



**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  
**DATE:** January 2, 2018  
**SUBJECT:** Regular Meeting

The regular meeting of the Augusta County Planning Commission will be held on **Tuesday, January 9, 2018 at 7:00 p.m.**, at the Augusta County Government Center, in the Main Board Meeting Room, 18 Government Center Lane, Verona, Virginia.

The Planning Commission will meet beginning at **4:30 pm** in the **Board of Supervisors' Conference Room** (behind the Board Meeting Room) at the Augusta County Government Center to go on a site visit of the proposed rezoning. We will have dinner in the Community Development Office at 6:15.

Attached are the agenda for Tuesday's meeting, the minutes from the November meeting, a draft of the Planning Commission's 2017 Annual Report, and a revised copy of the Planning Commission by-laws. Also, please see the enclosed Conflict of Interest Real Estate Disclosure forms and the instructions for completing them. 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

Staunton (540) 245-5700

TOLL FREE NUMBERS

Waynesboro (540) 942-5113

From Deerfield (540) 939-4111      From Bridgewater, Grottoes  
Harrisonburg, Mt. Solon & Weyers Cave (540) 828-6205  
FAX (540) 245-5066

## AGENDA

Regular Meeting of the Augusta County Planning Commission

Tuesday, January 9, 2018, 7:00 P.M.

1. CALL TO ORDER
2. DETERMINATION OF A QUORUM
3. MINUTES  
Approval of the Regular Meeting on November 14, 2017.
4. PUBLIC HEARINGS
  - A. A request to add the Public Use Overlay zoning designation with proffer to approximately 0.65 of an acre owned by Stuarts Draft Town Center, LLC located directly northeast of the intersection of Draft Avenue (Rt. 608) and Wayne Avenue (Rt. 639) in Stuarts Draft in the South River District.
5. MATTERS TO BE PRESENTED BY THE PUBLIC
6. NEW BUSINESS
7. OLD BUSINESS
  - A. Planning Commission By-laws
8. MATTERS TO BE PRESENTED BY THE COMMISSION
9. STAFF REPORTS
  - A. Annual Report
  - B. 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  
L. Howdysshell  
T. Jennings  
K. Leonard  
J. Wilkinson, Director of Community Development  
L. Tate Planner II and Secretary

ABSENT:

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, November 15, 2017, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

\*\*\*\*\*

**DETERMINATION OF A QUORUM**

Mrs. Shiflett stated as there were seven (7) members present, there was a quorum. She introduced Larry Howdysshell as the new Planning Commission member for the North River District.

\*\*\*\*\*

**MINUTES**

Mr. Curd moved to approve the minutes of the regular meeting held on September 12, 2017.

Mr. Jennings seconded the motion, which carried unanimously.

\*\*\*\*\*

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.

Mr. Curd seconded the motion.

Mr. Jennings asked if there is a possibility the site visit referred to in paragraph #2 could ever be done on another day other than the day of the public hearing.

Mrs. Tate stated the main point of paragraph #2 is to make clear at the time that the regular meeting is advertised, the time for the worksession will be advertised as well. Ms. Tate said the wording could be revised to take out "but on the same day as."

Mr. Jennings moved to amend the motion as Mrs. Tate explained so that the wording be changed in paragraph #2 to allow for a site visit on a day other than the meeting day, if the need would arise to do so.

Mr. Curd seconded the amended motion to revise the wording in paragraph #2.

The amended motion passed unanimously.

### **PLANNING COMMISSION BY-LAWS**

Mrs. Tate reviewed the proposed changes to the By-laws with the Commission.

Mr. Jennings asked if there was no stated purpose in the By-laws that were written in 1995.

Mrs. Tate said there was no purpose stated in the 1995 By-laws.

Mr. Jennings asked if orderly development is what the Commission follows.

**STAFF REPORTS**

A. **CODE OF VIRGINIA – SECTION 15.2-2310**

The Planning Commission took no action on the BZA items.

\*\*\*\*\*

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

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

**COUNTY OF AUGUSTA  
STAFF REPORT  
Stuarts Draft Town Center, LLC  
January 9, 2018**

**SUMMARY OF REQUEST:** A request to add the Public Use Overlay zoning designation to approximately 0.65 of an acre owned by Stuarts Draft Town Center, LLC located directly northeast of the intersection of Draft Avenue (Rt. 608) and Wayne Avenue (Rt. 639) in Stuarts Draft in the South River District.

**PROPOSED PROFFER:** Additional permitted uses of the property shall be limited to a school with a maximum occupancy of 49, including students and staff, and outdoor recreation (unlit) associated with school use.

**VICINITY ZONING:** General Business and Single Family Residential

**PREVIOUS ZONING:** General Business (3/10/1948)

**COMPREHENSIVE PLAN PLANNING POLICY AREA/FUTURE LAND USE DESIGNATION:** Urban Service Area/General Business

**SOILS:** Not Applicable

**COMMENTS FROM ENGINEER:** Most any development of the property will potentially increase stormwater discharge. Stormwater management must be addressed per the provisions of the Augusta County Stormwater Ordinance.

Use of water quality protection measures listed in either the Virginia Stormwater Management Handbook or through the Virginia Stormwater Management BMP Clearinghouse will be required depending on the disturbed acreage. With respect to water quantity, all points of discharge must comply with the Adequate Channel provisions of 9VAC25-840-40 subdivision 19. Demonstration of adequate channel could be a particular challenge for this site due to inadequate drainage along Wayne Avenue. Additionally, this property is bisected by a drainage channel that drains a significant portion of developed Stuarts Draft. While not a designated floodplain, it is likely that significant flooding could occur in this area.

This property lies within Area 2 of the Source Water Protection Overlay (SWPO) District. For Source Water & Recharge Areas, the Comprehensive Plan recommends restriction of land uses that pose a contaminant threat. Additionally, stormwater practices that infiltrate or can contaminate groundwater should be avoided. Water quality treatment and revegetation are recommended.

This property drains to South River which is listed on the Virginia DEQ 2014 Impaired Waters List. This impaired segment extends from its confluence with Stony Run downstream to its confluence with the North River. The impaired uses

are aquatic life, recreation and fish consumption, the specific impairments are violations of the general standard for benthics, E. coli, fecal coliform bacteria and mercury in fish tissue. The sources are municipal (Urbanized High Density Area) for the benthics impairment, agriculture, non-point sources and wildlife other than waterfowl for the bacterial impairments and contaminated sediment for the mercury impairment. Numerous TMDLs have been approved for this segment for each of the impairments and must be considered by the applicant.

VAV-B32R\_STH03A04

**B32R-02-BAC (4A) TMDL ID # 38140**

**B32R-02-HG (4A) numerous TMDLs**

**B32R-01-BEN (4A) TMDL ID # 38138 & 38139**

Additionally, the 2007 Augusta County Comprehensive Plan lists the South River – Canada Run watershed as a Priority Watershed for Groundwater Protection due to the presence of karst features and the location of Source Water Assessment Program zones.

This property lies outside of the Airport Overlay District (APO).

This property lies within Zone X on the FEMA FIRM and therefore is outside the Special Flood Hazard Area.

**COMMENTS FROM ZONING ADMINISTRATOR:** Staff feels that adding the Public Use Overlay to allow a school and outdoor recreation to the existing property zoned General Business would not have a negative impact to the adjoining properties. There is an existing Zoning violation on the property that needs to be addressed prior to applying for the rezoning.

**COMMENTS FROM ACSA:** 268 Draft Avenue (Tax Map # 84A-(1)-1-1) is currently a Service Authority water and sewer customer. However, the existing 5/8" meter is not likely to be adequate to serve a business/school. When a change of use of the existing property is being planned, a meter sizing form will need to be completed and submitted to the Service Authority Engineering Department. To increase the meter size, additional fees will be required in accordance with the Service Rate Schedule and Policy.

Water and Sewer Notes:

1. Water and sewer capacities are not reserved until system adequacy is determined (supply, treatment, transmission) and payment of the connection fees has been received in accordance with Service Authority Policy. Augusta County Service Authority Policies and Procedures can be found at <http://www.acsawater.com/oppm>.

2. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.

**COMMENTS FROM HEALTH DEPARTMENT:** The local health department has no comment. Public utilities to serve the property. At such time that the property is to be used as a school, the operator should contact the health department to determine whether a food establishment permit is warranted.

**COMMENTS FROM FIRE-RESCUE:** Little to no impact on service delivery from this request.

**TRAFFIC: Rt. 639 Wayne Avenue**

- AADT: 1,400 vpd (2016)
- Posted Speed Limit: 25 mph
- K-Factor: 0.096, Dir. Factor: 0.561
- Functional Classification: Urban Collector

**COMMENTS FROM VDOT:**

A traffic Impact Analysis will not be required. A maximum occupancy of 49 students and staff members is proffered. Students will arrive and depart by public school transportation.

1. The existing entrance is adequate for a low volume commercial entrance. Should the property generate more than 50 vehicles per day (enter + exit) a paved Commercial Entrance will be required in accordance with Appendix F of the VDOT Road Design Manual. The traffic generation will be clarified at site plan stage.
2. Currently parking is not prohibited along the business fronts of Wayne Avenue. The sight distance available at the entrance is greatly hindered with vehicles parking along the frontage. VDOT suggests as a condition to acceptance of the current entrance that signs be placed along the frontage to discourage vehicles from parking there.
3. A short-term loading zone could be utilized in front of the building on Wayne Avenue, but VDOT recommends the student drop-off utilize the entrance and parking area behind the building. Consideration should be given to having ample turning movement space provided within the on-site parking lot. It is also suggested to vary the times the buses will be entering



and existing the entrance so that access is efficient.

4. It is VDOT's understanding that the adjacent parking (along the adjacent building) will be moved once the adjacent owner constructs their new parking lot behind the building.

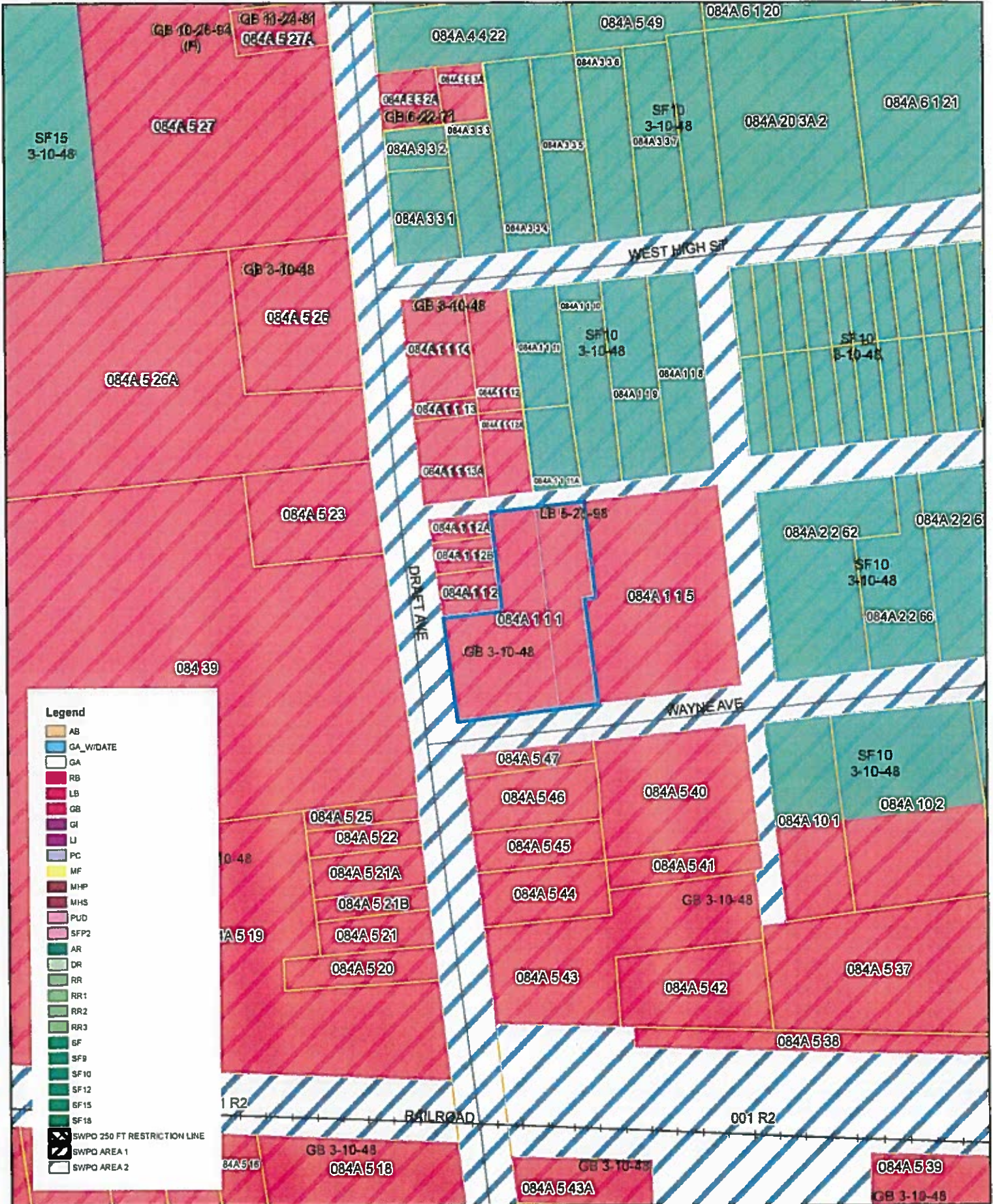
**SCHOOL BOARD STAFF COMMENTS:** The proposed rezoning will have no significant impact on Stuarts Draft Elementary School, Stuarts Draft Middle School, and Stuarts Draft High School.

**COMMUNITY DEVELOPMENT STAFF COMMENTS:** This request to add the Public Use Overlay for a school with a maximum occupancy of 49, including students and staff, and unlit outdoor recreation associated with the school use, should not have a negative impact on the adjoining properties, zoned General Business. However, there is an existing zoning violation, for an already placed drainage pipe on the property without the appropriate calculations. This property is bisected by a drainage channel that drains a significant portion of developed Stuarts Draft; therefore, this zoning violation should be resolved as soon as possible.

The County is currently in the process of developing a Stuarts Draft Small Area Plan. There have been several Advisory Committee Meetings and a kick-off public meeting for this planning effort. Many of the comments and discussions received have been for a revitalization of the historic downtown area of Stuarts Draft. Staff feels that a school at this location is in keeping with that goal.

**COMMUNITY DEVELOPMENT STAFF RECOMMEDATION:** Approval of the request with the proffers.

# Stuarts Draft Town Center LLC Property



# Stuarts Draft Town Center LLC Property



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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 15.2-2210+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, through the Comprehensive Plan, and to advise the Board of Supervisors on that subject.~~

ARTICLE 2- ORGANIZATIONMEMBERSHIP

- 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.~~

~~11 January 9 November 14, 2018~~

~~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 Chairman 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-Chairman shall:

1. Carry out the duties of the Chairman in the absence or inability to act of the Chairman.

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.

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~~11 January 9 November 14, 2018~~

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

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11 January 9 November 14, 2018

5. ~~New Business~~
6. ~~Old Business~~
7. 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 Chair~~man~~, Secretary, or other member as directed by the Chair~~man~~.
- 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 Chair~~man~~, shall state their name and physical 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.

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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

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- 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  
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 15.2-2210 of the Code of Virginia.
- 1-2 The title of this 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, through the Comprehensive Plan, and to advise the Board of Supervisors on that subject.

ARTICLE 2- MEMBERSHIP

- 2-1 The 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.
- 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

- 3-1 The Commission shall elect from the appointed members a Chair, a Vice-Chair and other officers as it deems necessary. The Chair and Vice-Chair shall not be members of the Board of Supervisors nor a member of the County administrative staff.
- 3-2 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.

- 3-3 The officers shall be elected annually at the final regular Commission meeting of each calendar year. The newly elected officers shall take office on January 1 of the succeeding year.
- 3-4 The candidate receiving a majority vote of the entire membership of the entire commission shall be declared elected.
- 3-5 Officers may succeed themselves.
- 3-6 Vacancies in office shall be filled for the unexpired term by regular election procedures at a regular meeting.

### ARTICLE 3- DUTIES OF OFFICERS

- 3-1 The Chair shall:
  - 1. Preside at meetings.
  - 2. Appoint committees.
  - 3. Rule on procedural questions.
  - 4. Have the authority to speak, make motions, and vote on all matters.
  - 5. Report all official communications to the Commission.
- 3-2 The Vice-Chair shall:
  - 1. Carry out the duties of the Chair in the absence or inability to act of the Chair.
- 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 Chair 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 Chair 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.
- 5-4 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.

### ARTICLE 6- CONDUCT OF BUSINESS

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  - 1. Call to Order
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  - 3. Discussion/Approval of minutes or Consideration of minutes
  - 4. Public Hearings
  - 5. Old Business
  - 6. 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.

### 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 Chair, Secretary, or other member as directed by the Chair.
- 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 Chair, shall state their name and physical 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

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- 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 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 11- AMENDMENTS

- 11-1 These By-Laws may be amended by the Commission. Such amendment shall be approved by two-thirds of the membership.

Approved:

# AUGUSTA COUNTY PLANNING COMMISSION



## ANNUAL REPORT 2017

# AUGUSTA COUNTY PLANNING COMMISSION 2017 ANNUAL REPORT

## MEMBERSHIP

The Augusta County Planning Commission 2017 commissioners were: Kitra A. Shiflett, Chairman; James W. Curd, Vice-Chairman; Gordon Kyle Leonard, Jr.; E. Thomas Jennings, Jr; Stephen Neil Bridge; and after his resignation, Larry Howdysshell replaced Eric M. Shipplett for the North River District. Leslie C. Tate served as Secretary to the Commission.

## MEETINGS

In 2017, the Planning Commission held eight (8) regular meetings. The Commission had strong attendance at all of their meetings with Kitra Shiflett, James Curd and Greg Campbell attending all eight meetings. Steve Bridge missed only one meeting. The Commission continued their practice of meeting on the second Tuesday of each month and viewing the requests prior to the public hearings.

## WORKLOAD

The Commission had three (3) rezoning requests come before them and two (2) requests to add the Source Water Protection Overlay Area 2 zoning designations to the supplies of public water systems.

The Commission also considered ten (10) Zoning and Subdivision Ordinance amendments including: the prohibition of extraction of oil and natural gas by means of hydraulic fracturing and to amend the special use permit conditions for the extraction of materials in General Agriculture and Industrial Districts, revisions to conditional rezoning requirements per state code, creating a permitting process for backyard chickens in residential districts, revisions to the definition for Daycare home occupation per state code, clarifying agriculture in addition to agriculture related uses as a permitted use in General Agriculture districts, adding the keeping of dogs for agricultural purposes in General Agriculture districts, creating an administrative permitting process for the storage of commercial vehicles and/or trailers in General Agriculture districts, revision to the Source Water Protection Overlay Ordinance to clarify only underground storage petroleum tanks in excess of 660 gallons require a permit in Area 2 designations, correction to Section 9-11 Technical Criteria for Regulated Land Disturbing Activities per state code, and addition of a short-term rental definition, revision of the Bed & Breakfast definition and elimination of the Tourist home definition for the provision for a short-term rental in Rural Residential districts with a Special Use Permit.

The Commission, during a work session in May, also considered input from the Agricultural and Forestal Committee concerning a request from the Virginia Department of Transportation to remove a portion of a property from the Middle River Agricultural and Forestal District in order to make road improvements.

## REZONING OF LAND

Two (2) of the three (3) requests for rezoning were recommended to the Board to be approved with proffers, while a request to rezone from Single Family Residential and General Business to Multi-Family Residential was recommended to the Board for denial. Table 1 shows a breakdown of the Planning Commission's actions on all the requests for rezoning by magisterial district.

**TABLE 1  
RECOMMENDATIONS ON REQUESTS FOR REZONING  
BY THE PLANNING COMMISSION  
BY MAGISTERIAL DISTRICT**

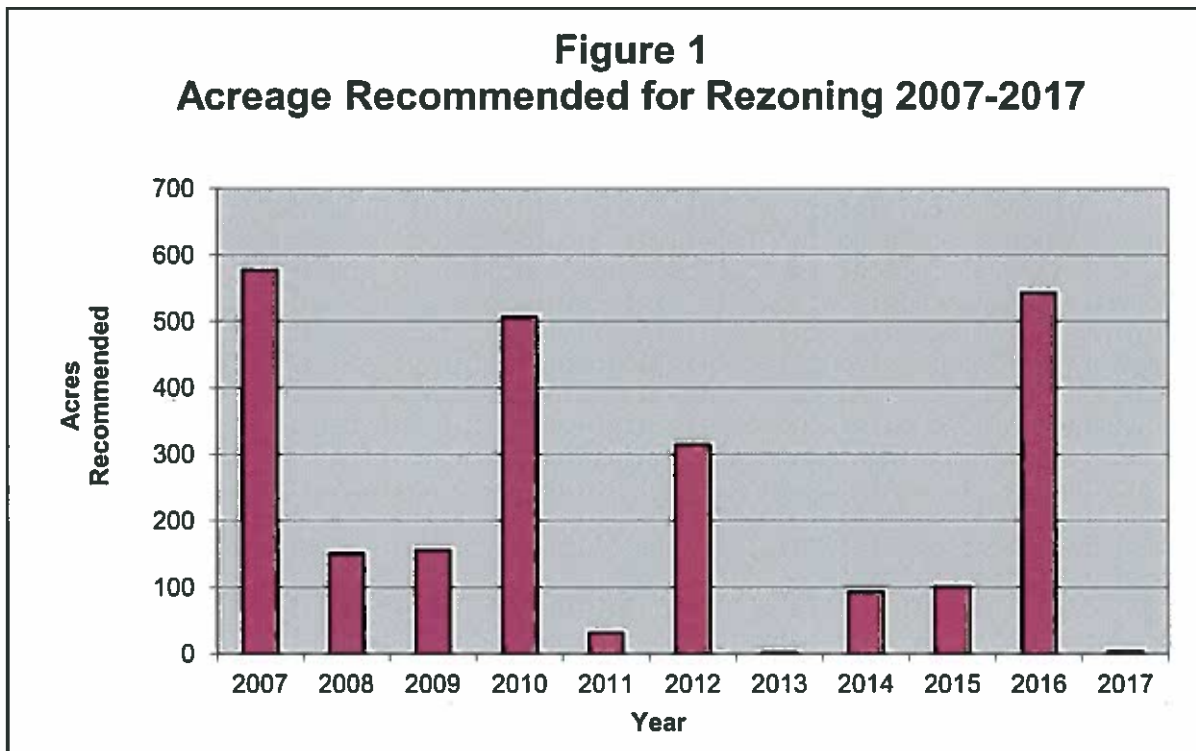
DISTRICT	RECOMMEND APPROVAL WITH PROFFERS	RECOMMEND APPROVAL WITHOUT PROFFERS	RECOMMEND DENIAL	TABLED	TOTAL
Beverley Manor	1	0	0	0	1
Middle River	0	0	0	0	0
North River	0	0	0	0	0
Pastures	0	0	0	0	0
Riverheads	0	0	0	0	0
South River	1	0	1	0	2
Wayne	0	0	0	0	0
<b>TOTAL</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>3</b>

The number of rezoning requests in 2017 three (3) was a decrease from the six (6) requests heard by the commission for the previous year. For the purposes of this report, only the rezoning requests will be considered, not the requests to add the Source Water Protection Overlay or the request to review the VDOT request for removal from the Middle River Agricultural and Forestal district for road improvements. The Board of Supervisors followed the recommendations of the Planning Commission in all of the rezoning cases in 2017.

The acreage recommended for rezoning decreased significantly compared to last year, from approximately 543 acres in 2016 to approximately 3.92 acres in 2017. While the 2016 number is mostly attributable to one request to rezone approximately 515 acres from General Agriculture to General Industrial with a portion to Airport Business at the recommendation of the Board of Supervisors, the 2017 acreage is also significantly lower than the 2015 acreage of just over 100 acres. Figure 1 below shows the acres recommended for rezoning from 2008 to 2017.



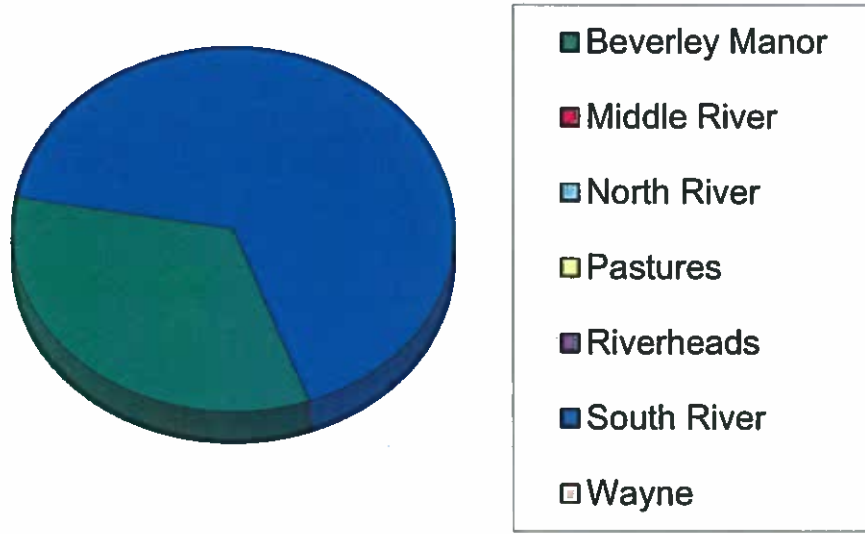
**Figure 1**  
**Acres Recommended for Rezoning 2007-2017**



\* Note: This table does not include requests to add the Source Water Protection Overlays or Public Use Overlays, requests to add or amend and restate proffers, or requests to withdraw from an Agricultural and Forestal District.

The rezoning requests in 2017 were distributed over two (2) of the seven (7) magisterial districts. The South River District had the most requests with two (2) and the Beverley Manor District had one (1) request. There were no rezoning requests made in the Riverheads, Pastures, North River, Middle River or Wayne Districts in 2017. Figure 2 below graphically depicts the number of rezoning requests by magisterial district.

**Figure 2  
Rezoning Requests by Magisterial District**



\* Note: This table does not include requests to add the Source Water Protection Overlays or a request to withdraw from an Agricultural and Forestal District.

Approximately 26% of the land recommended for rezoning in 2017 was from General Agriculture. The other request, for 2.9 acres, was recommended for rezoning from Single Family Residential to General Business. Table 2 lists the acres recommended for rezoning by zoning classification and magisterial district.

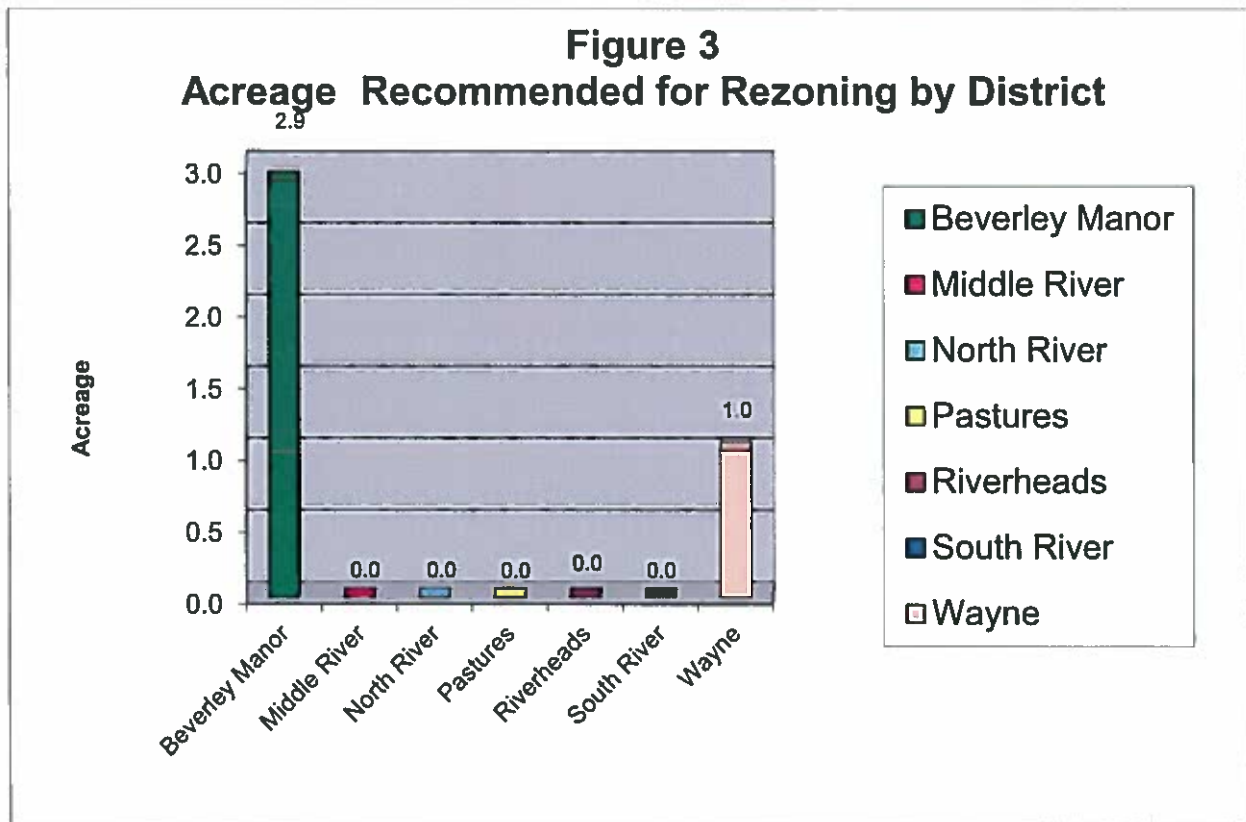
**TABLE 2  
ACREAGE RECOMMENDED FOR REZONING  
BY ZONING CLASSIFICATION AND MAGISTERIAL DISTRICT**

ZONE	Beverley Manor	Middle River	North River	Pastures	R'heads	South River	Wayne	TOTAL
General Agriculture	0	0	0	0	0	1.02	0	1.02
Rural Residential	0	0	0	0	0	0	0	0
Single-family Residential	2.9	0	0	0	0	0	0	2.9
Attached Residential-Duplexes and Townhouses	0	0	0	0	0	0	0	0
Manufactured Home Park	0	0	0	0	0	0	0	0
Multi-family Residential	0	0	0	0	0	0	0	0

ZONE	Beverley Manor	Middle River	North River	Pastures	R'heads	South River	Wayne	TOTAL
Airport Business	0	0	0	0	0	0	0	0
Limited Business	0	0	0	0	0	0	0	0
General Business	0	0	0	0	0	0	0	0
Planned Commerce	0	0	0	0	0	0	0	0
General Industrial	0	0	0	0	0	0	0	0
Planned Unit Developments	0	0	0	0	0	0	0	0
TOTAL*	2.9	0	0	0	0	1.02	0	3.92

\* Note: This table does not include requests to add the Source Water Protection Overlays or Public Use or a request to withdraw from an Agricultural and Forestal District.

Figure 3 graphically illustrates the geographic location of the acreage recommended for rezoning. The Beverley Manor District had 74% of the acres recommended for rezoning, while the South River District had approximately 26%.



\* Note: This table does not include requests to add the Source Water Protection Overlays or a request to withdraw from an Agricultural and Forestal District.

## RELATIONSHIP TO THE COMPREHENSIVE PLAN

One of the goals of the Augusta County Comprehensive Plan Update 2014/2015 is to target the County's growth to those areas with the public services designed to accommodate the development. The Plan recommends that 80% of the County's future residential growth locate in the Urban Service Areas, while Community Development Areas are planned to accommodate up to 10% of the future residential growth. Rural Conservation Areas and Agricultural Conservation Areas are each expected to accommodate less than 5% of the future residential development, with Rural Conservation Areas expected to accommodate the majority of the rural residential development in the County.

One way to track how well the Comprehensive Plan is being implemented is to view the number of rezonings being sought by Comprehensive Plan Planning Policy Area. In 2017, all three (3) requests for rezoning were in the Urban Service Area, totaling approximately 4.8 acres.

Of the land being recommended for rezoning, 2.9 acres was requested to be rezoned out of Single Family Residential to facilitate new business development and 1.02 acres was requested to be rezoned out of General Agriculture to facilitate new business development. Both requests were in compliance with the Comprehensive Plan's Future Land Use Designation. The one request not recommended for rezoning was a request to rezone approximately 0.899 acres from General Business and Single Family Residential to Multi-Family Residential.

## ORDINANCE AMENDMENTS

In 2017, changes to the County's zoning ordinance was a significant portion of the Commission's workload. The Planning Commission recommended ordinance changes to regulations on the following: prohibition of extraction of oil and natural gas by means of hydraulic fracturing and to amend the special use permit conditions for the extraction of materials in General Agriculture and Industrial Districts, revisions to conditional rezoning requirements per state code, revisions to the definition for Daycare home occupation per state code, clarifying agriculture in addition to agriculture related uses as a permitted use in General Agriculture districts, adding the keeping of dogs for agricultural purposes in General Agriculture districts, creating an administrative permitting process for the storage of commercial vehicles and/or trailers in General Agriculture districts, revision to the Source Water Protection Overlay Ordinance to clarify only underground storage petroleum tanks in excess of 660 gallons require a permit in Area 2 designations, correction to Section 9-11 Technical Criteria for Regulated Land Disturbing Activities per state code, and addition of a short-term rental definition, revision of the Bed & Breakfast definition and elimination of the Tourist home definition for the provision for a short-term rental in Rural Residential districts with a Special Use Permit.

The Board of Supervisors approved all of the ordinance amendments listed above which were recommended for approval by the commission. The Board of Supervisors also approved an ordinance amendment creating a permitting process for the keeping of backyard chickens in Single Family Residential and Rural Residential zoning, which was recommended for denial by the Planning Commission.

### SOURCE WATER PROTECTION OVERLAYS

The commission recommended approval to add the Area 2 Source Water Protection Overlay designation to approximately 11,217 acres located in the recharge areas for the Deerfield well and spring. The commission also recommended approval to add the Area 2 Source Water Protection Overlay designation to approximately 10,868 acres located in the recharge area for the Augusta Springs well and spring. These recharge areas were identified as a result of extensive study by the Augusta County Service Authority on these water systems. These water systems were the last to be adopted into the Source Water Protection Overlay, which now encompasses Area 1 and Area 2 designations for all of the County's public water supplies.

### PUBLIC USE OVERLAYS

The commission did not hear a Public Use Overlay (PUO) request in 2017.

### LOT CREATION

There are two ways to create lots in Augusta County. The major subdivision process is the typical way lots get created in residential, business, or industrial zoning. In 2017, 34 lots were created through the major subdivision process. The other way lots can be created in the County is through the minor subdivision process. This process allows a single lot, zoned agriculture, to be created off a larger tract of land and approved administratively by the County Subdivision Agent. In most cases, these lots are created to be sold and houses to be built on them. Up to two lots zoned residential, industrial or business can also be created in this manner, although the minor subdivision process is most frequently used in the agricultural areas. In 2017, eleven (11) lots were created through the minor subdivision process that weren't zoned General Agriculture, seven (7) were created in Single Family Residential and four (4) in General Business.

To get a clearer picture of the number of residential lots being created in Augusta County in any given year, you must analyze both the minor and major subdivision plats being approved in the County (See Table 3). In 2017, 34 lots were created through the major subdivision process, eight (8) of which were for General Business zoning and the remainder were for some type of attached, detached, or Planned Unit Development residential. In 2017, ninety-eight (98) new lots were created through the minor subdivision process in General Agriculture, seven (7) Single Family Residential lots were created through the minor subdivision process, and four (4) General Business lots were created through the minor subdivision process.

New lots created in the County are required to have frontage on a public road. The only exception to that is in the General Agriculture districts where it is possible to create a lot without road frontage, but meeting all other lot requirements, and convey it to a family member. In 2017, fourteen (14) of the ninety-eight (98) lots (approximately 14%) created in General Agriculture districts were created using the Family Member Exception.

**TABLE 3  
LOTS CREATED IN 2017**

Zoning	Minor Subdivision Lots	Major Subdivision Lots	Total New Lots
Rural Residential	0	0	0
Single Family Residential	7	15	22
Attached Residential	0	2	2
Townhouse Residential	0	4	4
Master Planned Community (residential)	0	5	5
Multi-Family Residential	0	0	0
General Business	4	8	12
General Industrial	0	0	0
Planned Commerce	0	0	0
General Agriculture	98	0	98
<b>TOTAL</b>	<b>109</b>	<b>34</b>	<b>143</b>

Figure 5 (below) graphically presents the number of all lots created, both from major and minor subdivisions, from General Business zoning districts (5%), residential zoning districts (26%) and the General Agriculture zoning district (69%) in 2017.

