



# Clarke County Planning Commission

**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 or 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.

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

Brandon Stidham, Clerk