

# AUGUSTA COUNTY PLANNING COMMISSION



## ANNUAL REPORT 2017

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## MEMBERSHIP

The Augusta County Planning Commission 2017 commissioners were: Kitra A. Shiflett, Chairman; James W. Curd, Vice-Chairman; Gordon Kyle Leonard, Jr.; E. Thomas Jennings, Jr; Stephen Neil Bridge; Gregory W. Campbell; and after his resignation, Larry Howdysshell replaced Eric M. Shipplett for the North River District. Leslie C. Tate served as Secretary to the Commission.

## MEETINGS

In 2017, the Planning Commission held eight (8) regular meetings. The Commission had strong attendance at all of their meetings with Kitra Shiflett, James Curd and Greg Campbell attending all eight meetings. Steve Bridge missed only one meeting. The Commission continued their practice of meeting on the second Tuesday of each month and viewing the requests prior to the public hearings.

## WORKLOAD

The Commission had three (3) rezoning requests come before them and two (2) requests to add the Source Water Protection Overlay Area 2 zoning designations to the supplies of public water systems.

The Commission also considered ten (10) Zoning and Subdivision Ordinance amendments including: the prohibition of extraction of oil and natural gas by means of hydraulic fracturing and to amend the special use permit conditions for the extraction of materials in General Agriculture and Industrial Districts, revisions to conditional rezoning requirements per state code, creating a permitting process for backyard chickens in residential districts, revisions to the definition for Daycare home occupation per state code, clarifying agriculture in addition to agriculture related uses as a permitted use in General Agriculture districts, adding the keeping of dogs for agricultural purposes in General Agriculture districts, creating an administrative permitting process for the storage of commercial vehicles and/or trailers in General Agriculture districts, revision to the Source Water Protection Overlay Ordinance to clarify only underground storage petroleum tanks in excess of 660 gallons require a permit in Area 2 designations, correction to Section 9-11 Technical Criteria for Regulated Land Disturbing Activities per state code, and addition of a short-term rental definition, revision of the Bed & Breakfast definition and elimination of the Tourist home definition for the provision for a short-term rental in Rural Residential districts with a Special Use Permit.

The Commission, during a work session in May, also considered input from the Agricultural and Forestal Committee concerning a request from the Virginia Department of Transportation to remove a portion of a property from the Middle River Agricultural and Forestal District in order to make road improvements.

## REZONING OF LAND

Two (2) of the three (3) requests for rezoning were recommended to the Board to be approved with proffers, while a request to rezone from Single Family Residential and General Business to Multi-Family Residential was recommended to the Board for denial. Table 1 shows a breakdown of the Planning Commission’s actions on all the requests for rezoning by magisterial district.

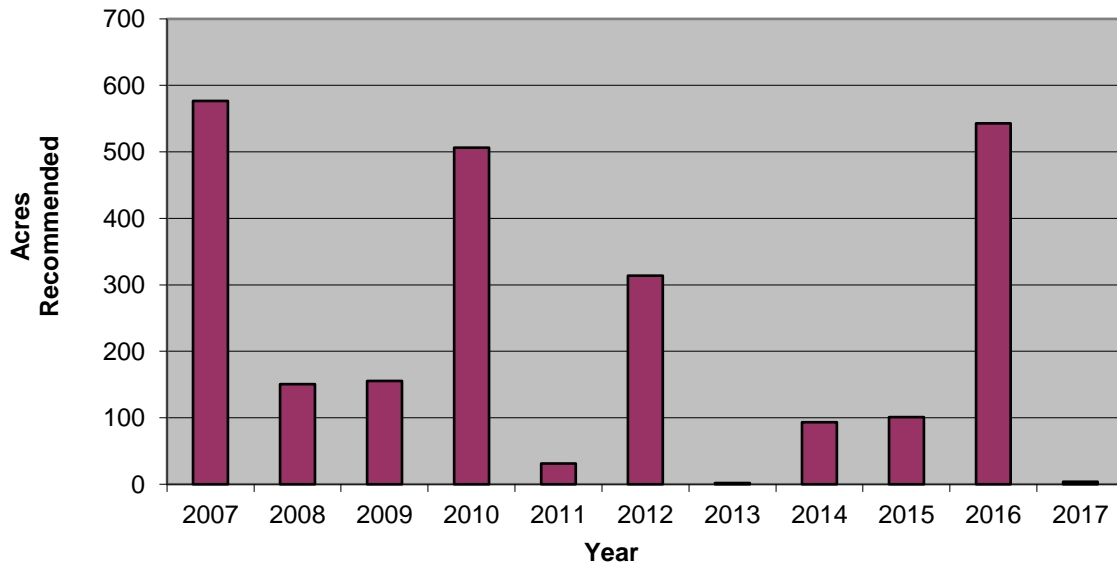
TABLE 1  
RECOMMENDATIONS ON REQUESTS FOR REZONING  
BY THE PLANNING COMMISSION  
BY MAGISTERIAL DISTRICT

DISTRICT	RECOMMEND APPROVAL WITH PROFFERS	RECOMMEND APPROVAL WITHOUT PROFFERS	RECOMMEND DENIAL	TABLED	TOTAL
Beverley Manor	1	0	0	0	1
Middle River	0	0	0	0	0
North River	0	0	0	0	0
Pastures	0	0	0	0	0
Riverheads	0	0	0	0	0
South River	1	0	1	0	2
Wayne	0	0	0	0	0
TOTAL	2	0	1	0	3

The number of rezoning requests in 2017 three (3) was a decrease from the six (6) requests heard by the commission for the previous year. For the purposes of this report, only the rezoning requests will be considered, not the requests to add the Source Water Protection Overlay or the request to review the VDOT request for removal from the Middle River Agricultural and Forestal district for road improvements. The Board of Supervisors followed the recommendations of the Planning Commission in all of the rezoning cases in 2017.

The acreage recommended for rezoning decreased significantly compared to last year, from approximately 543 acres in 2016 to approximately 3.92 acres in 2017. While the 2016 number is 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 2017 acreage is also significantly lower than the 2015 acreage of just over 100 acres. Figure 1 below shows the acres recommended for rezoning from 2008 to 2017.

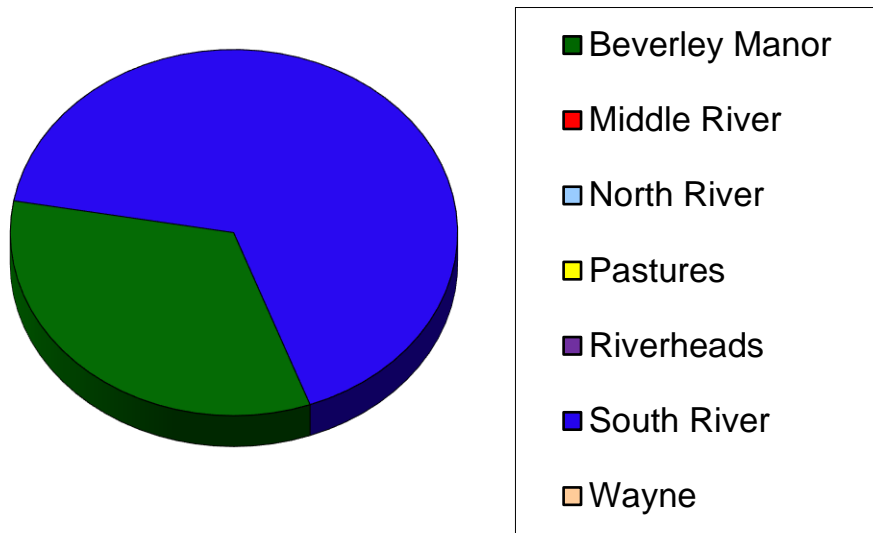
**Figure 1**  
**Acres Recommended for Rezoning 2007-2017**



\* Note: This table does not include requests to add the Source Water Protection Overlays or Public Use Overlays, requests to add or amend and restate proffers, or requests to withdraw from an Agricultural and Forestal District.

The rezoning requests in 2017 were distributed over two (2) of the seven (7) magisterial districts. The South River District had the most requests with two (2) and the Beverley Manor District had one (1) request. There were no rezoning requests made in the Riverheads, Pastures, North River, Middle River or Wayne Districts in 2017. Figure 2 below graphically depicts the number of rezoning requests by magisterial district.

**Figure 2  
Rezoning Requests by Magisterial District**



\* Note: This table does not include requests to add the Source Water Protection Overlays or a request to withdraw from an Agricultural and Forestal District.

Approximately 26% of the land recommended for rezoning in 2017 was from General Agriculture. The other request, for 2.9 acres, was recommended for rezoning from Single Family Residential to General Business. Table 2 lists the acres recommended for rezoning by zoning classification and magisterial district.

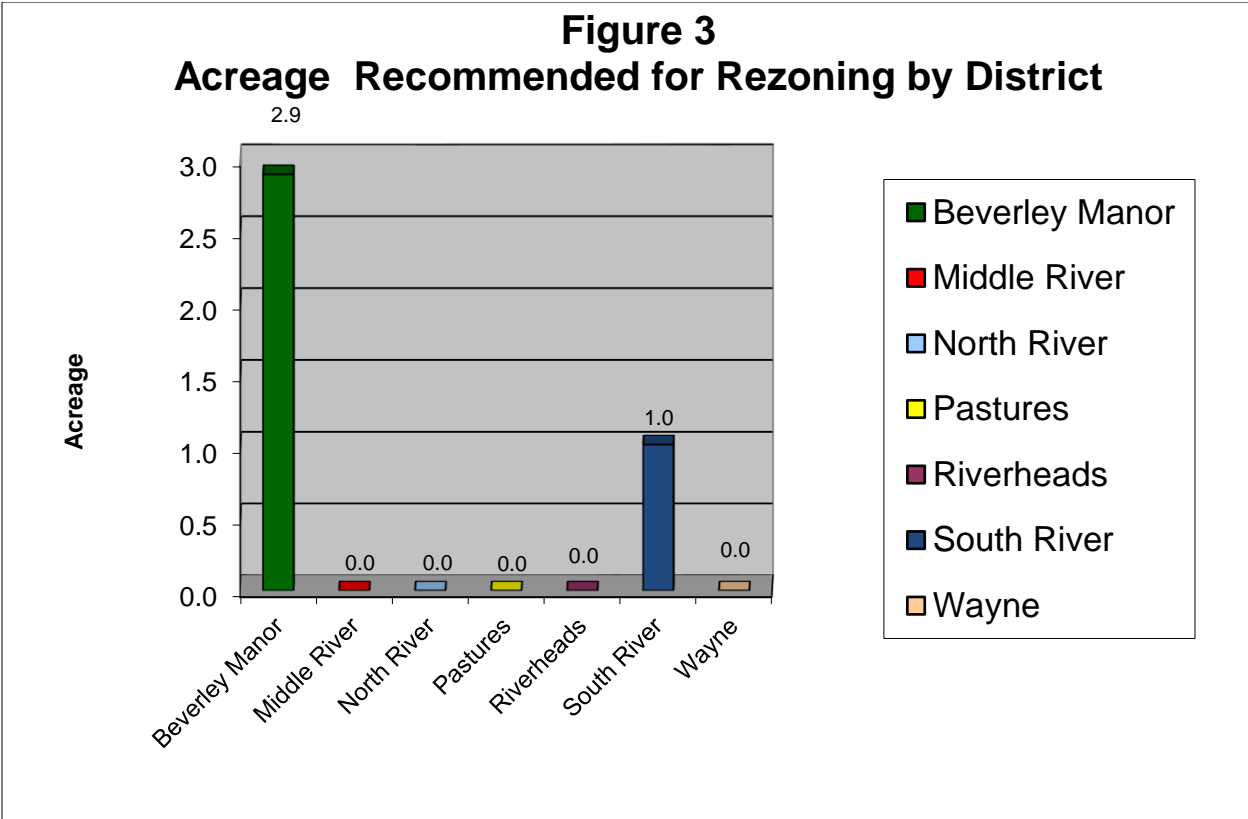
**TABLE 2  
ACREAGE RECOMMENDED FOR REZONING  
BY ZONING CLASSIFICATION AND MAGISTERIAL DISTRICT**

<b>ZONE</b>	<b>Beverley Manor</b>	<b>Middle River</b>	<b>North River</b>	<b>Pastures</b>	<b>R'heads</b>	<b>South River</b>	<b>Wayne</b>	<b>TOTAL</b>
General Agriculture	0	0	0	0	0	1.02	0	1.02
Rural Residential	0	0	0	0	0	0	0	0
Single-family Residential	2.9	0	0	0	0	0	0	2.9
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

ZONE	Beverley Manor	Middle River	North River	Pastures	R'heads	South River	Wayne	TOTAL
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	0	0
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*	2.9	0	0	0	0	1.02	0	3.92

\* Note: This table does not include requests to add the Source Water Protection Overlays or Public Use or a request to withdraw from an Agricultural and Forestal District.

Figure 3 graphically illustrates the geographic location of the acreage recommended for rezoning. The Beverley Manor District had 74% of the acres recommended for rezoning, while the South River District had approximately 26%.



\* Note: This table does not include requests to add the Source Water Protection Overlays or a request to withdraw from an Agricultural and Forestal District.

## RELATIONSHIP TO THE COMPREHENSIVE PLAN

One of the goals of the Augusta County Comprehensive Plan Update 2014/2015 is to target the County's growth to those areas with the public services designed to accommodate the development. The Plan recommends that 80% of the County's future residential growth locate 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% 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 2017, all three (3) requests for rezoning were in the Urban Service Area, totaling approximately 4.8 acres.

Of the land being recommended for rezoning, 2.9 acres was requested to be rezoned out of Single Family Residential to facilitate new business development and 1.02 acres was requested to be rezoned out of General Agriculture to facilitate new business development. Both requests were in compliance with the Comprehensive Plan's Future Land Use Designation. The one request not recommended for rezoning was a request to rezone approximately 0.899 acres from General Business and Single Family Residential to Multi-Family Residential.

## ORDINANCE AMENDMENTS

In 2017, changes to the County's zoning ordinance was a significant portion of the Commission's workload. The Planning Commission recommended ordinance changes to regulations on the following: prohibition of extraction of oil and natural gas by means of hydraulic fracturing and to amend the special use permit conditions for the extraction of materials in General Agriculture and Industrial Districts, revisions to conditional rezoning requirements per state code, revisions to the definition for Daycare home occupation per state code, clarifying agriculture in addition to agriculture related uses as a permitted use in General Agriculture districts, adding the keeping of dogs for agricultural purposes in General Agriculture districts, creating an administrative permitting process for the storage of commercial vehicles and/or trailers in General Agriculture districts, revision to the Source Water Protection Overlay Ordinance to clarify only underground storage petroleum tanks in excess of 660 gallons require a permit in Area 2 designations, correction to Section 9-11 Technical Criteria for Regulated Land Disturbing Activities per state code, and addition of a short-term rental definition, revision of the Bed & Breakfast definition and elimination of the Tourist home definition for the provision for a short-term rental in Rural Residential districts with a Special Use Permit.

The Board of Supervisors approved all of the ordinance amendments listed above which were recommended for approval by the commission. The Board of Supervisors also approved an ordinance amendment creating a permitting process for the keeping of backyard chickens in Single Family Residential and Rural Residential zoning, which was recommended for denial by the Planning Commission.

### SOURCE WATER PROTECTION OVERLAYS

The commission recommended approval to add the Area 2 Source Water Protection Overlay designation to approximately 11,217 acres located in the recharge areas for the Deerfield well and spring. The commission also recommended approval to add the Area 2 Source Water Protection Overlay designation to approximately 10,868 acres located in the recharge area for the Augusta Springs well and spring. These recharge areas were identified as a result of extensive study by the Augusta County Service Authority on these water systems. These water systems were the last to be adopted into the Source Water Protection Overlay, which now encompasses Area 1 and Area 2 designations for all of the County's public water supplies.

### PUBLIC USE OVERLAYS

The commission did not hear a Public Use Overlay (PUO) request in 2017.

### 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 2017, 34 lots were created through the major subdivision process. 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 2017, eleven (11) lots were created through the minor subdivision process that weren't zoned General Agriculture, seven (7) were created in Single Family Residential and four (4) in General Business.

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 (See Table 3). In 2017, 34 lots were created through the major subdivision process, eight (8) of which were for General Business zoning and the remainder were for some type of attached, detached, or Planned Unit Development residential. In 2017, ninety-eight (98) new lots were created through the minor subdivision process in General Agriculture, seven (7) Single Family Residential lots were created through the minor subdivision process, and four (4) General Business lots were created through the minor subdivision process.



New lots created in the County are required to have frontage on a public road. The only 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 2017, fourteen (14) of the ninety-eight (98) lots (approximately 14%) created in General Agriculture districts were created using the Family Member Exception.

**TABLE 3  
LOTS CREATED IN 2017**

Zoning	Minor Subdivision Lots	Major Subdivision Lots	Total New Lots
Rural Residential	0	0	0
Single Family Residential	7	15	22
Attached Residential	0	2	2
Townhouse Residential	0	4	4
Master Planned Community (residential)	0	5	5
Multi-Family Residential	0	0	0
General Business	4	8	12
General Industrial	0	0	0
Planned Commerce	0	0	0
General Agriculture	98	0	98
<b>TOTAL</b>	<b>109</b>	<b>34</b>	<b>143</b>

Figure 5 (below) graphically presents the number of all lots created, both from major and minor subdivisions, from General Business zoning districts (5%), residential zoning districts (26%) and the General Agriculture zoning district (69%) in 2017.

