



**COUNTY OF AUGUSTA**  
COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
P.O. BOX 590  
COUNTY GOVERNMENT CENTER  
VERONA, VA 24482-0590



**MEMORANDUM**

**TO:** Augusta County Planning Commission  
**FROM:** Leslie Tate, Planner II *LT*  
**DATE:** November 7, 2017  
**SUBJECT:** Regular Meeting

The regular meeting of the Augusta County Planning Commission will be held on **Tuesday, November 14, 2017 at 7:00 p.m.**, at the Augusta County Government Center, in the Main Board Meeting Room, 18 Government Center Lane, Verona, Virginia.

Please arrive to the Main Board Meeting Room no later than 7:00 p.m.

Attached are the agenda and meeting materials for Tuesday's meeting and the minutes from the September meeting. If you have any questions about any of the material, please feel free to contact me. If you won't be able to attend the meeting, please let Jean or me know as soon as possible.

LT/jm

## **A G E N D A**

**Regular Meeting of the Augusta County Planning Commission**

**Tuesday, November 14, 2017, 7:00 P.M.**

- 1. CALL TO ORDER**
- 2. DETERMINATION OF A QUORUM**
- 3. MINUTES**  
**Approval of the Regular Meeting on September 12, 2017.**
- 4. PUBLIC HEARINGS**
- 5. MATTERS TO BE PRESENTED BY THE PUBLIC**
- 6. NEW BUSINESS**
  - A. 2018 Election of Officers**
  - B. 2018 Regular Meeting and Inclement Weather Resolution**
  - C. Planning Commission By-laws**
- 7. OLD BUSINESS**
- 8. MATTERS TO BE PRESENTED BY THE COMMISSION**
- 9. STAFF REPORTS**
  - A. Information for Commission – Code of Virginia, Section 15.2-2310  
(Board of Zoning Appeals Items)**
- 10. ADJOURNMENT**

PRESENT: K. Shiflett, Chairman  
J. Curd, Vice Chairman  
S. Bridge  
G. Campbell  
T. Jennings  
J. Wilkinson, Director of Community Development

ABSENT: K. Leonard  
L. Tate Planner II and Secretary

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, September 12, 2017, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

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**DETERMINATION OF A QUORUM**

Mrs. Shiflett stated as there were five (5) members present, there was a quorum.

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**MINUTES**

Mr. Bridge moved to approve the minutes of the called and regular meetings held on August 8, 2017.

Mr. Jennings seconded the motion, which carried unanimously.

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**AUGUSTA SPRINGS SOURCE WATER PROTECTION**

A request to add the Source Water Protection Overlay District Area 2 designation to properties in the recharge areas for the Augusta Springs well and spring.

Mr. Wilkinson explained the request as presented on PowerPoint. He stated the overlay was created as a means to protect water sources in the County. He explained where the

well is and the 1000 feet of protected Area 1 around the well. He pointed out where the recharge area is that supplies the well. The recharge areas contain approximately 10,000 acres, of which 5,784 acres are in the George Washington National Forest and 3,000 acres are in the Little North Mountain wildlife management area. The remaining 2,000 acres are in the Augusta Spring vicinity. He stated the Service Authority has conducted the studies necessary to define this area.

Jennifer Hoover from the Augusta County Service Authority stated this overlay is the last one to be adopted, as the other public sources have been adopted into the Source Water Protection ordinance. The study for this well took one year to complete and cost approximately \$79,000. The County received \$68,000 in grant money from the Virginia Department of Health to conduct the study. The study showed the water was under the influence of surface water. It was also found to be influenced by Little Calf Pasture River where the water feeds from an aquifer underground between the river and the well and spring. While this test was not done to determine the yield of the well, it was found that the well far exceeds the demands. The primary threat to the well would be derailment of a train from the nearby railway.

There being no questions from the Commissioners, Mrs. Shiflett opened the Public Hearing.

Matthew Huffman of 2072 Little Calf Pasture Highway stated the well is special because it is a government owned well. He does not see why extra protection is needed for this well if no extra protection is needed for other wells in the County. Between DEQ, the EPA, and the Health Department the well is adequately protected and regulated and he doesn't see where additional county regulations would be helpful. The proposed ordinance would make it difficult to use his property if he or a future owner wanted to have a machine shop or repair heavy equipment.

Mrs. Hoover stated the well is a public owned well. The Service Authority has made large investments in drilling, maintaining, and treating wells in excess of \$1,000,000. If any loss of said well would occur, the Service Authority would need to make the investment again. Strictly prohibited uses are for junkyards and Class 5 EPA wells.

Mr. Wilkinson stated the proposed ordinance prohibits junkyards and heavy polluters. If a property owner would want to have a machine shop or equipment repair business, that use would be allowed through a special administrative permit. Evidence would need to be provided that a spill containment plan is in place to prevent oil or other liquids from getting into the groundwater system.

There being no one else to speak in opposition or in favor of the request, Mrs. Shiflett closed the Public Hearing.

Mrs. Shiflett reiterated that all of the public wells already have Area 1 and Area 2 protections in place.

Mr. Jennings stated the source water protection project has been ongoing for a number of years and extensive research has gone into it. It is very important to protect our public water sources. He moved to recommend approval of the ordinance.

Mr. Bridge seconded the motion, which carried unanimously.

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**STAFF REPORTS**

A. CODE OF VIRGINIA – SECTION 15.2-2310

The Planning Commission took no action on the BZA items.

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There being no further business to come before the Commission, the meeting was adjourned.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

**AUGUSTA COUNTY PLANNING COMMISSION REGULAR MEETING  
SCHEDULE AND INCLEMENT WEATHER RESOLUTION 2018**

WHEREAS, § 15.2-2214 of the Code of Virginia (1950), as amended, authorizes the Augusta County Planning Commission to fix a schedule of regular meetings and fix the day or days to which any meeting shall be continued due to inclement weather.

WHEREAS, the Planning Commission now desires to establish its schedule for regular meetings during calendar year 2018.

BE IT RESOLVED BY THE AUGUSTA COUNTY PLANNING COMMISSION:

1. The Planning Commission shall hold regular meetings during calendar year 2018, in the Board Meeting Room at the Augusta County Government Center, on the dates and at the times set forth below:

January 9, 2018	7:00 p.m.
February 13, 2018	7:00 p.m.
March 13, 2018	7:00 p.m.
April 10, 2018	7:00 p.m.
May 8, 2018	7:00 p.m.
June 12, 2018	7:00 p.m.
July 10, 2018	7:00 p.m.
August 14, 2018	7:00 p.m.
September 11, 2018	7:00 p.m.
October 9, 2018	7:00 p.m.
November 13, 2018	7:00 p.m.

2. Prior to, but on the same day as the regular meeting listed above, the Planning Commission shall make a site visit of any rezoning application site being heard at the public hearing/regular meeting. Such visits are open to the public and shall be advertised in accordance with 15.2-2204 of the Code of Virginia.
3. The Planning Commission may also hold worksessions throughout the year on an as needed basis. Worksessions are open to the public and shall be advertised in accordance with 15.2-2204 of the Code of Virginia.
4. In the event the Chairman of the Planning Commission, or the Vice Chairman of the Planning Commission, if the Chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members of the Planning Commission to attend a meeting, such meeting shall be continued to the next Tuesday. Such finding and declaration shall be communicated to the members of the

Planning Commission and the media as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

BE IT FURTHER RESOLVED, that this resolution be adopted by the Commission, recorded in its minutes, and inserted in a newspaper having general circulation in the County at least seven days prior to the first meeting held pursuant to the adopted schedule.

BY-LAWS  
AUGUSTA COUNTY PLANNING COMMISSION

ARTICLE 1- AUTHORITY AND TITLE

1-1 This commission is established in conformance with an ordinance adopted by the Augusta County Board of Supervisors on the 24th of July 1941 and in accordance with the provisions TITLE 15.2-22101 ~~Chapter 11~~ of the Code of Virginia.

1-2 The ~~T~~title of this ~~commission~~body shall be the "Augusta County Planning Commission" (hereafter referred to as the "Commission")

1-3 The Commission's purpose is to promote the orderly development of Augusta County and to advise the Board of Supervisors on that subject.

ARTICLE 2- ~~ORGANIZATION~~MEMBERSHIP

2-1 The ~~Augusta County Planning~~ Commission shall consist of the members as appointed by the Augusta County Board of Supervisors.

2-2 The appointed members serve four-year terms. Members may be reappointed.

2-3 Any vacancy in membership shall be filled by appointment by the board of supervisors and shall be for the unexpired term. An appointed member shall continue to serve on the commission until a replacement has been found.

2-4 Any appointed member may be removed by the board of supervisors for malfeasance in office. A member may also be removed by the board of supervisors without limitation in the event that the Commission member is absent from any three consecutive meetings of the Commission or is absent from any four meetings of the Commission within any 12-month period.

ARTICLE 3- OFFICERS

2-23-1 The Commission shall elect from the appointed members a Chairman, a Vice-Chairman and other officers as it deems necessary. ~~2-7 The Chairman and Vice-Chairman shall not be members of the Board of Supervisors nor a member of the County administrative staff.~~



~~2-83-2~~ The Commission may, with the approval of the County Administrator, appoint a member of the County administrative staff to serve as Secretary to the Commission.

~~2-33-3~~ The officers shall be elected annually at the regular January meeting at the final regular Commission meeting of each calendar year. The newly elected officers shall take office on January 1 of the succeeding year.

~~2-43-4~~ The candidate receiving a majority vote of the entire membership of the entire commission shall be declared elected.

~~23-5~~ Officers may succeed themselves.

~~23-6~~ Vacancies in office shall be filled for the unexpired term by regular election procedures at a regular meeting.

~~2-7~~ ~~The Chairman and Vice Chairman shall not be members of the Board of Supervisors nor a member of the County administrative staff.~~

~~2-8~~ ~~The Commission may, with the approval of the County Administrator, appoint a member of the County administrative staff to serve as Secretary to the Commission.~~

### ARTICLE 3- DUTIES OF OFFICERS

3-1 The Chair~~man~~ shall:

1. Preside at meetings.
2. Appoint committees.
3. Rule on procedural questions.

~~3-4.~~ Have the authority to speak, make motions, and vote on all matters, unless otherwise recused.

~~4.5.~~ Report all official communications to the Commission. Present the annual report to the governing body.

3-2 The Vice-Chair~~man~~ shall:

1. Carry out the duties of the Chair~~man~~ in the absence or inability to act of the Chair~~man~~.

3-3 The Secretary shall:

2. Keep minutes of all meetings.

3. Keep a written record and file of all official records, reports, and business transacted by the Commission.
4. Notify all members of all meetings.
5. Attend to the correspondence of the Commission.
6. Give proper notice of all meetings and hearings.
7. Certify all maps, plans, records, and reports for the Commission.
8. Notify appropriate staff member of applications filed in their area of responsibility.
9. [Provide information to the Board related to all Commission actions and recommendations, including their annual report as required by the Code of Virginia.](#)

#### ARTICLE 4- COMMITTEES

- 4-1 The Chairman may establish and appoint members to such committees as the Commission may deem necessary.

#### ARTICLE 5- MEETINGS

- 5-1 Regular meetings of the Commission shall be held monthly on the second Tuesday of each month at 7:00 p.m. or as otherwise designated by the Commission.

- 5-2 Special meetings may be held at the request of the Chairman or at the written request of two members of the Commission. [The Secretary shall mail to all members, at least five days in advance of the special meeting, a written notice fixing the time and place of the meeting and the purpose thereof. The Secretary shall also provide public notice of the meeting in accordance with the Code of Virginia, as amended.](#)

- [5-3 All meetings shall be open to the public except for closed meetings as allowed by the Code of Virginia, as amended.](#)

- ~~5-34~~ A majority of the membership of the Commission shall constitute a quorum and no action of the Commission shall be valid unless authorized by a majority of those voting.

- ~~5-4~~ — Parliamentary procedure shall be governed by "Robert's Rules of Order."

- ~~5-5~~ — Motions shall be restated by the Chairman before a vote is taken.

#### ARTICLE 6- ORDER CONDUCT OF BUSINESS

6-1 The order of business of a regular meeting shall be:

1. Call to Order
2. Determination of a quorum
3. Reading-Discussion/Approval of minutes or Consideration of minutes
4. Public Hearings
5. ~~New Business~~
  65. Old Business
  76. New Business
7. Report of the Secretary
8. Other business or reports
9. Adjournment

6-2 Parliamentary procedure shall be governed by "Robert's Rules of Order" simplified procedures for small groups.

OR

6-2 Meetings shall be generally conducted in accordance with the most recent edition of Robert's Rules of Order, more specifically, the provisions which pertain to conducting informal meetings for small boards, but the Chair shall be ultimately responsible for conducting meetings, establishing procedures, and controlling the course of business. Failure to strictly comply with Robert's Rules of Order shall not invalidate any actions of the Commission.

#### ARTICLE 7- PUBLIC HEARINGS

- 7-1 The Commission shall hold public hearings as required by law and for other matters as deemed necessary.
- 7-2 Written notice and/or advertisement of public hearings shall be in accordance with State Law.
- 7-3 The case to be heard shall be introduced and summarized by the Chairman, Secretary, or other member as directed by the Chairman.
- 7-4 Interested parties shall have the privilege of the floor. The applicant shall be given an opportunity to address the Commission first followed by other supporters of the request, followed by those opposed to the request and the applicant shall have an opportunity for a brief rebuttal or summary.
- 7-5 Interested parties shall be recognized by the Chairman, shall state their name and address, and shall direct their remarks to the Commission.

7-6 The Commission shall have the privilege of establishing reasonable and uniform limits of time for all interested parties.

7-7 The Secretary shall keep a record of those speaking at all hearings.

#### ARTICLE 8- GENERAL

8-1 All records and files of the Commission shall be maintained in the office of the Secretary or other County administrative official as directed by the Commission with the concurrence of the County Administrator.

8-2 Applications for all matters not requiring a public hearing to be acted upon by the Commission shall be filed in the office of the Secretary a minimum of fifteen (15) working days in advance of the date of the meeting at which they are to be considered. The Commission may by majority vote of those present consider cases that do not meet this deadline.

8-3 Application for all matters requiring a public hearing shall be filed in the office of the Secretary in accordance with the established schedule required for public notice.

8-4 The person, firm, or organization making application, or his representative, should be present and be prepared to discuss the case at the time the case is considered by the Commission.

#### ARTICLE 9- ANNUAL REPORT

9-1 The Commission, assisted by the ~~County Planner and the Secretary~~ county staff, shall prepare and submit to the governing body an annual report concerning the operations of the Commission and the status of planning within Augusta County.

#### ARTICLE 10- CONFLICT OF INTEREST

10-1 The Commission shall comply with the state and local government Conflict of Interest Act.

#### ARTICLE 101- AMENDMENTS

101-1 These By-Laws may be amended by the Commission. Such amendment shall be approved by two-thirds of the membership after thirty (30) days notice.

Approved: ~~November 15, 1995~~

BY-LAWS  
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ARTICLE 1- AUTHORITY AND TITLE

- 1-1 This commission is established in conformance with an ordinance adopted by the Augusta County Board of Supervisors on the 24th of July 1941 and in accordance with the provisions TITLE 15.1 Chapter 11 of the Code of Virginia.
- 1-2 The Title of this commission shall be the "Augusta County Planning Commission."

ARTICLE 2- ORGANIZATION

- 2-1 The Augusta County Planning Commission shall consist of the members as appointed by the Augusta County Board of Supervisors.
- 2-2 The Commission shall elect from the appointed members a Chairman, a Vice-Chairman and other officers as it deems necessary.
- 2-3 The officers shall be elected annually at the regular January meeting each year.
- 2-4 The candidate receiving a majority vote of the entire membership of the entire commission shall be declared elected.
- 2-5 Officers may succeed themselves.
- 2-6 Vacancies in office shall be filled for the unexpired term by regular election procedures at a regular meeting.
- 2-7 The Chairman and Vice-Chairman shall not be members of the Board of Supervisors nor a member of the County administrative staff.
- 2-8 The Commission may, with the approval of the County Administrator, appoint a member of the County administrative staff to serve as Secretary to the Commission.

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  5. Present the annual report to the governing body.
- 3-2 The Vice-Chairman shall:
1. Carry out the duties of the Chairman in the absence of the Chairman.
- 3-3 The Secretary shall:
1. Keep minutes of all meetings.
  2. Keep a written record and file of all official records, reports, and business transacted by the Commission.
  3. Notify all members of all meetings.
  4. Attend to the correspondence of the Commission.
  5. Give proper notice of all meetings and hearings.
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**Approved: November 15, 1995**