

PRESENT: R. Harris, Chairman
W. Schindler, Vice Chairman
C. Bragg
L. Howdyshell
R. Thomas
K. Leonard

J. Hensley, Planner II
E. Goodloe, Planner I
D. Wolfe, Director of Community Development

ABSENT:

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, January 9, 2024 at 4:00 p.m. in the Board of Supervisors' Conference Room, Augusta County Government Center, Verona, Virginia.

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The Planning Commission reviewed five (5) ordinance amendments up for public hearing. Staff also presented a redlined version of the Bylaws for the Planning Commission as an annual review to discuss, as well as the 2024 Inclement Weather Resolution which will be considered during tonight's regular meeting under New Business.

Staff also gave the Planning Commission the review of the twelve (12) Solar Policies in the Comprehensive Plan, and discussed updated language for some of the policies that referred to the recent changes in the solar ordinance amendments, including the two (2) mile proximity to another solar energy system and the prohibition of solar siting in Urban Service and Community Development Areas. Staff will bring the policies back to the Planning Commission with recommended wording for the February Planning Commission Staff Briefing.

Chairman

Secretary

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ABSENT:

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, January 9, 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. Larry Howdysshell moved to approve the minutes of the called and regular meeting held on December 12, 2023.

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

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PUBLIC HEARINGS

Mr. Harris stated that there were five (5) public hearings that evening, and for a matter of clarification wanted to change the order of presentation and move item 4C on the agenda to first on the list of public hearings. Mr. Harris asked if there was a motion to do so.

Mrs. Carolyn Bragg made the motion to move item C to the first item on the agenda. Mr. Schindler seconded the motion, which carried unanimously, 6-0.

Ms. Julia Hensley introduced the first item as an ordinance amendment to Section 25-303, Uses Permitted by Administrative Permit, Limited Outdoor Storage. The amendment adds the 10,000 square foot limit from the definition of limited outdoor storage in Section 25-4. The amendment also consolidates items two (2) and three (3) of subsection K that designates the location for limited outdoor storage. Amendment adds the standard for vehicles, boats, recreational vehicles, and similar vehicles not otherwise meeting the definition of inoperable vehicles as defined in Section 25-4 of the Augusta County code.

Ms. Hensley presented the redlined text.

Mr. Harris asked the Commissioners if they would like to discuss or had questions for staff; seeing none, he opened the public hearing asking if anyone wished to speak.

With no one to speak, Mr. Harris closed the public hearing.

Mrs. Carolyn Bragg stated that this was a housekeeping issue to better clarify the ordinance. She moved to accept the proposal as presented.

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

Ms. Hensley introduced the second item as an amendment to Section 25-4, Definitions, Limited Outdoor Storage. Amendment revises the current definition for limited outdoor storage to match the updated language in Section 25-303 K. Limited Outdoor Storage.

Ms. Hensley presented the redlined text.

Mr. Harris asked the Commissioners if they would like to discuss or had questions for staff; seeing none, he opened the public hearing asking if anyone wished to speak.

With no one to speak, Mr. Harris closed the public hearing.

Mr. Bragg made the motion to accept the amendment as presented as it is also a housekeeping change.

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

Ms. Hensley introduced the third item as an ordinance amendment to Section 25-74, Uses Permitted by Special Use Permit. Amendment increases the minimum setback for mining/quarry operations from 200' to 500' from all property lines and increases the minimum setback the Board of Zoning Appeals may reduce or eliminate from 200' to 500'. Amendment also removes the clause under item 7, "and the adjoining property owners agree that such a reduction is mutually beneficial."

Ms. Hensley presented the redlined text.

Mr. Harris asked the Commissioners if they had any discussion on this ordinance amendment.

Seeing none, Mr. Harris opened the public hearing.

Derek Hutchinson, of 106 Gerties Lane, Stuarts Draft, VA 24477, spoke in favor of the ordinance amendment. Mr. Hutchinson stated that this was the third time that he had been at the Government Center to speak on this issue. He attended twice when he bought his house because he knew D M Conner Sand and Gravel Company bought 14 acres behind his house. The Board of Zoning Appeals denied the company twice from digging 67 feet from his house, and required the company to be at least 500 feet from the property lines.

John Golladay, of 32 Sycamore Path, Stuarts Draft, 24477, spoke in favor of the ordinance amendment, stating it will save them a lot of headache as they fight this every two years.

Melissa Golladay, of 32 Sycamore Path, Stuarts Draft, 24477, spoke in favor of the ordinance amendment; it is a stressor for her family.

Mr. Harris asked if there was anyone else to speak on this amendment, seeing none, Mr. Harris closed the public hearing.

Mrs. Bragg stated that this was presented by the request of the BZA, and that it was a good amendment for the property owners that abut against these types of uses. She made the motion to recommend approval of the proposed ordinance amendment.

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

Ms. Hensley introduced the fourth item as an amendment to Section 25-384. Uses permitted by Special Use Permit in General Industrial Zones. The amendment adds the provision for the Board of Zoning Appeals to reduce or eliminate the one hundred-foot (100') setback between adjoining property owners where similar industrial uses are ongoing.

Ms. Hensley presented the redlined text.

Mr. Harris asked the Commissioners if there was any discussion on this amendment. Seeing none, he opened the public hearing asking if anyone wished to speak.

Seeing no one, Mr. Harris closed the public hearing.

Mr. Howdyshell stated that it was a good ordinance and made the motion to approve the ordinance amendment.

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

Ms. Hensley introduced the final item as an amendment to Section 25-603, Submission of Petition for Rezoning. Amendment deletes the requirement under item B that the petitioner shall be notified of the last day prior to consideration by the Planning Commission when the owner may proffer conditions. Amendment revises item C to allow for proffers to be submitted during a public hearing for the Board of Supervisors.

Ms. Hensley presented the redlined text.

Mr. Harris asked the Commissioners if there was any discussion on this ordinance amendment; seeing none, he opened the public hearing asking if anyone wished to speak.

Seeing no one, he closed the public hearing.

Mr. Howdyshell stated that this would give the petitioner ample time to submit proffers and made the motion to approve to adopt the amendment.

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

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NEW BUSINESS

Ms. Hensley stated that the first item for New Business was the Inclement Weather Resolution for 2024. She said that every year they passed this resolution to set the dates for the coming year, and it sets up a make-up meeting day if needed. The make-up meeting will be the following Tuesday if they need to cancel a regular scheduled meeting.

Ms. Hensley presented the proposed text for the resolution.

Mr. Harris stated that this resolution was in the Commissioner's packet, and that it follows what they have been doing in the past.

Mr. Howdyshell made the motion to adopt the resolution, but stated as time moves forward that we need to explore adopting the 2025 resolution in November or December.

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

Ms. Hensley stated that the next item was the review of the Planning Commission Bylaws. It was standard for them to review them periodically. She provided the Commissioners the redlined text of the Bylaws for them to discuss.

Mr. Howdyshell asked if this was for them to review and then take action on it at a later date?

Ms. Hensley stated if they decided they liked the proposed redlined changes, then staff would be providing it in the next agenda packet to vote on.

Mr. Harris asked if the Commissioners would like to discuss the Bylaws.

Mrs. Bragg stated that in their initial conversation they had talked about in Article 2 better defining the start and finish of terms. In Article 3-3 updating the language and adding when to approve the inclement weather resolution. In 8-2 changes the reference of "State Law" to "the Code of Virginia".

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STAFF REPORTS

Ms. Elizabeth Goodloe reviewed the agenda items with the Commissioners for the February 2024 Board of Zoning Appeals meeting.

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ADJOURNMENT

There being no further business to discuss, Mrs. Bragg made a motion to adjourn.

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

Chairman

Secretary