are established or maintained, wholly or in part, for the accommodation of camping units for periods of overnight or longer, whether the use of the campsites and facilities is granted gratuitously, or by rental fee, lease, or conditional sale, or by covenants, restrictions, and easements. "Campground" does not include a summer camp, migrant labor camp, or park for mobile homes as defined in § 35.1-16 and 32.1-203 of the Virginia Code, as amended, or a construction camp, storage area for unoccupied camping units, or property upon which the individual owner may choose to camp and not be prohibited or encumbered by covenants, restrictions, and conditions from providing his sanitary facilities within his property lines.

A. **PRIMITIVE SITE** — A campsite where no utility hookups are provided.

B. **DEVELOPED SITE** — A site accessible by vehicular traffic where Campsites are substantially developed with one, or more, utility, e.g., sewer, water and/or electricity.

CAMPING UNIT — A tent, tent trailer, travel trailer, camping trailer, pickup camper, motor home, camping cabin, and any other device or vehicular type structure for use as a temporary living quarter or shelter during periods of recreation, vacation, leisure time, or travel.

CAMPSITE — A plot of ground within a campground used or intended for the occupation by the camping unit or units under the control of a camper.

DENSITY — The number of campsites per unit of land on a tract or parcel.

GREENBELT — A strip of land, containing landscaping or other aesthetic site-obscuring features, intended to buffer potentially incompatible uses. Greenbelts may include utilities and other underground facilities but not camping units, buildings or recreation areas.

MINIMUM PARCEL SIZE — The minimum land area required to accommodate a campground.

OCCUPANCY — The presence of overnight guest(s) in a camping unit for a site, whether the use of the Campsites and facilities is granted gratuitously, or by rental fee.

OPERATOR — The owner of the campground or his/her designee.

OWNER — Person or entity holding title to the parcel on which the campground is located.

RECREATION AREA — A specific area of the campground, either of land or an area of water or a combination of land and water, which is designed and intended for the use or enjoyment of guests of the campground.

RENT — Compensation or other consideration given for a prescribed right, use, possession or occupancy of a campsite.

RENTAL/ON-SITE — A camping unit placed within a campground which is available for rental to guests.

RV'ERS — Individuals who use recreational vehicles for camping, those who stay for a day, week, or even up to seven months (extended stay) as an alternative to other types of lodging.

SERVICE BUILDING — A structure or portion thereof that is used to house sanitary facilities, such as water closets or lavatories. It may include other facilities for the convenience of the campground guests.

SITE — A plot of ground within a campground used or intended for the occupation by the camping unit or units under the control of a camper.

TENT — A portable shelter, consisting of synthetic fabrics or natural skins stretched over a flexed or rigid framework.

§ 128-4. Enforcement; zoning; site plan requirements.

- A. Enforcement. The Page County Zoning Administrator is the officer having enforcement authority.
- B. Zoning. Campgrounds may be allowed in Woodland-Conservation and Agricultural Districts by special use permit.
- C. Site Plan Requirements. In order to insure the provision of adequate, properly designed sanitation facilities at campgrounds, any person planning construction, major alteration or extensive addition to any campground shall, prior to the initiation of any such construction, submit to the Page County Health Department, complete plans, at a minimum scale of one inch to 50 feet, and statements which show the following:
 - (1) The proposed method and location of sewage disposal system.
 - (2) The proposed sources and location of the water supply.
 - (3) The number, location and dimensions of all campsites.
 - (4) The number, description and location of proposed sanitary facilities such as toilets, dump stations, sewer lines, etc.
 - (5) Name and address of applicant.
 - (6) Location, boundaries and dimension of the proposed project.
 - (7) The number, description and location of proposed motor vehicle parking spaces.
 - (8) The description and location of all interior roads.
 - (9) The description and location of all buildings and recreational areas.

- (10) The description of any landscaping plans.
 - (11) Such other pertinent information as the Virginia Health Commissioner or the Page County Health Department may deem necessary.
- D. Permit approval. Before any permit is issued for construction of, major alterations to, or extensive addition to any campground, the plans and specifications shall first be approved by the County Planning/Building/Zoning Office(s), Virginia Department of Transportation (VDOT) and the Page County Health Department, taking into account all of the provisions as set out herein, as well as such special conditions as may be imposed by the Planning Commission, and provided further that said plans and specifications are in accordance with state regulations governing campgrounds, including, but not limited to Title 35.1 of the Virginia Code, as amended, and the Virginia Department of Health's Rules and Regulations Governing Campgrounds, 12 VAC 5-450-10 through 12 VAC 5-450-230, as amended from time to time.

§ 128-5. Standards.

- A. Permitted camping units. Only tents, tent trailers, travel trailers, camping trailers, pickup campers, motor homes, or camping cabins, as defined above, or any other device or vehicular-type structure as may be developed, marketed and used by the camping trade for use as temporary living quarters or shelter during periods of recreation, vacation, leisure time, or travel shall be allowed.
- B. Permanent occupancy prohibited. No camping unit shall be used as a permanent place of abode, dwelling or business or for indefinite periods of time. Continuous occupancy extending beyond seven months in any twelve-month period shall be presumed to be permanent occupancy.
- C. Site requirement/density.
- (1) The minimum parcel size shall be 10 contiguous acres.
 - (2) The average number of campsites per acre shall not exceed 20.
 - (3) Each campsite shall be a minimum of 1,600 square feet of space and shall not be less than 25 feet wide at its narrowest point.
 - (4) A minimum of 20% of the entire tract of land shall be open area and/or recreation area, of which no more than 50% can be a body of water. Campsites, service buildings, roads, or greenbelt shall not be included as open and/or recreation area.
 - (5) Exposed ground surfaces in all parts of a campground shall be paved or covered with crushed stone or gravel or protected with a vegetative growth or other natural growth that is capable of preventing soil erosion and eliminating objectionable dust.
 - (6) Each campsite shall be identified by number and section. Camping units within a campground shall be required to be located within the designated campsites.
- D. Lighting. Any lighting that is provided on the campground will be directed downwards, so as to not produce a glare on adjoining properties.
- E. Fires. Any outdoor fires on the campground shall be enclosed by a fire ring. All fire rings

shall be enclosed by a durable, nonflammable material at least eight inches in height. Firewood must originate in Page County and remain in Page County.

- F. Perimeter fencing. Where perimeter fencing is not provided, the campground shall be blazed every 25 feet, and a sign shall be posted every 50 feet which states: "NO CAMPERS BEYOND THIS POINT," in a minimum size of two-inch letters. The signs shall be posted on the property line of the campground.
- G. Special use permit requirements. The special use permit shall also consider the following on a site-by-site basis:
 - (1) Quiet hours (to include use of generators).
 - (2) Fireworks.
 - (3) Use of off-road vehicles.
 - (4) Additional buffer requirements adjacent to existing dwellings and areas of potential growth.
 - (5) Impact of traffic on nearby residences, and mitigation thereof.

§ 128-6. Health and sanitation requirements.

- A. Requirements. All health and sanitation requirements shall be in accordance with the Virginia Department of Health Rules and Regulations Governing Campgrounds (12 VAC 5-450 et al).
- B. Service building. Campgrounds must have a service building constructed of cleanable, nonabsorbent materials, maintained in good repair and in a clean and sanitary condition and meeting the requirements of the Virginia Department of Health Rules and Regulations Governing Campgrounds (12 VAC 5-450 et al.). All service buildings shall also conform to all existing Virginia and Page County Building Codes.

§ 128-7. Design of access to campground.

- A. Location and access.
 - (1) Direct access to public street. Except as stated below, no campground shall be located except with direct access to a public street maintained by VDOT with appropriate frontage thereon to permit appropriate design of entrances and exits. No entrance or exit from a campground shall be permitted through a residential zone.
 - (2) Private road. If the proposed campground parcel does not adjoin a public street, a fifty-foot deeded right-of-way, with appropriate frontage at the public street to permit appropriate design of entrances and exits, must be obtained to provide access to the parcel. Road condition, maintenance responsibilities, and the rights of the servient tenants shall be considered in the special use permit.
- B. Entrances and exits. Entrances and exits to campgrounds shall be designed for safe and convenient movement of traffic into and out of the campground and shall be designed to minimize marginal friction with free movement of traffic on adjacent streets. All traffic into or out of the campground shall be through such entrances and exits. Entrances shall be

constructed utilizing appropriate radii and grades to accommodate movement of all vehicles using/entering the campground. All entrances onto public roads shall meet VDOT requirements.

- C. Road requirements. Interior roads and access to individual sites shall consist at a minimum of an all-weather gravel surface. All interior roads shall be a minimum width of 10 feet for one-way traffic and 20 feet for two-way traffic. No campsite shall have direct access to a public street.

§ 128-8. Yards and setbacks.

The minimum setback from property lines shall be 50 feet; a greenbelt shall be included within the setback area.

§ 128-9. On-site operator.

If an on-site operator is not provided, a point of contact for the campground shall be designated and emergency contact information provided and posted conspicuously at the campground.

§ 128-10. Violations and penalties.

Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating, causing or permitting the violation of any of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, may be fined up to \$2,500 or imprisoned for up to 12 months, or both. Such person, firm or corporation shall be deemed to be guilty of a separate offense for each and every day during which any portion of any violation of this chapter is committed, continued or permitted by such persons, firm or corporation and shall be punishable as herein provided.

§ 128-11. Conflicts.

If any provision of this chapter conflicts with any other provision of the Zoning Ordinance of the County of Page, Virginia, the more stringent provision shall apply.

day and boarding camp. This requirement shall not preclude an additional access for emergency vehicles only.

- (b) **Level II or III Day and Boarding Camp.** There shall be no more than two points of access to a road from a Level II or III day and boarding camp. This requirement shall not preclude an additional access for emergency vehicles only.

(E) **Parking.**

- (1) **General.** Parking shall be provided as required by Section 5-1102.
- (2) **Surface.** All parking and loading areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standards Manual.

(F) **Exterior Lighting Standards.** All exterior lighting shall comply with the standards of Section 5-652(A) (Exterior Lighting Standards).

(G) **Noise Standards.** The use shall comply with the noise standards of Section 5-652(B) (Noise Standards).

5-646

Campgrounds. Campgrounds in the AR, TR, and JLMA districts shall comply with the following standards.

(A) **Intensity/Character.**

(1) **Site Size.**

- (a) The minimum lot area for a campground shall be 40 acres.
- (b) The minimum lot area for a campground shall increase based on the following standards.

Use	Scope of Use/Campsites	Lot Area (Minimum)
Level I—small scale	Up to 50 campsites	40 acres
Level II—medium scale	>50 up to 100 campsites	80 acres
Level III—large scale	>100 up to 150 campsites	160 acres
Level IV	> 150 campsites	Special exception pursuant to Section 6-1300

- (2) **Not Permanent Residence.** Campgrounds shall not be used as permanent residences, except for the owner or manager and permanent maintenance personnel.
- (3) **Camping Sites.** Camping sites shall be a minimum of 1,250 square feet and at least 25 feet in width.
- (4) **Recreational Area.** Each campground shall provide a recreational area consisting of 100 square feet per campsite.

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- (5) **Public Telephone.** At least one (1) public telephone shall be provided for each 50 campsites.
- (6) **Streets and Walks Lighted.** Streets and walks shall be lighted every 400 feet.
- (7) **Service Buildings.** Service buildings with restroom and other facilities shall be provided in accordance with the Loudoun County Health Department requirements.
- (8) **Groundcover.** All areas within a campground shall have sufficient groundcover to prevent erosion and blowing dust.

(B) **Size of Use.**

- (1) **Structure Size.** The size of structures (excluding tent platforms) used at a campground shall not exceed the following standards:

Use	Scope of Use/Campers	Total Size of Structures (Maximum)
Level I—small scale	Up to 50 campsites	8,000 square feet
Level II—medium scale	>50 up to 100 campsites	16,000 square feet
Level III—large scale	>100 up to 150 campsites	32,000 square feet
Level IV	>150 campsites	Special exception pursuant to Section 6-1300

- (C) **Location on Site/Dimensional Standards.** A campground shall be set back from lot lines as follows:

Use	Lot Area (Min)	Size of Structures (Max)	Setback from Lot Lines
Level I—small scale	40 acres	8,000 square feet	150 ft.
Level II—medium scale	80 acres	16,000 square feet	200 ft.
Level III—large scale	160 acres	32,000 square feet	250 ft.

(D) **Landscaping/Buffering/Screening.**

- (1) **Buffer.** The use shall comply with Section 5-1404(A)(6).
- (2) **Parking Areas.** Parking areas shall comply with Section 5-1407.

(E) **Roads/Access.**

- (1) **General Access Standards.** The use shall comply with the road access standards of Section 5-654.
- (2) **Driveways.** Driveways shall not be located within a required buffer yard area except as minimally necessary to access the site.
- (3) **Number of Access Points.**

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- (a) There shall be no more than one point of access to a public road from a Level I campground. This requirement shall not preclude an additional access for emergency vehicles only.
- (b) There shall be no more than two points of access to a public road from a Level II, III or IV campground. This requirement shall not preclude an additional access for emergency vehicles only.

(F) Parking.

- (1) **General.** Parking shall be provided as required by Section 5-1102.
- (2) **Surface.** All parking areas serving the use shall use a dust-free surfacing material as provided in the Facilities Standards Manual.

(G) Exterior Lighting Standards. All exterior lighting shall comply with the standards of Section 5-652(A) (Exterior Lighting Standards).

(H) Noise Standards. The use shall comply with the noise standards of Section 5-652(B) (Noise Standards).

5-647

Cross-Country Ski Business and Eco-Tourism. Any cross-country ski business and eco-tourism use in the AR, JLMA-20 and TR-10 districts shall comply with the following standards:

(A) Intensity/Character of Use. The hours of operation shall be limited to 6:00 a.m. to 9:00 p.m.

(B) Size of Use.

- (1) **Size of Use.** The minimum lot area of an eco-tourism use shall be 5 acres.
- (2) **Structure Size.** The size of structures used shall not exceed 5,000 square feet in gross floor area.
- (3) **Storage Areas.** The total area of storage areas shall not exceed 1000 square feet.

(C) Roads/Access.

- (1) **General Access Standards.** The eco-tourism use shall comply with the road access standards in Section 5-654.
- (2) **Number of Access Points.** There shall be no more than one point of access to a public road. This requirement shall not preclude an additional access for emergency vehicles only.

(D) Exterior Lighting. The only exterior lighting allowed for an eco-tourism use shall be for security purposes only.

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Fauquier County (RC – Rural Conservation; RA – Rural Agricultural)

Camps, Recreation Grounds, Lodges, and Resorts – Special exception and site plan (RC and RA Districts)

5-906 Additional Standards for Camps and Recreation Grounds, Lodges and Resorts

1. The minimum lot size requirement shall be twenty (20) acres.
2. No structure or campsite or athletic facility shall be located closer than 100 feet to any lot line.
3. No permit shall be issued for such a use until the applicant has furnished evidence that the proposed development meets all applicable State and local health requirements.
4. All parking and loading areas, swimming pools and tennis courts shall be effectively screened.

Tent Campground – Special exception and site plan (RC and RA Districts)

5-907 Additional Standards for Tent Campground

1. The minimum lot size requirement shall be twenty (20) acres.
2. Travel trailers and other residential vehicles are not allowed.
3. The only permanent structure allowed for residential use will be occupied by the resident owner or manager.
4. The facility shall have direct access by means of a travel-way twenty (20) feet in width to a road currently maintained by the State.
5. No structure or campsite shall be located closer than 100 feet to any lot line.
6. No permit shall be issued for such a use until the applicant has furnished evidence that the proposed development meets all applicable State and local health requirements.
7. Density shall not exceed one (1) campsite per acre.

Recreational Vehicle Park – A lot, parcel or area of land designed and used for the accommodation of two (2) or more recreational vehicles for transient lodging purposes. Special exception and site plan (RA District)

5-908 Additional Standards for Recreational Vehicle Park

1. Camping units are permitted within a Recreational Vehicle Park, provided the park shall be designed for and predominantly used by recreational vehicles.
 - a. Camping Cabins shall not exceed ten (10%) of the total permitted campsites.
 - b. Camping Cabins shall not exceed six hundred (600) square feet.

2. At a minimum, electrical outlets shall be provided at each individual campsite. Central sanitary stations for the disposal of effluent shall be provided along with central toilet and shower facilities. These facilities shall be for the sole use of the patrons of the park.
3. The property shall have direct access to and a minimum of three hundred (300) feet of frontage on a road designated as a principal arterial (or higher) in the Comprehensive Plan unless the Board of Supervisors finds that the type and amount of traffic generated by the facility is such that it will not cause an undue impact on the neighbors or adversely affect safety of road usage.
4. Accessory commercial uses are permitted, exclusively for the use of residents of the park (e.g., coin-operated laundry, convenience store, entertainment).
5. Density shall not exceed ten (10) campsites per acre.
6. Each campsite shall contain a minimum of 1,600 square feet.
7. No structure, campsite or athletic facility shall be located closer than 100 feet to any lot line.
8. No site plan shall be approved for such a use until the applicant has furnished evidence that the proposed development meets all applicable State and local health department requirements. Required approvals from the Virginia Department of Health shall be provided to the County prior to the approval of any site plan for the use.
9. One permanent residential occupancy shall be permitted for the resident owner or manager only. No other persons shall reside in the park for a period exceeding sixty (60) days.
10. The minimum lot size requirement shall be twenty (20) acres.
11. Public water or a Central Water System designed to public standards shall be required.
12. Screening shall be provided in the form of an unbroken strip of open space a minimum of fifty (50) feet wide and planted with one large evergreen tree with an ultimate height of forty (40) feet or greater for every ten (10) linear feet, plus one medium evergreen tree with an ultimate height of twenty (20) to forty (40) feet for every five (5) linear feet, plus one large deciduous tree with an ultimate height of fifty (50) feet or greater for each thirty (30) linear feet where the property abuts residential uses or properties planned for residential use in the Comprehensive Plan. The use of existing vegetation can be used to satisfy this requirement.
13. Mobile homes shall be strictly prohibited.
14. Inoperable and junk vehicles including recreational vehicles shall be prohibited.

15. The use shall be located within a Service District or immediately next to a Service District on property under the same use as the property within the Service District. For the purpose of this Section immediately next to a Service District shall not include properties located across a public street.
16. No portion of the recreational vehicle park use located outside of the Service District shall be connected to public sewer.

ZONING ORDINANCE TEXT AMENDMENT (TA-23-01)

Campground Regulations

October 17, 2023 Board of Supervisors 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 add a new temporary use, “camping,” to Zoning Ordinance Section 5.4 (Uses, Definitions, and Use Regulations – Temporary Uses) and to delete “campground” and “summer camp” from Section 5.2D (Recreation/Education/Assembly Uses). The purpose is to prohibit new permanent campgrounds including those operated as a business or as summer camps, and to establish new regulations for the duration of camping activities, the long-term lease of a lot for camping, and temporary event camping.

Requested Action:

Conduct advertised Public Hearing and take action on the proposed text amendment.

Summary:

The proposed text amendment would re-define camping as a temporary activity and would prohibit the development of new permanent campgrounds both as businesses and as year-round facilities for groups and organizations. This would be accomplished by removing the current zoning uses “campground” and “summer camp” from the Zoning Ordinance. The new temporary use, “camping,” would limit all camping activities to a total of 30 days in any 60-day period and a maximum of 14 consecutive days. This time limitation would allow 180 days of camping in a calendar year and establish a reasonable limit on the duration of a continuous camping activity.

In addition to these changes, new regulations would be included to allow property owners to lease their lots on a long-term basis (minimum 30-day written lease) to tenants specifically for camping. These rules are proposed to recognize the long-standing practice of seasonal “river lot” rentals along the river and to ensure that these locations are not operated as commercial campgrounds. Lots leased for camping would also be limited to two campsites per lot of record including a maximum of one recreational vehicle per campsite.

Other rules proposed include a prohibition on temporary or permanent onsite connections for recreational vehicles to utilities, no advertising of properties as being open to the public for camping, and a zoning permit review process for camping in conjunction with a temporary public event.

The text amendment was developed by the Commission’s Policy & Transportation Committee over a series of five meetings with Planning Staff.

Background:

Camping comes in several different forms. The bullets below describe how each form is currently regulated in the Zoning Ordinance.

- **Campgrounds in general.** The Zoning Ordinance identifies a “campground” as a camping activity involving three or more campsites for periods of overnight or longer regardless of whether compensation is offered, required, or accepted. Campgrounds are a special use in the AOC and FOC Districts and require approval of a special use permit and site development plan. Since camping activities can be considered campgrounds regardless of whether money is exchanging hands, all overnight camping activities with three or more campsites are considered to be campgrounds.
- **Commercial campgrounds.** A campground operated as a business, such as Watermelon Park, requires approval of a special use permit and site development plan so long as at least three campsites are offered for use. By definition, a commercial campground which only offers two campsites for rental would not require zoning approval. Use regulations are also silent regarding what types of accessory uses can be included in a commercial campground such as clubhouses, swimming pools, and camp stores.
- **Summer camps.** A summer camp is an establishment that provides entertainment, education, recreation, religious instruction or activities, physical education, or health in addition to overnight camping for twelve or more persons under the age of 18 who are not related to the property owner. In other words, a summer camp is a youth camp which can be operated as a business or non-profit. A summer camp is allowed with approval of a special use permit and site development plan in the AOC and FOC Districts as they can have similar impacts and intensity to commercial campgrounds. In addition to allowing camping in tents, campers, and RVs, accommodations may also be provided in buildings. Summer camps may only operate from the Saturday immediately preceding Memorial Day through Labor Day, and the minimum lot size is 3 acres.
- **Leased lots for camping.** A property owner may lease the right to camp on a lot of record without zoning approval so long as the camping activity is limited to two campsites at a time. If three or more campsites are offered, it would be considered a campground and require approval of a special use permit and site development plan. A property owner can also lease the right to camp on a lot of record to multiple tenants without zoning approval so long as no more than two campsites are operated at a time.
- **Private camping.** A property owner is permitted to camp on their property without zoning approval and is not limited as to the number of campsites they may have for the property owner’s use. The definition of “campground” specifically excludes camping by a property owner on their land but does not extend this exclusion to the property owner’s guests. While Staff has not applied the campground regulations to private camping in the past, the regulations can be interpreted to require a special use permit and site development plan if the property owner has three or more campsites on their lot that are used by guests, family members, or other individuals who are not owners of the lot.

- **Temporary event camping.** Staff has not historically applied the campground regulations to overnight camping in conjunction with public or private events although some events can have three or more campsites established. Some past special events approved under County Code Chapter 57, such as multi-day music festivals, have included overnight camping for patrons and/or vendors who will be in attendance for the duration of the event. Chapter 57 does not include specific regulations for overnight camping and was recently amended to state that camping activities are regulated by the Zoning Ordinance. Other types of temporary events such as horse shows can have overnight camping for participants and have not been interpreted by Staff to constitute a “campground” for zoning purposes.

History

Current terms and definitions for “campground” and “summer camp” were established in 1997. Prior to this date, the Zoning Ordinance contained uses for “campground,” “day camp,” and “board camp.” The 1997 text amendment consolidated “day camp” and “board camp” into the current “summer camp” use. Definitions were created for “campground” and the related terms “camping unit” and “campsite” using similar definitions taken from the Code of Virginia with modifications. No recent changes have been made to these terms and definitions.

Current Zoning Ordinance use and use regulations

The “campground” use is defined as follows:

Any area, place, or lot, by whatever name called, on which three or more campsites are occupied or intended for occupancy, or facilities are established or maintained, wholly or in part, for the accommodation of camping units for periods of overnight or longer, whether the use of the campsites and facilities is granted gratuitously, or by rental fee, lease, or conditional sale, or by covenants, restrictions, and easements, including any travel trailer camp, recreation camp, family campground, camping resort, or camping community. "Campground" does not mean a summer camp, migrant labor camp, or park for mobile homes as defined in Code of Virginia, or a construction camp, storage area for unoccupied camping units, or property upon which the individual owner may choose to camp and not be prohibited or encumbered by covenants, restrictions, and conditions from providing his sanitary facilities within his property lines.

The use regulations contain definitions for “camping unit” and “campsite”:

- “Camping unit” -- *a tent, tent trailer, travel trailer, camping trailer, pickup camper, motor home, and any other vehicular type structure for use as temporary living quarters or shelter during periods of recreation, vacation, leisure time, or travel.*
- “Campsite” -- *any delineated area within a campground used or intended for occupation by the camping unit.*

These definitions appear to have been adapted from the Virginia Department of Health’s (VDH) campground regulations. They are similar to but not precisely the same as the current wording of the VDH definitions.

One additional use regulation limits the duration of camping at a campground to a maximum of 15 days in any 30-day period. Campgrounds are allowed with special use permit and site development plan approvals.

Policy questions discussed by the Committee

In developing this text amendment, the Planning Commission's Policy & Transportation Committee deliberated the following policy questions pertaining to the current campground and summer camp regulations:

- **What is the scope of “camping?”** Per the definition, a campground includes any camping activity with three or more campsites regardless of whether a fee is being charged or if there is a lease arrangement. This includes commercial campgrounds (such as Watermelon Park) and lots leased for camping and containing three or more campsites. The definition is less clear when it comes to private camping, noting that a campground does not include “property upon which the individual owner may choose to camp and not be prohibited or encumbered by covenants, restrictions, and conditions from providing his sanitary facilities within his property lines.” While this language is cumbersome, it does appear clear that a property owner can camp on their own property without being considered a campground. It is open to interpretation as to whether this extends to camping by the property owner's friends and family.
- **What is a “campsite?”** The definition of “campsite” references a “delineated area” within a campground for a “camping unit” (tent, RV, etc.). This definition most likely contemplates lots within a commercial campground used as campsites by individual patrons. It is less clear when applied to private camping in which an entire property or portion of a property is used for camping but without delineated lots. If a property owner leases a river lot to a single tenant who has 5 tents and/or RVs situated around a single campfire, it is open to interpretation as to whether this constitutes one campsite or five campsites.
- **What structures, vehicles, and equipment can be used for camping?** Campgrounds are only permitted to allow tents, RVs, and similar recreational equipment for overnight camping. Permanent structures like cabins are not allowed although the overnight rental of a conforming single-family dwelling, tenant house, or minor dwelling could be considered a short-term residential rental use. Yurts are also open to interpretation as some can be constructed to meet building code requirements for use as a dwelling.
- **Are commercial campgrounds a compatible special use in the AOC and FOC Districts or should this particular use be prohibited or limited in scope?** Commercial campgrounds can be impactful on surrounding properties both in their development and ongoing operations. Since campground sites are often chosen for the pristine surrounding environment or access to unique natural areas or features, commercial campgrounds could be located in remote and undeveloped areas with access via secondary roads where significant vehicular traffic (including large RVs) is currently not occurring. Given that only one special use permit application has been filed in recent memory for a new commercial campground, it may be prudent to evaluate whether a compatible commercial

campground could be developed in the AOC or FOC Districts today and whether the use should be limited in scope with new regulations or prohibited entirely.

- **If commercial campgrounds are a compatible use, what accessory uses should be allowed?** Use regulations are silent regarding amenities that may be developed at a campground such as swimming pools, clubhouses, bath houses, stages, dump stations, pedestals for utility hookups, and camp stores.
- **Should private camping be regulated as a campground use, as a different use subject to different regulations, or not regulated at all?** Private camping with three or more campsites meets the definition of a campground requiring a special use permit and site development plan because the regulations do not factor in whether money is exchanging hands for the camping activity. On the one hand, this requirement helps with enforcement as Staff does not have to determine that the camping activity is commercial in nature which can be difficult to prove at times. On the other hand, enforcing the requirements against private camping activities may be viewed as infringing on private property rights and akin to applying zoning regulations for public assembly activities against private parties and events.
- **How should temporary camping in conjunction with events be regulated?** As noted above, overnight camping by participants, vendors, and organizers has been allowed in conjunction with temporary events. In some cases such as multi-day music festivals, overnight camping is encouraged for the safety of the patrons to avoid having them leave the event site at late hours. Temporary event camping can consist of numerous campsites constituting a “campground” by definition, however it is clear that the zoning regulations did not contemplate this form of camping. It should be noted that the Virginia Department of Health has a permitting process for “temporary camping” that most commonly applies to temporary events. It should also be noted that draft revisions to County Code Chapter 57 (Special Events) would currently direct regulation of event camping to the Zoning Ordinance.

Proposed Text Amendment:

The Committee and Staff developed this text amendment based on four policy positions:

- Campgrounds operated as a business, permanent campgrounds for non-profit or similar organizations, and summer camps should be eliminated as a permissible use. Due to their size and potential adverse impacts on surrounding properties, members agreed that the uses should be eliminated because it is unlikely that there are any compatible locations in the county for new campgrounds and summer camps to be developed.
- The long standing practice of “river lot” camping should be preserved but regulations should be established to ensure that intensity and potential impacts to surrounding properties are minimized.

- Camping on private property in the AOC and FOC Districts by the property owner and/or their invited guests should not be specifically regulated.
- Camping is a temporary and periodic recreational activity and regulations should be developed to emphasize that it is not a permanent use.

The most significant proposed change is the deletion of two permanent camping uses from Section 5.2D (Recreation/Education/Assembly Uses) – “campground” and “summer camp” – and the creation of the new temporary use “camping” in Section 5.4 (Temporary Uses). The new “camping” use would be defined as follows:

A recreational activity conducted on a lot of record involving overnight accommodations on a temporary or periodic basis. Camping operated as a business or in exchange for a fee or other compensation, except as described in use regulation 5 below, is prohibited.

This change would prohibit any new campgrounds operated as a business except for the long-term lease of a campsite on a lot of record (described later in this report). New summer camps would also be prohibited. Any existing commercial campgrounds or summer camps that were previously approved by the county would be allowed to continue as nonconforming uses (e.g., Watermelon Park Campground, Northern Virginia Lions Youth Camp). The regulation would also prohibit camping for a fee as an accessory activity to a business such as offering camping in conjunction with a short-term residential rental or at a farm winery, farm brewery, or farm distillery (e.g., Harvest Hosts).

To emphasize the temporary and periodic nature of camping, use regulation 1 would establish the following time limits on all forms of camping:

- 1. The duration of all camping activities conducted on a lot of record shall not exceed a total of 30 days in any 60-day period and shall not be conducted for more than 14 consecutive days.***

These time limits would allow property owners and/or their invited guests to camp for a generous 180 days in a calendar year and a maximum of 14 days in a row. The proposed time limits would also help distinguish between a legitimate camping activity and individuals residing on a property in a recreational vehicle, tent, or other camping structure. The time limits would also enable property owners to allow invited groups (e.g., church congregations, scouts) to camp on their property without enabling the property to be established as the permanent location for an organization’s camping activities. The use regulation calculates the duration of all camping activities conducted on a lot of record regardless of whether camping is taking place simultaneously on the lot in separate locations.

Use regulation 2 emphasizes that camping activities are not allowed to have site improvements that would make a location more of a permanent campground:

- 2. Camping shall be limited to recreational vehicles and temporary structures such as tents or yurts or similar forms of temporary shelter not permitted for permanent***

residential use. Temporary or permanent onsite connections for recreational vehicles to water, sewage disposal, electric power, or other utilities are prohibited.

Camping would be allowed only in recreational vehicles (e.g., motor homes, travel trailers, fifth wheels, truck campers) or in temporary structures including tents and yurts that can be easily removed from the property. Proposed “camping” in a legally permitted dwelling (single-family dwelling, tenant house, or minor dwelling) for compensation would be treated as a short-term residential rental.

This use regulation also prohibits the use of temporary or permanent onsite connections to utilities on a subject property for recreational vehicles in conjunction with a camping activity. This would include water, sewer, propane, and electrical hookups and would also include any connection to satellite dishes, cable television, or internet located on the property. The use regulation would not apply to the use of water, sewer, propane, electrical, satellite, or internet located on board or brought to the campsite with the recreational vehicle.

Use regulation 3 would prohibit properties from being advertised as open to the public or the permanent campground for a non-profit or similar organization:

- 3. No camping activity shall be publicized as being open to the public or as being the permanent campground for a non-profit or similar organization.***

This use regulation is added to deter the establishment of permanent campground facilities and mitigate potential violations of the time limitation requirements. Evidence of such publication either through advertisements or permanent signage would be a clear violation of this proposed use regulation.

Use regulation 4 requires camping operators to comply with the Virginia Department of Health’s (VDH) temporary campground permit process and to maintain their approval in good standing throughout the duration of the camping activity:

- 4. A temporary campground approval from the Virginia Department of Health shall be obtained, if required, and maintained in good standing throughout the duration of the camping activity.***

VDH requires temporary campground permits for camping activities containing three or more campsites and a time limitation of 14 days in a 60-day period. Camping which exceeds this time frame would require a VDH permanent campground permit to be obtained, however it is unlikely that camping permitted by this text amendment would require such a permit. Temporary campground permits would most commonly be issued for camping in conjunction with temporary events such as those held at the Ruritan Fairgrounds or approved by special event permit. VDH staff indicated that some private camping events not associated with a temporary event could require a temporary campground permit depending on their size, scale, and duration.

Use regulation 5 establishes regulations for the long-term lease of a lot or portion of a lot for camping activities, more commonly referred to in the county as “river lot” camping but applicable on any AOC or FOC zoned lot:

5. ***The long-term lease of a lot by the property owner to a lessee and their guests for a charge is permissible subject to the following requirements:***
 - A. ***The minimum duration of a long-term lease shall be 30 days and shall be evidenced by a written agreement between the property owner and each lessee.***
 - B. ***No more than two campsites shall be allowed per lot of record and each campsite shall be limited to no more than one recreational vehicle including but not limited to travel trailers, fifth-wheel campers, motor homes, and pickup campers. A campsite is an area designated in a lease for camping by the specified lessee.***

As previously noted, the Committee wanted to allow the practice of “river lot” camping to continue subject to reasonable regulations to limit their scale and impacts. In order to differentiate the leasing of a lot or portion of a lot for camping from a commercial campground, the leasing arrangement must be for a minimum of 30 days and documented in a written lease. Any leasing situation for less than 30 days or without a written agreement in place would be considered a prohibited commercial campground.

The use regulation also limits leased lot camping to a maximum of two “campsites” per lot of record defined as “an area designated in a lease for camping by the specified lessee.” Each campsite would be allowed to have a maximum of one recreational vehicle so no more than two such vehicles could be located on the lot of record at one time.

The long-term leasing of a lot for camping traditionally is seasonal in nature as leases are issued for the warm months (May to September). The time limitation on camping would apply to long-term leasing as well but would not unreasonably impede a lessee’s ability to maximize camping during the season. Under the limitation of 30 days in any 60-day period with maximum of 14 consecutive camping days, a lessee with a 4 month lease could:

- Camp for consecutive three-day weekends throughout the lease period.
- Camp for 14 days in a row and still have 16 camping days available for use over the remaining 46 days in the 60-day period.
- Use the campsite during the day for recreational purposes without staying overnight without having the day count towards the total number of camping days used.

Use regulation 6 deals specifically with camping at temporary events:

6. ***Camping may be permitted in conjunction with a temporary event held in accordance with an approved agritourism activity zoning permit, a special event permit issued per***

County Code Chapter 57, an ancillary activity to a temporary event held at a fairgrounds, or as specifically approved by other zoning action. Such camping shall be subject to the following requirements:

- A. Temporary event camping shall require approval of a zoning permit unless approved in conjunction with an agritourism activity zoning permit.*
- B. A temporary campground approval from the Virginia Department of Health shall be obtained, if required, and maintained in good standing throughout the duration of the event.*
- C. Camping activities shall be limited to the duration of the temporary event or as set forth in the approved agritourism activity zoning permit or special event permit.*
- D. A camping plan shall be provided with the zoning permit application which delineates the area reserved for campsites, all facilities required in conjunction with the VDH temporary campground permit, and any other pertinent information required by the zoning administrator.*

This is the only form of camping that would require approval of a zoning permit or zoning approval through other process (e.g., agritourism activity zoning permit). The zoning administrator would be the approval authority and applicants would be required to submit a camping plan that shows where the campsites would be located and any other pertinent information required by the zoning administrator. The zoning permit review would be coordinated with VDH's temporary campground process – VDH approval would be a prerequisite to approval of the zoning permit and the applicant would be required to show all facilities required by VDH on the camping plan.

Public Comments:

The Planning Commission held a public hearing on this proposed text amendment at the June 2, 2023 Business Meeting. In his public hearing comments and written handout provided to the Commission, Lowell Smith said that the proposed text amendment should take into account the possible future need for public camping facilities along the Appalachian Trail (AT). He proposed that new camping facilities be allowed, either by-right or by special use permit, on lots that meet the following requirements:

- Such lot must be adjacent to the AT corridor land owned by the National Park Service and be owned by, or if under lease be operated by, an entity/entities that are IRS-qualified charitable 501(C)(3) organizations (possibly in conservation easement)
- The principle mission of such entity/entities shall be the maintenance and protection of the Appalachian National Scenic Trail
- The entity/entities have an established record of serving the public interest in providing access to and maintenance of the AT including its campground operations

Mr. Smith noted that while dispersed camping is allowed on Federal lands, increased usage of the AT and impacts to it in the future could result in prohibition of dispersed camping. Currently, the only other camping facilities for hikers are a trail shelter on National Park Service property and the Bears Den Trail Center facility which includes the lodge and its existing primitive campground containing two campsites.

In response to Mr. Smith’s comments, the Commission voted to defer discussion of the text amendment to the Commission’s July 5 Work Session and to continue the public hearing to the September 1 Business Meeting. The public hearing was continued to a later meeting in the event that the Commission decided to make changes to the text amendment requiring changes to the public hearing notice. The Commission discussed Mr. Smith’s concerns at the July 5 Work Session but chose to make no changes to the proposed text amendment.

Planning Commission Recommendation:

Following a duly advertised public hearing on June 2, 2023 and a continued public hearing on September 1, 2023, the Commission voted unanimously to recommend adoption of the proposed text amendment.

Staff Recommendation:

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

History:

- | | |
|------------------------|--|
| March 22, 2023. | Policy & Transportation Committee voted 4-0-1 (Dunning absent) to forward the proposed text amendment to the full Commission for consideration. |
| April 4, 2023. | Placed on the Commission’s Work Session agenda for initial discussion. |
| May 2, 2023. | Placed on the Commission’s Work Session agenda for continued discussion. |
| May 5, 2023. | Placed on the Commission’s Business Meeting agenda to consider scheduling public hearing. |
| June 2, 2023. | Commission voted 8-0-3 (Glover, Ohrstrom, Staelin absent) to defer consideration to the July 5, 2023 Work Session and to continue the public hearing to the September 1, 2023 Business Meeting. |
| July 5, 2023. | Commission discussion of citizen concerns with the proposed text amendment. |

- September 1, 2023. Commission voted unanimously to recommend adoption of the proposed text amendment.
- September 19, 2023. Board of Supervisors voted unanimously to schedule public hearing for the October 17, 2023 meeting.
- October 17, 2023. Placed on the Board of Supervisors Meeting agenda and advertised for public hearing.

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

<i>CAMPING</i>	
Permitted Use	<i>AOC, FOC, ITL (fairgrounds only)</i>
Accessory Use	<i>None</i>
Special Use	<i>None</i>

Definition:

A recreational activity conducted on a lot of record involving overnight accommodations on a temporary or periodic basis. Camping operated as a business or in exchange for a fee or other compensation, except as described in use regulation 5 below, is prohibited.

Use Regulations:

- 1. The duration of all camping activities conducted on a lot of record shall not exceed a total of 30 days in any 60-day period and shall not be conducted for more than 14 consecutive days.***
- 2. Camping shall be limited to recreational vehicles and temporary structures such as tents or yurts or similar forms of temporary shelter not permitted for permanent residential use. Temporary or permanent onsite connections for recreational vehicles to water, sewage disposal, electric power, or other utilities are prohibited.***
- 3. No camping activity shall be publicized as being open to the public or as being the permanent campground for a non-profit or similar organization.***
- 4. A temporary campground approval from the Virginia Department of Health shall be obtained, if required, and maintained in good standing throughout the duration of the camping activity.***
- 5. The long-term lease of a lot by the property owner to a lessee and their guests for a charge is permissible subject to the following requirements:***

- A. *The minimum duration of a long-term lease shall be 30 days and shall be evidenced by a written agreement between the property owner and each lessee.*
 - B. *No more than two campsites shall be allowed per lot of record and each campsite shall be limited to no more than one recreational vehicle including but not limited to travel trailers, fifth-wheel campers, motor homes, and pickup campers. A campsite is an area designated in a lease for camping by the specified lessee.*
6. *Camping may be permitted in conjunction with a temporary event held in accordance with an approved agritourism activity zoning permit, a special event permit issued per County Code Chapter 57, an ancillary activity to a temporary event held at a fairgrounds, or as specifically approved by other zoning action. Such camping shall be subject to the following requirements:*
- A. *Temporary event camping shall require approval of a zoning permit unless approved in conjunction with an agritourism activity zoning permit.*
 - B. *A temporary campground approval from the Virginia Department of Health shall be obtained, if required, and maintained in good standing throughout the duration of the event.*
 - C. *Camping activities shall be limited to the duration of the temporary event or as set forth in the approved agritourism activity zoning permit or special event permit.*
 - D. *A camping plan shall be provided with the zoning permit application which delineates the area reserved for campsites, all facilities required in conjunction with the VDH temporary campground permit, and any other pertinent information required by the zoning administrator.*

Required Review Processes:

A Zoning Permit per Section 6.2.1 is required for camping in conjunction with a temporary event as described above.

CAMPGROUND	
Permitted Use	None
Accessory Use	None
Special Use	AOC, FOC

Definition:

~~Any area, place, or lot, by whatever name called, on which three or more campsites are occupied or intended for occupancy, or facilities are established or maintained, wholly or in part, for the accommodation of camping units for periods of overnight or longer, whether the use of the campsites and facilities is granted gratuitously, or by rental fee, lease, or conditional sale, or by~~

covenants, restrictions, and easements, including any travel trailer camp, recreation camp, family campground, camping resort, or camping community. "Campground" does not mean a summer camp, migrant labor camp, or park for mobile homes as defined in Code of Virginia, or a construction camp, storage area for unoccupied camping units, or property upon which the individual owner may choose to camp and not be prohibited or encumbered by covenants, restrictions, and conditions from providing his sanitary facilities within his property lines.

Use Regulations:

1. ~~Additional terms.~~ For the purposes of this section, the term “camping unit” shall mean a tent, tent trailer, travel trailer, camping trailer, pickup camper, motor home, and any other vehicular type structure for use as temporary living quarters or shelter during periods of recreation, vacation, leisure time, or travel. The term “campsite” shall mean any delineated area within a campground used or intended for occupation by the camping unit.
2. ~~Duration of accommodations.~~ A campground shall be for the temporary accommodation of a camping unit for not more than 15 days in any 30-day period.

Required Review Processes:

1. Special Use Permit Review is required per [Section 6.3.1](#).
2. Site Development Plan Review is required per [Section 6.2.2](#).

SUMMER CAMP	
Permitted Use	None
Accessory Use	None
Special Use	AOC, FOC

Definition:

Any building, tent, or, vehicle, or group of buildings, tents or vehicles, if operated as one place or establishment, or any other place or establishment, public or private, together with the land and waters adjacent thereto, which is operated or used in the Commonwealth from the Saturday immediately preceding Memorial Day through Labor Day for the entertainment, education, recreation, religion instruction or activities, physical education, or health of persons under eighteen years of age who are not related to the operator of such place or establishment by blood or marriage within the third degree of consanguinity or affinity, if twelve or more such person at any one time are accommodated, gratuitously or for compensation, overnight and during any portion of more than two consecutive days.

Use Regulations:

1. The minimum lot size for a summer camp is three acres.
2. Applicants for such uses shall demonstrate that all applicable regulations of the Department of Health and Commonwealth of Virginia (specifically including [Title 35.1, Code of Virginia](#)), have been met.

Required Review Processes:

1. ~~Special Use Permit Review is required per Section 6.3.1.~~
2. ~~Site Development Plan Review is required per Section 6.2.2.~~