



Clarke County Planning Commission

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 June 22, 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.

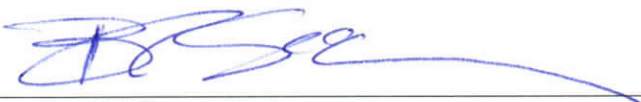
Regarding Policy #9, Commissioner Caldwell said that she was thinking of including language stating, "discourage extension of public utilities including, but not limited to, public water and public sewer." She said this would make it clear regarding what types of public utilities we are referencing and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



Brandon Stidham, Clerk