



# Clarke County Planning Commission

**AGENDA – Comprehensive Plan Committee Meeting**

**Wednesday, March 6, 2024 – 2:00PM**

**Berryville/Clarke County Government Center – A/B 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](http://www.clarkecounty.gov).

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<b>2</b>	<b>Approval of Minutes – January 30, 2024 meeting</b>	<b>pp. 2-7</b>
<b>3</b>	<b>Old Business -- Continued Discussion, Rural Lands Plan Development</b>	
A	AOC/Valley Issues Workshop	<b>pp. 8-22</b>
	-- Staff Memo	pp. 8-9
	-- Excerpts from 2022 Comprehensive Plan	pp. 10-14
	-- 2016 Agricultural Land Plan Goals, Objectives, and Strategies	pp. 15-20
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B	Review Preliminary Outline for Rural Lands Plan	<b>pp. 23-24</b>
<b>4</b>	<b>New Business</b>	
A	Schedule Upcoming Meetings	
<b>5</b>	<b>Adjourn</b>	

**Upcoming Meetings:**

- Wednesday, March 27 (2:00PM) – A/B meeting room
- To be scheduled – mid-April
- To be scheduled – early to mid May



# Clarke County Planning Commission

**DRAFT MINUTES** – Comprehensive Plan Committee Meeting

Tuesday, January 30, 2024 – 3:30PM or immediately following  
 Planning Commission Work Session

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

ATTENDANCE:			
Randy Buckley (White Post)	✓	John Staelin (Millwood)	✓
Bob Glover (Millwood)	✓	Terri Catlett (Board of Supervisors)	✓
George L. Ohrstrom, II (Ex Officio)	✓		

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

**CALL TO ORDER:** By Mr. Stidham at 3:53PM.

**1. Approval of Agenda**

Members approved the agenda by consensus as presented by Staff.

**2. Approval of Minutes – October 31, 2023 Meeting**

Members voted unanimously to approve the October 31, 2023 meeting minutes as presented by Staff.

Motion to approve the October 31, 2023 meeting minutes as presented by Staff:			
Buckley (moved)	AYE	Staelin	AYE (seconded)
Glover	AYE	Catlett	AYE

**3. Old Business -- Continued Discussion, Rural Lands Plan Development – White Post Village**

Mr. Stidham stated that the Committee will be discussing issues pertaining to the village of White Post in a similar fashion as they discussed Millwood issues. He noted that in assembling the meeting materials, he did not know as much about White Post as he does Millwood. He said the Committee will talk about the proposed plan area and draft goals and strategies, noting that he has some specific questions to aid the discussion.

Mr. Stidham reviewed the initial draft of the White Post plan area map. He noted that White Post’s layout was much more conducive to having an oval-shaped plan area than Millwood. Mr. Camp asked why the north arrow is not pointing north. Mr. Stidham replied that the orientation is pivoted to show the village in a linear fashion on the map. Mr. Stidham noted that the village does not have a natural breaking point as you proceed out of the village on Berrys Ferry Road. He added that he extended the plan area out to the last Rural Residential (RR)-zoned lot on the opposite side of the railroad tracks. He then explained how some of the lots around the railroad crossing were previously zoned Light Industrial and were later rezoned to either RR or Neighborhood Commercial (CN) when the Light Industrial district was eliminated.

Commissioner Staelin asked if there is any advantage for property owners to downzone their RR or CN zoned lots to Agricultural-Open Space-Preservation (AOC). Mr. Stidham replied that AOC zoning would potentially allow more flexibility for uses. He noted one CN-zoned property on the south side of Berrys Ferry Road that was previously used as an automotive repair shop but no longer has a nonconforming status for that use. Mr. Camp added that he has spoken to several people about the development and use limitations on that lot. Commissioner Staelin noted that the property owner may want to have the property zoned one district instead of two.

Regarding the issue of downzoning to AOC, Mr. Stidham noted that the policy issue is whether we want to allow people to downzone in the village to AOC in order to have livestock. He added that the AOC District allows for special uses that are not available in the RR District. Chair Ohrstrom asked what the effect would be on property owners with an AOC downzoning. Mr. Stidham replied that the CN-zoned lots should be taxed at a commercial rate so an AOC or RR downzoning should result in a tax reduction. He added that the CN-zoned lots at the railroad crossing are unlikely to be able to accommodate a new commercial use and conform to all of the site development plan requirements. Commissioner Staelin said that those properties were zoned CN because there was the thought that commercial uses would be developed at the railroad crossing.

Mr. Stidham noted that, as with the Millwood plan area map, the White Post map includes a number of large AOC-zoned lots. He noted that the area plan's guidance would apply to any lots that are in the plan area either in whole or in part. Chair Ohrstrom said that he does not have any other approaches in mind. Vice-Chair Buckley said that it seems to be big but he does not know of any alternatives. Chair Ohrstrom said that the goal is to pick up all of the small RR lots and you have no choice but to pick up AOC lots when you use the oval shaped plan area. Commissioner Catlett suggested narrowing the oval. Commissioner Staelin suggested making the eastern side a straight line to exclude some of the AOC lots but the result would be an odd shape. Commissioner Glover asked about following the property lines of the small lots. Mr. Stidham asked whether the small lots on the west side of US 340 should be in the village. Commissioner Glover replied yes because they are small RR-zoned lots, also noting that it might be a good idea for the plan area to follow the boundary of the smaller lots. Mr. Stidham reiterated that including the larger AOC lots in the plan area makes them applicable to the Plan's guidance, adding that this would include a prohibition on rezoning AOC lots to RR in order to expand the village. He cited the rezoning of Greenway Vista in the 1990s as an example. Vice-Chair Buckley said there were other issues with Greenway Vista and Mr. Stidham replied that the property may have been zoned a defunct residential district. Chair Ohrstrom agreed with Commissioner Glover regarding having the plan area follow the lot lines.

Commissioner Staelin asked whether the AOC property owners in the plan area view themselves as members of the White Post community. Vice-Chair Buckley replied that the AOC landowners probably view themselves more White Post community members than the residents of Greenway Vista. Mr. Stidham asked about the lots along Stock Lane and Vice-Chair Buckley replied that they were subdivided and sold from the property that contains Lucky Hit.

Mr. Stidham asked the members if they definitely wanted to include the lots on the opposite side of the railroad crossing in the plan area. He added that if you stop the plan area at the railroad crossing, you might be able to make the plan area oval tighter. Commissioner Glover replied that it might make the lot owners on the other side of the railroad tracks feel disconnected. Chair Ohrstrom asked Mr. Stidham what the reason is for not following the lot lines. Mr. Stidham replied that plan areas

are intended to be general in nature unless the boundaries are specifically spelled out as with the Berryville annexation area. He added that the plan area is not supposed to be tied to specific properties. Vice-Chair Buckley noted that it would make sense for the three RR-zoned lots on the opposite side of the railroad crossing to be downzoned to AOC. Mr. Stidham noted that these lots may have been zoned RR because they existed prior to sliding-scale zoning. He added that the lot owners currently cannot have livestock or chickens because of the RR zoning. Vice-Chair Buckley noted another property on Berrys Ferry Road that is zoned both RR and AOC. Mr. Stidham said that he thought the AOC portion was zoned light industrial in the past.

Mr. Stidham noted that the Rural Lands Plan's guidance will be able to tell us in the future whether properties in the plan area should be rezoned. He pointed out a large RR-zoned lot along White Post Road that could potentially be subdivided into smaller lots currently. Mr. Camp noted that the CN-zoned lot on the opposite side of the railroad tracks could potentially be developed.

Regarding the draft map, Commissioner Glover said that Staff's oval-shaped plan area might be the best approach. Mr. Stidham said that this would be the map to take to the village meeting for feedback which could lead to further changes. Chair Ohrstrom asked for confirmation that we would ask the citizens for feedback on the draft map and guidance language rather than tell them that this is what we propose to adopt. Mr. Stidham replied yes and added that Staff would make a presentation to explain the purpose of the plan including how it is used and why the plan area boundary is general in nature. He added that the presentation would likely be less about planning and more about practical answers to the citizens' questions. He then asked if everyone was comfortable using the proposed plan area map for now and there were no objections.

Mr. Stidham walked the Committee through the draft goals and strategies noting that several were copied from the Millwood village draft that the Committee previously reviewed. Mr. Stidham reviewed Goal 1 Strategy 1 regarding creating a White Post-specific zoning district, noting that 66 of 118 existing lots are nonconforming to the one acre minimum lot size. Chair Ohrstrom said that creating a smaller lot size would not be a good idea because it would allow owners of larger lots to subdivide. Commissioner Glover asked if there is a way to consider the 66 nonconforming lots to be conforming but not allow any future lots of that size to be created. Mr. Stidham replied that the problem is not the nonconforming lot size but rather the lack of conforming building envelopes. He added that you could reduce the setback requirements or leave the regulations unchanged and continue to have property owners apply for variances.

Mr. Stidham asked the members about allowing properties to rezone back and forth between residential and commercial uses like what was discussed with Millwood. Chair Ohrstrom asked if we want to attract small-scale commercial uses to White Post. Mr. Stidham replied that development is limited without sewer so you would be looking at professional office and small-scale retail uses. He noted that there may be more options for public parking in White Post compared to Millwood however there are stormwater management issues currently. Commissioner Staelin asked Vice-Chair Buckley if he has received calls from people wanting to develop business uses in White Post. Vice-Chair Buckley replied no, adding that the problem is there are a number of historic buildings that we want to preserve but there is no impetus to preserve them because of the limited uses currently available. He said the residents of White Post are trying to preserve the gas station and livery stable just for the sake of preserving the buildings but there are no allowable uses for them.

Mr. Stidham noted that another issue is how to address historic preservation in the future. He added that Millwood's historic district is primarily commercial whereas White Post's historic district is primarily residential. He noted that there is no statement from the residents of White Post about their take on historic preservation like we currently have for Millwood. Vice-Chair Buckley noted that there were 16 stores in White Post in the past. He also said if you ask the residents of White Post what they want, they will definitely tell you. Chair Ohrstrom asked what the residents will say. Vice-Chair Buckley said that the residents would like to have a thriving community. Mr. Stidham added that he thinks the residents may say that they want to be taken out of the Historic (H) District regulations. Vice-Chair Buckley said that historic preservation is a tricky subject and there was a brief discussion about inconsistencies with the current H District boundaries. Commissioner Catlett asked when the H District was created in White Post. Commissioner Staelin said that it was in the late 1980s or early 1990s. Mr. Stidham noted that the Historic Preservation Commission is applying for a grant to update the historic district regulations to make them clearer and more applicable to Millwood and White Post. He said that getting the residents' opinions on the current regulations would be important to this process. Chair Ohrstrom said that residents' feedback should be obtained before working on the regulations. Mr. Stidham said that it would be interesting if the White Post residents said they would prefer to determine how best to preserve their village rather than having the County tell them how to do it. He added that the village association may want to do the visioning rather than a County committee. Commissioner Staelin noted that in the village meeting the residents may say they want public sewer. Vice-Chair Buckley replied that this is unlikely because the residents do not want more subdivisions.

Commissioner Glover asked if there is a location in the village where a coffee shop could be developed and Vice-Chair Buckley replied that he did not know specifically but perhaps on one of the larger parcels. Commissioner Staelin said that a coffee shop would require sewer. Mr. Stidham replied that a small coffee shop could possibly be developed on a septic system but would need a larger lot.

Mr. Stidham continued with the review of the draft goals and strategies. Regarding Goal 1 Strategy 2, Mr. Stidham reiterated the question of whether downzoning from RR to AOC should be allowed in the village. Chair Ohrstrom said that the AOC District allows for more special uses than the RR District. Mr. Camp noted that short-term residential rentals are not allowed in the RR District. Mr. Stidham asked whether guidance should be included to allow AOC and/or RR lots to be combined and rezoned to create a viable CN-zoned lot. Commissioner Staelin said that the only types of uses that the residents would want are restaurants and convenience stores. He added that a restaurant would require public sewer. He also said that a professional office use like a lawyer's office would be compatible but probably not what the residents have in mind. Vice-Chair Buckley said that there could be support for professional office as an alternative to residential use of structures. Commissioner Catlett suggested shared office space as well. Mr. Stidham noted that a community gathering space could be an option.

Mr. Stidham asked the members again about allowing downzoning to AOC and potentially introduce agricultural uses further into the village. Chair Ohrstrom said that the term "downzoning" has a negative connotation. Commissioner Staelin said that some may view downzoning as a means of allowing more uses. Commissioner Catlett asked about the new farm brewery and the community's thoughts on it. Vice-Chair Buckley replied that he has not heard the residents commenting on it.

Mr. Stidham said that he does not think the Committee has to come up with answers to all of these questions because they can be posed to the residents for their input. He said that he intends to develop a draft agenda and presentation for the Committee to run through and modify in order to be prepared for the village workshops. Commissioner Staelin asked how many residents may attend the White Post workshop and Vice-Chair Buckley estimated 25 people. Commissioner Glover said that it would be good to come up with guidance to address what the village residents want. Vice-Chair Buckley said that he expects to hear some residents say that they would like to have their office located on the lot next to their home.

Regarding Goal 1 Strategy 3, Chair Ohrstrom asked if you allow public sewer to be extended to the village to address septic system failures, do you continue to get property owners connecting because of additional failures over time. Mr. Stidham replied that it depends on the location and said Shenandoah Retreat is an example of a community that may have mass septic system failures in the future without additional land for repairs. He said you might be able to come up with interim solutions in White Post before sewer will be necessary. Commissioner Glover suggested modifying the language to say that there should be “widespread” failures to necessitate extension of public sewer as failures alone could refer to a small number of lots. Mr. Stidham agreed and said that the scenario should be on par with the reason why public water was brought to White Post. He also asked for confirmation that there should be no other reasons to allow connection to future public sewer and the members agreed.

Mr. Stidham reviewed the wording of Goal 2 Strategy 1 regarding creating historic district guidelines for White Post that balance the need for historic preservation with affordability and provision of common-sense options for property owners. He said he chose the wording based on what he expects to hear from the residents and asked the members if they thought it was too strong. Chair Ohrstrom thought that it was a bit too strong and suggested having the residents tell the Committee what they think about the issue instead of guiding them into it. Commissioner Glover added that the design guidelines already exist. Mr. Stidham noted that they are pretty broad and the purpose of the HPC’s grant project is to create more detailed guidelines. Mr. Camp added that it would also create guidelines customized for Millwood and White Post. Commissioner Glover says the language implies that there currently are no guidelines. Mr. Stidham suggested striking the words “the creation of” and members agreed with the change. He asked the members if this language seems less strong and members said yes.

Regarding Goal 2 Strategy 4, Chair Ohrstrom asked about the meaning of the second sentence regarding mothballing of historic structures. Mr. Stidham replied that mothballing is an approach to stabilize a structure to limit its continued deterioration if you are not planning to renovate it. He said that this language is also used in the Millwood strategies and asked the members if they thought it also applies to White Post. Commissioner Catlett said that there are some structures that would be applicable. Mr. Stidham noted that this strategy is designed to encourage rather than require renovation or mothballing of historic structures.

Mr. Stidham reviewed Goal 3 and its three strategies. Members had no questions or comments.

**4. New Business**

Due to scheduling conflicts, members agreed to cancel the meeting scheduled for Wednesday, February 14. Agenda items will be moved to the next scheduled meeting on Wednesday, March 6 at 2:00PM.

**ADJOURN:** Meeting was adjourned by consensus at 4:53PM.

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Brandon Stidham, Clerk



**Clarke County Department of Planning**  
**Berryville-Clarke County Government Center**  
**101 Chalmers Court, Suite B**  
**Berryville, VA 22611**

**TO: Comprehensive Plan Committee**

**FROM: Brandon Stidham, Planning Director**

**RE: Continued Discussion, Rural Lands Plan update – AOC/Valley Issues**

**DATE: February 27, 2024**

The March 6 workshop discussion is agricultural land issues specific to the County’s AOC-zoned areas. As with previous discussions, the goal of the workshop is to identify as many key issues as possible that impact the AOC-zoned lands and for the Committee to provide initial direction to Staff through discussion of the issues.

Enclosed you will find the following documents:

- Excerpts from the 2022 Comprehensive Plan Objectives and Policies with key sections highlighted for discussion:
  - Objective 1 – Agriculture (full)
  - Objective 3 – Natural Resources (selected applicable policies)
  - Objective 10 – Economic Development (selected applicable policies)
- 2016 Agricultural Land Plan Goals, Objectives, and Strategies – Full text with key sections highlighted for discussion and notes regarding whether or not and to what degree each strategy has been implemented.
- Agricultural Land Issues for Committee Discussion – Initial list of discussion questions divided into three general topics.

Staff proposes beginning the discussion with a review of the selected Comprehensive Plan sections and the 2016 Agricultural Land Plan Goals, Objectives, and Strategies. In reviewing the Agricultural Land Plan materials, Staff recommends the Committee discuss the status of each strategy as well as whether they are still relevant or should be modified. The Committee then should discuss the initial list of questions as well as any other questions or topics that Staff has not identified. Since some of the questions may produce in-depth policy discussions, the Committee may need to continue working on this topic at the next meeting.

Also for your review is a working outline for the initial draft of the Rural Lands Plan. We are providing this outline so that you can begin to visualize how the Plan may come together as we work through issue identification and discussions. The outline is just one possible approach and will likely change as we progress – feedback is encouraged.

**(540) 955-5132**  
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Staff would also like to schedule two more upcoming meetings which will likely be planning for the Millwood and White Post public workshops. The next meeting is currently scheduled for **Wednesday, March 27 at 2:00PM** (the week before the April Commission meetings). Below are some suggested dates for the following two meetings:

Meeting #1

- Monday, April 15 (10AM or 2PM)
- Wednesday, April 17 (2PM)
- Thursday, April 11 (2PM)

Meeting #2

- Wednesday, May 8 (10AM or 2PM)
- Thursday, May 9 (10AM or 2PM)
- Tuesday, May 14 (10AM or 2PM)

Please let me know if you have questions or cannot attend the meeting.

## 2022 COMPREHENSIVE PLAN – APPLICABLE OBJECTIVES AND POLICIES

### **Objective 1 -- Agriculture.**

Encourage agricultural operations and productivity to ensure the preservation and availability of land for the continued production of crops and livestock through the following policies and the Agricultural Land Plan. Ensure that any limited residential, commercial, and other non-agricultural uses and activities do not result in significant degradation to natural resources or disrupt the character and functionality of agricultural areas.

#### Policies

1. Promote and protect agriculture as the primary use of land in rural areas and inform the public of benefits of this policy.
2. Support a vigorous agricultural development program in the County that emphasizes promotion of Clarke County agricultural products, encourages cooperation with individual agricultural interests within the County and with advocacy agencies, and liaisons with counties in the area that have similar development programs.
3. Utilize the Agricultural Land Evaluation and Site Assessment (LESA) System to assess accurately the suitability of land for continued agricultural use. The LESA system provides an objective evaluation tool that scores the soils and physical conditions of a parcel for agricultural use.
4. Make land use decisions and plans that are consistent with LESA ratings. Approve conversion of important farmland to nonfarm use only if an overriding public need exists to change the land use. Important farmland consists of soils that are best suited to food, feed, fiber, forage, and oilseed crops and includes areas containing:
  - Prime farmland
  - Farmland of statewide importance
  - Farmland of local importance
  - Unique farmland

Adopt regulations to limit future development in these important farmland areas in order to maximize the amount of land available for agricultural production.

5. Encourage the use of best management practices as outlined in the Chesapeake Bay Regulations and as determined by the Federal Total Maximum Daily Load (TMDL) program to improve water quality by the following methods:
  - a. Making technical assistance available.
  - b. Promoting public awareness on the benefits of, and necessity for, best management practices, erosion and sedimentation controls, storm water management and Chesapeake Bay Preservation Regulations.

- c. Assisting in the establishment of conservation plans for all farms adjacent to perennial streams.
  - d. Encouraging all landowners engaged in agricultural activities to use the assistance of the Virginia Cooperative Extension Service, the Natural Resource Conservation Service, the Lord Fairfax Soil and Water Conservation District, and other public agencies.
6. Provide limited, low-density residential opportunities in unincorporated areas in a manner compatible with agricultural activities in the area of the county west of the Shenandoah River. Such residential development shall be consistent with the County's sliding-scale zoning regulations and shall not involve rezoning to a higher residential density to produce additional lots above the parcel's dwelling unit right allocation. Prohibit the rezoning of Agricultural-Open Space-Conservation (AOC) zoned properties to the Rural Residential District (RR) in areas outside of designated growth areas and villages for new residential development. The purpose is to avoid loss of farmland, to avoid sprawl development, and to avoid consumption of potential conservation lands and open space.
  7. To the maximum extent possible, separate nonagricultural land uses from existing agricultural lands and operations. Where nonagricultural operations are adjacent to existing agricultural operations, the nonagricultural operations should provide buffering in the form of fencing, landscaping, and open space. Require a right-to-farm warning notice to be included within the deed of dedication for new subdivisions in agricultural-zoned areas to promote awareness of living within an agricultural community.
  8. With the exception of telecommunication and high-speed internet facilities, discourage extension of public utilities, including but not limited to public water and public sewer, and other growth-inducing public facilities into agricultural areas and land under permanent conservation easement.
  9. Encourage all government agencies to minimize or eliminate adverse impacts that their programs and projects may have on maintaining the availability and use of agricultural land. Specifically, pursue legislation to limit the conversion of agricultural land to forest through nutrient credit programs that are used to mitigate stormwater impacts of development projects located outside of Clarke County.
  10. Promote and support the renewal and expansion of the Clarke County Agricultural and Forestal District program by providing information on its benefits and incentives to associated farmland owners, timberland owners, and farm organizations. Use the Land Evaluation and Site Assessment (LESA) System for the objective and consistent evaluation of applications for additions to the Clarke County Agricultural District.
  11. Support use-value taxation and other fiscal programs that help to alleviate economic burdens on owners of land used for agricultural, horticultural, forest, or open-space purposes (Code of Virginia, Section 58.1-3230, as amended). Promote existing and

explore alternative strategies to protect agricultural land from escalating assessments as a result of development pressures.

12. Evaluate and consider implementing innovative land-conserving techniques as authorized by State law.
13. Agribusiness uses and activities are encouraged provided that:
  - a. They are compatible in scale and intensity with surrounding agricultural uses.
  - b. They pose no threat to public health, safety, and welfare.
  - c. They further the goal of preserving farmland, open space, and the County's scenic beauty and historic resources.
  - d. They do not result in significant degradation of natural resources.
14. Agritourism uses and activities are encouraged as a means of facilitating the onsite sale of farm products and promoting agricultural education and appreciation. All agritourism activities shall be incidental to and directly supportive of the primary agricultural use on the property. Any agritourism activities or uses that exceed the intensity of the primary agricultural use shall either be prohibited or be approved by special use or other governing body permitting action.

### **Objective 3 – Natural Resources.**

Protect natural resources, including but not limited to soil, water, air, viewsheds, night sky, sound, wildlife habitats, and fragile ecosystems through the following policies, the Water Resources Plan, and other adopted policies.

#### *Policies*

1. Prohibit land uses that are likely to result in significant degradation to the County's natural resources. Focus should be placed on but not be limited to ground and surface water quality and quantity in Karst topography, steep slopes, and the Shenandoah River. Regulations should be adopted to establish measurable thresholds that the County uses to determine what constitutes significant degradation of a natural resource.
6. Identify and inventory important land suitable for the preservation and conservation of natural resources. Encourage landowners to apply for preservation programs such as the Agricultural and Forestal District program (AFD) as well as applicable use-value taxation for such lands as "real estate devoted to open space use" (Code of Virginia, Section 58.1-3230). Such real estate includes parcels adjacent to designated scenic rivers, wetlands, designated scenic highways, and registered historic structures. Such real estate also includes lands adjacent to or under permanent conservation easement or lying within the 100-year floodplain.
7. Prohibit new or expanded mining, oil, or gas-drilling operations.

8. Promote the placement of conservation easements on lands adjoining or visible from roads designated as Scenic Byways and protect the scenic value of those lands when making land use decisions and plans.
9. Promote the concept of linear greenways to link natural features, wildlife corridors, and cultural and scenic resources such as:
  - Designated scenic rivers
  - Designated scenic highways
  - Registered historic properties
  - Permanent conservation easements
  - Recreation facilities
  - Blandy Experimental Farm
  - Shenandoah University's Shenandoah River Campus
  - Appalachian Trail
17. Revise and implement the adopted County ordinance requiring pump out of septic systems per State requirements.
18. Recognize that because karst terrane underlies the majority of Clarke County, groundwater in the County is highly susceptible to contamination. Take steps to protect groundwater and prevent contamination whenever possible.
19. Adopt the most stringent regulations for alternative onsite sewage treatment systems permitted by State law to protect the County's vulnerable surface and groundwater resources. Implement an onsite treatment system monitoring program including enforcement of mandatory pump-out requirements for septic systems as described in Policy #17 above. For new development and re-development projects that require a land use change, ensure use of the onsite sewage treatment method that provides the maximum protection to surface/groundwater resources and Karst terrane.

**Objective 10 – Economic Development**

Encourage economic growth that is compatible with the County's environmental quality, rural character, and residential neighborhoods, and that provides a healthy balance between revenues from residential and agricultural uses, and those from commercial and industrial uses.

Policies

6. Promote economic development in the County's unincorporated and rural areas that is highly compatible with the County's land use philosophy and character. Focus on types of businesses that will not produce impacts which may result in significant degradation of natural resources, that will not require or increase demand for public infrastructure improvements or expansion, and that will not adversely impact existing nearby land uses or the conservation value of protected lands. These business sectors include but are not limited to agricultural operations, agricultural support businesses, and equine businesses and related services.

Other business sectors which may be compatible on a limited scale subject to compliance with building code regulations, onsite sewage disposal system requirements, and County zoning regulations include:

- a. Small-scale lodging within single-family dwellings and/or accessory dwellings.
  - b. Limited special events and commercial public assembly uses subject to full compliance with County regulations governing such activities.
  - c. Support businesses for existing tourism resources.
  - d. Adaptive reuse of existing commercial and residential structures to compatible new uses.
7. Protect and enhance the natural resources of the County, recognizing that they can serve as an attraction to business and industry.
  8. Encourage the attraction of business activities that complement or that work in conjunction with existing industrial and commercial activities in the County, particularly active farming and forestry operations.
  11. Support a vigorous agricultural development program in the County that emphasizes promotion of Clarke County agricultural products, encourages cooperation with individual agricultural interests within the County and advocacy agencies, and establishes liaisons with counties in the area that have similar development programs.

## 2016 AGRICULTURAL LAND PLAN GOALS, OBJECTIVES, AND STRATEGIES

### A. Goals Statement

1. Actively support the practice of agriculture and the preservation of agricultural land.
2. Promote agricultural industry and business.
3. Establish land use and regulatory policies to support the agricultural sector and preserve agricultural land.

### B. Plan Objectives and Strategies

#### GOAL 1: Actively support the practice of agriculture and the preservation of agricultural land.

##### Objective 1. Support a vigorous agricultural development program as recommended by the County Comprehensive Plan and Economic Development Strategic Plan.

Strategy (a). Appoint a County advisory committee to serve as a forum for cooperative discussion of issues affecting the agricultural community and to provide recommendations to the Board of Supervisors on policy issues affecting agriculture. As an alternative, consider assigning this role to an existing County committee such as the Agricultural and Forestal District (AFD) Advisory Committee.

- *Status – Not completed*

Strategy (b). Evaluate the creation of a formal agricultural development program that includes assignment of County staffing and financial resources. Consider establishing the program, at its onset, as part of the County's Economic Development Department work program with support from the Department of Planning.

- *Status – Not completed however the Economic Development Department provides support to farms, agribusinesses, and agritourism efforts.*

Strategy (c). Partner with the Virginia Cooperative Extension, local Farm Bureau, and other pertinent agencies and organizations to conduct periodic surveys of the agricultural community to evaluate current and future needs that the County may help to address.

- *Status – Not completed*

**Strategy (d).** Utilize the internet, websites, and social media to promote agriculture and Clarke County products.

- *Status – Conducted through the County’s main Facebook page and the Economic Development Department’s website and Facebook page.*

**Strategy (e).** Develop a database of County agricultural operations and support businesses in order to effectively communicate programs and other opportunities to the community and interested stakeholders.

- *Status – Currently under development by the Economic Development Department.*

**Objective 2. Continue to support and promote Land Use Taxation, Agricultural & Forestal District (AFD), and Conservation Easement programs.**

**Strategy (a).** Develop outreach and social media tools to inform the public of the benefits of these programs and explain their value to the community as a whole.

- *Status – Not completed*

**Strategy (b).** Continue to support efforts to place prime farmland and large agricultural parcels into permanent conservation easement including leveraging grants with local funds to purchase dwelling unit rights as a means of permanently preserving lands for agriculture.

- *Status – Conducted through the conservation easement program.*

**Objective 3. Facilitate the availability of broadband internet for the agricultural industry, its business activities, and farm residents.**

**Strategy (a).** Solicit feedback from the agricultural community on ways that they use broadband internet access to streamline and enhance day-to-day operations. Use the feedback in conjunction with efforts to expand broadband availability throughout the County.

- *Status – Not completed*

**Objective 4. Take a proactive role to ensure that the potential environmental impacts of agriculture are mitigated and that the interests of future development do not collide with the interests of the agricultural community.**

**Strategy (a).** Continue to support programs that help mitigate adverse impacts on the County’s streams and waterways, e.g., stream fencing and streambank restoration projects.



Continue partnering with agencies such as the Lord Fairfax Soil & Water Conservation District and the Natural Resources Conservation Service, and pursue grant opportunities in support of these programs.

- *Status – Support provided through the Planning Department and grant opportunities are pursued when available.*

**Strategy (b).** Maintain existing and work to create new land development regulations that ensure the separation of agricultural uses from residential and commercial uses. Examples include perimeter buffering of agricultural parcels, setback distances from property lines, and subdivision plat notes regarding existing agricultural operations on AOC-zoned properties.

- *Status – No text amendments have been developed or considered.*

**Strategy (c).** Allow intensive livestock facilities as required by State law, ensuring that site development regulations mitigate potential adverse environmental impacts on surrounding properties and waterways.

- *Status – Regulations are included in the current Zoning Ordinance.*

## **GOAL 2: Promote agricultural industry and business.**

**Objective 1.** Encourage agricultural ventures of all sizes whether very large, mid-range, or small farms. Support non-traditional agricultural enterprises including but not limited to equine, specialty growers, local food/pick-your-own, farm-to-table, and agri-tourism.

**Strategy (a).** Ensure that marketing/outreach initiatives and County agricultural projects and programs consider the diverse needs and involve all facets of the agricultural industry equally.

- *Status – No specific policies have been developed.*

**Objective 2.** Ensure that the County's economic development program includes projects that promote the County's agricultural industry.

**Strategy (a).** Develop partnerships and resources to link existing farmers and agricultural-related business owners with emerging farmers, agricultural entrepreneurs, landowners, and the general public.

- *Status – Not completed*

Strategy (b). Participate in regional agricultural economic development programs and activities. Establish partnerships that are consistent with the County’s agricultural goals and policies.

- *Status – Currently being developed by the Economic Development Department.*

**Objective 3. Encourage the development of businesses that provide products and services to support the agricultural community.**

Strategy (a). Explore the feasibility of establishing or attracting agricultural support facilities for production and sales of agricultural products such as farm markets, co-ops, canneries, and farm equipment sales/service businesses.

- *Status – 2017 Zoning Ordinance text amendment added farm machinery sales and service and farm supplies sales as new uses in the AOC District. Relaxed regulations for onsite sale of goods produced by a farm were also added as an accessory use to an agricultural operation. Informal discussions have been raised in recent years regarding adding other types of agricultural accessory uses such as abattoirs and allowing farms to sell products other than those produced in whole or in part by that farm.*

**GOAL 3: Establish land use and regulatory policies to support the agricultural sector and preserve agricultural land.**

**Objective 1. Ensure that the County's land use policies and regulations are consistent with the current and future needs of the agricultural community.**

Strategy (a). Conduct periodic reviews of zoning regulations to balance the needs of the agricultural community with ensuring that potential impacts such as traffic safety, agricultural waste/runoff, and other environmental concerns are effectively addressed.

- *Status – Not specifically conducted as a review project but addressed generally when developing text amendments that pertain to agricultural activities and uses.*

Strategy (b). Consider developing regulations for landowners to create farmland of various sizes for purchase or lease. Establish design criteria to ensure that the regulations are not used to create large residential lots that are not farmed.

- *Status – Not completed*

Strategy (c). Consider increasing housing opportunities for farm families and farm workers. Evaluate current zoning and subdivision regulations regarding dwelling unit right

usage, lot size requirements, tenant houses, and accessory dwellings (less than 600 square feet).

- ***Status – Not completed but was discussed during the Zoning and Subdivision Ordinance update process.***

**Strategy (d).** Support agricultural-related uses as a means of preserving the character and historic value of large homesteads and their associated lands.

- ***Status – Not completed – may need to be defined further.***

**Strategy (e).** Ensure that future updates of the County Comprehensive Plan and relevant component plans are coordinated with the current goals, objectives and strategies of the Agricultural Land Plan.

- ***Status – This has been done with the 2022 Comprehensive Plan update and applicable recent component plan updates.***

**Objective 2. Ensure that future residential and commercial development does not conflict with existing agricultural operations or consume prime farmland.**

**Strategy (a).** Continue to support the sliding-scale zoning system and the County’s approach to land use decision-making.

- ***Status – Conducted through 2022 Comprehensive Plan and current Zoning and Subdivision Ordinances.***

**Strategy (b).** Prevent the expansion of the Rural Residential (RR) zoning district beyond the boundaries of the County’s unincorporated villages and existing residential communities. Prevent the expansion of commercial zoning districts beyond the boundaries of designated business intersections unless supported by the applicable business intersection area plan.

- ***Status – Reinforced in 2022 Comprehensive Plan.***

**Strategy (c)** Support efforts to permanently preserve lands that are located adjacent to the corporate boundaries of Berryville and Boyce that contain significant natural, historical or cultural resources; have unique scenic beauty; or possess prime farmland characteristics. Consider providing flexibility for these properties to be used as passive recreational parks, educational resources, scenic greenways, or similar uses as an amenity for nearby residents.

- ***Status – No specific opportunities have come up with the exception of the Ruritans considering placing the Fairgrounds into conservation easement.***

**Objective 3. Ensure that non-traditional agricultural activities do not significantly expand beyond the scope of agriculture and the intent of the Right to Farm Act. Maintain dividing lines by designating special uses or prohibiting uses that exceed the scope of agriculture.**

Strategy (a). Solicit input from the agricultural community on Zoning Ordinance text amendments that propose commercial or public assembly activities in conjunction with agricultural operations.

- *Status – Not completed*

Strategy (b). Continue to use the County's special event permitting process to allow periodic public assembly activities in agricultural areas as an alternative to permanent public event centers.

- *Status – Allowed by the current Special Events ordinance (County Code Chapter 57) and by the agritourism activity zoning permit process added during the Zoning and Subdivision Ordinance update project.*

## **AGRICULTURAL LAND ISSUES FOR COMMITTEE DISCUSSION**

### **1. Protection and preservation of farmland and open space**

- What specific guidance should be developed to address land conversion by non-agricultural uses?
  - Development generally (see current strategies under Agricultural Land Plan Goal #3)
  - Nutrient credit banks – Establish a policy for what would be an acceptable scope for a nutrient credit bank in Clarke
  - Utility-scale solar/community-scale solar
    - Use of solar to support agricultural uses versus displacing them
    - Policy on agrivoltaics
  - Other land conversion threats?

### **2. Agribusiness, agritourism, and industrial-scale agriculture**

- Should a vision or definition be developed to differentiate between a farm that is primarily an agricultural operation (bona fide production of livestock or crops) versus a farm that is primarily an agritourism or agritainment business?
- What policy should be created to address industrial-scale agricultural operations such as hydroponic/indoor farms?
- Should guidance be developed to further address the scope of onsite sales of goods by farms?
- Should the strategy of using agricultural-related uses to preserve historic homesteads be modified? (see Goal 3, Objective 2, Strategy (d))

### **3. County support for the agricultural industry**

- Should the County have a “vigorous agricultural development program” or a more passive program that offers a clearinghouse of technical information and marketing support?
- Should the objectives and strategies dealing with agricultural impacts to the environment be retained or modified? (see Goal 1, Objective 4 and Goal 3, Objective 1, Strategy (e))

- Should the strategies to allow farmland of various sizes for purchase/lease and to create housing opportunities for farm workers and families be retained or modified? (see Goal 3, Objective 1, Strategies (b) and (c))

## WORKING OUTLINE FOR RURAL LANDS PLAN

### **I. Introduction**

#### **A. Summary Statement of Purpose for Rural Lands Plan**

#### **B. Background Information**

1. History of the Agricultural Land Plan and Mountain Land Plan
2. Plan Development Process

#### **C. Overview of the Rural/Unincorporated Areas**

1. Agricultural-Open Space-Conservation (AOC)/Valley Areas
2. Forestal-Open Space-Conservation (FOC)/Mountain Areas
3. Villages of Millwood and White Post
4. Neighborhoods and other developed areas

### **II. Goals and Strategies**

#### **A. Villages, Neighborhoods, and Other Developed Areas**

1. Millwood
  - (a) Plan Area
  - (b) Goals and Strategies
2. White Post
  - (a) Plan Area
  - (b) Goals and Strategies
3. Neighborhoods and Other Developed Areas
  - (a) Description
  - (b) Goals and Strategies

#### **B. Agricultural Areas**

1. Protection and preservation of farmland and open space

2. Agribusiness, agritourism, and industrial-scale agriculture
3. County support for the agricultural industry

**C. Mountain Areas**

1. Scenic viewsheds and forestry resources
2. Development protections specific to mountain areas

**III. Conclusion**