



Clarke County Planning Department

101 Chalmers Court, Suite B

Berryville, Virginia 22611

(540) 955-5132

www.clarkecounty.gov

TO: Planning Commission Comprehensive Plan Committee members

FROM: Brandon Stidham, Planning Director

RE: January 26, 2021 Committee Meeting

DATE: January 19, 2021

The next meeting of the Comprehensive Plan Committee is scheduled for **Tuesday, January 26 at 2:00PM in the Government Center Main Meeting Room**. The goal for this meeting will be to complete the initial review of Chapter II picking up where we left off at Objective #10 (Economic Development).

A revised Goals, Objectives, and Policies draft (dated 1/26/2021) is enclosed for your review. There are no specific items for which Staff requests direction other than confirmation that we have correctly captured the Committee's intent. As with previous drafts, new edits are included throughout the draft in yellow with Staff notes. Updated language that the Committee previously accepted is in gray.

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, January 26, 2021 (2:00PM)

Berryville/Clarke County Government Center – Main Meeting Room

- 1. Approval of Agenda**
- 2. Approval of Minutes – January 12, 2021 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

Tuesday, January 12, 2021 – 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		

E – Denotes Electronic Participation

STAFF PRESENT: Brandon Stidham (Director of Planning)

CALL TO ORDER: By Mr. Stidham at 2:09PM.

1. Approval of Agenda

The meeting agenda as presented by Staff was approved by consensus.

2. Approval of Minutes – December 8, 2020 Meeting

Members unanimously approved the December 8, 2020 meeting minutes as presented.

Motion to approve December 8, 2020 meeting minutes as presented:			
Bass	AYE	Glover	AYE (moved)
Caldwell	AYE (seconded)	Kruhm	absent

3. Discussion Items

A. Comprehensive Plan Update – Review Chapter II Goals, Objectives, and Policies (continued discussion)

Mr. Stidham reviewed the changes from the previous draft as summarized in the January 5, 2021 Staff memo.

Regarding revised Goal #2, Mr. Stidham asked if members had any issues with the revised wording as discussed at the December 8 meeting. Members agreed with the changes and had no outstanding concerns.

Regarding Policy #5(d) under Objective #1 (Agriculture), Chair Ohrstrom said that the sentence would read better if “the participation of” was deleted. Members agreed to this change.

Mr. Stidham reviewed the edits to Policy #7 regarding the right-to-farm warning notice. Chair Ohrstrom asked if the warning notice is applied to both minor and major subdivisions. Mr. Stidham said that it is unclear whether the warning notice is required for minor subdivisions but it will be clearly required for both minor and major subdivisions in the revised Ordinance.

Regarding the introductory language to Objective #2 (Mountain Resources), Chair Ohrstrom said that he thought the first sentence was a run-on sentence. He recommended adding a period after “policies” in the third line and editing the rest of the line into a new complete sentence. Commissioner Caldwell suggested deleting “through the following policies” and rewriting the remainder as “Applicable policies are found in this Objective, Objective #3 (Natural Resources), and the Mountain Land Plan.” Members agreed with this change.

Commissioner Bass asked if “significant degradation” is first used in Objective #2, Policy #13(d) and Commissioner Caldwell replied that there is an earlier use of the term. Commissioner Bass then suggested that the term be defined in the first instance that it is used in the Plan rather than in Objective #3 as currently proposed. Mr. Stidham said that you could cross-reference the term to its definition in Objective #3. Commissioner Caldwell said that the first use of the term is in the introductory language in Objective #1 and Chair Ohrstrom added that this could be where the term should be defined. Commissioner Bass said that if you define the term where it is first used, then you do not need to cross-reference it. Mr. Stidham stated that the definition of “significant degradation” was added to Objective #3 because it pertains to natural resources, adding that it may be out of place if it is moved to Objective #1 (Agriculture). Mr. Stidham asked the members if they wanted to make this language into a Goal. Chair Ohrstrom said that it really is a Goal and members agreed with this approach. Mr. Stidham asked to hold this thought until they get to a discussion of Objective #3 later in the meeting.

Regarding Policy #2 in Objective #2, Mr. Stidham asked the members to review the various usages of “should” and “shall” to see if they reflect the Committee’s discussion from the previous meeting. Members agreed with the proposed changes

In the right-to-farm warning notice language in Objective #1 Policy #7, Commissioner Glover found the proposed wording to be confusing at “of the nature of living.” Mr. Stidham said that he had issues with coming up with better wording and Chair Ohrstrom said that he also found it to be confusing. Mr. Stidham suggested “promote awareness of what to expect when living within an agricultural community.” Commissioner Bass suggested striking “the nature of” and members agreed with this changes.

Members began the review of Objective #3 by discussing the proposed definition of “significant degradation of natural resources” currently included in Policy #1. Commissioner Bass said that he liked the proposed wording. Mr. Stidham asked the members if they were okay with the term “measurable negative reduction.” Chair Ohrstrom said that he had an issue with the following wording “that would result from the development of a new land use.” He noted that it is not just new land uses that can cause problems, it can also include uses becoming more intensive. He added that he was fine with the remaining language. Mr. Stidham suggested changing the wording to “development of a new or expansion of an existing use.” Commissioner Glover suggested ending the sentence at “resource” and deleting the remaining language noted by Chair Ohrstrom. Members agreed with Commissioner Glover’s suggestion and Commissioner Caldwell noted that this would cover everything. Mr. Stidham added that it can cover impacts that are not related to development at all. Commissioner Bass noted that this would be more important if we make this language into a new Goal. Mr. Stidham asked the members if they were comfortable with moving the definition to a new Goal #6 and members agreed.

Commissioner Glover and Mr. Stidham briefly discussed whether the items upon which to place focus in the second sentence is a complete list. Commissioner Caldwell suggested replacing the word “upon” with “on but not limited to” in order to capture any items that are not in this list. Members agreed with this change. Commissioner Bass asked if this language is moved to a new Goal #6, would it begin with the sentence, “Prevent significant degradation of natural resources.” Chair Ohrstrom said yes. Commissioner Bass clarified that we are not moving all of the proposed language in Policy #1 to new Goal #6, just the aforementioned sentence, the definition, and the sentence referencing adopting regulations to establish measurable thresholds. Mr. Stidham asked the members for confirmation that they want to including the adopting regulations language in the Goal. Commissioner Glover replied that he would prefer to leave that language out of the Goal and keep it in Policy #1. Commissioner Bass stated that it would be important to include in the Goal as a reminder to develop these regulations in the future, adding that it is part and parcel of determining significant degradation. Commissioner Caldwell asked whether all of Policy #1 should be moved to new Goal #6. Mr. Stidham argued that the adopting regulations language should be left in Policy #1, noting Mr. Camp’s previous point that language directing you to do something is better suited for a policy or strategy than a goal. He said that the Goal #6 language should be Commissioner Bass’s beginning sentence and the definition of “significant degradation.” Remaining language would be retained in Policy #1. Members agreed with these changes and Mr. Stidham said that they can look at this language in the next draft to determine whether they are comfortable with it.

Regarding promoting awareness of public parking areas and access points in Policy #4, Commissioner Glover asked if there is a better word to use than “limiting.” Mr. Stidham suggested “discouraging” and members agreed with this change.

Regarding Policy #11, Chair Ohrstrom asked what a “land use easement” is and Mr. Stidham replied that it is another example of loosely-written language that should be “conservation easements.” Mr. Stidham added that in this context, he recommends using “permanent conservation easements” because other localities allow term-based easements and Clarke County does not. Members agreed with this change and had no additional comments on Objective #3.

Regarding Objective #4 (Historic Resources) Policy #7, Chair Ohrstrom noted in the second sentence that development cannot be “compatible with” and “not disturb” nearby historic resources. He recommended deleting the words “and ensure that it does not disturb.” Mr. Stidham also noted that a comma needs to be added in the second line between “historic” and “architectural.” Members agreed with these changes.

Regarding Policy #14, Chair Ohrstrom suggested adding “Native Americans” to this Policy to provide a more diverse list. Members agreed with this change.

Regarding Objective #5 (Conservation Easements) Policy #1, Commissioner Caldwell recommended deleting “open space and” to maintain consistent reference to “conservation easements” throughout the document. Commissioner Bass asked if the recent discussion of a policy change regarding no dwelling unit rights on eased properties should be referenced in this Objective. Chair Ohrstrom said that he did not think so because the issue is a moving target controlled by the Internal Revenue Service (IRS) that has not been finalized yet. He added that

this is part of the minutia of the definition of conservation easement and not something that we need to get into with the Plan update. Chair Ohrstrom also noted in the introductory language to Objective #5 that the word “collaboration” in the fourth line should be “collaborate.” Members agreed with these changes.

Returning to Policy #13 in Objective #4, Commissioner Glover asked whether “demolition by neglect” should be defined and Mr. Stidham replied that this is when a property owner allows a historic structure to go ruin through neglect. Commissioner Glover added that there is something missing in the sentence. Mr. Stidham asked if it would fix the problem by replacing the word “including” with “such as.” Members said that this helps and Commissioner Caldwell added that “demolition by neglect” should be hyphenated to note that it is a category. Mr. Stidham replied that it typically is not hyphenated but he could put it in quotation marks. Commissioner Glover reiterated that there needs to be a definition and Mr. Stidham suggested adding “of historic structures” after “demolition by neglect.” Chair Ohrstrom suggested putting a period after “neglect.” Commissioner Glover added that the second sentence should note that the owner is causing the demolition by neglect. Mr. Stidham suggested adding to the beginning of the sentence, “Encourage property owners to protect their historic structures through...” Members agreed with this language. Members also had no further comments on Objective #5.

Regarding Objective #6 (Outdoor Resources) Policy #2, Chair Ohrstrom asked if members thought the language is confusing and Commissioner Caldwell replied yes. Chair Ohrstrom added that this is a good example of “comp plan speak” and asked what the Policy actually means. He suggested deleting “development of mutually.” Mr. Stidham replied that he would recommend striking all language beginning with “and foster development” and members agreed. Mr. Stidham noted that he is more concerned with the beginning part of the Policy. Chair Ohrstrom suggested deleting “an array of” but members alternatively suggested “a variety of.” Mr. Stidham said that fiscal responsibility and compatibility need to be added because not all recreational opportunities are compatible with the County nor should we be spending money on them. Chair Ohrstrom provided an example of ballfields being developed on the Kohn property that would be totally incompatible. Members discussed that mutually beneficial partnerships could involve working with other counties, government agencies, or the private sector to fund and develop recreational resources. Mr. Stidham suggested, “Provide a variety of recreational opportunities for citizens throughout Clarke County that are fiscally responsible, compatible with the County’s land use philosophy, and meet the changing needs of the community.” Members were comfortable with this wording.

Chair Ohrstrom asked whether a comprehensive plan is for the Board of Supervisors as well as the Planning Commission or is it strictly a planning document for the Commission. He then asked whether the Commission should be talking about fiscal responsibility in the Plan. Mr. Stidham replied that some comprehensive plans contain recommendations that guide all aspects of government and not just land use planning.

Chair Ohrstrom noted that the wording of Policy #3 is also awkward because of the list aspect. Mr. Stidham suggested adding a period at the end of “scenic resources” and beginning the new sentence with “Examples include.” Chair Ohrstrom replied that this addresses his concern. Members had no additional concerns with Objective #6.

Regarding the introductory language to Objective #7 (Energy Conservation and Sustainability), Chair Ohrstrom said that this is also a run-on sentence and should be split into two sentences. Mr. Stidham suggested adding a period in the second line after “philosophy,” starting the new sentence with “Ensure” and deleting the word “so.” Chair Ohrstrom said this addresses his concern. Mr. Stidham asked if Policies #1, #6, and #7 should all be combined and members said yes.

Mr. Stidham asked members if they had any comments on Objective #8 (Village Plans (Millwood, Pine Grove, White Post) and none were offered.

Regarding Objective #9 (Designated Growth Areas for Development) Policy #2, Mr. Stidham explained his recommendation to refer generally to the Town’s and County’s development goals and remove the specific land use and design principles. Members agreed with this change.

Commissioner Glover asked whether the introductory language to Objective #9 could be arranged as a list instead of a single paragraph. Mr. Stidham said that he would make that change.

Returning to Policy #2, Chair Ohrstrom said that he is comfortable with the change but wanted to know what constitutes a “quality” development. Mr. Stidham said that he chose to use that word and would not have a problem striking it.

Regarding Policy #5, Mr. Stidham provided background information on how the Double Tollgate Area was designated as a deferred growth area in the last Comprehensive Plan update. He noted that growth in the Double Tollgate Area was predicated upon development triggers that were not reached. These included the projected level of development at Lake Frederick, industrial development in Warren and Frederick County, significantly higher traffic counts on U.S. 340, and available public water and sewer. He also noted that changes in ownership or development of the adjacent Department of Corrections property could warrant a review of the deferred growth status. He then explained how ownership of the property has now been divided and transferred to the Department of Military Affairs and the Virginia Port Authority, the latter of which is assigned the task of working with the County to develop it. He said that something will need to be done with the wording of this Policy and at a minimum should include removing the deferred growth status. He also said that consideration may need to be given to adding soft language that would support expanding the boundaries of the growth area to account for the State property being developed.

Chair Ohrstrom said that the current language is very good because it says until it is applicable and economically feasible, the County is not going to do anything here. Commissioner Bass said that the reality is that this may be coming sooner rather than later. Mr. Stidham said that he will work on language for the Committee to review but is not sure that he is at the point where he can do that yet. He added that new language is needed to provide more flexibility, especially considering that you are dealing with State agencies. He asked the members to keep this Policy in mind and we will revisit it in the near future. Chair Ohrstrom noted that the nuts and bolts will need to go in the update of the Double Tollgate Area Plan which is coming up for five-year review this year. Mr. Stidham replied that the language to be added to the Comprehensive Plan

would inform the update of the Double Tollgate Area Plan. Commissioner Bass said that changes to the Policy would start with removing “deferred” and “delay” from the first sentence. Mr. Stidham added that we will likely need to rewrite the Policy instead of wordsmith the current language because we want to create new guidance moving forward. Chair Ohrstrom said that he would like to retain language to avoid investing in public water and public sewer if we do not have the funding or the proper project in which to invest. Commissioner Bass said that he does not want to have language that requires the County to wait until something happens in order to invest in the Area. Mr. Stidham added that something new has happened since the current language was written and that is the change in ownership of the State property. Chair Ohrstrom then briefly discussed his understanding of how water and sewer was developed with the Lake Frederick development. Commissioner Caldwell noted that the Commission reviewed Frederick County’s plans for public water and sewer when the Double Tollgate Plan was updated, adding that she did not think there would be an option for Clarke County to connect to their public sewer. Commissioner Glover said that he understood that Double Tollgate has always been an area that is expected to grow and he asked if there is anything in the immediate term that is being discussed for development. He also asked about the area of the State property. Mr. Stidham replied that only a portion of the property has been assigned to the Virginia Port Authority for potential development. He said the remainder of the property is going to the Department of Military Affairs and the Virginia Department of Transportation (VDOT). Commissioner Glover asked if housing could be developed on the Port Authority property and Mr. Stidham replied no. Chair Ohrstrom asked about the zoning of the property on the southeastern corner of the intersection. Mr. Stidham replied that it is zoned Highway Commercial as are the other properties in the Double Tollgate Area. Commissioner Glover noted that we need to know the area of the adjoining properties in order to update this Policy. Mr. Stidham replied that we need to write the Policy with the tone of readiness and flexibility. Chair Ohrstrom asked Mr. Stidham to develop a draft for future consideration.

Mr. Stidham said that the Committee will pick up with the review of Objective #10 (Economic Development) at the next meeting and attempt to finish Chapter II. Members agreed to schedule the next meeting for Tuesday, January 26 at 2:00PM.

4. Other Business

None.

ADJOURN: Meeting was adjourned by consensus at 3:15PM.

Brandon Stidham, Clerk

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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;~~
2. *Focus development within designated planning areas including incorporated towns and established village and commercial areas, utilizing design elements that balance compatibility with each unique community's needs.*
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.*
6. *Prevent significant degradation of natural resources. "Significant degradation" is a measurable negative reduction in the quality or quantity of a natural resource.*

STAFF NOTE (1/26/2021) -- Per Committee discussion at the 1/12 meeting, this new Goal has been developed both as a general statement and a definition of "significant degradation" of natural resources. Language was moved and modified from Objective #3 (Natural Resources) Policy #1.

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. *Ensure that any limited residential, commercial, and other non-agricultural uses and activities do not result in significant degradation to natural resources or disrupt the character and functionality of agricultural areas.*

Policies

1. Promote and protect agriculture as the primary use of land in rural areas and inform the public of benefits of this policy.

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2. Support a vigorous agricultural development program in the County that emphasizes promotion of Clarke County agricultural products, encourages cooperation with individual agricultural interests within the County and with advocacy agencies, and liaisons with counties in the area that have similar development programs.
3. Utilize the Agricultural Land Evaluation and Site Assessment (LESA) System to assess accurately the suitability of land for continued agricultural use. The LESA system provides an objective evaluation tool that scores the soils and physical conditions of a parcel for agricultural use.
4. Make land use decisions and plans that are consistent with LESA ratings. Approve conversion of important farmland to nonfarm use only if an overriding public need exists to change the land use 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.~~

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- 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 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 regulations and shall not involve rezoning to a higher residential density to produce additional lots above the parcel's dwelling unit right allocation. Prohibit the rezoning of agricultural 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~~ **Require a right-to-farm warning notice to be included** within the deed of dedication **for new subdivisions in agricultural-zoned areas to promote awareness of living within an agricultural community.**
89. 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.
910. 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.
- ~~1011.~~ **12.** Promote and support the renewal and expansion of the Clarke County Agricultural and Forestal District program by providing information on its benefits and incentives to associated farmland owners, timberland owners, and farm organizations. Use the Land Evaluation and Site Assessment (LESA) System for the objective and consistent evaluation of applications for additions to the Clarke County Agricultural District.
- ~~11 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

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purposes (Code of Virginia, Section 58.1-3230, as amended). ~~Continue to implement Promote existing and explore alternative~~ strategies to protect agricultural land from escalating assessments as a result of development pressures.

~~12 14.~~ Evaluate and consider implementing innovative land-conserving techniques as authorized by State law.

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

~~13. Agribusiness uses and activities are encouraged provided that:~~

- ~~a. They are compatible in scale and intensity to surrounding agricultural uses.~~
- ~~b. They pose no threat to public health, safety, and welfare.~~
- ~~c. They further the goal of preserving farmland, open space, and the County's scenic beauty and historic resources.~~
- ~~d. They do not result in significant degradation of natural resources.~~

~~14. Agritourism uses and activities are encouraged as a means of facilitating the onsite sale of farm products and promoting agricultural education and appreciation. All agritourism activities shall be incidental to and directly supportive of the primary agricultural use on the property. Any agritourism activities or uses that exceed the intensity of the primary agricultural use shall be approved by special use or other governing body action.~~

Objective 2 – Mountain Resources.

Preserve the natural beauty and protect the ecology of ~~forested areas lands located east of the Shenandoah River~~ to ensure that development in those areas is in conformance with their environmental limitations through the following policies. ~~Applicable policies are found in this Objective, Objective 3 (Natural Resources),~~ and the Mountain Land Plan. ~~Recognize that the wooded and steep landscape of the mountain areas poses unique challenges to development and that regulations should be developed to address these characteristics.~~

Policies

~~1. Promote multiple uses of forested land that are nonintensive and compatible, such as outdoor recreation, wildlife habitats, watershed protection, and forest management.~~

STAFF NOTE (12/8/2020) – Moved to Objective 3

~~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.~~

STAFF NOTE (12/8/2020) – Moved to Objective 3

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- 13.** 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:
- Making technical assistance available.
 - Promoting public awareness on the benefits of, and necessity for, best management practices, erosion and sedimentation controls, stormwater management and Chesapeake Bay Preservation Regulations.
 - Assisting in the establishment of conservation plans for all farms adjacent to perennial streams.
 - 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.
 - Supporting these and other innovative efforts to ensure continued water quality improvements in the future.
- 24.** Provide limited, low-density residential opportunities in unincorporated areas in a manner compatible with **agricultural and** forestal activities in the area of the county east of the Shenandoah River. Such **residential development shall be consistent with the County's sliding-scale zoning regulations, and shall not involve rezoning to a higher residential density to exceed the parcel's dwelling unit right allocation. Regulations for** residential development should include the following characteristics.
- ~~Should~~ **Shall** be on a minimum area sufficient to provide proper placement of a dwelling, related accessory structures, well, and septic systems.
 - ~~Should~~ **Shall** not be located on steep slopes, **or areas with** slippage soils, ~~or~~ **ridgelines.**
 - Should avoid ridgelines to the maximum extent practicable when developing a lot unless a ridgeline building site would produce the lowest potential for adverse environmental impacts and natural resource degradation.**
 - ~~de.~~ ~~Should~~ **Shall** recognize the fragile nature of the soils and slopes, understanding that trees protect these features from erosion and clearing should be limited. **Forestry best management practices and other acceptable measures shall be used during construction and afterwards to reduce erosion, preserve trees, and maintain the scenic beauty of mountain areas.**
 - ~~ed.~~ ~~Should~~ **Shall** be compatible with the **environmental natural** features of that land and should not diminish natural and scenic **values assets.**
 - ~~fe.~~ 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.~~
- 35.** **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**

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residential development in order to avoid loss of forest, sprawl development, and consumption of potential conservation lands and open space.

46. 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.~~

STAFF NOTE (12/8/2020) – Moved to Objective 3

58. 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 *but not limited to* 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 are likely to produce significant degradation to the County's natural resources. Focus should be placed upon on but not be limited to ground and surface water quality and quantity in Karst topography, steep slopes, and the Shenandoah River. "Significant degradation" is a measurable negative reduction in the quality or quantity of a natural resource that would result from the development of a new land use. Regulations should be adopted to establish measurable thresholds that the County determines to constitute significant degradation of a natural resource.*

~~1. Prohibit land uses that have significant adverse environmental impacts, recognizing, especially the interrelationships among natural resources, especially between ground and surface waters in Karst topography and steep slopes.~~

STAFF NOTE (1/26/2021) – Edits provided per Committee discussion at 1/12 meeting. Definition of "significant degradation" is moved to new Goal #6.

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.*

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

- 4.3. 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.

- 5.4. 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, **evaluating** the impact of new or expanded private river accesses (e.g. docks and ramps), **protecting** canoeists and other recreational users, and **minimizing** 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.
 - f. Promote awareness of public parking areas and access points to encourage usage of these resources as a means of discouraging roadside parking and unauthorized river accesses.**

- 6.5. 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.

- 7.6. 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 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.

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- 87.** Prohibit new or expanded mining, oil, or gas-drilling operations.
- 98.** Promote the placement of **scenic conservation** easements on lands adjoining or visible from roads designated as Scenic Byways and protect the scenic value of those lands when making land use decisions and plans.
- 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~~ **for** 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 permanent conservation** 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.
- 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 applications, such as rezoning, special use, site plan, and subdivision requests~~ on adjacent properties.
- 1413.** Support Watershed Management planning for each perennial stream and consider any watershed management plan as a factor in making land use decisions.
- 1514.** 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.
- 1615.** 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.
- 1716.** Utilize USGS Groundwater Study findings when evaluating proposed changes in land use and continue to support ongoing water resource monitoring efforts.
- 1817.** 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.

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- 19 18.** Revise and implement the adopted County ordinance requiring pump out of septic systems per State requirements.

STAFF NOTE (12/8/2020) -- 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.

- 22.** *Promote multiple uses of forested land that are nonintensive and compatible, such as outdoor recreation, wildlife habitats, watershed protection, and forest management.*

STAFF NOTE (12/8) – Moved from Objective 2 (former Policy 1)

- 23.** *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 erosion and sedimentation of streams and other environmental applicable impacts are minimized.*

STAFF NOTE (12/8) – Moved from Objective 2 (former Policy 2)

- 24.** *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.*

STAFF NOTE (12/8) – Moved from Objective 2 (former Policy 7)

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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.

Policies

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~~ *conservation* 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.~~

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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, 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." **Encourage property owners to protect their historic structures through 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 **Native 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 collaborate** 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.

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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.
 - 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.

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Support and protect the County's local, state, Federal, and other publicly-accessible active and passive outdoor recreational resources.

2. Provide **an array a variety** of recreational opportunities for citizens throughout Clarke County that **are fiscally responsible, compatible with the County's land use philosophy, and** meet the changing needs of the community **and foster development of mutually beneficial partnerships. Seek opportunities to partner with other jurisdictions, agencies, and the private sector to fund, develop, and expand recreational resources.**

STAFF NOTE (1/26/2021) – In addition to the edits requested by the Committee, Staff has included a new sentence to retain and expand upon the recommendation to establish partnerships for recreational opportunities. While the Committee did not specifically request that this language be added, members did recognize the importance of partnerships especially as a means of cost reduction.

3. Promote the concept of linear greenways to link natural features, wildlife corridors, cultural and scenic resources, **Examples include 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. **Ensure** ~~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. **Adopt economically feasible measures to reduce resource use, including maximizing energy use efficiency, when purchasing, recycling, and disposing of products. Conduct regularly scheduled audits of County facilities to ensure energy efficiency.**
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.

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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.~~

STAFF NOTE – Combined with Policy #1.

~~7. Conduct regularly scheduled audits of County facilities to ensure energy efficiency.~~

STAFF NOTE – Combined with Policy #1.

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.

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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) **P**reserving open space, farmland, natural beauty, cultural features, and critical environmental areas, and
- 2) **I**mproving the quality of life and services in existing towns and 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.

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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.*

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

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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.

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.

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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.

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.

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- 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.
- 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

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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 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, **and** 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.

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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 Waterworks¹ and Sewerage System & Treatment Works² **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.
 - 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.

¹Waterworks 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).

²Sewerage 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 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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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 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?

DRAFT STAFF COMMENTS
1/26/2021 COMPREHENSIVE PLAN COMMITTEE MEETING

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, 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.