



Clarke County Planning Commission

AGENDA – Comprehensive Plan Committee Meeting

Monday, August 19, 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.

1	Approval of Agenda	p. 1
2	Approval of Minutes – July 2, 2024 meeting	pp. 2-10
3	Old Business -- Continued Discussion, Rural Lands Plan Development	--
	-- Staff Memo	pp. 11-12
A	Discussion – Review Revisions to Comprehensive Outline Working Draft	--
	-- Comprehensive Outline Working Draft (UPDATED)	pp. 13-29
B	Discussion – Presentation of Key Issues to the Planning Commission	pp. 30-46
	-- Draft Memo to Commission	pp. 30-39
	-- Draft Millwood and White Post Plan Area Maps	pp. 40-41
	-- Condensed Comprehensive Outline	pp. 42-44
	-- Current Work Plan	pp. 45-46
4	New Business	--
	-- None scheduled	--
5	Adjourn	

Upcoming Meetings:

- Tuesday, September 10 (2:00PM)
- To be scheduled – October



Clarke County Planning Commission

DRAFT MINUTES – Comprehensive Plan Committee Meeting

Tuesday, July 2, 2024 – 2:00PM

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)	✓ ^E
George L. Ohrstrom, II (Ex Officio)	✓		

E – Participated electronically

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

CALL TO ORDER: By Mr. Stidham at 2:03PM.

Commissioner Catlett participated electronically for personal reasons.

1. Approval of Agenda

Members approved the agenda by consensus as presented by Staff.

2. Approval of Minutes – May 20, 2024 Meeting

Commissioner Staelin noted a typo on page 3 of 28, third full paragraph, last line – the word “things” should be “thinks.” Chair Ohrstrom noted confusing wording on page 4 of 28, second paragraph, last line. He asked whether this should read “as minimally regulated as traditional farming.” Mr. Stidham suggested “should not be considered traditional farming and therefore minimally regulated. Members agreed with this change.

Mr. Stidham noted an edit requested by Commissioner Catlett on page 6 of 28, top of page, second line – delete the word “fully” as the structures referenced are not fully enclosed.

Members voted unanimously to approve the May 20, 2024 meeting minutes as amended.

Motion to approve the May 20, 2024 meeting minutes as amended:			
Buckley	AYE	Staelin	AYE (seconded)
Glover	AYE	Catlett	AYE
Ohrstrom	AYE (moved)		

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

Mr. Stidham said that the primary task for the meeting is to review the changes to the comprehensive outline. He noted that he wants to focus on the highlighted text but members are welcome to discuss anything in the outline. He said the other task is to plan for the village meetings and to schedule upcoming meetings at least through August.

Mr. Stidham reviewed the changes to the comprehensive outline from the version reviewed at the previous meeting. He stated that he divided the introduction chapter into two separate chapters with Chapter I as an executive summary and background chapter. He said that Chapter II is tentatively titled, "The County's Vision for Protecting the Rural Areas" and will contain narrative to support the goals and strategies. Chair Ohrstrom asked if the bullet points in the Chapter I outline will contain short narratives and Mr. Stidham replied yes and noting that each bullet point would be replaced with narrative text.

Regarding the "tools in the toolbox" section on page 11 of 28, Chair Ohrstrom asked whether we have maximum lot size requirements in the FOC District. Mr. Stidham replied no and added that we have maximum lot size requirements in the AOC District in order to preserve farmland. Mr. Camp added that there is a minimum area percentage requirement for residual lots in a subdivision in the FOC District.

On page 10 of 28, Commissioner Staelin asked why the "Villages (including what is a village?)" bullet is not highlighted and Mr. Stidham replied that is unchanged from the previous outline version. He added that he intends to note that villages are historical places that are unincorporated and do not have their own governing bodies.

Regarding "large subdivisions" referenced on page 10 of 28, Commissioner Glover asked if the word "significant" should be used instead. Mr. Stidham replied that he probably will not use the word "large" and instead will refer to subdivisions platted prior to sliding-scale zoning. Commissioner Glover said that we do not want to make people think that we allow large subdivisions to be developed in the County.

Mr. Stidham reviewed the revisions to the scope of agriculture section beginning on page 11 of 28. Regarding the statement about agriculture within fully-enclosed climate-controlled buildings, Chair Ohrstrom asked if these are intended to be reasons to justify stating later that industrial-scale agriculture is not appropriate in the AOC and FOC Districts. Mr. Stidham replied yes and said that this is a way of differentiating the use from traditional farms.

Mr. Stidham said that he included reference to applicable Code of Virginia provisions to indicate that we are establishing policies in conformance with State law. Chair Ohrstrom noted that it is good that we repeat throughout that our regulations address the health, safety, and general welfare of the County. Commissioner Staelin noted the State code provisions regarding sound and Mr. Stidham said that there are some differences between the County's noise ordinance and other sound restrictions recently adopted for AOC uses. Mr. Stidham added that people who move to rural areas should expect to hear sounds from livestock but not the sounds of bands playing music.

Mr. Stidham reviewed the five types of agricultural businesses beginning on page 13 of 28. He noted that intensive livestock facilities are now included under traditional farming as opposed to industrial-scale agriculture as State code requires localities to allow those facilities by-right. Chair Ohrstrom asked why forestry is not included under agriculture. Mr. Stidham replied that if you include it under traditional farming, then people may think that we support converting farmland to forestry. He added that this is why it is categorized separately from agriculture.

Mr. Stidham reviewed the description of onsite sale of “value-added products” as an approach to address allowing farms to sell their products and products from other farms. Chair Ohrstrom asked about “identity-preserved marketing system” referenced in the last bullet on page 13 of 28. Mr. Stidham gave the example of a product marketed as being “organic” and that it must be inspected and certified at each processing stage to confirm that it meets the requirements for being organic. Vice-Chair Buckley said that “certified angus beef” and “certified Virginia grown” are other examples. Commissioner Staelin said that it is mostly about marketing and branding.

Mr. Stidham said that the language at the top of page 14 of 28 says that farms can process and sell their own value-added products and also value-added products produced by other county farms, noting that the Committee may want to expand beyond county farms. He noted that expanding beyond the county will likely require choosing an arbitrary limit. He also said that allowing value-added products from any farm may be too broad. Vice-Chair Buckley said that “locally-grown” usually means products that can be transported within a day from its place of origin to sale location. He added that some people also consider 100-500 miles as a range and said that he would limit the range to 50 miles from the county. Commissioner Glover added 50 miles or just adjoining counties. Mr. Stidham asked if the Committee has a problem with any food product being sold. Chair Ohrstrom replied that the problem is scale and that we do not care where the product comes from but create these limits as a way of controlling scale. He said he does not like the idea of a farm not being able to sell their neighbors’ farm products but he does not know what the solution to the scale problem is. Mr. Stidham noted that a local farm can easily have a large farm market selling their own goods and fruits and vegetables from other farms. Vice-Chair Buckley said that some farm markets re-sell produce purchased at the large produce market in Dayton. He added that Mackintosh Fruit Farm should be allowed to sell Hardesty’s cheese and asked if we really care if they are selling cheese from a vendor in Charles Town. Members replied that they would not care. Commissioner Staelin said that 50 miles is a good compromise. Commissioner Glover asked where the 50 miles would be measured from and Mr. Stidham replied that it would be measured from the county farm proposing to sell the products. Mr. Stidham said that enforcement would be a problem and that if a complaint is received, the farm would have to show the receipts from where they purchased the products. He also noted that you could have a farm that is wildly popular and large in scale and just sells their own products.

Commissioner Staelin asked if 50 miles is acceptable. Vice-Chair Buckley suggested using adjacent counties as it is more restrictive. Mr. Camp said adjacent counties would be the easiest to enforce and Chair Ohrstrom added that we would be able to justify the restriction.

Commissioner Staelin noted the bullet that says traditional farms can process their own livestock into meat and meat products for resale and asked whether we allow abattoirs. Mr. Stidham replied that we currently allow farms to process their own livestock but we do not allow abattoirs which process livestock from other farms. Vice-Chair Buckley asked if we want to add language to say that onsite processing of livestock is required to be inspected by applicable agencies. Commissioner Catlett asked if the USDA regulates the processing of livestock on your own farm. Vice-Chair Buckley replied that you do not have to be USDA-inspected unless you are selling the meat. Mr. Stidham said that he can add wording for these activities to comply with all applicable laws.

Mr. Camp asked if everyone was comfortable with using adjacent counties to limit the origin points of value-added products that can be resold at traditional farms. He noted that a building size

limitation could also be considered. Mr. Stidham suggested allowing sale of other farms' value-added products should be accessory to the onsite sale of that farm's own products. Members agreed with this suggestion. Mr. Stidham noted that the problem with creating a building size limitation is that we do not want to limit any traditional farm that becomes wildly popular by selling only their own products. Chair Ohrstrom replied that we would not want a 12,000 square foot building in that scenario but he is unsure of whether this is a solution. Vice-Chair Buckley noted that there are barns that are 12,000 square feet in size. Mr. Camp asked how we incorporate the building code into these policies and Mr. Stidham replied that we may want to leave the building code issues separate. Commissioner Staelin noted that building code issues would fall under compliance with applicable regulations.

Mr. Stidham reviewed language for low-impact agribusinesses. Chair Ohrstrom asked about the difference between a mobile veterinarian and a vet that works out of their barn. Mr. Stidham replies that it depends on whether the veterinarian goes to the farm to treat the animal or whether the animal is brought to the veterinarian's property. Commissioner Catlett said that the State applies different regulations for onsite versus offsite treatment and additional regulations if surgeries are performed. Mr. Stidham said that anyone who has animals brought to their location should be regulated as a veterinary clinic.

Commissioner Catlett referenced horse boarding operations that also grow hay, breed horses, and may have other livestock. She asked whether these types of operations would be treated differently than ones that only board horses. Mr. Stidham replied that you can have traditional farms that offer these services to offsite customers and historically we have treated all of these activities under the "agriculture" use. He added that a business that only boards or trains horses will not be categorized the same as a traditional farm. Chair Ohrstrom said that these would be considered traditional farms and have been in Clarke County for years. Mr. Stidham noted that these operations do not fit the definition of "traditional farm." Commissioner Catlett asked if a traditional farm also boards horses, will we require that farm to get a home occupation permit for horse boarding. Mr. Stidham said that currently we would not require a zoning permit for horse boarding but the proposed language would allow us to require zoning permits for home occupation uses in the future. Vice-Chair Buckley asked how the home occupation regulations would apply to something that is basically farming. Chair Ohrstrom said that he had a home occupation permit and the business had to be no larger than 25% the size of this house. Vice-Chair Buckley noted that this would not work for a farm. Commissioner Staelin noted that he rents his barns out for equestrian uses and that this is common in the County.

Mr. Stidham asked the members if we consider horse boarding to be agriculture and the members said yes. He then asked whether horse training is considered to be agriculture. Members said yes and Commissioner Catlett said that horse training is part of the breeding process to get the horse to sale. Commissioner Glover asked whether this would be an accessory use. Mr. Stidham said that Commissioner Catlett's explanation makes sense in that training the horse is part of the process of raising it. Commissioner Glover said that he was talking about training riders and not the horses. Mr. Stidham then asked whether rider training is considered to be agriculture. Commissioner Catlett replied that it is hard to separate rider training from horse training because both can occur at the same time. Mr. Stidham asked whether horse shows are considered to be agriculture. Chair Ohrstrom noted that we have addressed this issue before and Mr. Stidham replied that it would be a good idea to have a very clear statement of how this county views equestrian activities of all kinds to

be agriculture. He added that he is trying to determine whether there is a point at which some equestrian activities are not considered to be agriculture and then asked whether a farrier operation is agriculture. Chair Ohrstrom said that farriers are a supporting business. Vice-Chair Buckley noted that for all of these equestrian activities, there are very few people that only do one of them. Chair Ohrstrom gave an example of someone who boards, raises, and trains horses in addition to competing in equestrian events. He and Vice-Chair Buckley both noted that these activities are commonly conducted together.

Mr. Camp asked about horse racing and Vice-Chair Buckley noted that you can have race training for horses. Mr. Stidham said that when the horse show rules were added to the Zoning Ordinance, a distinction was made as to whether the show is for participants only or open to the public. He asked whether the majority of equestrian activities should be moved to the traditional farming category and what activities should remain under low-impact agribusiness. He said that it sounds like farriers and veterinary services should stay under low-impact agribusiness. Chair Ohrstrom said he does not think it is a problem to do it that way. Mr. Stidham noted that Clarke County may be the only county that treats all of these different equestrian activities as agriculture. Commissioner Glover said that he thinks rider training and horse boarding in which an outside customer is receiving a service should be treated differently. Mr. Stidham said that the goal is not to make changes, it is to explain the philosophy on paper. Commissioner Staelin said that horse shows that are open to the public are different. Commissioner Glover asked about offering horse training on a website. Commissioner Staelin said that is not open to the public and Commissioner Glover replied that being open to the public means being open to a paying customer. Mr. Stidham said that the term has unusual connotations because "horse show" does not necessarily mean that it is open to the public. Commissioner Catlett and Vice-Chair Buckley noted examples of some horse shows in which the public can watch, and Commissioner Catlett added that some do not charge an admission fee. Commissioner Staelin said that you could limit the number of participants and said that most have a small number of participants. He added that the larger horse shows need to have a much larger number of participants.

Mr. Stidham said that he is going to move most of the equine activities to traditional farming and move horse shows that are open to the public for a fee to the agritourism-oriented businesses category. He also said that he is going to leave farriers and mobile veterinarians in the low-impact agribusiness category. He noted that he brought up farriers to address the question of why a group of farriers cannot operate a business in the AOC District unless it is a home occupation. He added that there could be similar businesses that fall under this same issue. He noted that language added to the Rural Lands Plan could help inform a process to amend the Zoning Ordinance. Commissioner Catlett noted that someone could want to operate a rehabilitation business in AOC that is not a home occupation. Chair Ohrstrom asked if she was referencing rehabilitation for horses or therapeutic riding. Commissioner Catlett replied the former and Commissioner Glover noted that it could be both. Mr. Stidham said that therapeutic riding could be included under low-impact agribusiness. Commissioner Glover said that rider education should be treated similarly. Chair Ohrstrom asked how a large horse show ring can conform to the home occupation restrictions and Mr. Stidham replied that those restrictions only apply to buildings and not outdoor uses. Chair Ohrstrom asked how many customers you can have with a home occupation and Mr. Stidham replied that we dropped it from 24 to 12. Mr. Stidham noted that you cannot operate a rider education business on someone else's farm because you can only conduct it as a home occupation. Commissioner Glover

is more concerned with people coming here to start these businesses and having customers from other areas with higher maintenance needs.

Mr. Stidham reviewed the section on agritourism-oriented businesses. Commissioner Staelin asked if we put horse shows open to the public under this section, could we regulate their impacts such as outdoor lighting. Mr. Stidham replied that most horse shows would be regulated as special events if open to the public for a fee. Commissioner Staelin asked about a specific equestrian operation in which children receive rider instruction for a fee. Mr. Stidham asked whether it is open to the public to watch for a fee. Commissioner Staelin replied no and Mr. Stidham said that this would have to be a home occupation.

Chair Ohrstrom asked about how to differentiate between agritourism activities and public assembly, the latter of which is regulated for the activity's impacts such as ingress/egress. Mr. Stidham replied that he does not reference weddings or similar commercial events in this section at all as these activities are not intended to be regulated as agritourism activities and are minor commercial public assembly activities. He said that he could reference events that have nothing to do with agriculture, such as weddings and conferences, should be regulated as commercial activities. Members agreed with this approach.

Mr. Stidham reviewed the section on commercial-scale agribusinesses. He noted that we might want to expand the small-scale processing of fruits and vegetables to include processing of all agricultural products. Commissioner Staelin asked how "small-scale" is measured and Mr. Camp said there is a maximum size limitation on buildings. Mr. Stidham noted that abattoirs are included in this section and he asked the members if they think this use should be allowed. Chair Ohrstrom said that his cousin operates Fauquier's Finest in Fauquier County which has been a boon for local processing of meats. Commissioner Glover said that there is a shortage of meat processors in the area. Commissioner Catlett noted that the Board of Supervisors and Industrial Development Authority will be discussing possible new uses in Double Tollgate and she asked if this would be a good location for an abattoir. Mr. Stidham replied yes because of the water and sewer availability. Commissioner Staelin said that he thinks water and sewer would be important for these businesses. Chair Ohrstrom asked whether we should wait until someone proposes to have one in Clarke and decide what to do then. Mr. Stidham replied that we do not want to have to craft a use and text amendment for a specific user. Vice-Chair Buckley asked for confirmation that we do not currently allow abattoirs and Mr. Stidham replied that the use was taken out of the Zoning Ordinance a number of years ago. Mr. Camp noted that most of the surrounding counties do not allow abattoirs.

Vice-Chair Buckley said that we moved veterinary clinics to the Highway Commercial District and that is appropriate for a small animal vet. He added that large animal veterinary clinics and abattoirs are more appropriate in the rural areas, noting that you need space to manage large animals. Mr. Stidham added that large animal clinics also need space for rehabilitation. Commissioner Glover said that you could allow the uses in the industrial areas where they can be served with public sewer, adding that his main concern is the waste runoff. Vice-Chair Buckley said that there may be some water runoff but there is very little waste with these businesses. Mr. Stidham added that they make money selling the waste parts. Commissioner Catlett noted that there are long waiting times for processing at local abattoirs. Commissioner Glover added that Staff is getting calls about the use and there is a need for abattoirs so maybe the County should address it. Mr. Stidham said that we can establish the controls and Chair Ohrstrom added that we may want to require abattoirs to be

served by water and sewer. Vice-Chair Buckley noted that the Camp 7 site is very different from a commercial site in Waterloo and there is room for containment. Mr. Stidham said that abattoirs would also want to be in an accessible location and Mr. Camp added that it should also be away from houses.

Mr. Stidham reviewed the section on industrial-scale agriculture. Chair Ohrstrom asked Mr. Stidham if he sees any legal problems with stating that industrial-scale agriculture is not considered to be by-right agriculture and is considered to be conversion of farmland to a non-farm use. Mr. Stidham replied no because the use is contained entirely within a building. Commissioner Catlett asked if there is a different way to word it because these businesses are producing an agricultural product. Mr. Stidham replied that just because you are growing an agricultural product does not mean you are a farm and noted that these uses are in buildings that can be the size of data centers. Vice-Chair Buckley added that a warehouse building in Brooklyn may be used for growing but is it considered to be a farm. Mr. Stidham said that the conversion is worse than a solar farm where you can remove the panels and resume farming the land. He continued that an industrial-scale agricultural building is not going to be removed and the land restored for farming. Commissioner Catlett said she is concerned with the wording and not the concept. Commissioner Glover suggested replacing “non-farm” with “commercial” or “industrial.” Mr. Stidham said that he chose this wording because it is used in other places and we are saying they are not farms. Mr. Stidham asked if members agreed that these uses should not be allowed in AOC and FOC and they said yes. Commissioner Staelin suggested reviewing the State code definition for farming and Mr. Stidham replied that the State is behind on addressing this issue.

Regarding cannabis cultivation, Chair Ohrstrom noted that it is proposed to be treated as industrial-scale agriculture and asked if there is a conflict with the State law that allows people to grow a limited number of plants for personal use. Mr. Stidham said that he can add the words “for sale or distribution” to address the personal use conflict.

Commissioner Staelin noted the Emergency Services Notice for FOC subdivisions on page 17 of 28 and asked whether this should be extended to AOC areas. Chair Ohrstrom also asked if we are creating insurance problems with this notice requirement. Mr. Stidham replied that he thinks this was added to make people aware of what to expect when moving into the County. Vice-Chair Buckley said that there is no right to emergency services and efficient response times. He added that in places like Montana, you can be three hours from a fire station and an hour from a paved road with the point being that people should expect slow response times when they choose to live in remote areas. Commissioner Staelin asked whether there should be a recommendation to add this disclaimer to AOC subdivision plats. Mr. Stidham replied that he does not think the notices have much of an effect because they are included on the full subdivision plats and not all subsequent property owners see the full plat. Vice-Chair Buckley asked whether this gives the County any sort of legal footing by requiring the notice and Mr. Stidham replied that he does not think so.

On page 19 of 28, Mr. Stidham reviewed the Committee’s requested edit to the wording of Goal 2 to remove the word “compatible.” Commissioner Staelin noted that the word “compatible” is in the wording of Strategy 1 as well and has the same issue as the wording of Goal 2 – compatible to what. Mr. Stidham said he would remove the word “compatible” as it currently reads and add “and are compatible with surrounding rural lands” to the end of the sentence. Members agreed with this edit.

Going back to the plat notices on page 17 of 28, Commissioner Glover said that the notices should be the same for both the AOC and FOC Districts. Mr. Stidham said that if the members want to make this change, it can be done through a text amendment. He added that he has included reference to these notices as an example to support our vision for the rural areas. He also said it was not intended to be included in order to have a specific strategy about the notices themselves.

Regarding Strategy 2 at the top of page 23 of 28, Mr. Stidham noted that Commissioner Staelin suggested alternative language and he distributed copies of the wording for the members to review. Commissioner Staelin said the focus on this is that we are not evaluating the need for more access points but the impacts of adding those access points. Members agreed to use Commissioner Staelin's proposed wording. Commissioner Staelin noted wording used elsewhere regarding expanding infrastructure primarily for the benefit of people from outside the County and asked whether recreational resources should be added. Mr. Stidham noted that this language is in the new Transportation Plan regarding roads. Commissioner Staelin said that if we are getting an influx of visitors from outside the County to a resource, this language could be used to avoid having to expand parking or access to that resource just to benefit nonresident visitors. Mr. Stidham noted that Strategy 1 starting at the bottom of page 22 of 28 may address this issue and members agreed. He said he can add narrative to say that our recreational resources are in difficult to serve areas to reinforce this point. Commissioner Catlett said that we will likely have more demand for parking in the future and it is important to have this language in the Plan to address how we will handle it. Mr. Stidham said the last sentence in Strategy 1 is the key language. Commissioner Staelin asked why this is limited to the FOC District since half of the river is in the AOC District. Mr. Stidham replied that he can add language to reference the river in its entirety regardless of zoning district.

Regarding Millwood Strategy 3 on page 23 of 28, Commissioner Glover asked why we are referencing Carter Hall specifically and not listing other locations. Mr. Stidham replied that this is why we added the language referencing other large lots. Commissioner Staelin suggested referencing other large homes. Chair Ohrstrom said that he does not have a problem referencing guidance for Carter Hall specifically because it avoids giving the impression to future developers that because it is Carter Hall, they can do anything they want with it. Mr. Stidham said that there are no other large houses comparable to Carter Hall in the proposed Millwood Plan Area.

On page 24 of 28, Mr. Stidham said that Commissioner Catlett wanted to discuss Goal 3 Strategy 3 regarding off-street parking in Millwood for the commercial historic district. Commissioner Catlett said that she wondered what people might expect the County to do in furtherance of this strategy. Chair Ohrstrom suggested "help mitigate" instead of "facilitate" off-street parking. Vice-Chair Buckley said that "explore" or "ensure" may imply that it is the County's responsibility to solve the parking problems. Commissioner Catlett said it would be different if the Millwood business owners came up with solutions and the County provided assistance. She added that the County may not want to take on the responsibility of maintaining a public parking lot and noted that residents in other areas of the County may also want public parking lots. She said we do not want to set ourselves up with being in the parking lot business unless that is something we really want to do. Vice-Chair Buckley suggested replacing "explore ways" with "encourage ways" and Mr. Stidham replied that "explore ways" is probably the softest language you could use. He said the language says we will discuss options but does not obligate the County to do anything more. He also said "facilitate" could mean that the County would assist with a project developed by the business owners. Chair Ohrstrom asked if we are in the off-street parking business in Millwood. Mr.

Stidham replied no but we exacerbated the problem when we decided to waive the parking requirements for the commercial historic district. Chair Ohrstrom said that there was no answer to the parking problem. Commissioner Staelin said that there are only two options for parking lots near the commercial historic district. He also noted for the record that he owns one of the lots behind the post office and there was a brief discussion about the logistics of developing a parking lot at that location. Mr. Stidham suggested “consider options for off-street parking.” Commissioner Glover said the options would have to be presented to the County. Mr. Camp said you could flip it and say “limit consideration until options are presented.” Mr. Stidham asked if we want to eliminate the strategy. Commissioner Staelin said that it would be hard to remove the strategy and promote safe movement of pedestrians and vehicles through the village. Vice-Chair Buckley said that “evaluate ways” is different from “explore ways.” Mr. Stidham said that “evaluate” means you are assigning staff to research solutions and “explore” is discussing options. Vice-Chair Buckley said that we should be evaluating someone else’s plan rather than having to come up with the plan ourselves. Commissioner Catlett said that there are no clear cut solutions to this issue. Mr. Stidham said that it we are holding Millwood workshop, this issue is going to come up. Commissioner Staelin said that you could be open to considering off-street parking solutions. Mr. Camp suggested limiting business expansion until the off-street parking issue is resolved. Mr. Stidham said that we would have to undo the parking exemption text amendment to make that happen. Vice-Chair Buckley suggested “explore proposed off-street parking solutions” and said that we do not mind discussing ideas but the impetus is not on the County. Mr. Stidham asked if we want to consider removing the parking exemption with all existing businesses being nonconforming. Commissioner Catlett said that it would not change anything. She added that she hopes the Millwood community comes up with a concept that we can help support. Mr. Stidham noted that he can add narrative to Subsection E in Chapter II (Challenges to villages and other unincorporated neighborhoods and communities) to explain this position in more detail than can be expressed in the strategy language. He added that it would state that the County would evaluate and potentially support a private sector solution.

4. New Business

Members agreed to schedule the next two meetings for Tuesday, July 23 at 2:00PM and Monday, August 19 at 2:00PM. Mr. Stidham said he will email the dates to the members to confirm.

ADJOURN: Meeting was adjourned by consensus at 3:52PM.

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

DATE: August 13, 2024

For our August 19 meeting, we have two tasks to complete:

- **Review revisions to Comprehensive Outline Working Draft.**
A revised draft of the comprehensive outline containing comments and corrections from the July 2 meeting is enclosed for your review. Changes to Chapter II (The County’s Vision for Protecting the Rural Areas) are shown in bold red italics. Changes to Chapter III (Goals and Strategies) are shown in bold blue italics. Staff would like to lock in all changes to the outline so that we can present the key issues identified to date to the Planning Commission at the September 3 Work Session.
- **Presentation of Key Issues to the Planning Commission.**
As previously discussed, Staff has recommended taking a select list of key issues and the corresponding strategies to the full Commission for feedback before scheduling any public outreach workshops. Enclosed is a Staff memo containing the following excerpts from the comprehensive outline for the Commission to discuss:
 - **Scope of Agriculture.** Staff has included most of the current narrative describing the five categories of agriculture along with the applicable draft goal and strategies for the Commission’s review.
 - **Managing Impacts and Land Conversion Threats in the Rural Areas.** Draft goals and strategies dealing with utility transmission line corridors, solar, and development (including agritourism businesses and recreation infrastructure) on the mountain and along the Shenandoah River are included for discussion
 - **Guidance for Decision-making in Millwood and White Post.** Since the guidance for the villages is new, Staff has included the draft goals and strategies for Millwood and White Post in their entirety. Copies of the Plan Area maps will also be included for reference.

We will conclude the Commission’s review with a brief discussion on the village outreach workshops. This will be a lot of content for the Commission to review in one work session which is why Staff provided excerpts from the comprehensive outline instead of the full document. For context, a copy of the outline showing only the section

(540) 955-5132
www.clarkecounty.gov

headings is included for the Commission to review. A copy of the current work plan will also be provided. For our discussion, Staff is looking for the Committee's feedback on the content to be presented to the Commission including whether we have missed anything or whether you think we are providing too much content.

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

COMPREHENSIVE OUTLINE – RURAL LANDS PLAN

CHAPTER I – Introduction

A. Executive Summary

- What constitutes the rural areas?
 - Unincorporated areas outside of the incorporated towns (Berryville and Boyce) and business intersections (Double Tollgate and Waterloo)
 - Villages (including “what is a village?”) of Millwood and White Post
 - Other communities (Pine Grove, Frogtown)
 - Large subdivisions in the valley areas (Blue Ridge Estates, Blue Ridge Downs, Blue Ridge 21, Keeneland)
 - Large subdivisions in the mountain areas (Shenandoah Retreat, Shenandoah Farms, River Park, Calmes Neck, Carefree Acres)
- History of the Agricultural and Mountain Land Plans, addition of Village Plan
 - Agricultural Land Plan – 1987, 1997, and 2016 iterations
 - Mountain Land Plan – 1994 and 2005 iterations
 - Village Plan – Guidance added to Comprehensive Plan in 2014
- Process for developing the Rural Lands Plan
 - Reasons for combining three plans into one
 - Committee work
 - Informal public outreach
 - Formal public hearings and adoption
- How to use the Rural Lands Plan
 - In concert with the Comprehensive Plan
 - Linkages to pertinent component plans (Transportation, Recreation, Historic Resources, Water Resources, Business Intersections)
 - Land use decisions
 - Ordinance development – Zoning, Subdivision, Well, Septic
 - Efforts and resource allocation to support the agricultural industry
 - Economic development and tourism policies
 - Other County resource investments – recreation, transportation, public water and sewer

CHAPTER II – The County’s Vision for Protecting the Rural Areas

A. What keeps the rural areas rural?

- Growth policies -- Focused-growth land use planning to avoid sprawl and allow development where:
 - It will have the least impact on natural resources, agriculture, and scenic open space
 - It can best be served by public infrastructure
 - The County can afford and has the resources to serve it with infrastructure of an appropriate scale (e.g., water, sewer, roads)
- Public water and sewer only provided in rural areas out of necessity (e.g., White Post water to address well contamination, Millwood sewer to address substandard sewage disposal methods)
- Tools in the toolbox
 - Sliding-scale zoning
 - AOC maximum lot size requirements
 - FOC subdivision regulations
 - Historic preservation
 - Conservation easement program
 - Land use taxation and the Agricultural & Forestal District (AFD) program
- Conservation easements
 - Leveraging grant funds, programs to place farms in easement
 - Cost of Community Services Study points
- Land use value taxation and the Agricultural & Forestal District program
 - Incentive to keep land in agriculture, forestry, or open space
 - Additional AFD program benefits, gateway to permanent conservation easement

B. Scope of agriculture

- Agriculture comes in many forms, some with impacts that differ from traditional farming operations:
 - Customer-oriented businesses can generate traffic and impacts to secondary roads and possible noise impacts to surrounding properties from events.
 - Agriculture in fully-enclosed, climate-controlled buildings consume farmland, have significant water usage, and can possibly generate light pollution.

REVISED DRAFT FOR COMMITTEE REVIEW – 8/19/2024 MEETING

- Code of Virginia limitations on local regulation of “agricultural operations” per Section 15.2-2288.6:
 - Localities cannot regulate the following activities at an agricultural operation unless there is a substantial impact on the health, safety, or general welfare of the public:
 - Agritourism activities
 - The sale of agricultural or silvicultural products, or the sale of agricultural-related or silvicultural-related items incidental to the agricultural operation
 - The preparation, processing, or sale of food products in compliance with subdivisions C 3, 4, and 5 of § 3.2-5130 or related state laws and regulations; or
 - Other activities or events that are usual and customary at Virginia agricultural operations.

Any local restriction placed on an activity listed in this subsection shall be reasonable and shall take into account the economic impact of the restriction on the agricultural operation and the agricultural nature of the activity.

- Localities cannot require a special use permit for any of the activities listed above on property that is zoned as an agricultural district or classification unless there is a substantial impact on the health, safety, or general welfare of the public.
- Except regarding the sound generated by outdoor amplified music, no local ordinance regulating the sound generated by any activity listed in subsection A shall be more restrictive than the general noise ordinance of the locality. In permitting outdoor amplified music at an agricultural operation, the locality shall consider the effect on adjoining property owners and nearby residents.
- "Agritourism activity" -- Any activity carried out on a farm or ranch that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, wineries, ranching, horseback riding, historical, cultural, harvest-your-own activities, or natural activities and attractions. An activity is an agritourism activity whether or not the participant paid to participate in the activity. Code of Virginia Section 3.2-6400.
- "Agricultural operation" -- Any operation devoted to the bona fide production of crops, animals, or fowl, including the production of fruits and vegetables of all kinds, meat, dairy, and poultry products, nuts, tobacco, nursery, and floral products and the production and harvest of products from silviculture activity. "Agricultural operation" also includes any operation devoted to the housing of livestock as defined in § 3.2-6500. Code of Virginia Section 3.2-300.

REVISED DRAFT FOR COMMITTEE REVIEW – 8/19/2024 MEETING

- The County identifies five types of agricultural businesses, each with different levels of impacts that should be planned for and regulated separately:
 1. Traditional farming
 2. Low-impact agribusinesses
 3. Agritourism-oriented businesses
 4. Commercial-scale agribusinesses
 5. Industrial-scale agriculture

1. Traditional farming

- Traditional farming meets the State code definition of “agricultural operation.”
- Zoning Ordinance definition:

The use of land for tilling of the soil; the growing of crops or plant growth of any kind, including fruit, flowers, and ornamental plants; pasturage; dairying; or the raising of poultry and/or livestock.
- Traditional farming is by-right agriculture that is entitled to the protection of the Right-to-Farm Act.
 - The primary function of a traditional farm is the growing of crops and/or the raising of poultry or livestock.
 - Traditional farms should be minimally regulated under the Zoning Ordinance as “agriculture” and as allowed by the Code of Virginia.
 - Examples of traditional farms include crop production, pasturing, cattle/dairy farms, **and** poultry farms. ***Equestrian operations including horse breeding, boarding, and training (including “horse shows” not open to the public) are also considered to be traditional farming.***
 - Traditional farms include intensive livestock, dairy, and poultry facilities. These facilities should be regulated as allowed by the Code of Virginia to mitigate adverse impacts on the environment and on surrounding properties.
- Onsite sale of “value-added products” is an allowable accessory use to a traditional farm.
 - Definition of “value-added products” per U.S. Department of Agriculture (USDA):

Value-added products are defined as follows:

 - *A change in the physical state or form of the product (such as milling wheat into flour or making strawberries into jam).*
 - *The production of a product in a manner that enhances its value, as demonstrated through a business plan (such as organically produced products).*

REVISED DRAFT FOR COMMITTEE REVIEW – 8/19/2024 MEETING

- *The physical segregation of an agricultural commodity or product in a manner that results in the enhancement of the value of that commodity or product (such as an identity preserved marketing system).*
- Traditional farms may:
 - Process their own crops **and agricultural products** into value-added products such as fruits to jams, **milk to cheese**, or grasses and grains to hay and feed.
 - Process their own livestock into meat and meat products for resale **subject to applicable laws and regulations**.
 - Sell **agricultural products and** value-added products produced by other **county** farms **and from farms located in adjacent counties, provided that the sale of these outside value-added products do not exceed 50% of the total products sold by the farm.** **NOTE – Not currently allowed under the Zoning Ordinance**

2. Low-impact agribusinesses

- These are businesses that provide direct support services to traditional farms and operate in a manner that has minimal if any adverse impact on surrounding properties and the environment.
- Low-impact agribusinesses are regulated as by-right uses subject to use regulations to ensure compatibility with surrounding rural areas.
- Low-impact agribusinesses may have limited or no agricultural production occurring onsite. **The agribusiness may be operated as a home occupation or as a standalone use regulated similarly to a home occupation.**
- Examples include ~~horse boarding/training and~~ animal services such as farriers, mobile livestock veterinarians, and **equestrian rider education and therapeutic riding operations.**

3. Agritourism-oriented businesses

- Agritourism-oriented businesses rely on customer access to the property and, in many cases, providing “an experience” to visitors. These businesses include:
 - Traditional farms that conduct periodic or temporary agritourism activities as a way of generating additional income. Activities include seasonal events and festivals, farm-to-table events, pick-your-own fruits/vegetables, Christmas tree farms, and similar activities.
 - ***Equestrian-related events that are open to the public for an admission fee are considered to be agritourism-oriented business activities.***

REVISED DRAFT FOR COMMITTEE REVIEW – 8/19/2024 MEETING

- Traditional farms and businesses that produce a value-added product from agricultural products that are grown onsite, grown offsite, or a combination of both and which rely on customers to purchase the products onsite. These include:
 - Orchards
 - Tree farms
 - Plant nurseries and greenhouses
 - Farm wineries, farm breweries, and farm distilleries.
- Regulation of agritourism activities is limited by the Code of Virginia (see description at beginning of this subsection).
- Agritourism-oriented businesses require a higher level of scrutiny to ensure that there are no substantial impacts to the health, safety, or general welfare of the public. Therefore, they should be regulated to the fullest extent allowed by the Code of Virginia to mitigate any negative impacts to the public and the environment. *Activities that do not relate directly to agriculture -- such as weddings, conferences, and music concerts -- shall be regulated as commercial activities.*

4. Commercial-scale agribusinesses

- Commercial-scale agribusinesses also provide support to traditional farms but typically have greater impacts on surrounding properties and the environment such as noise, odor, traffic, or runoff. These impacts warrant regulation in some cases as a special use subject to site development plan review.
- Examples include:
 - Farm supplies sales (**Site development plan; Special use permit and site development plan required if buildings are 12,000 square feet or greater**)
 - Farm machinery sales and service (**Site development plan; Special use permit and site development plan required if buildings are 12,000 square feet or greater**)
 - Livestock auction markets (**Special use permit and site development plan**)
 - Large-scale farm markets in which retail sales are the primary use and agriculture is an accessory use or not conducted at all on the lot. Large-scale farm markets may also sell other types of products in addition to value-added products produced by traditional farms. (**Special use permit and site development plan for “retail business”**)
 - Small-scale processing and shipment of agricultural products (**NOTE – Not currently allowed under the Zoning Ordinance for agricultural products generally. Limited to small-scale processing of fruits and vegetables with special use permit and site development plan**)
 - Large animal veterinary and specialty hospitals (**Special use permit and site development plan for “veterinary clinic”**)
 - Abattoirs **NOTE – Not currently allowed under the Zoning Ordinance**

5. Industrial-scale agriculture

- Industrial-scale agriculture is not considered “by-right agriculture” and permissible in the County’s unincorporated areas.
- Define “industrial-scale agriculture” as controlled-environment agriculture within a fully-enclosed, climate-controlled building which relies on year-round water usage as opposed to seasonal irrigation. Examples include vertical farming, hydroponics, and aeroponics.
- Construction of industrial-scale agriculture buildings is considered to be conversion of farmland to a non-farm use. Therefore, the AOC and FOC Districts are not appropriate locations for industrial-scale agriculture.
- The growing of crops regulated as a controlled substance *for sale and/or distribution* (e.g., cannabis) is considered to be industrial-scale agriculture and not traditional farming. Unless local authority is preempted under the Code of Virginia in the future, the growing of crops regulated as a controlled substance shall not be allowed in the AOC and FOC Districts as “agriculture.”

C. Land conversion threats to agriculture and forest resources

- Land development and parcelization
 - Reiterate why we have our land use policies in the Comprehensive Plan and regulations in the Zoning and Subdivision Ordinances to address both
 - Reinforce limiting development to designated growth areas to avoid residential and commercial sprawl
 - Include statement on minimum lot size for traditional farming to address parcelization (e.g., the 20-acre lot issue)
- Nutrient credit banks
 - Explain how nutrient credit banks adversely impact agricultural land
 - Summarize Comprehensive Plan policy (Objective 1, Policy 9)
- Utility-scale solar
 - Describe differences between utility-scale, community-scale, community, and behind-the-meter solar
 - Explain 2010 text amendment to add “solar power plant” use and regulations and the 2024 modification
 - Desire to protect behind-the-meter usage, possible future exceptions for community-scale solar at a controlled scale that does not consume farmland or important open space

REVISED DRAFT FOR COMMITTEE REVIEW – 8/19/2024 MEETING

- Utility transmission lines
 - Describe increased demand for electricity, future proliferation and threats to County
 - Explain limitations on local government to block construction of new lines

D. Challenges and threats to quality of life in rural areas

- Include narrative on what to expect living in rural areas
 - Required AOC subdivision plat note:

AGRICULTURAL OPERATIONS NOTICE

This property is in the Agricultural-Open Space-Conservation (AOC) Zoning District. Agriculture is the primary economic activity of this zoning district. Owners, residents, and other users of property in the AOC District may be subjected to inconvenience, discomfort, and the possibility of injury to property and health arising from agricultural operations even though conducted in accordance with best management practices and/or in accordance with existing laws and regulations of the Commonwealth and the County. Such agricultural operations may generate noise, odors, and dust, may involve the operation of machinery, including aircraft, the storage and disposal of manure, and the application of fertilizer, soil amendments, and pesticides. Owners, occupants, and users of land in the AOC district should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in a zoning district in a county with a strong rural character and an active agricultural sector.

- Required FOC subdivision plat notes:

EMERGENCY SERVICES NOTICE

The rural location of and limited access of this property, combined with adverse weather conditions, may delay or totally impede the timely response of emergency service agencies (police, fire, medical) despite their best efforts. The County of Clarke will not be subject to liability claims because of a delay in response from emergency service agencies resulting from the rural location of and limited access to the property.

FORESTRY OPERATIONS NOTICE

This property is in the Forestal-Open Space-Conservation (FOC) Zoning District. Forestry is the primary economic activity of this zoning district and is necessary for the health and viability of the forest resource itself. Owners, residents, and other users of property in the FOC District may be subjected to inconvenience, discomfort, and the possibility of injury to property and health arising from forestry operations even though conducted in accordance with best management practices and/or in accordance with existing laws and regulations of the

REVISED DRAFT FOR COMMITTEE REVIEW – 8/19/2024 MEETING

Commonwealth and the County. Such forestry operations may generate noise, odors, and dust, and may involve the operation of machinery, including heavy equipment and chain saws. Debris such as treetops and limbs may be left on site at the conclusion of a forestry operation. Owners, occupants, and users of land in the FOC district should be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of living in a zoning district in a county with a strong rural character and an active forestal sector.

- Limitations on soils for onsite sewage disposal systems, groundwater well susceptibility
 - Brief discussion on karst and soil suitability
 - Need for more stringent County septic system regulations
 - Potential for system failures, small lot limitations
 - Alternative septic system regulations – importance of annual maintenance
 - County may only provide assistance with system failures if they are widespread over multiple properties (e.g., Millwood sewer project, White Post water project)
- Excessive clearing of trees on mountain areas – visual impacts to mountain slopes
 - Explain right to harvest forestry resources, County process for confirming use of forestry management plan and practices
 - Need to balance private property rights with desire to preserve trees
- Rural roads
 - Policy against widening public roads to increase capacity
 - Private roads are the sole responsibility of the property owners and public funds will not be used to upgrade them to state standards for public road acceptance.

E. Challenges to villages and other unincorporated neighborhoods and communities

- Long-term viability of villages as communities, need for controlled and compatible economic development
- Public water and sewer limitations, possible future failures and owner responsibilities
- Long-term upkeep of private roads
- Sanitary district model and similar approaches – circumstances under which the County would evaluate assisting a community with failing infrastructure
- ***Parking in the village of Millwood***

CHAPTER III – Goals and Strategies

A. Agriculture and Preservation of Farmland and Open Space

GOAL 1 – Protect and preserve farmland and open space.

Strategy 1. ~~Maintain existing and work to create~~ *Evaluate* new land development regulations that ensure the separation of agricultural uses from residential and commercial uses. Ensure that future residential and commercial development does not conflict with existing agricultural operations or consume prime farmland. ~~Examples include perimeter buffering of agricultural parcels, setback distances from property lines, and subdivision plat notes regarding existing agricultural operations on AOC-zoned properties.~~

Strategy 2. Continue to support the sliding-scale zoning system and the County’s approach to land use decision-making. *Maintain and periodically evaluate whether to strengthen regulations that guard against parcelization and reduction of lots to non-farmable sizes.*

Strategy 3. *Oppose any efforts or actions to convert important farmland and open space to nonfarm uses which primarily benefit areas outside of Clarke County including construction of new or expansion of existing utility transmission line corridors and related infrastructure.*

Strategy 4. *Continue to allow the use of behind-the-meter solar by property owners primarily for onsite electricity needs and incidental resale to the grid. Limit utility-scale solar operations to areas adjacent to the County’s existing electrical substations as delineated in the Zoning Ordinance as of January 16, 2024. Consider future regulations to allow community-scale solar on a limited basis and in a manner that does not consume important farmland or open space.*

Strategy 5. Continue to support and promote Land Use Taxation, Agricultural & Forestal District (AFD), and Conservation Easement programs. ~~Develop~~ *Maintain* 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.

Strategy 6. 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.

Strategy 7. 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

REVISED DRAFT FOR COMMITTEE REVIEW – 8/19/2024 MEETING

used as passive recreational parks, educational resources, scenic greenways, or similar uses as an amenity for nearby residents.

Strategy 8. 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.

Strategy 9. ~~Conduct periodic reviews of~~ *Evaluate* 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.

GOAL 2 – Ensure that agribusinesses, agritourism activities, and industrial-scale agriculture are regulated to mitigate impacts to surrounding rural lands.

Strategy 1. Encourage ~~the development of businesses~~ *compatible agribusinesses* that provide products and services to support the agricultural community *and that are compatible with surrounding rural lands*. 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~~.

Strategy 2. Support *compatible* non-traditional agricultural enterprises *to support traditional farming operations* including but not limited to ~~equine, specialty growers, local food~~/pick-your-own *operations*, farm-to-table *events*, and agritourism *activities*.

Strategy 3. Ensure that non-traditional agricultural activities do not significantly expand beyond the scope of *traditional* 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 4. *Maintain and strengthen regulations and processes to ensure that agritourism businesses which primarily serve the public and grow crops or raise livestock as secondary uses do not adversely impact the health, safety, or general welfare of the public.*

Strategy 5. Solicit input from the agricultural community on Zoning Ordinance text amendments that propose commercial or public assembly activities in conjunction with agricultural operations.

Strategy 6. Allow intensive livestock facilities as required by State law, ensuring that site development regulations mitigate potential adverse environmental impacts on surrounding properties and waterways.

Strategy 7. *Industrial-scale agriculture – controlled-environment agriculture within a fully-enclosed, climate-controlled building which relies on year-round water usage as opposed to seasonal irrigation – is not considered to be by-right agriculture and should not be allowed in the AOC and FOC Districts.*

GOAL 3 – Provide support to the agricultural community.

Strategy 1. Encourage ~~agricultural ventures~~ *agricultural operations* of all sizes whether very large, mid-range, or small farms. Ensure that the County's land use policies and regulations are consistent with the current and future needs of the agricultural community.

Strategy 2. ~~Appoint a County advisory committee to serve as a forum~~ *Provide opportunities* for cooperative discussion of issues affecting the agricultural community and to ~~provide~~ *offer* 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.~~

Strategy 3. Evaluate the ~~creation of a formal agricultural development program that includes~~ assignment of County staffing and ~~financial~~ resources *to address the agricultural community's needs*. Consider ~~establishing the program, at its onset, as part of allocating these resources from~~ the County's ~~Economic Development Department work program with support from the Department of Planning~~ *Planning and Economic Development departments*.

Strategy 4. 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. Participate in regional agricultural economic development programs and activities, *and* establish partnerships that are consistent with the County's agricultural goals and policies.

Strategy 5. Utilize the internet, websites, and social media to promote agriculture and Clarke County products.

Strategy 6. ~~Develop a database of County agricultural operations and support businesses~~ *Compile agricultural information and resources* in order to effectively *understand and* communicate programs and *to provide* ~~other~~ opportunities to the community and interested stakeholders.

Strategy 7. 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).

~~**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.~~

~~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.~~

~~**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.**~~

~~**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.~~

~~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.~~

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

~~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.~~

~~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.~~

B. Protection and Preservation of the County’s Mountain Areas

GOAL 1 – Limit the impacts of development activity in the Mountain Areas.

- Strategy 1.** *Maintain and periodically evaluate Zoning and Subdivision Ordinance regulations that protect environmentally and topographically sensitive mountain areas from the effects of development.*
- Strategy 2.** *Limit approval of traffic-generating commercial uses and special events on private roads on the mountain, in particular those private roads which do not conform to the private access easement design requirements in the Subdivision Ordinance.*
- Strategy 3.** *Strictly apply the County’s land use regulations to any new or expanding uses on lands in adjacent jurisdictions that will rely on lands in Clarke County to any degree for ingress/egress, parking, or any other development component.*

GOAL 2 – Encourage the preservation of mountain lands.

- Strategy 1.** *Develop outreach efforts to encourage mountain area landowners to place their properties in permanent conservation easement or participate in the County’s Agricultural and Forestal District (AFD) program.*

GOAL 3 – Prevent adverse impacts from the public’s access to the mountain area’s recreational resources.

- Strategy 1.** *Mountain areas including the Shenandoah River should be enjoyed in their most natural state. Limit creation of new or expansion of existing public recreational opportunities in the mountain areas to low-impact, passive recreation such as unimproved walking trails and passive-use spaces. Discourage recreational uses that require significant improvements to roads and parking or would require excessive tree clearing and/or land disturbance.*
- Strategy 2.** *Ensure that impacts are evaluated when considering improvements or the expansion of parking areas and/or access points to recreation facilities. Impacts to be evaluated include but are not limited to the possibility of increased traffic, emergency services limitations, and adverse impacts to nearby property owners.*

C. Millwood Goals and Strategies

Overview – Include Millwood plan area map and explain how the strategies apply to the plan area

GOAL 1 -- Preserve the form and scale of buildings and encourage compatible uses.

Strategy 1

Consider developing zoning regulations specifically for Millwood to ensure compatible current and future uses and structures.

Strategy 2

Prohibit the rezoning of lots zoned Agricultural-Open Space-Conservation (AOC) located within the Plan Area to RR or CN. Ensure that special uses approved on these AOC-zoned properties – particularly those lots located in whole or in part within the village core – mitigate adverse impacts to existing uses on adjoining and nearby properties within or adjacent to the plan area.

Strategy 3

The preferred future use of Carter Hall *and other large lots in the Millwood Plan Area* shall be for residential *uses consistent with sliding-scale zoning* and/or agricultural purposes. Proposals for other future uses should only be considered which demonstrate minimal impact on village traffic and the village’s public water system and existing private wells, and that do not result in significant degradation of natural resources. Public sewer shall not be provided to the property.

Strategy 4

Discourage expansion of the village’s limited public water and sewer system specifically to increase capacity for future development in the village.

Strategy 5

Development within Millwood’s commercial historic district should be limited to continuation of existing uses and adaptive reuse of existing structures.

GOAL 2 -- Protect Millwood’s natural and historic resources.

Strategy 1

Minimize stormwater and pollution impacts to Spout Run.

Strategy 2

Ensure that transportation infrastructure projects preserve the village’s historic streetscape including trees, stone walls, fences, and similar features.

Strategy 3

Prohibit unnecessary light pollution and protect the peace and quiet of the village by discouraging noise-generating activities and uses.

Strategy 4

Protect and preserve historic structures within the plan area including the Burwell-Morgan Mill. Encourage renovation of structures located outside the Historic Overlay zoning district (H) in a manner that is consistent with the form and character of the village. Where infeasible to renovate, promote the benefits of “mothballing” structures to limit demolition by neglect.

Strategy 5

Encourage the establishment of conservation easements on adjacent and nearby AOC-zoned properties.

GOAL 3 -- Ensure the safe movement of vehicles and pedestrians through the village.

Strategy 1

Recognizing that Va. Route 255 is a State primary highway, encourage implementation of appropriate traffic calming measures to ensure compliance with posted speed limits.

Strategy 2

Evaluate pedestrian accommodations which do not adversely impact structures and properties in the village.

Strategy 3

Explore **ways to facilitate proposed** off-street parking options to limit congestion in the village’s commercial historic district.

D. White Post Village Goals and Strategies

Overview – Include Millwood plan area map and explain how the strategies apply to the plan area

GOAL 1 -- Preserve the form and scale of buildings and encourage compatible uses.

Strategy 1

Consider developing zoning regulations specifically for White Post to ensure compatible current and future uses and structures.

Strategy 2

Prohibit the rezoning of lots zoned Agricultural-Open Space-Conservation (AOC) located within the Plan Area to RR or CN. Ensure that special uses approved on these AOC-zoned properties – particularly those lots located in whole or in part within the village core – mitigate adverse impacts to existing uses on adjoining and nearby village properties.

Strategy 3

Discourage expansion of the public water system specifically to increase capacity for future development in the village. Any future extension of public sewer service to the village should be limited only to address widespread failures of onsite sewage disposal systems.

REVISED DRAFT FOR COMMITTEE REVIEW – 8/19/2024 MEETING

GOAL 2 -- Protect White Post’s character and historic resources.

Strategy 1

Evaluate historic district design guidelines for residential uses in White Post that balance the need for historic preservation with affordability and provision of common-sense options for property owners.

Strategy 2

Ensure that transportation infrastructure projects respect the village’s scale and historic resources including the “White Post” located at the intersection of Berrys Ferry Road and White Post Road.

Strategy 3

Avoid light pollution and protect the peace and quiet of the village by discouraging noise-generating activities and uses.

Strategy 4

Encourage renovation of structures located outside the Historic Overlay zoning district (H) in a manner that is consistent with the form and character of the village. Where infeasible to renovate, promote the benefits of “mothballing” structures to limit demolition by neglect.

GOAL 3 -- Support compatible, neighborhood-scale business uses.

Strategy 1

Evaluate the creation of a new zoning district for White Post that would allow for a mix of Rural Residential and Neighborhood Commercial uses in appropriate locations.

Strategy 2

Development of new and expansion of existing businesses shall minimize impacts to adjacent and nearby properties to the greatest extent practicable. Examples of measures should include but not be limited to:

- Additional screening and buffering
- Minimized, dark-sky compliant exterior lighting
- Parking and hardscaping designed to prevent stormwater runoff
- Daytime hours of operation
- No amplified sound discernible from adjacent properties
- Low-impact signage compatible with the village character

Strategy 3

Neighborhood Commercial (CN) zoned properties at the Berrys Ferry Road rail crossing should not be expanded to facilitate future growth and development.

CHAPTER IV – Conclusion



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

TO: Planning Commission

FROM: Brandon Stidham, Planning Director

RE: Discussion, Rural Lands Plan update -- **DRAFT**

DATE: August 12, 2024

Item #5A on the Work Session agenda is an update and discussion on the Comprehensive Plan Committee’s work to date on developing the Rural Lands Plan. This new component plan will replace the current Agricultural and Mountain Land Plans with a single plan for all of the County’s unincorporated areas including the villages of Millwood and White Post. To date, the Comprehensive Plan Committee has completed the tasks of defining the new Plan’s purpose and identifying a preliminary list of policy issues to be addressed. The next step will be to solicit feedback on the issues identified for Millwood and White Post in outreach workshops to be held this fall. Copies of the Committee’s work plan and a draft outline of the Rural Lands Plan are enclosed for your reference.

Prior to seeking initial public input and moving forward with Plan drafting, the Committee and Staff wanted to present several examples of possible new policy language to the Commission for feedback. These policies address how we view the scope of the agriculture industry in the County including agribusiness and agritourism, managing impacts and land conversion threats generally in the rural areas, and guidance for decision-making in Millwood and White Post. Commission members are encouraged to provide comments on these policy examples as the Committee continues to refine the language. Comments on the village workshops and other public outreach efforts are also welcome.

Policy language examples are described in the following pages of this memo and are shown in italics. Please let me know if you have questions or concerns in advance of the Work Session.

(540) 955-5132
www.clarkecounty.gov

Scope of Agriculture

This language was developed in an effort to clarify how the County views and intends to regulate the many different uses and activities that are viewed as “agriculture” including agribusinesses, agritourism, and industrial-scale agriculture. Chapter II of the Rural Lands Plan provides a narrative explanation of the County’s vision for protecting the rural areas from threats and impacts which correlates to the goals and strategies that are found later in Chapter III. The scope of the County’s view of agriculture is included in this narrative:

Agriculture comes in many forms, some with impacts that differ from traditional farming operations:

- *Customer-oriented businesses can generate traffic and impacts to secondary roads and possible noise impacts to surrounding properties from events.*
- *Agriculture in fully-enclosed, climate-controlled buildings consume farmland, have significant water usage, and can possibly generate light pollution.*

Because of these different impacts, “agriculture” should be viewed in five different categories that should be planned for and regulated separately:

1. Traditional farming

- *Traditional farming meets the State code definition of “agricultural operation.”*
- *Zoning Ordinance definition of “agriculture” -- The use of land for tilling of the soil; the growing of crops or plant growth of any kind, including fruit, flowers, and ornamental plants; pasturage; dairying; or the raising of poultry and/or livestock.*
- *Traditional farming is by-right agriculture that is entitled to the protection of the Right-to-Farm Act.*
 - *The primary function of a traditional farm is the growing of crops and/or the raising of poultry or livestock.*
 - *Traditional farms should be minimally regulated under the Zoning Ordinance as “agriculture” and as allowed by the Code of Virginia.*
 - *Examples of traditional farms include crop production, pasturing, cattle/dairy farms, and poultry farms. Equestrian operations including horse breeding, boarding, and training (including “horse shows” not open to the public) are also considered to be traditional farming.*
 - *Traditional farms include intensive livestock, dairy, and poultry facilities. These facilities should be regulated as allowed by the Code of Virginia to mitigate adverse impacts on the environment and on surrounding properties.*
- *Onsite sale of “value-added products” is an allowable accessory use to a traditional farm.*

- *Definition of “value-added products” per U.S. Department of Agriculture (USDA):*

Value-added products are defined as follows:

- *A change in the physical state or form of the product (such as milling wheat into flour or making strawberries into jam).*
- *The production of a product in a manner that enhances its value, as demonstrated through a business plan (such as organically produced products).*
- *The physical segregation of an agricultural commodity or product in a manner that results in the enhancement of the value of that commodity or product (such as an identity preserved marketing system).*

- *Traditional farms may:*

- *Process their own crops and agricultural products into value-added products such as fruits to jams, milk to cheese, or grasses and grains to hay and feed.*
- *Process their own livestock into meat and meat products for resale subject to applicable laws and regulations.*
- *Sell agricultural products and value-added products produced by other county farms and from farms located in adjacent counties, provided that the sale of these outside value-added products do not exceed 50% of the total products sold by the farm. **NOTE – Not currently allowed under the Zoning Ordinance***

2. Low-impact agribusinesses

- *These are businesses that provide direct support services to traditional farms and operate in a manner that has minimal if any adverse impact on surrounding properties and the environment.*
- *Low-impact agribusinesses are regulated as by-right uses subject to use regulations to ensure compatibility with surrounding rural areas.*
- *Low-impact agribusinesses may have limited or no agricultural production occurring onsite. **The agribusiness may be operated as a home occupation or as a standalone use regulated similarly to a home occupation.***
- *Examples include animal services such as farriers, mobile livestock veterinarians, and equestrian rider education and therapeutic riding operations.*

3. Agritourism-oriented businesses

- *Agritourism-oriented businesses rely on customer access to the property and, in many cases, providing “an experience” to visitors. These businesses include:*

- *Traditional farms that conduct periodic or temporary agritourism activities as a way of generating additional income. Activities include seasonal events and festivals, farm-to-table events, pick-your-own fruits/vegetables, Christmas tree farms, and similar activities.*
- *Equestrian-related events that are open to the public for an admission fee are considered to be agritourism-oriented business activities.*
- *Traditional farms and businesses that produce a value-added product from agricultural products that are grown onsite, grown offsite, or a combination of both and which rely on customers to purchase the products onsite. These include:*
 - *Orchards*
 - *Tree farms*
 - *Plant nurseries and greenhouses*
 - *Farm wineries, farm breweries, and farm distilleries.*
- *Regulation of agritourism activities is limited by the Code of Virginia (see description at beginning of this subsection).*
- *Agritourism-oriented businesses require a higher level of scrutiny to ensure that there are no substantial impacts to the health, safety, or general welfare of the public. Therefore, they should be regulated to the fullest extent allowed by the Code of Virginia to mitigate any negative impacts to the public and the environment. Activities that do not relate directly to agriculture -- such as weddings, conferences, and music concerts -- shall be regulated as commercial activities.*

4. Commercial-scale agribusinesses

- *Commercial-scale agribusinesses also provide support to traditional farms but typically have greater impacts on surrounding properties and the environment such as noise, odor, traffic, or runoff. These impacts warrant regulation in some cases as a special use subject to site development plan review.*
- *Examples include:*
 - *Farm supplies sales (**Site development plan; Special use permit and site development plan required if buildings are 12,000 square feet or greater**)*
 - *Farm machinery sales and service (**Site development plan; Special use permit and site development plan required if buildings are 12,000 square feet or greater**)*
 - *Livestock auction markets (**Special use permit and site development plan**)*
 - *Large-scale farm markets in which retail sales are the primary use and agriculture is an accessory use or not conducted at all on the lot. Large-scale farm markets may also sell other types of products in addition to value-added products produced by traditional farms. (**Special use permit and site development plan for “retail business”**)*

- *Small-scale processing and shipment of agricultural products (**NOTE** – **Not currently allowed under the Zoning Ordinance for agricultural products generally. Limited to small-scale processing of fruits and vegetables with special use permit and site development plan**)*
- *Large animal veterinary and specialty hospitals (**Special use permit and site development plan for “veterinary clinic”**)*
- *Abattoirs **NOTE** – **Not currently allowed under the Zoning Ordinance***

5. Industrial-scale agriculture

- *Industrial-scale agriculture is not considered “by-right agriculture” and permissible in the County’s unincorporated areas.*
- *Define “industrial-scale agriculture” as controlled-environment agriculture within a fully-enclosed, climate-controlled building which relies on year-round water usage as opposed to seasonal irrigation. Examples include vertical farming, hydroponics, and aeroponics.*
- *Construction of industrial-scale agriculture buildings is considered to be conversion of farmland to a non-farm use. Therefore, the AOC and FOC Districts are not appropriate locations for industrial-scale agriculture.*
- *The growing of crops regulated as a controlled substance for sale and/or distribution (e.g., cannabis) is considered to be industrial-scale agriculture and not traditional farming. Unless local authority is preempted under the Code of Virginia in the future, the growing of crops regulated as a controlled substance shall not be allowed in the AOC and FOC Districts as “agriculture.”*

The pertinent goal and strategies in Chapter III are as follows:

GOAL 2 – Ensure that agribusinesses, agritourism activities, and industrial-scale agriculture are regulated to mitigate impacts to surrounding rural lands.

Strategy 1. Encourage agribusinesses that provide products and services to support the agricultural community and that are compatible with surrounding rural lands. Explore the feasibility of establishing or attracting agricultural support facilities for production and sales of agricultural products.

Strategy 2. Support compatible non-traditional agricultural enterprises to support traditional farming operations including but not limited to pick-your-own operations, farm-to-table events, and agritourism activities.

Strategy 3. Ensure that non-traditional agricultural activities do not significantly expand beyond the scope of traditional 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 4. *Maintain and strengthen regulations and processes to ensure that agritourism businesses which primarily serve the public and grow crops or raise livestock as secondary uses do not adversely impact the health, safety, or general welfare of the public.*

Strategy 5. *Solicit input from the agricultural community on Zoning Ordinance text amendments that propose commercial or public assembly activities in conjunction with agricultural operations.*

Strategy 6. *Allow intensive livestock facilities as required by State law, ensuring that site development regulations mitigate potential adverse environmental impacts on surrounding properties and waterways.*

Strategy 7. *Industrial-scale agriculture – controlled-environment agriculture within a fully-enclosed, climate-controlled building which relies on year-round water usage as opposed to seasonal irrigation – is not considered to be by-right agriculture and should not be allowed in the AOC and FOC Districts.*

Managing Impacts and Land Conversion Threats in the Rural Areas

This language was developed specifically to address impacts and land conversion threats that are relatively new to the County and may or may not be addressed in the 2022 Comprehensive Plan.

A. *Agriculture and Preservation of Farmland and Open Space*

GOAL 1 – Protect and preserve farmland and open space.

Strategy 3. *Oppose any efforts or actions to convert important farmland and open space to nonfarm uses which primarily benefit areas outside of Clarke County including construction of new or expansion of existing utility transmission line corridors and related infrastructure.*

Strategy 4. *Continue to allow the use of behind-the-meter solar by property owners primarily for onsite electricity needs and incidental resale to the grid. Limit utility-scale solar operations to areas adjacent to the County’s existing electrical substations as delineated in the Zoning Ordinance as of January 16, 2024. Consider future regulations to allow community-scale solar on a limited basis and in a manner that does not consume important farmland or open space.*

B. *Protection and Preservation of the County’s Mountain Areas*

GOAL 1 – Limit the impacts of development activity in the Mountain Areas.

Strategy 2. *Limit approval of traffic-generating commercial uses and special events on private roads on the mountain, in particular those private roads which do not conform to the private access easement design requirements in the Subdivision Ordinance.*

Strategy 3. *Strictly apply the County’s land use regulations to any new or expanding uses on lands in adjacent jurisdictions that will rely on lands in Clarke County to any degree for ingress/egress, parking, or any other development component.*

GOAL 3 – Prevent adverse impacts from the public’s access to the mountain area’s recreational resources.

Strategy 1. *Mountain areas including the Shenandoah River should be enjoyed in their most natural state. Limit creation of new or expansion of existing public recreational opportunities in the mountain areas to low-impact, passive recreation such as unimproved walking trails and passive-use spaces. Discourage recreational uses that require significant improvements to roads and parking or would require excessive tree clearing and/or land disturbance.*

Strategy 2. *Ensure that impacts are evaluated when considering improvements or the expansion of parking areas and/or access points to recreation facilities. Impacts to be evaluated include but are not limited to the possibility of increased traffic, emergency services limitations, and adverse impacts to nearby property owners.*

Guidance for Decision-making in Millwood and White Post

The Village Plan concept was originally included in the 2014 Comprehensive Plan and is continued in the current (2022) Plan. The following goals and strategies were developed by the Committee and Staff for the villages of Millwood and White Post. Because of its smaller size and limited areas of commercial zoning, the Committee decided not to create specific recommendations for Pine Grove. Since both Millwood and White Post are unincorporated and do not have formal boundaries, maps were developed to create “plan areas” where the village recommendations would apply. Copies of these maps are included for your reference.

C. Millwood Goals and Strategies

GOAL 1 -- Preserve the form and scale of buildings and encourage compatible uses.

Strategy 1

Consider developing zoning regulations specifically for Millwood to ensure compatible current and future uses and structures.

Strategy 2

Prohibit the rezoning of lots zoned Agricultural-Open Space-Conservation (AOC) located within the Plan Area to RR or CN. Ensure that special uses approved on these AOC-zoned properties – particularly those lots located in whole or in part within the village core – mitigate adverse impacts to existing uses on adjoining and nearby properties within or adjacent to the plan area.

Strategy 3

The preferred future use of Carter Hall and other large lots in the Millwood Plan Area shall be for residential uses consistent with sliding-scale zoning and/or agricultural purposes. Proposals for other future uses should only be considered which demonstrate minimal impact on village

traffic and the village's public water system and existing private wells, and that do not result in significant degradation of natural resources. Public sewer shall not be provided to the property.

Strategy 4

Discourage expansion of the village's limited public water and sewer system specifically to increase capacity for future development in the village.

Strategy 5

Development within Millwood's commercial historic district should be limited to continuation of existing uses and adaptive reuse of existing structures.

GOAL 2 -- Protect Millwood's natural and historic resources.

Strategy 1

Minimize stormwater and pollution impacts to Spout Run.

Strategy 2

Ensure that transportation infrastructure projects preserve the village's historic streetscape including trees, stone walls, fences, and similar features.

Strategy 3

Prohibit unnecessary light pollution and protect the peace and quiet of the village by discouraging noise-generating activities and uses.

Strategy 4

Protect and preserve historic structures within the plan area including the Burwell-Morgan Mill. Encourage renovation of structures located outside the Historic Overlay zoning district (H) in a manner that is consistent with the form and character of the village. Where infeasible to renovate, promote the benefits of "mothballing" structures to limit demolition by neglect.

Strategy 5

Encourage the establishment of conservation easements on adjacent and nearby AOC-zoned properties.

GOAL 3 -- Ensure the safe movement of vehicles and pedestrians through the village.

Strategy 1

Recognizing that Va. Route 255 is a State primary highway, encourage implementation of appropriate traffic calming measures to ensure compliance with posted speed limits.

Strategy 2

Evaluate pedestrian accommodations which do not adversely impact structures and properties in the village.

Strategy 3

Explore proposed off-street parking options to limit congestion in the village's commercial historic district.

D. White Post Village Goals and Strategies

GOAL 1 -- Preserve the form and scale of buildings and encourage compatible uses.

Strategy 1

Consider developing zoning regulations specifically for White Post to ensure compatible current and future uses and structures.

Strategy 2

Prohibit the rezoning of lots zoned Agricultural-Open Space-Conservation (AOC) located within the Plan Area to RR or CN. Ensure that special uses approved on these AOC-zoned properties – particularly those lots located in whole or in part within the village core – mitigate adverse impacts to existing uses on adjoining and nearby village properties.

Strategy 3

Discourage expansion of the public water system specifically to increase capacity for future development in the village. Any future extension of public sewer service to the village should be limited only to address widespread failures of onsite sewage disposal systems.

GOAL 2 -- Protect White Post's character and historic resources.

Strategy 1

Evaluate historic district design guidelines for residential uses in White Post that balance the need for historic preservation with affordability and provision of common-sense options for property owners.

Strategy 2

Ensure that transportation infrastructure projects respect the village's scale and historic resources including the "White Post" located at the intersection of Berrys Ferry Road and White Post Road.

Strategy 3

Avoid light pollution and protect the peace and quiet of the village by discouraging noise-generating activities and uses.

Strategy 4

Encourage renovation of structures located outside the Historic Overlay zoning district (H) in a manner that is consistent with the form and character of the village. Where infeasible to renovate, promote the benefits of "mothballing" structures to limit demolition by neglect.

GOAL 3 -- Support compatible, neighborhood-scale business uses.

Strategy 1

Evaluate the creation of a new zoning district for White Post that would allow for a mix of Rural Residential and Neighborhood Commercial uses in appropriate locations.

Strategy 2

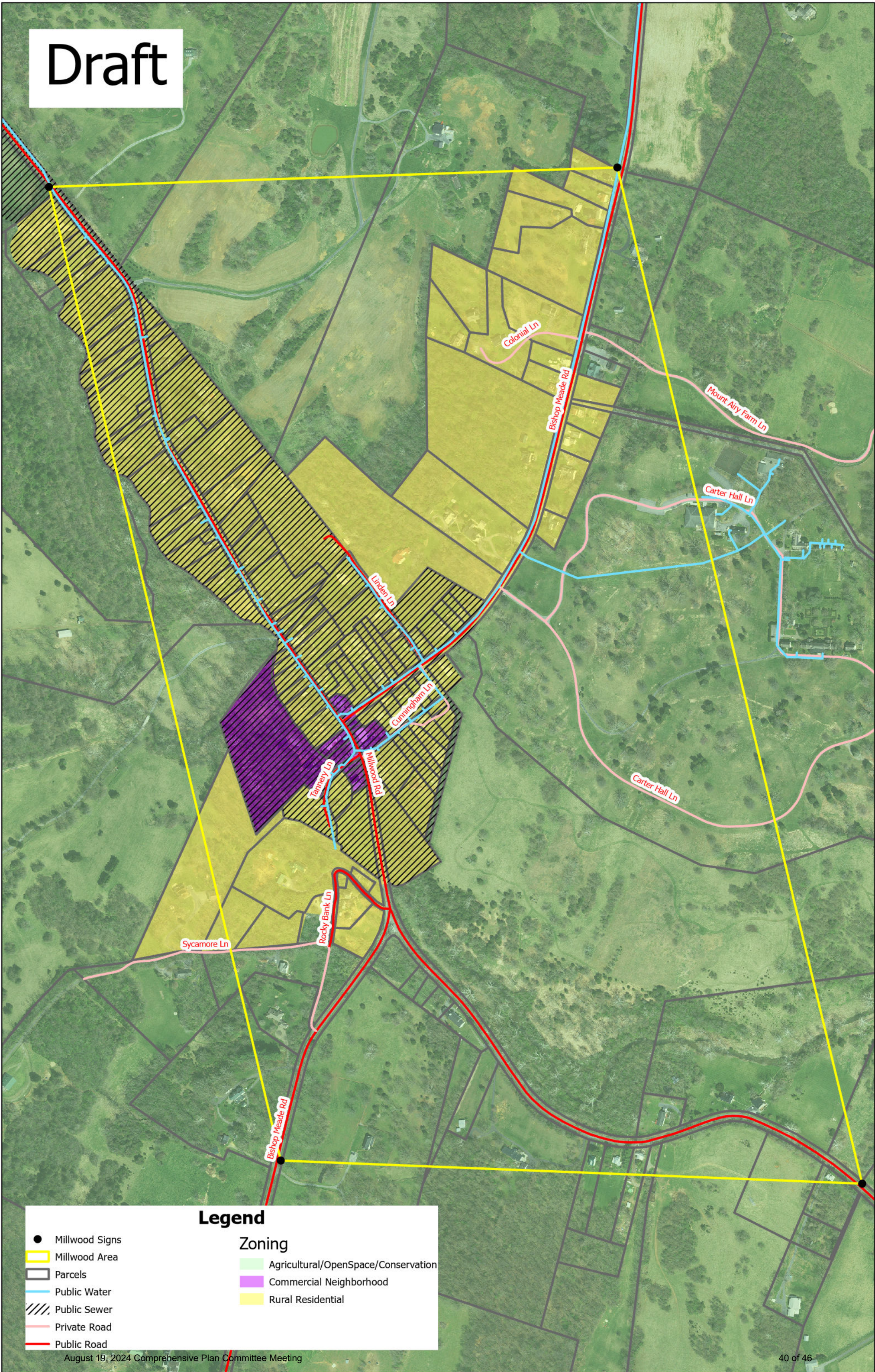
Development of new and expansion of existing businesses shall minimize impacts to adjacent and nearby properties to the greatest extent practicable. Examples of measures should include but not be limited to:

- *Additional screening and buffering*
- *Minimized, dark-sky compliant exterior lighting*
- *Parking and hardscaping designed to prevent stormwater runoff*
- *Daytime hours of operation*
- *No amplified sound discernible from adjacent properties*
- *Low-impact signage compatible with the village character*

Strategy 3

Neighborhood Commercial (CN) zoned properties at the Berrys Ferry Road rail crossing should not be expanded to facilitate future growth and development.

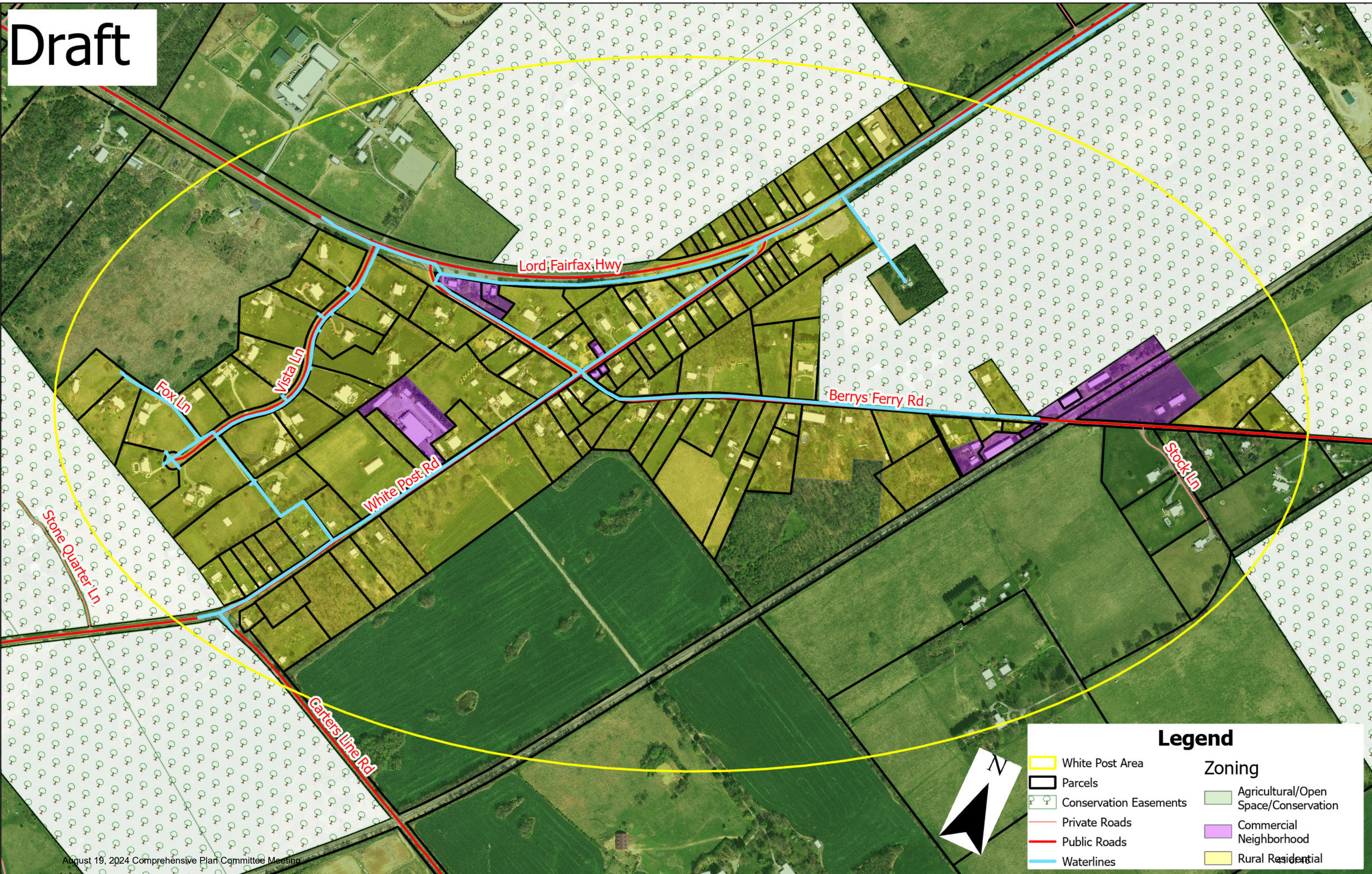
Draft



Legend

● Millwood Signs	Zoning
▭ Millwood Area	▭ Agricultural/OpenSpace/Conservation
▭ Parcels	▭ Commercial Neighborhood
▭ Public Water	▭ Rural Residential
▨ Public Sewer	
▭ Private Road	
▭ Public Road	

Draft



Legend

White Post Area	Zoning
Parcels	Agricultural/Open Space/Conservation
Conservation Easements	Commercial Neighborhood
Private Roads	Rural Residential
Public Roads	
Waterlines	

COMPREHENSIVE OUTLINE – RURAL LANDS PLAN

CHAPTER I – Introduction

A. Executive Summary

- What constitutes the rural areas?
- History of the Agricultural and Mountain Land Plans, addition of Village Plan
- Process for developing the Rural Lands Plan
- How to use the Rural Lands Plan

CHAPTER II – The County’s Vision for Protecting the Rural Areas

A. What keeps the rural areas rural?

- Growth policies
- Public water and sewer only provided in rural areas out of necessity
- Tools in the toolbox
- Conservation easements
- Land use value taxation and the Agricultural & Forestal District program

B. Scope of agriculture

- Agriculture comes in many forms, some with impacts that differ from traditional farming operations
- Code of Virginia limitations on local regulation of “agricultural operations” per Section 15.2-2288.6
- The County identifies five types of agricultural businesses, each with different levels of impacts that should be planned for and regulated separately:
 - 1. Traditional farming**
 - 2. Low-impact agribusinesses**
 - 3. Agritourism-oriented businesses**
 - 4. Commercial-scale agribusinesses**
 - 5. Industrial-scale agriculture**

C. Land conversion threats to agriculture and forest resources

- Land development and parcelization
- Nutrient credit banks
- Utility-scale solar
- Utility transmission lines

D. Challenges and threats to quality of life in rural areas

- Narrative on what to expect living in rural areas
- Limitations on soils for onsite sewage disposal systems, groundwater well susceptibility
- Excessive clearing of trees on mountain areas – visual impacts to mountain slopes
- Rural roads

E. Challenges to villages and other unincorporated neighborhoods and communities

CHAPTER III – Goals and Strategies

A. Agriculture and Preservation of Farmland and Open Space

GOAL 1 – Protect and preserve farmland and open space.

GOAL 2 – Ensure that agribusinesses, agritourism activities, and industrial-scale agriculture are regulated to mitigate impacts to surrounding rural lands.

GOAL 3 – Provide support to the agricultural community.

B. Protection and Preservation of the County’s Mountain Areas

GOAL 1 – Limit the impacts of development activity in the Mountain Areas.

GOAL 2 – Encourage the preservation of mountain lands.

GOAL 3 – Prevent adverse impacts from the public’s access to the mountain area’s recreational resources.

C. Millwood Goals and Strategies

GOAL 1 -- Preserve the form and scale of buildings and encourage compatible uses.

GOAL 2 -- Protect Millwood’s natural and historic resources.

GOAL 3 -- Ensure the safe movement of vehicles and pedestrians through the village.

D. White Post Village Goals and Strategies

GOAL 1 -- Preserve the form and scale of buildings and encourage compatible uses.

GOAL 2 -- Protect White Post’s character and historic resources.

GOAL 3 -- Support compatible, neighborhood-scale business uses.

CHAPTER IV – Conclusion

RURAL LANDS PLAN DEVELOPMENT WORK PLAN

Work on the Rural Lands Plan to be conducted by the Comprehensive Plan Committee and Staff. Commissioners not on the Committee will be encouraged to attend and participate in the village workshops

Task 1 – Visioning and Issue Identification

A. Define the purpose of the Rural Lands Plan: **COMPLETED**

- How do we want this Plan to be used by elected/appointed officials, staff, and County residents?
- How do we avoid overlap and redundancy with the Comprehensive Plan and other component plans?

B. Develop a preliminary list of policy issues to be addressed:

- Policy issues affecting the rural areas in general
- Specific policy issues affecting the AOC/valley areas (“Agricultural Land Plan issues”)
- Specific policy issues affecting the FOC/mountain areas and lands along the Shenandoah River (“Mountain Land Plan issues”)
- Specific policy issues affecting each unincorporated village:
 - Millwood
 - White Post
- **Review policy issues with full Commission**

C. Solicit preliminary input from citizens via village workshops:

- Explain the goals and purpose of the Rural Lands Plan including what the Plan can and cannot do
- **Visioning sessions:**
 - **Series of prepared statements about the village and whether participants think they are accurate or not**
 - **How do you envision your village in the next 10-20 years?**
- Present the preliminary list of issues identified by the Committee
- Engage attendees both on the Committee’s list of issues and the issues that are most important to them

D. Use workshop feedback to expand, refine, and finalize the issues list

Task 2 – Develop Initial Plan Draft

- Committee to agree on layout for new Plan document
- Staff to develop initial draft of goals, objectives, and policies/action items for Committee review and preliminary approval

7/2/2024 REVISED DRAFT

- Staff to develop Initial Plan Draft for Committee review
- Committee approves Final Plan Draft for Commission review

Task 3 – Final Plan Development, Public Hearings, and Adoption

- Full Commission to review Final Plan Draft, make modifications if necessary
- Reach consensus on Final Draft for Public Hearing
- Determine whether to have additional public input workshops before conducting formal public hearing
- Schedule Public Hearing and forward Final Draft to Board of Supervisors with recommendation for adoption

Timeline for Completion

- July-August 2024 – Finalize policy issues, plan village workshops and any other informal outreach initiatives
- September 2024 – Committee to review policy issues and revised work plan with full Commission
- October-November 2024 – Hold village workshops and other outreach initiatives
- November-December 2024 – Incorporate citizen feedback into draft policy issues; finalize policy issues and final plan layout
- December 2024-February 2025 – Staff development of Initial Plan Draft
- March 2025 – Committee review and comment on Initial Plan Draft
- April 2025 – Staff development and Committee review of Final Plan Draft
- May 2025 – Presentation of Final Plan Draft to full Commission, incorporate commissioner comments into Final Draft for Public Hearing
- June 2025 – Commission to schedule public hearing (or conduct additional informal public input workshops)
- July 2025 – Commission’s public hearing on Final Draft and recommendation to the Board of Supervisors (if no additional informal public input workshops are held)
- August 2025 – Present Commission Draft to the Board of Supervisors