

AUGUSTA COUNTY PLANNING COMMISSION



2022

Annual Report

AUGUSTA COUNTY PLANNING COMMISSION

ANNUAL REPORT

MEMBERSHIP

Robert Thomas, III, Chair
Wayne

(Vacant)
Pastures

Carolyn Bragg, Vice-Chair
South River

Gordon Kyle Leonard, Jr.
Riverheads

Larry Howdyshell
North River

Randall Harris
Middle River

Bill Schindler
Beverly Manor

Elizabeth Goodloe
Community Development, Secretary to the Commission

Mr. E. Thomas Jennings Jr. retired from the Commission in August following 7 years of public service. Mr. Greg Campbell resigned and was replaced by Bill Schindler.

Thank you to the Planning Commission for their continual service and leadership to the people of Augusta County.

MEETINGS

In 2022, the Planning Commission held nine (9) regular meetings. The Commission had strong attendance at all meetings. Larry Howdyshell and Carolyn Bragg attended all nine (9) meetings. Randy Harris missed only one meeting, Robert Thomas missed two (2) meetings, and Kyle Leonard missed three (3) meetings.

The Commission continued their practice of meeting on the second Tuesday of each month and viewing the rezoning requests prior to the public hearings.

WORKLOAD

The Commission had a diverse workload in 2022. The Commission reviewed fifteen (15) rezoning requests, two (2) of the rezonings included adding a Public Use Overlay to the current zoning. The Commission also saw a request to amend the concept plan and zoning ordinance for the Stone Valley Planned Unit Development to rezone Area C of the PUD from Limited Business to Attached Residential. One amendment to the Comprehensive Plan Future Land Use Map to change approximately 33.5 acres from Low-Density Residential to Urban Open Space in the Pastures District was heard by the Commission. Lastly, the Commission reviewed the request to renew the Middlebrook Agricultural Forestal District. A chart detailing the outcomes from the public hearings can be reviewed in Table 1 of this report.

The Commission also considered six (6) ordinance amendments to the County's Zoning and Subdivision Ordinance, a decrease from 2021, where twenty (20) amendments were approved. The Commission approved all amendments and all amendments were adopted by the Board of Supervisors. Further information regarding the ordinance amendments can be reviewed on page 6 of this report.

REZONING OF LAND

The number of rezoning requests in 2022, fifteen (15), reflected an increase in rezoning request activity from the ten (10) requests heard in 2021. Eleven (11) of the fifteen (15) rezoning requests were recommended to the Board of Supervisors to be approved. The Board of Supervisors followed the recommendations of the Planning Commission in ten (10) of the rezoning cases in 2022. One of the approved rezoning requests, a request from General Agriculture and General Business to General Industrial, withdrew before it went in front of the Board of Supervisors due to an error of advertising on the applicant's side. A request to rezone from General Agriculture to General Industrial was seen and approved by the Planning Commission twice due to an error in notifying adjacent property owners. A request to amend the concept plan of a Planned Unit Development (PUD) was seen a second time after withdrawing the first time. Of the fifteen (15) rezoning requests, two (2) rezoning requests were withdrawn by the applicant prior to consideration by the Board.

Three (3) of the fifteen (15) rezoning requests were recommended to the Board of Supervisors to be denied. A request to rezone from Single-Family Residential 15 to General Agriculture was recommended to the Board for denial based on the request's lack of compatibility with the Comprehensive Plan. A request to rezone from General Agriculture to Manufactured Home Park was recommended for denial to the Board based on the fact that the applicant could not meet fire flow standards and sewage treatment requirements by the County. The applicant of the request withdrew the request during the Board of Supervisors meeting. A request to rezone from Single-Family Residential to Attached Residential was recommended for denial to the Board based on lack of compatibility with adjacent single-family residential uses as well as asking for a higher density than what the Comprehensive Plan called for. Table 1 shows a breakdown of the Planning Commission's actions on all the requests for rezoning by magisterial district.

AUGUSTA COUNTY PLANNING COMMISSION

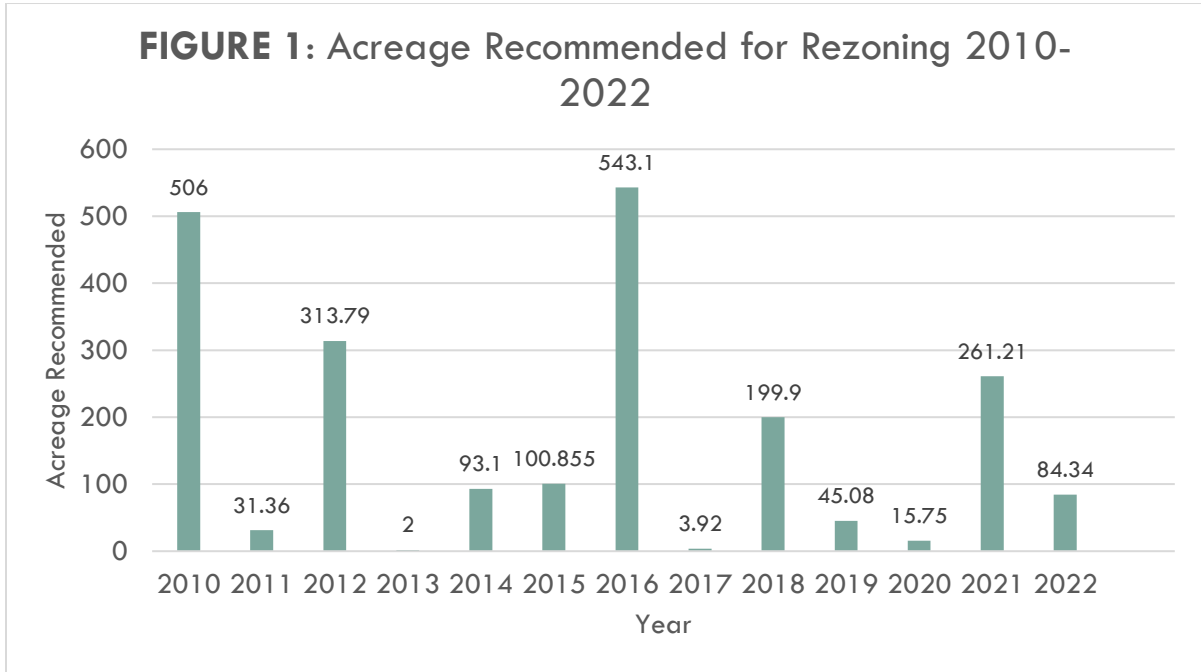
The rezoning requests in 2022 were distributed over six (6) of the seven (7) magisterial districts. The Beverley Manor, Middle River, and Wayne districts each had three (3) requests, the Riverheads and South River districts each had two (2) requests, and the North River district had one (1) request. There were no rezoning requests made in the Pastures district in 2022. Table 1 shows the breakdown of recommendations by Magisterial District.

TABLE 1: Recommendations on Rezoning Requests by Magisterial District

DISTRICT	RECOMMEND APPROVAL	RECOMMEND DENIAL	TABLED	TOTAL
Beverley Manor	2	1	0	3
Middle River	2	1	0	3
North River	1	0	0	1
Pastures	0	0	0	0
Riverheads	1	0	1	2
South River	2	0	0	2
Wayne	2	1	0	3
TOTAL	11	3	1	15

* **NOTE:** This table does not include Comprehensive Plan amendments, solar energy facility requests, or proffer amendments.

The acreage recommended for rezoning decreased from what was recommended in 2021, going from approximately two hundred and sixty (261.21) acres in 2021 to approximately eighty-four (84.34) acres in 2022. This number does not reflect the approximately twenty-two (21.75) acres of requests that were recommended for denial or the approximately one hundred and twenty (121.536) acres of requests that withdrew. The acreage recommended for rezoning in 2022 reflects an overall decrease in acreage recommended for rezoning from 2021 and is significantly higher than the acreage recommended in both 2019 and 2020. It is also important to note that the unique increase in 2016 was mostly attributable to one request to rezone approximately five hundred and fifteen (515) acres from General Agriculture to General Industrial with a portion to Airport Business at the recommendation of the Board of Supervisors. Figure 1 below shows the acres recommended for rezoning from 2010 to 2022.



* **NOTE:** This table does not include rezoning requests recommended for denial or tabled by the Commission, requests that were withdrawn, Comprehensive Plan amendments, solar energy facility requests, or proffer amendments.

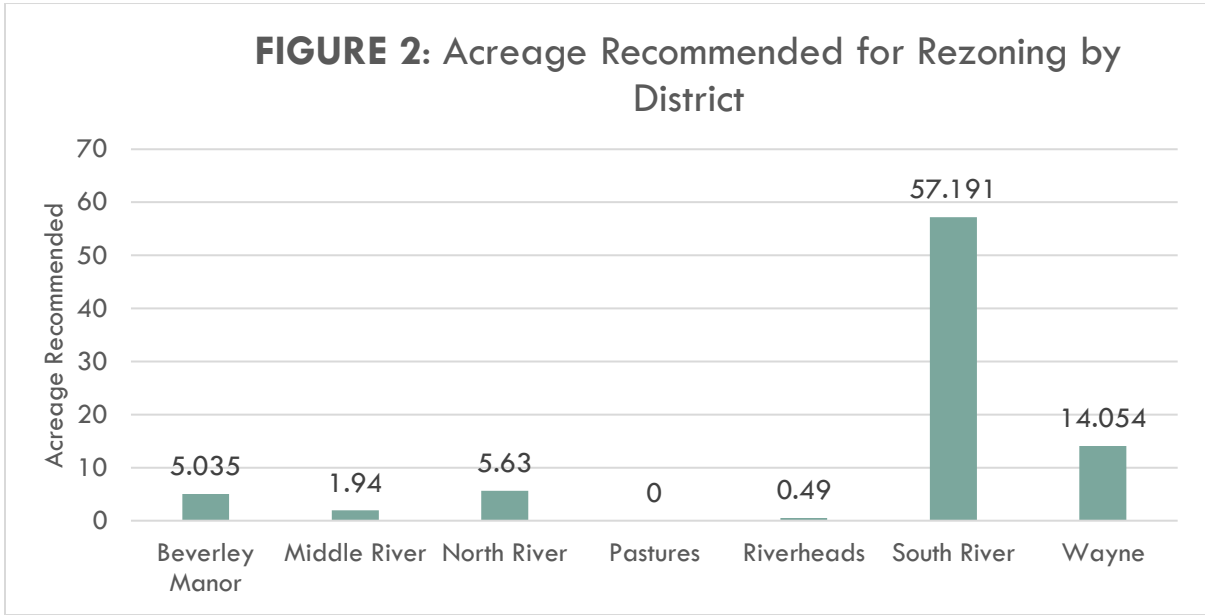
Approximately eighty percent (80.07%) of the land recommended for rezoning in 2022 – approximately sixty-seven (67.535) acres – was from General Agriculture. Approximately sixty-six percent (66.2%), 55.851 acres, were rezoned to General Industrial. This is indicative of a statewide and nationwide trend of increasing mixed use developments and industrial uses. This is reflective of an increased interest in new development in the County, rebounding from low levels of interest in 2020, when only approximately six percent (6.33%) of the land recommended for rezoning was from General Agriculture. All other rezoning requests that were recommended for approval were requests to rezone from General Business, Single-Family Residential, or Attached Residential to General Business, Single-Family Residential, or Attached Residential. The increase in residential rezoning is a reflection of the housing need in the County due to increased industries, like Amazon. Table 2 shows the acres recommended for rezoning by original zoning classification and magisterial district.

TABLE 2: Acreage Recommended For Rezoning by Zoning Classification and Magisterial District

ZONING	Beverley Manor	Middle River	North River	Pastures	Riverheads	South River	Wayne	TOTAL
General Agriculture	0	0	0	0	0.49	54.171	12.874	67.535
Rural Residential	0	0	0	0	0	0	0	0
Single-Family Residential	3	0	0	0	0	0	1.18	4.18
Manufactured Home Park	0	0	0	0	0	0	0	0
Multi-family Residential	0	0	0	0	0	0	0	0
Attached Residential	0	0	5.63	0	0	0	0	5.63
Airport Business	0	0	0	0	0	0	0	0
General Business	2.035	0.26	0	0	0	0	0	2.295
Planned Commerce	0	0	0	0	0	0	0	0
General Industrial	0	1.68	0	0	0	0	0	1.68
Planned Unit Developments	0	0	0	0	0	3.02	0	3.02
Village Mixed Use	0	0	0	0	0	0	0	0
TOTAL*	5.035	1.94	5.63	0	0.49	57.191	14.054	84.34

* **NOTE:** This table does not include rezoning requests recommended for denial or tabled by the Commission, requests that were withdrawn, Comprehensive Plan amendments, solar energy facility requests, or proffer amendments.

Approximately sixty-eight percent (67.8%) of the land recommended for rezoning was in the South River district. Approximately seventeen percent (16.7%) of the land recommended for rezoning was in the Wayne district. Approximately seven percent (6.7%) of the land recommended for rezoning was in the North River district. Approximately six percent (5.96%) of the land recommended for rezoning was in the Beverley Manor district. Approximately two percent (2.3%) of the land recommended for rezoning was in the Middle River district. The remaining 0.58 percent was in the Riverheads district. Figure 2 graphically illustrates the geographic location of the acreage recommended for rezoning.



* **NOTE:** This table does not include rezoning requests recommended for denial by the Commission, requests that were withdrawn, Comprehensive Plan amendments, solar energy facility requests, or proffer amendments.

RELATIONSHIP TO THE COMPREHENSIVE PLAN

One of the goals of the Augusta County Comprehensive Plan, affirmed by the 2014-2015 Update, is to target the County’s growth to those areas with the public services designed to accommodate the development. The Plan recommends that eighty percent (80%) of the County’s future residential growth be located in the Urban Service Areas, while Community Development Areas are planned to accommodate up to ten percent (10%) of the future residential growth. Rural Conservation Areas and Agricultural Conservation Areas are each expected to accommodate less than five percent (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 Planning Policy Area. In 2022, fifteen (15) rezoning requests were in either the Urban Service or Community Development Areas, totaling approximately two hundred (203.1) acres. This number includes the request to rezone from Single-Family Residential to General Agriculture that was recommended to the Board for denial and the request to rezone from General Agriculture to Manufactured Home Park that was recommended to the Board for denial.

ORDINANCE AMENDMENTS

In 2022, the Commission considered the following amendments to the Augusta County Code and recommended all for approval:

1. Update Administrative Permit for domestic chickens in Single-Family Residential Dwelling districts, from the original ordinance passed in 2017
2. Removal of the requirement for owner of record or facility operator to personally reside in the principle dwelling unit or on a parcel immediately adjacent to or directly across from the street from the parcel for short-term rentals, bed and breakfasts, and vacation rentals
3. Creation of a new Special Use Permit in General Agricultural Districts called Primitive Camping
4. Addition of the definitions of primitive campsite, primitive campground, camping unit to the County Code
5. Update Section 25-691, Civil Fines, and to bring the applicable sections of the ordinance into compliance with the Virginia State Code
6. Allow mini-warehouses as a Special Use Permit in General Agriculture Districts

The Board of Supervisors approved all but one of the ordinance amendments listed above. Ordinance amendment #2 regarding short-term rentals was denied by the Board of Supervisors.

PUBLIC USE OVERLAYS

The Commission heard two (2) requests to add a Public Use Overlay over the current zonings. One request was to place a water tank on an industrial site. The second request was to place a PUO over a property zoned General Business for a private Christian school to go in a previously vacant building. Both requests were recommended for approval by the Planning Commission.

AGRICULTURAL AND FORESTAL DISTRICTS

The Planning Commission considered the renewal of the Middlebrook Agricultural and Forestal District in December of 2022. The Commission recommended the renewal of the district for another eight (8) years and the Board of Supervisors approved the extension going from approximately two thousand and one hundred (2,132) acres to approximately five hundred and seventy (572.681) acres protected as part of the district. The decrease in the size of the district was due to property owners not wanting to renew their land into the district.

SOLAR ENERGY FACILITIES

Pursuant to the Virginia State Code section 15.2-2232, which mandates that localities must review proposed public utility projects that are not designated in the locality's Comprehensive Plan and determine whether the proposed projects are in substantial accord with the Comprehensive Plan or "parts thereof," in 2022, the Planning Commission reviewed zero (0) solar energy facilities in substantial accord determinations. As of December 2022, three (3) small scale new solar applications are under review to go to the Planning Commission.

To date, Augusta County has approved approximately one hundred and five (105) acres for solar energy facilities, which is 0.01% of all land area in the county. Approximately forty (40) acres are located in the Rural Conservation Area, approximately ten (10) acres are located in the Community Development Area, and approximately fifty-five (55) acres are located in the Urban Service Area. All one hundred and five (105) acres are zoned General Agriculture. A chart outlining the name, location, size, and recommendation of each project is shown below:

TABLE 3: Solar Energy Facility Projects Reviewed In 2022

PROJECT NAME	PROJECT SIZE	MAGIS-TERIAL DISTRICT	DATE RECEIVED	PLANNING COMMISSION RECOMMEND-ATION	BOARD OF ZONING APPEALS / BOARD OF SUPERVISORS DECISION
Augusta Solar	125 MW 1000+ acres	South River	August 2018	In substantial accord with Comp. Plan	BOS – DENIED
Round Hill Solar	83 MW 880 acres	Riverheads	July 2020	Not in substantial accord with Comp. Plan	<i>Applicant withdrew prior to BOS public hearing</i>
Waynesboro Bridge Solar	5 MW 40 acres	Wayne	February 2021	In substantial accord with Comp. Plan	BZA – APPROVED 8.5.21
Augusta CSG	3.88 MW 12 acres	Wayne	March 2021	In substantial accord with Comp. Plan	BZA – APPROVED 8.5.21
Buffalo Branch Solar	3 MW 50 acres	Pastures	March 2021	<i>Applicant withdrew prior to public hearing</i>	<i>Applicant withdrew prior to public hearing</i>
Wayne Avenue Solar I	3 MW 43 acres	South River	April 2021	In substantial accord with Comp. Plan	BZA – APPROVED 11.4.21
Wayne Avenue Solar II	3 MW	South River	April 2021	<i>Applicant withdrew prior to public hearing</i>	<i>Applicant withdrew prior to public hearing</i>
Shared Solar HoldCo	1 MW 10 acres	Beverley Manor	July 2021	In substantial accord with Comp. Plan	BZA – APPROVED 10.7.21

Total Acreage Denied to Date: approx. 1,000 acres

Total Acreage Approved to Date: 105 acres

LOT CREATION

There are two ways to create lots in Augusta County. The major subdivision process is the typical way lots are created in residential, business, or industrial zoning. In 2022, one hundred and eighteen (118) new lots were created through the major subdivision process. This is an approximately forty-six percent increase (+45.76%) from sixty-four (64) new major subdivision lots created in 2021.

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 (2) 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 2022, seventy-two (72) total new lots were created through the minor subdivision process. This number reflects an approximately twenty-nine percent decrease (-29.42%) from the number of total new lots created through the minor subdivision process in 2021, which was one hundred and two (102) lots.

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 (Table 3). In 2022, one hundred and eighteen (118) lots were created through the major subdivision process. Of all of the districts, the most lots were in the Single Family Residential district (47 lots), followed by Planned Unit Development (37 lots) and Attached Residential (25 lots).

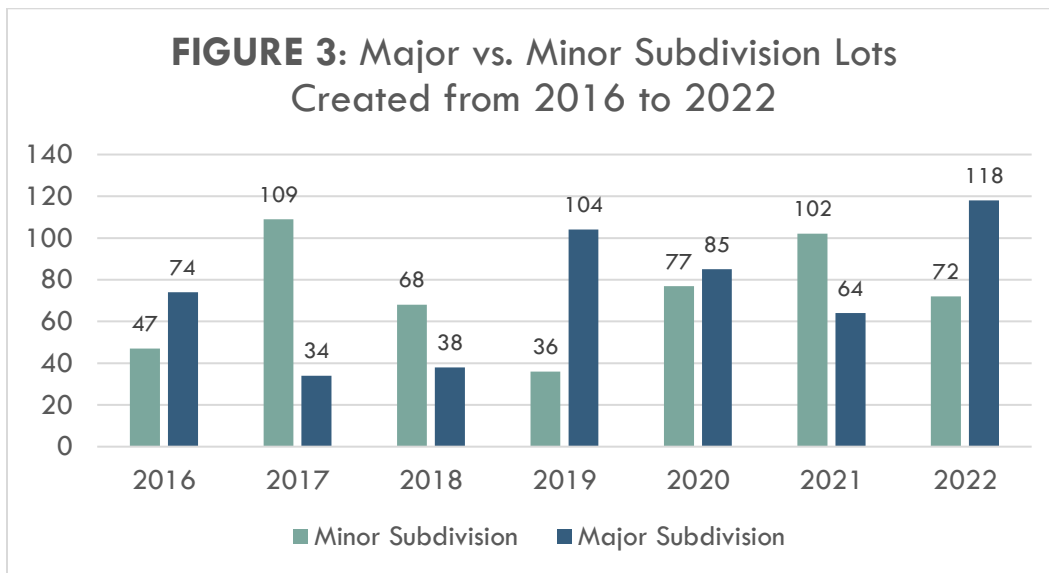
New lots created in the County are required to have frontage on a public road. One exception to that is in the General Agriculture districts where it is possible to create a lot without road frontage, but meeting all other lot requirements, and convey it to a family member through the Family Member Exception. In 2022, twenty-four (24) of the seventy (70) lots – approximately thirty-four percent (34.29%) – created in General Agriculture districts were created using the Family Member Exception. This reflects an increase since 2021, when approximately twenty-seven percent (27.45%) of lots created in General Agriculture districts were created using the Family Member Exception. An ordinance amendment from 2018 created another exception for a one-time subdivision without road frontage for the purpose of subdividing an existing dwelling. Two (2) lots were created using this new exception in 2022. This is a decrease from 2021 when three (3) lots were created using this exception.

TABLE 4: Major and Minor Subdivision Lots Created In 2022

ZONING	MINOR SUBDIVISION LOTS	MAJOR SUBDIVISION LOTS	TOTAL NEW LOTS
Rural Residential	0	2	2
Single Family Residential	1	47	48
Attached Residential	0	25	25
Townhouse Residential	0	0	0
Master Planned Community (residential)	0	0	0
Multi-Family Residential	0	0	0
General Business	0	6	6
General Industrial	1	1	2
Planned Commerce	0	0	0
Planned Unit Development	0	37	37
General Agriculture	70	0	70
TOTAL	72	118	190

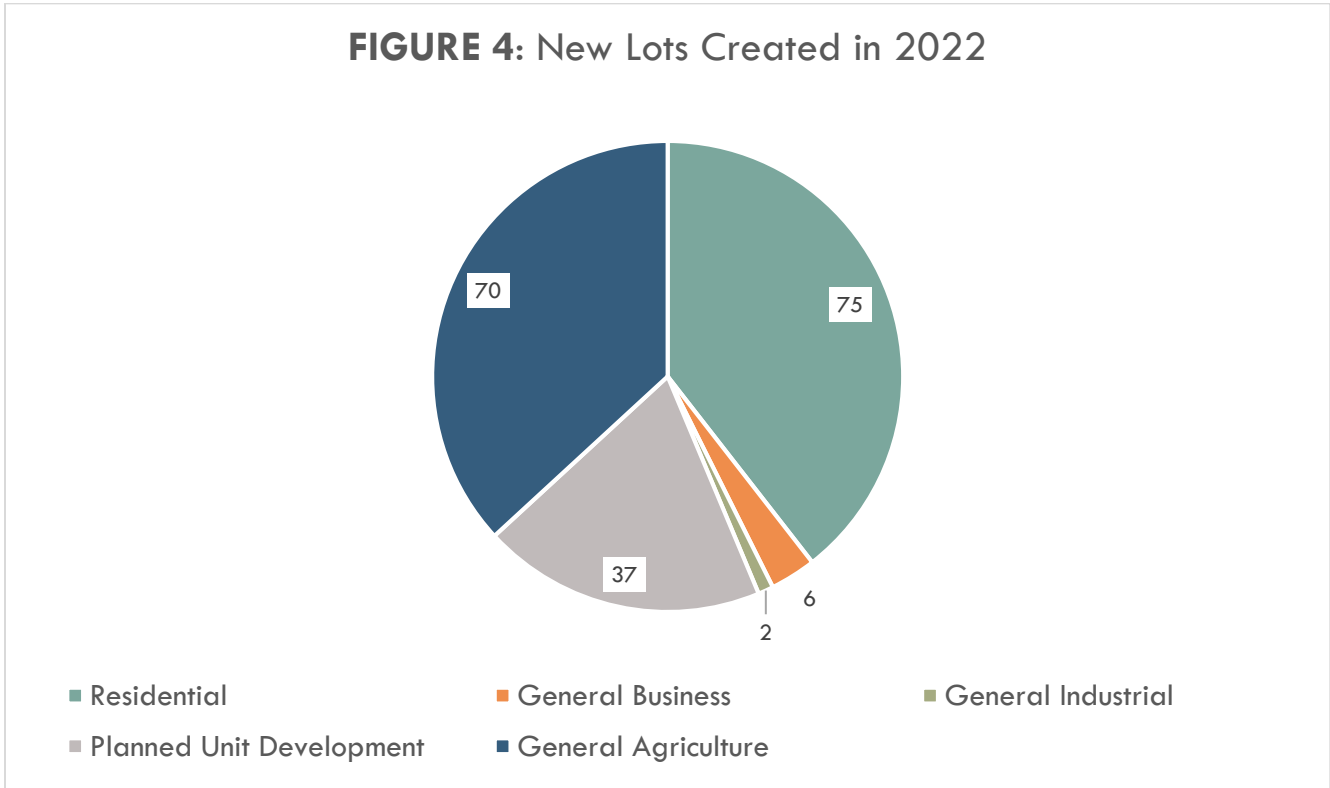
* **NOTE:** This table does not include lots approved between December 21, 2022 and December 31, 2022.

Figure 3 below depicts the total number of lots created, both from major and minor subdivisions, from 2016 through 2022.



* **NOTE:** This table does not include lots approved between December 21, 2022 and December 31, 2022.

Figure 4 below graphically depicts the total number of lots created in 2022, both from major and minor subdivisions, from residential zoning districts (39.47%), the General Agriculture zoning district (36.84%), Planned Unit Development (19.47%), General Business (3.16%), and General Industrial (1.05%).



* **NOTE:** This table does not include lots approved between December 21, 2022 and December 31, 2022.