

**CLARKE COUNTY PLANNING COMMISSION
 COMPREHENSIVE PLAN COMMITTEE
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Clarke County Planning Commission

AGENDA – Comprehensive Plan Committee Meeting

Tuesday, December 14, 2021 (2:00PM)

Berryville/Clarke County Government Center – Main Meeting Room

- 1. Approval of Agenda**
- 2. Approval of Minutes – October 26, 2021 Meeting**
- 3. Comprehensive Plan Update – Review Final Drafts of Chapter II (Goals, Objectives, and Policies) and Chapter III (Implementing Components)**
- 4. Discussion, Agricultural Land Plan Five-Year Review Resolution**
- 5. Next Steps**
- 6. Adjourn**



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TO: Planning Commission Comprehensive Plan Committee members

FROM: Brandon Stidham, Planning Director

RE: December 14 Meeting Discussion Items

DATE: December 2, 2021

The goal of the December 14 Committee Meeting will be to accomplish the following:

- Finalize the draft of Chapter II (Goals, Objectives, and Policies)
- Finalize the draft of Chapter III (Implementing Components)
- Review and forward the draft “Resolution to Initiate Review of the 2017 Agricultural Land Plan” to the Planning Commission.

Comprehensive Plan Review

Staff has enclosed both redlined and clean copies of final draft Chapter II for your review. The redlined copy contains all changes made to date with the most recent additions highlighted in yellow. Please review the following specific changes for possible discussion:

- Objective 2 Policy 3 – Review whether you are comfortable with your most recent changes to the “shalls” and “shoulds” in this policy.
- Objective 10 Policy 1 – Based on the lack of opposition from the Commission at the Work Session, Staff has included the alternate language for this policy that would remove the Economic Development Strategic Plan as a component plan.

The final draft of Chapter III is included with a redlined copy only – please review these specific changes for discussion:

- Overview – Language is included as the first notation that the Capital Improvement Plan and Economic Development Strategic Plan are removed as component plans.
- Agricultural Land Plan – Staff has included language to reflect the draft five-year review resolution that we will be discussing at the December 14 meeting with the understanding that this could change depending on what form of resolution is ultimately adopted by the Commission. The two key issues are whether to merge the Agricultural and Mountain Land Plans and the evaluation of the form and scope of agribusiness and agritourism uses

(see discussion later in this memo).

- Mountain Land Plan – Added language to recommend merger of the Mountain and Agricultural Land Plans.
- Waterloo Area Plan – Added language to reflect adoption of the five-year review resolution in November.
- Double Tollgate Area Plan -- Added language to reflect adoption of the five-year review resolution in November. Additional guidance language is included to describe the issues of extending Frederick County water and sewer to Double Tollgate and potential expansion of the plan area into the Camp 7 property in more detail. This will hopefully better inform the update process when we begin it.
- Deletion of the Economic Development Strategic Plan component plan description (former #6) and addition of new descriptive language for the Strategic Plan in the “Other Relevant Plans and Studies” section.

Agricultural Land Plan Five-Year Review Resolution

Enclosed for your review is the initial draft of the Agricultural Land Plan five-year review resolution. The current Plan was adopted on February 21, 2017 so the Commission will need to adopt a resolution by the February 4, 2022 Business Meeting.

Per previous discussions, the resolution includes as a discussion issue the potential merger of the Agricultural and Mountain Land Plans. As a second issue, Staff has included evaluating the “form and scale of compatible agribusiness and agritourism uses and activities.” Since the 2013 Comprehensive Plan and the 2016 Agricultural Land Plan were adopted, the County has had to address many new forms of agricultural businesses and related activities. These include:

- Farm wineries, farm breweries, and farm distilleries and what activities are considered to be “usual and customary” in the conduct of these businesses.
- Agritourism uses and activities with a significant public assembly component that can bring traffic safety and other adverse impacts to agricultural areas.
- Businesses such as AirBNBs and wedding/special event venues that seek to locate in agricultural areas to take advantage of the scenic beauty.
- Large-scale hydroponic farming operations that can bring potential adverse impacts to roads, groundwater supplies, the night sky, and the County’s scenic beauty.

Discussion of this issue in the Agricultural Land Plan revision (or development of a combined “Rural Lands Plan”) could lead to new policies that would inform the creation of new zoning regulations to address these evolving issues in the future. The issue could also help to resolve potential conflicts with current policies that recommend promoting agricultural industry and business.

Let us know if you have questions or concerns or if you will not be able to attend the meeting. Please note that with Commissioner Kruhm no longer serving on the Committee, we will need to have three members present for a quorum on December 14.



Clarke County Planning Commission

DRAFT MINUTES – Comprehensive Plan Committee Meeting

Tuesday, October 26, 2021 – 10:30AM

Berryville/Clarke County Government Center – Main Meeting Room

ATTENDANCE:			
Matthew Bass (Board of Supervisors)	✓	Bob Glover (Millwood)	✓
Anne Caldwell (Millwood)	✓	Douglas Kruhm (Buckmarsh)	✓
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 10:38AM.

1. Approval of Agenda
2. Approval of Minutes – October 1, 2021 Meeting

Members unanimously approved the October 1, 2021 meeting minutes as presented.

Motion to approve October 1, 2021 meeting minutes as presented:			
Bass	AYE	Glover	AYE (moved)
Caldwell	AYE	Kruhm	AYE (seconded)

3. Discussion Items

A. Continued Review Chapter II Goals, Objectives, and Policies

Mr. Stidham resumed review of Chapter II at Objective 9 (Designated Growth Areas for Development) on page 25 and asked members if they had any edits or comments. Commissioner Caldwell asked about Objective 8 Policy 7 on the same page and said she had a note on this policy. Mr. Stidham replied that the Committee edited that policy by replacing “build upon” with “preserve” and deleting all language after the word “village.” Commissioner Caldwell recalled and agreed with the changes. Members had no edits or comments on Objective 9.

Regarding Objective 10 (Economic Development) Policy 2 on page 29, Chair Ohrstrom said that he questioned the wording, “as allowed by the adopted plans for those areas.” Mr. Stidham said that you can make the argument that plans are guidelines and do not allow or prohibit anything. He noted that if you want the language to be strong, you should probably leave “allowed” in there and not change the wording. Members agreed not to make any changes to this policy. Regarding Policy 4 on the same page, Chair Ohrstrom asked what “high-quality design” really means. He then cited two types of design that could be considered to be “high-quality” but are very different from one another. He asked whether “high-quality” is a legally defensible term. Mr. Stidham replied that you can have a high-quality design that is totally incompatible with where it is proposed to go. He also said that if you wanted to replace “high-quality” with

“compatible,” you could have a design that is totally compatible with an area but is of mediocre or low quality. Chair Ohrstrom said the text should be left as it currently reads.

Chair Ohrstrom briefly left the meeting.

Regarding Objective 10 Policy 10, Commissioner Caldwell asked whether a new Item g should be added at the end regarding setting a dangerous precedent to mirror the new Goal that was added. Mr. Stidham said that he would argue that this concept is presumed under Item a regarding whether a project is in accord with the Comprehensive Plan. Commissioner Bass said reading Items a and f together address the issue of precedent. Commissioner Caldwell agreed. Mr. Stidham suggested moving Item f ahead of Item b to reinforce what Commissioner Caldwell was trying to accomplish and members agreed.

Mr. Stidham asked if members had edits or comments to Objective 11 (Public Infrastructure, Capital Improvement Planning, and Fiscal Responsibility) or Objective 12 (Transportation) and none were offered. Regarding Objective 13 (Broadband Internet Access), Mr. Stidham said that there may need to be changes depending upon the outcome of the County’s Virginia Telecommunications Initiative (VATI) grant application. He also noted that we may want to keep this new objective in even if the County receives a grant award and at least until the project is completed. Members had no edits or comments to Objective 13.

Mr. Stidham noted that this completes the review of Chapter II, adding that he will provide the members with revised clean and redlined drafts for review at an upcoming meeting.

B. Discussion, Chapter III (Implementing Components) Review

Mr. Stidham provided an overview of Staff’s proposed revisions to Chapter III as outlined in the August 30, 2021 Staff memo. He indicated that current Chapter III was not originally written with the concept that component plans, like the Comprehensive Plan, would have to be reviewed once every five years. He said that wording in Chapter III and in the introduction section of the Comprehensive Plan could be in conflict or not current with the applicable component plans. He added that Staff’s goal in re-drafting Chapter III was to ensure that nothing could be construed as being in conflict with the component plan language. He noted that new wording proposed to be added to the introductory section of Chapter I would explain the purpose for having component plans and would describe each plan in general terms. He then described the new proposed format for each plan description in Chapter III and said that language is included to tie each plan to the corresponding Comprehensive Plan objectives that inform it. He also said that the current “Priorities for the next few years” section is replaced with a new “Recommendations for Next Revision” section that will include issues identified in any adopted five-year review resolutions. He also described the new section containing guidelines for the review and update of component plans.

Mr. Stidham also reviewed a new section at the end of Chapter III addressing Other Relevant Plans and Studies. He said that the purpose of this section is to identify any plans or studies outside of the Comprehensive Plan which may have ties or direct applicability to the Comprehensive Plan. He added that this section will help to ensure that these plans and studies

are adopted or accepted for use after having been found to be consistent with the Comprehensive Plan. In this context, he stated that there have been past discussions about whether the Economic Development Strategic Plan should remain as a component plan. He said that Commissioners expressed concerns primarily of whether the Strategic Plan could become in conflict with the Comprehensive Plan if it does not remain as a component plan. He added that guidance in this new section would help to ensure that all plans and studies will be consistent with the Comprehensive Plan including the Economic Development Strategic Plan if it were ever removed as a component plan. At this point, Mr. Stidham asked if members had any initial questions and comments but none were offered.

Mr. Stidham then moved on to a discussion of component plan consolidation. He said that since the Mountain Land Plan review is way overdue and the Agricultural Land Plan five-year review is coming up soon, there is an opportunity to consider consolidating the two plans. He noted that many of the current Mountain Land Plan objectives are equally shared with areas west of the Shenandoah River. He also said there are two objectives regarding forestry resources and safety of public and private roads that impact the mountain areas uniquely but that are also applicable to the non-mountain areas. He then described a conceptual outline of a “Rural Lands Plan” concept on page 64 of the meeting packet.

Chair Ohrstrom re-joined the meeting. Regarding the current Mountain Land Plan, he asked whether we have different open space area requirements recommended in the Plan for mountain areas than we do for the areas west of the river. Mr. Stidham said yes but noted that all of the current Mountain Land Plan’s recommendations are regulatory in nature and have been implemented. Chair Ohrstrom asked if these regulations need to be referenced in a plan anymore since they have been implemented. Mr. Stidham replied that the concept behind the regulations should be included as something that should be maintained. He then asked members for their comments on this concept and noted that he will ultimately need direction on this issue in order to include language in the Chapter III draft to support the concept.

Commissioner Bass said he likes the concept of combining component plans and you could potentially reduce the overall number of plans that we have. Commissioner Caldwell said that she has thought more about the Rural Lands Plan concept since Mr. Stidham first suggested it several months ago and thinks it is a good idea. Regarding combining other plans, she said that the Water Resources Plan would probably be a better fit with the Rural Lands Plan. She also thought that combining towns and villages with economic development would be a good idea. Commissioner Bass noted we would not be eliminating goals and objectives, we would be combining them and can retain any language that we want.

Commissioner Kruhm asked how the uniqueness of a particular area would be covered in the Rural Lands Plan. Mr. Stidham suggested that the members look at the initial draft of an update process for the Rural Lands Plan and Village Plan on page 72 of the packet. He said that this approach would allow the update process to focus on rural issues that would impact the Agricultural Land, Mountain Land, and Village Plan. He noted that three workgroups would be assembled to look individually at valley lands, mountain lands, and unincorporated villages. Regarding Commissioner Kruhm’s issue of uniqueness, Mr. Stidham said each workgroup would study their particular areas and meet with residents and stakeholders of those areas to identify

their concerns. He said that this input would be used to help distinguish the issues and concerns in these separate areas.

Commissioner Glover said he prefers the Mountain Land Plan to be standalone and is concerned with losing detail if it is merged with the Agricultural Land Plan. He said the Mountain Land Plan contains a lot of detail, has not been revised in a long time, and definitely needs to be revised. He noted that the problem is when you combine documents, detail gets lost. He also said that he thinks the Water Resources Plan should stand alone and not be combined with other plans. Mr. Stidham said that Staff is only recommending combining the Agricultural Land and Mountain Land Plans, adding that this is different from the concept of reviewing and updating similar plans at the same time. Commissioner Glover asked if we need to include language in the revised Comprehensive Plan that the component plans should be combined. Mr. Stidham replied that whatever the Committee decides to do will be added to their recommended Comprehensive Plan draft for the entire Commission to review. Chair Ohrstrom said that combining plans would be a huge change and the full Commission should hear about it before the full draft Comprehensive Plan is presented to them so they will have time to think about it. Mr. Stidham said that this is a careful and deliberate process and that the full Commission should spend a significant amount of time reviewing the draft Plan before they decide to present it to the public. He added that there will likely be one or more special Commission workshops to review the draft Plan. Chair Ohrstrom suggested having a special Commission workshop on the Committee's work to date on Chapters I and II. Commissioner Glover said that it would be good to give the Commission an early heads up on the concept of combining plans. Commissioner Bass agreed and noted the challenges of coordinating reviews and updates of the Comprehensive Plan and component plans temporally as a justification for combining plans. Mr. Stidham said that he will schedule a discussion with the Commission for January or February.

Chair Ohrstrom asked if the Committee could revisit Objective 10 Policy 9d in Chapter II as he missed his opportunity to discuss a concern when he briefly left the meeting. He noted that current language references impact on adjacent property values and he thought that Staff was recommending that property value impacts as a review criterion be removed because of its subjective nature. Mr. Stidham agreed noting that this one was missed and should be deleted. Chair Ohrstrom also asked about the language that is proposed to be removed from Policy 4 regarding context-sensitive landscaping and maintenance. He said that this is good information and asked if it is being retained elsewhere in the Plan. Mr. Stidham replied that the wording is proposed for deletion because it has already been incorporated into the Zoning Ordinance. Chair Ohrstrom asked if we want to retain the language even though it has been fully implemented in order to reinforce our commitment to the concepts. Mr. Stidham replied that you would pull back to a broader policy description rather than the very specific description that has been implemented. Commissioner Caldwell asked if this language could be placed somewhere in a broader fashion to emphasize that we want to maintain it. Mr. Stidham replied that it is in the Zoning Ordinance. He also argued that if the language were proposed to be removed in the future, one could argue that to do so would be inconsistent with Policy 4's guidance "to ensure high-quality design and construction of new and redeveloped businesses."

Returning to the discussion of eliminating component plan status, Mr. Stidham directed the members to the bottom of Page 38 of 74 and recapped the previous discussion for Chair

Ohrstrom's benefit. He then asked the members for direction on whether to move forward with language recommending removing the Economic Development Strategic Plan as a component of the Comprehensive Plan. He also noted draft language at the top of Page 40 of 74 that would be used to replace current Objective 10 Policy 1 to recommend this change. Chair Ohrstrom said that it makes sense and he does not have a problem with the change and Commissioners Kruhm and Bass also agreed. Mr. Stidham noted that this would be another significant change that should also be brought to the Commission's attention along in January or February. Chair Ohrstrom added that the Economic Development Strategic Plan will probably need to be reviewed much more frequently than once every five years. He said that requiring it to be consistent with the Comprehensive Plan and allowing it to be updated more frequently as a separate plan might be a good idea. Commissioner Glover asked what language should be added to the Comprehensive Plan to accomplish this and Mr. Stidham replied by asking if he wanted to include language different from what is in the draft Policy 1 on Page 40 of 71. Mr. Stidham also noted that the current Comprehensive Plan does not list other plans and studies that are not component plans, and this could be included in the revised draft Comprehensive Plan starting with the Economic Development Strategic Plan and Capital Improvement Plan. Commissioner Bass said that he could live with this approach. Chair Ohrstrom noted that there is a process to review our component plans in place and if we would have to review a plan like these two more frequently in order to properly manage them. Mr. Stidham replied that this is what we do not want to do with the Comprehensive Plan and component plans. He added that if a plan needs to be more flexible, it should not be a component of the Comprehensive Plan.

Commissioner Bass left the meeting.

Mr. Stidham said that if the Board of Supervisors gets in the habit of stating that a plan is in accord with the Comprehensive Plan, then that will give the plan the weight that we intend to give it by its inclusion as a component of the Comprehensive Plan. He said that he will make this change to Objective 10 Policy #1 and in Chapter III for the next iterations that the Committee will review. Commissioner Glover asked what will be included in the next draft. Mr. Stidham said that it will include the revised Chapters II and III with all of the edits recommended to date and added that the Committee will have one more meeting to review this revision before the end of the year. He also said that Mr. Camp will be working on Chapter I and that Staff has been waiting for the release of census data in order to complete this Chapter. Mr. Camp reported that due to pandemic delays, the Census Bureau has only released basic county-level data to be used for redistricting purposes. He said that demographic data is supposed to be released in 2022 but the Census Bureau did not specify when in 2022 it would be released. He added that Staff will complete the Chapter I draft with the current data that has been released and fill in with estimates where data is not yet available.

C. Workplan Update and Timeline

Mr. Stidham briefly reviewed the revised work plan for the update project. He said that in order to complete the full draft and have it reviewed by the Committee by January 31, 2022, we will use whatever data has been released to date rather than further delay this project. Commissioner Glover said that it is not worth the delay and members agreed. Mr. Stidham then reviewed the remainder of the work plan and noted that special workshops with the Commission can be

scheduled to help all members get comfortable with the revised draft. Chair Ohrstrom asked if we would be doing any public outreach initiatives. Mr. Stidham replied that this would be up to the Commission to decide. He noted that we had informal public meetings in three County locations before scheduling formal public hearings on the 2013 update but noted that this was a much more in-depth revision. He then suggested that the members look again at the proposed combined review processes against the draft component plan update schedule included in the packet.

Commissioner Glover asked if the issues identified today could be brought to the Commission earlier than January. Mr. Stidham replied that the November and December agendas are pretty full right now and he would prefer to discuss it at a meeting where the Commission can spend some time on it rather than reading a brief summary.

4. Other Business

Mr. Stidham said that he would email the members with a list of possible meeting dates in November.

ADJOURN: Meeting was adjourned by consensus at 11:34AM.

Brandon Stidham, Clerk

CHAPTER II FINAL DRAFT – REDLINED WITH COMMENTS FOR COMMITTEE REVIEW DECEMBER 2021

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. *Focus development within designated planning areas including incorporated towns and established village and commercial areas, utilizing design elements that balance compatibility with each community’s needs and unique character.*
- ~~2. Enhance town, village, and commercial areas through context sensitive design and walkability elements to improve the quality of life for residents;~~
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 *in conformance with the Comprehensive Plan and its implementing component plans* ~~consistent with these goals.~~

STAFF NOTE – Deleted “substantial” before “conformance” per Committee request.

6. *Prevent significant degradation of natural resources. “Significant degradation” is a measurable negative reduction in the quality or quantity of a natural resource.*
7. *Understand that policy decisions are precedent-setting and ensure that all such decisions are carefully and thoughtfully examined to determine their consistency with the Comprehensive Plan and implementing component plans, County Zoning and Subdivision Ordinances, and with the County’s land use philosophy.*

STAFF NOTE – Per Committee request: Added hyphen between “precedent” and “setting.” Replaced “impact to” with “consistency with” in second line. Replaced “to” with “with” and deleted “in general” in last line.

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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.
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~~ *a significant* overriding public need exists to change the land use ~~and the existing development areas cannot accommodate the new use.~~ *Important farmland includes areas containing prime farmland, farmland of statewide importance, farmland of local importance, and unique farmland as soils that are best suited to food, feed, fiber, forage, and oilseed crops. Adopt regulations to limit future development in these important farmland areas in order to maximize the amount of land available for agricultural production.*

STAFF NOTE – Highlighted area was previously in parentheses in middle of second sentence. Made separate sentence per Committee request.

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.

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- 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 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.***
- ~~6. Provide limited, low-density residential opportunities in unincorporated areas in a manner compatible with agricultural activities in the area of the county west of the Shenandoah River. Such residential development should include the following characteristics:~~
- ~~a. Should not be located on Important Farmland, as determined by the County's Land Evaluation and Site Assessment (LESA) rating system.~~
 - ~~b. Should be on a minimum area sufficient to provide proper placement of a dwelling, related accessory structures, well, and septic system.~~
 - ~~c. Should be located in or substantially bounded by natural or cultural features, such as wooded areas, railroads, or public roads that would buffer them from agricultural lands.~~
 - ~~d. Should be located away from natural and cultural resources such as the Shenandoah River and the Blandy Experimental Farm and State Arboretum.~~
 - ~~e. Should be compatible with the environmental features of that land and should not diminish natural and scenic values.~~
 - ~~f. Should respect environmental limitations and protect natural features during and after the development process.~~
 - ~~g. Should be consistent with the County's sliding-scale zoning philosophy and should not involve rezoning to a higher residential density to produce additional lots above the parcel's dwelling unit right allocation.~~
- ~~7. Strongly discourage the rezoning of agricultural zoned properties to the Rural Residential District (RR) in areas outside of designated growth areas and villages to avoid loss of farmland, sprawl development, and consumption of potential conservation lands and open space.~~

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- ~~7~~ 8. 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*.
- ~~8~~ 9. With the exception of telecommunication and high-speed internet facilities, discourage extension of public utilities, *including but not limited to public water and public sewer*, and other growth-inducing public facilities into agricultural areas and land under permanent conservation easement.
- ~~9~~ ~~10~~. Encourage all government agencies to consider the impacts that their programs and projects may have on maintaining the availability and use of agricultural land. Encourage them to eliminate or minimize adverse impacts.
- ~~10~~ ~~11~~. Promote and support the renewal and expansion of the Clarke County Agricultural and ~~12~~ 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 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*

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agritourism activities shall be incidental to and directly supportive of the primary agricultural use on the property. Any agritourism activities or uses that exceed the intensity of the primary agricultural use shall either be prohibited or be approved by special use or other governing body permitting action.

Objective 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.~~
- ~~2. Ensure that timber harvesting is conducted in accordance with Virginia Department of Forestry and Chesapeake Bay protection standards. Also ensure that an approved forest management plan is in place for each site so that sedimentation of streams and other environmental impacts are minimized.~~
- 1. Collaborate with agencies, organizations, and surrounding counties to develop plans and strategies to mitigate transportation, development, and other current day and future impacts on mountain lands.*
- 2 3.** Encourage the use of best management practices as outlined in the Chesapeake Bay Regulations and as determined by the Federal Total Maximum Daily Load (TMDL) program to improve water quality through the following methods:
 - a. Making technical assistance available.
 - b. Promoting public awareness on the benefits of, and necessity for, best management practices, erosion and sedimentation controls, stormwater management and Chesapeake Bay Preservation Regulations.
 - c. Assisting in the establishment of conservation plans for all farms adjacent to perennial streams.
 - d. Encouraging the participation of all landowners engaged in forestal activities to use the assistance of the Virginia Department of Forestry, the Natural Resources Conservation Service, the Lord Fairfax Soil and Water Conservation District, and other public agencies.

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- e. Supporting these and other innovative efforts to ensure continued water quality improvements in the future.
- 3 4. 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 shall** include the following characteristics.
- a. ~~Should~~ **Shall** be on a minimum area sufficient to provide proper placement of a dwelling, related accessory structures, well, and septic systems.
- b. ~~Should~~ **Shall** not be located on steep slopes; *or areas with* slippage soils, ~~or~~ **ridgelines**.
- c. **Shall** *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.*
- d. ~~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~~ **Shall** respect environmental limitations and protect natural features during and after the development process.
- f. ~~Should be consistent with the County's sliding-scale zoning philosophy and should not involve rezoning to a higher residential density to produce additional lots above the parcel's dwelling unit right allocation.~~

STAFF NOTE – Changed “should” to “shall” per Committee request as highlighted.

- 4 5. ~~Strongly discourage~~ **Prohibit** the rezoning of ~~forestal~~ **Forestal-Open Space-Conservation (FOC)** zoned properties to the Rural Residential District (RR) in areas outside of designated growth areas and villages *for new residential development. The purpose is* to avoid loss of forest, sprawl development, and consumption of potential conservation lands and open space.

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STAFF NOTE – Minor edits to include FOC District reference and to split into two sentences.

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

STAFF NOTE – Added FEMA reference per Committee request.

Objective 3 – Natural Resources.

Protect natural resources, including *but not limited to* soil, water, air, ~~scenery~~ *viewsheds*, 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 result in 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. Regulations should be adopted to establish measurable thresholds that the County uses to determine what constitutes 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 – Replace “produce” with “result in” per Committee request.

2. Ensure that adverse environmental impacts of activities directly or indirectly related to construction are minimized. Require effective mitigation when impacts occur. **These impacts include but are not limited to such as** removal of vegetation, cutting of trees, altering drainage ways, grading, and filling. Provide for effective, proactive enforcement when necessary *to prevent substantial damage to natural resources and adjacent properties.*

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STAFF NOTE – Edit per Committee request to divide second sentence into two sentences.

- 3 4. 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.
- ~~3. — Maintain, implement, and continue to enforce the County’s strong Erosion and Sedimentation Control and Stormwater Management Ordinances.~~
- 4 5. 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 efforts~~ to reduce bank erosion, ~~evaluate limiting~~ 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. **Promoting awareness of public parking areas and access points to encourage usage of these resources and as a means of discouraging roadside parking and unauthorized river access points.**

STAFF NOTE – Minor edits requested by Committee.

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- 5 6.** 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.
- 6 7.** 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.
- 7 8.** Prohibit new or expanded mining, oil, or gas-drilling operations.
- 8 9.** 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.
- 9 10.** 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 **conservation open-space** easements, recreation facilities, Blandy Experimental Farm, Shenandoah University's Shenandoah River Campus, and the Appalachian Trail.

STAFF NOTE – Edit requested by Committee to replace all reference to “open-space easements” with “conservation easements.”

- 10 11.** 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.
- 11 12.** 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 suitable for future development.~~
- 12 13.** 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.

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- ~~13~~ ~~14~~. Support Watershed Management planning for each perennial stream and consider any watershed management plan as a factor in making land use decisions.
- ~~14~~ ~~15~~. 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.
- ~~15~~ ~~16~~. 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.
- ~~16~~ ~~17~~. Utilize USGS Groundwater Study findings when evaluating proposed changes in land use and continue to support ongoing water resource monitoring efforts.
- ~~17~~ ~~18~~. 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.
- ~~18~~ ~~19~~. Revise and implement the adopted County ordinance requiring pump out of septic systems per State requirements.
- ~~19~~ ~~20~~. Recognize that *because* 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. — Strengthen and develop 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.~~

STAFF NOTE – Delete per Committee request as unnecessary.

- ~~20~~ ~~22~~. 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.
- ~~21~~. *Promote multiple uses of forested land that are nonintensive and compatible, such as passive outdoor recreation, wildlife habitats, watershed protection, and forest management.*

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22. *Ensure that timber harvesting is conducted in accordance with Virginia Department of Forestry and Chesapeake Bay protection standards. Also ensure that an approved forest management plan is in place for each site so that erosion and sedimentation of streams and other applicable impacts are minimized.*
23. *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.*

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 ~~seem~~ *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 ~~conforms to~~ *are compatible with* the County's ~~Comprehensive Plan land-use~~ *regulations*, and infrastructure ~~capacity goals~~.

STAFF NOTE – Edits requested by Committee to clarify intent of policy.

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

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resources on the development site are not disturbed. Encourage proposed development ~~elsewhere~~ *outside of these overlay districts* to be compatible with *and protect the scenic values of* ~~and ensure that it does not disturb~~ nearby historic resources or the scenic values of land associated with these resources.

8. Consider *potential impacts to* historic/archaeological resources ~~that have been surveyed and documented~~ when reviewing land-use decisions, such as rezoning, site plan, and subdivision requests.
9. Review and update the current “Clarke County Archaeological Assessment: Historical Character of the Lower Shenandoah Valley” and include more specific recommendations to ensure protection of archaeological resources, ~~focusing on the sites of pre-historic indigenous peoples.~~
10. Promote community awareness and public education through use of a wide variety of media regarding tax incentives, designation procedures, design guidelines, and appropriate rehabilitation guidelines. Support the creation of literature on the historic resources of the County to acquaint the general public, and in particular new residents, 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 *Native Americans and* African-Americans and their contribution to the history of the County.

STAFF NOTE – Edit requested by Committee.

15. Encourage owners of eligible properties to convey historic preservation easements as a tool for protecting these properties.

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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.
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 *by the Natural Resources Conservation Service (NRCS) as prime farmland, farmland of statewide importance, farmland of local importance, and unique farmland as soils that are best suited to food, feed, fiber, forage, and oilseed crops* ~~“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, *and ability to* 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.

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- 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.~~

STAFF NOTE – Deleted per Committee request as redundant.

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 Recreational Resources

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

STAFF NOTE – Renamed per Committee request.

1. ~~Develop a~~ *Maintain the* Recreation Plan as ~~a new~~ *an* implementing component plan containing specific strategies pertaining to the County’s Parks and Recreation program. Support and protect the County’s local, state, Federal, and other publicly-accessible active and passive outdoor recreational resources.
2. Provide ~~an array~~ *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.*
3. Promote the concept of linear greenways to link natural features, wildlife corridors, ~~and~~ cultural and scenic resources, ~~such as:~~
 - *Designated scenic rivers*
 - *Designated scenic highways*
 - *Registered historic properties*
 - *Permanent conservation open-space easements*
 - *Recreation facilities*
 - *Blandy Experimental Farm*
 - *Shenandoah University’s Shenandoah River Campus, and the*

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- Appalachian Trail

STAFF NOTE – Formatted as a bulleted list per Committee request.

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

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- 6 8.** Encourage use of Low Impact Development (LID) techniques that help manage stormwater in an environmentally sensitive manner.
- 7 9.** Establish water quality performance standards that include retention of vegetation, minimal site disturbance, and reduction of nutrients and sediment in post-development stormwater.
- 8 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.
- 9 11.** Encourage the use of cisterns and other water reuse applications in new residential and commercial developments.
- 10 12.** ~~Consider adopting~~ **Maintain and periodically update** the Energy and Resource Management Plan (dated 4/20/2010) ~~or modified version of this Plan as a new implementing component plan.~~ Investigate tax credit programs that encourage energy conservation by residents and businesses.

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

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

Policies

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

STAFF NOTE – Edits requested by Committee.

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Objective 9 – Designated Growth Areas for Development

Encourage business and residential development in designated growth areas to implement the principles of:

- ~~P~~preserving open space, farmland, natural beauty, cultural features, and critical environmental areas, and
- ~~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.
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.~~

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~~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 development that reflects 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. *Evaluate the Double Tollgate Business Intersection Area at U.S. Routes 340 and 522 (as designated in the Double Tollgate Business Intersection Area Plan) for potential County investment in infrastructure to support existing business growth and new business development. County infrastructure investment should be subject to the following strategies:*
 - a. *Development of public water and public sewer should be in partnership with property owners, local governments, and applicable State agencies which may require public infrastructure to serve the adjacent State-owned property formerly known as Camp 7.*
 - b. *The County, in partnership with applicable stakeholders, should explore all possible approaches to serve the Business Intersection Area with public water and public sewer before giving any consideration to extending the existing County utility systems.*
 - c. *Property owners who develop their properties in this business intersection area shall be solely responsible for the cost and construction of public road*

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improvements required as a result of their development. The County may consider partnerships to pursue funding for construction of necessary intersection-wide improvements.

- d. The County should help facilitate business-class broadband availability in this development area using the applicable policies of Objective 13, Broadband Internet Access.*
- 6. *The Double Tollgate Area Plan should be maintained and periodically updated to identify the specific boundaries and mixes of uses; the way public services are to be provided as described in Policy #5 above; and the way proposed activities will be integrated with surrounding uses, especially agricultural uses, residential uses, and lots held in permanent conservation easement. The Area Plan should also address:***
- The relationship between and potential development integration of the Business Intersection Area with adjoining properties owned by the Commonwealth of Virginia (formerly known as the Camp 7 property).*
 - Creation of zoning requirements, design criteria, or other regulations to address the unique characteristics of this designated development area.*
 - Potential future expansion of the Business Intersection Area to accommodate future commercial growth and economic development subject to the County’s capacity to serve with public infrastructure.*
- ~~5. Designate the Double Tollgate area (U.S. Routes 340 and 522) as a deferred-growth area and delay county investment in infrastructure until such time as it is applicable and economically feasible. Feasibility should be triggered through evaluation of factors such as the quantity and long-term stability of growth in the immediate area, the availability of public water and public sewer capacity, and compliance with any adequate public facility measures that are developed. Once it is feasible to do so, promote business activities at Double Tollgate through provision of public water and sewer services and provision of additional areas zoned for business uses.~~

~~The Double Tollgate Area plan should be maintained to identify:~~

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

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- 7 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.
- 8 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.
- 9 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.
- 10 9. Consider the planning goals, principles, and policies of incorporated towns in designating growth areas. Make provisions for public utility services, and, where feasible, undertake joint or coordinated action with town governments, independent county authorities, and other regional entities.

Objective 10 – Economic Development

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

Policies

1. Establish and maintain an Economic Development Strategic Plan *as a component plan to implement this Objective and its policies as an action-oriented plan to implement the recommended strategies of this Objective 10. Ensure that the Strategic Plan's recommendations and action items are fully consistent with Objective 10 and all other applicable goals and objectives of the Comprehensive Plan.*

STAFF NOTE – Staff has included proposed alternative language for Policy #1 to facilitate removal of the Economic Development Strategic Plan as an implementing component plan (see discussion in August 30, 2021 memo to Committee).

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

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4. Ordinances and policies should be implemented to ensure high-quality design and construction of new and redeveloped businesses. ~~This shall include context sensitive landscaping that makes use of native plants, xeriscaping, and use of gray water for irrigation where possible. Maintenance of landscaping and site plan features should be enforced by the County throughout the lifespan of the business.~~
5. *Promote economic development within incorporated towns and designated business intersections that is consistent with the County's land use philosophy and character. Focus on types of businesses that can be served with public infrastructure (e.g., roads, public water, public sewer, natural gas, broadband) in an effective and fiscally-responsible manner and with minimal adverse impact to surrounding properties.*
- ~~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.~~~~
6. *Promote economic development in the County's unincorporated and rural areas that is highly compatible with the County's land use philosophy and character. Focus on types of businesses that will not produce impacts which may result in significant degradation of natural resources, that will not require or increase demand for public infrastructure improvements or expansion, and that will not adversely impact existing nearby land uses or the conservation value of protected lands. These business sectors include but are not limited to agricultural operations, agricultural support businesses, and equine businesses and related services.*

Other business sectors which may be compatible on a limited scale subject to compliance with building code regulations, onsite sewage disposal system requirements, and County zoning regulations include:

 - a. *Small-scale lodging within single-family dwellings and/or accessory dwellings.*
 - b. *Limited special events and commercial public assembly uses subject to full compliance with County regulations governing such activities.*
 - c. *Support businesses for existing tourism resources.*
 - d. *Adaptive reuse of existing commercial and residential structures to compatible new uses.*

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- 7 6. Protect and enhance the environmental resources of the County, recognizing that they can serve as an attraction to business and industry.
- 8 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.
- 9 8. Ensure that new commercial development occurs according to the following provisions:
- a. *Does not degrade the level of service of the existing transportation network to unacceptable levels for safety, congestion, and functionality.*
 - b. Ensures that access to and impacts on the transportation network are safe ~~and do not degrade efficiency and do not impede traffic flow for emergency vehicles.~~
 - c. Meets all applicable zoning and building code regulations and all standards for water, sewage disposal, and waste disposal needs.
 - ~~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.~~
 - d. Does not have a negative impact on adjacent property values.**

STAFF NOTE – Deleted at Committee recommendation to be consistent with removing guidance that is focused on impacts to property values.

- 10 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 #9 above for new development projects:
- a. Whether the project is in general accord with the Comprehensive Plan.
 - b f.** *Whether there is* ~~€~~consistency with prior land use decisions involving similar cases.
 - ~~c 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.

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- d e.* ~~Whether The degree to which~~ the project mitigates an existing public safety concern.
- e d.* ~~Whether 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.
- f e.* In the case of a conditional ~~rezoning~~ application, ~~whether the degree to which~~ the applicant's proffer package addresses all existing and potential site impacts to surrounding properties.

STAFF NOTE – Moved former Item f up to Item b in order to emphasize its importance per Committee request.

- ~~11 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.
- ~~12 11.~~ Seek and consider additional fiscal tools by which the County may enhance its tax base.
- ~~13 12.~~ Promote the retention, attraction, and expansion of businesses and industries that support the land use goals of the County, in particular, businesses that generate a relatively high level of local tax revenue in relation to the number of jobs, create minimal impact on public services, and are compatible with the County's agricultural and natural resources.
- 14. *Facilitate business-class broadband availability using the applicable policies of Objective 13, Broadband Internet Access.***

Objective 11 – *Public Infrastructure, 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.

1. ~~Maintain 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

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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.
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.

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

²-Sewerage System & Treatment Works means 1) Sewerage System: pipelines or conduits, pumping stations and force mains, and all other construction, devices, and appliances appurtenant thereto, used for the collection and conveyance of sewage to a treatment works or point of ultimate disposal, and 2) Treatment Works: any device or system used in the storage, treatment, disposal or reclamation of sewage or combinations of sewage and industrial 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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- 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, *in partnership with property owners at property owner expense*, for business uses at the intersection of two or more federally designated primary highways and/or state designated limited access primary highways, specifically the Waterloo Area (US Routes 50/17 and 340). Any applicable grant or low-interest loan program should be pursued to assist in paying for the construction of Sanitary Authority facilities.
9. Permit, in cooperation with the Clarke County Sanitary Authority, the construction of sewage treatment facilities, in accord with the aforementioned policies. These facilities should be financed by the fees charged to the users of the facilities, State and Federal grant programs, or other innovative and incentivized financing programs that produce a net benefit to the County. Facilities should use innovative, cost-effective technology consistent with environmental protection policies, such as water recycling/land application systems.
 10. Evaluate all private development proposals as they relate to public utility and land-use plans.
 11. Improve coordination among County departments in standardizing methods of financial calculation and projection.

Objective 12 -- Transportation

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

1. ~~Create and~~ Maintain a transportation plan that includes an inventory of the County's existing transportation network, planning assumptions, needs assessment, and recommended future improvements. ~~Conduct an annual review of this plan to ensure~~

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~~consistency with the County's Six Year Secondary Road Improvement Plan and Budget and with the Commonwealth Transportation Board's Statewide Transportation Plan.~~

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 – Broadband Internet Access

Facilitate the development and expansion of broadband internet access options with sufficient speed and capacity to serve the needs of County residents and businesses. Recognize that reliable and cost-effective broadband internet will continue to be critical not just for communications and entertainment but also for applications such as distance learning, teleworking, telemedicine, and home and business automation.

- 1. Pursue partnerships with private sector companies, public utilities, and other entities that provide broadband internet service or infrastructure.***
- 2. Explore all possible funding opportunities and methods to generate revenue for broadband expansion.***
- 3. Maintain a County broadband committee to coordinate the County's efforts, to promote awareness of broadband options and availability, and to stay up-to-date on current technologies and innovations.***
- 4. Consider participation in pilot projects or "beta-testing" opportunities to determine whether new technologies may improve the County's broadband options.***
- 5. Ensure that County regulations facilitate compatible and effective expansion of both wired and wireless broadband infrastructure.***

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Objective 13—Citizen Participation in the Planning Process

Encourage citizen involvement in the planning process.

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.~~

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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. Focus development within designated planning areas including incorporated towns and established village and commercial areas, utilizing design elements that balance compatibility with each community's needs and unique character.
3. Encourage and maintain a diverse and viable local economy compatible with the County's size and character.
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 in 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.
7. Understand that policy decisions are precedent-setting and ensure that all such decisions are carefully and thoughtfully examined to determine their consistency with the Comprehensive Plan and implementing component plans, County Zoning and Subdivision Ordinances, and with the County's land use philosophy.

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.
2. Support a vigorous agricultural development program in the County that emphasizes promotion of Clarke County agricultural products, encourages cooperation with

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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 a significant overriding public need exists to change the land use. Important farmland includes areas containing prime farmland, farmland of statewide importance, farmland of local importance, and unique farmland as soils that are best suited to food, feed, fiber, forage, and oilseed crops. Adopt regulations to limit future development in these important farmland areas in order to maximize the amount of land available for agricultural production.
5. Encourage the use of best management practices as outlined in the Chesapeake Bay Regulations and as determined by the Federal Total Maximum Daily Load (TMDL) program to improve water quality by the following methods:
 - a. Making technical assistance available.
 - b. Promoting public awareness on the benefits of, and necessity for, best management practices, erosion and sedimentation controls, storm water management and Chesapeake Bay Preservation Regulations.
 - c. Assisting in the establishment of conservation plans for all farms adjacent to perennial streams.
 - d. Encouraging all landowners engaged in agricultural activities to use the assistance of the Virginia Cooperative Extension Service, the Natural Resource Conservation Service, the Lord Fairfax Soil and Water Conservation District, and other public agencies.
6. Provide limited, low-density residential opportunities in unincorporated areas in a manner compatible with agricultural activities in the area of the county west of the Shenandoah River. Such residential development shall be consistent with the County's sliding-scale zoning regulations and shall not involve rezoning to a higher residential density to produce additional lots above the parcel's dwelling unit right allocation. Prohibit the rezoning of agricultural 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.

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7. To the maximum extent possible, separate nonagricultural land uses from existing agricultural lands and operations. Where nonagricultural operations are adjacent to existing agricultural operations, the nonagricultural operations should provide buffering in the form of fencing, landscaping, and open space. Require a right-to-farm warning notice to be included within the deed of dedication for new subdivisions in agricultural-zoned areas to promote awareness of living within an agricultural community.
8. With the exception of telecommunication and high-speed internet facilities, discourage extension of public utilities, including but not limited to public water and public sewer, and other growth-inducing public facilities into agricultural areas and land under permanent conservation easement.
9. Encourage all government agencies to 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.
10. Promote and support the renewal and expansion of the Clarke County Agricultural and Forestal District program by providing information on its benefits and incentives to associated farmland owners, timberland owners, and farm organizations. Use the Land Evaluation and Site Assessment (LESA) System for the objective and consistent evaluation of applications for additions to the Clarke County Agricultural District.
11. Support use-value taxation and other fiscal programs that help to alleviate economic burdens on owners of land used for agricultural, horticultural, forest, or open-space purposes (Code of Virginia, Section 58.1-3230, as amended). Promote existing and explore alternative strategies to protect agricultural land from escalating assessments as a result of development pressures.
12. Evaluate and consider implementing innovative land-conserving techniques as authorized by State law.
13. Agribusiness uses and activities are encouraged provided that:
 - a. They are compatible in scale and intensity 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 either be prohibited or be approved by special use or other governing body permitting action.

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Objective 2 – Mountain Resources.

Preserve the natural beauty and protect the ecology of 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. Collaborate with agencies, organizations, and surrounding counties to develop plans and strategies to mitigate transportation, development, and other current day and future impacts on mountain lands.
2. 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:
 - a. Making technical assistance available.
 - b. Promoting public awareness on the benefits of, and necessity for, best management practices, erosion and sedimentation controls, stormwater management and Chesapeake Bay Preservation Regulations.
 - c. Assisting in the establishment of conservation plans for all farms adjacent to perennial streams.
 - d. Encouraging the participation of all landowners engaged in forestal activities to use the assistance of the Virginia Department of Forestry, the Natural Resources Conservation Service, the Lord Fairfax Soil and Water Conservation District, and other public agencies.
 - e. Supporting these and other innovative efforts to ensure continued water quality improvements in the future.
3. 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 shall include the following characteristics.
 - a. Shall be on a minimum area sufficient to provide proper placement of a dwelling, related accessory structures, well, and septic systems.
 - b. Shall not be located on steep slopes or areas with slippage soils.

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- c. Shall 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.
 - d. 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.
 - e. Shall be compatible with the natural features of that land and should not diminish natural and scenic assets.
 - f. Shall respect environmental limitations and protect natural features during and after the development process.
4. Prohibit the rezoning of Forestal-Open Space-Conservation (FOC) zoned properties to the Rural Residential District (RR) in areas outside of designated growth areas and villages for new residential development. The purpose is to avoid loss of forest, sprawl development, and consumption of potential conservation lands and open space.
 5. 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.
 6. Work proactively with the Mount Weather Emergency Operations Center (Federal Emergency Management Agency) 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, viewsheds, 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 result in significant degradation to the County's natural resources. Focus should be placed on but not be limited to ground and surface water quality and quantity in Karst topography, steep slopes, and the Shenandoah River. Regulations should be adopted to establish measurable thresholds that the County uses to determine what constitutes significant degradation of a natural resource.
2. Ensure that adverse environmental impacts of activities directly or indirectly related to construction are minimized. Require effective mitigation when impacts occur. These

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impacts include but are not limited to removal of vegetation, cutting of trees, altering drainage ways, grading, and filling. Provide for effective, proactive enforcement when necessary to prevent substantial damage to natural resources and adjacent properties.

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.
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 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 efforts to reduce bank erosion, limiting 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. Promoting awareness of public parking areas and access points to encourage usage of these resources and as a means of discouraging roadside parking and unauthorized river access points.
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

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Resource Protection and Resource Management Areas when considering land use and development related activities.

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.
7. Prohibit new or expanded mining, oil, or gas-drilling operations.
8. Promote the placement of conservation easements on lands adjoining or visible from roads designated as Scenic Byways and protect the scenic value of those lands when making land use decisions and plans.
9. Promote the concept of linear greenways to link natural features, wildlife corridors, cultural and scenic resources, such as designated scenic rivers, designated scenic highways, registered historic properties, permanent conservation easements, recreation facilities, Blandy Experimental Farm, Shenandoah University's Shenandoah River Campus, and the Appalachian Trail.
10. Encourage and expand support for the Conservation Easement Purchase Program, both philosophically and financially, to protect natural resources important for preserving soils, watersheds, water quality, scenery, natural habitats, and air quality.
11. In response to requests for rezoning land for more intensive use in designated growth areas, encourage applicants to proffer the placement of permanent conservation easements on important scenic, historic, open-space, conservation, agricultural, or wildlife-habitat lands.
12. 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 applications-on adjacent properties.
13. Support Watershed Management planning for each perennial stream and consider any watershed management plan as a factor in making land use decisions.
14. Take all appropriate steps to protect public water sources, such as the Shenandoah River serving the Town of Berryville, and the Prospect Hill Spring serving the Town of Boyce and the communities of Millwood, Waterloo, and White Post.

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15. Support Shenandoah Basin regional water planning efforts including creation of surface water management areas, and programs to study and address low flow issues. Oppose efforts to establish new interbasin transfers within the Shenandoah River watershed.
16. Utilize USGS Groundwater Study findings when evaluating proposed changes in land use and continue to support ongoing water resource monitoring efforts.
17. Establish and maintain a long term water quality monitoring network and real-time water quantity monitoring network, in cooperation with the USGS, to track changes and better assess impacts to our water resources.
18. Revise and implement the adopted County ordinance requiring pump out of septic systems per State requirements.
19. Recognize that because karst terrane underlies the majority of the Shenandoah Valley, groundwater is highly susceptible to contamination. Take steps to protect groundwater and prevent contamination whenever possible.
20. 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.
21. Promote multiple uses of forested land that are nonintensive and compatible, such as passive outdoor recreation, wildlife habitats, watershed protection, and forest management.
22. Ensure that timber harvesting is conducted in accordance with Virginia Department of Forestry and Chesapeake Bay protection standards. Also ensure that an approved forest management plan is in place for each site so that erosion and sedimentation of streams and other applicable impacts are minimized.
23. 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.

Objective 4 – Historic Resources

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

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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 conservation easements on lands associated with historic buildings, sites, districts, and archaeological resources representing all historical time periods and cultures present in the County.
4. Encourage adaptive reuse of historic structures and properties that conforms to the County's Comprehensive Plan, regulations, and infrastructure capacity.
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 outside of these overlay districts to be compatible with and protect the scenic values of nearby historic resources or the scenic values of land associated with these resources.
8. Consider potential impacts to historic/archaeological resources 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.
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.

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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 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 Native Americans and African-Americans and their contribution to the history of the County.
15. Encourage owners of eligible properties to convey historic preservation easements as a tool for protecting these properties.

Objective 5 – Conservation Easements

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

1. Encourage and facilitate the donation of conservation easements on land that meets the criteria of the U.S. Internal Revenue Service for easement donation and that is identified as having important scenic, historic, open-space, conservation, agricultural, or wildlife-habitat qualities. Such easements should also be consistent with the Comprehensive Plan and implementing component plans.
2. Encourage and expand support for the Conservation Easement Purchase Program, both philosophically and financially, in order to fund easement purchases on land with significant conservation value that are owned by individuals with low to moderate income.
3. Encourage and support the goals of the Conservation Easement Program to protect and preserve:
 - a. Land essential to agriculture including land with soils classified by the Natural Resources Conservation Service (NRCS) as prime farmland, farmland of statewide importance, farmland of local importance, and unique farmland as soils that are best suited to food, feed, fiber, forage, and oilseed crops.

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- b. Forested areas for their value as natural habitat and recreation, ability to enhance air and water quality, and ability to prevent soil erosion.
 - 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.
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 Recreational Resources

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

1. Maintain the Recreation Plan as an implementing component plan containing specific strategies pertaining to the County's Parks and Recreation program. Support and protect the County's local, state, Federal, and other publicly-accessible active and passive outdoor recreational resources.
2. Provide 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. Seek opportunities to partner with other jurisdictions, agencies, and the private sector to fund, develop, and expand recreational resources.
3. Promote the concept of linear greenways to link natural features, wildlife corridors, and cultural and scenic resources such as:

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- Designated scenic rivers
 - Designated scenic highways
 - Registered historic properties
 - Permanent conservation easements
 - Recreation facilities
 - Blandy Experimental Farm
 - Shenandoah University's Shenandoah River Campus
 - Appalachian Trail
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 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, and 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. Develop policies that address potential impact of such systems on scenic viewsheds, agricultural and natural resources, and historic resources (e.g., windmills and solar panels).
3. Encourage reusing and recycling materials, including a recycling program. Facilitate access to public recycling facilities.
4. Encourage a regional reduction in single occupant vehicles (SOVs) through mechanisms such as ridesharing, public transit, carpools, and bicycle/pedestrian accommodations. Identify locations for commuter and ridesharing lots to serve Clarke County residents and explore fee systems to recoup costs from non-County users.
5. Adopt economically feasible measures to maximize energy efficiency in the siting and design of new and refurbished public buildings, schools, and other public facilities. Establish policies that require new or renovated public buildings to be designed to meet a nationally recognized energy and environmental standard such as Leadership in Energy and Environmental Design (LEED) or Earthcraft.

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6. Encourage use of Low Impact Development (LID) techniques that help manage stormwater in an environmentally sensitive manner.
7. Establish water quality performance standards that include retention of vegetation, minimal site disturbance, and reduction of nutrients and sediment in post-development stormwater.
8. 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.
9. Encourage the use of cisterns and other water reuse applications in new residential and commercial developments.
10. Maintain and periodically update the Energy and Resource Management Plan (dated 4/20/2010). Investigate tax credit programs that encourage energy conservation by residents and businesses.

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

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

Policies

1. Develop a new Village Plan as an implementing component plan that provides planning and economic development strategies for the designated villages.
2. Protect private and public water sources serving these areas.
3. Protect the cultural and economic identity of these communities.
4. Encourage the preservation, renovation, and restoration of existing structures.
5. Encourage economic development and revitalization of these communities through innovative uses of new and existing structures.
6. Encourage upgrading of existing substandard housing in these communities.
7. Promote projects that preserve or enhance the historic characteristics of each village.

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Objective 9 – Designated Growth Areas for Development

Encourage business and residential development in designated growth areas to implement the principles of:

- Preserving open space, farmland, natural beauty, cultural features, and critical environmental areas, and
- Improving 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 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, 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.
2. Work in concert with the Town of Berryville to ensure the Berryville Area Plan and applicable regulations produce development that reflects 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. Maintain the Waterloo Area Plan to identify:

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- 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. Evaluate the Double Tollgate Business Intersection Area at U.S. Routes 340 and 522 (as designated in the Double Tollgate Business Intersection Area Plan) for potential County investment in infrastructure to support existing business growth and new business development. County infrastructure investment should be subject to the following strategies:
- a. Development of public water and public sewer should be in partnership with property owners, local governments, and applicable State agencies which may require public infrastructure to serve the adjacent State-owned property formerly known as Camp 7.
 - b. The County, in partnership with applicable stakeholders, should explore all possible approaches to serve the Business Intersection Area with public water and public sewer before giving any consideration to extending the existing County utility systems.
 - c. Property owners who develop their properties in this business intersection area shall be solely responsible for the cost and construction of public road improvements required as a result of their development. The County may consider partnerships to pursue funding for construction of necessary intersection-wide improvements.
 - d. The County should help facilitate business-class broadband availability in this development area using the applicable policies of Objective 13, Broadband Internet Access.
6. The Double Tollgate Area Plan should be maintained and periodically updated to identify the specific boundaries and mixes of uses; the way public services are to be provided as described in Policy #5 above; and the way proposed activities will be integrated with surrounding uses, especially agricultural uses, residential uses, and lots held in permanent conservation easement. The Area Plan should also address:

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- The relationship between and potential development integration of the Business Intersection Area with adjoining properties owned by the Commonwealth of Virginia (formerly known as the Camp 7 property).
 - Creation of zoning requirements, design criteria, or other regulations to address the unique characteristics of this designated development area.
 - Potential future expansion of the Business Intersection Area to accommodate future commercial growth and economic development subject to the County's capacity to serve with public infrastructure.
7. 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 includes but is not limited to direct contribution by the development community or increased tax revenue generated by the new development.
 8. 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 Annexation Area and at primary highway intersections.
 9. 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.
 10. Consider the planning goals, principles, and policies of incorporated towns in designating growth areas. Make provisions for public utility services, and, where feasible, undertake joint or coordinated action with town governments, independent county authorities, and other regional entities.

Objective 10 – Economic Development

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

Policies

1. Establish and maintain an Economic Development Strategic Plan as an action-oriented plan to implement the recommended strategies of this Objective 10. Ensure that the Strategic Plan's recommendations and action items are fully consistent with Objective 10 and all other applicable goals and objectives of the Comprehensive Plan.

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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.
5. Promote economic development within incorporated towns and designated business intersections that is consistent with the County's land use philosophy and character. Focus on types of businesses that can be served with public infrastructure (e.g., roads, public water, public sewer, natural gas, broadband) in an effective and fiscally-responsible manner and with minimal adverse impact to surrounding properties.
6. Promote economic development in the County's unincorporated and rural areas that is highly compatible with the County's land use philosophy and character. Focus on types of businesses that will not produce impacts which may result in significant degradation of natural resources, that will not require or increase demand for public infrastructure improvements or expansion, and that will not adversely impact existing nearby land uses or the conservation value of protected lands. These business sectors include but are not limited to agricultural operations, agricultural support businesses, and equine businesses and related services.

Other business sectors which may be compatible on a limited scale subject to compliance with building code regulations, onsite sewage disposal system requirements, and County zoning regulations include:

- a. Small-scale lodging within single-family dwellings and/or accessory dwellings.
 - b. Limited special events and commercial public assembly uses subject to full compliance with County regulations governing such activities.
 - c. Support businesses for existing tourism resources.
 - d. Adaptive reuse of existing commercial and residential structures to compatible new uses.
7. Protect and enhance the environmental resources of the County, recognizing that they can serve as an attraction to business and industry.
 8. Encourage the attraction of business activities that complement or that work in conjunction with existing industrial and commercial activities in the County, particularly active farming and forestry operations.

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9. Ensure that new commercial development occurs according to the following provisions:
 - a. Does not degrade the level of service of the existing transportation network to unacceptable levels for safety, congestion, and functionality.
 - b. Ensures that access to and impacts on the transportation network are safe and do not impede traffic flow for emergency vehicles.
 - c. Meets all applicable zoning and building code regulations and all standards for water, sewage disposal, and waste disposal needs.
10. 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 #9 above for new development projects:
 - a. Whether the project is in general accord with the Comprehensive Plan.
 - b. Whether there is consistency with prior land use decisions involving similar cases.
 - c. 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.
 - d. Whether the project mitigates an existing public safety concern.
 - e. Whether the project mitigates any new impact to the existing character of the area including but not limited to noise, odor, intensity, or aesthetics.
 - f. In the case of a conditional zoning application, whether the applicant's proffer package addresses all existing and potential site impacts to surrounding properties.
11. Support a vigorous agricultural development program in the County that emphasizes promotion of Clarke County agricultural products, encourages cooperation with individual agricultural interests within the County and advocacy agencies, and establishes liaisons with counties in the area that have similar development programs.
12. Seek and consider additional fiscal tools by which the County may enhance its tax base.
13. Promote the retention, attraction, and expansion of businesses and industries that support the land use goals of the County, in particular, businesses that generate a relatively high level of local tax revenue in relation to the number of jobs, create minimal impact on public services, and are compatible with the County's agricultural and natural resources.

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14. Facilitate business-class broadband availability using the applicable policies of Objective 13, Broadband Internet Access.

Objective 11 – Public Infrastructure, 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.

1. Maintain 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.
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

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and departments to ensure that performance measures are established to effectively plan for future capital, personnel, and equipment needs.

8. Provide or permit Waterworks and Sewerage System & Treatment Works 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, in partnership with property owners, for business uses at the intersection of two or more federally designated primary highways and/or state designated limited access primary highways, specifically the Waterloo Area (US Routes 50/17 and 340). Any applicable grant or low-interest loan program should be pursued to assist in paying for the construction of Sanitary Authority facilities.
9. Permit, in cooperation with the Clarke County Sanitary Authority, the construction of sewage treatment facilities, in accord with the aforementioned policies. These facilities should be financed by the fees charged to the users of the facilities, State and Federal grant programs, or other innovative and incentivized financing programs that produce a net benefit to the County. Facilities should use innovative, cost-effective technology consistent with environmental protection policies, such as water recycling/land application systems.
10. Evaluate all private development proposals as they relate to public utility and land-use plans.
11. Improve coordination among County departments in standardizing methods of financial calculation and projection.

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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. Maintain a transportation plan that includes an inventory of the County's existing transportation network, planning assumptions, needs assessment, and recommended future improvements.
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. Continue to maintain a County bicycle and pedestrian plan.

Objective 13 – Broadband Internet Access

Facilitate the development and expansion of broadband internet access options with sufficient speed and capacity to serve the needs of County residents and businesses. Recognize that reliable and cost-effective broadband internet will continue to be critical not just for communications and entertainment but also for applications such as distance learning, teleworking, telemedicine, and home and business automation.

1. Pursue partnerships with private sector companies, public utilities, and other entities that provide broadband internet service or infrastructure.
2. Explore all possible funding opportunities and methods to generate revenue for broadband expansion.
3. Maintain a County broadband committee to coordinate the County's efforts, to promote awareness of broadband options and availability, and to stay up-to-date on current technologies and innovations.

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4. Consider participation in pilot projects or “beta-testing” opportunities to determine whether new technologies may improve the County’s broadband options.
5. Ensure that County regulations facilitate compatible and effective expansion of both wired and wireless broadband infrastructure.

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OVERVIEW

The Clarke County Comprehensive Plan utilizes a base plan structure with several implementing component plans. This document, the “base plan,” contains goals, objectives, and policies that provide general guidance on land use decision-making. The “implementing component plans” are topic-specific plans that contain more detailed factual information than the base plan provides and strategies on designated growth areas, industry sectors, and County resources. Each component plan is considered to be part of the Comprehensive Plan.

Each component plan is developed, vetted, and adopted through the same public process required for the Comprehensive Plan, and each is reviewed and updated periodically to account for new challenges and impacts associated with growth and regulation. Component plans are standalone documents that can be obtained from the County Planning Department or the Clarke County website.

Below is a list of the current implementing component plans:

1. Agricultural Land Plan
2. Mountain Land Plan
3. Berryville Area Plan
4. Waterloo Area Plan
5. Double Tollgate Area Plan
- ~~6. Economic Development Strategic Plan~~
67. Water Resources Plan
78. Historic Resources Plan
89. Transportation Plan
910. Recreation Plan

One new component plan, the Village Plan, is recommended to be created to provide guidance and recommendations for the future development of the County’s three unincorporated villages (Millwood, Pine Grove, and White Post).

Two component plans that are not on the above list but were implementing components of the 2013 Comprehensive Plan are the Capital Improvement Plan and Economic Development Strategic Plan. The component plan status of these two plans was removed with the adoption of the 2022 revision to the Comprehensive Plan. A discussion of this change is included in the “Other Relevant Plans and Studies” section of this Chapter.

STAFF NOTE – This language is included as the first notation of the removal of these two plans as implementing components.

REVIEW AND UPDATE OF COMPONENT PLANS

Because component plans are part of the County’s Comprehensive Plan, each is required to be reviewed at least once every five years to determine whether the plan needs to be updated or modified. The Comprehensive Plan’s guidance is used to inform the development of each component plan and it is important to ensure all goals, objectives, and policies/strategies are

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consistent among the Comprehensive Plan and component plans. Given the number of component plans that have to be evaluated once every five years, the following guidelines are recommended **for reviewing and updating component plans**:

1. Component plans should not be updated while a Comprehensive Plan review is in progress. This is to ensure that the component plan update process is **informed** using guidance from a current and updated Comprehensive Plan.
2. When appropriate, component plan reviews should be grouped or conducted at the same time to take advantage of deliberating common or similar issues. This will help to ensure that updated component plans are consistent with one another.
3. Where applicable, component plan recommendations should cross-reference the goals, objectives, or policies from the Comprehensive Plan that are used to inform the recommendations.
4. For scoping purposes, five-year review resolutions that are adopted by the Planning Commission to initiate review of a component plan should include an initial list of issues and concerns to be addressed.

CURRENT IMPLEMENTING COMPONENT PLANS

1. Agricultural Land Plan

<u>Adoption Date of Current Version:</u> February 21, 2017	<u>Status of Five-Year Review Resolution:</u> <i>Resolution adopted on February 4, 2022</i>
<u>Corresponding Comprehensive Plan Objectives:</u> <ul style="list-style-type: none"> • Objective 1 – Agriculture • Objective 3 – Natural Resources • Objective 5 – Conservation Easements • Objective 6 – Outdoor Resources • Objective 10 – Economic Development • Objective 13 – Broadband Internet Access 	

Summary:

The Agricultural Land Plan was first developed in 1987 to outline the County’s symbiotic relationship with its agricultural industry including approaches to supporting and promoting agriculture, and guidance for land use planning and development of regulatory tools to preserve farmland.

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In 2016, the Agricultural Land Plan underwent an extensive cover-to-cover rewrite of the previous version that was adopted in 1997. The 1997 Plan contained detailed statistical information about the agricultural industry in Clarke County but did not include recommended goals, objectives, and strategies. The 2016 Plan added **these** goals, objectives, and strategies that focus on providing support to agricultural businesses and protecting them with appropriate land use and regulatory policies.

Current Component Plan Goals:

The Goals of the 2016 Agricultural Land Plan are as follows:

1. Actively support the practice of agriculture and the preservation of agricultural land.
2. Promote agricultural industry and business.
3. Establish land use and regulatory policies to support the agricultural sector and preserve agricultural land.

Recommendations for Next Revision:

The five-year review resolution adopted by the Planning Commission recommends that, in addition to the policy guidance in the aforementioned Comprehensive Plan objectives, two specific issues should be considered.

The first issue is the potential merger of the Agricultural Land Plan and Mountain Land Plan to create a combined component plan for the County's rural, unincorporated areas. The Mountain Land Plan's current objectives are also relevant to issues impacting the County's agricultural areas west of the Shenandoah River. Combining these two plans would allow these issues to be evaluated on both a County-wide basis and on how they impact agricultural areas uniquely. The combined review can also assist in developing new objectives and strategies for land use decision-making in agricultural areas.

This leads into the second issue – determining the form and scale of compatible agribusiness and agritourism uses and activities. Since the 2013 Comprehensive Plan and the 2016 Agricultural Land Plan were adopted, agricultural businesses regionally have expanded and taken on new forms with new impacts. New Code of Virginia regulations have been adopted to limit local regulation of agritourism activities, resulting in proliferation of businesses that attract visitors to their farm or agricultural operation for retail sales or education and entertainment purposes. Similar uses have also been proposed for public assembly activities such as weddings and other special events to take advantage of the scenic beauty in the County's rural and agricultural areas. Additionally, operators of a large-scale hydroponic farming operation considered locating in the County which could have brought potential adverse impacts to roads, groundwater supplies, the night sky, and the County's scenic beauty.

Revisions to both the Agricultural Land Plan and the Mountain Land Plan should include an evaluation of and recommendations for determining the compatible size, scope, intensity, and

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appearance of these and other similar non-traditional agricultural operations which may locate in the County in the future.

STAFF NOTE – Added to reference draft five-year review resolution. See parallel language under the Mountain Land Plan “Recommendations for Next Revision.”

2. Mountain Land Plan

<u>Adoption Date of Current Version:</u> June 21, 2005	<u>Status of Five-Year Review Resolution:</u> Overdue
Corresponding Comprehensive Plan Objectives: <ul style="list-style-type: none"> • Objective 2 – Mountain Resources • Objective 3 – Natural Resources • Objective 5 – Conservation Easements • Objective 6 – Outdoor Resources • Objective 10 – Economic Development • Objective 13 – Broadband Internet Access 	

Summary:

The Mountain Land Plan was first adopted in 1994 to describe the mountain environment located east of the Shenandoah River, to identify character elements that are important to the County’s residents and stakeholders, and to outline a plan for future development patterns. The Plan was later revised in 2005 as most flat and easily accessible land in this area had been developed and parcels with more difficult access and terrain challenges were now being developed. The 2005 Plan contained numerous recommendations for the adoption of text amendments to various ordinances in an effort to address these development impacts. Recommendations addressed the following subject areas:

- Minimum lot size and required open space provision with subdivisions
- Subdivision design requirements including location of utilities, construction of private access easements, and location of propane tanks
- Allocation of dwelling unit rights in boundary line adjustment transactions
- Vegetative buffer and clearing limit requirements
- Clearing limits for agricultural uses

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- Protection for slippage soils and strengthening of erosion and sediment control regulations
- Stronger regulation of forestry management activities

Since 2005, the Plan’s recommended text amendments have all been addressed and most have been incorporated into applicable ordinances. Therefore, the 2005 Plan can be considered fully implemented.

Current Component Plan Objectives:

The objectives listed in the 2005 Mountain Land Plan are as follows:

1. Protect the forest resources of the area
2. Protect surface water quality of the area
3. Protect availability and quality of groundwater in the area
4. Protect wildlife habitats and ecosystems (including natural heritage areas)
5. Protect the scenic values and scenic byways of the area
6. Protect cultural resources (such as the Appalachian National Trail / historic structures/sites)
7. Ensure safe public and private roads
8. Protect private property rights
9. Provide for well-sited development compatible with the first eight objectives

Recommendations for Next Revision:

The Mountain Land Plan is the only component plan that has not been recently reviewed and updated, primarily due to the fact that the Plan is considered to be fully implemented. An update of the Plan would be an extensive project and likely a complete rewrite to address current-day issues that are facing the mountain areas. Previous work on the Plan involved extensive meetings with residents and stakeholders and drew significant participation and public comment.

The next revision should take a similar community planning approach by soliciting comments on what issues are important to mountain residents and stakeholders, as well as whether the 2005 Plan’s objectives remain relevant **and should be documented and/or updated**. Any new goals, objectives, and policies/strategies developed for the revised Plan should be vetted collaboratively with the public on an informal basis before developing a final draft for formal public comment. Given the extensive nature of a revision project for this Plan, it is recommended that no other major projects be undertaken simultaneously with this revision project unless they are related to and can be used to inform the Plan’s revision.

Additionally, consideration should be given to revising the Mountain Land Plan together with the Agricultural Land Plan to develop a consolidated component plan for the County’s rural, unincorporated areas. As listed above, the Mountain Land Plan’s current objectives are also applicable to the non-mountainous rural areas west of the Shenandoah River. Combining these two plans can allow these issues to be evaluated on a County-wide scale while

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simultaneously addressing how the issues have unique impacts on areas of the County such as the mountain lands.

Should these two plans be combined, it is important to ensure that relevant detail in the current Mountain Land Plan is not lost in the development process and that input is obtained from mountain-land stakeholders to identify new issues, concerns, and viewpoints.

STAFF NOTE – Added language to reference combining with the Agricultural Land Plan.

3. Berryville Area Plan

<p><u>Adoption Date of Current Version:</u> May 17, 2016 (by Board of Supervisors); May 10, 2016 (by Berryville Town Council)</p>	<p><u>Status of Five-Year Review Resolution:</u> Resolution adopted May 26, 2021 (review initiated)</p>
<p><u>Corresponding Comprehensive Plan Objectives:</u></p> <ul style="list-style-type: none"> • Objective 9 – Designated Growth Areas for Development • Objective 10 – Economic Development • Objective 11 – Public Infrastructure, Capital Improvement Planning, and Fiscal Responsibility • Objective 12 – Transportation 	

Summary:

The Berryville Area Plan was first adopted in 1992 by Clarke County and the Town of Berryville to serve as a joint land use plan for the Berryville Annexation Area – undeveloped County lands adjacent to the Town limits that were designated for addition to the Town in accordance with the 1988 Town-County Annexation Agreement. The 1988 Annexation Agreement created two separate annexation areas – A and B. The Berryville Area Plan applies only to properties located in Annexation Area B. For the purposes of this **Area** Plan, the “Annexation Area” references only Annexation Area B.

The **Area** Plan is intended to be used as the primary guidance document for land use decision-making within the Berryville Annexation Area as it was developed in coordination with the Town and County comprehensive plans. The **Area** Plan identifies five Goals that summarize the **Area** Plan’s intent, and also includes land use Objectives and Policies for implementing the Goals across eight subject areas -- Environment, Transportation, Housing, Land Use, Public Facilities, Economic Development, Urban Design, and Implementation. These Objectives and Policies should be used to evaluate new development proposals, make decisions on public infrastructure siting and improvements, and assist in long-range planning and growth management projects.

The **Area** Plan also divides Annexation Area B into a series of Sub-Areas, or groups of parcels or portions of parcels that have similar development characteristics. These Sub-Areas were created

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following an extensive evaluation of historical, environmental, and geological characteristics of each Sub-Area. Based upon these characteristics, recommended use types were assigned to the Sub-Areas with residential or commercial densities based upon the net developable portion of the parcels in the Sub-Areas. These densities are captured in a Future Land Use Table depicting the maximum number of residential units recommended for each Sub-Area recommended for residential use, and the maximum floor area per gross leasable area for each Sub-Area recommended for business use.

Current Component Plan Goals and Policies:

The Goals of the 2015 Berryville Area Plan are as follows:

1. Provide a platform for the cooperative planning and development of lands annexed or designated for future annexation into the Town of Berryville.
2. Ensure that the Town and County's land use and environmental objectives for the annexation areas, as reflected in the respective comprehensive plans, are compatible and coordinated.
3. Verify that planned public infrastructure (water, sewer, transportation, high-speed internet) is sufficient to support the future development needs as reflected in the Plan.
4. Maintain the streamlined and readily understandable process for development of lands covered by the Plan from annexation status designation through the land use approval process.
5. Strongly encourage context-sensitive development plans that are designed to complement Downtown Berryville, that accommodate growth in a logical and efficient manner, and that provide for the maximum protection and preservation of natural resources, historic resources, and open space.

Recommendations for Next Revision:

The Berryville Area Plan is jointly administered by the Town and County via the Berryville Area Development Authority (BADA) with technical support provided by the Town and County planning staffs. The BADA was formed in 1990 and serves as a joint planning commission with review authority over development proposals within the Annexation Area. As such, neither the County nor Town planning commissions are responsible for reviewing development proposals in the Annexation Area or for reviewing and updating the **Berryville** Area Plan.

The BADA adopted a five-year review resolution for the Plan in May 2021 with the following scoping items:

- The current **Area** Plan's goals and objectives and whether they remain relevant and current or need to be updated.
- Changes in population and demographic information as reported in the final release of 2020 Census data.
- The results of the Southeastern Collector Study (PrimeAE, April 2020).

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- Cooperative economic development efforts between the Town and County.
- The build-out status of residential sub-areas (including Battlefield Estates, Hermitage Section 5, Berryville Glen, and Shenandoah Crossing) and whether these sub-areas can be removed from the Area Plan.
- The status of designated potential future growth areas.
- The impact of any updates to the County or Town Comprehensive Plans since the previous Berryville Area Plan update.
- The impact of new development projects, capital projects, or transportation improvements completed since the previous Plan update.
- Development of guidance for a future review and update of the Town-County Annexation Area Agreement.
- Any other subject not addressed or inadequately addressed by the current Plan

4. Waterloo Area Plan

<u>Adoption Date of Current Version:</u> December 20, 2016	<u>Status of Five-Year Review Resolution:</u> <i>Resolution adopted on November 5, 2021</i>
Corresponding Comprehensive Plan Objectives: <ul style="list-style-type: none"> • Objective 9 – Designated Growth Areas for Development • Objective 10 – Economic Development • Objective 11 – Public Infrastructure, Capital Improvement Planning, and Fiscal Responsibility • Objective 12 – Transportation • Objective 13 – Broadband Internet Access 	

Summary:

The Waterloo Area Plan, along with the Double Tollgate Area Plan, are two “business intersection area plans” that were developed to provide specific guidance for land use decision-making in two of the County’s major primary highway intersections. The **Area** Plan applies to the Waterloo unincorporated area immediately surrounding the intersection of Lord Fairfax Highway (U.S. 340) and John Mosby Highway (U.S. 50/17). The purpose of the **Area** Plan is to help ensure that appropriate land is provided for highway commercial uses, that necessary public utilities are available to support these uses, and that the character of development enhances the overall character of the County.

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Current Component Plan Goals:

The Goals of the 2016 Waterloo Area Plan are as follows:

1. Facilitate the availability of broadband wired and wireless internet access and telecommunications for businesses and nearby residents.
2. Develop proactive strategies to facilitate new business development and expansion of existing businesses in the Plan Area.
3. Ensure that the Waterloo Plan Area remains an attractive, marketable location for new and existing businesses and a destination for both local and out-of-area customers.
4. Maintain the current boundaries of the Plan Area, its current form and scale, and its current capacity for development while remaining open to expansion when build-out is substantially complete.

Plan Objectives include:

Objective 1. Set aside funding annually in the County budget for investment in capital projects to support the Waterloo Plan Area.

Objective 2. Pursue approaches to make public water and sewer connectivity more affordable for new and existing businesses.

Objective 3. Establish and maintain regulations to ensure quality and efficient site development standards and compatible uses.

Recommendations for Next Revision:

The five-year review resolution adopted by the Planning Commission recommends that the Waterloo Area Plan revision be conducted in accordance with the policy guidance in the aforementioned Comprehensive Plan objectives

STAFF NOTE – Added language to reference Waterloo Area Plan five-year review resolution.

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5. Double Tollgate Area Plan

<u>Adoption Date of Current Version:</u> December 20, 2016	<u>Status of Five-Year Review Resolution:</u> <i>Resolution adopted on November 5, 2021</i>
Corresponding Comprehensive Plan Objectives: <ul style="list-style-type: none"> • Objective 9 – Designated Growth Areas for Development • Objective 10 – Economic Development • Objective 11 – Public Infrastructure, Capital Improvement Planning, and Fiscal Responsibility • Objective 12 – Transportation • Objective 13 – Broadband Internet Access 	

Summary:

The Double Tollgate Area Plan, along with the Waterloo Area Plan, are two “business intersection area plans” that were developed to provide specific guidance for land use decision-making in two of the County’s major primary highway intersections. The **Area** Plan applies to the Double Tollgate unincorporated area immediately surrounding the intersection of Lord Fairfax Highway (U.S. 340/Va. 277) and Stonewall Jackson Highway (U.S. 522). The purpose of the **Area** Plan is to help ensure that appropriate land is provided for highway commercial uses, that necessary public utilities are available to support these uses, and that the character of development enhances the overall character of the County.

Current Component Plan Goals and Objectives:

The Goals of the 2016 Double Tollgate Area Plan are as follows:

1. Designate Double Tollgate as a deferred growth area and develop policies to identify when the County should take proactive steps to facilitate economic growth.
2. Maintain the current boundaries of the Plan Area, its current form and scale, and its current capacity for development while remaining open to expansion when build-out is substantially complete.
3. Facilitate the availability of broadband wired and wireless internet access and telecommunications for businesses and nearby residents.

Plan Objectives include:

Objective 1. Identify development triggers to indicate when Double Tollgate should no longer be considered a deferred growth area and when the County should take proactive steps and investments to facilitate economic growth.

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Objective 2. Pursue funding opportunities with Federal and State agencies, or through private sector partnerships, to expand wired and wireless broadband and telecommunications infrastructure in the Double Tollgate Plan Area.

Objective 3. Establish and maintain regulations to ensure quality and efficient site development standards and compatible uses.

Recommendations for Next Revision:

The five-year review resolution adopted by the Planning Commission recommends that, in addition to the policy guidance in the aforementioned Comprehensive Plan objectives, two specific issues should be considered:

- *The impact of serving the plan area with public water and public sewer.*
- *Whether to change the plan area’s current “deferred growth” status.*

Since the 2016 adoption of the current Double Tollgate Area Plan, changes have occurred that necessitate re-examination of the “deferred growth” status that was assigned to this Plan Area. The former State-owned “Camp 7” property adjoining to the southeast and outside of the Plan Area is now being considered for other State uses and a portion of the property has been assigned to the Virginia Port Authority for economic development purposes. Some of the uses being contemplated will require public water and potentially public sewer beyond the capacity of the existing sewage treatment plant on the Camp 7 property.

In 2021, the Frederick County Board of Supervisors approved Clarke County’s request for public water and public sewer to be extended into the Double Tollgate area. This approval authorized Frederick Water to begin negotiations with Clarke County on a development agreement which includes designation of a formal water and sewer service area. Since public water and public sewer are likely to be needed for uses on the Camp 7 property, the service area would exceed the current boundaries of the Double Tollgate Plan Area.

As a result of these recent changes, the revision of the Double Tollgate Area Plan will need to address how the Plan Area boundaries will be affected by:

1. *The potential future expansion of public water and sewer from Frederick County.*
2. *The Virginia Port Authority’s economic development efforts on their portion of the Camp 7 property.*

This evaluation would include whether Camp 7 (in whole or in part) should be located in a water and sewer service area only, or whether the boundaries of the Plan Area and Highway Commercial-scale development should be contiguous with the water and sewer service area boundaries by extending the Plan Area into the Camp 7 property.

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STAFF NOTE – This language expands on the five-year review resolution to describe the specific issues that will need to be addressed in better detail. The end result would be potential modifications to the Area Plan boundaries and inclusion of a new map showing the Frederick County water and sewer service area in Clarke.

6. Economic Development Strategic Plan

Adoption Date of Current Version: October 21, 2014	Status of Five-Year Review Resolution: Adopted on October 4, 2019 (review initiated)
Corresponding Comprehensive Plan Objectives:	
<ul style="list-style-type: none"> • Objective 9 – Designated Growth Areas for Development • Objective 10 – Economic Development • Objective 11 – Public Infrastructure, Capital Improvement Planning, and Fiscal Responsibility • Objective 12 – Transportation • Objective 13 – Broadband Internet Access 	

Summary:

The County’s first Economic Development Strategic Plan was adopted in October 2014 as a new component of the 2013 Comprehensive Plan. By virtue of being a “strategic plan,” its recommendations primarily consist of short to medium term action items to be implemented. The purpose of the Strategic Plan is to guide the County’s economic development initiatives while supporting and drawing guidance from the County’s overall growth management policies for rural land conservation and other key goals found in the Comprehensive Plan and component plans. The Strategic Plan contains the following guiding principles:

- **Support the County’s Comprehensive Plan** and desired future land use pattern of concentrated population within a largely rural environment. The County must avoid compromising its overall growth management philosophy by taking advantage of the natural and historic resources in ways that help preserve them while enhancing their economic value.
- **Grow the tax base** as the primary objective, with a secondary objective to increase economic activity through the expansion of business transactions and/or by adding new jobs, particularly if the jobs are filled by the existing labor force or in-commuters.
- **Build on past and current successes** in business development.
- **Target short-term as well as long-term** economic prospects.
- **Foster close cooperation between the County and the Town of Berryville**, as the two jurisdictions form a unified local economy.

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- ~~Set and memorialize clear priorities and responsibilities to allow the County and Town to best use limited resources, take best advantage of the community’s key attributes, and focus on the most important and practical actions for early success.~~

~~Current Component Plan Goals and Strategies:~~

~~Goal A. — Increase Collaboration and Capacity for Supporting Compatible Economic Development~~

~~Strategy 1: — Expand Overall Planning and Economic Development Efforts~~

~~Strategy 2: — Increase Direct Revenues to Fund Economic Development~~

~~Goal B. — Retain, Attract, and Develop Compatible and Innovative Industry~~

~~Strategy 1: — Promote Compatible Light Industrial Development~~

~~Strategy 2: — Initiate Long-Term Development Opportunities~~

~~Goal C. — Increase the Vitality of Agriculture and Tourism~~

~~Strategy 1: — Foster Growth and Vitality of the Agricultural Industry [coordinate with Agricultural Land Plan]~~

~~Strategy 2: — Promote Tourism Development [coordinate with Tourism Strategic Plan]~~

~~Recommendations for Next Revision:~~

~~The Planning Commission adopted a five-year review resolution on October 4, 2019 for the Economic Development Strategic Plan. Scoping for this review should be taken from Objective 10 (Economic Development) of the revised Comprehensive Plan.~~

- ~~DETERMINE WHETHER TO REMOVE AS A COMPONENT PLAN~~

STAFF NOTE – This section is deleted to reference removal of component plan status. See new section added to “Other Relevant Plans and Studies” section.

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6. Water Resources Plan

<u>Adoption Date of Current Version:</u> September 25, 2018	<u>Status of Five-Year Review Resolution:</u> To be adopted by September 25, 2023
Corresponding Comprehensive Plan Objectives: <ul style="list-style-type: none"> • Objective 1 – Agriculture • Objective 2 – Mountain Resources • Objective 3 – Natural Resources • Objective 6 – Outdoor Resources 	

Summary:

The Water Resources Plan was originally adopted in 1998 and 1999 as a two-part component plan addressing the County’s groundwater and surface water resources and issues separately. The most recent update in 2018 combined and modernized the Plan into a more concise document to address the County’s water quality and quantity issues.

The Plan should be used by property owners, elected and appointed officials, and other interested stakeholders to understand the County’s approach to protecting water resources. The Plan should also be applied in tandem with the recommendations found in the County’s Comprehensive Plan, Agricultural Land Plan, Mountain Land Plan, and other relevant component plans. Examples of some of the ways that this Plan can be used include:

- Determining how the County should protect water resources both quality and quantity to insure adequate clean supply’s for County residents.
- Balancing water quality and availability with the desire to accommodate current and future growth and economic development.
- Evaluating land development applications and proposed changes to the Zoning and Subdivision Ordinances.
- Reviewing and updating the County’s Comprehensive Plan and component plans.

Current Component Plan Goals and Objectives:

The Goals of the 2018 Water Resources Plan are as follows:

Goal 1. **Protect and enhance water quality.**

Objective 1. Protect groundwater resources from contamination and reduce contamination where present

Objective 2. Protect surface water resources from contamination

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Goal 2. Protect and maintain water availability.

Objective 1. Protect water availability through regulatory action

Objective 2. Protect water availability through programmatic action

Goal 3. Engage and educate individuals, communities and governments in watershed stewardship.

Recommendations for Next Revision:

The Water Resources Plan is not due for a five-year review evaluation until mid-2023. At that time, the following issues should be considered:

- The impact of any new or modified Federal and/or state regulations addressing water quality or quantity.
- Evaluation of the County’s current water quality and quantity programs.

7. Historic Resources Plan

<u>Adoption Date of Current Version:</u> June 19, 2018	<u>Status of Five-Year Review Resolution:</u> To be adopted by June 19, 2023
<u>Corresponding Comprehensive Plan Objectives:</u> <ul style="list-style-type: none"> • Objective 4 – Historic Resources • Objective 8 – Village Plans – Millwood, Pine Grove, White Post 	

Summary:

The Historic Resources Plan was first adopted in March 2001 and most recently was revised in June 2018. The purpose of the Plan is to identify and develop strategies and initiatives to facilitate the long-term protection and preservation of the County’s historic resources. The Plan is action-oriented in nature with the County’s Historic Preservation Commission (HPC), as supported by the Department of Planning and the County’s architectural history consultant, charged with implementing its recommendations.

Current Component Plan Goals and Objectives:

The Historic Resources Plan does not contain a typical list of goals, objectives, and strategies/policies. Instead, it includes a list of future projects to be undertaken by the Historic Preservation Commission (HPC) in furtherance of the County’s historic preservation program.

Recommendations for Next Revision:

The Historic Resources Plan is not due for a five-year review evaluation until mid-2023. At that time, the following issues should be considered:

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- Identifying and prioritizing new and existing action items
- Evaluating the future form and structure of the County’s historic preservation program including the role of the Historic Preservation Commission and County staff, as well as long-term funding of historic preservation initiatives

8. Transportation Plan

<u>Adoption Date of Current Version:</u> March 18, 2014	<u>Status of Five-Year Review Resolution:</u> Adopted on January 4, 2019 (review initiated)
<u>Corresponding Comprehensive Plan Objectives:</u> <ul style="list-style-type: none"> • Objective 10 – Economic Development • Objective 11 – Public Infrastructure, Capital Improvement Planning, and Fiscal Responsibility • Objective 12 – Transportation 	

Summary:

The Transportation Plan was developed in accordance with Objective 12 of the Comprehensive Plan to 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. The Plan is designed to comply with the requirements of Code of Virginia §15.2-2223 which outlines specific transportation elements that must be included as part of a jurisdiction’s comprehensive plan. These required elements include:

- An inventory of the County’s transportation system
- Planning assumptions to support the County’s policies and proposed improvement projects
- A needs assessment that compares the existing transportation system with the County’s land use policies to determine how future growth will affect the system
- Proposed improvement projects with cost estimates that address the County’s transportation needs.

Current Component Plan Goals and Policies:

In addition to a list of priority transportation projects, the Transportation Plan contains the following recommended strategies:

1. Conduct a formal evaluation of the Transportation component plan in conjunction with the five-year review of the County’s Comprehensive Plan. Perform interim evaluations of

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the Transportation Plan to gauge how any new impacts or funding challenges may impact the Plan’s approach.

2. Continue to focus the County’s limited transportation funds on projects that improve traffic safety, improve functionality, add bicycle or pedestrian features, provide new or enhance existing commuting opportunities, or replace existing gravel public roads or road segments with new hard surfaces.
3. Oppose public and private efforts to expand capacity of the County’s road network outside of the incorporated towns and business growth areas including the State and Federal primary highways.
4. Support projects that improve safety, functionality, and capacity of the public road network within the Towns of Berryville and Boyce and the business growth areas of Waterloo and Double Tollgate.
5. Develop and maintain a clearinghouse of County traffic data, in conjunction with the Virginia Department of Transportation, to aid the governing bodies in making land use decisions and allocating transportation funding to specific projects.

Recommendations for Next Revision:

The Planning Commission adopted a five-year review resolution in January 2019 with the following issues recommended for consideration:

1. Integrate new transportation funding programs adopted or modified since 2014, including the Commonwealth of Virginia’s “Smart Scale” program, into the Transportation Plan.
2. Evaluate each priority improvement project to determine whether the project remains relevant and would address current County needs, along with the likelihood of being funded through State and/or Federal programs such as “Smart Scale.”
3. Evaluate whether to include new priority projects including the Town of Berryville’s proposed southeastern collector road that may involve the extension of Jack Enders Boulevard to U.S. 340.
4. Determine whether to integrate recommendations from the 2014 Town of Berryville-Clarke County Bicycle and Pedestrian Plan into the Transportation Plan.
5. Determine whether to request the Virginia Department of Transportation to conduct new transportation studies, such as a crossover study of the County’s four-lane divided primary highways, to aid in developing future project and funding priorities.
6. Coordinate any proposed changes to Comprehensive Plan Objective 12 (Transportation) with any revised recommendations in the Transportation Plan.

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9. Recreation Plan

<u>Adoption Date of Current Version:</u> December 15, 2020	<u>Status of Five-Year Review Resolution:</u> To be adopted by December 15, 2025
<u>Corresponding Comprehensive Plan Objectives:</u> <ul style="list-style-type: none"> • Objective 3 – Natural Resources • Objective 6 – Outdoor Resources 	

Summary:

The County’s first Recreation Plan was adopted in August 2015 and underwent a modest technical update in December 2020. The purpose of the Plan is to address the recreational needs of the community and to describe the existing resources, how they will be protected and promoted, and the steps that should be taken to ensure the continued viability and enhancement of these resources for present and future generations. The Plan is action-oriented with specific functional strategies and recommendations to protect, promote, grow, and enhance the County’s active and passive recreational resources.

Current Component Plan Goals and Policies:

The 2020 Recreation Component Plan identifies the following overarching goals:

1. Meet the recreation needs of the community
2. Increase awareness of all recreational activities
3. Assist in maximizing the recreation value of existing assets
4. Promote connectivity among the County’s active and passive recreation resources
5. Update the Recreation Plan on a 5 year cycle

Recommendations for Next Revision:

The Recreation Plan was last revised in December 2020 and is not due for a five-year review evaluation until December 2025. At that time, the Plan’s goals and objectives should be evaluated against the County’s future recreation needs and any Federal, State, or private sector plans to modify, expand, or construct new recreation facilities in the County.

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NEW COMPONENT PLAN TO BE DEVELOPED

Village Plan

Corresponding Comprehensive Plan Objectives:

- Objective 1 – Agriculture (for Millwood and White Post)
- Objective 2 – Mountain Resources (for Pine Grove)
- Objective 8 – Village Plans – Millwood, Pine Grove, White Post
- Objective 9 – Designated Growth Areas for Development
- Objective 10 – Economic Development
- Objective 11 – Public Infrastructure, Capital Improvement Planning, and Fiscal Responsibility
- Objective 12 – Transportation
- Objective 13 – Broadband Internet Access

Summary:

The need to develop a component plan for the County’s unincorporated villages was first identified in the 2013 Comprehensive Plan. These villages include Millwood, Pine Grove, and White Post and are not designated by the County as growth areas despite the fact that they each possess a concentration of residential and commercial uses. Furthermore, White Post is served by public water and Millwood is served by public water and sewer which can be an enticement for potential future growth pressures. A Village Plan would include strategies to help address future land use requests and infrastructure needs while simultaneously ensuring that the character of each village is maintained and unintended, unplanned growth does not occur in the future.

Recommendations for Development:

Similar to the update of the Mountain Land Plan, the creation of a new Village Plan is likely to be a complex and time-consuming project. Development of the Plan should take a community planning approach by soliciting input from the residents and business owners for each village. This input should include defining how these stakeholders view the character of their village and its future growth and development. Planning “charrettes” or workshops could be used as a hands-on approach for stakeholders to work informally with Commissioners and staff and to visualize the process through mapping and prioritization exercises. Efforts should also be taken to be inclusive of the viewpoints of all stakeholders, and draft documents should be vetted with each community deliberately as the plan development process progresses.

Given the extensive nature of a project to develop this new Plan, it is recommended that no other major projects be undertaken simultaneously with this revision project unless they are related to and can be used to inform the Plan’s creation.

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OTHER RELEVANT PLANS AND STUDIES

From time to time, the County develops plans and studies to guide and inform decision-making on a variety of issues. While all plans and studies that are adopted or accepted for use should be developed in accord with the Comprehensive Plan’s guidance, not all are appropriate for inclusion as an implementing component plan of the Comprehensive Plan. Some plans and studies focus on a narrow or technical issue that is not directly related to the Comprehensive Plan. Other plans have goals or action items that evolve over a shorter time span and need to be updated annually or more frequently than the five-year time span of a component plan.

When such plans and studies are developed, the plan or study’s initial scoping should ensure consistency with the Comprehensive Plan and implementing component plans. For example, a study to identify an area for new County athletic fields should be scoped using applicable recommendations in the Comprehensive Plan’s Objective 6 (Outdoor Resources) and Objective 11 (Public Infrastructure, Capital Improvement Planning, and Fiscal Responsibility), and any applicable recommendations in the Recreation Component Plan. When the plan or study is completed, there should also be a subsequent finding as part of the action to adopt or accept that the plan or study is consistent with the Comprehensive Plan. These measures will help to ensure consistency across all County planning documents and resources and will also help to ensure that the Comprehensive Plan remains a strong and vital expression of the County’s land use and growth philosophies.

Examples of other types of plans and studies developed by the County are described below.

1. Capital Improvement Plan

The Capital Improvement Plan (CIP) is a planning document used to prioritize and fund capital projects over a five-year timeframe. The CIP is reviewed on an annual basis in conjunction with the County’s annual budget process. The Planning Commission’s role in the process is to evaluate proposed projects and provide a formal recommendation to the Board of Supervisors on the following issues:

- Conformance with the Clarke County Comprehensive Plan and any applicable implementing component plans.
- Whether the project descriptions include a justification or need for the project.
- Whether the project maximizes public convenience and accessibility.
- Whether the project avoids extension of public infrastructure outside of designated growth areas which could cause new development pressures (where applicable).

The CIP was previously considered to be an implementing component plan of the Comprehensive Plan. In 2020, a formalized CIP review process was developed which would have the Commission review and provide recommendations in the fall of each year to be used by the Board of Supervisors in their annual budget process. This formalized annual review process

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requires a much more frequent review than the five-year schedule of a component plan. The CIP is no longer considered to be an implementing component plan of the Clarke County Comprehensive Plan.

2. Economic Development Strategic Plan

The County's first Economic Development Strategic Plan was adopted in October 2014 as a new component of the 2013 Comprehensive Plan. By virtue of being a "strategic plan," its recommendations primarily consist of short-to-medium term action items to be implemented. The purpose of the Strategic Plan is to guide the County's economic development initiatives while supporting and drawing guidance from the County's overall growth management policies for rural land conservation and other key goals found in the Comprehensive Plan and component plans. The Strategic Plan contains the following guiding principles:

- Support the County's Comprehensive Plan and desired future land use pattern of concentrated population within a largely rural environment. The County must avoid compromising its overall growth management philosophy by taking advantage of the natural and historic resources in ways that help preserve them while enhancing their economic value.***
- Grow the tax base as the primary objective, with a secondary objective to increase economic activity through the expansion of business transactions and/or by adding new jobs, particularly if the jobs are filled by the existing labor force or in-commuters.***
- Build on past and current successes in business development.***
- Target short-term as well as long-term economic prospects.***
- Foster close cooperation between the County and the Town of Berryville, as the two jurisdictions form a unified local economy.***
- Set and memorialize clear priorities and responsibilities to allow the County and Town to best use limited resources, take best advantage of the community's key attributes, and focus on the most important and practical actions for early success.***

The 2022 Comprehensive Plan Revision includes the removal of the Economic Development Strategic Plan as an implementing component plan. Implementation of the 2014 Strategic Plan's action items has resulted in the establishment of a formal County economic development program staffed by a full-time director managing a range of programs and initiatives. While it remains important to maintain a Strategic Plan, such a plan should now be in a form that allows for it to be evaluated and modified on an annual basis instead of once every five years with short-term objectives that can be changed and updated flexibly at a similar frequency.

STAFF NOTE – New section added to document the Strategic Plan as no longer being a component plan.

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3. Telecommunications Infrastructure and Broadband Study 2020

The Telecommunications Infrastructure and Broadband Study 2020 was developed in November 2016 for the County by the Atlantic Group, a telecommunications consulting firm, for the purpose of identifying strategies to encourage the expansion of cellular communication and broadband internet access throughout Clarke County. The Study is action-oriented in nature and includes the consultant’s recommendations for changes to the County’s zoning regulations for telecommunication towers, strategies for working with private-sector providers of internet service and infrastructure through a dedicated broadband committee, and funding strategies. The Study was accepted by the Board of Supervisors in December 2016 and was used to develop zoning ordinance text amendments to facilitate tower construction and the formation of a Broadband Implementation Committee to work with potential private-sector partners.

4. Energy and Resource Management Plan

The purpose of the Energy and Resource Management Plan is to private goals and policies to address energy efficiency, conservation, and education and to create a plan to reduce the County’s overall environmental impact in order to save tax dollars and improve services. The Plan was developed beginning in 2008 by a team of business leaders, citizens, elected officials, and County staff initially as an interim report addressing nine categories where resource management could be achieved:

- Energy efficiency
- Renewable energy
- Transportation
- Land use
- Water conservation
- Recycling and waste management
- Education and outreach
- Incentive programs
- County employee management

The interim report was developed into the Plan which the Board of Supervisors adopted, along with a Resolution Establishing Energy Resource Management Policies, on January 19, 2010. The Plan has been used to create a recycling program and to implement energy-saving measures in County buildings among other initiatives.

5. Town of Berryville & Clarke County Bicycle & Pedestrian Plan

The Town of Berryville & Clarke County Bicycle & Pedestrian Plan was developed in 2014 by the Northern Shenandoah Valley Regional Commission (NSVRC) and a work group of Town and County appointed officials and staff. The purpose of the Plan is to provide a comprehensive overview of the existing transportation network with recommendations for bicycle and pedestrian enhancements to better serve transportation, recreation, and economic development

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objectives. This Plan also includes recommendations to incorporate bicycle and pedestrian improvements into the Town and County’s comprehensive plans, strategies to fund construction of recommended improvements, coordination with economic development to promote tourism opportunities, and coordination with law enforcement and schools to promote safety and awareness training.

INITIAL DRAFT

RESOLUTION TO INITIATE REVIEW OF THE 2017 AGRICULTURAL LAND PLAN

WHEREAS, the 2017 Agricultural Land Plan was adopted by the Board of Supervisors on February 21, 2017, and

WHEREAS, Code of Virginia §15.2-2230 requires that at least once every five years, a locality's planning commission shall review the comprehensive plan "to determine whether it is advisable to amend the plan," and

WHEREAS, the Agricultural Land Plan is an implementing component plan of the 2013 Clarke County Comprehensive Plan,

AND WHEREAS, February 21, 2022 marks the five-year anniversary of the Plan's adoption.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission has determined that it is necessary to conduct a review of the 2017 Agricultural Land Plan and the scope of the review shall include, but not be limited to, the following issues:

- Potential merger of the Agricultural Land Plan and Mountain Land Plan to create a combined component plan for the County's rural, unincorporated areas.
- Form and scale of compatible agribusiness and agritourism uses and activities.

BE IT FURTHER RESOLVED that this review shall commence following completion of the review and update of the 2013 Comprehensive Plan and that the revised policies of the following Comprehensive Plan objectives shall be used to inform the Agricultural Land Plan review process:

- Objective 1 – Agriculture
- Objective 3 – Natural Resources
- Objective 5 – Conservation Easements
- Objective 6 – Outdoor Resources
- Objective 10 – Economic Development
- Objective 13 – Broadband Internet Access

Adopted this 4th day of February, 2022.

George L. Ohrstrom, II. (Chair)