

PRESENT: K. Shiflett, Chairman
J. Curd, Vice Chairman
S. Bridge
G. Campbell
T. Jennings
L. Tate, Planner II and Secretary
J. Wilkinson, Director of Community Development

ABSENT: K. Leonard

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, June 13, 2017, at 5:15 p.m. in the Board of Supervisors' Conference Room, Augusta County Government Center, Verona, Virginia.

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The Planning Commission reviewed the proposed ordinance amendments, which will be considered by the Commission.

Chairman

Secretary

PRESENT: K. Shiflett, Chairman
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L. Tate, Planner II and Secretary
J. Wilkinson, Director of Community Development

ABSENT: K. Leonard

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, June 13, 2017, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

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DETERMINATION OF A QUORUM

Mrs. Shiflett 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 April 11, 2017 and the called meeting held on May 9, 2017.

Mr. Bridge seconded the motion, which carried unanimously.

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Section 25-4 Definitions

An ordinance to amend §25-4 of the Augusta County Code to revise the definition of Day Care Home Occupation.

Mrs. Tate explained the proposed amendment and stated the definition of home daycare will change from allowing six children to five children in order to bring Augusta County Code into compliance with State code.

There being no questions from the Commissioners, Mrs. Shiflett opened the public hearing. There being no one to speak in favor of or against the request, Mrs. Shiflett closed the public hearing.

Mr. Curd stated the amendment was a housekeeping matter in order to bring the code into compliance with State code. He recommended approval of the ordinance. Mr. Bridge seconded the motion, which carried unanimously.

Section 25-72 Permitted Uses

An ordinance to amend §25-72 of the Augusta County Code to clarify agriculture in addition to agriculture related uses as a permitted use in general agriculture districts.

Mrs. Tate stated agriculture has always been a permitted use in agriculture districts and the proposed amendment will not change any interpretation in the ordinance. The amendment will add agriculture in additional to agriculture related uses and will clarify the intent of the ordinance.

There being no questions from the Commissioners, Mrs. Shiflett opened the public hearing. There being no one to speak in favor of or against the request, Mrs. Shiflett closed the public hearing.

Mr. Jennings stated this is a housekeeping matter and the code does need to be specific. He moved to recommend approval of the amendment. Mr. Curd seconded the motion, which carried unanimously.

Section 25-72.1 Accessory Buildings & Uses

An ordinance to amend Section §25-72.1 of the Augusta County Code to permit 6 agricultural dogs as an accessory use in general agriculture districts.

Mrs. Tate explained the current ordinance allows four dogs over the age of six months in general agriculture districts. The proposed amendment would permit six additional dogs as an accessory use to agricultural operations. The conditions associated with this use state there would be a maximum of six dogs over the age of six months and they would be used primarily for the maintenance, protection, and herding of livestock on a bona fide agriculture operation as defined in the general agriculture zoning ordinance. The property would contain a minimum of six acres. The agriculture operation is required to be the primary use of the land. Factors in determining the primary use shall be the agriculture operation qualifies for land use taxation, it will be managed in good faith as a business activity, and the operator will provide Schedule F or other documentation showing gross receipts of farm income of a least \$10,000.

There being no questions from the Commissioners, Mrs. Shiflett opened the public hearing.

Francis Chester of 2490 Little Calf Pasture Highway, Swoope, VA and owner of Cestari Sheep & Land Co., LLC, stated he is in favor of this amendment. He gave a brief background on the history of using dogs, such as the Great Pyrenees, for farming operations. He also gave a background on his own experience using dogs as part of his farming operation and currently uses Great Pyrenees dogs in aiding in the protection of his sheep. The dogs are a great tool in many ways in the operation of his farm.

Leo Tammi of 826 Burkes Mill Road, Mt. Sidney, VA stated he raises sheep on his property. Part of the management of a sheep business is to protect against predators. One of the most affective predator controls is a livestock guardian dog. He highly supports the proposed ordinance. He stated six dogs should be the minimum and not the maximum. It is not unusual for a producer to have many flocks on several parcels of land in different locations that would require many dogs to protect the flocks.

Mrs. Shiflett explained the six dogs allowed by the ordinance would be in addition to the four dogs that are already allowed.

Mrs. Tate explained the six agricultural dogs that would be allowed with the ordinance would be a "by right" accessory use. If someone wanted to have more than six agricultural dogs in addition to the four dogs an owner is currently allowed, they could apply for a Special Use Permit to have more than ten.

Mr. Bridge stated it has been proven over the years that dogs are important to the safety of agriculture operations. He recommended approval of the amendment as written.

Mr. Jennings asked the speakers if six dogs was a reasonable number of dogs to have.

Mr. Tammi stated six dogs should be the minimum. Younger dogs may be needed to be accompanied by older dogs for guidance and training. If you have several flocks on several parcels of land, more dogs will be needed to tend the flocks.

Mr. Chester stated a minimum of six dogs is fine.

Mr. Curd seconded the motion made by Mr. Bridge. It passed unanimously.

Section 25-73 Uses Permitted by Administrative Permit

An ordinance to amend Section §25-73 of the Augusta County Code to permit the storage of commercial vehicles and/or trailers in general agriculture districts by administrative permit.

Mrs. Tate stated currently trailers and commercial vehicles can be stored with a Special Use Permit in General Agriculture districts. The amendment will allow for the storage of trailers and commercial vehicles in General Agriculture districts with an administrative permit, as long as a 200' setback can be met from all property lines. No more than two commercial vehicles or trailers would be allowed. No sale of goods or services on the

site related to those vehicles, and no more than two employees would come to pick up or drop off the commercial vehicles or trailers. If the property owner wanted to have more than two trailers or commercial vehicles, or could not meet the conditions, then a Special use Permit would be required.

There being no questions from the Commissioners, Mrs. Shiflett opened the public hearing. There being no one to speak in favor of or against the request, Mrs. Shiflett closed the public hearing.

Mr. Bridge stated the amendment is practical and should not cause a problem on larger lots. He recommended approval as written. Mr. Curd seconded the motion, which carried unanimously.

Section 25-518 Uses Permitted by Special Administrative Permit in Area 2

An ordinance to amend Section §25-518 of the Augusta County Code to clarify that underground petroleum storage tanks over 660 gallons require a Special Administrative Permit in Source Water Protection Area 2 designations.

Mrs. Tate stated this is a clarification to reflect the true intention of the ordinance. The ordinance has an Area 1, which is 1000' around the well head and is the more restrictive area. Area 2 is the ground water delineated recharge area which has some prohibitions and some spill containment and prevention plans but is the least restrictive compared to Area 1. Currently the storm water protection ordinance prohibits underground petroleum storage tanks over 660 gallons in Area 1, but does not regulate anything smaller than that. The ordinance currently requires all underground petroleum storage tanks would require a special administrative permit in area 2, which is less restrictive than Area 1. This amendment clarifies that only those underground tanks that meet the 660 gallon threshold would be required to have the special administrative permit in Area 2, but the tanks that do not meet that threshold would not be required to have it. This amendment does not pertain to personal use storage tanks.

There being no questions from the Commissioners, Mrs. Shiflett opened the public hearing. There being no one to speak in favor of or against the request, Mrs. Shiflett closed the public hearing.

Mr. Campbell stated clarification is good in keeping with the County's efforts to protect source water. He moved to recommend approval of the amendment.

Mr. Jennings seconded the motion, which carried unanimously.

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NEW BUSINESS

Capital Improvement Plan

Jennifer Whetzel, Deputy Administrator for Augusta County stated it is a requirement by the State that the Capital Improvement Plan (CIP) be presented annually to the Planning Commission regarding the five year plan. She stated the CIP offers a systematic approach to planning and financing capital improvements. It anticipates future capital facility needs. It correlates projects with community goals and financial capabilities, and facilitates opportunity for grants and regional efforts. It also facilitates private sector improvements consistent with the Comp Plan. She stated the CIP is funded annually when the Board of Supervisors appropriate funds to go into the capital account. Any unspent money in the general fund at the end of the year is allocated directly into the capital account. The Board of Supervisors approved the budget in April of this year. Included in the budget was \$5.0 million in appropriations to the CIP fund. \$3.2 million of the appropriations was related to grant funding or funding the County would receive from the State for road or other improvement projects. The remainder comes from the County general tax base to fund projects within the CIP.

Mr. Campbell stated in accordance with Section 2.2-3112 A.2 of the Code of Virginia, he was recusing himself from discussion and participation in the vote of the Capital Improvement Plan.

Mr. Curd moved to recommend approval of the CIP.

Mr. Bridge seconded the motion, which carried unanimously.

STAFF REPORTS

A. CODE OF VIRGINIA – SECTION 15.2-2310

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

The Commission took no action on the BZA items.

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There being no further business to come before the Commission, the meeting was adjourned.

Chairman

Secretary