

PRESENT: T. Cole, Chairman  
E. Shipplett, Vice Chairman  
S. Bridge  
J. Curd  
K. Shiflett  
R.L. Earhart, Senior Planner and Secretary

ABSENT: C. Foschini  
K. Leonard  
T. Fitzgerald, Director

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, August 12, 2014, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

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**DETERMINATION OF A QUORUM**

Mr. Cole stated as there were five (5) members present, there was a quorum.

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**MINUTES**

Mr. Curd moved to approve the minutes of the called and regular meetings held on July 8, 2014

Mr. Shipplett seconded the motion, which carried unanimously.

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**AUGUSTA COUNTY BOARD OF SUPERVISORS**

A request to add the Public Use Overlay zoning designation to approximately 1.4 acres with proffer, owned by the County of Augusta Board of Supervisors located on the southeast side of Mill Place Parkway (Rt. 1943) adjacent to the City of Staunton city limits in Verona in the Beverley Manor District.

Mrs. Earhart explained the request as presented on PowerPoint and stated the only additional permitted use would be a water storage facility.

Mrs. Amanda Glover, Augusta County Economic Development Director, stated the Verona area and specifically Mill Place Commerce Park have been identified as growth areas for the County. The area needs additional water storage capacity in order to provide fireflow protection for existing and future businesses in this area. The water tank will not only serve Mill Place Commerce Park but will also serve the greater Verona area as part of the Barren Ridge infrastructure system. The staff recommendation to the Board of Supervisors was to proceed with a 750,000 gallon water storage tank. Bids for the project are being evaluated at this time. In order to make this part of the park, the PUO needs to be added.

Mr. Shipplett stated when new businesses are developed they are required to receive approval from the landscaping committee. He asked if this project would be required to go through the same process as a new business.

Mrs. Glover stated there is a process with the Architectural Review Board that commercial developments have to go through before being approved for construction. She will need to consult with Staff and the County Attorney to determine if an infrastructure project would be required to go through the same process as a new business.

There being no further questions from the Commissioners, Mr. Cole opened the Public Hearing.

There being no one to speak in favor of or in opposition of the request, Mr. Cole closed the Public Hearing.

Mrs. Shifflett moved to recommend approval with proffer of the Public Use Overlay designation for the water tank in Mill Place Commerce Park and, in accordance with § 15.2-2232 of the Code of Virginia, find the location of the water tower consistent with the Augusta County Comprehensive Plan.

Mr. Shipplett seconded the motion, which carried unanimously.

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**AUGUSTA COUNTY CODE SECTIONS 21-32, 21-34, AND 21-35**

An ordinance to amend Sections 21-32, 21-34, and 21-35 of the Augusta County Code to provide that preliminary subdivision plats are not required for subdivisions of 50 or fewer lots. This ordinance also provides that if a preliminary plat for a subdivision of 50 or fewer lots is voluntarily submitted for consideration by a developer, the Department of Community Development will consider approval of the plat using currently established criteria.

Mrs. Earhart explained the amendment as presented on PowerPoint. She stated this is a State Code mandated change made by the General Assembly.

There being no questions from the Commissioners, Mr. Cole opened the Public Hearing.

There being no one to speak in favor or against the amendment, Mr. Cole closed the Public Hearing.

Mr. Bridge moved to recommend approval of the ordinance amendment as written.

Mr. Curd seconded the motion, which carried unanimously.

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**AUGUSTA COUNTY CODE SECTIONS 25-4, 25-72.1 B.3, 25-122.1 B.3 AND 25-132.1 B.4**

An ordinance to amend Sections 25-4, 25-72.1 B 3, 25-122.1 B 3, and 25-132.1 B 4 of the Augusta County Code to provide that two persons may occupy a Temporary Family Health Care Structure that are permitted in General Agriculture, Rural Residential and Single Family Residential zoning districts and to increase the time to remove such structures, when no longer needed, from 30 days to 60 days.

Mrs. Earhart explained the amendment as presented on PowerPoint. She stated this is a General Assembly mandated change. The County is required by law to allow in Single Family Residential districts what the State defines as a temporary health care structure. Augusta County made the decision to allow these structures in General Agriculture and Rural Residential districts as well. These are accessory structures that can be no larger than 300 square feet. The code has been changed to allow two people to live in the unit. At least one of the persons must be declared by a physician to be physically or mentally impaired. The other resident, if not physically or mentally impaired, must need assistance with one or more daily activities such as dressing, eating, etc.

There being no questions from the Commissioners, Mr. Cole opened the Public Hearing.

There being no one to speak in favor or against the amendment, Mr. Cole closed the Public Hearing.

Mrs. Shiflett moved to recommend approval of the amendment as submitted.

Mr. Bridge seconded the motion, which carried unanimously.

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**AUGUSTA COUNTY CODE SECTION 25-35**

An ordinance to amend Section 25-35 of the Augusta County Code to set the parking space requirement for carry out only restaurants at one for every 200 square feet.

Mrs. Earhart explained the amendment as presented on PowerPoint.

Mr. Shipplett asked if existing facilities could modify their parking.

Mrs. Earhart stated yes, the site plan may need to be reviewed and modified if necessary, but in some cases businesses might be able to expand.

There being no further questions from the Commissioners, Mr. Cole opened the Public Hearing.

There being no one to speak in favor or against the amendment, Mr. Cole closed the Public Hearing.

Mr. Curd moved to recommend approval of the amendment.

Mr. Bridge seconded the motion, which carried unanimously.

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**AUGUSTA COUNTY CODE SECTION 25-57**

An ordinance to amend Section 25-57 of the Augusta County Code to establish three hundred (300) square feet as the minimum size for a security residence when it is an accessory use to an industrial establishment.

Mrs. Earhart explained the amendment as presented on PowerPoint. She stated this would be a residence that would be occupied full-time by a security guard. Currently County Code states a dwelling is required to be 900 square feet. The amendment would allow for the dwelling to be as small as 300 square feet.

Mr. Shipplett asked if a bathroom would be required in the residence.

Mrs. Earhart stated yes, that would be a requirement.

There being no further questions from the Commissioners, Mr. Cole opened the Public Hearing.

There being no one to speak in favor or against the amendment, Mr. Cole closed the Public Hearing.

Mr. Bridge moved to recommend approval of the amendment as written.

Mrs. Shiflett seconded the motion, which carried unanimously.

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**AUGUSTA COUNTY CODE SECTION 25-74**

An ordinance to amend Section 25-74 of the Augusta County Code to allow the Board of Zoning Appeals the discretion to reduce or eliminate the two hundred (200) foot setback between two adjoining industrial properties where similar industrial uses are ongoing on the properties and the property owners agree that a reduction of the setback is mutually beneficial.

Mrs. Earhart explained the amendment as presented on PowerPoint. She reminded the Commissioners that uses in this section are allowed by Special Use Permit. They are uses away from developed areas, such as quarries, asphalt plants, etc. Currently, there is a 200 foot perimeter setback requirement. This amendment would allow the BZA to reduce or eliminate the 200 foot setback, if adjoining business have similar uses.

There being no questions from the Commissioners, Mr. Cole opened the Public Hearing.

There being no one to speak in favor or against the amendment, Mr. Cole closed the Public Hearing.

Mr. Curd moved to recommend approval of the amendment.

Mr. Bridge seconded the motion, which carried unanimously.

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**AUGUSTA COUNTY CODE SECTIONS 25-38, 25-308, AND 25-387**

An ordinance to amend Sections 25-38, 25-308, and 25-387 of the Augusta County Code by adding properties zoned General Agriculture and designated as community mixed use, neighborhood mixed use, and village mixed use on the County's Comprehensive Plan Future Land Use Map to the list of properties from which you are not required to provide a buffer yard in the parking, General Business, and General Industrial regulations.

Mrs. Earhart explained the amendment as presented on PowerPoint. She stated currently if a business is providing parking adjacent to property that is not zoned General Business or Industrial, you must provide a buffer yard. Currently, the buffer can be waived if business property adjoins property zoned General Agriculture, if that property is planned for general business or industrial use. This amendment would add properties planned for mixed use districts to the list of properties not requiring a buffer.

There being no questions from the Commissioners, Mr. Cole opened the Public Hearing.

There being no one to speak in favor or against the amendment, Mr. Cole closed the Public Hearing.

Mr. Bridge moved to recommend approval of the amendment.

Mrs. Shiflett seconded the motion, which carried unanimously.

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**AUGUSTA COUNTY CODE SECTION 25-12**

An ordinance to amend Section 25-12 of the Augusta County Code by restating the requirement contained in Section 25-703 which states all lots in areas zoned R-18, R-15, R-12, R-10, and R-9 on September 30, 1995 shall remain subject to the floor space requirement in effect on that date.

Mrs. Earhart explained the amendment as presented on PowerPoint. She stated this is not a new requirement and there are no changes to it. It is being repeated in another section of the Code to make it easier for the general public to find.

There being no questions from the Commissioners, Mr. Cole opened the Public Hearing.

There being no one to speak in favor or against the amendment, Mr. Cole closed the Public Hearing.

Mr. Curd moved to recommend approval of the amendment.

Mr. Shipplett seconded the motion, which carried unanimously.

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**OLD BUSINESS**

A request to amend and restate proffers on approximately 112 acres owned by National Developers of Virginia, LLC; Raike Real Estate Income Fund, LLC; Turner Turn Key Homes; William R. or Kelly L. Smith; Steven P. or Audra A. Sours; Kenneth M. or Carolyn Sue Clark; and Mark D. or Dana L. Frazier and located on the north side of Howardsville Turnpike (Rt. 610) approximately 0.6 of a mile west of the intersection of Howardsville Turnpike (Rt. 610) and Patton Farm Road (Rt. 633) in the South River District.

Mrs. Earhart updated the Commissioners on the progress of the Shannon Lea Subdivision request. She stated Mr. Raike continues to make the improvements necessary to get the roads into the State system. He is working on the as-builts and bonds. He has finished the construction checklist items he was required to complete. He has made contact with the property owner that owns the other three lots that are not part of the request, but is waiting to hear back from them. She hopes the matter will be ready to come back before the Commission in September..

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**STAFF REPORTS**

A. CODE OF VIRGINIA – SECTION 15.2-2310

Mrs. Earhart reviewed with the Commissioners the requests coming before the BZA.

The Planning Commission took no action of the BZA items.

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**TRANSPORTATION PLAN – GOAL AND OBJECTIVES**

Mrs. Earhart stated many of the changes to the goals and objectives section are terminology changes and are self-explanatory.

Mrs. Earhart referred to Goal 1, Objective G, Policy 2 and stated that new private roads should be limited. Private roads are allowed in the County, however, there should be no cost to taxpayers for these roads. Goal 2, Objective A, Policy 5 refers to the maintenance of unpaved roads. There are 275 miles of unpaved roads in Augusta County and maintenance of these roads is important for safety issues.

Mr. Curd asked if the roads will eventually be paved.

Mrs. Earhart stated there is a desire to pave the roads and they may qualify for improvements through the Rural Rustic Road Program. There are roads that definitely need to be paved and there are some that are functioning sufficiently as unpaved.

Mrs. Earhart continued to review the goals and objectives of the Transportation Plan.

Mrs. Earhart stated the goal is to have the Comp Plan near completion by next month's meeting.

There being no further discussion, the meeting was adjourned.

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Chairman

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Secretary