



## Clarke County Planning Department

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**TO: Planning Commission Comprehensive Plan Committee members**

**FROM: Brandon Stidham, Planning Director**

**RE: September 29, 2020 Committee Meeting**

**DATE: September 22, 2020**

The next meeting of the Planning Commission Comprehensive Plan Committee is scheduled for Tuesday, September 29 immediately following the 3:00PM Commission Work Session. To maintain social distancing, the meeting will be held in the Main Meeting Room.

We will continue with our review of the current Comprehensive Plan's Goals, Objectives, and Strategies beginning at our stopping point from the last meeting – Objective 1 (Agriculture), Policy #10. A new draft staff comments document is enclosed for your review and contains revisions that the Committee discussed last month highlighted in green. Items in yellow remain unchanged from the previous iteration of this document. A couple of notes from the revisions:

- Goal #2 – Following the meeting, it was noted that prior staff may have applied the term “context-sensitive design” specifically as it applies to transportation networks. In this topic area, “context-sensitive design” means to develop your road network to meet the individual community’s needs rather than solely to convey traffic efficiently. This can include integration of bicycle/pedestrian facilities, visual enhancements such as planted medians, traffic calming measures, and special features such as landscaped roundabouts to replace signalized intersections.

Based on the Committee’s previous discussions, Staff has modified the wording of draft Goal #2 to recognize the transportation meaning of context-sensitive design as one component of all public infrastructure elements:

*Focus development within established town, village, and commercial areas, utilizing design elements that are compatible with each unique community’s needs and maximizing efficient use of public infrastructure including public services, utilities, and transportation networks.*

Staff is looking for comments and feedback from the Committee on this revision.

- Goal #5 – This goal is modified to reference that public services should be provided in a manner consistent with the Comprehensive Plan and implementing component plans. This provides support for an annual capital improvement plan review process.

- Objectives 6 and 7 – Staff has incorporated our recommended edits and the Committee’s desire to combine these two objectives into a new Objective 6 with the following draft wording:

***Provide limited, low-density residential opportunities in unincorporated areas in a manner compatible with agricultural activities in the area of the county west of the Shenandoah River. Such residential development shall be consistent with the County’s sliding-scale zoning philosophy and should not involve rezoning to a higher residential density to produce additional lots above the parcel’s dwelling unit right allocation. Prohibit the rezoning of agricultural zoned properties to the Rural Residential District (RR) in areas outside of designated growth areas and villages for new residential development in order to avoid loss of farmland, sprawl development, and consumption of potential conservation lands and open space.***

As noted previously, the reason for the edits is to emphasize the County’s philosophy of not allowing properties outside of designated growth areas to be rezoned to non-agricultural or higher density classifications. Staff is looking for the Committee’s feedback on the draft wording.

- Objective 9 – Added specific reference to “public water and public sewer” as discussed previously with the Committee.

If you have questions or concerns in advance of the meeting or will not be able to attend, please feel free to contact me.



## **Clarke County Planning Commission**

**AGENDA – Comprehensive Plan Committee Meeting**

**Tuesday, September 29, 2020 (3:30PM or immediately following Planning Commission Work Session)**

**Berryville/Clarke County Government Center – Main Meeting Room**

- 1. Approval of Agenda**
- 2. Approval of Minutes – August 26, 2020 Meeting**
- 3. Discussion Items**
  - A. Comprehensive Plan Update – Review Chapter II Goals, Objectives, and Policies (continued discussion)
- 4. Other Business**
- 5. Adjourn**



# Clarke County Planning Commission

**DRAFT MINUTES** – Comprehensive Plan Committee Meeting

Monday, August 26, 2020 – 2:00PM

Berryville/Clarke County Government Center – Main Meeting Room

ATTENDANCE:			
Matthew Bass (Board of Supervisors)	✓	Bob Glover (Millwood)	✓
Anne Caldwell (Millwood)	✓	Douglas Kruhm (Buckmarsh)	X
George L. Ohrstrom, II (Ex Officio)	✓		

E – Denotes Electronic Participation

**STAFF PRESENT:** Brandon Stidham (Director of Planning), Alison Teetor (Natural Resources Planner)

**CALL TO ORDER:** By Mr. Stidham at 2:17PM.

## 1. Approval of Agenda

A motion to approve the meeting agenda as presented by Staff was approved by consensus.

## 2. Approval of Minutes – June 22, 2020 Meeting

A motion to approve the June 22, 2020 meeting minutes was adopted 3-0-1.

Motion to approve August 19, 2020 Meeting Minutes:			
Bass	AYE (seconded)	Glover	AYE
Caldwell	AYE (moved)	Kruhm	absent

## 3a. Recreation Component Plan Update

Ms. Teetor stated that the updated draft includes comments and changes that were provided by the Committee members and then conducted a page-by-page review of the changes.

On Page 8 of the draft, Ms. Teetor reviewed the new list of agencies that oversee river activities that was added to this section. Commissioner Bass noted that “Corp” should have an “s” at the end. Commissioner Caldwell suggested mentioning private organizations that have a vested interest in the river and its quality. Ms. Teetor replied with organizations such as the Friends of the Shenandoah River and Commissioner Caldwell said yes.

Ms. Teetor said that one suggestion that she missed incorporating was to mention the Virginia Scenic Byways in the County, and she asked Mr. Stidham if there is a list in the Comprehensive Plan and he replied that it is in the Transportation Plan. She said that if the Committee wanted to include the reference, it could be added to the section on passive recreation. Chair Ohrstrom asked if the hiking map is referenced in the Plan. Ms. Teetor said the “Take a Hike” map that was put together by the Easement Authority is not referenced but the Appalachian Trail Community brochure is referenced. Ms. Teetor cited Page 16 of the draft between bicycling and the Historic Driving Tour as a place where the Scenic Byways information could be included.

Chair Ohrstrom asked how you would include it. Ms. Teetor asked if providing a list of the routes, the number of miles of routes, or a map would be sufficient and members agreed.

On Page 9 of the draft, Ms. Teetor noted additional changes including reference to the Appalachian Trail map. Commissioner Glover said that FEMA should be spelled out along with VDOT, unless it is spelled out earlier in the draft. Ms. Teetor said that she did not reference the park-and-ride lot on Route 7 at Snicker's Gap as it did not seem relevant to the Recreation Plan. She also said that she has not received any complaints about the Route 50 trail access parking so she did not include that one either.

On Page 11 of the draft, Commissioner Bass noted that in item j the word "insure" should be "ensure." He also noted in the fourth line of item 4a, the word "Plan" should be added after "Pedestrian."

On page 15, Ms. Teetor said that she added a new section on Lockes Mill using a description from the Mill's website. Mr. Stidham asked whether it is relevant to include the name of the current owner, noting that you could retain the languages referencing the Joyces for restoring the Mill. Ms. Teetor said she would make these changes. Commissioner Caldwell noted that the same section refers to the "northern neck" of Clarke County which is a term she has never heard of. She also noted that Lockes Mill is not near the confluence of the Shenandoah and Potomac as referenced in the description. Ms. Teetor said she would make these corrections.

Commissioner Caldwell also noted on Page 14 that the description of Long Branch appears to come from the facility's promotional material and is not written in the same voice as the rest of the Plan. Ms. Teetor said that she will correct this language. Commissioner Bass noted that the description of the Barns at Rose Hill has the same problem. Mr. Stidham suggested deleting the entire second paragraph in the Long Branch description and members agreed. Ms. Teetor said that it is important to keep the information and reword it, adding that the facility is mostly about the grounds as the house is not used as much anymore. Commissioner Caldwell suggested condensing the language down to a description of the grounds, adding that celebrating the lifestyle of Virginians in the lower Shenandoah Valley might be a little grating. Commissioner Glover noted that this text is in the original Recreation Plan document. Ms. Teetor said that she would make the recommended changes. Commissioner Glover said that the reference in the Lockes Mill description stating that Clarke County is in the Virginia piedmont is incorrect and should be removed. Chair Ohrstrom disagreed and said that the County is considered to be on the outer edge of the piedmont, and Commissioner Glover replied that the dividing line is the Blue Ridge and that this could be confusing. Ms. Teetor said that she will omit this reference and note that it is one of several mills along the Shenandoah River. Commissioner Glover also noted that the description of the Barns of Rose Hill should include an updated attendance number for events since the referenced figure is from 2011. Mr. Stidham suggested omitting an attendance number so we won't have to update it every time the Plan is updated. Members agreed with this suggestion.

Ms. Teetor reviewed the changes to the private campsite rentals including new language for Watermelon Park and deleting reference to Family Campground. Chair Ohrstrom asked if we should delete reference to Watermelon Park since they are changing their status. Ms. Teetor replied that they are still a campground and a recreational facility open to the public. Chair

Ohrstrom said that he thought Watermelon Park was going to be all private and not open to the public. Mr. Stidham replied that he heard that patrons may not be able to stop in and rent campsites anymore and may have to have a membership, adding that this would still be consistent with “private campground rentals.” Commissioner Bass said he thought they will still be allowing floats to leave from the Park. Commissioner Glover noted that reference to tent camping needs to be deleted. Commissioner Caldwell asked if the information on the bluegrass festivals should be removed and Commissioner Glover said he thinks it should be retained. Commissioner Bass noted that you could say the Park is historically known for its bluegrass festivals. Commissioner Glover said that he was in favor of removing Family Campground from the Plan because it is so difficult to get a campsite there, and he added that Watermelon Park could also be removed for the same reason if their business changes make it difficult to rent a campsite. Commissioner Glover asked about the status of Mountain Lake Campground. Ms. Teetor replied that she reviewed the website and called but no one answered. Commissioner Glover said that he thinks this campground should be removed as well, also noting that he does not like the description of the facility as being “near the head of the Shenandoah Valley.” Commissioner Bass said that he thought the VanKeuren family is still operating that campground. Mr. Stidham noted that the Watermelon Park website still shows that you can contact them for reservations and weekly rates are listed. He said that Mountain Lake Campground’s website only has a contact us page and no real information on the facility, and added that he cannot find a website for Family Campground. Commissioner Caldwell said that she is in favor of removing Mountain Lake Campground from the Plan. She also noted that in the fourth line of the Watermelon Park description that the word “Kayak” should not be capitalized. Ms. Teetor noted that she has not included reference to privately owned river lots that can be rented. Commissioner Glover replied that if Family Campground is not included, then the private river lots also should not be included. Mr. Stidham suggested referring to private rental lots and campground businesses generically rather than naming specific facilities. Commissioner Glover replied that we want to promote the County and leave in the names of these facilities. Mr. Stidham said that if you are removing Family Campground and Mountain Lake Campground, you will only be listing Watermelon Park. Commissioner Glover said that you could change how it is categorized once you find more information on how they will be operating in the future. Commissioner Caldwell said that it might be important to indicate that a lot of the available camping along the river is not easily accessible to the public. Ms. Teetor said she is in favor of retaining Watermelon Park because it is a significant County resource. Commissioner Bass said that we need to make sure Mountain Lake Campground is no longer operating before removing it from the Plan. Mr. Stidham said that their sign along U.S. 50 was recently damaged and replaced, and Ms. Teetor said she would check to see if their business license had been renewed.

On Page 20 of the draft, Ms. Teetor noted some minor changes to the facilities located in adjacent counties. Commissioner Bass noted a minor typographical error. Ms. Teetor suggested removing the telephone number for Lake Frederick Bait and Tackle since it could change and members agreed. Commissioner Bass also noted on Page 21 of the draft that “insure” should be “ensure.” Ms. Teetor also reviewed changes to the facility map. Commissioner Bass asked if Millwood Country Club should be included and Mr. Stidham replied that it should not since it is a private membership-only club.

Commissioner Glover asked about the difference between the passive recreation and special use categories in the Plan. Ms. Teetor said that she did not remember the original application of the special use category but noted that the facilities with this designation are historic in nature and not typical recreation facilities. Commissioner Glover suggested highlighting the passive recreation facilities similar to how the facilities in the special use category are highlighted. Members agreed and Ms. Teetor said she would make the changes.

Mr. Stidham proposed taking the revised draft Recreation Plan to the full Commission in October as the Committee's recommendation including scheduling public hearing on the revision for November. Members agreed with this approach. Commissioner Glover asked if Commissioners could receive the draft before the October Commission meeting. Mr. Stidham replied that the Commission would receive the draft as the Committee's report out and could schedule public hearing in November or defer action for a month to continue discussing the draft.

### **3b. Comprehensive Plan Update – Review Chapter II Goals, Objectives, and Policies**

Mr. Stidham noted that Staff has provided a complete set of comments to help with the Committee's discussion of Chapter II. Mr. Stidham said that prior to a quorum being obtained for the meeting, he had asked the members present if the Goals as written accurately reflect the County's vision. He noted that Commissioner Bass said that the Goals hit on each of the major philosophical points that we have. He then reviewed Staff's recommended changes and discussion questions for the Goals.

Regarding Goal #2, Commissioner Glover asked what "context-sensitive design" means. Commissioner Caldwell said that she had the same question and that it may be a good idea to select clearer terminology. Mr. Stidham said that if you were to develop a book of design criteria and architectural standards for the County, you may come up with different criteria and standards by area because the character of each area varies as opposed to developing one uniform set of design criteria and standards. Commissioner Caldwell reiterated that a new word should be chosen that is more clearly understandable. Mr. Stidham asked the member what philosophical point they think that Goal #2 is trying to express. Commissioner Bass replied that to him it means to build out within the existing infrastructure, keeping in mind what is already there and maximize land use. Ms. Teetor said that walkability in the Town of Berryville also extends to the County park and is an important addition. Commissioner Glover said he does not mind leaving in "enhance town, village, and commercial areas" because we are looking toward the greater good. He added that the context-sensitive design language needs to be better phrased. Mr. Stidham suggested the following alternative language, "Develop within established town, village, and commercial areas utilizing design elements that are compatible with each unique community." Members indicated that they liked the suggested language. Commissioner Caldwell asked about omitting "walkability." Mr. Stidham replied that you would not have to call out walkability because it would apply only in communities where it is important, such as the Town of Berryville. He added that including general terminology in the Goals would avoid use of planning technical terms that may have to be replaced over time.

Regarding Goal #5, Mr. Stidham asked the members if additional descriptive language is needed to explain what this goal means. He added that he cannot think of any language in the Comprehensive Plan that mentions the County's philosophy of limiting borrowing for public

infrastructure projects. Commissioner Caldwell asked whether this falls under the Planning Commission's purview. Mr. Stidham replied yes. Chair Ohrstrom disagreed and said that the Commission is not supposed to focus on costs and budgeting as that falls under the Board of Supervisors' purview. Commissioner Glover said that pay-as-you-go is more of a State thing too. Mr. Stidham said that he attempted in the past to have the Commission involved in reviewing the capital improvement plan (CIP), and he noted that the County Administrator will be attempting to do the same thing by bringing the CIP to the Commission in October. He added that the members are correct that the Commission is not involved with the budgeting of projects but they do have a role in determining need and compatibility of proposed projects. Chair Ohrstrom added that the Commission determines whether it is sound planning and not whether it makes economic sense. Mr. Stidham said that you could add language to Goal #5 to say that public services shall be provided based on demonstrated need. Chair Ohrstrom said that it should also reference that the CIP should be compatible with the Comprehensive Plan Goals. Commissioner Caldwell said that any public works projects, such as the recent convenience center project, has to be voted on separately by the Commission on whether it conforms to the Comprehensive Plan. Mr. Stidham asked if the members can distinguish between determining the money part and whether the project advocate has proven the need for a project. Commissioner Caldwell replied that this would be easy to distinguish. Mr. Stidham noted that in a previous job, that county required proposed CIP projects to be supported by a level of service determination of need. He added that if the level of service did not support the project need or if no level of service metric was provided, the de facto recommendation would be to exclude the project. He said that this is one example of evaluating a project without looking at dollars. Mr. Stidham added that he will play around with the wording for Goal #5 for the Committee to review at a future meeting.

Mr. Stidham reviewed Staff comments on Objective 1 – Agriculture. He explained comments on Policy #4 indicating that additional implementation would be needed if in the future we want to apply Land Evaluation and Site Assessment (LESA) System scoring to the criteria for administrative reviews. Commissioner Bass asked whether the LESA system is generally accepted as a valid tool. Ms. Teetor replied yes. Commissioner Bass also asked whether Staff thinks that regulations using LESA is a good idea. Mr. Stidham replied that it is a policy decision when you are determining whether to apply LESA regulations to by-right processes. He said that people have a right to subdivide their property if they have an available dwelling unit right (DUR) and can comply with all regulations. He also noted that if you add LESA regulations to the by-right subdivision process, you may run the risk of being burdensome and lose support for the overall system. Ms. Teetor added that LESA is a tool to identify ideal farmland but those areas are also often the best areas to locate drainfields. Commissioner Caldwell said that we have tried to be consistent in revamping our regulations to use terms like "shall" instead of "should" to make the regulations clearer and encourage additional voluntary compliance by applicants. She added that with removing non-compulsory regulatory language containing "should," maybe we should consider adding new compulsory requirements such as LESA system application. Mr. Stidham said that it depends on how you want to use the system. Ms. Teetor said that we currently only use the LESA system on a regular basis with maximum lot size exception requests. Commissioner Caldwell said that she can envision an applicant wanting to subdivide residential lots on the best agricultural area of the parcel instead of a rocky area with poorer soils on another part of the parcel. She said we have no way to persuade



someone to do this currently. Commissioner Glover asked if she is suggesting using the LESA system for all subdivisions and Commissioner Caldwell replied that she is not sure. Mr. Stidham replied that this would require a text amendment and is similar in concept to the subdivision regulations adopted a few years ago for the FOC District. He added that it would be a review process to determine the location of prime farmland areas on a lot proposed for subdivision, also stating that there are a lot of policy implications with implementing new regulations like this. Commissioner Caldwell said that such regulations would be consistent with the Comprehensive Plan's goals. Chair Ohrstrom said that this sounds like a much bigger discussion. Mr. Stidham replied that he was not suggesting that the language of Policy #4 needs to be changed but was advising on how the language can be applied to administrative review processes. He added that in the past there may have been a concept that you could apply the LESA system to convince an applicant to take a more beneficial approach to their application.

Regarding Policies #6 and #7, Mr. Stidham explained how the recommended changes strengthen language to prevent rezoning of properties located outside of designated growth areas to higher intensities for development. Commissioner Glover said that he likes the current language in Policy #6 and understands why Staff is recommending that it be deleted, but notes that it is still good language. Commissioner Bass asked for confirmation that the items proposed to be removed from Policy #6 are not applicable to administrative reviews. Mr. Stidham replied that there is currently a similar set of criteria in the Subdivision Ordinance, adding that they all say "should" and are therefore not compulsory provisions. Chair Ohrstrom said we want to be sure that all regulations walk from the Comprehensive Plan to the Zoning and Subdivision Ordinances for consistency purposes. Commissioner Caldwell said Policies #6 and #7 are similar and asked if they could be combined into a single Policy, and Mr. Stidham replied yes. Ms. Teetor said that the current Policy #6 was included to ensure that there are protections in the Zoning and Subdivision Ordinances, and Commissioner Glover added that this is what he meant when he said he likes the current words.

Regarding Policy #9, Commissioner Caldwell said that she was thinking of including language stating, "discourage extension of public utilities including, but not limited to, public water and public sewer." She said this would make it clear regarding what types of public utilities we are referencing and Commissioner Bass agreed.

#### **4. Other Business**

None.

Members agreed to schedule the next meeting for Wednesday, September 23 at 2:00PM. Mr. Stidham noted that we are following a linear process for this project but we can revisit items at the Committee's discretion.

**ADJOURN:** Meeting was adjourned by consensus at 3:33PM.

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Brandon Stidham, Clerk

# DRAFT STAFF COMMENTS

## 9/29/2020 COMPREHENSIVE PLAN COMMITTEE MEETING

### GOALS

The goals for land use planning in Clarke County are to:

1. Preserve and protect the agricultural, natural, and open-space character of unincorporated areas.
- ~~2. Enhance town, village, and commercial areas through context sensitive design and walkability elements to improve the quality of life for residents.~~
- ~~3. Focus development within established town, village, and commercial areas, utilizing design elements that are compatible with each unique community's needs and maximizing efficient use of public infrastructure including public services, utilities, and transportation networks.~~
3. Encourage and maintain a diverse and viable local economy compatible with the County's size and character, and.
4. Exercise stewardship over resources so as to reduce the consumption of nonrenewable resources, utilizing renewable energy whenever possible; and foster within the private sector of the County a culture of resource conservation.
- ~~5. Provide for the economical delivery of necessary public services consistent with these goals.~~
- ~~5. Provide for the economical delivery of necessary public services in substantial conformance with the Comprehensive Plan and its implementing component plans.~~

### OBJECTIVES

#### Objective 1 -- Agriculture.

Encourage agricultural operations and productivity to ensure the preservation and availability of land for the continued production of crops and livestock through the following policies and the Agricultural Land Plan.

#### Policies

1. Promote and protect agriculture as the primary use of land in rural areas and inform the public of benefits of this policy.
2. Support a vigorous agricultural development program in the County that emphasizes promotion of Clarke County agricultural products, encourages cooperation with individual agricultural interests within the County and with advocacy agencies, and liaisons with counties in the area that have similar development programs.
3. Utilize the Agricultural Land Evaluation and Site Assessment (LESA) System to assess accurately the suitability of land for continued agricultural use. The LESA system

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provides an objective evaluation tool that scores the soils and physical conditions of a parcel for agricultural use.

4. Make land use decisions and plans that are consistent with LESA ratings. Approve conversion of important farmland to nonfarm use only if an overriding public need exists to change the land use and the existing development areas cannot accommodate the new use.
5. Encourage the use of best management practices as outlined in the Chesapeake Bay Regulations and as determined by the Federal Total Maximum Daily Load (TMDL) program to improve water quality by the following methods.
  - a. Making technical assistance available.
  - b. Promoting public awareness on the benefits of, and necessity for, best management practices, erosion and sedimentation controls, storm water management and Chesapeake Bay Preservation Regulations.
  - c. Assisting in the establishment of conservation plans for all farms adjacent to perennial streams.
  - d. Encouraging the participation of all landowners engaged in agricultural activities to use the assistance of the Virginia Cooperative Extension Service, the Natural Resource Conservation Service, the Lord Fairfax Soil and Water Conservation District, and other public agencies.

~~6. Provide limited, low density residential opportunities in unincorporated areas in a manner compatible with agricultural activities in the area of the county west of the Shenandoah River. Such residential development should include the following characteristics:~~

- ~~a. Should not be located on Important Farmland, as determined by the County's Land Evaluation and Site Assessment (LESA) rating system.~~
- ~~b. Should be on a minimum area sufficient to provide proper placement of a dwelling, related accessory structures, well, and septic system.~~
- ~~c. Should be located in or substantially bounded by natural or cultural features, such as wooded areas, railroads, or public roads that would buffer them from agricultural lands.~~
- ~~d. Should be located away from natural and cultural resources such as the Shenandoah River and the Blandy Experimental Farm and State Arboretum.~~
- ~~e. Should be compatible with the environmental features of that land and should not diminish natural and scenic values.~~
- ~~f. Should respect environmental limitations and protect natural features during and after the development process.~~
- ~~g. Should be consistent with the County's sliding scale zoning philosophy and should not involve rezoning to a higher residential density to produce additional lots above the parcel's dwelling unit right allocation.~~

~~7. Strongly discourage the rezoning of agricultural zoned properties to the Rural Residential District (RR) in areas outside of designated growth areas and villages to avoid loss of~~

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farmland, sprawl development, and consumption of potential conservation lands and open space.

6. *Provide limited, low-density residential opportunities in unincorporated areas in a manner compatible with agricultural activities in the area of the county west of the Shenandoah River. Such residential development shall be consistent with the County's sliding-scale zoning philosophy and should not involve rezoning to a higher residential density to produce additional lots above the parcel's dwelling unit right allocation. Prohibit the rezoning of agricultural zoned properties to the Rural Residential District (RR) in areas outside of designated growth areas and villages for new residential development in order to avoid loss of farmland, sprawl development, and consumption of potential conservation lands and open space.*

78. To the maximum extent possible, separate nonagricultural land uses from **existing** agricultural lands and operations. Where nonagricultural operations are adjacent to **existing** agricultural operations, the nonagricultural operations should provide buffering in the form of fencing, landscaping, and open space, and by inclusion of the right-to-farm warning notice within the deed of dedication.

**Staff:**

**Recommend adding the word "existing" in two spots. This would clarify that there is not an expectation that an existing nonagricultural land use would be required to buffer/mitigate after the fact if a new adjacent agricultural use began operations.**

9. With the exception of telecommunication and high-speed internet facilities, discourage extension of public utilities, **including but not limited to public water and public sewer**, and other growth-inducing public facilities into agricultural areas and land under permanent conservation easement.

10. Encourage all government agencies to consider the impacts that their programs and projects may have on maintaining the availability and use of agricultural land. Encourage them to eliminate or minimize adverse impacts.

11. **Promote and support the renewal and expansion of the Clarke County Agricultural and Forestal District program by providing information on its benefits and incentives to associated farmland owners, timberland owners, and farm organizations.**

12. **Use the Land Evaluation and Site Assessment (LESA) System for the objective and consistent evaluation of applications for additions to the Clarke County Agricultural District.**

**Staff:**

**Recommend combining Policies #11 and 12 as they both reference the County's AFD Program.**

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**12 13.** Support use-value taxation and other fiscal programs that help to alleviate economic burdens on owners of land used for agricultural, horticultural, forest, or open-space purposes (Code of Virginia, Section 58.1-3230, as amended). **Continue to implement strategies to protect agricultural land from escalating assessments as a result of development pressures.**

**Staff:**

**Recommend the Committee discuss how the policy as described in this last sentence can be accomplished. Additionally, is there a concern that assessments could escalate due to a lack of developable land?**

**13 14.** Evaluate and consider implementing innovative land-conserving techniques as authorized by State law.

**14 15.** Refine and strengthen the Agricultural Land Plan to include specific strategies pertaining to **agribusiness and agritourism concepts.**

**Staff:**

**Recommend discussing whether this policy needs to be refined in light of recent issues, e.g., hydroponic lettuce facility, proliferation of wedding/event venues and farm wineries, breweries, and distilleries. Many of these issues arose after the 2017 update of the Agricultural Land Plan.**

**Objective 2 – Mountain Resources.**

Preserve the natural beauty and protect the ecology of forested areas **located east of the Shenandoah River** to ensure that development in those areas is in conformance with their environmental limitations through the following policies and the Mountain Land Plan.

**Staff:**

**This section appears to be limited to the area east of the river but heavily references forestal resources which are located throughout the County. Should policies referencing forestal land generally (see Policies #1, 2, and 7) be moved to a different objective (#3 Natural Resources) or should a new objective be added specifically for forestry?**

**Policies**

1. Promote multiple uses of forested land that are nonintensive and compatible, such as outdoor recreation, wildlife habitats, watershed protection, and forest management.
2. Ensure that timber harvesting is conducted in accordance with Virginia Department of Forestry and Chesapeake Bay protection standards. **Also ensure that** and an approved forest management plan **is in place** for each site so that sedimentation of streams and other environmental impacts are minimized.
3. Encourage the use of best management practices as outlined in the Chesapeake Bay Regulations and as determined by the Federal Total Maximum Daily Load (TMDL) program to improve water quality through the following methods:

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- a. Making technical assistance available.
- b. Promoting public awareness on the benefits of, and necessity for, best management practices, erosion and sedimentation controls, stormwater management and Chesapeake Bay Preservation Regulations.
- c. Assisting in the establishment of conservation plans for all farms adjacent to perennial streams.
- d. Encouraging the participation of all landowners engaged in forestal activities to use the assistance of the Virginia Department of Forestry, the Natural Resources Conservation Service, the Lord Fairfax Soil and Water Conservation District, and other public agencies.
- e. Supporting these and other innovative efforts to ensure continued water quality improvements in the future.

4. Provide limited, low-density residential opportunities in unincorporated areas in a manner compatible with forestal activities in the area of the county east of the Shenandoah River. **Such Regulations for** residential development should include the following characteristics.

- a. Should be on a minimum area sufficient to provide proper placement of a dwelling, related accessory structures, well, and septic systems.
- b. Should not be located on steep slopes, slippage soils, or ridgelines.
- c. Should recognize the fragile nature of the soils and slopes, understanding that trees protect these features from erosion and clearing should be limited.
- d. Should be compatible with the environmental features of that land and should not diminish natural and scenic values.
- e. Should respect environmental limitations and protect natural features during and after the development process.
- f. Should be consistent with the County's sliding-scale zoning philosophy and should not involve rezoning to a higher residential density to produce additional lots above the parcel's dwelling unit right allocation.

#### **Staff:**

**See comments under Objective 1, Policy #6 for discussion of the same issue in AOC-zoned areas. In 2015, regulations were adopted for subdivisions in the FOC District which incorporated many of the items referenced in this policy. Since there have not been a significant number of applications filed under these regulations, Staff recommends retaining the policy language for the time being. This would retain support and direction for further modifications to the regulations if needed.**

5. **Strongly discourage Prohibit** the rezoning of forestal zoned properties to the Rural Residential District (RR) in areas outside of designated growth areas and villages **for new residential development in order** to avoid loss of forest, sprawl development, and consumption of potential conservation lands and open space.

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**Staff:**

**Consider replacing “strongly discourage” with “prohibit” and including qualifying language applying the prohibition to new residential development. This would permit rezoning to RR for the purpose of boundary line adjustments or for purposes other than increasing residential development density (has happened several times in Shenandoah Retreat).**

6. Promote the protection of lands adjoining or visible from the Appalachian National Scenic Trail, the Shenandoah River, and other public lands. Protect the scenic value of those lands when making land use decisions and plans.
7. Promote the addition of forestal lands to the Clarke County Agricultural and Forestal District program by providing information on the program’s benefits and incentives to owners of timber lands.
8. Work proactively with the Mount Weather Emergency Operations Center to encourage compatible development, public notice, and public input opportunities for future expansion projects as well as continued communication and cooperation.

**Objective 3 – Natural Resources.**

Protect natural resources, including soil, water, air, scenery, night sky, wildlife habitats, and fragile ecosystems through the following policies, the Water Resources Plan, and other adopted policies.

Policies

1. Prohibit land uses that have significant adverse environmental impacts, **recognizing** **Recognize** especially the interrelationships among natural resources, especially between ground and surface waters in Karst topography and steep slopes.
2. Ensure that adverse environmental impacts of activities directly or indirectly related to construction are minimized. Require effective mitigation when impacts occur, such as removal of vegetation, cutting of trees, altering drainage ways, grading, and filling. Provide for effective, proactive enforcement when necessary **to prevent significant damage to natural resources and adjacent properties**.

**Staff:**

**Recommend adding this language to be consistent with current complaint-basis enforcement policy. Proactive enforcement is only undertaken when an activity poses an imminent threat of damage to properties or the environment.**

3. ~~Maintain, implement, and continue to enforce the County’s strong Erosion and Sedimentation Control and Stormwater Management Ordinances.~~

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**Staff:**

**Recommend deleting this policy. The County's stormwater management ordinance was repealed to comply with State code requirements and we are required to maintain an erosion and sediment control program.**

- 43.** Manage and protect floodplains by the following methods.
- a. Limiting structures, uses, and activities in the 100 year floodplain that cause sedimentation, harm to property **and water quality**, and **other** adverse impacts due to the risk of floating debris and bank erosion.
  - b. Enforcing floodplain management regulations so that residents continue to be eligible for flood insurance under the National Flood Insurance Program.
  - c. Prohibiting installation of drain fields in the 10 year floodway.
  - d. Discouraging the use of drain fields within the 100 year floodplain.
- 54.** Recognizing that the Shenandoah River is a state-designated Scenic River and is one of the County's significant environmental and recreational resources, provide for its protection by the following methods.
- a. Cooperating with state agencies in developing a river corridor management plan.
  - b. Limiting development within the River's 100-year floodplain.
  - c. Promoting the placement of conservation and scenic easements on lands within view from the River and seeking to protect the scenic value of those lands when land use decisions and plans are made.
  - d. Promoting initiatives to reduce bank erosion, evaluate the impact of new or expanded private river accesses (e.g. docks and ramps), protect canoeists and other recreational users, and minimize noise levels.
  - e. Considering participation in a regional Shenandoah State Scenic River Advisory Board and/or establishing a local board or committee to provide guidance and develop programs to protect and enhance the river's scenic beauty.

**Staff:**

**Should provision of parking areas and formal access points be added to this policy as a means of protecting the river, since it would help avoid impacts of informal parking along roadsides and creation of private, unregulated accesses?**

- 65.** Apply best management practices to protect local and regional water resources and environmentally sensitive areas such as the Shenandoah River, Opequon Creek, perennial streams, floodplains, wetlands, steep slopes, slippage soils, and highly erodible soils. Establish specific water quality performance guidelines to include Chesapeake Bay Resource Protection and Resource Management Areas when considering land use and development related activities.
- 76.** Identify and inventory environmentally significant land suitable for the preservation and conservation of natural resources. Encourage landowners to apply for preservation programs such as the Agricultural and Forestal District program (AFD) as well as applicable use-value taxation for such lands as "real estate devoted to open space use" (Code of Virginia, Section 58.1-3230). Such real estate includes parcels adjacent to



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designated scenic rivers, wetlands, designated scenic highways, registered historic structures. Such real estate also includes lands adjacent to or under permanent open space easement or lying within the 100-year floodplain.

- 87.** Prohibit new or expanded mining, oil, or gas-drilling operations.
- 98.** Promote the placement of scenic easements on lands adjoining or visible from roads designated as Scenic Byways and protect the scenic value of those lands when making land use decisions and plans.
- 109.** Promote the concept of linear greenways to link natural features, wildlife corridors, cultural and scenic resources, such as designated scenic rivers, designated scenic highways, registered historic properties, permanent open-space easements, recreation facilities, Blandy Experimental Farm, Shenandoah University's Shenandoah River Campus, and the Appalachian Trail.
- 110.** Encourage and expand support for the Conservation Easement Purchase Program, both philosophically and financially, to protect natural resources important to preserving soils, watersheds, water quality, scenery, natural habitats, and air quality.
- 1211.** In response to requests for rezoning land for more intensive use in designated growth areas, encourage applicants to proffer the placement of land use easements on important scenic, historic, open-space, conservation, agricultural, or wildlife-habitat lands that are not essential to the future economic viability of the project and are **un**suitable for future development.

**Staff:**

**This appears to be a typo. The correction makes it consistent with “not essential to the future economic viability of the project.”**

- 1312.** Ensure that the natural and/or cultural features of properties held in recorded Conservation Easements and state designated scenic rivers are protected when reviewing land use decisions, such as rezoning, special use, **site plan, and subdivision requests** on adjacent properties.

**Staff:**

**Site plan and subdivision requests are administrative processes and we currently do not have technical regulations that require more stringent protections adjacent to the referenced areas. Additional implementation would be required to create regulations applicable to administrative reviews.**

- 1413.** Support Watershed Management planning for each perennial stream and consider any watershed management plan as a factor in making land use decisions.

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- 15 14.** Take all appropriate steps to protect public water sources, such as the Shenandoah River serving the Town of Berryville, and the Prospect Hill Spring serving the Town of Boyce and the communities of Millwood, Waterloo, and White Post.
- 16 15.** Support Shenandoah Basin regional water planning efforts including creation of surface water management areas, and programs to study and address low flow issues. Oppose efforts to establish new interbasin transfers within the Shenandoah River watershed.
- 17 16.** Utilize USGS Groundwater Study findings when evaluating proposed changes in land use and continue to support ongoing water resource monitoring efforts.
- 18 17.** Establish and maintain a long term water quality monitoring network and real-time water quantity monitoring network, in cooperation with the USGS, to track changes and better assess impacts to our water resources.
- 19 18.** Revise and implement the adopted County ordinance requiring pump out of septic systems per State requirements.

**Staff:**

**Staff will be making a presentation on implementation of a septic pumpout program to the Board of Supervisors this fall. Any Board action resulting from that presentation may require changes to Policy #19.**

- 20 19.** Recognize that karst terrane underlies the majority of the Shenandoah Valley, making groundwater in these areas is highly susceptible to contamination. ~~Steps should be taken~~ **Take steps** to protect groundwater and prevent contamination whenever possible.
- 21 20.** Strengthen **existing** and develop **new** site design features that protect the environment by minimizing new stormwater runoff and that provide the most effective measure of protection for onsite disposal of sewage. Factor in cost-effectiveness and ongoing maintenance requirements for current and future property owners.
- 22 21.** Adopt the most stringent regulations for alternative onsite sewage treatment systems permitted by State law to protect the County's vulnerable surface and groundwater resources. Implement an onsite treatment system monitoring program including enforcement of mandatory pump-out requirements for septic systems **as described in Policy #18 above**. For new development and re-development projects that require a land use change, ensure use of the onsite sewage treatment method that provides the maximum protection to surface/groundwater resources and Karst terrane.

**Objective 4 – Historic Resources**

~~Conserve~~ **Preserve** the County's historic character by ~~preserving~~ **protecting** its historical and cultural resources for the aesthetic, social, and educational benefits of present and future citizens through the following policies and the Historic Resources Plan.

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1. Develop innovative ways to protect and promote the economic and cultural importance of historic and archaeological resources.
2. Encourage and assist property owners to pursue State and National Register designation, either individually or through thematic nominations.
3. Encourage and assist property owners to place voluntary scenic easements on lands associated with historic buildings, sites, districts, and archaeological resources representing all historical time periods and cultures present in the County. Particular focus should be given to those resources listed on the National Register of Historic Places and the County's Civil War resources.
4. **Investigate and define the scope of adaptive reuses for Encourage adaptive reuse of** historic structures and properties that **are is** compatible with the County's land use **philosophy**, regulations, and infrastructure goals.
5. Establish and protect state and national historic districts, especially in rural areas, to recognize officially their historical significance and value.
6. Support the establishment of County historic overlay **zoning** districts to protect recognized properties and areas of historic and archaeological value and to ensure that new nonresidential development along access corridors leading to historic areas will be compatible and harmonious with such historic areas.
7. Ensure that proposed development in County historic overlay **zoning** districts is compatible with the historic architectural, landscape, or archaeological attributes of nearby or adjoining properties, neighborhoods, and districts, and that archaeological resources on the development site are not disturbed. Encourage proposed development **elsewhere outside of these overlay districts** to be compatible with and **ensure that it** does not disturb nearby historic resources or the scenic values of land associated with these resources.
8. Consider **potential impacts to** historic/archaeological resources that have been surveyed and documented when reviewing land-use decisions, such as rezoning, site plan, and subdivision requests.
9. Review and update the current "Clarke County Archaeological Assessment: Historical Character of the Lower Shenandoah Valley" and include more specific recommendations to ensure protection of archaeological resources, focusing on the sites of pre-historic indigenous peoples.
10. Promote community awareness and public education through use of a wide variety of media regarding tax incentives, designation procedures, design guidelines, and appropriate rehabilitation guidelines. Support the creation of literature on the historic resources of the County to acquaint the general public, and in particular new residents,

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with the County's rich cultural heritage. These activities should have the objective of informing property owners and residents of the value that historic preservation adds to their properties and community.

11. Incorporate historic resources in comprehensive efforts to promote tourism in the County by aiding in the development of a promotional brochure, a local historic-plaque program, and self-guided tours.
12. Continue to map 18th- and 19th-century road traces and make the information available to the public.
13. Investigate solutions to address the issue of demolition by neglect including public education initiatives, cooperative efforts, and regulatory tools provided by State law.
14. Continue to support the research and documentation of the history of Clarke County, including but not limited to African-Americans and their contribution to the history of the County.
15. Encourage owners of eligible properties to convey historic preservation easements as a tool for protecting these properties.

**Objective 5 – Conservation Easements**

Ensure the continued success of the Conservation Easement program by encouraging landowners to place County lands in voluntary permanent easement. Provide support and funding of the County's Conservation Easement program and collaboration with other easement programs managed by State, Federal, and private entities.

1. Encourage and facilitate the donation of open-space and conservation easements on land that meets the criteria of the U.S. Internal Revenue Service for easement donation and that is identified as having important scenic, historic, open-space, conservation, agricultural, or wildlife-habitat qualities. Such easements should also be consistent with the Comprehensive Plan and implementing component plans.
2. Encourage and expand support for the Conservation Easement Purchase Program, both philosophically and financially, in order to fund easement purchases on land with significant conservation value that are owned by individuals with low to moderate income.
3. Encourage and support the goals of the Conservation Easement Program to protect and preserve:
  - a. Land essential to agriculture including land with soils classified as "Important Farmland" by the Natural Resource Conservation Service for the continued production of crops and livestock.

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- b. Forested areas for their value as natural habitat and recreation, ability to enhance air and water quality, prevent soil erosion, and as a source of renewable wood products.
  - c. Historic resources, to maintain community character and identity, and encourage the tourism industry.
  - d. All water resources with particular emphasis on land adjacent to the Shenandoah River and other perennial streams and the limestone ridge/groundwater recharge area to protect water quantity and quality (reference Map 3, Groundwater Recharge Area).
  - e. Land adjacent to the Appalachian Trail and other public lands.
  - f. Land with environmentally sensitive areas important to air and water quality, plant life, and wildlife.
  - g. Lands that provide viewsheds for the County's gateways, main roads, and scenic byways.
  - h. Lands that are not located in designated growth areas with the exception of those lands with scenic value, historic value, or environmental sensitivity.
- 4. Continue to support efforts pertaining to public education and outreach to expand the understanding and benefits of conservation easements.
  - 5. Continue to support efforts to secure grant funding to purchase new easements and to promote stewardship of existing easements.
  - 6. Support efforts by County staff to monitor and, where necessary, enforce County conservation easement agreements with landowners.

#### **Objective 6 – Outdoor Resources**

Promote and protect the County's outdoor resources to ensure ongoing, diverse active and passive recreational opportunities for residents and visitors to the County.

- 1. **Develop a Maintain the** Recreation Plan as **a new an** implementing component plan containing specific strategies pertaining to the County's Parks and Recreation program. Support and protect the County's local, state, Federal, and other publicly-accessible active and passive outdoor recreational resources.
- 2. Provide an array of recreational opportunities for citizens throughout Clarke County that meet the changing needs of the community and foster development of mutually beneficial partnerships.

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3. Promote the concept of linear greenways to link natural features, wildlife corridors, cultural and scenic resources, such as designated scenic rivers, designated scenic highways, registered historic properties, permanent open-space easements, recreation facilities, Blandy Experimental Farm, Shenandoah University's Shenandoah River Campus, and the Appalachian Trail.
4. Study and implement strategies to manage the current and future recreational use of the Shenandoah River corridor.

**Objective 7 – Energy Conservation and Sustainability.**

Encourage sustainable development by promoting renewable energy, energy conservation, and preservation of natural resources within the context of the County's land use philosophy so that the needs of the present generation are met without compromising the ability of future generations to meet their own needs.

Policies

1. Promote energy efficiency to the maximum extent economically feasible when making decisions affecting County operations.
2. Encourage the use of active and passive renewable energy systems and **consider developing develop** policies that address potential impact of such systems on scenic viewsheds and historic resources (e.g., windmills and solar panels).
3. Encourage reusing and recycling materials, including a recycling program. Facilitate access to public recycling facilities.
4. Encourage a regional reduction in single occupant vehicles (SOVs) through mechanisms such as ridesharing, public transit, carpools, and bicycle/pedestrian accommodations. Identify locations for commuter and ridesharing lots to serve Clarke County residents and explore fee systems to recoup costs from non-County users.
5. Adopt economically feasible measures to maximize energy efficiency in the siting and design of new and refurbished public buildings, schools, and other public facilities. Establish policies that require new or renovated public buildings to be designed to meet a nationally recognized energy and environmental standard such as Leadership in Energy and Environmental Design (LEED) or Earthcraft.
6. Adopt economically feasible measures to reduce resource use, including maximizing energy use efficiency, when purchasing, recycling, and disposing of products.
7. Conduct regularly scheduled audits of County facilities to ensure energy efficiency.

**Staff:**

**Should Policies #6 and 7 be combined with Policy #1?**

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8. Encourage use of Low Impact Development (LID) techniques that help manage stormwater in an environmentally sensitive manner.
9. Establish water quality performance standards that include retention of vegetation, minimal site disturbance, and reduction of nutrients and sediment in post-development stormwater.
10. Coordinate with the Town of Berryville, the Town of Boyce, and the Clarke County School District on joint sustainable community practices such as energy efficiency and alternative transportation.
11. Encourage the use of cisterns and other water reuse applications in new residential and commercial developments.
12. Consider adopting the Energy and Resource Management Plan (dated 4/20/2010) or modified version of this Plan as a new implementing component plan. Investigate tax credit programs that encourage energy conservation by residents and businesses.

#### **Objective 8 – Village Plans (Millwood, Pine Grove, White Post)**

Enhance the identity and appearance of established villages, such as Millwood, Pine Grove, and White Post.

#### *Policies*

1. Develop a new Village Plan as an implementing component plan that provides planning and economic development strategies for the designated villages.
2. Protect private and public water sources serving these areas.
3. Protect the cultural and economic identity of these communities.
4. Encourage the preservation, renovation, and restoration of existing structures.
5. Encourage economic development and revitalization of these communities through innovative uses of new and existing structures.
6. Encourage upgrading of existing substandard housing in these communities.
7. Promote projects that build upon or enhance the historic characteristics of each village including but not limited to walkability, compact development, and design elements.

#### **Objective 9 – Designated Growth Areas for Development**

Encourage business and residential development in designated growth areas to implement the principles of 1) preserving open space, farmland, natural beauty, cultural features, and critical environmental areas, and 2) improving the quality of life and services in existing towns and

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directing development towards these existing towns. Provide for nonresidential business development at the intersections of two or more federally-designated primary highways (U.S. Routes 50/17 and 340 and U.S. Routes 340 and 522) through the following policies, the Berryville Area Plan, the Waterloo Area Plan, and the Double Tollgate Area Plan.

### Policies

1. Continue to designate the Town of Berryville and certain areas adjacent to the Town as the Berryville **Growth Annexation** Area. The Berryville Area Plan defines the boundaries and uses for this growth area. The boundaries of the adopted Berryville Area Plan should not be expanded until the land area addressed by the Plan is substantially developed.
  - a. Direct urban and suburban uses that require water and sewer service, including residential, commercial, and light industrial development, to this growth area where they can be served conveniently and economically by available public facilities and services. These uses include schools, parks, water and sanitary sewer, storm-water drainage, roads, police, fire, and emergency services.
  - b. In this growth area, **provide for encourage** the construction, rehabilitation, and maintenance of affordable housing, meeting the needs of current and future households with incomes at or below the County median as planned for in the Berryville Area Plan and Town of Berryville Comprehensive Plan.

### **Staff:**

**Current language, “provide for,” could be interpreted to mean that the County will proactively facilitate – and potentially invest in – the development of affordable housing.**

2. **Apply the following land-use and design principles to development in the Berryville Growth Area.**
  - a. **Provide for a mixture of complementary land uses and consider innovative techniques such as form-based codes that create walkable, pedestrian-friendly street networks and greater flexibility of uses.**
  - b. **Create a range of housing opportunities and choices, including an appropriate level of affordable housing.**
  - c. **Create walkable neighborhoods.**
  - d. **Encourage a variety of transportation choices.**
  - e. **Promote compact, efficient land use and building design that maximizes green space and minimizes road and utility costs.**
  - f. **Foster distinctive and attractive neighborhoods with a strong sense of place.**
  - g. **Include recreation areas in new developments that are provided by the developer, maintained by the developer or homeowners’ association, and are designed to meet all county standards and safety regulations.**

**Work in concert with the Town of Berryville to ensure the Berryville Area Plan and applicable regulations produce quality developments that reflect the shared vision of the Town and County.**



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**Staff:**

**This policy should be written as a general reflection of the Town's and County's development goals. Specific land use and design principles should be listed in the Berryville Area Plan.**

3. Continue to coordinate and cooperate with the towns of Berryville and Boyce to implement effective policies to provide for residential and business development compatible with the established character of these towns as reflected in their comprehensive plans.
  
4. Promote business activities at Waterloo (U.S. Routes 50/17 and 340) through provision of public water and sewer services and provision of areas zoned for business uses. ~~An area plan should be maintained~~ **Maintain the Waterloo Area Plan** to identify:
  - a. The specific boundaries and mixes of uses,
  - b. The way public services are to be provided, and
  - c. The way proposed activities will be integrated with surrounding uses, especially agricultural, residential, and parcels held in permanent conservation easement. The boundary of the adopted Waterloo Area Plan should not be expanded until the land area addressed by the Plan is substantially developed, and the Plan should be periodically reviewed and updated.
  
5. Designate the Double Tollgate area (U.S. Routes 340 and 522) as a deferred growth area and delay county investment in infrastructure until such time as it is applicable and economically feasible. Feasibility should be triggered through evaluation of factors such as the quantity and long-term stability of growth in the immediate area, the availability of public water and public sewer capacity, and compliance with any adequate public facility measures that are developed. Once it is feasible to do so, promote business activities at Double Tollgate through provision of public water and sewer services and provision of additional areas zoned for business uses.

The Double Tollgate Area plan should be maintained to identify:

- a. The specific boundaries and mixes of uses,
- b. The way public services are to be provided, and
- c. The way proposed activities will be integrated with surrounding uses, especially agricultural, residential, and parcels held in permanent conservation easement. The boundary of the adopted Double Tollgate Area Plan should not be expanded until the land area addressed by the Plan is substantially developed, and the Plan should be periodically reviewed and updated.

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**Staff:**

**This Policy may need to be modified as a result of ownership changes that have occurred on the former Camp 7 property adjacent to the Double Tollgate Area.**

6. Ensure that land-use decisions do not allow urban and suburban forms of development to occur in designated growth areas unless public facilities and services commensurate with such development either are available or are programmed with a plan for cost recovery. **Cost recovery including includes** but **is** not limited to direct contribution by the development community or increased tax revenue generated by the new development.
7. Encourage the use of best management practices as outlined in the Chesapeake Bay Regulations and as determined by federal TMDL program to improve water quality and minimize runoff impacts that could be caused by development of the Berryville **Growth Annexation** Area and at primary highway intersections.
8. Consider developing levels of service for public facilities including public water, public sewer, roads, schools, and parks to ensure that the County is capable of providing adequate services to support existing and new development.
9. Consider the planning goals, principles, and policies of incorporated towns in designating growth areas. Make provisions for public utility services, and, where feasible, undertake joint or coordinated action with town governments, independent county authorities, and other regional entities.

**Objective 10 – Economic Development**

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

Policies

1. Establish and maintain an Economic Development Strategic Plan as a component plan to implement this Objective and its policies.

**Staff:**

**This Policy will need to be modified if the Economic Development Strategic Plan is ultimately removed as a component plan of the Comprehensive Plan.**

2. Direct the location of compatible businesses to designated growth areas and existing commercial centers as allowed by the adopted plans for those areas.
3. Encourage new or expanded businesses that have minimal impact on the County's sensitive environment and that do not adversely impact surrounding properties with excessive noise, odor, or light pollution.

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4. Ordinances and policies should be implemented to ensure high-quality design and construction of new and redeveloped businesses. ~~This shall include context sensitive landscaping that makes use of native plants, xeriscaping, and use of gray water for irrigation where possible. Maintenance of landscaping and site plan features should be enforced by the County throughout the lifespan of the business.~~

**Staff:**

**The language deleted above has been implemented into the Zoning Ordinance.**

5. Promote types of economic development that are consistent with the County's existing uses and character, including but not limited to the following.
  - a. Tourism and the land uses that would benefit from it.
  - b. Agricultural businesses.
  - c. Agriculturally related businesses.
  - d. Equine businesses and related services.
  - e. Compatible light industrial uses in designated locations.

**Staff:**

**The scope of the five items listed in Policy #5 should be evaluated to determine if they need to be further refined, particularly tourism, agricultural businesses, and agriculturally related businesses (e.g., hydroponic ag facilities, farm winery/brewery/distillery).**

6. Protect and enhance the environmental resources of the County, recognizing that they can serve as an attraction to business and industry.
7. Encourage the attraction of business activities that complement or that work in conjunction with existing industrial and commercial activities in the County, particularly active farming and forestry operations.
8. Ensure that new commercial development occurs according to the following provisions.
  - a. Does not impede traffic flow on roads and/or overload intersections.
  - b. Prevents strip development by integrating new development with existing development through the use of reverse frontage, consolidated or shared access points, shared parking and/or drive aisles, internal circulation networks, and interparcel access; and ensures that land use ordinances provide flexibility to facilitate clustered development patterns.
  - c. Ensures that access to and impacts on the transportation network are safe and do not degrade efficiency.
  - d. Meets all applicable zoning- and building-code regulations and all standards for water, sewage disposal, and waste disposal needs.
  - e. Does not have a negative impact on adjacent property values.
9. Evaluation of **rezoning, conditional zoning, and special use permit applications for** adaptive reuse projects, and projects to redevelop existing agricultural, commercial, and light industrial uses shall include the following elements in addition to the criteria set forth in Policy 8 above for new development projects.

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- a. Whether the project is in general accord with the Comprehensive Plan.
  - b. Whether the resultant structures, parking, lighting, landscaping, stormwater management, onsite well and septic systems, property ingress/egress, and other site elements would be in full compliance with County land use ordinances and State regulations.
  - c. The degree to which the project mitigates an existing public safety concern.
  - d. The degree to which the project mitigates any new impact to the existing character of the area including but not limited to noise, odor, intensity, or aesthetics.
  - e. In the case of a conditional rezoning application, the degree that the applicant's proffer package addresses all existing and potential site impacts to surrounding properties.
  - f. Consistency with prior land use decisions involving similar cases.
10. Support a vigorous agricultural development program in the County that emphasizes promotion of Clarke County agricultural products, encourages cooperation with individual agricultural interests within the County and advocacy agencies, and establishes liaisons with counties in the area that have similar development programs.
  11. Seek and consider additional fiscal tools by which the County may enhance its tax base.
  12. Promote the retention, attraction, and expansion of businesses and industries that support the land use goals of the County, in particular, businesses that generate a relatively high level of local tax revenue in relation to the number of jobs, create minimal impact on public services, and are compatible with the County's agricultural and natural resources.

**Objective 11 – Capital Improvement Planning and Fiscal Responsibility**

Ensure the provision of capital improvements in a manner consistent with the land-use objectives of the County through the following policies and the Capital Improvement Program.

**Staff:**

**Evaluate Objective 11 against the Capital Improvement Plan process that will be implemented by County Administration beginning this fall.**

Policies

1. Develop an annual Capital Improvement Planning process that evaluates the need for capital projects via established performance triggers and degree of conformance of each project with the Comprehensive Plan and implementing component plans. Also develop

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a means of consistent, objective, and accurate fiscal impact analysis for use in evaluating capital projects.

2. Encourage the development of level of service criteria, needs assessments, and other performance triggers to plan for capital improvements in advance of the actual need. Ensure that assessments and criteria are based on standards that are accepted by the relevant industry and that they are evaluated and updated on a regular basis by the managing department.
3. Prohibit the extension of capital improvements into areas not designated for growth in the Comprehensive Plan that would be subjected to increased development pressures by such extensions. Such improvements would include public water, public sewer, schools, public facilities but would not include passive recreational resources and high-speed internet facilities.
4. Carefully assess the short- and long-range fiscal impacts of necessary capital improvements, such as roads, schools, and water and sewer service when land-use decisions and plans are made.
5. Provide funding for school facilities that will enable the School Board to achieve its priorities within the County's fiscal capabilities. Ensure that the School Board's goals and needs and the County's ability to fund projects are compatible and are discussed jointly on a regular basis.
6. Ensure that the County's facilities are located, designed, and constructed to maximize public convenience and accessibility. New construction should, where economically feasible, maximize use of existing facilities. Available technology should be reviewed and, where possible, technological improvements should be used to minimize the need for additional space.
7. Ensure that sheriff, fire, rescue, and emergency management provide the highest level of citizen protection within the fiscal resources of the County. Work with these agencies and departments to ensure that performance measures are established to effectively plan for future capital, personnel, and equipment needs.
8. Provide or permit Waterworks<sup>1</sup> and Sewerage System & Treatment Works<sup>2</sup> **as regulated by the Clarke County Zoning Ordinance** only as described in the following policies, to ensure consistency with the previously stated land-use policies.

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<sup>1</sup>-Waterworks means a system that serves piped water for drinking or domestic use to (a) the public, (b) at least 15 connections, or (c) an average of 25 individuals for at least 60 days out of the year and shall include all structures, equipment, and appurtenances used in the storage, collection, purification, treatment, and distribution of pure water (except the piping and fixtures inside the building where such water is delivered).

<sup>2</sup>-Sewerage System & Treatment Works means 1) Sewerage System: pipelines or conduits, pumping stations and force mains, and all other construction, devices, and appliances appurtenant thereto, used for the collection and conveyance of sewage to a treatment works or point of ultimate disposal, and 2) Treatment Works: any device or system used in the storage, treatment, disposal or reclamation of sewage or combinations of sewage and industrial

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- a. Coordinate with the Towns of Berryville and Boyce in their activities to provide Waterworks and/or Sewerage System & Treatment Works on land within Town limits and areas that the County agrees should be annexed to the Towns.
  - b. Provide septage treatment facilities to meet the County's water resource and environmental protection objectives.
  - c. Work with State and Federal agencies and property owners to remedy incidents where a significant health threat has been identified by the Clarke County Health Department involving existing residential development. Any applicable grant or low-interest loan program should be pursued to assist in paying for the construction of such facilities.
  - d. Provide Waterworks and/or Sewerage System & Treatment Works, through the Clarke County Sanitary Authority, at property owner expense, for business uses at the intersection of two or more federally designated primary highways and/or state designated limited access primary highways, specifically the Waterloo Area (US Routes 50/17 and 340). Any applicable grant or low-interest loan program should be pursued to assist in paying for the construction of Sanitary Authority facilities.
9. Permit, in cooperation with the Clarke County Sanitary Authority, the construction of sewage treatment facilities, in accord with the aforementioned policies. These facilities should be financed by the fees charged to the users of the facilities, State and Federal grant programs, or other innovative and incentivized financing programs that produce a net benefit to the County. Facilities should use innovative, cost-effective technology consistent with environmental protection policies, such as water recycling/land application systems.
10. Evaluate all private development proposals as they relate to public utility and land-use plans.
11. Improve coordination among County departments in standardizing methods of financial calculation and projection.

#### **Objective 12 -- Transportation**

Ensure that the County's transportation system provides safe and efficient means for all modes of travel for citizens and visitors through coordinated land use decision-making and judicious use of limited fiscal resources.

1. ~~Create and~~ Maintain a transportation plan that includes an inventory of the County's existing transportation network, planning assumptions, needs assessment, and

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~~wastes, including, but not limited to, pumping, power, other equipment and appurtenances, septic tanks, and any works (including land) meeting the definition of a Mass Drainfield, that are or will be (a) an integral part of the treatment process or (b) used for ultimate disposal of residues or effluent resulting from such treatment. This term does not include Subsurface Drainfields not defined as Mass Drainfields.~~

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recommended future improvements. ~~Conduct an annual review of this plan to ensure consistency with the County's Six Year Secondary Road Improvement Plan and Budget and with the Commonwealth Transportation Board's Statewide Transportation Plan.~~

**Staff:**

**Recommend deleting the above language as the Transportation Plan should be evaluated every five years like the other component plans.**

2. Develop specific strategies for prioritizing transportation projects, responding to new State and Federal projects in the County, and identifying new projects to improve safety or increase capacity of the public road system. Include policies on bicycle and pedestrian facilities and commuter facilities.
3. Maintain the existing primary road system at its present level and upgrade it only for safety purposes or planned traffic increases to the extent funds are provided by the Virginia Department of Transportation.
4. Establish specific transportation planning policies in the area plans for the County's designated growth areas including but not limited to policies on walkability, bicycle and pedestrian mobility, interconnected street networks, traffic calming, and other modern techniques that support high quality communities and neighborhoods.
5. Carefully assess the short- and long-range fiscal impacts of transportation improvements when land-use decisions and plans are made.
6. ~~Develop~~ **Continue to** maintain a County bicycle and pedestrian plan.

**Objective 13 – Citizen Participation in the Planning Process**

**Encourage citizen involvement in the planning process.**

**Staff:**

**Is this Objective needed or would it be better as a narrative in Chapter I?**

Policies

1. Provide opportunity for citizens to participate in all phases of the planning process.
2. Require that all meetings involving preparing, revising, or amending the Comprehensive Plan be publicly posted and open to the public.
3. Meet or exceed all state requirements for public notice for meetings and freedom of information requests.
4. Ensure that information pertaining to the Plan and the planning process is available to citizens in an understandable form, which may include internet postings, newsletters,

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mailings, informational brochures, and announcements in newspapers and on radio to stimulate citizen involvement.

5. Encourage educational institutions, agencies, clubs, and special interest groups to review and comment on the Comprehensive Plan and implementing components.
6. Ensure uniform interpretation, administration, enforcement procedures, and staffing levels for the implementing plans, policies, and ordinances of the Comprehensive Plan.