

AUGUSTA COUNTY PLANNING COMMISSION



ANNUAL REPORT 2020

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MEMBERSHIP

The Augusta County Planning Commission 2020 commissioners were: Gregory W. Campbell, Chair; Larry Howdysshell, Vice-Chair; Kitra A. Shiflett; Gordon Kyle Leonard, Jr.; and E. Thomas Jennings, Jr. Robert Thomas, III replaced James W. Curd in June 2020 representing the Wayne district. Carolyn Bragg replaced Stephen Neil Bridge in July 2020 representing the South River district. Leslie C. Tate continued to serve as Secretary to the Commission.

MEETINGS

In 2020, the Planning Commission held seven (7) regular meetings. Four (4) meetings were cancelled due to state orders related to the novel coronavirus pandemic. One (1) meeting was cancelled due to no new business for the Commission. The Commission had strong attendance at all of their meetings. Greg Campbell and Larry Howdysshell attended all seven meetings. Kitra Shiflett missed only one meeting. Following their respective appointments to the Commission, Carolyn Bragg and Robert Thomas were present for all meetings, and prior to his term expiration and replacement, Steve Bridge was present for all 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 five (5) rezoning requests and two (2) Comprehensive Plan amendment requests come before them in 2020, as well as one (1) request to withdraw land from the Middle River Agricultural and Forestal District and one (1) request to amend a master plan and zoning regulations for a Planned Unit Development, Spring Lakes in the Beverley Manor district.

One of the two Comprehensive Plan amendment requests was related to the Transportation Chapter of the Comprehensive Plan. This amendment sought to add several priority transportation projects in locations throughout the County following an increase of regional and local transportation analyses. The amendment was unanimously approved by the Commission. The second Comprehensive Plan amendment request was related to the Utilities section of the 2014-2015 Comprehensive Plan Update. Eleven policy considerations were added for design and siting for utility scale solar energy projects. The amendment was approved 4-2 by the Commission, following the Commission's addition to Policy 6 to include consideration of existing Augusta County Service Authority infrastructure.

The Commission also considered Zoning and Subdivision Ordinance amendments to the solar energy systems ordinance, representing a significant decrease from the fifteen (15)

amendments heard by the Commission in 2019. These amendments included revising the definition of small and large solar energy systems, adding buffering, bonding, and site plan submittal and decommissioning requirements for small solar energy systems, clarifying existing use of consultant language, reducing the perimeter for notifying community members of large solar energy systems, clarifying existing cost benefit analysis language, leaving setbacks as currently adopted but adding language concerning standards or topic considerations for reduced setbacks, amending fencing requirements for greater flexibility – to be determined as a part of the special use permit, adding language concerning exclusion of salvage value in bond. The Commission recommended approval of all amendments, with the exception of the amendment to reduce the community meeting notification from a 1 mile perimeter to a ½ mile perimeter.

The Commission also approved the Stuarts Draft Small Area Plan with a 5-1 vote at the January 2020 meeting following a three-year planning effort.

The Commission unanimously voted to accept and pass the Capital Improvements Plan and Budget along to the Board of Supervisors in June 2020.

REZONING OF LAND

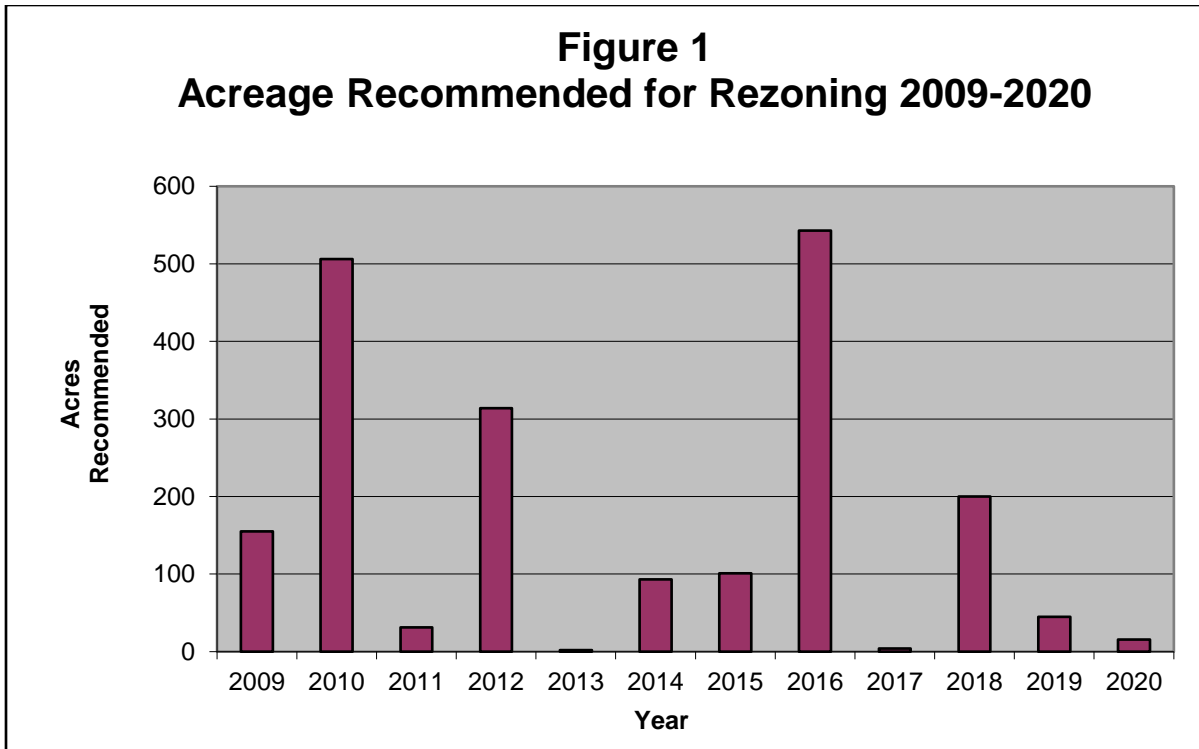
Three (3) of the five (5) requests for rezoning were recommended to the Board to be approved. A request to rezone from General Agriculture to General Business was recommended to the Board for denial based on inadequate property acreage for the proposed use, impacts of the proposed use to adjacent property, and a lack of compliance with the Comprehensive Plan. A request to rezone from Single-Family Residential to General Agriculture was recommended to the Board for denial based on a lack of compliance with the Comprehensive Plan. 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	RECOMMEND DENIAL	TABLED	TOTAL
Beverley Manor	0	0	0	0
Middle River	0	0	0	0
North River	0	0	0	0
Pastures	1	1	0	2
Riverheads	0	0	0	0
South River	1	1	0	2
Wayne	1	0	0	1
TOTAL	3	2	0	5

The number of rezoning requests in 2020, five (5), reflected consistency in rezoning request activity, as there were also five (5) requests heard in 2019. For the purposes of this report, only the rezoning requests will be considered and not the Comprehensive Plan amendments, the request to withdraw land from the Middle River Agricultural and Forestal District, or the request to approve Planned Unit Development zoning and master plan amendments. The Board of Supervisors followed the recommendations of the Planning Commission in all of the rezoning cases in 2020, with the exception of approving one request that the Commission had recommended for denial. One request was withdrawn by the applicant prior to consideration by the Board.

The acreage recommended for rezoning decreased by about two-thirds of what was recommended in 2019, going from approximately 45.08 acres in 2019 to approximately 15.75 acres in 2020. This number does not reflect the approx. 0.5 acre request and the approx. 10.5 acre request that were recommended for denial. Figure 1 below shows the acres recommended for rezoning from 2009 to 2020.



* Note: This table does not include requests to add to PUO, withdraw from Agricultural and Forestal Districts, and amend Planned Unit Development zoning and master plan designations.

As shown in Figure 1 above, the acreage recommended for rezoning in 2020 reflects an overall increase in acreage recommended for rezoning since 2013. However, 2020 does reflect a continued drop in acreage recommended for rezoning since 2018 and is substantially lower than 2019. It is important to note that the unique increase in 2016 was 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 rezoning requests in 2020 were distributed over three (3) of the seven (7) magisterial districts. The South River and Pastures districts had two (2) requests. The Wayne district had (1) request. There were no rezoning requests made in the Beverley Manor, North River, Middle River, or Riverheads districts in 2020.

Only 6.33 percent of the land recommended for rezoning in 2020 was from General Agriculture. In addition, 9.85 acres, representing approximately 62 percent of land recommended for rezoning, was recommended for rezoning from Single Family Residential to General Agriculture. 4.9 acres, representing approximately 31 percent of land recommended for rezoning, was recommended for rezoning from General Business to Multi-Family Residential. Table 2 lists the acres recommended for rezoning by zoning classification and magisterial district.

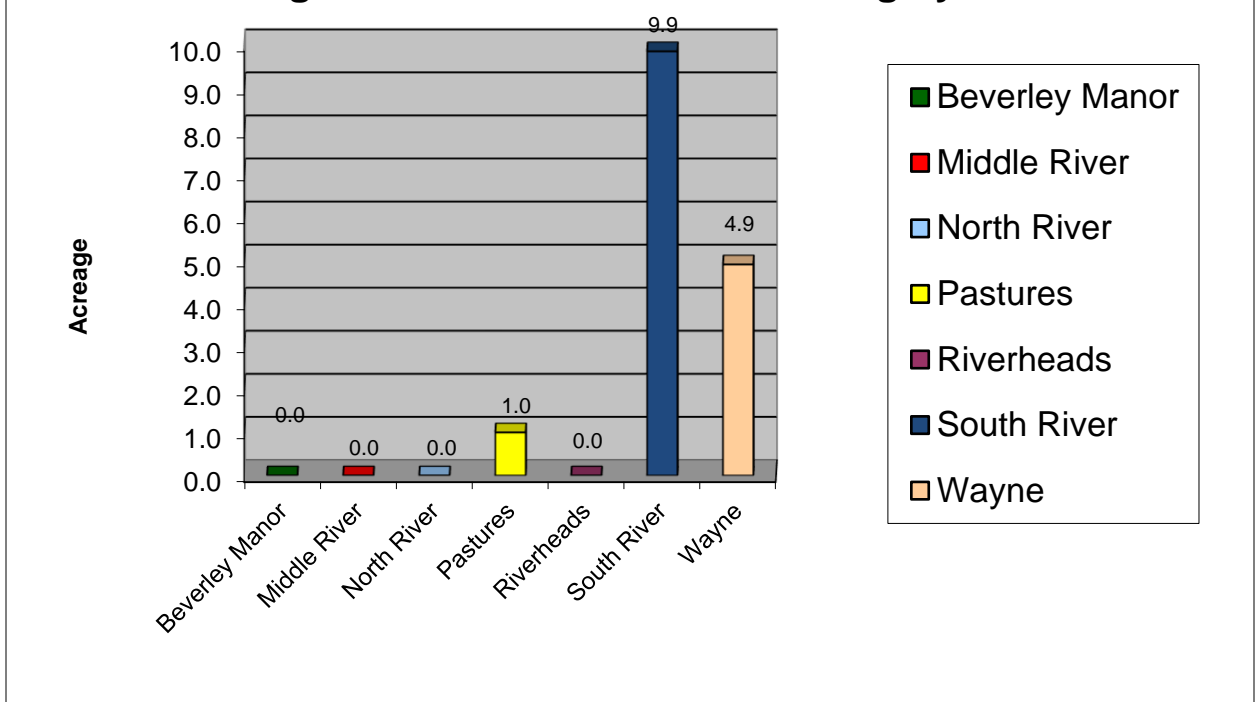
TABLE 2
ACREAGE RECOMMENDED FOR REZONING
BY ZONING CLASSIFICATION AND MAGISTERIAL DISTRICT

ZONE	Beverley Manor	Middle River	North River	Pastures	R'heads	South River	Wayne	TOTAL
General Agriculture	0	0	0	1.0	0	0	0	1.0
Rural Residential	0	0	0	0	0	0	0	0
Single-family Residential	0	0	0	0	0	9.85	0	9.85
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
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	4.9	4.9
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*	0	0	0	1.0	0	9.85	4.9	15.75

* Note: This table does not include rezoning requests recommended for denial by the Commission.

Figure 2 graphically illustrates the geographic location of the acreage recommended for rezoning. The South River district had approximately 62.5 percent of the acreage recommended for rezoning. The Wayne district had approximately 31 percent of the acreage recommended for rezoning. The Pastures district had approximately 6.35 percent of the acreage recommended for rezoning.

**Figure 2
Acreage Recommended for Rezoning by District**



* Note: This table does not include requests to add to PUO, withdraw from Agricultural and Forestal Districts, and amend Planned Unit Development zoning and master plan designations.

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 80 percent of the County’s future residential growth be located 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 percent 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 2020, all five (5) requests for rezoning were in either the Urban Service or Community Development Areas, totaling approximately 26.75 acres. This number includes the request to rezone from General Agriculture to General Business that was recommended to the Board for denial based on the property being too small in acreage for the proposed use, as well as the request to rezone from Single-Family Residential to General Agriculture that was recommended to the Board for denial based on a lack of compliance with the Comprehensive Plan.

It is important to note that one of the requests for rezoning within an Urban Service Area was a request to rezone out of Single-Family Residential into General Agriculture, which is not a request in compliance with the Comprehensive Plan guidelines for Urban Service Areas. However, staff recommended the approval of the rezoning request because the rezoning would make the zoning classification of the property the same as all surrounding property, and because of the proximity of the property to national forest land. The Commission unanimously recommended the rezoning to the Board for approval, and the Board unanimously approved the rezoning.

Of the land being recommended for rezoning out of General Agriculture, approximately 1 acre was requested to be rezoned for Single Family Residential.

ORDINANCE AMENDMENTS

In 2020, The Commission considered the following amendments to the solar energy systems ordinance:

1. Clarification in the definition of small solar energy systems and large solar energy systems, with small solar energy systems defined as occupying less than 50 acres of total land area and large solar energy systems defined as occupying greater than 50 acres of total land area
2. Adding buffering, bonding, and site plan submittal and decommissioning requirements for small solar energy systems
3. Clarifying existing use of consultant language and the relationship between County and consultant
4. Reducing the notification perimeter for large solar energy systems community meetings from 1 mile to ½ mile
5. Clarifying existing cost benefit analysis language
6. Leaving setbacks as currently adopted, but adding language concerning standards or topic considerations for reduced setbacks
7. Amending fencing requirements for greater flexibility, and stating that this is to be determined as a part of the special use permit
8. Adding language concerning exclusion of salvage value in bond.

The Board of Supervisors approved all of the ordinance amendments listed above which were recommended for approval by the Commission. The Board of Supervisors did not approve the amendment reducing the notification perimeter for community meetings related to large solar energy systems from 1 mile to ½ mile, which was also not recommended for approval by the Commission.

PUBLIC USE OVERLAYS

The Commission heard one (1) request to add approximately 6.33 acres to the Public Use Overlay (PUO) in 2020. The County pursued the request in consultation with County

purchase of the property through DuPont mercury settlement funds. This request was for a proposed public recreation facility along the South River in the Wayne District. The Commission recommended approval of the request.

AGRICULTURAL AND FORESTAL DISTRICTS

The Commission heard one (1) request to withdraw approximately 75 acres in Weyers Cave in the Middle River district from the Middle River Agricultural and Forestal District in 2020. The request was recommended for approval by the Agricultural and Forestal District Committee and the Commission.

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 2020, 85 new lots were created through the major subdivision process. This is a slight decrease from 104 new major subdivision lots created in 2019. 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 2020, 77 total new lots were created through the minor subdivision process. This number is a significant increase from the number of total new lots created through the minor subdivision process in 2019, which was 36.

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 2020, 85 lots were created through the major subdivision process, all for some type of detached or Planned Unit Development residential. In 2020, one (1) lot zoned Single Family Residential and one (1) lot zoned Planned Unit Development were created through the minor subdivision process. All other lots created through the minor subdivision process were zoned General Agriculture.

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. In 2020, nineteen (19) of the seventy-three (75) lots (25.3 percent) created in General Agriculture districts were created using the Family Member Exception. This is consistent with 2019, when approximately 25 percent 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. No lots were created using this new exception in 2020.

**TABLE 3
LOTS CREATED IN 2020**

Zoning	Minor Subdivision Lots	Major Subdivision Lots	Total New Lots
Rural Residential	0	0	0
Single Family Residential	1	56	57
Attached Residential	0	0	0
Townhouse Residential	0	0	0
Master Planned Community (residential)	1	29	30
Multi-Family Residential	0	0	0
General Business	0	0	0
General Industrial	0	0	0
Planned Commerce	0	0	0
General Agriculture	75	0	75
TOTAL	77	85	162

Figure 3 below graphically depicts the total number of lots created, both from major and minor subdivisions, from residential zoning districts (52.47%) and the General Agriculture zoning district (47.53%) in 2020.

