



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: Julia Hensley, Planner II
Kaitlyn Savage, Planner I
CC: Timothy Fitzgerald, County Administrator
Doug Wolfe, Director of Community Development
DATE: December 3, 2024
SUBJECT: Regular Meeting

The regular meeting of the Augusta County Planning Commission will be held on **Tuesday, December 10, 2024 at 7:00 p.m.** at the Augusta County Government Center in the Board Meeting Room, 18 Government Center Lane, Verona, Virginia.

The Planning Commission will meet beginning at **5:30 p.m.** for a staff briefing in the **Board Conference Room**. The Planning Commission will have dinner in the Community Development Conference Room at 6:00 p.m.

Attached are the agenda and meeting materials for this meeting. If you have any questions about any of the materials, please feel free to contact us. If you won't be able to attend the meeting, please let us know as soon as possible.

JH/KS

A G E N D A

Regular Meeting of the Augusta County Planning Commission

Tuesday, December 10, 2024 7:00 P.M.

1. CALL TO ORDER
2. DETERMINATION OF A QUORUM
3. APPROVAL OF THE MINUTES
 - A. Approval of the Regular and Called Meeting on November 12, 2024
4. PUBLIC HEARING
 - A. Chapter 25. Zoning. Division A. In General. Article I. General Provisions. Section 25-4. Definitions.

Amendment reclassifies gasoline retail outlets as facilities with four (4) or less diesel fueling positions.
5. MATTERS TO BE PRESENTED BY THE PUBLIC
6. NEW BUSINESS
7. OLD BUSINESS
8. MATTERS TO BE PRESENTED BY THE COMMISSION
9. STAFF REPORTS
 - A. Comprehensive Plan Update
 - B. Information for Commission – Code of Virginia, Section 15.2-2310
(BOARD OF ZONING APPEALS ITEMS)
10. ADJOURNMENT

PRESENT: R. Harris, Chairman
C. Bragg
R. Thomas
K. McComas

J. Hensley, Planner II
K. Savage, Planner I
D. Wolfe, Director of Community Development
N. Price, Assistant County Attorney

ABSENT: K. Leonard
W. Schindler, Vice Chairman
L. Howdyshell

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, November 12, 2024 at 4:30 p.m. in the Board Conference Room, Augusta County Government Center, Verona, Virginia.

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The Planning Commission reviewed four (4) ordinance amendments up for public hearing:

1. Section 25-4
2. Section 25-70.4
3. Section 25-70.8
4. Section 25-70.10

Staff also presented a report detailing the outcomes of the November Board of Zoning Appeals meeting.

Chairman

Secretary

PRESENT: R. Harris, Chairman
C. Bragg
L. Howdysshell
R. Thomas
K. McComas
K. Leonard

J. Hensley, Planner II
K. Savage, Planner I
D. Wolfe, Director of Community Development

ABSENT: W. Schindler, Vice Chairman

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, November 12, 2024 at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

DETERMINATION OF A QUORUM

Mr. Randy Harris stated that there was a quorum.

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MINUTES

Mr. Kyle Leonard moved to approve the minutes of the called and regular meeting held on October 8, 2024.

Ms. Carolyn Bragg seconded the motion, which carried unanimously, 6-0.

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PUBLIC HEARING

Mr. Harris stated that there were four (4) Public Hearings that evening.

Mr. Harris asked Ms. Julia Hensley to read the first item up for Public Hearing.

Ms. Hensley introduced the first item as an ordinance to amend Section 25-4 Definitions. Ms. Hensley stated that this amendment would reclassify travel plazas as a facility with more than four diesel fueling positions and that the current ordinance defines a travel plaza as a facility with more than two fueling positions.

Ms. Hensley presented the redlined text associated with the ordinance amendment.

Mr. Harris asked if there was any discussion from the Commissioners.

Mr. Harris invited audience members who wished to speak for or against the request to come forward. Seeing none, Mr. Harris closed the Public Hearing.

Mr. Harris asked the Commissioners if there was any further discussion or if there was a motion.

Ms. Bragg made a motion to recommend that Section 25-4 Definitions be amended to reclassify travel plazas as a facility with more than four diesel fueling positions.

Mr. Robert Thomas seconded the motion, which carried unanimously, 6-0.

Mr. Harris asked Ms. Hensley to read the second item up for Public Hearing.

Ms. Hensley introduced the second item as an ordinance to amend Section 25-70.4, Uses permitted by Special Use Permit by the Board of Zoning Appeals. Ms. Hensley stated that this amendment would prohibit the removal of topsoil from small solar energy system sites and would require topsoil to remain onsite for the purposes of site restoration.

Ms. Hensley presented the redlined text associated with the ordinance amendment.

Mr. Larry Howdyshell asked if this ordinance amendment also encompasses large solar energy system sites.

Ms. Hensley stated that the amendment to Section 25-70.4 did not but that a separate ordinance amendment on the evening's agenda would cover large solar energy system sites.

Mr. Harris asked if there was any further discussion from the Commissioners.

Mr. Harris invited audience members who wished to speak for or against the request to come forward. Seeing none, Mr. Harris closed the Public Hearing.

Mr. Harris asked the Commissioners if there was any further discussion or if there was a motion.

Ms. Bragg made a motion to recommend that Section 25-70.4 be amended to prohibit the removal of topsoil from small solar energy system sites.

Mr. Thomas seconded the motion, which carried unanimously, 6-0.

Mr. Harris asked Ms. Hensley to read the third item up for Public Hearing.

Ms. Hensley introduced the third item as an ordinance to amend Section 25-70.8, Location, Appearance and Operation of a Project Site. Ms. Hensley stated that this amendment would prohibit the removal of topsoil from large solar energy system sites and would require topsoil to remain onsite for the purposes of site restoration.

Ms. Hensley presented the redlined text associated with the ordinance amendment.

Mr. Harris asked if there was any discussion from the Commissioners.

Mr. Harris invited audience members who wished to speak for or against the request to come forward. Seeing none, Mr. Harris closed the Public Hearing.

Mr. Harris asked the Commissioners if there was any further discussion or if there was a motion.

Ms. Bragg made a motion to recommend that Section 25-70.8 be amended to prohibit the removal of topsoil from large solar energy system sites.

Mr. Thomas seconded the motion, which carried unanimously, 6-0.

Mr. Harris asked Ms. Hensley to read the fourth item up for Public Hearing.

Ms. Hensley introduced the fourth item as an ordinance to amend Section 25-70.10, Decommissioning. Ms. Hensley stated that this amendment would remove the word "large" in front of the words "solar energy system" in the Decommissioning section. Ms. Hensley stated that there was also a small grammatical edit that had been fixed.

Ms. Hensley presented the redlined text associated with the ordinance amendment.

Mr. Harris asked if there was any discussion from the Commissioners.

Mr. Howdyshell asked how previously approved solar energy projects would be impacted by this ordinance amendment.

Mr. Doug Wolfe stated that approved solar energy projects have operating conditions that include decommissioning requirement, so he does not believe there would be any effect on those projects following the ordinance amendment.

Mr. Howdyshell asked if the approved projects need to comply with the changes made to Section 25-70.10.

Mr. Wolfe stated that those approved projects already have decommissioning requirements outlined in their operating conditions and that the ordinance amendment would make those requirements clearer. Mr. Wolfe concluded that the ordinance amendment would not apply to previously approved solar energy projects but that they would have to comply with these decommissioning requirements through their existing operating conditions.

Mr. Harris asked if there were any questions from the Commissioners.

Mr. Harris invited audience members who wished to speak for or against the request to come forward. Seeing none, Mr. Harris closed the Public Hearing.

Mr. Harris asked the Commissioners if there was any further discussion or if there was a motion.

Ms. Bragg made a motion to recommend that Section 25-70.10 be amended to remove the word "large" so that it covers all solar energy system sites.

Mr. Thomas seconded the motion, which carried unanimously, 6-0.

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MATTERS TO BE PRESENTED BY THE PUBLIC

Mr. Harris moved on to matters to be presented by the public. Seeing none, Mr. Harris moved on to the next agenda item.

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NEW BUSINESS

Mr. Harris stated that there were two items on the agenda under New Business. The first being to adopt the 2025 Meeting Schedule and Inclement Weather Resolution. Mr. Harris asked if there was any discussion from the Commissioners or if there was a motion to adopt the Resolution.

Ms. Bragg made a motion to adopt the 2025 Meeting Schedule and Inclement Weather Resolution. Ms. Bragg made a comment to her fellow Commissioners that the November date was different due to their regular meeting date falling on a holiday.

Mr. Leonard asked which holiday that was.

Ms. Bragg stated that the holiday would be Veterans Day.

Mr. Harris made a comment that the Government Center would be closed, so the meeting will be the following week.

Ms. Bragg reiterated her motion to adopt the 2025 Meeting Schedule and Inclement Weather Resolution.

Ms. Kristi McComas seconded the motion, which carried unanimously, 6-0.

Mr. Harris introduced the next agenda item as the Election of Officers for the 2025 calendar year. Mr. Harris presented the Chair, Vice Chair, and Secretary slate as Mr. Robert Thomas, Mr. Bill Schindler, and Ms. Julia Hensley, respectively.

Mr. Harris asked if there was a motion.

Ms. Bragg made a motion to elect the slate of officers presented by Mr. Harris.

Mr. Leonard seconded the motion, which carried unanimously, 6-0.

Mr. Harris thanked the newly elected officers for their upcoming service.

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OLD BUSINESS

Mr. Harris stated that there was no old business to discuss and moved on to the next agenda item.

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MATTERS TO BE PRESENTED BY THE COMMISSION

Mr. Harris asked if any Commissioners wished to speak.

Ms. Bragg made a comment that she would fill the Commissioners in on a comment she made during the Staff Briefing.

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STAFF REPORTS

Mr. Harris asked Ms. Hensley if she had an update on the Comprehensive Plan.

Ms. Hensley shared that staff were reviewing the first draft of the Comprehensive Plan and would provide comments to the consultant by Friday, November 15th. Ms. Hensley stated that the consultant had pivoted their attention to the Future Land Use Map while waiting for staff comments.

Mr. Harris asked Ms. Kaitlyn Savage if there were any Board of Zoning Appeals (BZA) items to review.

Ms. Savage provided an update on December BZA Special Use Permit requests. Ms. Savage shared that the first applicant is for Fishersville Baptist Church. This request is located in the Wayne Magisterial District, in an Urban Service Area. The property is located at 1518 Jefferson Highway in Fishersville and is zoned General Business and Single-Family Residential 15. The purpose of this request is to expand a non-conforming structure no closer to the road than the existing. She provided an aerial and tax map view of the property.

Ms. Savage shared that the second applicant is Long Shots, LLC. This request is located in the Riverheads Magisterial District, in a Community Development Area. The property is located at 54 Kerry Lane in Staunton and is zoned General Business. The purpose of this request is to construct a mini-warehouse facility. She provided an aerial and tax map view of the property.

Ms. Savage shared that the third applicant is the trust of Karen N. Toomy from Roger Willetts. This request is located in the Wayne Magisterial District, in an Agricultural Conservation Area. The property is located at 205 Kateri Drive in Waynesboro. The parcel is currently zoned General Agriculture. The purpose of the request is to operate a short-term vacation rental, to have a tasting room and retail sales in affiliation with the adjacent distillery, and to have weddings, special events, and food trucks. She provided an aerial and tax map view of the property.

Ms. Savage shared that the fourth applicant is Michael D. or Melinda S. Wissler. This request is located in the South River Magisterial District, in a Community Development Area. The property is located at 514 Mt. Torrey Road in Lyndhurst and is zoned Single-Family Residential 10. The purpose of the request is to expand a non-conforming building no closer to the side or rear yard exceeding the 900 square foot total aggregate allowed. She provided an aerial and tax map view of the property.

Ms. Savage shared that the fifth applicant is Sandra A. Lane. This request is located in the Wayne Magisterial District, in a Rural Conservation Area. The property is located at 45 Oak Drive in Waynesboro and is zoned Rural Residential. The purpose of the request is to construct an accessory building in the front yard. She provided an aerial and tax map view of the property.

Ms. Savage shared that the sixth request is on property owned by Stanimals328, LLC and the applicant is Peak Enterprises International. This request is located in the South

River Magisterial District, in an Agricultural Conservation Area. The property is located at 900 Love Road in Lyndhurst and is zoned General Agriculture. The purpose of the request is to continue using the three existing structures for short term cabin rental. She provided an aerial and tax map view of the property.

Mr. Harris thanked Ms. Savage.

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ADJOURNMENT

Mr. Harris asked if there were any questions from the Commissioners or if there was a motion to adjourn.

Ms. Bragg made a motion to adjourn.

Ms. McComas seconded the motion, which carried 6-0.

Chairman

Secretary

**COUNTY OF AUGUSTA
STAFF REPORT
Ordinance Amendment
Chapter 25. Zoning. Division A. In General.
Article I. General Provisions.
Section 25-4. Definitions.
November 18, 2024**

Chapter 25. Zoning. Division A. In General. Article I. General Provisions. Section 25-4. Definitions.

**REDLINED:
§25-4 Definitions.**

Gasoline retail outlet. Any building, land area, or other premises, or portion thereof, used primarily for the retail dispensing or sales of vehicular fuels with no more than ~~two~~four (~~2~~4) diesel fueling positions or twenty (20) gasoline fueling positions.

**AN ORDINANCE TO AMEND
SECTION 25-4
OF THE AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to update the requirement for the Section 25-4 regarding increasing the maximum number of diesel fueling positions for a gasoline retail outlet;

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 25-4 of the Augusta County Code is amended to read as follows:

Gasoline retail outlet. Any building, land area, or other premises, or portion thereof, used primarily for the retail dispensing or sales of vehicular fuels with no more than four (4) diesel fueling positions or twenty (20) gasoline fueling positions.

COUNTY ATTORNEYS' STAFF COMMENTS: The County Attorneys have reviewed this language.

COMMUNITY DEVELOPMENT STAFF COMMENTS: Amendment reclassifies gasoline retail outlets as facilities with four (4) or less diesel fueling positions.