



Clarke County Planning Commission

AGENDA – Comprehensive Plan Committee Meeting

Wednesday, March 27, 2024 – 3:30PM

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.

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3	Old Business -- Continued Discussion, Rural Lands Plan Development	
A	AOC/Valley Issues Workshop (continued)	pp. 9-22
	-- Staff Memo	p. 9
	-- Agricultural Land Issues for Committee Discussion (REVISED)	pp. 10-11
	-- 2016 Agricultural Land Plan Goals, Objectives, and Strategies (from 3/6 meeting)	pp. 12-17
	-- Excerpts from 2022 Comprehensive Plan (from 3/6 meeting)	pp. 18-22
4	New Business – None scheduled	
5	Adjourn	

Upcoming Meetings:

- Monday, April 15 (12:00PM) – A/B meeting room
- Friday, May 3 (9:30AM or immediately following Commission Business Meeting) – A/B meeting room



Clarke County Planning Commission

DRAFT MINUTES – Comprehensive Plan Committee Meeting

Wednesday, March 6, 2024 – 2:00PM

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

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

L – Arrived late

E – Participated electronically

Staff Note -- Chair Ohrstrom participated as an alternate member until Vice-Chair Buckley joined the meeting.

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

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

1. Approval of Agenda

Members approved the agenda by consensus as presented by Staff.

2. Approval of Minutes – January 30, 2024 Meeting

Members voted 4-0-1 (Buckley absent) to approve the January 30, 2024 meeting minutes as presented by Staff.

Motion to approve the January 30, 2024 meeting minutes as presented by Staff:			
Buckley	ABSENT	Staelin	AYE (moved)
Glover	AYE	Catlett	AYE (seconded)
Ohrstrom	AYE		

Mr. Stidham said that Chair Ohrstrom is participating electronically for medical reasons.

3. Old Business -- Continued Discussion, Rural Lands Plan Development

A. AOC/Valley Issues Workshop

Mr. Stidham provided an overview of this discussion item by reviewing relevant objectives and policies in the 2022 Comprehensive Plan and the goals, objectives, and strategies in the 2016 Agricultural Land Plan. Commissioner Staelin said that he liked the approach of laying out the similar objectives for discussion purposes. Mr. Stidham noted that some of the policies and strategies were added with the 2022 Comprehensive Plan and some have been carried over from earlier plans. He also noted that all of the Agricultural Land Plan provisions were created in 2016 and members should recall what issues were important at that time and what other issues were not raised until after that time period.

Regarding Comprehensive Plan Objective 1 Policy 2, Mr. Stidham noted that the language, “vigorous agricultural development program” dates back at least to the 2013 Plan and may have been included in earlier plans. He said he thinks that this policy was expanded in 2013 to explain what the phrase means and noted that it is repeated in the Agricultural Land Plan. He also noted that the Agricultural Land Plan contains a number of strategies included to further the concept of a “vigorous agricultural development program” and a lot of them have not come to fruition. He said the Committee may want to discuss what the County should be providing to the agricultural industry in the form of active or passive support.

Commissioner Glover said that the counties in our area are not like Clarke County and he asked if there was a way to weaken the language regarding cooperation with them and their agricultural development programs. Mr. Stidham said that we can definitely do that and part of our exercise is to determine where we want to put our stake in the ground on the various issues. He added that “development programs” does not necessarily mean developing business, it could mean helping existing business thrive and expand at a compatible scope. Chair Ohrstrom suggested deleting the word “development.” Mr. Stidham noted examples of development programs in Loudoun and Fauquier that have different goals than Clarke and the level of support we provide does not have to mirror these programs. He said we can use other programs as examples of what we want to do and what we do not want to do. Commissioner Glover said that adding the word “pursues” before “liaisons” and avoid language such as “require” would make him happy. Commissioner Staelin said that we have copied some regulations from other counties that have been helpful and understanding what your neighbors are doing is important. Commissioner Glover noted that Frederick County is creating the growth that is sending all of the traffic through our county. Commissioner Staelin replied that this is correct but that they have some good growth controls in the western part of the county such as a transfer of development rights program. Commissioner Catlett said that we should consider counties outside of our area that are of similar size.

Mr. Stidham reviewed Objective 1 Policy 9 noting that it was added with the 2022 update to address the nutrient credit bank issue. He added that this is one example of the broader land conversion discussion that he recommends the members discuss.

Regarding Objective 1 Policy 6, Commissioner Staelin asked about the meaning of “consumption” in the last line. Mr. Stidham said that this policy is designed to ensure that the Rural Residential (RR) District does not expand for the reasons stated in the last line – to avoid farmland loss, sprawl, and consumption of conservation lands and open space. Commissioner Staelin replied that he has trouble with the word “consumption.” Mr. Stidham said that he would not recommend wordsmithing these provisions as they are in the current Comprehensive Plan but we can choose other language for similar policies in the Rural Lands Plan.

Mr. Stidham asked for additional comments on Policy 9 and Commissioner Staelin asked if we are getting any pushback on it. Mr. Stidham replied that it is hard to get the State legislators to understand our concerns with nutrient credit banks, adding that the lobby for the development community is strong and there are only a few counties in the state that have issues with this program.

Mr. Stidham reviewed Policies 13 and 14 regarding agribusiness and agritourism, noting that these policies form the baseline for how we view the compatible scopes for these uses. In reference to compatibility with surrounding agricultural uses in Policy 13, Mr. Camp asked if residential uses

should be referenced as well by ensuring compatibility with existing homes on AOC-zoned properties. Mr. Stidham replied that the tradition has been that people who choose to live in AOC-zoned areas should accept the impacts of farming operations around them. Mr. Camp noted that you could add existing residences to item (b) that agribusinesses should pose no threat to public health, safety, and welfare. Commissioner Staelin asked Mr. Camp what the purpose would be for including this language. Mr. Camp replied that this was an issue with the Carter Hall special use permit application and Commissioner Staelin noted that the use in that case was not an agribusiness. Mr. Stidham said that it may be more appropriate to add in reference to agritourism uses under Policy 14 as we certainly have concerns with the impact of farm wineries, breweries, and distilleries on adjoining residences. Chair Ohrstrom and Commissioner Catlett agreed. Commissioner Catlett added that people who move next door to a farm are expected to accept the usual impacts of that farm.

Vice-Chair Buckley entered the meeting.

Mr. Stidham said that the agribusiness uses farm supplies sales and farm equipment sales and service were added to the Zoning Ordinance in 2017 and the by-right uses were to be viewed on par with typical farming operations. He added that we had this concept before the hydroponic lettuce facility was proposed in the County which raised new concerns not previously considered. He also said that we could consider creating a new term other than “agribusiness” to reference indoor farming and similar intensive uses, such as “industrial-scale agriculture.” Commissioner Staelin said that this is a good issue that should be addressed in some form. Vice-Chair Buckley agreed and said indoor agriculture should definitely be set apart from traditional agriculture. Commissioner Glover said that indoor agriculture is not the same as industrial agriculture, adding that industrial scale to him means larger scale. Vice-Chair Buckley replied that he did not know what the correct terminology should be. Mr. Stidham replied that the hydroponic facility was referred to as a “lettuce factory” because it was proposed to be thousands of square feet under roof and Vice-Chair Buckley added that these facilities do resemble factories. Mr. Stidham noted that Staff recently approved greenhouses in the Swimley area around 10,000 square feet in size and more similar in appearance to other farm structures. He said a metric should be created based on facility size that classifies these uses as “industrial scale” which could even include a facility like White Post Dairy.

Mr. Stidham reviewed relevant policies from other objectives in the 2022 Comprehensive Plan. Regarding the phrase “significant degradation to the County’s natural resources” in Objective 3 (Natural Resources) Policy 1, Commissioner Staelin asked for confirmation that this is defined in another section. Mr. Stidham replied that “significant degradation” is defined in Goal 6 of the 2022 Comprehensive Plan.

Mr. Stidham reviewed Objective 3 Policy 9, noting that this is a holdover from earlier plans and describes a planning concept of interlinking natural, cultural, and scenic resources with greenways that can contain trails and open space. He noted that not much has been done to implement this policy other than incentivizing placing lands into conservation easement that adjoin other eased properties.

Mr. Stidham reviewed Objective 10 (Economic Development) Policy 6 which provides guidance on the types of businesses that could be compatible in the unincorporated/rural areas. He noted that there is a discussion question regarding whether there are certain agricultural support businesses or

industrial-scale agriculture that could be compatible in the rural areas. He gave examples of agricultural warehousing, cold storage, and abattoirs. Commissioner Staelin asked if we define “compatible.” Mr. Stidham replied that it depends on what you are saying something is compatible with such as surrounding uses, the environment, the Comprehensive Plan goals, or all of the above. He added that we tend to layer all of these things in when making decisions.

Mr. Stidham concluded review of the 2022 Comprehensive Plan policies with an overview of Policies 8 and 11, noting that Policy 11 is repeated verbatim from Objective 1, Policy 2. Members had no additional questions or comments.

Mr. Stidham reviewed the goals, objectives, and strategies in the 2016 Agricultural Land Plan. He noted that these were developed at a time before the hydroponic lettuce facility matter. He also said that we had just updated the farm winery/brewery/distillery regulations and there were few of these operations in the area. He added that there was not a big push to establish “agritainment” businesses at the time either but there was a desire to promote agribusiness activities which resulted in the addition of the farm supplies sales and farm machinery and equipment repair uses to the Zoning Ordinance. He said we also clarified how farms could sell their own products onsite.

Under Goal 1 Objective 1, Mr. Stidham noted that the language to “support a vigorous agricultural development program” is repeated. He noted that Strategy (a) to create a County advisory committee to discuss agricultural issues was never implemented. He said Strategy (b) to evaluate the creation of a formal agricultural development program was not completed but that the Economic Development Department provides support to farms, agribusinesses, and agritourism efforts. Regarding Strategy (a), Commissioner Staelin said that the Board of Supervisors can create a committee at any time if they think that this would be a good idea and their charge is defined. Mr. Stidham said that for strategies that have not been implemented, we should decide whether these are still good ideas to be implemented or whether the lack of interest means that the strategy should be eliminated. Commissioner Catlett noted that the Clarke County Equine Alliance had problems defining their role and keeping members on the committee. Mr. Stidham said another issue to consider in determining the County’s role in helping the agricultural industry is whether the industry wants the County’s help. He continued by saying do traditional farmers and the equine industry want the County to develop programs for them or to be a resource or clearinghouse for information when they need it.

Regarding Strategy (c), Mr. Stidham said that partnering with agencies and organizations to conduct surveys of the agricultural community has not been undertaken. Mr. Camp replied that this could be a task for an agricultural advisory committee. Commissioner Catlett said this could be useful to identify the reasons for loss of farmland. Vice-Chair Buckley said that traditional farmers only want the County to protect farmland. He added that he sees value in seeking input from farmers on issues that may impact them. Mr. Stidham said that there is a strategy later in the Plan that addresses this point.

Regarding Objective 2 Strategy (a), Mr. Stidham noted that outreach tools have not been developed to promote land use taxation and the Agricultural & Forestal District (AFD) program but they have for the Conservation Easement Authority. Commissioner Staelin said that the Easement Authority also sends out informational materials with the tax bills and that this could be expanded to include land use taxation. Mr. Camp noted that the AFD Advisory Committee developed an informational

flyer and other outreach efforts recently on the AFD program. Mr. Stidham said we could do a lot more with the AFD program but we can also use this exercise to determine whether we want to continue to promote the program. He said that during the last two renewal periods, we did not have interest in adding land to the program. Mr. Camp noted that there is no incentive to participating in the AFD program, adding that even simplifying the paperwork for the program would interest some landowners. He also said that he thinks the majority of property owners in the AFD program do not know that they are participating. Mr. Stidham said that AFD programs are most valuable in localities that do not have a conservation easement program and that have either recently added land use taxation or may consider eliminating it in the future. He said that if the land use taxation program is not at risk of being eliminated, the only reason to participate in the AFD program is that you are not ready to put your land into conservation easement. Vice-Chair Buckley said you could provide information on the AFD program in the Easement Authority's mailings. Mr. Stidham replied that the AFD could be viewed as a competitor to the easement program and Vice-Chair Buckley replied that he views it as the first step to placing land in easement. Mr. Stidham also noted that we do not allow properties in rural areas to be rezoned and having your land in the AFD program can provide some protections against encroaching development.

Regarding Objective 3 Strategy (a), Mr. Stidham noted that as we get closer to county-wide deployment of fiber internet, broadband strategies will be less important as farms will have access to broadband.

Mr. Stidham said that Objective 4 Strategy (a) pertains to supporting programs to mitigate adverse impacts of agriculture on streams and waterways. He added that there was some discussion at the time to take this strategy further in light of the White Post Dairy manure spill but it was decided to stick with the current strategy language. Regarding Strategy (b), Mr. Stidham said no work has been done to create new development regulations to separate agricultural uses from residential and commercial uses.

In Goal 2 Objective 1, Mr. Stidham noted that the language references encouraging agriculture "of all sizes." He said he thinks where we have evolved since the drafting of this strategy is being wary of agricultural operations on small lots like specialty growers and agritourism businesses. He added that we may want to discuss whether this strategy should be modified. Commissioner Catlett asked if a group of farriers could get together and establish a joint business to provide services to the equine community. Mr. Stidham replied that the closest corresponding use would be a veterinary hospital but farrier service is grooming and not medical services. Commissioner Catlett said that adding this as a use would be an example of doing something for the equine community. Mr. Stidham said that he remembers having a work session discussion about allowing a centralized location for a variety of equine services including grooming and medical and whether there would be a demand for that. Commissioner Catlett said an equine rehabilitation use could encompass a broad range of services including both medical and grooming. Mr. Stidham noted that you can have many of these activities in conjunction with a horse farm as agriculture but not as standalone uses. Mr. Camp said that you can operate these activities as home occupations. Vice-Chair Buckley said that the AOC District is where you would want these businesses to be located, adding that a farrier operation would be more appropriate on a rural secondary road than on a Highway Commercial lot at a business intersection. He added that this would also be true for any large animal vet but not a small animal vet that may see hundreds of dogs and generate more traffic.

Regarding farms “of all sizes,” Commissioner Staelin noted that pick-your-own vegetable operations can be done on five acre lots. Vice-Chair Buckley said that food crops are definitely being grown on small acreage, noting that an acre of tomatoes will produce a lot of tomatoes. Mr. Stidham noted that in the debates over maximum lot size, there is a presumption that 20 acre lots will have large homes built on them and will never be farmed and that is farmland lost forever. Vice-Chair Buckley said there are examples of subdivisions with five acre lots where most of the land is overgrown except for one acre around the house. Mr. Stidham noted that parcelization is a problem because the more 20 acre lots you have, the less contiguous land area in common ownership is available. Commissioner Staelin asked how you ensure that a 20 acre lot will be used for farming 50 years from now.

Mr. Stidham noted that Strategy (a) casts a wide net by ensuring that the County’s efforts to support the agricultural industry considers diverse needs and involves all facets of the industry equally. He said there should be discussion as to whether some parts of the agricultural industry should be emphasized over others, in particular those types of businesses that we may not see as being true agriculture.

Regarding Objective 2 Strategy (a), Mr. Stidham stated that the strategy directs development of partnerships to link existing and emerging farmers, entrepreneurs, landowners, and the public, adding that this strategy has not been implemented. He asked whether this should be the County’s role or whether there are other entities that are already doing this or are better suited to do it. Vice-Chair Buckley said there is a statewide program called Farmlink that does this. Commissioner Glover suggested changing “develop” to “encourage.”

Commissioner Glover left the meeting.

Mr. Stidham said that Objective 3 Strategy (a) directs to explore the feasibility of establishing or attracting agricultural support facilities. Chair Ohrstrom asked if this pertained to concerns expressed at a recent Board of Supervisors meeting regarding what an agricultural operation is allowed to sell onsite to the public. Mr. Stidham said that he does not think that the agricultural community realizes that the regulations used to be more stringent and were relaxed to allow all goods made in whole or in part from the farm’s products to be sold onsite. He added that people may not understand why we have a rule in place to prohibit the sale of other products – to avoid allowing commercial farm markets to develop in the rural areas under by-right agriculture without having to go through a public process for approval. He noted that this issue is marked for discussion as to whether the rules should be further relaxed.

Regarding Goal 3 Objective 1, Mr. Stidham noted that Strategy (b) recommends developing regulations to allow landowners to create farmland of various sizes for purchase or lease and Strategy (c) recommends increasing housing opportunities for farm families and farm workers. He noted that neither strategy has been implemented due to lack of demand. He said that Strategy (d) may need to be further defined as it recommends supporting agricultural-related uses as a means of preserving large homesteads and associated lands. An example of this would be turning a large manor house into a farm brewery and do we want to encourage this.

Mr. Stidham noted that Objective 3 to ensure that non-traditional agriculture does not expand beyond the scope of agriculture and the intent of the Right to Farm Act still appears to be valid. He

noted that Strategy (a) recommends soliciting input from the agricultural community on Zoning Ordinance text amendments that may impact them, adding that the agricultural community has not been directly approached for their input. Commissioner Catlett asked what a non-traditional agricultural use is and Mr. Stidham replied that it would be anything other than a traditional farming operation. Mr. Stidham said the bigger question is what is farming. He added that you would think growing vegetables is traditional farming until it comes in the form of a hydroponic lettuce facility.

Mr. Stidham noted that the Committee has been meeting for over an hour and Commissioner Glover has left. He asked if the members wanted to end the discussion for today and continue at the next meeting on March 27 at 3:30 and members agreed.

B. Review Preliminary Outline for Rural Lands Plan

Mr. Stidham briefly reviewed the working outline for the Rural Lands Plan. Members had no questions or comments.

4. New Business

A. Schedule Upcoming Meetings

Members indicated a preference for the April meeting to be scheduled on either Monday, April 15 at 2:00PM or Wednesday, April 17 at 2:00PM. Members agreed to schedule the May meeting for Friday, May 3 immediately following the Commission Business Meeting. Mr. Stidham said that he would discuss these dates with Commissioner Glover and send out an email to confirm the meetings.

ADJOURN: Meeting was adjourned by consensus at 3:11PM.

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: March 20, 2024

The March 27 workshop is a continuation of the AOC/valley issues discussion. As you may recall, we completed review of the goals, objectives, and strategies in the current Agricultural Land Plan along with relevant policies from the 2022 Comprehensive Plan. For this meeting, we will discuss the list of issues and policy questions. Enclosed is a revised draft with a few minor additions and changes (highlighted in yellow) to help frame the discussion. The Comprehensive Plan and Agricultural Land Plan policies and strategies are included again for your reference. Members are encouraged to raise any additional issues and questions, especially in regards to other land conversion threats that have not been identified. Our goal for this meeting is to complete the AOC/valley issues discussion so that we can move on to discussion of FOC/mountain issues at our next meeting on Monday, April 15.

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

(540) 955-5132
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3/27/2024 COMMITTEE MEETING

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

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?
- Should we pursue the strategy to consider developing regulations to create farmland of various sizes for purchase or lease? (Ag Land Plan Goal 3, Objective 1, Strategy (b))
- 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 Ag Land Plan 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?

3/27/2024 COMMITTEE MEETING

- Should the objectives and strategies dealing with agricultural impacts to the environment be retained or modified? (see Ag Land Plan 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 Ag Land Plan Goal 3, Objective 1, Strategies (b) and (c))

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.*

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.